

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?** 4/1/2027
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. **Does the rule implement a federal law or rule in a manner that is more stringent or burdensome than the federal law or regulation requires?** No
 - A. **If so, what is the citation to the federal law or rule?** Not Applicable
7. **What are the reasons for proposing the rule?**

The rule is being amended to update materials incorporated by reference.
8. **Summarize the rule's content, and if this is an amended rule, also summarize the rule's changes.**

The rule deals with materials incorporated by reference. The rule is amended to remove certain materials and update websites and/or dates of others.

9. **Does the rule incorporate material by reference? Yes**
10. **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.**

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>.)

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.

11. **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 re-filed to update materials incorporated by reference. The website in paragraph (A)(14) has been updated. The website and date in paragraph (A)(15) has been updated. No additional substantive changes have been made.

II. Fiscal Analysis

12. **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.

13. **What are the estimated costs of compliance for all persons and/or organizations directly affected by the rule?**

Not applicable.

14. Does the rule increase local government costs? (If yes, you must complete an RSFA Part B). No
15. Does the rule regulate environmental protection? (If yes, you must complete an RSFA Part C). No
16. 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

17. Was this rule filed with the Common Sense Initiative Office? Yes
18. 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
 - 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. Regulatory Restriction Requirements under S.B. 9. Note: This section only applies to agencies described in R.C. 121.95(A).

19. 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 to this rule?

Not Applicable

- B. How many existing regulatory restrictions do you propose removing from this rule?**

Not Applicable

- C. If you are not removing existing regulatory restrictions from this rule, please list the rule number(s) from which you are removing restrictions.**

Not Applicable

- D. Please justify the adoption of the new regulatory restriction(s).**

Not Applicable