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STATE OF MISSOURI
DEPARTMENT OF PUBLIC SAFETY
OFFICE OF THE DIRECTOR

June 13, 2011

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**SMALL BUSINESS
REGULATORY FAIRNESS BOARD**

JUN-13 2011

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RE: 2011 Biannual Report – Rules Affecting Small Business

Enclosed is a list of Department of Public Safety rules that may affect small business. The list sets out the purpose and justification for each regulation.

A thorough review of the regulations promulgated by the Department of Public Safety and its Divisions was conducted.

The list does not address regulations promulgated by the Missouri Gaming Commission or the Missouri Veterans' Commission, which are type III agencies within the Department of Public Safety. Those Commissions have filed their own report.

Sincerely,

Andy Briscoe
Legal Counsel
Missouri Department of Public Safety

MISSOURI DEPARTMENT OF PUBLIC SAFETY

JUN 13 2011

Rules Affecting Small Business
June 13, 2011

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Adjutant General

Missouri Emergency Response Commission

11 CSR 10-11.210 to 11 CSR 10-11.250

Purpose: These rules implement Section 292.600 RSMo. et seq. establishing the Missouri Emergency Response Commission. The MERC requires businesses to report on the chemicals stored or used by the business.

Justification: These rules implement the federal and state statutory requirement that entities which handle hazardous substances file a report listing information concerning those hazardous substances and to report any release of any hazardous substance. This information is vital to the safety of first responders so that in case of a fire, or other incident, emergency responders will know what they are facing. This information is important to neighbors of the facility so that they will know what hazardous substances are in their neighborhood and take necessary precautions.

Effective date: April 12, 1984
Most recent amendment: September 30, 2004

Office of the Director

Commercial Motor Vehicle and Trailer Safety

11 CSR 30-6.010

Purpose: This rule implements Section 307.400 RSMo., and by statute and rule incorporated 49 CFR 100-199. These rules detail the safety requirements of commercial motor vehicles and trailers.

Justification: The safety requirements in this rule are needed for the safety of the motoring public.

Effective date: December 13, 1984
Most recent amendment: January 30, 1997

Division of Fire Safety

Boiler and Pressure Vessel Safety Rules

11 CSR 40-2.210 to 11 CSR 40-2.065

Purpose: These rules implement Section 650.200 RSMo. et seq., the "Boiler Pressure Vessel Act" establishing the Board of Boiler and Pressure Vessel Rules. These rules detail the safety requirements for boilers and pressure vessels.

Justification: The safety requirements in these rules are needed to protect the public from the hazards of poorly designed or maintained boilers and pressure vessels.

Effective date: October 27, 1986
Most recent amendment: December 30, 2006

Division of Fire Safety
Fireworks

11 CSR 40-3.010

Purpose: The rule implements Section 320.106 RSMo. et. seq. This rule details the safety requirements for fireworks.

Justification: The safety requirements in this rule are needed for the safety of the public from the hazards associated with fireworks.

Effective Date: February 4, 1989
Most recent amendment: March 30, 2005

Division of Fire Safety
Elevators

11 CSR 40-5.010 to 11 CSR 40-5.150

Purpose: These rules implement Section 701.350 RSMo. et. seq. establishing the Elevator Safety Board. These rules detail the safety requirements for elevators.

Justification: The safety requirements in these rules are needed for the safety of the public from the hazards of poorly designed or maintained elevators.

Effective Date: July 1, 1999
Most recent amendment: May 30, 2007

Division of Fire Safety
Amusement Rides

11 CSR 40-6.010 to 11 CSR 40-6.100

Purpose: These rules implement Section 316.200 RSMo. et. seq. establishing the Amusement Ride Safety Board. These rules detail the safety requirements for amusement rides.

Justification: The safety requirements in these rules are needed for the safety of the public and aimed preventing poorly designed or maintained amusement rides.

Effective Date: September 30, 1999
Most recent amendment: April 30, 2005

Division of Fire Safety
Blasting

11 CSR 40-7.010

Purpose: These rules implement Section 319.300 RSMo. et. seq., the "Missouri Blasting Safety Act" establishing the "State Blasting Safety Board." These rules detail the safety requirements for use of explosives.

Justification: The safety requirements in these rules are needed for the safe use of explosives in the mining and the construction industries.

Effective date: January 1, 2009

Missouri State Highway Patrol
Motor Vehicle Inspection Division

11 CSR 50-2.010 to 11 CSR 50-2.520

Purpose: These rules implement Section 307.350 RSMo. et. seq. These rules detail the requirements of motor vehicle safety inspections.

Justification: The motor vehicle safety inspections detailed in these rules are needed for the safety of the traveling public by enforcing the requirements for safe motor vehicles.

Effective Date: November 14, 1968
Most recent amendment: January 30, 2007

Missouri State Highway Patrol
Motor Vehicle Inspection Division

11 CSR 50-2.320

Purpose: This rule describes the procedures and standards for the inspection of school buses, as required by Section 307.375 RSMo.

Justification: The school bus inspections detailed in these rules are needed for the safety of the traveling public by enforcing the requirements for safe motor vehicles.

Effective Date: August 12, 2009

Missouri State Water Patrol
Mandatory Boater Safety Education Program

11 CSR 80-9.010 and 11 CSR 80-9.020

Purpose: This rule implements Section 306.127 RSMo which provides that an operator of a boat, born after January 1, 1984, shall complete a boating safety course. 11 CSR 80-9.010 sets out the requirements for the boater safety education programs mandated for Missouri residents. 11 CSR 80-9.020 sets out the requirements for the boater safety education programs mandated for out of state residents.

Justification: The boater safety education programs detailed in these rules are needed for the safety of the boating public.

Effective Date: November 26, 2003
Most recent amendment: August 30, 2005

Division of Alcohol and Tobacco Control
General Organization and Rules and Regulations

11 CSR 70-1.010 and

11 CSR 70-2.010 to 11 CSR 70-2.280

Purpose: These rules implement Section 311.010 RSMo. et. seq., the "Liquor Control Law." These rules detail the requirements for manufacture, distribution and sale of alcoholic beverages.

Justification: Ever since the adoption of Amendment XXI to the U.S. Constitution, repealing prohibition of alcoholic beverages, there has been strict control over the manufacture, distribution and sale of alcoholic beverages. These rules set out in detail the regulations concerning the manufacture, distribution and sale of alcoholic beverages. The purpose of these rules is to minimize the harmful effects of alcohol.

Effective Date: February 18, 1973
Most recent amendment: November 30, 2008

Police Officer Standards and Training Program

Basic Training Centers and Continuing Education

11 CSR 75-14.010 to 11 CSR 75-14.080 and

11 CSR 75-15.010 to 11 CSR 75-15.070

Purpose: These rules implement Section 590.010 et. seq., establishing the POST Commission. These rules detail the requirements for training and continuing education for licensed peace officers.

Justification: The statutes establishing the POST Commission require training and continuing education of all peace officers. Section 590.060.1 RSMo requires POST to establish minimum training requirements and Section 590.050.1 RSMo. requires POST to establish minimum continuing education requirements. These regulations set out the mandated requirements for public and private training and education centers.

Effective Date: October 30, 2002
Most recent amendment: December 30, 2008