

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

Agency Name

Division

David McCallister

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Rule Number

AMENDMENT

TYPE of rule filing

Rule Title/Tag Line

Training required for the operation of motor vehicles other than commercial motor vehicles.**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? **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: **R.C. 4508.02**

5. Statute(s) the rule, as filed, amplifies or implements: **R.C. 4508.02**

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

The proposed rule change is to eliminate language which limits the time that a second student may be in a vehicle during driver training to only time for transportation purposes and to time only immediately preceding or following that student's scheduled behind-the-wheel training period.

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:

The rule provides the requirements applicable to authorized officials, training managers and instructors training students in the operation of motor vehicles other than commercial motor vehicles. The proposed change deletes the language limiting a second student's time in a vehicle to time only for transportation purposes and to time only immediately preceding or following that student's scheduled behind-the-wheel training period.

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:

Based upon the language of R.C. 121.75(E), material incorporated by reference in this rule is excepted from the requirements of sections 121.71 to 121.74 of the Revised Code. The rule requires, in part, that driver training programs will be based on the principles of and cover at a minimum, the body of knowledge contained in the "Ohio Driver Training Curriculum". This curriculum is published by the Ohio Department of Public Safety and is provided to all driver training schools.

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:

Based upon the language of R.C. 121.75(E), material incorporated by reference in this rule is excepted from the requirements of sections 121.71 to 121.74 of the Revised Code. The rule requires, in part, that driver training programs will be based on the principles of and cover at a minimum, the body of knowledge contained in the "Ohio Driver Training Curriculum". This curriculum is published by the Ohio Department of Public Safety and is provided to all driver training schools.

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: 3/9/2006

(If 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: At 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.

\$0.00

The amendment of this proposed rule will not change the agency's projected budget.

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

N/A

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:

The rule amendment is not anticipated to create additional costs.

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**