

TO BE RESCINDED

4901:2-6-01 **Definitions.**

- (A) "Applicant" means any carrier that submits to the commission the required application forms necessary to receive a uniform program registration and permit credential.
- (B) "Base state" means the state selected by a carrier pursuant to the uniform application.
- (C) "Carrier" means any person, engaged in the highway transportation of hazardous materials, in commerce, into, within, or through this state.
- (D) "Commission" means the public utilities commission of Ohio.
- (E) "Credential" means the document issued by the base state indicating that a carrier has successfully registered and received a permit allowing it to transport hazardous materials in the base state and in reciprocity states.
- (F) "Hazardous material" means any of the following:
- (1) Hazardous materials of a type or in a quantity that requires the transport vehicle to be placarded pursuant to 49 C.F.R. 172, as effective on the date referenced in paragraph (B) of rule 4901:2-6-02 of the Administrative Code; or
 - (2) Hazardous wastes.
- (G) "Hazardous waste" means any material of a type or in a quantity that requires the shipment to be accompanied by a uniform hazardous waste manifest pursuant to 40 C.F.R. 262, as effective on the date referenced in paragraph (B) of rule 4901:2-6-02 of the Administrative Code.
- (H) "Knowingly" means a person acts knowingly if either of the following applies:
- (1) The person has actual knowledge of the facts giving rise to a violation.
 - (2) A reasonable person acting in the circumstances and exercising due care would have such knowledge.
- (I) "Reciprocity state" means a jurisdiction with which the commission has entered a reciprocity agreement regarding the uniform registration and uniform permitting of carriers of hazardous materials.
- (J) "Registration" means the process by which a motor carrier of hazardous materials is identified by the base state.

- (K) "Respondent" means a carrier upon whom an order to show cause or a notice of deficiency has been served.
- (L) "Staff" means employees of the transportation department of the commission.
- (M) "Uniform application" means the uniform motor carrier registration and permit application form and accompanying documents established under the uniform program.
- (N) "Uniform program" means the forms and procedures developed pursuant to "Hazardous Materials Transportation Uniform Safety Act of 1990", United States Code, Title 49, Section 5119, known as the "Alliance for Uniform Hazmat Transportation Procedures" in reports submitted to the U.S. department of transportation in 1993 and 1996, as modified and amended pursuant to 49 U.S.C. 5119(b), and as effective on the date referenced in paragraph (B) of rule 4901:2-6-02 of the Administrative Code.
- (O) "Uniform program permit" or "permit" means the authority granted to qualified carriers to transport hazardous materials, in commerce, into, within, or through this state.

Effective:

Five Year Review (FYR) Dates: 3/25/2019

Certification

Date

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