

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 4766-4-08

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?** 3/23/2022
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 4766-4-08 sets forth the requirement the EMFTS Board to inspect MoICUs and non-transport vehicles for roadworthiness and the equipment the vehicles are required to carry. The rule references division (C)(2) of section 4766.07 of the RC, which includes information related to federal ambulance construction specifications. The rules sets forth the process used to issue and correct violations and the signage

standards, and the rules permits the Board to conduct unannounced inspections at any time. The rule refers to sections of the RC that provide licensing and registration requirements. Amendments include adding references to the "Mobile Stroke Unit Inspection" form and revising "a" to "an" in paragraph (G). An amendment is made to paragraph (H) concerning signage for a mobile stroke unit.

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 4766-4-08 references the "MoICU Inspection" form, the "Non-transport Vehicle Inspection" form, and the "Violation Notification" form. Information about the forms and how to access the forms is included in rule 4766-4-18 (Incorporated by reference.)

The new "Mobile Intensive Care Unit - Mobile Stroke Unit Inspection" form will be posted to the "Medical Transportation Checklists & Forms" Website when the rules become effective, and a draft of the form is filed with this rule and and with rule 4766-18.

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 4766-4-08 requires licensed MTOs to permit the Board or its designee to conduct inspections of all MoICUs 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 4766-4-08 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? 1**

The word "shall" is included in the new second paragraph added to paragraph (H) in rule 4766-4-08.

- B. How many existing regulatory restrictions do you propose removing? 0**