

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

Agency Name

Division

**Nicole Scozzie**

Contact

**1970 West Broad Street Columbus OH 43218-2081 614-466-7014**

Agency Mailing Address (Plus Zip)

Phone

Fax

**4501-54-02**

Rule Number

**NEW**

TYPE of rule filing

Rule Title/Tag Line

**Definitions.****RULE SUMMARY**

1. Is the rule being filed consistent with the requirements of the RC 119.032 review? **No**

2. Are you proposing this rule as a result of recent legislation? **Yes**

Bill Number: **HB230**General Assembly: **125**Sponsor: **Reinhard**

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: **R.C. 3937.43**

5. Statute(s) the rule, as filed, amplifies or implements: **R.C. 3937.43**

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

This filing is based on a R.C. 119.032, five-year rule review of Ohio Administrative Code (OAC) Chapter 4501:2-9. The rules of Ohio Administrative Code Chapter 4501:2-9 are being proposed for rescission and simultaneously they are being proposed for adoption to renumber the rules under Chapter 4501-54 of the Administrative Code. This proposal reflects a legislative change which substituted "department of public safety" for "state highway patrol" in the statute that authorizes the rules. Related rule numbering and language changes are also being proposed throughout the rules of Chapter 4501-54 of the Administrative Code.

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 definitions applicable throughout Chapter 4501-54 of the Administrative Code. With this filing, the rule number has changed from the existing rule number 4501:2-9-02 to 4501-54-02 and within the text of the rule, correspondingly, a rule number reference has been updated. This filing substitutes "director" and "director of the department of public safety" for "superintendent" and "superintendent of the highway patrol."

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:

While this rule references the Ohio Administrative Code, incorporation by reference of such information is excepted by Section 121.76 of the Revised Code from the requirements set forth in Revised Code Sections 121.71 to 121.75.

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:

While this rule references the Ohio Administrative Code, incorporation by reference of such information is excepted by Section 121.76 of the Revised Code from the requirements set forth in Revised Code Sections 121.71 to 121.75.

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:

*Not Applicable.*

12. 119.032 Rule Review Date:

(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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We do not anticipate that this rule filing will affect the agency budget.

14. Identify the appropriation (by line item etc.) that authorizes each expenditure necessitated by the proposed rule:

Not applicable.

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:

We do not expect this rule filing to increase the cost 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**