

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

Agency Name

Division

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4501-7-30

Rule Number

NEW

TYPE of rule filing

Rule Title/Tag Line

CDL school records.**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, proposed rule 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 (4501-7-13.) Provisions applicable to CDL schools are included in proposed new rule 4501-7-30. Provisions applicable to class "D" license schools remain in, and are proposed for amendment in, rule 4501-7-13. Proposed expansion of the rule title is to enhance description of the rule content and to reflect the rule reorganization. Further proposed changes to the CDL school language being transferred from existing rule

4501-7-13 are to update language that reflects online issuance of certificates of completion and to clarify required periods of record-keeping and the information required to be maintained regarding training of instructors and training managers and regarding schedules of instructors and students in behind-the-wheel training.

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 provides requirements for record keeping for CDL schools. Language has been transferred from existing rule 4501-7-13. In keeping with the proposed changes for rule 4501-7-13, changes include requiring all behind-the-wheel sessions to be initialed by both student and instructor, requiring a record of the schedule for behind-the-wheel training for each instructor that includes date, time, and student name for each lesson, reorganizing and clarifying rule language requiring records of training of instructors and training managers to be kept for three years, and addition of language reflecting the current practice of issuing certificates of completion online.

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 (E) as an on-line system maintained by the Department will now provide an electronic means to enter and maintain certificate information. Paragraphs (D)(2)-(5) were deleted as certificates will no longer be issued, but entered and maintained via the Department's online system.

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 new language clarifies record keeping requirements regarding students, instructors, and training managers. Additional related costs are not anticipated.

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**