

*****DRAFT - NOT FOR FILING*****

901:6-4-01 Device registration and permitting.

(A) Application.

This rule applies only to commercially used weighing and measuring devices that are permitted pursuant to section 1327.501 of the Revised Code.

(B) The director may deny a device registration if the weighing or measuring device is:

- (1) Not found to be in compliance with requirements of "Handbook 44" as adopted in rule 901:6-1-01 of the Administrative Code;
- (2) Not found to be traceable to a certificate of conformance prior to use for commercial or law enforcement purposes as identified in rule 901:6-2-01 of the Administrative Code;
- (3) Does not have an identified marking such as a serial or identification number;
- (4) Is not making the final validation of the transaction;
- (5) Device registration fee has not been paid; or,
- (6) The owner has violated any section of 1327.501 of the Revised Code.

(C) The director may conduct inspections and performance testing on any commercial devices that require a device registration permit under section 1321.501 of the Revised Code.

(D) The director must afford an opportunity for a hearing in accordance with Chapter 119. of the Revised Code to any owner that is denied a permit under this rule and who requests such hearing.

(E) The department may assess a permit replacement fee of ten dollars for the replacement of permits that are lost, stolen, or destroyed.

(F) The department may assess a late penalty of twenty dollars, if a renewal fee is more than ~~ninety~~sixty days past due; and a late penalty of ten dollars if a permit replacement fee is more than ninety days past the invoice date.