

**MEMORANDUM**

TO: Howard Henry, Ohio Department of Agriculture

FROM: Mark Hamlin, Director of Regulatory Policy

DATE: October 22, 2012

RE: **CSI Review – Amusement Rides Five-Year Review (OAC 901:9-1-01)**

On behalf of Lt. Governor Mary Taylor, and pursuant to the authority granted to the Common Sense Initiative (CSI) Office under Ohio Revised Code (ORC) section 107.54, the CSI Office has reviewed the abovementioned administrative rule package and associated Business Impact Analysis (BIA). This memo represents the CSI Office's comments to the Agency as provided for in ORC 107.54.

Analysis

This rule package consists of one rule being proposed by the Ohio Department of Agriculture relating to amusement ride operators. The rule is an existing rule being reviewed under the five-year review requirement in ORC 119.032, and is proposed with no changes.

The BIA submitted along with the proposed rule notes that the Department is required to regulate the amusement ride industry, and the operator's permit and associated fees are set in the Ohio Revised Code. The proposed rule outlines the permit application process, information required to be submitted to the Department, and inspections to be conducted of amusement rides. The Department indicates that the Amusement Ride Safety Council, which is comprised of stakeholders from the amusement ride industry, reviewed the rule and suggested no changes. No comments were received during the CSI review process. Finally, the Department cites the statutory requirement, the public safety component of this oversight, and the benefits to the industry itself as justification for the regulation of ride operators.

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Recommendations

For the reasons discussed above, the CSI Office does not have any recommendations for this rule package.

Conclusion

Based on the above comments, the CSI Office concludes that the Department of Agriculture should proceed with the formal filing of this rule package with the Joint Committee on Agency Rule Review.