

4901:2-19-02

General provisions.

- (A) This chapter sets forth the requirements for the transportation of household goods which apply to all carriers of household goods regulated by the commission.
- (B) Pursuant to its jurisdiction under Title 49 of the Revised Code, the commission may:
- (1) ~~The commission may, upon application or a motion filed by a party, waive any requirement of this chapter, other than a requirement mandated by statute for good cause shown, from which no waiver is permitted. For good cause shown as supported by a motion and supporting memorandum, waive any requirement, standard, or rule set forth in this chapter.~~
 - (2) As it deems necessary in any proceeding, prescribe different standards for the transportation of household goods.
 - (3) Monitor carrier's ~~carriers~~ compliance with the provisions of this chapter.
 - (4) Pursue formal action, at any time, to alter or amend this chapter.
 - (5) Upon its own motion, a customer complaint, or upon application of any carrier, take appropriate steps to require the furnishing of any service(s), equipment, or facilities affecting service.
- (C) Any tariff or contract provision inconsistent with this chapter shall be deemed, under this rule, inoperative and superseded by this chapter, unless and until the commission specifically orders otherwise.
- (D) Nothing in this chapter shall relieve any carrier from providing adequate service or facilities as prescribed by the commission, or meeting any of its duties or responsibilities as prescribed by state or federal law.
- ~~(E) The fact that carriers under the commission's jurisdiction fail to comply with any provision(s) within this chapter, or with other applicable federal or state law, does not by itself constitute inadequate service as a matter of law. Rather, the question as to whether service is legally inadequate requires a formal determination by the commission, preceded by a hearing pursuant to section 4905.26 of the Revised Code, unless the hearing is waived by the complainant and the respondent.~~
- ~~(F)~~(E) Each citation contained within this chapter that is made ~~either to a section of the United States code or to the code~~ of federal regulations is intended, and shall serve, to incorporate by reference the particular version of the cited matter that was effective on April 27, 2011 ~~November 25, 2008~~.

~~(G) The commission may waive any requirement of Chapter 4901:2-19 of the Administrative Code.~~

Effective: 09/16/2011

R.C. 119.032 review dates: 06/10/2011 and 05/31/2016

CERTIFIED ELECTRONICALLY

Certification

09/06/2011

Date

Promulgated Under: 111.15
Statutory Authority: 4921.04, 4921.08, 4921.09, 4921.10, 4921.38
Rule Amplifies: 4921.08, 4921.09, 4921.10, 4921.38
Prior Effective Dates: 4/10/09