

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 4501-45-03

Rule Type: Amendment

Rule Title/Tagline: Licensing requirements for manufacturers of ignition interlock devices.

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
5. What statute(s) does the rule implement or amplify? 4510.43
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 deals with licensing of manufacturers of ignition interlock devices. Changes have been made to when renewal applications must be submitted and how and when a manufacturer must notify the Department of a change in business name. Both of these changes were requested by manufacturers during the CSI process.

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. 121.71 to 121.76, please explain the basis for the exemption and how an individual can find the referenced material.**
The rule references rule 4501-45-11 which deals with incorporation by reference; the material incorporated by reference will be filed with rule 4501-45-11.
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. **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 for each year applied, background check, mailing application, and actual cost in time of preparing the application and annual report. The annual report fee is equal to five per cent of the net profit stated in its annual report. One of the manufacturers estimated that they can complete the paperwork over a two day period. The background check cost is approximately \$60 for state and federal, price varies depending on the agency that performs the check and is for manufacturer's owner(s), officers, partners, agents, employees, contractors, or installers.

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? Yes**

- A. **Does this rule require a license, permit, or any other prior authorization to engage in or operate a line of business? Yes**

Manufacturers of ignition interlock device(s) are required to be licensed by the Department to lease, sell, or otherwise use its ignition interlock device(s) in Ohio.

- 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**

Failure to comply with the requirements set forth in this rule may result in denial of application or license, or in administrative action up to and including suspension or revocation. Penalties for failure to timely file annual report are detailed in rule 4501-45-07.

- C. **Does this rule require specific expenditures or the report of information as a condition of compliance? Yes**

The estimated costs of compliance for stakeholders include: the application fee of \$100 for each year applied, background check, mailing application, and actual cost in time of preparing the application and annual report. The annual report fee is equal to five per cent of the net profit stated in its annual report. One of the manufacturers estimated that they can complete the paperwork over a two day period. The background check cost is approximately \$60 for state and federal, price varies depending on the agency that performs the check and is for manufacturer's owner(s), officers, partners, agents, employees, contractors, or installers.