

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

Agency Name

Division

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**4501-53-07**

Rule Number

**NEW**

TYPE of rule filing

Rule Title/Tag Line

**Provider inspections.****RULE SUMMARY**

1. Is the rule being filed consistent with the requirements of the RC 119.032 review? **No**

2. Are you proposing this rule as a result of recent legislation? **Yes**

Bill Number: **HB95**General Assembly: **125**Sponsor: **Rep. Charles Calvert**

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. 4508.08**

5. Statute(s) the rule, as filed, amplifies or implements: **R.C. 4508.08**

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

This rule is being filed for the purpose of setting forth a regulatory framework for the Ohio Department of Public Safety (ODPS) motorcycle training program.

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 sets forth that the Ohio Department of Public Safety may inspect the premises of an approved provider to determine compliance with the rules in Chapter 4501-53 of the Administrative Code.

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:

While this rule references the Revised Code, incorporation by reference of such information is excepted by section 121.76 of the Revised Code from the requirements set forth in R.C. 121.71 to 121.75.

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:

While this rule references the Revised Code, incorporation by reference of such information is excepted by section 121.76 of the Revised Code from the requirements set forth in R.C. 121.71 to 121.75.

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:

*Not Applicable.*

12. 119.032 Rule Review Date:

(If 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: At 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 increase expenditures.

Approx. \$2,000

The department may incur costs associated with inspecting provider facilities and observing and evaluating motorcycle training courses. If ODPS staff is not available to conduct such evaluations, the department will contract with a Chief Instructor to perform these services at a cost of \$100-250 per observation. The department will observe and evaluate the State motorcycle training courses at least once during the first year for any provider. The department estimates no more than 20 providers will be certified this year. If ODPS staff can perform at least half of the evaluations, the department will incur approximately \$2,000 in Chief Instructor fees to perform the remaining evaluations.

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

Fund 848 Motorcycle Safety Education, ALI 761-625.

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:

Providers should not incur any costs associated with allowing the department or a Chief Instructor to inspect the facilities and observe and evaluate motorcycle training courses.

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**