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R.C. 121.93 Required Report

- 1) **Date:** April 7, 2023
- 2) **Agency:** Ohio Department of Public Safety
- 3) **Agency Contact**
 - a) Name: Joseph A. Kirk
 - b) Email: jakirk@dps.ohio.gov
 - c) Phone: 614-466-5605
- 4) Provide the number of operations reviews that your agency completed during the governor's recently expired term.

The Department of Public Safety (DPS) completed one review of operations pursuant to R.C. 121.93 during the Governor's term that expired in January 2023.

- 5) List any principles of law or policies described in [R.C. 121.93\(A\)](#) that your agency identified in your operations review(s).

The Bureau of Motor Vehicles within DPS identified that R.C. 4507.071(F) is currently determined by policy. R.C. 4507.071 contains a prohibition that except for a probationary license ('temps'), the Registrar/Deputy Registrars shall not issue a driver's license to an individual under the age of eighteen. An exception in 4507.071(F) allows for a restricted license to be issued to persons fourteen or fifteen years of age upon proof of hardship satisfactory to the Registrar of the BMV. Currently, the process and determination of whether to grant a hardship license to those who apply is completed pursuant to existing policy.

Our review indicates that rulemaking is implicated as the determination whether to allow issuance of the restricted hardship license to an individual is a determination of rights.

- 6) Describe your agency's considerations regarding the identified principles of law or policies under [R.C. 121.93\(B\)](#).

Supplanting the existing Hardship Driver License policy with a rule would likely achieve the principles identified in R.C. 121.93(B)(2)-(8).

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7) List any principles of law or policies for which your agency determined rulemaking is indicated or for which your agency has commenced the rulemaking process under [R.C. 121.93\(C\)](#).

DPS has identified that rulemaking is indicated for the determination whether to issue a hardship license pursuant to R.C. 4507.071(F) and will begin the process of adopting the rule in 2023.