

OHIO DEPARTMENT OF PUBLIC SAFETY POLICY ON COMMON SENSE BUSINESS REGULATIONS

The Department will, when appropriate, waive penalties for first-time or isolated paperwork or procedural regulatory noncompliance. A penalty will generally not be imposed for these violations unless the violation poses an actual or potential harm to public safety and/or security, or has the potential to cause serious harm to the public interest. Examples of violations that pose an actual or potential harm to public safety and/or security, or have the potential to cause serious harm to the public interest, include:

- missed deadlines imposed by statute or rule;
- violations of criminal statutes, or where the failure to impose a penalty would impede or interfere with the detection of criminal activity;
- violations of statutes or rules concerning the assessment or collection of any tax, debt, revenue, or receipt;
- violations of federal statutes or rules for a program that has been delegated from the federal government to the Department and where the federal requirement includes a requirement to impose a penalty;
- violations of statutes or rules related to the operation of motor vehicles; and
- violations of statutes or rules related to the training, certification, and performance of services by emergency first responders, such as EMTs, fire fighters, and law enforcement personnel.

In those situations where a penalty is waived, the Department will provide a warning letter for the initial violation of a minor, procedural regulatory or paperwork violation, and will grant a reasonable period of time to correct the violation.

In administering and enforcing rules and regulations, the Department will treat those affected by its rules as customers and treat them consistently across regions, offices, and departments.

Nothing in this policy should be construed to diminish or eliminate the responsibility of any citizen or business to apply for and obtain a permit, license, or authorizing document that is required to engage in an activity, or to otherwise comply with state and federal law. This policy is not intended to, and does not, confer any legal rights upon businesses or others regulated by the Department of Public Safety, and it shall not be used as a basis for legal challenges to rules, approvals, permits, licenses or other actions or to any inaction of any Division of the Department of Public Safety.