

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 901:9-1-01
Rule Type: Amendment
Rule Title/Tagline: Amusement ride or device permit.
Agency Name: Department of Agriculture
Division: Fairs and Amusement Rides
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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?** 3/25/2022
2. **Is this rule the result of recent legislation?** Yes
 - A. **If so, what is the bill number, General Assembly and Sponsor?** HB 665 - 133
- Don Jones / Shane Wilkin
3. **What statute is this rule being promulgated under?** 119.03
4. **What statute(s) grant rule writing authority?** 993.04
5. **What statute(s) does the rule implement or amplify?** 993.04
6. **What are the reasons for proposing the rule?**

This rule is being proposed to correct cross-references to the Revised Code and allow additional flexibility regarding itineraries.
7. **Summarize the rule's content, and if this is an amended rule, also summarize the rule's changes.**

Rule 901:9-1-01 requires an amusement ride be operated only upon issuance of a permit pursuant to section 1711.53 of the Revised Code. Further, the rule defines the

process and requirements for the granting of the permit. The rule is being amended to allow additional flexibility regarding itineraries.

- 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.**

Pursuant to section 121.75 of the Revised Code, the code sections incorporated into this rule are exempt from compliance with sections 121.71 to 121.74 of the Revised Code.

- 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.

0.00

Not Applicable.

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

There is no new cost of compliance for the industry.

- 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? Yes

Yes, all amusement rides and devices must undergo an inspection and obtain a permit prior to operating in the State of Ohio.

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

The rule does not require specific expenditures but does require the report of information as a condition of compliance.

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 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? No

A. How many new regulatory restrictions do you propose adding?

Not Applicable

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

Not Applicable