**TITLE 595. DEPARTMENT OF PUBLIC SAFETY**

**CHAPTER 35. ENFORCEMENT OF OKLAHOMA MOTOR CARRIER SAFETY AND HAZARDOUS MATERIALS TRANSPORTATION ACT**

**RULE IMPACT STATEMENT**

[75 O.S. §303(D)(2)]

**1. A BRIEF DESCRIPTION OF THE PURPOSE OF THE PROPOSED RULE:**

The proposed revisions clarify contact information for Troop S of the Oklahoma Highway Patrol. The proposed revisions clarify options to obtain copies of the Federal Motor Carrier Safety Regulations (FMCSR) and eliminate superfluous citations to the FMCSR. The proposed rules include an additional adoption by reference for Part 380 of the FMCSR – Special Training Requirements. Amendments to 595:35-1-8 clarify the notice and payment provisions applicable to hearings under this section. The proposed rules include a complete revision of the hearing process under these rules to streamline and clarify the roles of specific actors in the hearing process, specifically clarifying the Commissioner has final decision-making authority regarding contested orders.  The proposed revisions include clarifications of violations that may result in a civil penalty and clarification of the maximum possible civil penalties per violation. The proposed rules clarify contact and notice provisions related to intrastate compliance reviews. The proposed rules clarify references to the Act in relation to port of entry officers and clarify the authority of port of entry officers to place drivers and/or vehicles out of service.

**2. DESCRIPTION OF THE CLASSES OF PERSON AFFECTED:**

The proposed rules affect motor carriers, and the revisions clarify options to obtain copies of the Federal Motor Carrier Safety Regulations (FMCSR) and eliminate superfluous citations to the FMCSR. Amendments to 595:35-1-8 clarify the notice and payment provisions applicable to hearings under this section.

**3. CLASSES OF PERSONS BENEFITTED:**

Anyone trying to locate Federal Motor Carrier Safety Regulations that have been adopted by reference and the general motoring public.

**4.** **ECONOMIC IMPACT UPON AFFECTED CLASSES OF PERSONS:**

There is no anticipated economic impact related to this rule.

**5.** **COST AND BENEFITS TO THE AGENCY:**

There is no cost to the agency related to this rule. The benefits of this proposed rule include a complete revision of the hearing process under these rules to streamline and clarify the roles of specific actors in the hearing process.

**6. ECONOMIC IMPACT ON POLITICAL SUBDIVISION:**

There is no anticipated economic impact on political subdivision related to this rule.

**7. ECONOMIC IMPACT ON SMALL BUSINESS:**

There is no anticipated economic impact on small businesses related to this rule

**8.** **MEASURES TAKEN TO MINIMIZE COMPLIANCE COSTS:**

No compliance costs are associated with this rule.

**9. EFFECT OF THE PROPOSED RULE ON PUBLIC HEALTH:**

There is no anticipated effect on public health.

**10.** **DETRIMENTS TO PUBLIC HEALTH IF THE RULE IS NOT ADOPTED:**

There are no known detriments to public health if the rule is not adopted.

**11. DATE RULE IMPACT STATEMENT PREPARED:** February 18, 2022