

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

Agency Name

Division

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**4501-7-28**

Rule Number

**NEW**

TYPE of rule filing

Rule Title/Tag Line

**Training required for the operation of 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: **4508.02**

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

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, this filing reflects a rule reorganization that separates provisions applicable to class "D" license schools (in this case rule 4501-7-10) from provisions applicable to commercial driver license schools (in this case proposed new rule 4501-7-28 which reflects the language of existing 4501-7-11. Rule 4501-7-11 is simultaneously being proposed for rescission to accommodate this reorganization). The purposes for proposed changes to the existing language of rule 4501-7-11 include language clarification, updating, and rule reorganization.

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 new rule language consists of the existing language of rule 4501-7-11 with a few changes including clarification that documented circumstances may allow a CDL school to provide training beyond the 270-day limit for completing required classroom and behind-the-wheel training, inclusion of a new classroom required topic regarding emerging commercial motor vehicle safety technologies, clarification of the "no zone" required topic, inclusion of a minimum of 10 extra hours of behind the-wheel instruction on streets and highways with normal traffic, and inclusion of a decrease by 10 hours in the required behind-the-wheel instruction for behind-the-wheel on-highway or off-highway training and within the same paragraph, and replacement of language providing for a maximum of 2 hours of pre-trip and/or post-trip instruction to be credited to behind-the-wheel on-highway or off-highway training with language requiring that a pre-trip be conducted with each change of drivers.

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 revised filing includes replacement line information.

This refiled rule includes the following changes: Language was amended in paragraph (A)(8) to reduce the burden of instruction by decreasing the number of pre-trip inspections to one per day. Formatting errors were also corrected.

12. 119.032 Rule Review Date:

(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:

Proposed changes are already common practice, so any compliance costs should be minimal.

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**