

## 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:** Fairs and Amusement Rides

**Address:** 8995 E. Main Street Reynoldsburg OH 43068

**Contact:** Jacquelyn Rachelle Keller-Potvin **Phone:** 614-728-6340

**Email:** Jacquelyn.Keller-Potvin@agri.ohio.gov

#### 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 amended to correct cross-references to the Revised Code.

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

Rule 901:9-1-09 sets the schedule of fines for violations of Chapter 1711 of the Revised Code and the rules in Chapter 901:9-1 of the Administrative Code.

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.**

A revised public hearing notice has been uploaded.

## **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

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

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