

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

Agency Name

Bureau of Motor Vehicles

Division

Winston Ford

Contact

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4501:1-3-10

Rule Number

NO CHANGE

TYPE of rule filing

Rule Title/Tag Line

Requirements for expanded display site for motor vehicle dealer, motor vehicle leasing dealer, or motor vehicle auction owner.**RULE SUMMARY**

1. Is the rule being filed consistent with the requirements of the RC 119.032 review? **Yes**

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, R.C. 4517.32.**

5. Statute(s) the rule, as filed, amplifies or implements: **R.C. 4517.03, 4517.04, 4517.05, 4517.06, 4517.07.**

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

This rule is being filed according to a R.C. 119.032 review of Chapter 4501:1-3 of the Administrative Code.

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 requirements for approval of an expanded display site for motor vehicle dealers, motor vehicle leasing dealers, or motor vehicle auction owners.

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 If the rule is being **rescinded** and incorporates a text or other material by reference, and it was **infeasible** for the agency to file the text or other material, provide an explanation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. If applicable, indicate each specific paragraph of the rule that has been modified:

Not Applicable.

12. 119.032 Rule Review Date: **10/26/2012** and **10/26/2017**

(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 additional costs of compliance for stakeholders. This rule provides for the option, at the dealer's discretion, of expanding display areas at dealerships as extensions of the principal business. Although a dealer must request approval and inspection prior to the expansion being authorized, no additional costs or licensing is required.

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? **Yes**

All persons are required to be licensed prior to engaging in the business of motor vehicle sales.

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? **Yes**

If the registrar determines that the site does not continue to meet the above criteria annually thereafter, the dealer's annual license renewal shall be denied pursuant to section 4517.12 of the Revised Code.

C.) Does this rule require specific expenditures or the report of information as a condition of compliance? **No**