

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 4123:1-17-06

Rule Type: Amendment

Rule Title/Tagline: Safety belts, safety harnesses, lifelines and lanyards.

Agency Name: Bureau of Workers' Compensation

Division: Division of Safety and Hygiene

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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? 10/30/2024
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? 4121.12, 4121.121, 4121.13, Const. Art. II, Section 35
5. What statute(s) does the rule implement or amplify? 4121.13
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?

Pursuant to R.C. 106.03, state agencies are required to review all agency rules every five years to determine whether to amend the rules, rescind the rules, or continue the rules without change. Due to such review, the Bureau is proposing to amend this rule for the purposes explained below.

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

This rule governs the safety requirements of safety belts, safety harnesses, lifelines and lanyards. The proposed syntax and grammatical changes improve the consistency and clarity of the proposed rule, and these proposed changes are not intended to provide substantive changes. The changes also remove regulatory restrictions in accordance with R.C. 121.95 and R.C. 121.951 where appropriate.

- 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

No fiscal effects expected on current or future budgets.

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

The directly affected persons are the employer community. The financial impact varies based upon the amount of the percentage awarded by the Industrial Commission (15% to 50%) and the total compensation being paid to the injured worker in the claim.

- 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
- 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? Yes

If an employer is found by the Industrial Commission of Ohio to have violated any provision of this rule, the employer is subject to a Violation of a Specific Safety Requirement, which is a financial penalty or fine for non-compliance with these rules.

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

This rule potentially requires specific expenditures, in that employers must make whatever expenditures are necessary to comply with the standards in the rules.

- 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

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? Yes

- A. How many new regulatory restrictions do you propose adding to this rule? 0**
- B. How many existing regulatory restrictions do you propose removing from this rule? 3**

4123:1-17-06(A)

When required, lifelines shall be securely fastened to the structure.

4123:1-17-06(A)

... safeguarding and shall sustain a static load of no less than five thousand pounds.

4123:1-17-06(A)

... service and shall not be used again for employee safeguarding.

- C. If you are not removing existing regulatory restrictions from this rule, please list the rule number(s) from which you are removing restrictions.**
- D. Please justify the adoption of the new regulatory restriction(s).**

Not Applicable