

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 4501-7-39

Rule Type: Amendment

Rule Title/Tagline: Incorporated by reference.

Agency Name: Department of Public Safety

Division:

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I. Rule Summary

1. **Is this a five year rule review?** No
 - A. **What is the rule's five year review date?** 9/16/2019
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
6. **What are the reasons for proposing the rule?**

This rule is being proposed to include the Driver Training Program public website for re-design and update to accommodate DAS issued standards for state websites, the public training campus website update to implement updated security measures, and the new option for electronic application submission.

7. **Summarize the rule's content, and if this is an amended rule, also summarize the rule's changes.**

Paragraphs (A)(6),(7),(8), and (18) are being proposed to update the uniform resource locator (URL) to provide users with access to the new Driver Education and Training System.

Paragraphs (A)(10) and (11) are proposed to update the users' ability to access these applications electronically through the Driver Education and Training System.

Paragraphs (A)(12), (13), (15), (17), (19), (20), and (21) are being proposed to update accessibility to these forms to the new public facing website.

Paragraphs (A)(2) and (10) is being proposed to provide the most current publication date for the curriculum or form.

Paragraph (A)(16) is being proposed to update the publication date for the curriculum.

- 8. Does the rule incorporate material by reference? Yes**
- 9. If the rule incorporates material by reference and the agency claims the material is exempt pursuant to R.C. 121.71 to 121.76, please explain the basis for the exemption and how an individual can find the referenced material.**

These materials are generally available to driver training enterprises, instructors, training manager, and authorizing officials, who are the persons most reasonably expected to be affected by Chapter 4501-7, upon written request submitted to the Driver Training Program Office or via the Driver Training Program website (<http://www.drivertraining.ohio.gov/forms.aspx>).

Unless otherwise indicated, these materials are being filed as part of this rule for the entire package.

"Digest of Motor Vehicle Laws" is available through the BMV website at <http://bmv.ohio.gov/>.

"Certificates of Enrollment," "Certificates of Completion," the "Examination Questions Test Bank," "Sexual Harassment Training," "Renewal Requirements," and "49 CFR 380," "49 CFR 383," "49 CFR 391," "49 CFR 395," "49 CFR 391.43," and the electronic "Driver Training Enterprise Application", and "Driver Training Instructor Application" are not being filed as part of this package. The Certificates are numbered, tracked, and issued to driver training schools as purchased. The "Examination Test Bank" is a database of questions from which exam questions are randomly selected as each test is administered. The "Renewal Requirements" and the electronic "Driver Training Enterprise Application", and "Driver Training Instructor Application" are database applications that are part of the Driver Education and Training System database, a database accessible to licensed schools, training managers, and instructors, where information is electronically entered via an interface on the system.

The "Ohio Driver Training Curriculum" is available by request through the driver training program office.

Under R.C. Section 121.75, the Code of Federal Regulations is exempted from the provisions of R.C. 121.71 to 121.74, as long as the material incorporated by reference is generally available, consists of a citation that will be intelligible to readers, and

provides readers with how the material may be accessed. This rule addresses all of these materials by providing full citations, the date/version of the materials as appropriate, as well as referring readers to where and how they may be accessed.

10. **If revising or re-filing the rule, please indicate the changes made in the revised or re-filed version of the rule.**

Not Applicable

II. Fiscal Analysis

11. **As a result of this proposed rule, please estimate the increase / decrease in revenues or expenditures affecting this agency, or the state generally, in the current biennium or future years. If the proposed rule is likely to have a different fiscal effect in future years, please describe the expected difference and operation.**

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**

III. Common Sense Initiative (CSI) Questions

15. **Was this rule filed with the Common Sense Initiative Office? No**

16. **Does this rule have an adverse impact on business? No**

- A. **Does this rule require a license, permit, or any other prior authorization to engage in or operate a line of business? No**

- 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? No**

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