

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

Agency Name

Division

**Amanda Spies**

Contact

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**4501-45-05**

Rule Number

**NEW**

TYPE of rule filing

Rule Title/Tag Line

**Denial, suspension or revocation of licensing or certification.****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? **Yes**

Bill Number: **SB17**General Assembly: **127**Sponsor: **Senator Grendell**

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. 4510.45**

5. Statute(s) the rule, as filed, amplifies or implements: **R.C. 4510.45, R.C. 4510.43**

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

This rule is being proposed to implement changes to the certification and licensing process for immobilization and disabling devices pursuant to Senate Bill 17, 127th General Assembly and House Bill 1, 128th General Assembly.

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 sets forth the reasons that the director may deny, suspend or revoke a manufacturer's license or certifications(s) of immobilizing or disabling devices, including ignition interlock devices, pursuant to R.C. 4510.43 and R.C. 4510.45, as modified by S.B. 17, the rules set forth in Chapter 4501 of the Administrative Code, and the reasons set forth in rule 4501-45-05.

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:

*This response left blank because filer specified online that the rule does not incorporate a text or other material by reference.*

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:

*This response left blank because filer specified online that the rule does not incorporate a text or other material by reference.*

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:

*Not Applicable.*

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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It is anticipated that this rule will not impact the agency's budget. However, if a manufacturer's license and/or certification(s) of an immobilizing or disabling device, including ignition interlock devices, is denied, suspended, or revoked, expenditures may be incurred. It is estimated that in the case of disciplinary action, expenses may include a hearing examiner, a court reporter, certified mailing fees, or court costs if sanctions are appealed.

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:

If a manufacturer's license and/or certification(s) of an immobilizing or disabling device, including ignition interlock devices, is denied, suspended, or revoked, that action would be based upon the intentional or negligent acts or omissions of the manufacturer. Any monetary impact upon the manufacturer would be a result of its own conduct.

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**

