



## Early Stakeholder Outreach — OAC Chapter 3745-80 – Statewide Motor Vehicle Anti-Tampering Program Rules

*Ohio EPA prepares early stakeholder outreach fact sheets to ensure stakeholders are brought into the review process as early as possible and to obtain additional input and discussion before development of interested party draft rules.*

### What does OAC Ch. 3745-80 cover?

Chapter 3745-80 of the Ohio Administrative Code (OAC) contains the requirements for Ohio's Statewide Motor Vehicle Anti-Tampering Program. The rules in this chapter describe and prohibit acts of tampering with the pollution control devices on vehicles and provide procedures for the training of anti-tampering inspectors.

### Why are these rules being sent out for Early Stakeholder Outreach?

The first step in the rule-making process is for Ohio EPA to identify that a rule needs to be amended, rescinded, or created. In response to EO 2011-01K, Ohio EPA has added an additional step to ensure stakeholders are brought into the rule process as early as possible. This additional interested party notification and request for information will allow for early feedback before the rule language has been developed by the Agency.

### What changes are being considered?

Ohio EPA will be performing a general review of the rules in this chapter to fulfill the requirements of ORC 106.03 (5-year review). Ohio EPA is not aware, at this time, of any major changes necessary to these rules.

### Who will be regulated by these rules?

The rules in OAC Chapter 3745-80 are applicable to owners and operators of vehicles as defined in OAC rule 3745-80-01. The rules also contain requirements for training of inspectors and procedures to be followed when performing inspections.

### What is the rulemaking schedule?

Upon completion of the Early Stakeholder Outreach portion of this rulemaking, Ohio EPA will make any changes necessary to the rule language and make a draft of the rule language available to the public for a 30-day review.

### How can I provide input?

The Agency is seeking stakeholder input on these rules. When preparing your comments, be sure to:

- explain your views as clearly as possible;
- describe any assumptions used;
- provide any technical information and/or data used to support your views;
- explain how you arrived at your estimate for potential burdens, benefits or costs;
- provide specific examples to illustrate your views; and
- offer alternatives.

Written comments will be accepted through close of business **May 12, 2020**. Please submit input to:

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### What if I have questions?

These rules can be found on Ohio EPA's website for electronic downloading at: [http://epa.ohio.gov/dapc/regs/3745\\_80](http://epa.ohio.gov/dapc/regs/3745_80) or contact Mr. Braun (information provided above).

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## What input is the Agency seeking?

The following questions may help guide you as you develop your comments.

- Is the general regulatory framework proposed the most appropriate? Should the Agency consider any alternative framework?
- What options are available for improving an identified concept? What options are available for improving the existing rules?
- Are there considerations the Agency should take into account when updating the existing rules? Are there considerations the Agency should take into account when developing a specific concept?
- Is there any information or data the Agency should be aware of when developing program concepts or rule language?

## Contact

For more information, contact Paul Braun at [paul.braun@epa.ohio.gov](mailto:paul.braun@epa.ohio.gov) or (614) 644-3734.