

## **RULE IMPACT STATEMENT**

Pursuant to the Administrative Procedures Act, Section 303(D) of Title 75 of the Oklahoma Statutes, the Oklahoma Department of Transportation (“ODOT”) hereby submits the following Rule Impact Statement for the revocation of PERMANENT rules contained in **OAC Title 730: 1-5-5. Collection of damages claims.**

### **Brief Description of the Purpose of the Proposed Rules:**

The rule proposed to be revoked is OAC 730:1-5-5- Collection of damage claims. This rule allows for damages to Department facilities of up to \$2,500.00 to be settled upon by estimate and collected by the field division engineer. This rule has no underlying statutory support and is outdated. This rule is also more restrictive than existing law and had the potential to conflict with the Department’s authority settle claims as set forth in 69 Okla. Stat. Section 1002.

### **Description of the classes of persons who most likely will bear the costs of the proposed rule, and any information on cost impacts received by the Agency from any private or public entities:**

The Department does not anticipate there to be any costs associated with revoking this rule. If there are any costs impacts, the Department will bear any such costs.

### **Description of the classes of persons who will benefit from the proposed rule:**

The public and the Department will benefit from the revocation of this rule because the rule is outdated and no longer needed. Revocation of outdated and unnecessary rules is encouraged by Executive Order (EO) 2020-03, which directs all state agencies to undertake a comprehensive review of the agency’s administrative rules and regulations to identify costly, ineffective, duplicative and outdated regulations and take action to remove them.

### **Description of the probable economic impact of the proposed rule upon affected classes of persons or political subdivisions, including a listing for all fee changes and, whenever possible, separate justification for each fee change:**

No economic impact is expected on any persons, classes of persons or political subdivisions by the revocation of this rule. This rule revocation does not create or cause a fee change. The revocation of this rule because the rule is unnecessary and outdated.

### **A determination of whether implementation of the proposed rule will have an economic impact on any political subdivision or require their cooperation in implementing or enforcing the rule:**

The proposed revocation of this rule will have no economic impact on the Department or any other agency. The revocation of this rule will eliminate a rule that is outdated and is more restrictive than statute. No additional costs or economic impacts are anticipated to be expended by ODOT or any other agency due to this rule revocation.

**A determination of whether implementation of the proposed rule may have an adverse economic effect on small business as provided by the Oklahoma Small Business Regulatory Flexibility Act:**

No anticipated adverse economic effect on small business in Oklahoma is anticipated due to this rule revocation. The proposed revocation serves an administrative function to revoke an unnecessary and outdated rule.

**A determination of the effect of the proposed rule on the public health, safety and environment and, if the proposed rule is designed to reduce significant risks to the public health, safety and environment, an explanation of the nature of the risk and to what extent the proposed rule will reduce the risk:**

The proposed revocation of this rule will have no effect on the public health, safety and environment nor will the revocation of this rule reduce or increase any risk to the public health, safety and environment. The revocation of the rule is needed to remove an outdated and unnecessary rule from the Oklahoma Administrative Code.

**A determination of any detrimental effect on the public health, safety and environment if the proposed rules are not implemented:**

Failure to revoke the rules as proposed will not have a detrimental effect on the public health, safety and environment. However, failure to revoke this rule may cause conflict and confusion because this rule is more restrictive than current law and is outdated.

**Date the rule impact statement was prepared, and the date modified:**

Prepared: November 15, 2022

Modified: n/a/

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