

## Rule Summary and Fiscal Analysis

### Part A - General Questions

**Rule Number:** 4501-54-02  
**Rule Type:** Amendment  
**Rule Title/Tagline:** Definitions.  
**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?** 10/25/2018
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?** 3937.43
5. **What statute(s) does the rule implement or amplify?** 3937.43
6. **What are the reasons for proposing the rule?**

This rule is being filed according to a Chapter 106.03 ORC periodic rule review.

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

This rule defines common terms and addresses all incorporated references used throughout the chapter. Paragraphs (C), (D), (H), and (I) are being proposed to change and update terms from "accident" to "collision." Paragraph (C) is being proposed to include common vernacular of mature operator course. Paragraph (D) is being proposed to incorporate and combine the definition of operator into paragraph (D)

since instructor and operator are the same person and not identified as separate. New Paragraph (E) is being proposed to update the verbiage as used throughout the Chapter. Paragraph (G) is being proposed to include other types of drugs, over-the-counter and herbal in the definition.

Paragraph (L)(2) and (3) are being proposed to update the form numbering and revision date.

- 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 (L) addresses dates/versions and availability of all materials incorporated by reference in Chapter 4501-54 including the following: "Mature Driver Course Completion Certificate," "Mature Operator Course Place of Business Supplement," and "Mature Driver Course Provider Application".

These materials are generally available to driver training enterprises, instructors, training manager, and authorizing officials, who are the persons most reasonably expected to be affected by Chapter 4501-54, upon written request submitted to the Driver Training Program Office or via the Driver Training Program website (<http://www.drivertraining.ohio.gov/forms.aspx>).

Unless otherwise indicated, these materials are being filed as part of this rule for the entire package.

The "Mature Driver Course Certificate of Completion" is not being filed as part of this package. The certificates are numbered, tracked, and issued to driver training schools as purchased. The electronic "Mature Driver Course Provider Application" is a database application that is part of the Driver Education and Training System database, a database accessible to licensed schools, course managers, and instructors, where information is electronically entered via an interface on the system.

- 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?**

Not applicable.

- 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? No**

- A. Does this rule require a license, permit, or any other prior authorization to engage in or operate a line of business? No**

This rule, in and of itself does not require prior authorization to engage in or operate a line of business; however, it is part of a filing package that does, as some provisions in Chapter 4501-54 require Motor Vehicle Collision Prevention courses to obtain and maintain the appropriate approval prior to engaging in the driver education course.

- 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**

- C. Does this rule require specific expenditures or the report of information as a condition of compliance? No**