

**MEMORANDUM**

**TO:** Scott Farkas, Chief, Transportation Section, Public Utilities Commission of Ohio

**FROM:** Meredith Rockwell, Regulatory Policy Advocate

**DATE:** February 4, 2013

**RE:** **CSI Review – Registration of Intrastate Motor Carriers (OAC 4901:2-21-01 through 4901:2-21-09)**

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On behalf of Lt. Governor Mary Taylor, and pursuant to the authority granted to the Common Sense Initiative (CSI) Office under Ohio Revised Code (ORC) section 107.54, the CSI Office has reviewed the abovementioned administrative rule package and associated Business Impact Analysis (BIA). This memo represents the CSI Office's comments to the Agency as provided for in ORC 107.54.

**Analysis**

This package consists of seven amended and two rescinded rules, all being reviewed under the five-year review requirement of ORC 119.032. The rules set forth the requirements for the registration of intrastate for-hire motor carriers, the issuance of certificates of public convenience and necessity, and the conditions under which a certificate may be suspended or revoked. The Public Utilities Commission of Ohio states in the BIA that the public purpose of these rules is both to establish a uniform and objective process for the issuance of a certificate of public convenience and necessity and to establish a consistent and objective process by which a certificate can be suspended or revoked.

The adverse impact created by these rules consists of completing an application, obtaining required insurance, paying all applicable taxes and fees, and following the suspension and revocation procedures, should the need arise. The rules also require an applicant to obtain a United States Department of Transportation number, which is no-cost and can be obtained online. The

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applications form required should take no longer than 15-30 minutes to complete, according to the BIA, and the taxes, fees, and insurance all vary in cost. The Commission believes the impact is justified, because it ensures the highway transportation of persons and property is conducted in a safe and efficient manner. Furthermore, most of the requirements are derived directly from the ORC.

Overall, the Commission completed the BIA comprehensively and involved the stakeholders in the rule development and review process as the CSI Office would request. Additionally, the Commission received no comments on this rule package during the Commission-conducted stakeholder workshop or the CSI public comment period.

### **Recommendations**

For the reasons explained above, the CSI Office does not have any recommendations regarding this rule package.

### **Conclusion**

Based on the above comments, the CSI Office concludes that the Commission should proceed with the formal filing of this rule package with the Joint Committee on Agency Rule Review.

cc: Elizabeth Stevens, Legal Director, Public Utilities Commission of Ohio  
Mark Hamlin, Lt. Governor's Office