

Rule Summary and Fiscal Analysis (Part A)**Department of Public Safety**

Agency Name

Division

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4501-33-06

Rule Number

AMENDMENT

TYPE of rule filing

Rule Title/Tag Line

Equipment inspection for salvage motor vehicles.**RULE SUMMARY**

1. Is the rule being filed consistent with the requirements of the RC 119.032 review? **Yes**

2. Are you proposing this rule as a result of recent legislation? **No**

3. Statute prescribing the procedure in accordance with the agency is required to adopt the rule: **119.03**

4. Statute(s) authorizing agency to adopt the rule: **R.C. 5502.011, 4505.11, 4505.111**

5. Statute(s) the rule, as filed, amplifies or implements: **R.C. 4505.11, 4505.111**

6. State the reason(s) for proposing (i.e., why are you filing,) this rule:

This rule is being filed pursuant to a completed R.C. 119.032 review of Chapter 4501-33 of the Administrative Code.

7. If the rule is an AMENDMENT, then summarize the changes and the content of the proposed rule; If the rule type is RESCISSION, NEW or NO CHANGE,

then summarize the content of the rule:

This rule explains the equipment inspection for salvage motor vehicles. This rule is proposed for amendment to strike the reference to an OSHP internal form (HP-106) in paragraph (B) and delete paragraph (C) in its entirety as Ohio Revised Code and Ohio Administrative Code sections are exempt from compliance with sections 121.71 to 121.74 of the Revised Code pertaining to materials incorporated by reference.

8. If the rule incorporates a text or other material by reference and the agency claims the incorporation by reference is exempt from compliance with sections 121.71 to 121.74 of the Revised Code because the text or other material is **generally available** to persons who reasonably can be expected to be affected by the rule, provide an explanation of how the text or other material is generally available to those persons:

This response left blank because filer specified online that the rule does not incorporate a text or other material by reference.

9. If the rule incorporates a text or other material by reference, and it was **infeasible** for the agency to file the text or other material electronically, provide an explanation of why filing the text or other material electronically was infeasible:

This response left blank because filer specified online that the rule does not incorporate a text or other material by reference.

10. If the rule is being **rescinded** and incorporates a text or other material by reference, and it was **infeasible** for the agency to file the text or other material, provide an explanation of why filing the text or other material was infeasible:

Not Applicable.

11. If **revising** or **refiling** this rule, identify changes made from the previously filed version of this rule; if none, please state so. If applicable, indicate each specific paragraph of the rule that has been modified:

Not Applicable.

12. 119.032 Rule Review Date: **9/4/2014**

(If the rule is not exempt and you answered NO to question No. 1, provide the

scheduled review date. If you answered YES to No. 1, the review date for this rule is the filing date.)

NOTE: If the rule is not exempt at the time of final filing, two dates are required: the current review date plus a date not to exceed 5 years from the effective date for Amended rules or a date not to exceed 5 years from the review date for No Change rules.

FISCAL ANALYSIS

13. Estimate the total amount by which *this proposed rule* would **increase / decrease** either **revenues / expenditures** for the agency during the current biennium (in dollars): Explain the net impact of the proposed changes to the budget of your agency/department.

This will have no impact on revenues or expenditures.

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This rule is not expected to impact the agency's budget in the current biennium.

14. Identify the appropriation (by line item etc.) that authorizes each expenditure necessitated by the proposed rule:

N/A

15. Provide a summary of the estimated cost of compliance with the rule to all directly affected persons. When appropriate, please include the source for your information/estimated costs, e.g. industry, CFR, internal/agency:

It is estimated that this rule will not result in any costs of compliance for stakeholders.

16. Does this rule have a fiscal effect on school districts, counties, townships, or municipal corporations? **No**

17. Does this rule deal with environmental protection or contain a component dealing with environmental protection as defined in R. C. 121.39? **No**

S.B. 2 (129th General Assembly) Questions

18. Has this rule been filed with the Common Sense Initiative Office pursuant to

R.C. 121.82? **Yes**

19. Specific to this rule, answer the following:

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**

Pursuant to division (F) of section 4505.11 of the Revised Code, failure to deliver a motor vehicle, which is evidenced by a salvage certificate of title, to an appointment for inspection may result in a fine of not more than two thousand dollars, imprisonment or both, and pursuant to division (B) of section 4505.111, whoever fails to have a vehicle, which is assembled from component parts inspected by the state highway patrol prior to title may be subject to a fine of not more than two thousand dollars or imprisonment or both.

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

Chapter 4501-33 of the Administrative Code requires all motor vehicles assembled from component parts, all self-assembled vehicles, and all salvage titled vehicles to be inspected. An applicant for inspection of a motor vehicle assembled from component parts must purchase a motor vehicle inspection receipt for each motor vehicle being inspected. Each inspection receipt costs fifty dollars, a fee which is set forth in section 4505.111 of the Revised Code. Each applicant is required to present evidence of ownership for each major component part via notarized bills of sale, official business receipts, or certificates of title. It is expected that the inspection and required record keeping may result in minimal adverse impact in the form of time.