

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 4501-54-06

Rule Type: Amendment

Rule Title/Tagline: Written exercise and skills demonstration.

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?** 10/25/2018
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 sets forth the requirements for successful completion of the program to include a written exercise and skills demonstration. The rule describes the written exercise to include true/false questions, no more than 25 questions, and shall be passed with a 75% score. The rule sets forth the requirements for the skills demonstration for an on-road skills demonstration or an off-road skills demonstration.

The rule describes the off-road or range area requirements. The rule sets forth the evaluation criteria for a participant to pass the skills demonstration. Paragraph (E) is being proposed to revise the code reference to the appropriate paragraph in rule 4501-54-05 of the Ohio 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 estimated cost of compliance is based upon time requirements for each school to inspect a facility for compliance prior to using the facility. The course is a mobile course and can be offered at any location as long as the facility provides for space adequate to allow for the off-road demonstration. The time taken to travel to the location depends upon the actual location of the facility. The majority of the course providers are AAA and therefore, they are restricted to stay within their designated club territories. They estimated the most time would be two hours of travel to inspect the facility.

There is no cost for use of the actual facilities. The majority of locations are donated space or are held at the main enterprise location, where other driver training programs are hosted.

The cost of compliance were provided by the rule review committee.

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 providing the 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?** Yes

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