

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

Agency Name

**State Highway Patrol**

Division

**Heather Reed Frient**

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**4501-5-04**

Rule Number

**NO CHANGE**

TYPE of rule filing

Rule Title/Tag Line

**Evaluation of new equipment or changes to existing equipment  
on school buses.****RULE SUMMARY**

1. Is the rule being filed consistent with the requirements of the RC 119.032 review? **Yes**

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: **4511.76**

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

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

This rule is being filed according to a scheduled five-year R.C. 119.032 rule review.

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 provides requirements and procedures for manufacturers, dealers, and owners of school buses to follow in requesting permission from the director of public safety to incorporate or install equipment or products, other than those specified 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:

*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 If the rule is being **rescinded** and incorporates a text or other material by reference, and it was **infeasible** for the agency to file the text or other material, provide an explanation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. If applicable, indicate each specific paragraph of the rule that has been modified:

*Not Applicable.*

12. 119.032 Rule Review Date: **2/28/2014** and **11/12/2018**

(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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This rule is not expected to impact the agency's budget in the current biennium.

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:

It is estimated that the average cost to purchase a conventional school bus in Ohio is \$74,761.00. The average cost to purchase a conventional school bus used to transport students with special needs is \$79,308.00. The average cost for maintenance over a one year time period for a school bus is \$4,161.00.

This rule sets forth the process by which manufacturers, dealers, and owners, who wish to install optional equipment on a school bus beyond that set forth in Chapter 4501-5 of the Administrative Code. This rule is not expected to result in costs 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**

**S.B. 2 (129th General Assembly) Questions**

18. Has this rule been filed with the Common Sense Initiative Office pursuant to R.C. 121.82? **Yes**

19. Specific to this rule, answer the following:

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 does not require manufacturers, dealers, and owners to install specialized or additional equipment beyond that set forth in Chapter 4501-5 of the Administrative Code; however, if additional/specialized equipment is desired, this rule requires manufacturers, dealers, and owners to obtain written approval from the director of public safety prior to its use and operation.

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? **Yes**

This rule does not require manufacturers, dealers, and owners to install specialized or additional equipment beyond that set forth in Chapter 4501-5 of the Administrative Code; however, if additional/specialized equipment is desired, this rule requires manufacturers, dealers, and owners to follow a specific process to request written approval to do so. If manufacturers, dealers, and owners fail to meet the requirements set forth in this rule, the request may be rejected.

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

This rule does not require manufacturers, dealers, and owners, to install specialized or additional equipment beyond that set forth in Chapter 4501-5 of the Administrative Code; however, if these persons wish to install additional/specialized equipment on school buses other than that which is specified in this chapter, they are required to obtain written approval from the director of public safety prior to its use and operation. A request to install equipment other than that specified in this chapter shall include photographs, diagrams, specifications, test results from independent testing facilities, cost estimates, and justification.