



## MEMORANDUM

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

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

**DATE:** November 1, 2013

**RE:** **CSI Review – Juvenile Driver Improvement Rules** (OAC 4501-21-01, 4501-21-02, 4501-21-04, 4501-21-05, 4501-21-06, 4501-21-08, 4501-21-12, 4501-21-13, 4501-21-15)

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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 nine rules – eight amended and one new – proposed by the Ohio Department of Public Safety (ODPS) addressing the approval of juvenile remedial driving programs. The draft rules were submitted to the CSI Office on August 12, 2013 with a comment period ending on August 28, 2013. Two public comments were received during the public comment period.

The proposed rules are being amended to satisfy the requirements of Senate Bill 19, effective September 2012. The legislation requires the Department to establish standards for advanced juvenile driver improvement programs and to approve any programs that meet the established standards, specifies required content of the standards, and specifies that a person who successfully completes an advanced juvenile driver improvement program that meets the standards must receive a certificate of completion from the program. Provisions for the program were incorporated into Chapter 21 rules, generally titled Remedial Driving Courses.

The BIA describes a comprehensive stakeholder outreach process which resulted in the incorporation of many recommendations. For example, the stakeholders recommended that the advanced skills instructor and chief instructor training programs be offered through approved curriculum providers, and recommended specific training background requirements for a person to become a chief instructor. The public comments expressed support for the proposed rule.

Upon review of the rule package, the CSI Office identified a necessary technical BIA change as well as the omission of a minor business impact. The Office followed up with the Department on these items and after reviewing the proposed rules and a revised 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