

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

Agency Name

Division

**Lewis C. George**

Contact

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**4501-5-01**

Rule Number

**AMENDMENT**

TYPE of rule filing

Rule Title/Tag Line

**General provisions.****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? **No**

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. 4511.76**

5. Statute(s) the rule, as filed, amplifies or implements: **R.C. 4511.76**

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

Amendments to this rule are to accompany proposed rescission of Rule 4501-5-07.

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:

The rule includes general provisions regarding school bus construction standards including: effective date of rules, school bus definitions, notification requirements regarding recall of any safety-related products, compliance documentation required

of manufacturers, procedures regarding any changes in design or equipment of school buses, requirements for chassis and body replacement parts, responsibility for school bus construction standards compliance, and requirements for any composite materials used in school bus construction. Proposed changes reflect a change in numbering of paragraphs from (O)(2)(a) to (O)(2)(d), to (O)(2)(a) to (O)(2)(e) to provide for a new paragraph regarding access to the newest version of the Ohio school bus construction standards, provide a missing headline, replace the language "the effective of this chapter" with the actual effective date, September 1, 2003, and update address, website, and telephone numbers for the information on contact sites for obtaining materials incorporated by reference in Chapter 4501-5 of the Administrative Code.

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:

Ohio Revised Code Section 121.76 provides that the provisions of R.C. 121.71 to 121.75 do not apply to the incorporation by reference of a statute of the Revised Code or of a rule of the Administrative Code.

This rule incorporates earlier versions of Ohio school bus construction standards in effect on the bid date, or if the bid date is unknown, on the manufacture date of older buses. (A complete and accurate copy of this proposed version of the standards is being filed with JCARR.) Existing standards are currently available in printed form and most Ohio school bus manufacturers already have copies of these standards. Existing standards as provided in paragraphs (O)(2)(a) to (O)(2)(d) of currently effective Rule 4501-5-01 have already been deposited in five depository libraries designated by the State Library Board under R.C. 3375.01. These standards are also available via the State Highway Patrol Licensing and Commercial Standards Section, 1970 West Broad Street, Columbus, Ohio 43223. If adopted via this filing, we will also deposit the final filed new version of the standards in the five depository libraries designated by the State Library Board.

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:

Ohio Revised Code Section 121.76 provides that the provisions of R.C. 121.71 to 121.75 do not apply to the incorporation by reference of a statute of the Revised Code or of a rule of the Administrative Code.

This rule incorporates earlier versions of Ohio school bus construction standards in effect on the bid date, or if the bid date is unknown, on the manufacture date of older buses. (A complete and accurate copy of this proposed version of the standards is being filed with JCARR.) Existing standards are currently available in printed form and most Ohio school bus manufacturers already have copies of these standards. Existing standards as provided in paragraphs (O)(2)(a) to (O)(2)(d) of currently effective Rule 4501-5-01 have already been deposited in five depository libraries designated by the State Library Board under R.C. 3375.01. These standards are also available via the State Highway Patrol Licensing and Commercial Standards Section, 1970 West Broad Street, Columbus, Ohio 43223. If adopted via this filing, we will also deposit the final filed new version of the standards in the five depository libraries designated by the State Library Board.

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: **3/7/2008**

(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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We do not anticipate that this rule filing will affect the agency budget.

14. Identify the appropriation (by line item etc.) that authorizes each expenditure necessitated by the proposed rule:

Not applicable

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:

We do not expect this filing to increase the cost 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**