

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 4901:2-7-20
Rule Type: No Change
Rule Title/Tagline: Burden of proof.
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?** Yes
 - A. **What is the rule's five year review date?** 5/27/2022 and 05/27/2027
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?** 4905.81, 4923.04, 4923.99
5. **What statute(s) does the rule implement or amplify?** 4905.81, 4923.04, 4923.99
6. **What are the reasons for proposing the rule?**

The rule is being proposed for five year rule review.

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

The rule sets forth the expectations for staff's burden of proof during proceedings, which may also entail establishing a history of violations.

8. **Does the rule incorporate material by reference?** No

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.

Not Applicable

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.

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Not Applicable

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

Not Applicable

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? 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

No. The Commission does not anticipate any adverse impact due to the proposed revisions to Ohio Adm.Code Chapter 4901:2-7, as the rules do not require regulated entities to act. The rules are procedural in nature and simply provide a process by which regulated entities may contest a violation.