

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

Agency Name

Division

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**4501-7-04**

Rule Number

**AMENDMENT**

TYPE of rule filing

Rule Title/Tag Line

**Application for and renewal of driver training school licenses .****RULE SUMMARY**

1. Is the rule being filed consistent with the requirements of the RC 119.032 review? **Yes**

2. Are you proposing this rule as a result of recent legislation? **No**

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: **4508.02**

5. Statute(s) the rule, as filed, amplifies or implements: **4508.01, 4508.02, 4508.03, 4508.05, 4508.09**

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 rule review of Ohio Administrative Code Chapter 4501-7. For purposes of clarification and ease of use, changes reflect a rule reorganization that separates provisions applicable to class "D" license schools from provisions applicable to commercial driver license schools. Currently these provisions are combined in one rule (4501-7-04). Provisions applicable to commercial driver license schools are included in proposed new rule 4501-7-24. Provisions applicable to class "D" schools in, remain and are proposed for amendment in, rule 4501-7-04. Proposed expansion of the rule title is to enhance description of the rule content. Extension of the period allowable prior to the

director receiving a BC&I report is to help eliminate school application process setbacks due to, and in some cases eliminating added costs associated with, obtaining a second BC&I report. The purposes of other proposed changes include enhancing rule clarity and readability.

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 proposed amended rule is regarding application for a new or renewal class "D" license school license. The rule's provisions are currently combined in existing rule 4501-7-04 with provisions addressing application for, and renewal of, a CDL school license.

A proposed change removes language regarding commercial driver license schools (now addressed in proposed new rule 4501-7-24). As in rule 4501-7-24, this proposed amended rule includes provision to extend by 30 days (from 60 to 90 days) the period allowable (prior to its receipt by the director) for obtaining required BC&I reports. Language changes include those in paragraph (D) which involves removal of CDL license school requirements for inclusion in proposed new rule 4501-7-24 and in paragraph(K) which enhances rule clarity and readability. Further, a proposed change expands the rule title.

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:

*This response left blank because filer specified online that the rule does not incorporate a text or other material by reference.*

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:

*This response left blank because filer specified online that the rule does not incorporate a text or other material by reference.*

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:

This refiled rule includes the following changes: Rule tagline was amended to correct grammatical error.

12. 119.032 Rule Review Date: **4/3/2009**

(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:

This rule filing is not expected to create additional costs. However, there are

potential cost savings associated with extending the period allowable for obtaining BC&I reports because in some cases, this change will eliminate the necessity for obtaining a second report. Report costs range from approximately \$22 to \$50.

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**