

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 4501-29-01

Rule Type: Amendment

Rule Title/Tagline: Lights, brakes, and mufflers for snowmobiles, off-highway motorcycles, and all-purpose vehicles.

Agency Name: Department of Public Safety

Division:

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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?** 11/10/2021
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?** 4519.20
5. **What statute(s) does the rule implement or amplify?** 4519.20

6. **What are the reasons for proposing the rule?**

The rule is being according to ORC 106.03 five year review.

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

The rule identifies equipment for snowmobiles, off-highway motorcycles, and all-purpose vehicles. The rule is being amended to update materials incorporate by reference.

8. **Does the rule incorporate material by reference?** Yes

9. **If the rule incorporates material by reference and the agency claims the material is exempt pursuant to R.C. 121.75, please explain the basis for the exemption and how an individual can find the referenced material.**

The rule incorporate Federal Motor Vehicle Safety Standard 122 set forth in CFR 571.122. The rule states the name of the materials, the version, and a publicly accessible website the materials can be found on. In addition, it is generally expected that those being affected by the rule will already have access to the FMVSS 122 Standard.

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. **Please estimate the increase / decrease in the agency's revenues or expenditures in the current biennium due to this rule.**

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?**

Not applicable.

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**

15. **If the rule imposes a regulation fee, explain how the fee directly relates to your agency's cost in regulating the individual or business.**

Not applicable.

III. Common Sense Initiative (CSI) Questions

16. Was this rule filed with the Common Sense Initiative Office? No

17. Does this rule have an adverse impact on business? No

- 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? No
- C. Does this rule require specific expenditures or the report of information as a condition of compliance? No
- D. Is it likely that the rule will directly reduce the revenue or increase the expenses of the lines of business of which it will apply or applies? No

IV. Regulatory Restrictions (This section only applies to agencies indicated in R.C. 121.95 (A))

18. Are you adding a new or removing an existing regulatory restriction as defined in R.C. 121.95? No

- A. How many new regulatory restrictions do you propose adding to this rule?
Not Applicable
- B. How many existing regulatory restrictions do you propose removing from this rule?
Not Applicable
- C. If you are not removing existing regulatory restrictions from this rule, please list the rule number(s) from which you are removing restrictions.
Not Applicable

4501-29-01

Lights, brakes, and mufflers for snowmobiles, off-highway motorcycles, and all-purpose vehicles.

- (A) Every snowmobile, off-highway motorcycle, and all-purpose vehicle shall have at minimum, one working headlight and one working red tail light as described in section 4519.20 of the Revised Code.
- (B) Every snowmobile shall be capable of stopping as described in section 4519.20 of the Revised Code.
- (C) Every off-highway motorcycle and all-purpose vehicle, regardless of the type of service brake system configuration, shall be capable at all times, and under all conditions of loading, of being stopped on a dry, smooth, level road, free from loose material, upon application of the service or foot brake within the following distance:
- (1) With brakes on all wheels, vehicle shall come to a stop in thirty feet or less from a speed of twenty miles per hour;
 - (2) Not having brakes on all wheels, vehicle shall come to a stop in forty feet or less from a speed of twenty miles per hour.
- (D) Every off-highway motorcycle and all-purpose vehicle, except those vehicles described in paragraph (E) of this rule, manufactured after January 1, 2006, shall have a split service brake system, two independently actuated service brake systems, or a combined brake system. All brake systems, except those vehicles described in paragraph (E) of this rule, shall be as defined in federal motor vehicle safety standard (FMVSS) 122 set forth in 49 C.F.R. 571.122 (January 8, 2021~~October 1, 2015~~ edition). FMVSS 122 may be accessed electronically via <https://www.govinfo.gov/content/pkg/FR-2021-01-08/pdf/2020-27375.pdf>. ~~<https://www.gpo.gov/fdsys/pkg/CFR-2015-title49-vol6/pdf/CFR-2015-title49-vol6-sec571-122.pdf>~~.
- ~~(E) All purpose vehicles equipped with a steering wheel for steering control may be equipped with a service brake system incorporating front and rear brakes actuated by a single foot operated control.~~
- ~~(F)~~(E) Every snowmobile, off-highway motorcycle, and all-purpose vehicle shall have a working muffler system that precludes emissions as described in section 4519.20 of the Revised Code and prevents excessive or unusual noise.

Effective:

Five Year Review (FYR) Dates: 11/10/2021

Certification

Date

Promulgated Under: 119.03
Statutory Authority: 4519.20
Rule Amplifies: 4519.20
Prior Effective Dates: 07/16/2001, 06/03/2006, 05/26/2011, 07/15/2016