

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 4766-3-09

Rule Type: No Change

Rule Title/Tagline: Maintenance documentation.

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?** 4766.04, 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 4766-3-09 sets forth the documentation that licensed ambulette services are required to maintain related to the inspection conducted on each ambulette, based on odometer readings, which includes: the "Periodic Mechanical Safety Report" signed by mechanic who completed the inspection; documentation of corrections made to failed items identified during the periodic mechanical safety inspections; "out

of service" signs on permitted vehicles that have been removed from service; and documentation about the periodic maintenance, cleaning, and repair of each vehicle and its lifts, ramps, locking mechanisms, fasteners, straps, and other devices. The rule sets a document retention period of twelve months after a vehicle is removed from inventory.

- 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 4766-3-09 references the "Periodic Mechanical Safety Report" form. Information about the form and how to access the form 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?**

The costs of compliance are those associated with conducting periodic mechanical safety inspections. The cost of periodic mechanical safety inspections vary depending the structure and size of each business. Some MTOs employ mechanics who will be qualified to complete the periodic mechanical safety inspections, or MTOs may choose to have vehicles inspected by mechanics at auto service facilities, chain repair stores, dealerships, or independent garages. Members of the Medical Transportation Committee, who are owners and administrators for medical transportation agencies as well as representatives of the industry, report that they routinely conduct periodic

mechanical safety inspections and believe it to be essential for maintaining and operating a medical transportation service and assuring the safe and effective delivery of EMS care to patients who must use the services of an ambulette 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.**

Not Applicable

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 4766-3-09 requires licensed ambulette services to maintain documentation of all vehicles' periodic mechanical safety inspections and the periodic maintenance, repair, and cleaning records for all vehicles' passenger compartments. Ambulette services are required to employ staff to conduct periodic mechanical safety inspections or otherwise obtain the inspections from trained inspectors.

- 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

The costs of inspection will impact ambulette services. Costs will vary depending on the structure and size of each business.