

**MEMORANDUM**

**TO:** Joseph A. Kirk, Rules Administrator, Ohio Department of Public Safety

**FROM:** Paula Steele, Common Sense Initiative Office

**DATE:** October 11, 2018

**RE:** **CSI Review – Motor Vehicle Accident Prevention Courses for Drivers Sixty and Over (OAC 4501-54-01 through 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 119.04 and were submitted to the CSI Office on August 24, 2018 with a comment period ending on September 17. 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 collision 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.

CSI reviewed the rules in 2013. At that time, amendments were made to the rules to enable providers to teach courses throughout the state without requiring certification at each site. From 2013 through 2017 voluntary course participation increased by 400 percent. However, the 2013 BIA identified the metric of success for the rules to be a decrease in vehicle collisions for drivers

over 60. In follow-up, CSI learned that collisions have increased marginally by 2 percent from 2013 to 2016. According to ODPS, there are an increased number of older drivers on the road which has resulted in more accidents for the demographic.

In seeking input for the review of the rules, ODPS reached out to the mature course providers and AARP. Input from the providers was incorporated into the rules as amendments and includes minor changes in terminology and updates to the curriculum.

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.