

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

Agency Name

Division

**Amanda Spies**

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**4501-45-03**

Rule Number

**RESCISSION**

TYPE of rule filing

Rule Title/Tag Line

**Ignition interlock device standards.****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? **Yes**

Bill Number: **HB1**General Assembly: **128**Sponsor: **Vernon Sykes**

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 Statute(s) authorizing agency to adopt the rule: **R.C. 4511.83 (repealed).**

5. Statute(s) the rule, as filed, amplifies or implements: **R.C. 4511.83 (repealed).**

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

This rule is being proposed for rescission as a result of recently enacted legislation that implements changes to the certification and licensing process for immobilization and disabling devices. This rule will be replaced, in part, by new rule 4501-45-02, under statutory authority found in R.C. 4510.43 and R.C. 4510.45.

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 that manufacturers wishing to obtain certification of an interlock device must submit documentation from an independent laboratory that the device meets or exceeds the standards of the National Highway Traffic Safety Administration.

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:

The material incorporated by reference in this rule is a regulation found in the Federal Register which is exempted by statute from the special standards that govern referenced material. The Federal Register is accessible at depository libraries and is therefore generally available to persons affected by this rule.

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:

The material incorporated by reference in this rule is a regulation found in the Federal Register which is exempted by statute from the special standards that govern referenced material. The Federal Register is accessible at depository libraries and is therefore generally available to persons affected by this 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:

The material incorporated by reference in this rule is a regulation found in the Federal Register which is exempted by statute from the special standards that govern referenced material. The Federal Register is accessible at depository libraries and is therefore generally available to persons affected by this rule.

11. If **revising** or **refiling** this rule, identify changes made from the previously filed version of this rule; if none, please state so:

*Not Applicable.*

12. 119.032 Rule Review Date: 3/15/2010

(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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The rescission of this rule will have no impact on the agency 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:

The rescission of this rule is not anticipated to have associated costs of compliance.

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**