

RULE IMPACT STATEMENT

Pursuant to the Administrative Procedures Act, Section 303(D) of Title 75 of the Oklahoma Statutes, the Oklahoma Department of Labor (“ODOL”) hereby submits the following Rule Impact Statement for **PERMANENT** rule proposals for OAC Title 380, Department of Labor, Chapter 75, Alarm, Locksmith and Fire Sprinkler program.

Brief Description of the Purpose of the Proposed Rules:

The proposed rule amendments provide that the Commissioner of Labor may require that applicants for a manager's license in the Alarm, Locksmith & Fire Sprinkler Industry (excluding alarm monitoring) take more than one exam in order to qualify for a license. The circumstances which created the need for the rule amendment are that the Oklahoma Alarm, Locksmith and Fire Sprinkler Industry Committee recommended this amendment to the Commissioner of Labor to ensure that managers are knowledgeable in each category for which they are licensed. The intended effect of the proposed rule amendments is to better ensure public safety by ensuring minimum manager competence regarding each category for which a manager is licensed.

Description of the classes of persons who most likely will be affected by the proposed rule, including classes that will bear the cost of the proposed rule, and any information on cost impacts received by the agency from any private or public entities:

Applicants for a manager's license or for specific manager's license endorsements in the Alarm, Locksmith & Fire Sprinkler Industry will be affected by the proposed amendments. These applicants would incur the cost of an additional test or tests depending on how many specific industry category endorsements the individual is seeking. As of the time of the drafting of the initial Rule Impact Statement, ODOL's Office of General Counsel has received no written comments in response to ODOL's request for comment contained in ODOL's Notice of Rulemaking Intent. The proposed amendments were requested and recommended by the Alarm, Locksmith & Fire Sprinkler Industry Committee at a public meeting with members of the public in attendance and participating in the discussion. ODOL received no information on cost impacts from any private or public entities or individuals.

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

The public will benefit from the proposed rule amendments as the amendments will better ensure manager competence in the Alarm, Locksmith & Fire Sprinkler Industry.

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 fee changes are being proposed. Applicants for a new manager's license or for new specific industry manager endorsements will see some economic impact in the form of additional testing

costs. These costs are dictated by the authorized exam entities, including the Oklahoma Department of Career and Technology Education.

The probable costs and benefits to the agency and to any other agency of the implementation and enforcement of the proposed rule, the source of revenue to be used for implementation and enforcement of the proposed rule, and anticipated effect on state revenues, including a projected net loss or gain in such revenues if it can be projected by the agency:

ODOL does not anticipate any financial costs or benefits as a result of the proposed rule amendments. No revenue will be needed to implement or enforce the proposed rule amendments. Career Tech may see some insignificant increased revenue if it charges applicants for industry-specific examinations in addition to the main manager's examination.

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:

Implementation of the proposed rule amendments may have a slight positive economic impact on the Oklahoma Department of Career and Technology Education if it charges applicants for industry-specific examinations in addition to the main manager's examination. The proposed rule amendments will not have an economic impact on any other political subdivision or require their cooperation in implementing or enforcing the rules.

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:

Implementation of the proposed rule amendments will not have an adverse economic effect on small business.

An explanation of the measures the agency has taken to minimize compliance costs and a determination of whether there are less costly or nonregulatory methods or less intrusive methods for achieving the purpose of the proposed rule:

Over the past several years, in order to keep industry participant costs down and to increase convenience, the Oklahoma Department of Labor has entered into agreements with several authorized testing entities to foster free market competition with respect to industry examinations. This has the effect of minimizing compliance costs for those seeking licensure in the Alarm, Locksmith & Fire Sprinkler Industry, including the managers impacted by the proposed rule amendments.

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 rule amendments should have a positive effect on the public health, safety, and environment. Applicants for manager's licenses will be better tested for expertise in their respective industries which should improve public safety through more competent management of life safety projects.

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

The proposed rule amendments are not expected to have any detrimental effect on the public health, safety, and environment if they are not implemented.

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

Prepared: February 24, 2023
Modified: N/A

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