

4901:2-19-07

Determination of weights.

- (A) Nothing in this rule shall be construed as requiring the weighing of shipments, unless the carrier bases its rates and charges on the weight of the shipment.
- (B) Each ~~common~~ carrier ~~which~~ that establishes household goods rates by weight shall determine the tare weight of each vehicle used in the transportation of household goods by having it weighed prior to the transportation of each shipment, without the crew thereon, on a certified scale, and when so weighed, the fuel tanks on such vehicle shall be full and the vehicle shall contain all pads, chains, dollies, handtrucks and other equipment needed in the transportation of shipment to be loaded thereon. The tare weight of the vehicle used in a move shall be entered on the bill of lading after the vehicle has been loaded. The net weight of the shipment shall be obtained by deducting the tare weight from the gross weight. Where no certified scale is available at the point of origin, the gross weight shall be obtained at the nearest certified scale either in the direction of the movement or in the direction of the next pickup or delivery in the case of part loads. In the transportation of part loads, this paragraph shall apply in all respects, except that the gross weight of a vehicle containing one or more part loads may be used as the tare weight of such vehicle as to part loads subsequently loaded thereon. The consumer of the load, or his representative, upon request of either, shall be permitted without charge to accompany in his own conveyance, the carrier to the weighing station, and to observe the weighing of shipment after loading. The carrier shall use a certified scale which will permit the consumer to observe the weighing of his shipment without causing delay.
- If no certified scale is available at origin, at any point in route, or at destination, a constructive weight, based on seven pounds per cubic foot of properly loaded van space, may be used.
- (C) The carrier shall obtain a weight ticket with tare and gross weights evidenced by separate tickets, and the driver shall enter thereon the number of the bill of lading accompanying the shipment, and a copy shall be retained in the carrier's file. If both the gross and tare weights of a shipment are obtained on the same scale, they may be evidenced on the same weight ticket. A true copy of each weight ticket pertaining to a shipment shall be given to the consumer at the weighing station if the consumer is present or upon delivery of the shipment if the consumer is not present at the weighing. A part load for any one consumer not exceeding one thousand pounds may be weighed on a certified scale prior to being loaded on the vehicle. Additionally, an automobile or other article weighing in excess of five hundred pounds which is mounted on wheels may be weighed separately by obtaining the weight of such article on a certified scale prior to loading on the vehicle to be used for its transportation.
- (D) No ~~common~~ carrier shall accept a shipment of household goods for transportation

which appears to be subject to the minimum weight provisions of the carrier's tariff without first having advised the consumer of such minimum weight provisions.

(E) The determination of weight for shipments of household goods by interstate carriers shall be governed by 49 C.F.R. 375, 507 to 521 as effective on the date referenced in paragraph (F) of rule 4901:2-19-02 of the Administrative Code.

Effective: 04/10/2009

R.C. 119.032 review dates: 01/22/2009 and 05/31/2011

CERTIFIED ELECTRONICALLY

Certification

03/31/2009

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: 5/25/89, 7/15/99