

## Rule Summary and Fiscal Analysis

### Part A - General Questions

**Rule Number:** 1301:3-5-10

**Rule Type:** Amendment

**Rule Title/Tagline:** Boiler operator and steam engineer experience requirements.

**Agency Name:** Department of Commerce

**Division:** Division of Industrial Compliance

**Address:** 6606 Tussing Road Reynoldsburg OH 43068-9009

**Contact:** Aaron Johnston **Phone:** 614-644-3297

**Email:** Aaron.Johnston@com.state.oh.us

#### I. Rule Summary

1. Is this a five year rule review? Yes
  - A. What is the rule's five year review date? 10/31/2019
2. Is this rule the result of recent legislation? No
3. What statute is this rule being promulgated under? 119.03
4. What statute(s) grant rule writing authority? 4104.06
5. What statute(s) does the rule implement or amplify? 4104.06, 4104.19
6. What are the reasons for proposing the rule?

Five year rule review.
7. Summarize the rule's content, and if this is an amended rule, also summarize the rule's changes.

This rule sets forth the experience requirements for boiler operator and steam engineer licensee applicants. The proposed rule changes are non-substantive and include punctuation changes, rewording for internal consistency, and the addition of terms for clarity and ease of reading.
8. Does the rule incorporate material by reference? No

9. If the rule incorporates material by reference and the agency claims the material is exempt pursuant to R.C. 121.75 please explain the basis for the exemption and how an individual can find the referenced material.

*Not Applicable*

10. If revising or re-filing the rule, please indicate the changes made in the revised or re-filed version of the rule.

*Not Applicable*

## **II. Fiscal Analysis**

11. Please estimate the increase / decrease in the agency's revenues or expenditures in the current biennium due to this rule.

This will have no impact on revenues or expenditures.

0.00

Not applicable.

12. What are the estimated costs of compliance for all persons and/or organizations directly affected by the rule?

0.00

13. Does the rule increase local government costs? (If yes, you must complete an RSFA Part B). No

14. Does the rule regulate environmental protection? (If yes, you must complete an RSFA Part C). No

15. If the rule imposes a regulation fee, explain how the fee directly relates to your agency's cost in regulating the individual or business.

Not applicable.

## **III. Common Sense Initiative (CSI) Questions**

16. Was this rule filed with the Common Sense Initiative Office? Yes

17. Does this rule have an adverse impact on business? Yes

- A. Does this rule require a license, permit, or any other prior authorization to engage in or operate a line of business? Yes**

This rule requires a boiler operator or steam engineer licensee applicant to meet certain experience requirements to qualify for the examination for the license. The requirement for a boiler operator or steam engineer license is imposed under section 4104.05 of the Revised Code. Nothing in the proposed rule changes increase or create a new requirement to engage in or operate a line of business.

- B. Does this rule impose a criminal penalty, a civil penalty, or another sanction, or create a cause of action, for failure to comply with its terms? No**

- C. Does this rule require specific expenditures or the report of information as a condition of compliance? Yes**

This rule requires a boiler operator or steam engineer licensee applicant to "specify in writing" to the Superintendent of the Division of Industrial Compliance how he/she meets the experience requirements of this rule, and the written specification must be "verified in writing" by an actual licensee. Nothing in the proposed rule changes increase or create a new expenditure or report of information as a condition of compliance.

- D. Is it likely that the rule will directly reduce the revenue or increase the expenses of the lines of business of which it will apply or applies? No**