

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

4501:1-3-09

Rule Number

AMENDMENT

TYPE of rule filing

Rule Title/Tag Line

Registrar shall deny license.**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? **No**

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, 4517.07, 4517.08, 4517.12, 4517.13**

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

This rule is being proposed in order to implement the original intent of the motor vehicle dealers board, i.e., to have a ten-year window for rejecting applications for felony convictions unrelated to the licensure or regulation of motor vehicle sales.

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 criteria in which the Registrar shall deny applications for motor vehicle dealer licenses for felony convictions unrelated to the licensure or regulation of motor vehicle sales if such conviction occurred prior to December 8, 1996. Amended language eliminates the current "December 8, 1996" date, and replaces it with a ten-year timeframe.

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: **11/2/2012**

(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 decrease expenditures.

0

This rule will slightly decrease expenditures because it will cause a slight reduction in the number of license denial hearings heard by the motor vehicle dealers board. Although it is difficult to estimate the exact number of hearings, the board has only heard three of these hearings in the last three years, therefore, only a minimal impact to the agency's budget is expected.

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:

This rule is not anticipated to result in any costs of compliance for stakeholders.

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**