

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 4501-45-01
Rule Type: Amendment
Rule Title/Tagline: Definitions.
Agency Name: Department of Public Safety
Division:
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I. Rule Summary

1. **Is this a five year rule review?** No
 - A. **What is the rule's five year review date?** 3/21/2021
2. **Is this rule the result of recent legislation?** Yes
 - A. **If so, what is the bill number, General Assembly and Sponsor?** HB 388 - 131 - Scherer
3. **What statute is this rule being promulgated under?** 119.03
4. **What statute(s) grant rule writing authority?** 4510.43, 4510.45
5. **What statute(s) does the rule implement or amplify?** 4510.43, 4510.45
6. **What are the reasons for proposing the rule?**

This rule is being amended to implement additional provisions dealing with ignition interlock devices contained in HB 388 of the 131st General Assembly commonly known as Annie's Law.

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

The rule defines terms. Several terms have been amended and new terms added in order to implement the provisions of HB 388.

8. **Does the rule incorporate material by reference? No**
9. **If the rule incorporates material by reference and the agency claims the material is exempt pursuant to R.C. 121.71 to 121.76, please explain the basis for the exemption and how an individual can find the referenced material.**

Not Applicable

10. **If revising or re-filing the rule, please indicate the changes made in the revised or re-filed version of the rule.**

This rule is being filed in order to correct an answer to a CSI question.

II. Fiscal Analysis

11. **As a result of this proposed rule, please estimate the increase / decrease in revenues or expenditures affecting this agency, or the state generally, in the current biennium or future years. If the proposed rule is likely to have a different fiscal effect in future years, please describe the expected difference and operation.**

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 for stakeholders include: the application fee of \$100 each ignition interlock device model or type that differ in any aspect intended for lease, sale, or other use in this state on an annual basis, background check, mailing application, product liability insurance, and cost to have device test by independent laboratory to be 2013 NHTSA compliant. The cost for testing is estimated to be several thousand dollars up to \$50,000 to have all laboratory testing completed and approximately 3 months to be completed. The background check cost is approximately \$60 for state and federal, price varies depending on the agency that performs the check. Those included in the background check are any of the manufacturer's owner(s), officers, partners, agents, employees, contractors, or installers. Additionally,

manufacturers must have product liability insurance, the cost of which is variable to the manufacturer depending on their level of coverage. Many manufacturers exceed the minimum of one million dollars per occurrence and to varying amounts.

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

III. Common Sense Initiative (CSI) Questions

15. **Was this rule filed with the Common Sense Initiative Office?** Yes
16. **Does this rule have an adverse impact on business?** No
 - 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