

## Rule Summary and Fiscal Analysis

### Part A - General Questions

**Rule Number:** 4501:1-1-21

**Rule Type:** Amendment

**Rule Title/Tagline:** Acceptable identification to be submitted along with an application for a temporary instruction (learner's) permit identification card, driver's license, commercial driver's license, motorcycle operator's license, or identification card.

**Agency Name:** Department of Public Safety

**Division:** Bureau of Motor Vehicles

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

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#### I. Rule Summary

1. **Is this a five year rule review?** Yes
  - A. **What is the rule's five year review date?** 8/11/2022
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?** 4501.02, 4507.01, 4507.09
5. **What statute(s) does the rule implement or amplify?** 4506.07, 4507.06, 4507.09, 4507.51
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?**

This rule is being filed according to Section 106.03 ORC periodic rule review.

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

The rule deals with the documents necessary to establish a person's identity and eligibility for obtaining an Ohio driver's license, identification card or related BMV issued credential. The rule is updated to include form BMV 5745 as acceptable proof of identity if identity has previously been established. Gun permits and pilot's license have been removed as acceptable documents to prove social security #.. Reasons to requests exceptions in line with 6 C.F.R. Section 37.11 to demonstrate lawful United State citizenship.

- 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.**

Form name, website location and edit date are included in the rule language for all materials incorporated by reference.

- 11. 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**

- 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? No
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? Yes
- A. How many new regulatory restrictions do you propose adding to this rule? 4  
New Paragraph (F)(8), stem, "(F)...shall...(8)..."  
Paragraph (Q)(1) first sentence - "...an exception shall be..."  
Paragraph (Q)(2) first sentence- "The request shall.."

Paragraph (Q)(2) second sentence - "...a credential shall be..."

**B. How many existing regulatory restrictions do you propose removing from this rule? 3**

Paragraph (E)(5), stem - "(E)...shall...(5)..."

Paragraph (F)(5), stem - "(F)...shall...(5)..."

Paragraph (F)(8), stem - "(F)...shall...(8)..."

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

The rule adds four restrictions, and removes 3 restrictions. This is the only rule adding restrictions, while the aggregate removal is above the two for one requirement stipulated in Section 121.95 of the Revised Code.

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

BMV Form 5745 has been added as an acceptable form of documentation to provide proof of social security number. Reasons to requests exceptions in line with 6 C.F.R. Section 37.11 to demonstrate lawful United State citizenship.