

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 901:9-1-46
Rule Type: No Change
Rule Title/Tagline: Go kart track plan review.
Agency Name: Department of Agriculture
Division: Fairs and Amusement Rides
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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?** 8/31/2018 and 08/31/2023
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?** 1711.53
5. **What statute(s) does the rule implement or amplify?** 1711.53
6. **What are the reasons for proposing the rule?**

This rule is up for five year rule review.

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

901:9-1-46 states that the plans to construct a new go kart track or to make major modifications to an existing tract must be submitted to the department for review and approval. There are no changes proposed to this rule.

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.

0.00

Not applicable.

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

All plans to construct a new go kart track or to make major modifications to an existing track must be submitted to the department for review and approval. The Department does not charge a fee for the review of plans to construct or modify an existing track. It does require the operation to submit the plans which causes an adverse impact of negligible time spent.

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? Yes**

As stated in section 1711.53 of the Ohio Revised Code, go kart facility operations must obtain an amusement ride permit which costs \$150 and be inspected by the Division of Ride Safety prior to operation which costs \$310. Both must be renewed annually. All go karts must be inspected by the Department at a cost of \$5 per kart.

- 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**

Failure to comply with this rule may result in the Department taking civil or criminal action against the violator.

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

All plans to construct a new go kart track or to make major modifications to an existing track must be submitted to the department for review and approval.