

## Rule Summary and Fiscal Analysis

### Part A - General Questions

**Rule Number:** 4501-5-01  
**Rule Type:** Amendment  
**Rule Title/Tagline:** General provisions.  
**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?** Yes
  - A. **What is the rule's five year review date?** 10/15/2018
2. **Is this rule the result of recent legislation?** No
3. **What statute is this rule being promulgated under?** 119.03
4. **What statute(s) grant rule writing authority?** 4511.76
5. **What statute(s) does the rule implement or amplify?** 4511.76
6. **What are the reasons for proposing the rule?**

This rule is being filed according to a R.C. 106.03 periodic rule review.

7. **Summarize the rule's content, and if this is an amended rule, also summarize the rule's changes.**

The rule sets forth general provision regarding Chapter 4501-5 dealing with schools bus minimum construction standards including notice of compliance, changes to equipment, recalls, documentation; as well as materials incorporated by reference. Additions have been made to more clearly spell out who will participate on the advisory committee.

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.**

Paragraph (Q)(2) incorporates dated versions of Ohio school bus construction standards, which are being filed with this rule, The standards may also be obtained by writing to the State Highway Patrol's Licensing and Commercial Standards section in Columbus, Ohio or accessed via its website.

This rule also includes Federal Motor Vehicle Safety Standards and Federal Motor Carrier Safety Regulations, which are published in the Code of Federal Regulations. In accordance with section 121.75 of the Revised Code, sections 121.71 to 121.74 of the Revised Code do not apply to the Code of Federal Regulations, if the standards are cited sufficiently and an explanation of general accessibility is provided. Therefore, these standards are not being filed with this rule.

Finally, this rule includes generally accepted industry standards published by the American Society for Testing and Materials, the Society of Automotive Engineers, and the National School Transportation Specifications and Procedures recognized by the National Highway Safety Transportation Administration and the National Association for Pupil Transportation. In accordance with section 121.75 of the Revised Code, sections 121.71 to 121.74 of the Revised Code does not apply to the Code of Federal Regulations, if the standards are cited sufficiently and an explanation of general accessibility is provided. This rule provides physical addresses and website addresses where these materials may be obtained or accessed.

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?**

This rule requires school buses to meet, and be maintained in compliance with, the standards set forth in Chapter 4501-5. As these standards are provided in rules 4501-5-02 and 4501-5-03, the estimated costs of compliance are provided in their RSFAs.

**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**

This rule requires manufacturers, dealers, and owners, who wish to install equipment on school buses other than that which is specified in Chapter 4501-5 of the Administrative Code, to obtain approval from the director of public safety in writing prior to its use and operation.

Section 4511.761 of the Revised Code requires that all school buses shall pass inspection and display current inspection decals prior to being authorized for use to transport students.

**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**

A manufacturer's and/or dealer's failure to comply with Chapter 4501-5 of the Administrative Code may result in the suspension of authorization for the sale and/or use of the school bus chassis and/or body in the state of Ohio until the violation is corrected.

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

This rule sets forth the requirement for school bus manufacturers to file a statement of compliance with the director of Public Safety that all products and components manufactured for use in Ohio school buses comply with division (F) of section 4511.01 of the Revised Code and Chapter 4501-5 of the Administrative Code, provide purchasers with written documentation specifying warranty provisions and a documented delivery list, and request permission to use/install any equipment or product, other than those specified in Chapter 4501-5 of the Administrative Code, in writing.

Further, this rule requires school buses to meet, and be maintained in compliance with, the standards in Chapter 4501-5. As these standards are provided in rules 4501-5-02 and 4501-5-03, the estimated costs of compliance are provided in their RSFAs.