

**MEMORANDUM**

**TO:** Pamela Watkins, Rules Administrator, Ohio Department of Public Safety

**FROM:** Paula Steele, Regulatory Policy Advocate

**DATE:** November 1, 2013

**RE:** **CSI Review – Motor Vehicle Accident Prevention Courses for Drivers Sixty and Over** (OAC 4501-54-01, 4501-54-02, 4501-54-03, 4501-54-04, 4501-54-05, 4501-54-06, 4501-54-07, and 4501-54-08)

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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 eight amended rules proposed by the Ohio Department of Public Safety (ODPS) addressing regulations related to driver training programs for drivers age 60 and over. The rules have been reviewed by the Department under the five-year review requirement of ORC 119.032 and were submitted to the CSI Office on August 12, 2013 with a comment period ending on August 26, 2013. No comments were received during the public comment period.

ORC 3937.43 requires every rating plan for auto insurance to include a reduction in premium for insured drivers 60 or older who have successfully completed a motor vehicle prevention course. Under the law, ODPS is required to approve the course and examination. The proposed rules implement this law and include definitions, course approval procedures, curriculum standards, written exercise and demonstration of skills requirements, successful completion certification, and records and insurance.

The BIA describes a comprehensive stakeholder outreach process that prompted most of the amendments to the proposed rules. Both the Department and the stakeholders were interested in

increasing participation by clarifying misconceptions over the program and making it more accessible to mature drivers. For example, the term “examination” was changed to “written exercise” and “practical examination” was changed to “skills demonstration.” In addition, the amendments create for more flexibility by enabling the program to be “mobile,” taken out to the community centers, senior centers, and other locations.

After reviewing the proposed rules and BIA, the CSI Office determined that the rules satisfactorily meet the standards espoused by the CSI Office, and the purpose of the rules justifies the adverse impact identified in the BIA.

### **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 Ohio Department of Public Safety should proceed with the formal filing of this rule package with the Joint Committee on Agency Rule Review.

cc: Mark Hamlin, Lt. Governor’s Office