



Week in Regulation

A \$111 Billion Week in Midnight

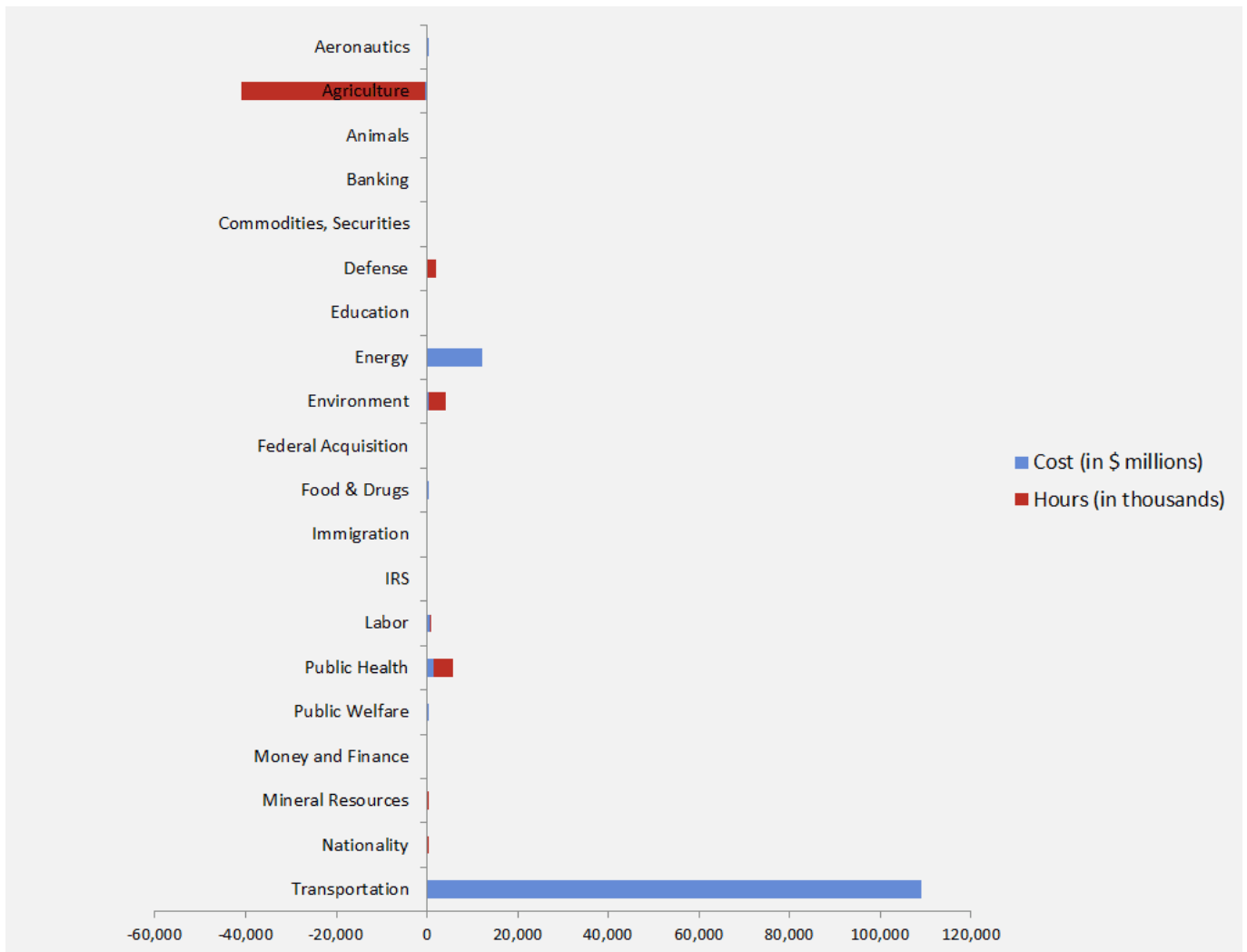
DAN GOLDBECK | JANUARY 16, 2017

These last five days marked the penultimate week of the Obama Administration, but that's hardly the only notable aspect to it. Regulators published \$111.2 billion in total costs with \$5.7 billion in annual burdens, compared to \$71.9 billion in benefits. The main drivers of regulatory burdens included a proposed rule on "Vehicle-to-Vehicle Communications" and an Affordable Care Act final rule on home health agencies. **The per capita regulatory burden for 2017 is \$381.**

Regulatory Toplines

- New Proposed Rules: 52
- New Final Rules: 82
- 2017 Total Pages of Regulation: 4,768
- 2017 Final Rules: \$14.3 Billion
- 2017 Proposed Rules: \$109.3 Billion

The American Action Forum (AAF) has catalogued regulations according to their codification in the Code of Federal Regulations (CFR). The CFR is organized into 50 titles, with each title corresponding to an industry or part of government. This snapshot will help to determine which sectors of the economy receive the highest number of regulatory actions.



The most notable rulemaking from this week is a [proposed rule](#) from the Department of Transportation (DOT) that would require vehicle manufacturers to install “vehicle-to-vehicle” communications mechanisms to help improve safety. DOT estimates that over the lifetime of the proposal it would cost manufacturers nearly \$109 billion, making it potentially the second most expensive rulemaking since 2005, behind only the [2012 round of fuel efficiency standards](#). Its annualized costs are roughly \$5 billion per year against \$71 billion in annual benefits. Such massive figures, and its status as a proposed rule, almost certainly mean it will face scrutiny from the incoming administration, and likely a long road to finalization.

The Environmental Protection Agency (EPA) was also busy this week. On Friday, they released their [“Final Determination”](#) on fuel efficiency standards through model year 2025 (established by the 2012 rule mentioned above) in order to secure that program within the administration’s waning days. EPA also found the time to publish an economically significant [rule](#) on “Risk Management Programs,” which imposes \$131.8 million in annual

costs and more than 1.7 million hours of paperwork.

Tracking Midnight Regulation

This week, OIRA received one regulation, which was a final rule. OIRA discharged 20 final regulations, with five economically significant measures.

For the month, OIRA has concluded review of 32 regulations. Throughout 2016, OIRA averaged about two regulations per day; this rate has increased to 3 per day since the election.

The Congressional Review Act carryover provision should begin on June 13, 2017. The House and Senate should have until at least mid-May to review rules and vote on resolutions of disapproval.

Affordable Care Act

There was one notable [rule](#) related to the Affordable Care Act (ACA) regarding “Conditions of Participation for Home Health Agencies.” The final rule imposes approximately \$1.3 billion in total costs and more than 4.4 million hours of new paperwork. It may have the distinction of being the last ACA rule published under this administration, depending upon what agencies release next week.

Since passage, based on total lifetime costs of the regulations, the Affordable Care Act has imposed costs of [\\$53 billion](#) in final state and private-sector burdens and 176.9 million annual paperwork hours.

Dodd-Frank

[Click here](#) to view the total estimated revised costs from Dodd-Frank; since passage, the legislation has produced more than 74.8 million final paperwork burden hours and imposed \$36.5 billion in direct compliance costs.

Total Burdens

Since January 1, the federal government has published \$123.5 billion in compliance costs (\$14.3 billion in final rules) and has cut 29.9 million paperwork burden hours (due to 32 million in reductions from final rules). Click below for the latest Reg Rodeo findings.

EXPLORE THE DATA

Year

- [Select All]
- 2017
- 2016
- 2015
- 2014
- 2013
- 2012
- 2011
- 2010
- 2009
- 2008
- 2007
- 2006
- 2005

Total Number of
Regulations
Finalized

20

Total Finalized Cost
\$14.3b

Paperwork Hours
-32,058,880