

## Rule Summary and Fiscal Analysis

### Part A - General Questions

**Rule Number:** 4501-5-03  
**Rule Type:** Amendment  
**Rule Title/Tagline:** School buses used to transport pupils with special needs.  
**Agency Name:** Department of Public Safety  
**Division:**  
**Address:** 1970 West Broad Street PO Box 182081 Columbus OH 43218-2081  
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#### 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 deal with different and/or additional construction standards for buses used to transport pupils with special needs. The rule has been updated throughout to become current with construction standards and terminology.

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 directs readers to rule 4501-5-01 for materials that are incorporated by reference.

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?**

Stakeholders estimated that the average cost to purchase and maintain a conventional school bus that complies with the standards set forth in this rule is \$81,000 for purchase and \$4,200 for annual maintenance.

13. **Does the rule increase local government costs? (If yes, you must complete an RSFA Part B). Yes**

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**

Section 4511.761 of the Revised Code provides 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? No**

While this rule itself does not impose a penalty, division (C) of section 4511.76 of the Revised Code provides that whoever violates Chapter 4501-5 of the Administrative Code is guilty of a minor misdemeanor, while subsequent violations are misdemeanors of the fourth degree.

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

Stakeholder estimate that the cost of a new convention school bus in Ohio averages \$78,000. The average cost for a conventional school bus used to transport special needs student in Ohio is \$81,000. The average cost for maintenance over a year's time averages \$4,200 per bus.

## Rule Summary and Fiscal Analysis Part B - Local Governments Questions

**1. Does the rule increase costs for:**

<b>A. Public School Districts</b>	Yes
<b>B. County Government</b>	No
<b>C. Township Government</b>	No
<b>D. City and Village Governments</b>	No

**2. Please estimate the total cost, in dollars, of compliance with the rule for the affected local government(s). If you cannot give a dollar cost, explain how the local government is financially impacted.**

Stakeholder estimate that the cost of a new convention school bus in Ohio averages \$78,000. The average cost for a conventional school bus used to transport special needs student in Ohio is \$81,000. The average cost for maintenance over a year's time averages \$4,200 per bus.

**3. Is this rule the result of a federal government requirement? No**

**A. If yes, does this rule do more than the federal government requires? *Not Applicable***

**B. If yes, what are the costs, in dollars, to the local government for the regulation that exceeds the federal government requirement?**

*Not Applicable*

**4. Please provide an estimated cost of compliance for the proposed rule if it has an impact on the following:**

**A. Personnel Costs**

Not applicable.

**B. New Equipment or Other Capital Costs**

Stakeholder estimate that the cost of a new convention school bus in Ohio averages \$78,000. The average cost for a conventional school bus used to transport special needs student in Ohio is \$81,000.

**C. Operating Costs**

The average cost for maintenance over a year's time averages \$4,200 per bus.

**D. Any Indirect Central Service Costs**

Not applicable.

**E. Other Costs**

Not applicable.

**5. Please explain how the local government(s) will be able to pay for the increased costs associated with the rule.**

The requirement for inspection following wheelchair lift repairs is not expected to increase have an effect on annual maintenance costs.

**6. What will be the impact on economic development, if any, as the result of this rule?**

This rule is not expected to impact economic development.