Rule Summary and Fiscal Analysis
<u>Part A</u> - General Questions

Rule Number: 4501-7-21

Rule Type: Amendment

Rule Title/Tagline: The director may take action against a license of a class "D" or online school, training manager, online instructor or instructor.

Agency Name: Department of Public Safety

Division:

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

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I.   <u>Rule Summary</u>

1.   **Is this a five year rule review?** Yes

   A.   **What is the rule's five year review date?** 2/4/2022

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?** 4508.02

5.   **What statute(s) does the rule implement or amplify?** 4508.02, 4508.03

6.   **What are the reasons for proposing the rule?**

   This rule is being filed according to 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.**

   The rules with action the director may take against licenses of training schools, or instructors. Revised Code citations have been updated.

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. 121.75, 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.**

    The rule is being revised filed to include the correct CSI recommendation.

II.   Fiscal Analysis

11. **Please estimate the increase / decrease in the agency's revenues or expenditures in the current biennium due to this rule.**

    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

15. **If the rule imposes a regulation fee, explain how the fee directly relates to your agency's cost in regulating the individual or business.**

    Not applicable.

III. Common Sense Initiative (CSI) Questions

16. **Was this rule filed with the Common Sense Initiative Office?** Yes

17. **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?** Yes

Pursuant to sections 4508.03 and 4508.04 of the Revised Code, no person shall operate a driver training school or act as a driver training instructor unless licensed by the director of public safety.

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

Administrative actions may be taken which may impose sanctions up to and including suspension and revocation of a license if licensees fail to meet the requirements set forth in this rule.

This rule specifically imposes sanctions including reprimanding, denials, placing on probation, suspensions, revocations, on of licenses.

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

D. **Is it likely that the rule will directly reduce the revenue or increase the expenses of the lines of business of which it will apply or applies?** No

IV. <u>Regulatory Restrictions (This section only applies to agencies indicated in R.C. 121.95 (A))</u>

18. **Are you adding a new or removing an existing regulatory restriction as defined in R.C. 121.95?** No

A. **How many new regulatory restrictions do you propose adding?**

Not Applicable

B. **How many existing regulatory restrictions do you propose removing?**

Not Applicable