Rule Summary and Fiscal Analysis
Part A - General Questions

Rule Number: 4501-45-10

Rule Type: New

Rule Title/Tagline: Audits and inspections.

Agency Name: Department of Public Safety

Division:

Address: 1970 West Broad Street PO Box 182081 Columbus OH 43218-2081

Contact: Joseph Kirk

Email: jakirk@dps.ohio.gov   **Phone:** 614-466-5605

I.   Rule Summary

1. **Is this a five year rule review?** No

    A. **What is the rule's five year review date?**

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?** 5502.011

5. **What statute(s) does the rule implement or amplify?** 5502.011

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 audits and inspection of manufacturers/installers of ignition interlock devices. The newly proposed rule will expand the inspection

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

    Currently, the work is being absorbed by current staff in the Ohio Traffic Safety Office.

12. **What are the estimated costs of compliance for all persons and/or organizations directly affected by the rule?**

    Manufacturers/installers must keep records related to installations of ignition interlock devices for a period of 5 years, and provide that information to the Department of Public Safety upon request. This may lead to negligible storage and mailing costs.

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?** 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?** Yes

    Failure to comply with the requirements set forth in this rule may result in fine, suspension or revocation of a manufacturer's license and/or certificate(s) of all immobilizing or disabling devices and/or ignition interlock devices.

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

    Manufacturers/installers must keep records related to installations of ignition interlock devices for a period of 5 years, and provide that information to the Department of Public Safety upon request.