

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 4501-54-03

Rule Type: Amendment

Rule Title/Tagline: Authority of the director of the department of public safety.

Agency Name: Department of Public Safety

Division:

Address: 1970 West Broad Street PO Box 182081 Columbus OH 43218-2081

Contact: Joseph Kirk

Email: jakirk@dps.ohio.gov **Phone:** 614-466-5605

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 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 defines the authority and responsibilities of the department for the motor vehicle collision prevention course. The rule also provides for a department representative to attend a course for the verification of the course operating in compliance with the rules. The comment is being proposed to update the specific paragraph directing readers to the appropriate code section for the incorporated

references. Paragraph (A)(1) is being proposed to update the title of the course to the correct verbiage used throughout the Chapter.

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.**

"Mature Driver Course Provider Application". To comply with sections 121.71 to 121.74 of the Revised Code, this rule refers readers to paragraph (L) of rule 4501-54-02, which addresses the version/date of the materials, as well as where each may be accessed.

The electronic "Mature Driver Course Provider Application" is a database applications that are 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?** Yes

- 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?** Yes

The rule sets forth the responsibility of the department to withdraw the approval of a course should they fail to comply with the requirements established in the Chapter.

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