

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 4501:1-7-02

Rule Type: Amendment

Rule Title/Tagline: Conditions for issuance of license plates, removable windshield placards and temporary removable windshield placards for persons with disabilities.

Agency Name: Department of Public Safety

Division: Bureau of Motor Vehicles

Address: 1970 West Broad Street PO Box 182081 Columbus OH 43218-2081

Contact: Joseph Kirk **Phone:** 614-466-5605

Email: jakirk@dps.ohio.gov

I. Rule Summary

1. Is this a five year rule review? No
 - A. What is the rule's five year review date? 5/1/2027
2. Is this rule the result of recent legislation? Yes
 - A. If so, what is the bill number, General Assembly and Sponsor? HB 33 - 135 - Edwards
3. What statute is this rule being promulgated under? 119.03
4. What statute(s) grant rule writing authority? 4501.02, 4503.44
5. What statute(s) does the rule implement or amplify? 4503.44
6. Does the rule implement a federal law or rule in a manner that is more stringent or burdensome than the federal law or regulation requires? No
 - A. If so, what is the citation to the federal law or rule? Not Applicable
7. What are the reasons for proposing the rule?

The rule is being filed to make updates due to statutory changes included in House Bill 33 of the 135th General Assembly, and House Bill 291 of the 134th General Assembly.

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

The rule sets forth provisions for obtaining and maintaining an accessible placard or plate for persons with a disability and organizations that who serve those with disabilities. The rule has been updated to make terms current with changes to Section 4503.44 of the Revised Code.

- 9. Does the rule incorporate material by reference? Yes**
- 10. 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 directs readers to rule 4501:1-7-15 that deals with all materials incorporated by reference for the chapter

- 11. 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

- 12. 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.

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

The Deputy Registrar Fee is \$5.00.

- 14. Does the rule increase local government costs? (If yes, you must complete an RSFA Part B). No**

15. Does the rule regulate environmental protection? (If yes, you must complete an RSFA Part C). No
16. If the rule imposes a regulation fee, explain how the fee directly relates to your agency's cost in regulating the individual or business.

This rule does not set fees, however, it supports compliance with the requirement to register for a accessible placard or license plate as outlined in Section 4503.44 of the Revised Code.

III. Common Sense Initiative (CSI) Questions

17. Was this rule filed with the Common Sense Initiative Office? No
18. 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 Restriction Requirements under S.B. 9. Note: This section only applies to agencies described in R.C. 121.95(A).

19. 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

- D. Please justify the adoption of the new regulatory restriction(s).**

Not Applicable

4501:1-7-02

Conditions for issuance of accessible license plates and removable windshield placards and ~~temporary removable windshield placards~~ for persons with disabilities.

[Comment: For dates and availability of material incorporated by reference in this rule, see paragraph (A) in rule 4501:1-7-15 of the Administrative Code.]

- (A) As used in this rule: "removable windshield placard" or "placard" means a placard issued to a person with a disability which limits or impairs the ability to walk or to an organization under section 4503.44 of the Revised Code.
- (B) ~~Removable windshield placards~~ Standard and temporary removable windshield placards shall be issued upon payment of the deputy registrar fee or payment of fifteen dollars for a permanent placard, as required, and upon completion of BMV form 4826 "Application for ~~Disability~~ Removable Windshield Placards." ~~Disability~~ Accessible license plates shall be issued upon payment of the deputy registrar and other registration fees, as required, and upon completion of page one of BMV form 4834 "Health Care Provider Certification of Eligibility for ~~Disability~~ Accessible License Plates." When a motor vehicle has been altered for the purpose of providing it with special equipment for a person with a disability which limits or impairs the ability to walk, the owner or lessee of the vehicle (other than the person with the disability) may qualify for a special license plate by submitting page two of the BMV Form 4834 "Health Care Provider Certification of Eligibility for ~~Disability~~ Accessible License Plates." The evidence as prescribed by BMV form 4826 and BMV form 4834 outlines the conditions for issuance of all ~~windshield~~ placards as determined by the registrar.
- (C) Upon satisfactory proof to the bureau of motor vehicles from a placardholder's personal health care provider, as defined in division (A)(3) of section 4503.44 of the Revised Code, that the person is no longer eligible under section 4503.44 of the Revised Code and after notice from the bureau, the person shall forward the ~~removable windshield placard~~ standard, permanent, or the temporary removable windshield placard to the bureau of motor vehicles for cancellation.
- (D) When a court reports to the registrar that a person who has been issued a ~~removable windshield placard~~ standard, permanent, or a temporary removable windshield placard or parking card or specialty accessible license plates plate has been convicted of a violation of section 4503.44 of the Revised Code, the registrar shall revoke the privilege of using the placard or parking card license plate and send notice in writing to the owner of the placard or parking card license plate at his or her last known address as shown in the records of the bureau to return the placard or parking card to the registrar within ten days following the mailing of the notice, if the ~~card~~ placard or license plate was not previously surrendered to the court.

- (E) If an applicant for a ~~removable windshield placard~~ is a veteran of the armed forces of the United States who is eligible under section 4503.44 of the Revised Code, and whose disability is service-connected, the registrar shall, upon receipt of a completed BMV form 4531 "Application for Removable Windshield Placard for Active Duty Military / Veterans With Disabilities," the requisite documentation from the health care provider, as defined in division (A)(3) of section 4503.44 of the Revised Code, and a letter from the department of veterans' affairs stating the veteran's disability is service-connected, issue the placard.
- (F) The ~~removable windshield placard~~ standard, permanent, and temporary ~~removable windshield~~ placard shall be displayed in such a manner that it may be viewed from the front and rear of the vehicle by hanging it from the front windshield rearview mirror. When there is no rearview mirror, the placard shall be displayed on the dashboard. The placard shall be displayed in a prominent location on motorcycles or other ~~nonenclosed~~ unenclosed vehicles. The placard shall not be considered valid unless its expiration is properly indicated.

Effective:

Five Year Review (FYR) Dates: 5/1/2027

Certification

Date

Promulgated Under: 119.03
Statutory Authority: 4501.02, 4503.44
Rule Amplifies: 4503.44
Prior Effective Dates: 05/27/1978, 02/27/1984, 01/01/1995, 04/20/1996,
10/14/1999, 11/03/2003, 04/29/2007, 03/01/2017,
08/01/2022

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 4501:1-7-15

Rule Type: Amendment

Rule Title/Tagline: Materials incorporated by reference.

Agency Name: Department of Public Safety

Division: Bureau of Motor Vehicles

Address: 1970 West Broad Street PO Box 182081 Columbus OH 43218-2081

Contact: Joseph Kirk **Phone:** 614-466-5605

Email: jakirk@dps.ohio.gov

I. Rule Summary

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 - A. What is the rule's five year review date? 5/1/2027
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? 4501.02, 4503.29
5. What statute(s) does the rule implement or amplify? 4501.01, 4503.10, 4503.19, 4503.29, 4503.44, 4503.45, 4503.51, 4503.78
6. Does the rule implement a federal law or rule in a manner that is more stringent or burdensome than the federal law or regulation requires? No
 - A. If so, what is the citation to the federal law or rule? Not Applicable
7. What are the reasons for proposing the rule?

The rule is being amended to update materials incorporated by reference.
8. Summarize the rule's content, and if this is an amended rule, also summarize the rule's changes.

The rule deals with materials incorporated by reference. Material names and revision dates have been updated as necessary

9. Does the rule incorporate material by reference? Yes
10. 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 contains materials incorporated by reference. Form names, numbers and the website availability of forms are included in the rule as necessary. Renewal notices are computer generated and available by contacting the BMV as indicated in the rule.

11. 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

12. 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.

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

Not applicable.

14. Does the rule increase local government costs? (If yes, you must complete an RSFA Part B). No

15. Does the rule regulate environmental protection? (If yes, you must complete an RSFA Part C). No

16. 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

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

18. 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 Restriction Requirements under S.B. 9. Note: This section only applies to agencies described in R.C. 121.95(A).

19. 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

D. Please justify the adoption of the new regulatory restriction(s).

Not Applicable

4501:1-7-15

Materials incorporated by reference.

(A) Incorporated by reference. This chapter includes material that has been incorporated by reference. If the material is subject to change, only the specific version listed in this rule is incorporated. Any revision to the referenced material is not incorporated unless and until this rule has been amended to specify the new date.

- (1) "Affidavit for Participation in Organizational / Collegiate Specialty License Plate Program" or "BMV 4810" (October 2021) may be accessed electronically at <https://bmv.ohio.gov/doc-forms.aspx>
- (2) "Application for ~~Disability~~Removable Windshield Placards" or "BMV 4826" (March ~~2020~~2024) may be accessed electronically at <https://bmv.ohio.gov/doc-forms.aspx>
- (3) "Application for Removable Windshield Placard for ~~Active-Duty~~Active-Duty Military / Veterans ~~With~~with Disabilities" or "BMV 4531" (~~March 2020~~October 2023) may be accessed electronically at <https://bmv.ohio.gov/doc-forms.aspx>
- (4) "Application for Service Star Medal License Plates" or "BMV 4508" (April 2015) may be accessed electronically at <https://bmv.ohio.gov/doc-forms.aspx>
- (5) "Health Care Provider Certification of Eligibility for ~~Disability~~Accessible License Plates" or "BMV 4834" (~~October 2019~~August 2024) may be accessed electronically at <https://bmv.ohio.gov/doc-forms.aspx>
- (6) "Electronic Renewal Application" sample (~~October 2021~~January 2024) as referenced in rule 4501:1-7-08 of the Administrative Code is available by writing to the "Ohio Bureau of Motor Vehicles, Office of Vehicle Services, 1970 West Broad Street, Columbus, Ohio 43223."
- (7) "Petition to Establish Organizational License Plate" or "BMV 4820" (October 2016) may be accessed electronically at <https://bmv.ohio.gov/doc-forms.aspx>
- (8) "Request for Specialty License Plates" or "BMV 4705" (~~January 2022~~September 2023) may be accessed electronically at <https://bmv.ohio.gov/doc-forms.aspx>
- (9) Specialty license plates for military as referenced in rule 4501:1-7-13 of the Administrative Code may be accessed electronically at <https://bmv.ohio.gov/vr-sp-geninfo.aspx>
- (10) "Application for Registration by Mail" or "BMV 4625" (~~August 2021~~January 2024) may be accessed electronically at <https://bmv.ohio.gov/doc-forms.aspx>

- (11) "Vehicle Registration Renewal Notice" sample (~~October 2021~~January 2024) as referenced in rule 4501:1-7-07 is available by writing to the "Ohio Bureau of Motor Vehicles, Office of Vehicle Services, 1970 West Broad Street, Columbus, Ohio 43223."
- (12) "~~Gratis~~ Registration Application for ~~Disabled Veterans, Former Prisoners of War, Spouses of Deceased Prisoners of War & Free Boat Trailer~~Gratis and Free Military License Plates" or "BMV 4507" (~~July 2020~~June 2024) may be accessed electronically at <https://bmv.ohio.gov/doc-forms.aspx>

Effective:

Five Year Review (FYR) Dates: 5/1/2027

Certification

Date

Promulgated Under: 119.03

Statutory Authority: 4501.02, 4503.29

Rule Amplifies: 4501.01, 4503.10, 4503.19, 4503.29, 4503.44,
4503.45, 4503.51, 4503.78

Prior Effective Dates: 03/01/2017, 03/01/2019, 08/01/2022