

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:

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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?** 11/29/2021
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?** 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?**

This rule is being filed according to a RC 106.03 periodic rule review.

7. **Summarize the rule's content, and if this is an amended rule, also summarize the rule's changes.**

Rule 4766-2-08 sets forth the requirement for 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 (ambulances and non-transport vehicles) to determine the operational condition and safety of the equipment and interior of the vehicle.

Amendments include updating information about ambulance inspection forms, deleting regulatory restrictions, and setting forth the signage standards for the BLS levels of licensure. Amendments are made to correct the article "a" to "an."

- 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 "Non-transport Vehicle Inspection" form, "Ambulance Inspection Advanced Life Support (ALS)" form, "Ambulance Inspection Basic Life Support (BLS) Emergency and Non-Emergency" form, "Ambulance Inspection (BLS) Non-Emergency Only" form, and "Violation Notification" form. To comply with section 121.72 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.

The "Non-transport Vehicle Inspection" form and "Violation Notification" form are posted at the EMS "Medical Transportation Checklists & Forms" Website (<https://www.ems.ohio.gov/medical-transportation-forms.aspx#gsc.tab=0>). The three inspection forms will be posted to the "Medical Transportation Checklists & Forms" Website when the rules become effective, and the three forms are filed as part of this package.

- 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?**

Rule 4766-2-08 requires licensed MTOs to permit the Board or its designee to conduct inspections of ambulances and non-transport vehicles to verify roadworthiness and that the vehicles are appropriately equipped and display required signage. Violations issued by the Board must be addressed in a timely manner with required documentation submitted to the Board. Inspection fees are \$100 per vehicle on an annual basis. Violations may require a re-inspection at a fee of \$100 and additional expense to correct violations.

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.**

Vehicle 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., and based on actual costs, which are no longer covered by the inspection fee. The proposed rule revisions do not change the vehicle inspection fee.

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
 - 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

Rule 4766-2-08 sets forth the requirements for MTOs' vehicles to be inspected by the EMFTS board or its designee and describes the standards for required equipment, signage, manufacturer documentation, sanitation,

roadworthiness, and licensure. Violations issued by the Board must be addressed in a timely manner with required documentation submitted to the Board. Inspection fees are \$100 per vehicle on an annual basis. Violations may require a re-inspection at a fee of \$100 and additional expense to correct violations.

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? Yes

Inspection fees of \$100 annually per vehicle may directly impact revenue and expenses, depending on the number of vehicles permitted. Violations may require a re-inspection at a fee of \$100 and additional expense to correct violations.

IV. Regulatory Restrictions (This section only applies to agencies indicated in R.C. 121.95 (A))

18. Are you adding a new or removing an existing regulatory restriction as defined in R.C. 121.95? Yes

A. How many new regulatory restrictions do you propose adding? 2

In rule 4766-2-08, the first sub-paragraph in paragraph (H) adds the word "shall."

In rule 4766-2-08, the second sub-paragraph in paragraph (H) adds the word "shall."

B. How many existing regulatory restrictions do you propose removing? 11

In rule 4766-2-08, the word "shall" is deleted from paragraph (A).

In rule 4766-2-08, the word "shall" is deleted from paragraph (B).

In rule 4766-2-08, the word "shall" is deleted from paragraph (C).

In rule 4766-2-08, the word "shall" is deleted from paragraph (F).

In rule 4766-2-08, the word "shall" is deleted from the third sub-paragraph in paragraph (H) in reference to paragraph (H)(1).

In rule 4766-2-08, the word "shall" is deleted from the third sub-paragraph in paragraph (H) in reference to paragraph (H)(2).

In rule 4766-2-08, the word "shall" is deleted from the third sub-paragraph in paragraph (H) in reference to paragraph (H)(3).

In rule 4766-2-08, the word "shall" is deleted from paragraph (J).

In rule 4766-2-08, the word "shall" is deleted from paragraph (L).

In rule 4766-2-08, the word "shall" is deleted from paragraph (O).

In rule 4766-2-08, the word "shall" is deleted from paragraph (P).