

- Bureau of Motor Vehicles
- Emergency Management Agency
- Emergency Medical Services
- Office of Criminal Justice Services
- Ohio Homeland Security
- Ohio Investigative Unit
- Ohio State Highway Patrol



Bureau of Motor Vehicles  
1970 West Broad Street  
P.O. Box 16520  
Columbus, Ohio 43216-6520  
(614) 752-7600  
www.bmv.ohio.gov

August 28, 2014

Sydney King, Regulatory Policy Advocate  
Common Sense Initiative Office  
77 South High Street, 30th Floor  
Columbus, Ohio 43215-6117

Dear Ms. King,

Thank you for your expedited review of the business impact analysis for Chapter 4501:1-3 (Motor Vehicle Dealers and Salespersons) of the Administrative Code. The Ohio Department of Public Safety, Bureau of Motor Vehicles (the "BMV"), has received and read your memorandum of review, recommendations, and conclusions, dated August 28, 2014.

The CSI Office has concluded that rule 4501:1-3-32 should not be filed until the provisions related to business hours are removed from paragraph (F). The CSI Office explains that the recommendation is to provide consistent requirements for all motor vehicle dealers' business operations and to avoid presenting significant hardship to small business owners. Upon review of the recommendation, the BMV determined that striking the same provision in the auction owner's rule (4501:1-3-33) may be necessary to ensure consistency for all dealers. As both proposed revisions constitute a substantive change from the rules initially vetted with stakeholders and approved by the Ohio Motor Vehicle Dealers Board (the "Board") under their rulemaking authority set forth in O.R.C. section 4517.32, the BMV has determined that the proposed revisions need to be reviewed by the Board and resubmitted to stakeholders for their consideration prior to filing with the Joint Committee on Agency Rule Review ("JCARR").


The Board's next scheduled meeting is October 2, 2014, and this business item will be added to the agenda. Following the Board's meeting and any further revision to the rules, and allowing time for stakeholder discussion, the BMV anticipates that the rules can be refiled with the CSI Office by November 1, 2014, and filed with JCARR as soon as your memorandum of review and recommendations is returned.

The BMV intends to file the remaining three rules (4501:1-3-04, 4501:1-3-08, and 4501:1-3-11) with JCARR today, as scheduled. Pursuant to O.R.C. section 119.03, the Board plans to conduct a public hearing for rules 4501:1-3-08 and 4501:1-3-11 (4501:1-3-04 will be filed without change), on Thursday, October 2, 2014, at 9:00 a.m. at the Ohio Department of Public Safety, 1970 West Broad Street, Room 134, Columbus Ohio, 43223.

**Mission Statement**

*"to save lives, reduce injuries and economic loss, to administer Ohio's motor vehicle laws and to preserve the safety and well being of all citizens with the most cost-effective and service-oriented methods available."*

Sincerely,

  
Kathleen Corrigan, Section Chief  
Bureau of Motor Vehicles  
Dealer Licensing Section

cc: Registrar Mike Rankin, Bureau of Motor Vehicles, 1970 W. Broad St., Suite 529, Columbus, OH  
President Joe Carson, Ohio Motor Vehicle Dealers Board, via email: [jcmsoffice@yahoo.com](mailto:jcmsoffice@yahoo.com)  
Associate Legal Counsel Winston Ford, 1970 W. Broad St., Suite 531, Columbus, OH

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October 6, 2014

Sydney King, Regulatory Policy Advocate  
Common Sense Initiative Office  
77 South High Street, 30th Floor  
Columbus, Ohio 43215-6117

Dear Ms. King,

The purpose of this memo is to provide you with an update to the Bureau of Motor Vehicles' ("BMV") response to the Common Sense Initiative Office's ("CSIO") review and recommendations for Chapter 4501:1-3 (Motor Vehicle Dealers and Salespersons) completed on August 28, 2014.

Subsequent to CSIO's review of the Chapter 4501:1-3 rule package, 4501:1-3-32 (Place of business required for motor vehicle leasing dealers) and 4501:1-3-33 (Place of business required for auction owner), CSIO recommended that the requirement for leasing dealers to maintain specific business hours be removed from paragraph (F) in rule 4501:1-3-32. The purpose of the recommendation was to provide consistent requirements for all motor vehicle dealers' business operations and to avoid presenting significant hardship to small business owners. Upon review of the recommendation, the BMV determined that a similar requirement for auction owners be removed from rule 4501:1-3-33. In response to the CSIO Office's recommendation, BMV revised the rules to eliminate the required specified number of business hours for leasing dealers and auction owners.

As both proposed revisions constituted a substantive change from the rules initially vetted with stakeholders and approved by the Ohio Motor Vehicle Dealers Board (the "Board") under their rulemaking authority set forth in O.R.C. section 4517.32, the BMV had determined that the proposed revisions needed to be reviewed by the Board for their consideration prior to filing with the Joint Committee on Agency Rule Review ("JCARR"). The proposed revised rules were presented and approved by the Board on October 2, 2014.

The BMV intends to file the revised rules with JCARR on November 3, 2014 and schedule a public hearing during the next Board meeting on December 11, 2014, at 9:00 a.m. at the Ohio Department of Public


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Safety, 1970 West Broad Street, Room 134, Columbus Ohio, 43223. It is expected that the rules can be made effective on or after January 19, 2015.

If you have any questions regarding the BMV's proposal, please feel free to contact Sarah Stedtefeld at (614) 728-0383.

Sincerely,

  
Kathleen Corrigan, Section Chief  
Bureau of Motor Vehicles  
Dealer Licensing Section

cc: Registrar Mike Rankin, Bureau of Motor Vehicles, 1970 W. Broad St., Suite 529, Columbus, OH  
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