

## Rule Summary and Fiscal Analysis

### Part A - General Questions

**Rule Number:** 4901:2-5-02

**Rule Type:** Amendment

**Rule Title/Tagline:** Purpose and scope.

**Agency Name:** Public Utilities Commission of Ohio

**Division:** Motor Carriers

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#### I. Rule Summary

1. **Is this a five year rule review?** No
  - A. **What is the rule's five year review date?** 6/20/2028
2. **Is this rule the result of recent legislation?** No
3. **What statute is this rule being promulgated under?** 111.15
4. **What statute(s) grant rule writing authority?** 4923.04
5. **What statute(s) does the rule implement or amplify?** 4923.04, 4923.07
6. **Does the rule implement a federal law or rule in a manner that is more stringent or burdensome than the federal law or regulation requires?** No
  - A. **If so, what is the citation to the federal law or rule?** Not Applicable
7. **What are the reasons for proposing the rule?**

To ensure compliance with the current federal motor carrier safety regulations adopted by the Commission.
8. **Summarize the rule's content, and if this is an amended rule, also summarize the rule's changes.**

This rule provides the purpose and scope for the ensuing chapter, Ohio Adm.Code Chapter 4901:2-5, and states that rules contained within the chapter may be waived by the Commission, except for a requirement mandated by statute. In addition, this rule notes that any incorporation by reference of certain regulations within the Code of Federal Regulations in the ensuing chapter refer to the version of the C.F.R. as effective on August 25, 2023. This amendment updates the applicable effective date.

9. **Does the rule incorporate material by reference? Yes**
10. **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.**

Ohio Adm.Code 4901:2-5-02 incorporates material from the code of federal regulation which is exempted pursuant to R.C. 121.75(A)(2).

11. **If revising or re-filing the rule, please indicate the changes made in the revised or re-filed version of the rule.**

The rule was refiled to remove the reference to R.C. 4923.03, as this provision was repealed by H.B. 487 (129th GA).

## **II. Fiscal Analysis**

12. **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.

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Not Applicable

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

Not Applicable

14. **Does the rule increase local government costs? (If yes, you must complete an RSFA Part B). No**

15. **Does the rule regulate environmental protection? (If yes, you must complete an RSFA Part C). No**

16. 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

17. Was this rule filed with the Common Sense Initiative Office? Yes

18. Does this rule have an adverse impact on business? No

- 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? No
- 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

### IV. Regulatory Restriction Requirements under S.B. 9. Note: This section only applies to agencies described in R.C. 121.95(A).

19. Are you adding a new or removing an existing regulatory restriction as defined in R.C. 121.95? No

- A. How many new regulatory restrictions do you propose adding to this rule?

Not Applicable

- B. How many existing regulatory restrictions do you propose removing from this rule?

Not Applicable

- C. If you are not removing existing regulatory restrictions from this rule, please list the rule number(s) from which you are removing restrictions.**

Not Applicable

- D. Please justify the adoption of the new regulatory restriction(s).**

Not Applicable