PUCO RESPONSE MEMORANDUM

TO: Michael Bender
Business Advocate
Ohio Lieutenant Governor's Common Sense Initiative Office

FROM: Greta See
Section Chief, Transportation Section
Legal Department
Public Utilities Commission of Ohio

DATE: February 24, 2023

RE: PUCO Response – Towing of Motor Vehicles (Ohio Adm.Code Chapter 4901:2-22)

In Case No. 22-692-TR-ORD, the Public Utilities Commission of Ohio (PUCO) reviewed Ohio Adm.Code Chapter 4901:2-22 to comply with R.C. 111.15(B) and R.C. 106.03(A), which require state agencies to conduct a review of their rules every five years and R.C. 121.951(A)(1), which requires state agencies to reduce their total number of regulatory restrictions. The rules in Ohio Adm.Code Chapter 4901:2-22 provide for the safety standards for the type of equipment necessary to safely tow motor vehicles, establish standards for the removal of a vehicle, and establish an after-hours retrieval fee.

By Entry issued September 21, 2022, the PUCO established a formal comment period to receive stakeholder feedback regarding the PUCO's proposed amendments to the rules; however, no comments were received. Thereafter, the PUCO issued a Finding and Order on November 2, 2022, adopting the proposed changes to the rules as attached to the order. On November 23, 2022, the Common Sense Initiative (CSI) Office replied to the PUCO, stating that CSI had no recommendations, and concluding that the PUCO should proceed with formal filing of the rule package with the Joint Committee on Agency Rule Review (JCARR). In, light of CSI's conclusion, the PUCO will proceed and file the rules with JCARR.

cc: Joseph Baker, Director, Common Sense Initiative Office
Jeffrey Jones, Legal Director, Public Utilities Commission of Ohio
Greg Price, Deputy Legal Director, Public Utilities Commission of Ohio

180 East Broad Street
Columbus, Ohio 43215-3793

(614) 466-3016
www.PUCO.ohio.gov

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