

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

Agency Name

**Bureau of Motor Vehicles**

Division

**Winston Ford**

Contact

**Ohio Department of Public Safety 1970 W. Broad St., Suite 531 Columbus OH 43223-0000**

Agency Mailing Address (Plus Zip)

**614-466-7014**

Phone

Fax

**wmford@dps.state.oh.us**

Email

**4501:1-1-45**

Rule Number

**NEW**

TYPE of rule filing

Rule Title/Tag Line

**Bureau of motor vehicles fee installment plan.****RULE SUMMARY**

1. Is the rule being filed consistent with the requirements of the RC 119.032 review? **No**

2. Are you proposing this rule as a result of recent legislation? **Yes**

Bill Number: **SB337**General Assembly: **129**Sponsor: **Seitz and Smith**

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: **R.C. 4501.02, 4510.10**

5. Statute(s) the rule, as filed, amplifies or implements: **R.C. 4510.10**

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 SB337, 129th General Assembly. It requires the Bureau of Motor Vehicles to implement a fee installment plan for reinstatement fees.

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 is being filed to implement statutory changes set forth in SB337, 129th General Assembly, which permits the Bureau of Motor Vehicles to implement a fee installment plan as an option for persons to pay reinstatement fees.

This rule establishes provisions to permit persons who owe a minimum of \$150 in reinstatement fees to pay fees in regular, scheduled installments, if all other reinstatement requirements have been met. Once a person is approved for the fee installment plan, the person's driving status will be recorded as "valid," provided that the person's driver's license is not otherwise suspended or expired. The rule also establishes those reasons for which the Registrar may deny or terminate a person's fee installment plan, which include the acceptance of another court-approved fee payment plan, failure to abide by the terms and conditions of the plan, a change in the person's driving privileges status, or any other just cause determined by the Registrar.

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:

Section 121.75 of the Revised Code provides an exception to the provisions of sections 121.71 to 121.74 of the Revised Code for a text or other material, including, without limitation, generally accepted industry standards, that are generally available to persons who reasonably can be expected to be affected by the rule.

This rule incorporates the "Application for BMV Fee Installment Plan," which is generally available to any person who wants to enroll and participate in the new program via the BMV's general website.

This rule provides readers with an understandable citation, including the date of the material, and addresses how the applications may be accessed by providing the BMV's website address.

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:

N/A

Section 121.75 of the Revised Code provides an exception to the provisions of sections 121.71 to 121.74 of the Revised Code for a text or other material, including, without limitation, generally accepted industry standards, that are generally available to persons who reasonably can be expected to be affected by the rule.

This rule incorporates the "Application for BMV Fee Installment Plan," which is generally available to any person who wants to enroll and participate in the new program via the BMV's general website.

This rule provides readers with an understandable citation, including the date of the material, and addresses how the applications may be accessed by providing the BMV's website address.

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:

This rule is proposed for refiling to address an agency form that is incorporated by reference.

12. 119.032 Rule Review 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.

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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:

N/A

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:

It is estimated that this rule will not result in any costs of compliance for stakeholders other than those fees statutorily prescribed in section 4501.10 of the Revised Code.

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**

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**

