

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 4766-2-08

Rule Type: Amendment

Rule Title/Tagline: Vehicle inspections and equipment requirements.

Agency Name: Ohio Medical Transportation Board

Division:

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

Contact: Joseph Kirk **Phone:** 614-466-5605

Email: jakirk@dps.ohio.gov

I. Rule Summary

1. **Is this a five year rule review?** No
 - A. **What is the rule's five year review date?** 3/15/2022
2. **Is this rule the result of recent legislation?** Yes
 - A. **If so, what is the bill number, General Assembly and Sponsor?** HB 195 - 132
- Rep. Ingram and Rep. Seitz
3. **What statute is this rule being promulgated under?** 119.03
4. **What statute(s) grant rule writing authority?** 4766.03
5. **What statute(s) does the rule implement or amplify?** 4766.04, 4766.07
6. **What are the reasons for proposing the rule?**

Amendments are proposed to correct references that changed following the 2018 amendment of ORC 4766.01.
7. **Summarize the rule's content, and if this is an amended rule, also summarize the rule's changes.**

The rule sets forth the requirement for medical transportation organizations (MTOs) to annually demonstrate proof of compliance with the specifications set forth in Chapter

4766.07, which require the inspection of the medical equipment, communication system, and interior of medical transportation vehicles to determine the operational condition and safety of the equipment and interior of the vehicle. An amendment is made to eliminate a division reference related to section 4766.01 of the RC, because the amendments made to RC 4766.01 re-ordered the division designations.

- 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. 121.75 please explain the basis for the exemption and how an individual can find the referenced material.**

This rule incorporates the "Ambulance Inspection" the "Non-Transport Vehicle Inspection," and the "Violation Notification" forms. To comply with sections 121.71 to 121.75 of the Revised Code, this rule refers readers to OAC Rule 4766-2-18, which provides the date of the forms and the Web site address where the forms may be accessed.

- 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. Please estimate the increase / decrease in the agency's revenues or expenditures in the current biennium due to this rule.**

This will have no impact on revenues or expenditures.

\$0

Not Applicable.

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

MTOs that receive a seventy-two hour violation notification are required to provide documentation to the Division or EMS that the violation has been corrected before the cited vehicle can be placed back into service.

- 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
15. **If the rule imposes a regulation fee, explain how the fee directly relates to your agency's cost in regulating the individual or business.**

Inspection fees of \$100 per inspection were set by the Ohio Medical Transportation Board prior to its merger with the EMFTS Board in June 2013, pursuant to section 4766.03 of the R.C. based on actual costs incurred by the Board in carrying out its duties.

III. Common Sense Initiative (CSI) Questions

16. **Was this rule filed with the Common Sense Initiative Office?** Yes
17. **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
- OAC rule 4766-2-08 does not directly require a license or permit issued by the Division of EMS. The rule states that permitted ambulances and non-transport vehicles shall bear license plates issued under section 4503.49 of the RC.
- 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
- OAC 4766-2-08 requires medical transportation organizations (MTOs) to comply with inspection requirements for vehicles and equipment in order to obtain and maintain an ambulance or non-transport vehicle permit.
- C. **Does this rule require specific expenditures or the report of information as a condition of compliance?** Yes
- OAC 4766-2-08 requires medical transportation organizations (MTOs) to comply with inspection requirements for vehicles and equipment in order to obtain and maintain an ambulance or non-transport vehicle permit.
- D. **Is it likely that the rule will directly reduce the revenue or increase the expenses of the lines of business of which it will apply or applies?** No