

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 901:9-1-09

Rule Type: Amendment

Rule Title/Tagline: Violations and fines.

Agency Name: Department of Agriculture

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? 10/18/2017
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? 1711.53
5. What statute(s) does the rule implement or amplify? 1711.53
6. What are the reasons for proposing the rule?

OAC 901:9-1-09 is also up 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 the schedule of fines for violations to Chapter 1711 of the Revised Code and the rules in OAC Chapter 901:9-1. The rule has been amended to remove statutory references which were unnecessary to the intent of the rule. No substantive changes were made to this rule.
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. 121.71 to 121.76, please explain the basis for the exemption and how an individual can find the referenced material.

Pursuant to section 121.76 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. As a result of this proposed rule, please estimate the increase / decrease in revenues or expenditures affecting this agency, or the state generally, in the current biennium or future years. If the proposed rule is likely to have a different fiscal effect in future years, please describe the expected difference and operation.

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?

Fines are set by these rules and can adversely impact any operator found not to be in compliance. The amendments do not require any additional fees, fines, or employer time for compliance.

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

III. Common Sense Initiative (CSI) Questions

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

16. 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**

All amusement ride operators must obtain an amusement ride permit and be inspected by the Division of Ride Safety prior to operation.

- 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? Yes**

Failure to comply could result in the issuance of a civil penalty or other sanctions.

- C. Does this rule require specific expenditures or the report of information as a condition of compliance? No**