

THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF THE COMMISSION'S
REVIEW OF THE RULES IN OHIO
ADM.CODE CHAPTERS 4901:2-05, 4901:2-
07, 4901:2-08, 4901:2-13, 4901:2-15,
4901:2-19, 4901:2-21, 4901:2-22, 4901:2-
23, 4901:2-24, 4901:3-01, AND 4901-5.

CASE NO. 22-692-TR-ORD

ENTRY

Entered in the Journal on June 29, 2023

{¶ 1} R.C. 121.95, as enacted on October 17, 2019, required state agencies, including the Commission, to create a base inventory of regulatory restrictions contained in each of their rules by December 31, 2019.

{¶ 2} R.C. 121.951(A)(1), effective June 8, 2022, requires the Commission to amend or rescind rules identified in its base inventory – using the criteria listed in R.C. 106.03(A) – as necessary to reduce the total number of regulatory restrictions by thirty percent over the course of three years.

{¶ 3} The Commission initiated this proceeding to conduct a review of the rules contained in Ohio Adm.Code Chapters 4901:2-05, 4901:2-07, 4901:2-08, 4901:2-13, 4901:2-15, 4901:2-19, 4901:2-21, 4901:2-22, 4901:2-23, 4901:2-24, 4901:3-01, and 4901-5, and to reduce the number of regulatory restrictions pursuant to R.C. 121.951(A)(1).

{¶ 4} On September 21, 2022, after evaluating the rules, the Commission issued Staff's proposed amendments to the rules with the related Business Impact Analysis. The Commission's Entry also invited interested stakeholders to file comments regarding the proposed rules.

{¶ 5} No comments were filed in response to the Commission's September 21, 2022 Entry.

{¶ 6} On November 2, 2022, the Commission issued its Finding and Orders adopting amendments to certain rules in Ohio Adm.Code Chapters 4901:2-05, 4901:2-07, 4901:2-08, 4901:2-13, 4901:2-15, 4901:2-19, 4901:2-21, 4901:2-22, 4901:2-23, 4901:2-24, 4901:3-01, and 4901-5. Pursuant to the requirements of R.C. 111.15, the Commission filed the proposed amendments to Ohio Adm.Code Chapters 4901:2-05, 4901:2-07, 4901:2-08, 4901:2-13, 4901:2-15, 4901:2-19, 4901:2-21, 4901:3-01, and 4901-5 with the Joint Committee on Agency Rule Review (JCARR) and the amendments to the rules became effective on July 1, 2023.

{¶ 7} By Entry Nunc Pro Tunc on November 30, 2022, the Commission rescinded its adoption of the amendments to the rules in Ohio Adm.Code Chapters 4901:2-23, and 4901:2-24, recognizing that those chapters were promulgated pursuant to R.C. 119.03. On March 22, 2023, the Commission issued its Finding and Order adopting the amendments to the rules in Ohio Adm.Code Chapters 4901:1:2-23 and 4901:2-24. Similarly, by Entry Nunc Pro Tunc on April 5, 2023, the Commission recognized that Ohio Adm.Code Chapter 4901:2-22 was also promulgated pursuant R.C. 119.03.

{¶ 8} Pursuant to the requirements of R.C. 119.03, a public hearing was held on May 31, 2023, regarding the amendments to the rules in Ohio Adm.Code Chapters 4901:2-22, 4901:2-23, and 4901:2-24. One interested person offered testimony and filed written comments.

{¶ 9} Pursuant to the requirements of R.C. 119.03, the Commission filed the proposed amendments to Ohio Adm.Code Chapters 4901:2-22, 4901:2-23, and 4901:2-24 with JCARR, as well as its hearing report. JCARR's jurisdiction over the amendments to the rules in Ohio Adm.Code Chapters 4901:2-22, 4901:2-23, and 4901:2-24 ended as of June 28, 2023.

{¶ 10} The amendments to the rules in Ohio Adm.Code Chapters 4901:2-22, 4901:2-23, and 4901:2-24 will become effective on July 10, 2023.

{¶ 11} It is, therefore,

{¶ 12} ORDERED, That the amendments to the rules in Ohio Adm.Code Chapters 4901:2-22, 4901:2-23, and 4901:2-24, adopted through this proceeding, be effective on July 10, 2023. It is, further,

{¶ 13} ORDERED, That a copy of this Entry be served upon the Ohio Petroleum Marketers Association, National Tank Truck Carriers, Inc., Ohio State Highway Patrol, the Ohio Trucking Association, Ohio Department of Public Safety, Ohio Department of Transportation, Ohio Association of Chiefs of Police, Buckeye State Sheriff's Association, Ohio Association of Movers, Ohio Municipal League, County Commissioners' Association of Ohio, Ohio Township Association, WreckMaster Inc. USA, Towing and Recovery Association of America, North American Towing Academy, American Towing and Recovery Institute, Ohio Insurance Institute, Towing and Recovery Association of Ohio, AAA Ohio, the transportation industry service list, and all other interested persons of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

/s/ Greta See

By: Greta See
Attorney Examiner

NJW/dmh

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in

Case No(s). 22-0692-TR-ORD

Summary: Attorney Examiner Entry that the amendments to the rules in Ohio Adm.Code Chapters 4901:2-22, 4901:2-23, and 4901:2-24, adopted through this proceeding, be effective on July 10, 2023 electronically filed by Ms. Donielle M. Hunter on behalf of Greta N. See, Attorney Examiner, Public Utilities Commission of Ohio.