

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

Agency Name

Bureau of Motor Vehicles

Division

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4501:1-3-04

Rule Number

AMENDMENT

TYPE of rule filing

Rule Title/Tag Line

Dealer and manufactured home broker required to maintain records.**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: **HB1 and 2** General Assembly: **128** Sponsor: **Sykes and Ujvagi**

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, 4517.32**

5. Statute(s) the rule, as filed, amplifies or implements: **R.C. 4517.04, 4517.05, 4517.06, 4517.07, 4517.08**

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

This rule is being amended to reflect a change in statutory and regulatory authority pursuant to House Bill 1 and House Bill 2 of the 128th General Assembly. HB1 and HB2 transfer the licensing and regulatory authority of manufactured housing brokers, manufactured housing dealers, and manufactured housing salespersons from the Registrar of Motor Vehicles to the Manufactured Homes Commission, effective July 1, 2010.

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 records motor vehicle dealers, motor vehicle auction owners, manufactured home brokers, and motor vehicle distributors are required to maintain with regard to all motor vehicles purchased, leased and sold.

References to statutory and regulatory authority found in R.C. 4517.27 and 4517.052 (now repealed) have been removed. References to manufactured home brokers, manufactured dealers, and manufactured salespersons have been removed.

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:

This response left blank because filer specified online that the rule does not incorporate a text or other material by reference.

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:

This response left blank because filer specified online that the rule does not incorporate a text or other material by reference.

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:

Not Applicable.

12. 119.032 Rule Review Date: **3/2/2014**

(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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It is not anticipated that this amended rule will impact the agency's budget.

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:

The amendment of this rule may result in neutral costs of compliance. Although the Department's requirements for manufactured homes brokers are rescinded, the Manufacturer's Housing Commission may file similar rules.

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**