

## Rule Summary and Fiscal Analysis

### Part A - General Questions

**Rule Number:** 4713-11-09

**Rule Type:** Amendment

**Rule Title/Tagline:** Exhaust fumes from service areas.

**Agency Name:** State Cosmetology and Barber Board

**Division:**

**Address:** 1929 Gateway Circle Grove City OH 43123

**Contact:** Charley Yaniko

**Email:** charley.yaniko@cos.ohio.gov **Phone:** 614-644-6511

#### I. Rule Summary

1. Is this a five year rule review? Yes
  - A. What is the rule's five year review date? 2/13/2019
2. Is this rule the result of recent legislation? Yes
  - A. If so, what is the bill number, General Assembly and Sponsor? HB 49 - 132  
- Ryan Smith
3. What statute is this rule being promulgated under? 119.03
4. What statute(s) grant rule writing authority? 4709.05(E)(1), 4709.05(E)(6), 4713.08(A)(1), 4713.08(A)(15), 4713.08(A)(20)
5. What statute(s) does the rule implement or amplify? 4709.09, 4713.41
6. What are the reasons for proposing the rule?

The rule is necessary to protect customers and members of the public from unnecessary or improper exposure to potentially dangerous chemical fumes from barbering and cosmetology services.
7. Summarize the rule's content, and if this is an amended rule, also summarize the rule's changes.

The rule requires licensed barbershops and salons to maintain either commercial exhaust fans or air filtration systems that comply with state and local building codes for that type of business.

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. 121.71 to 121.76, 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. As a result of this proposed rule, please estimate the increase / decrease in revenues or expenditures affecting this agency, or the state generally, in the current biennium or future years. If the proposed rule is likely to have a different fiscal effect in future years, please describe the expected difference and operation.

This will have no impact on revenues or expenditures.

0

Not applicable.

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

The rule requires licensees to meet local and state building code guidelines for exhaust/air filtration systems, but does not mandate specific requirements beyond what is required by the building codes. There should be no added costs for licensees to comply with the rule since they must comply with these building codes in order to lawfully operate their business.

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

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

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

16. 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

Violation of this rule could result in an administrative action against a license, which may include a fine.

- C. Does this rule require specific expenditures or the report of information as a condition of compliance? No

Any costs associated with the necessary exhaust/filtration system is already required by state and local building codes. The proposed rule does not add any additional requirements.