

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

Agency Name

Division

Joseph Kirk

Contact

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

Agency Mailing Address (Plus Zip)

614-466-5605

Phone

Fax

jakirk@dps.ohio.gov

Email

4501-8-13

Rule Number

NEW

TYPE of rule filing

Rule Title/Tag Line

Vehicles used to train.**RULE SUMMARY**1. Is the rule being filed for five year review (FYR)? **No**2. Are you proposing this rule as a result of recent legislation? **Yes**Bill Number: **HB53**General Assembly: **131**Sponsor: **Grossman**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, 4508.03**

6. State the reason(s) for proposing (i.e., why are you filing,) this rule:

This rule is being filed to implement statutory changes set forth in HB 53, 131st General Assembly.

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 rule sets forth the requirements for equipment, markings and inspections for the motor vehicles used for training.

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:

"Motor Vehicle Inspection List" and is being filed as part of this package. To comply with sections 121.71 to 121.74 of the Revised Code, this rule refers readers to 4501-8-21, which addresses the version/date of the material, as well as its availability. Paragraph (A) of rule 4501-8-21 addresses all materials incorporated in the chapter in full compliance with statute.

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:

Unless otherwise noted, these materials, as feasible, are filed with this package as part of rule 4501-8-21. "Motor Vehicle Inspection List" is published to the agency's website at <http://www.drivertraining.ohio.gov/schools.htm>.

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. If applicable, indicate each specific paragraph of the rule that has been modified:

Not Applicable.

12. Five Year Review (FYR) 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.

0.00

This rule is not expected to impact the agency's budget in the current biennium.

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:

The costs associated with the requirements for a vehicle include the auxiliary brake, additional inside rearview mirror, #student driver# verbiage placed on the front and back of the vehicle, and time to have each vehicle inspected by the highway patrol.

Auxiliary brake (including installation) - \$450

Inside rearview mirror - \$25

Student Driver signs - \$25 set

The equipment estimated total cost - \$500

Note # If the enterprise operates another driver training program using vehicles, the equipment is already installed and the cost becomes negated.

The time associated with having the vehicles inspected on an annual basis is approximately twenty (20) minutes per vehicle. If the enterprise operates another driver training program using vehicles, the inspection for the other program carries

over and the time is negated.

The cost analysis was provided by a committee consisting of current stakeholders of class D, disability, and online providers.

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**

S.B. 2 (129th General Assembly) Questions

18. Has this rule been filed with the Common Sense Initiative Office pursuant to R.C. 121.82? **Yes**

19. Specific to this rule, answer the following:

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

This rule, in and of itself does not require prior authorization to engage in or operate a line of business; however, it is part of a filing package that does, as some provisions in Chapter 4501-8 require driver training schools and online driver education programs to obtain and maintain the appropriate license or certificate prior to engaging in driver education and training.

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**

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Note # If the enterprise operates another driver training program using vehicles, the equipment is already installed and the cost becomes negated.

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For an enterprise that is closing, the time involved with completing and sending the closing form is estimated to be five minutes. An enterprise may scan and e-mail the form or fax the form to the agency.

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