

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 4501:1-3-09

Rule Type: New

Rule Title/Tagline: The denial, suspension, or revocation of a license.

Agency Name: Department of Public Safety

Division: Bureau of Motor Vehicles

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I. Rule Summary

1. Is this a five year rule review? No
 - A. What is the rule's five year review date?
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? 4517.32, 4501.02
5. What statute(s) does the rule implement or amplify? 4501.04, 4517.13, 4517.12, 4517.08, 4517.07, 4517.05
6. What are the reasons for proposing the rule?

The rule is being filed to replace an old version of the rule in conjunction with Chapter 106.03, ORC five-year review due to more than fifty per cent of the rule being amended.
7. Summarize the rule's content, and if this is an amended rule, also summarize the rule's changes.

The old rule required the registrar to deny an applicant a license if they had been convicted of a felony that occurred within ten years and is related to the selling, taxing,

licensing of motor vehicles. However, the new rule establishes the comprehensible parameter (based on statute) for the reasons the registrar shall deny an application, which include fraudulent acts in connection with selling and dealing in motor vehicles as referred to in this rule.

- 8. Does the rule incorporate material by reference? Yes**
- 9. If the rule incorporates material by reference and the agency claims the material is exempt pursuant to R.C. 121.71 to 121.76, please explain the basis for the exemption and how an individual can find the referenced material.**
The rule refers to new proposed rule 4501:1-3-38 which deals with incorporation by reference.
- 10. 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

- 11. As a result of this proposed rule, please estimate the increase / decrease in revenues or expenditures affecting this agency, or the state generally, in the current biennium or future years. If the proposed rule is likely to have a different fiscal effect in future years, please describe the expected difference and operation.**

This will have no impact on revenues or expenditures.

0.00

Not applicable.

- 12. What are the estimated costs of compliance for all persons and/or organizations directly affected by the rule?**

There would only be costs associated for the stakeholders if there was a violation of the ORC or OAC.

- 13. Does the rule increase local government costs? (If yes, you must complete an RSFA Part B). No**
- 14. Does the rule regulate environmental protection? (If yes, you must complete an RSFA Part C). No**

III. Common Sense Initiative (CSI) Questions

15. Was this rule filed with the Common Sense Initiative Office? Yes

16. Does this rule have an adverse impact on business? Yes

- 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? Yes**

The expenditures would consist of the cost of the applicable license at the time of application, Thus, report of the information is a condition of compliance and the applicant is advised of such parameters in the application for licensing