

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 4501-5-04

Rule Type: Amendment

Rule Title/Tagline: Evaluation of new equipment or changes to existing equipment on school buses.

Agency Name: Department of Public Safety

Division:

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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.**

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. Does the rule incorporate material by reference? No
- 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.

Not Applicable

- 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?

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

- 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 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.