

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 4501:1-3-33

Rule Type: Amendment

Rule Title/Tagline: Place of business required for a motor vehicle auction owner.

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?** 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?** 4517.12, 4517.03, 4517.07
5. **What statute(s) does the rule implement or amplify?** 4517.02, 4517.03, 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 deals with the requirements of an established place of business in order to obtain a leasing dealers license. Amended language is to promote uniformity in the office requirements for leasing dealers, used motor vehicle dealers, and motor vehicle auction owners and includes clarification of ownership to maintain consistency within Chapter 4501:1-3 of the Administrative Code.

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?

Any expenses incurred would be due to the day to day operation costs of maintaining a facility that meets the requirements in the rule, and would vary greatly on the size and sophistication of the site.

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? Yes**

Failure to comply with the requirements set forth in this rule may result in denial of an initial or renewal application or in administrative action up to and including revocation of an existing license. Further, in accordance with section 4517.99 of the Revised Code, unless otherwise specifically provided in Chapter 4517. of the Revised Code, whoever violates rules promulgated under sections 4517.01 to 4517.45 of the Revised Code is guilty of a misdemeanor of the fourth degree.

- C. Does this rule require specific expenditures or the report of information as a condition of compliance? Yes**

this rule requires licensees to maintain compliance of all physical requirements of an established place of business for a motor vehicle leasing dealer's license.