

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 4501-8-04

Rule Type: Amendment

Rule Title/Tagline: Application for and renewal of an abbreviated adult driver training school and online license.

Agency Name: Department of Public Safety

Division:

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

Contact: Joseph Kirk **Phone:** 614-466-5605

Email: jakirk@dps.ohio.gov

I. Rule Summary

1. **Is this a five year rule review?** Yes
 - A. **What is the rule's five year review date?** 6/7/2022
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, 4508.04, 4508.05, 4508.09
6. **What are the reasons for proposing the rule?**

This rule is being filed according to Section 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 rule deals with application for and renewal of an abbreviated adult driver training school and online license. The rule is amended to include an electronic payment option.

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. 121.75, please explain the basis for the exemption and how an individual can find the referenced material.**

The rule directs readers to rule 4501-8-21 that deals with all materials incorporated by reference for the chapter.

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. **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?**

Total cost for enterprise application - \$280 - \$330

The costs for the new school orientation depends upon the type taken by the provider. There is online or virtual training offered for providers. The estimated costs of compliance include the time to attend the virtual and online options. There is no fee or cost for the class itself. *It is important to note that if the business is already licensed under Chapter 4501- 7 of the Ohio Administrative Code and they are adding the abbreviated adult course to an already existing license, no costs for the license or requirement of the orientation is required. Most of our abbreviated adult providers already fall under the licensing jurisdiction of Chapter 4501-7 of the Ohio Administrative Code.

Enterprise renewal - \$50 per location application fee Total cost for enterprise renewal - \$50 per location *The renewal fee is not applied to this program if the abbreviated adult course is included on a license already issued under Chapter 4501-7 of the

Administrative Code. Most of our abbreviated adult providers already fall under the licensing jurisdiction of Chapter 4501-7 of the Ohio Administrative Code. The estimated time to complete the renewal requirements may take four to five hours depending upon the number of locations a driver training school may have.

Enterprise Fees for online providers Driver Training Enterprise application - \$250
 Review of security assessment and online driver education program - \$600
 Background check - \$30 - \$80 per authorizing official and owner
 Total cost for enterprise application - \$885 - \$930
 *It is important to note that if the business is already licensed under Chapter 4501- 7 of the Ohio Administrative Code and they are adding the abbreviated adult course to an already existing license, no costs for the license or requirement of the orientation is required. Most of our abbreviated adult providers already fall under the licensing jurisdiction of Chapter 4501-7 of the Ohio Administrative Code.

Enterprise renewal - \$50 per location application fee
 Total cost for enterprise renewal - \$50 per location
 *The renewal fee is not applied to this program if the abbreviated adult course is included on a license already issued under Chapter 4501-7 of the Administrative Code. Most of our abbreviated adult providers already fall under the licensing jurisdiction of Chapter 4501-7 of the Ohio Administrative Code. - 8 â

*The postage is difficult to determine since the online providers are required to submit a written version of the online driver education program. The actual cost incurred by the applicant depends on the curriculum. The Department does allow for CDs to be mailed in lieu of the full printed version. The estimated time to gather all documents for the application, including the fire inspection, building use agreement, background check, security assessment and program is approximately one day.

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.**

The Driver Training Program Office fees are directed to the highway fund. However, the fund allows for the office and field staff to provide services for compliance and resources at no cost to the schools. This includes offering classes and continuing education courses for the instructors. The funding allows for the support for program reviews of schools to ensure they are providing the training required. The field staff also provide vehicle inspections for the vehicles to ensure safe operation while training

students behind the wheel of vehicles. In addition, the funds provide for additional resources to be printed and provided to the schools to support curriculums.

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

Sanctions up to and including denial of application or revocation of license may be imposed if applicants or licensees fail to meet the requirements set forth in this rule.

C. Does this rule require specific expenditures or the report of information as a condition of compliance? Yes

Total cost for enterprise application - \$280 - \$330

The costs for the new school orientation depends upon the type taken by the provider. There is online or virtual training offered for providers. The estimated costs of compliance include the time to attend the virtual and online options. There is no fee or cost for the class itself. *It is important to note that if the business is already licensed under Chapter 4501- 7 of the Ohio Administrative Code and they are adding the abbreviated adult course to an already existing license, no costs for the license or requirement of the orientation is required. Most of our abbreviated adult providers already fall under the licensing jurisdiction of Chapter 4501-7 of the Ohio Administrative Code.

Enterprise renewal - \$50 per location application fee Total cost for enterprise renewal - \$50 per location *The renewal fee is not applied to this program if the abbreviated adult course is included on a license already issued under Chapter 4501-7 of the Administrative Code. Most of our abbreviated adult providers already fall under the licensing jurisdiction of Chapter 4501-7 of

the Ohio Administrative Code. The estimated time to complete the renewal requirements may take four to five hours depending upon the number of locations a driver training school may have.

Enterprise Fees for online providers Driver Training Enterprise application - \$250 Review of security assessment and online driver education program - \$600 Background check - \$30 - \$80 per authorizing official and owner Total cost for enterprise application - \$885 - \$930 *It is important to note that if the business is already licensed under Chapter 4501- 7 of the Ohio Administrative Code and they are adding the abbreviated adult course to an already existing license, no costs for the license or requirement of the orientation is required. Most of our abbreviated adult providers already fall under the licensing jurisdiction of Chapter 4501-7 of the Ohio Administrative Code.

Enterprise renewal - \$50 per location application fee Total cost for enterprise renewal - \$50 per location *The renewal fee is not applied to this program if the abbreviated adult course is included on a license already issued under Chapter 4501-7 of the Administrative Code. Most of our abbreviated adult providers already fall under the licensing jurisdiction of Chapter 4501-7 of the Ohio Administrative Code. - 8 â

*The postage is difficult to determine since the online providers are required to submit a written version of the online driver education program. The actual cost incurred by the applicant depends on the curriculum. The Department does allow for CDs to be mailed in lieu of the full printed version. The estimated time to gather all documents for the application, including the fire inspection, building use agreement, background check, security assessment and program is approximately one day.

- 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 Restrictions (This section only applies to agencies indicated in R.C. 121.95 (A))

18. **Are you adding a new or removing an existing regulatory restriction as defined in R.C. 121.95? Yes**

- A. **How many new regulatory restrictions do you propose adding? 1**

Paragraph (Q) - "(Q) officials shall..."

B. How many existing regulatory restrictions do you propose removing? 32

Old Paragraph (D)(1) stem - "(D)... school license shall: (1)"

Stricken Paragraph (D)(1)(a) stem - "(D(1)).... at a minimum shall: (a)"

Stricken Paragraph (D)(1)(b) stem - "(D)(1)... school license shall: (b)...."

Old Paragraph (D)(2) (new (D)(1) stem - "(D)... school license shall: (2)"

Old Paragraph (D)(3) (new (D)(2) stem - "(D)... school license shall: (2)"

Old Paragraph (D)(3) (new (D)(2) second sentence - "(D)(2)... background checks shall...."

Old Paragraph (D)(4) (new (D)(3) stem - "(D)... school license shall: (3)"

Old Paragraph (D)(4) (new (D)(3) penultimate sentence "...proof shall..."

Old Paragraph (D)(4) (new (D)(3) last sentence "...shall be included..."

Old Paragraph (D)(5) (new (D)(4) stem - "(D)... school license shall: (4)"

Old Paragraph (D)(6) (new (D)(5) stem - "(D)... school license shall: (4)"

Paragraph (E)(1)(a) stem - "(E)... license shall: (1)... (a)...."

Paragraph (E)(1)(b) stem - "(E)... license shall: (1)... (b)...."

Paragraph (E)(2) stem - "(E)... license shall: (2)...."

Paragraph (E)(2) second sentence - "...checks shall be ..."

Paragraph (E)(2)(a) stem - "(E)... license shall: (2)... (a)...."

Paragraph (E)(1)(b) stem - "(E)... license shall: (1)... (b)...."

Paragraph (E)(3) stem - "(E)... license shall: (3)...."

Paragraph (E)(3) stricken penultimate sentence- "The proof shall..."

Paragraph (E)(3) stricken last sentence- "...signatures shall be..."

Paragraph (E)(4) stem - "(E).... license shall: (4)...."

Paragraph (E)(5) stem - "(E).... license shall: (5)...."

Paragraph old (E)(6) stem - "(E).... license shall: (6)...."

Paragraph (E)(6)(a) stem - "(E).... (6) at a minimum shall: (a)...."

Paragraph (E)(6)(b) stem - "(E).... (6) at a minimum shall: (b)...."

Paragraph old (E)(7) [new (E)(6)] stem - "(E).... license shall: (7)...."

Paragraph old (E)(8) [new (E)(7)] stem - "(E).... license shall: (7)...."

Paragraph (I)(1) stem - "(I).... course shall: (1)...."

Paragraph (I)(2) stem - "(I).... course shall: (2)...."

Paragraph (J)(1) stem - "(I).... license shall: (1)...."

Paragraph (J)(2) stem - "(I).... course shall: (2)...."

Paragraph (N) first sentence - "...fees shall be..."