

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 4501:1-3-10

Rule Type: Amendment

Rule Title/Tagline: Requirements for expanded display site for motor vehicle dealer, motor vehicle leasing dealer, or motor vehicle auction owner.

Agency Name: Department of Public Safety

Division: Bureau of Motor Vehicles

Address: 1970 West Broad Street PO Box 182081 Columbus OH 43218-2081

Contact: Joseph Kirk

Email: jakirk@dps.ohio.gov **Phone:** 614-466-5605

I. Rule Summary

1. **Is this a five year rule review?** Yes
 - A. **What is the rule's five year review date?** 11/6/2017
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?** 4501.02, 4517.32
5. **What statute(s) does the rule implement or amplify?** 4517.03, 4517.04, 4517.05, 4517.06, 4517.07
6. **What are the reasons for proposing the rule?**

The rule is being filed according to Chapter 106.03, ORC five year review.
7. **Summarize the rule's content, and if this is an amended rule, also summarize the rule's changes.**

The rule specifies the requirements for an extension located adjacent to or within two hundred feet of the property line of the principally established place of business.

Amended change allows the motor vehicle dealer board (board) the discretion to suspend or revoke the license of a dealer that is in violation of this rule.

8. **Does the rule incorporate material by reference? No**
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.**

Not Applicable

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?**

Costs to stakeholders would depend on the rent for the amount of additional square feet they expand.

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? Yes

The expanded area is an extension of the principally licensed motor vehicle dealer's place of business.

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? Yes

Costs to stakeholders would depend on the rent for the amount of additional square feet they expand.