

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 4766-3-08

Rule Type: No Change

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?** 3/23/2022 and 03/01/2027
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?** 4766.03, 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 4766-3-08 sets forth the requirement for MTOs operating ambulette services to demonstrate proof of compliance with the specifications set forth in Chapter 4766. of the RC and agency 4766 of the OAC, which include standards of roadworthiness and the provision of specific equipment, signage, and ambulette configurations. The

rule requires ambulettes to maintain sanitary conditions and bear license plates as set forth in rule 4766-3-07, and it states that permits are not transferable.

- 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.**

Rule 4766-3-08 references the "Ambulette Inspection" form and the "Violation Notification" form. Information about the forms and how to access the forms is included in rule 4766-3-18 (Incorporated by reference.)

- 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 4766-3-08 requires licensed ambulette services operating ambulette services to permit the Board or its designee to conduct inspections of ambulettes 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. As set forth in rule 4766-3-03, inspection fees are \$50 per vehicle on an annual basis. Violations may require a re-inspection at a fee of \$50 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 \$50 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 at that time, 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 4766-3-08 requires licensed MTOs operating ambulette services to permit the Board or its designee to conduct inspections of ambulettes 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. As set forth in rule 4766-3-03, inspection fees are \$50 per vehicle on an annual basis. Violations may require a re-inspection at a fee of \$50 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 \$50 annually per vehicle may directly impact revenue and expenses, depending on the number of vehicles permitted. Violations may

require a reinspection at a fee of \$150 and additional expense to correct violations.