

## **SMALL BUSINESS IMPACT STATEMENT**

**In order to accurately predict the impact the adoption, amendment, or repeal of a regulation will have on small businesses, the promulgating authority must conduct a thorough analysis that not only considers the potential effects of the action but also quantifies the costs, if any, associated with each. The questions below are designed to aid promulgating authorities in conducting their analysis.**

**Agency submitting regulation:** Department of Children, Youth and Families

**Subject matter of regulation:** Referring providers and staff to relevant regulations promulgated by the RI Division of Motor Vehicles per RIGL 31-22-11. [Transportation Safety]

**ERLID No:** 7588 (Superseded ERLID: 6799)

**Statutory authority:** DCYF – 42-72-5 and DMV – 31-22-11.

**Other agencies affected:** None

**Other regulations that may duplicate or conflict with the regulation:** None

**Describe the scope and objectives of the regulation:** The change to this DCYF regulation only provides a clear reminder to staff and providers transporting children that they are also required to comply with rules promulgated through the DMV. No new or additional requirement is created through this DCYF rule, which is in the nature of a clarifying directive.

**What was the rationale for establishing this regulation?** To provide clarity to all who transport extremely vulnerable children in the care of the state of RI as to the full range of their responsibilities.

**Does the rationale still exist?** Yes

**Is the rationale still relevant?** Yes

**Business industry (s) affected by the regulation:** Providers and staff transporting children and youth in the care of the DCYF.

**Types of businesses included in the industry (s):** Providers and staff transporting children and youth in the care of the DCYF.

**Total number of small businesses included in the regulated industry (s)** *(Please see the attached guidance documents for assistance determining the total number of small businesses)* Because the Department is simply referring to regulations developed or created by the DMV, we would defer to their substantive estimates.

**Number of small businesses potentially subject to the proposed regulation:** The change to this DCYF regulation only provides a clear reminder to staff and providers transporting children that they are also required to comply with rules promulgated through the DMV. No new or additional requirement is created through this DCYF rule, which is in the nature of a clarifying directive.

**How often do small businesses contact your agency for assistance with clarification of the regulation and/or receive assistance with compliance issues?** Such contact would be with DMV, which is the state agency authorized and enjoined by the RI General Assembly to develop and promulgate rules in conformance with RIGL 31-22.

**What is the cost to your agency of establishing and enforcing this regulation?** Zero.

**What would the consequences be if the regulation did not exist?** Staff and providers of DCYF may not be fully informed as to the range of state regulation that applies to them.

**Effective date used in cost estimate:** November 1, 2013

**For each question below, please answer “yes” or “no” and offer a brief explanation.**

1.	Yes	No <b>X</b>	<b>Do small businesses have to create, file, or issue additional reports?</b>
2.	Yes	No <b>X</b>	<b>Do small businesses have to implement additional recordkeeping procedures?</b>
3.	Yes	No <b>X</b>	<b>Do small businesses have to provide additional administrative oversight?</b>
4.	Yes	No <b>X</b>	<b>Do small businesses have to hire additional employees in order to comply with the proposed regulation?</b>
5.	Yes	No <b>X</b>	<b>Does compliance with the regulation require small businesses to hire other professionals (e.g. a lawyer, accountant, engineer, etc.)?</b>
6.	Yes	No <b>X</b>	<b>Does the regulation require small businesses to purchase a product or make any other capital investments in order to comply with the regulation?</b>
7.	Yes	No <b>X</b>	<b>Are performance standards more appropriate than design standards?</b>

8.	Yes	No <b>X</b>	<b>Does the regulation require small businesses to cooperate with audits, inspections, or other regulatory enforcement activities?</b>
9.	Yes	No <b>X</b>	<b>Does the regulation have the effect of creating additional taxes and/or fees for small businesses?</b>
10.	Yes	No <b>X</b>	<b>Does the regulation require small businesses to provide educational services to keep up to date with regulatory requirements?</b>
11.	Yes	No <b>X</b>	<b>Is the regulation likely to <i>deter</i> the formation of small businesses in RI?</b>
12.	Yes	No <b>X</b>	<b>Is the regulation likely to <i>encourage</i> the formation of small businesses in RI?</b>
13.	Yes	No <b>X</b>	<b>Can the regulation provide for less stringent compliance or reporting requirements for small businesses?</b>
14.	Yes	No <b>X</b>	<b>Can the regulation establish less stringent schedules or deadlines for compliance or reporting requirements for small businesses?</b>
15.	Yes	No <b>X</b>	<b>Can the compliance or reporting requirements be consolidated or simplified for small businesses?</b>
16.	Yes	No <b>X</b>	<b>Can performance standards for small businesses replace design or operational standards?</b>
17.	Yes	No <b>X</b>	<b>Are there alternative regulatory methods that would minimize the adverse impact on small businesses?</b>
18.	Yes	No <b>X</b>	<b>Have any small businesses or small business organizations been contacted during the preparation of this document? If so, please describe.</b>