

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

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I. Rule Summary

1. Is this a five year rule review? Yes

A. What is the rule's five year review date? 5/16/2025

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. Does the rule implement a federal law or rule in a manner that is more stringent or burdensome than the federal law or regulation requires? No

A. If so, what is the citation to the federal law or rule? Not Applicable

7. What are the reasons for proposing the rule?

Five-year rule review.

8. Summarize the rule's content, and if this is an amended rule, also summarize the rule's changes.

The rule establishes the education, training, and experience requirements an applicant must demonstrate in order to obtain a Low Pressure Boiler Operator, High Pressure Boiler Operator, or Stationary Steam Engineer License. An amendment to the rule is being proposed to reduce the number of hours needed for stationary steam engineer applicants from one thousand hours to seven hundred hours of operating experience associated in the direct care, custody, and control of the fuel, combustion air, water level, steam pressure, system load, and supporting equipment of a steam boiler exceeding fifteen pounds per square inch if the applicant has successfully completed a one-hundred-twenty-five hour steam boiler and steam turbine operation course approved by the superintendent. In addition, grammatical or stylistic changes are also being proposed.

- 9. Does the rule incorporate material by reference? No**
- 10. 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

- 11. 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

- 12. 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.

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

Relevant to the proposed amendment, the estimated cost of compliance for some applicants for licensure as a stationary steam engineer is being reduced from 1000 hours to 700 hours as discussed more fully in response to question 9 above.

- 14. Does the rule increase local government costs? (If yes, you must complete an RSFA Part B). No**
- 15. Does the rule regulate environmental protection? (If yes, you must complete an RSFA Part C). No**
- 16. 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

- 17. Was this rule filed with the Common Sense Initiative Office? Yes**
- 18. 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? No**

No, not directly. This rule only establishes the educational, training, and experience requirements that must be demonstrated to obtain a license. The requirement for the license is imposed by sections 4104.05 and 4104.19 of the Revised Code.

- 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**

Yes, the rule requires applicants for licensure as low pressure boiler operators, high pressure boiler operators, and stationary steam engineers to report information to the Division on their license application demonstrating they have met the educational, training, and experience requirements for obtaining the license for which they are applying.

- 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**

No, the proposed amendment to this rule is likely to reduce the administrative burden associated with obtaining a license as a stationary steam engineer by reducing the required number of hours for certain applicants from 1000 hours to 700 hours as discussed more fully in response to question 9 above.

IV. Regulatory Restriction Requirements under S.B. 9. Note: This section only applies to agencies described in R.C. 121.95(A).

19. Are you adding a new or removing an existing regulatory restriction as defined in R.C. 121.95? No

A. How many new regulatory restrictions do you propose adding to this rule?

Not Applicable

B. How many existing regulatory restrictions do you propose removing from this rule?

Not Applicable

C. If you are not removing existing regulatory restrictions from this rule, please list the rule number(s) from which you are removing restrictions.

Not Applicable

D. Please justify the adoption of the new regulatory restriction(s).

Not Applicable