Rule Summary and Fiscal Analysis <u>Part A</u> - General Questions

Rule Number:	4501:1-1-03		
Rule Type:	New		
Rule Title/Tagline:	Occupant restraining device exemption.		
Agency Name:	Department of Public Safety		
Division:	Bureau of Motor Vehicles		
Address:	1970 West Broad Street PO Box 182081 Columbus	OH 4321	.8-2081
Contact:	Joseph Kirk		
Email:	jakirk@dps.ohio.gov	Phone:	614-466-5605

I. <u>Rule Summary</u>

- 1. Is this a five year rule review? No
 - A. What is the rule's five year review date?
- 2. Is this rule the result of recent legislation? Yes
 - A. If so, what is the bill number, General Assembly and Sponsor? HB 62 133 Oelslager
- 3. What statute is this rule being promulgated under? 119.03
- 4. What statute(s) grant rule writing authority? 4513.263
- 5. What statute(s) does the rule implement or amplify? 4513.263
- 6. What are the reasons for proposing the rule?

The rule is being proposed according to the enactment of HB 62 of the 133rd General Assembly.

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

Section 4513.263 of the Ohio Revised Code requires the BMV Registrar to adopt rules to implement provision dealing with seatbelt exemptions. If the exemption is due to a

condition that is permanent or expected to be permanent, and affidavit must be filed with BMV to be notated in the Law Enformcement Automated Data System.

- 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. 121.71 to 121.76, please explain the basis for the exemption and how an individual can find the referenced material.

The rule incorporates form BMV 2942 "Occupant Restraining Device Exemption Request". The form is being filed with the rule.

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?

The only cost associated with the rule would be any time completing a required form, and negligible postage costs.

- 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? No
- 16. 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

<u>4501:1-1-03</u> Occupant restraining device exemption.

[Comment: All materials incorporated by reference are via the Ohio bureau of motor vehicles' website at http://www.bmv.ohio.gov/bmv_forms.stm]

- (A) An individual applying for an occupant restraining device exemption due to a physical impairment according to section 4513.263 of the Revised Code must complete BMV form 2942 "Occupant restraining device exemption request" (6/2019), which includes an affirmation by a physician or chiropractor.
- (B) If the physical impairment is permanent or expected to be permanent, the individual must submit the form to the bureau of motor vehicles and the exemption will be notated in the law enforcement automated data system (LEADS).
- (C) If the physical impairment is temporary, the individual shall keep BMV form 2942 (6/2019) on his or her person while operating or riding in a motor vehicle. The temporary affidavit shall expire on the date indicated by the physician or chiropractor on BMV form 2942 (6/2019).

Effective:

Five Year Review (FYR) Dates:

Certification

Date

Promulgated Under:	119.03
Statutory Authority:	4513.263
Rule Amplifies:	4513.263

Rule Summary and Fiscal Analysis Part A - General Questions

Rule Number:	4501:1-1-05		
Rule Type:	New		
Rule Title/Tagline:	Ohio identification card for permanently/irreversit	oly disable	ed.
Agency Name:	Department of Public Safety		
Division:	Bureau of Motor Vehicles		
Address:	1970 West Broad Street PO Box 182081 Columbus	OH 4321	.8-2081
Contact:	Joseph Kirk		
Email:	jakirk@dps.ohio.gov	Phone:	614-466-5605

I. <u>Rule Summary</u>

- 1. Is this a five year rule review? No
 - A. What is the rule's five year review date?
- 2. Is this rule the result of recent legislation? Yes
 - A. If so, what is the bill number, General Assembly and Sponsor? HB 300 132 - Barnes
- 3. What statute is this rule being promulgated under? 119.03
- 4. What statute(s) grant rule writing authority? 4507.50, 4507.52
- 5. What statute(s) does the rule implement or amplify? 4507.50, 4507.52
- 6. What are the reasons for proposing the rule?

The rule is being proposed according to the enactment of House Bill 300 of the 132nd General Assembly.

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

The rule lays out the process for an individual that is permanently or irreversibly disabled to apply for a Ohio identification card that is valid for eight years. The

individual can receive the card without paying a fee if they affirm that they are unemployed.

- 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. 121.71 to 121.76, please explain the basis for the exemption and how an individual can find the referenced material.

The rule incorporated BMV form 5755 "Health Care Provider Certification of Eligibility For Permanently Disabled Identification Card". The rule also incorporate the acceptable documents list BMV Form 2424, and BMV Form 2430 that state what documents are acceptable in order to prove identity.

The rule directs readers to the BMV website where the forms are available. The forms are also being filed with the rule.

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

The BMV does not expect any noticeable decrease in revenues due to some applicants receiving their identification card while having the fees waived due to unemployment status.

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

The cost of an identification card is typically \$8.50 for a new identification card or renewal. A duplicate costs \$7.50. If the applicant affirms that they are unemployed when applying, there is no fee for the identification card.

- 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? No
- 16. 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

<u>4501:1-1-05</u> Ohio identification card for permanently/irreversibly disabled.

[Note: Forms incorporated by reference are available via the Ohio bureau of motor vehicles' website at http://www.bmv.ohio.gov/bmv_forms.stm.]

- (A) The registrar or a deputy registrar shall issue a state of Ohio identification card to an Ohio resident who is permanently or irreversibly disabled following the completion of BMV form 5755 "Health care provider certification of eligiblity for permanently disabled identification card" (10/2019) including the certification of disability by the applicant's health care provider as defined in division (A) of section 4503.44 of the Revised Code.
- (B) If the permanently or irreversibly disabled identification card applicant affirms he or she are unemployed when completing BMV form 5755 (10/2019), the ID card shall be issued without payment of any fee prescribed in division (A) of section 4507.50 of the Revised Code.
- (C) Qualifying applicants are required to provide proof of identity according to:
 - (1) BMV form 2424 "Acceptable documents list Standard DL-ID" 7/19/18) for a standard ID card; or
 - (2) BMV form 2430 "Acceptable documents list Compliant DL-ID"(7/19/18) for a compliant ID card.
- (D) A new certification of disability on BMV form 5755 (10/2019) shall be required when requesting a duplicate of the permanently or irreversibly disabled identification card.
- (E) A new certification of disability on BMV form 5755 (10/2019) shall be required when renewing the permanently or irreversibly disabled identification card.
- (F) BMV form 5755 (10/2019) shall be valid for thirty days from the health care provider's signature.

Effective:

Five Year Review (FYR) Dates:

Certification

Date

Promulgated Under:	119.03
Statutory Authority:	4507.50, 4507.52
Rule Amplifies:	4507.50, 4507.52

Rule Summary and Fiscal Analysis <u>Part A</u> - General Questions

Rule Number:	4501:1-1-23		
Rule Type:	New		
Rule Title/Tagline:	Online renewal of driver's license or motorcycle end duty military personnel, spouse and dependents.	ndorseme	ent for active
Agency Name:	Department of Public Safety		
Division:	Bureau of Motor Vehicles		
Address:	1970 West Broad Street PO Box 182081 Columbus	OH 4321	.8-2081
Contact:	Joseph Kirk		
Email:	jakirk@dps.ohio.gov	Phone:	614-466-5605

I. <u>Rule Summary</u>

- 1. Is this a five year rule review? No
 - A. What is the rule's five year review date?
- 2. Is this rule the result of recent legislation? Yes
 - A. If so, what is the bill number, General Assembly and Sponsor? HB 62 133 Oelslager
- 3. What statute is this rule being promulgated under? 119.03
- 4. What statute(s) grant rule writing authority? 4507.18
- 5. What statute(s) does the rule implement or amplify? 4507.18
- 6. What are the reasons for proposing the rule?

The rule is being proposed according to the enactment of HB 62 of the 133rd General Assembly.

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

The rule deals with the process for active duty military personnel and their spouses/ dependents to apply for electronic renewal of their driver's license, identification card and/or motorcycle license/endorsement.

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. 121.71 to 121.76, please explain the basis for the exemption and how an individual can find the referenced material.

The rule references BMV Form 2407 "Vision Examination for Out-of-State Driver's License Applicants. The form is available on the BMV website listed in the rule.

Additionally, an individual will need to complete an online application for renewal. The online renewal application exists in an electronic interface as part of the BMV online system; therefore, there is no publication date for the form.

The forms are available on the BMV website listed in the rule.

10. If revising or re-filing the rule, please indicate the changes made in the revised or refiled 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?

The rule does not impose an fee for renewing online. The individual applying online must supply certain documents electronically including a 2" by 2" passport style photograph. The cost of passport photographs varies, but is typically \$15 or less.

- 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? No
- 16. 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

4501:1-1-23Online renewal of driver's license or motorcycle endorsement
for active duty military personnel, spouse and dependents.

- (A) An individual serving on active duty in the United States armed forces and stationed outside of Ohio, their spouse, and/or their dependents may renew their driver's license, identification card or motorcycle license (or endorsement), online according to section 4507.18 of the Revised Code.
- (B) An individual applying for renewal online, must provide the following information to the BMV:
 - (1) A digital copy of the applicant's military identification or military dependent identification card;
 - (2) 3) A digital copy of a current two inch by two inch passport quality photograph with a white background;
 - (3) 4) A digital copy of any documents required to provide proof of identity according to Chapter 4507. of the Revised Code and rule 4501:1-1-21 of the Administrative Code; and
 - (4) A digital copy of form BMV form 2407 (01/2017) available via the Ohio bureau of motor vehicles' website at http://www.bmv.ohio.gov/bmv forms.stm, demonstrating the applicant passed a vision examination for spouse and dependent only.

Effective:

Five Year Review (FYR) Dates:

Certification

Date

Promulgated Under:	119.03
Statutory Authority:	4507.18
Rule Amplifies:	4507.18