

TO BE RESCINDED

4901:2-7-02 **Definitions.**

As used in this chapter:

- (A) "Days," when used to compute any period of time prescribed or allowed by these rules, shall not include the date of the act or event from which the designated period of time begins to run. The last day of the period so computed shall be included, unless it is a Saturday, a Sunday, or a legal holiday, in which event the period runs until the end of the next day which is not a Saturday, a Sunday, or a legal holiday.
- (B) "Director" means the director of the commission's transportation department or his designee.
- (C) "Filing" means delivery to the commission's docketing division in accordance with rule 4901-1-02 of the Administrative Code.
- (D) "Hearing proceeding" means all proceedings before the commission involving a violation, commencing with the filing of a request for administration hearing and concluding with the issuance of a final order of the commission.
- (E) "Notice" means a notice of apparent violation as defined in rule 4901:2-7-05 of the Administrative Code; a notice of intent to assess forfeiture as defined in rule 4901:2-7-07 of the Administrative Code; or a notice of intent to make compliance order as defined in rule 4901:2-7-08 of the Administrative Code; or a notice of preliminary determination as defined in rule 4901:2-7-12 of the Administrative Code.
- (F) "Parties" means staff and a respondent, and any persons permitted to intervene after commencement of a hearing proceeding.
- (G) "Remedy" means any monetary civil forfeiture or compliance order set forth in a notice.
- (H) "Report of Violation" means the information provided to staff in accordance with rule 4901:2-7-04 of the Administrative Code.
- (I) "Respondent" means the shipper, carrier, individual, or several such persons, which the staff has determined may be responsible for a violation.
- (J) "Staff" means those employees of the commission's transportation department to whom responsibility has been delegated for administering the provisions of section

4905.83 of the Revised Code and those employees of the commission's transportation department to who responsibility has been delegated for administering provisions of sections 4919.99, 4921.99, and 4923.99 of the Revised Code, as applicable.

- (K) "Violation" means any conduct, act, or failure to act prohibited by statute or commission rule or order, for which a forfeiture may be assessed pursuant to section 4905.83 of the Revised Code, or for which a forfeiture may be assessed pursuant to sections 4919.99, 4921.99 and 4923.99 of the Revised Code.

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CERTIFIED ELECTRONICALLY

Certification

10/12/2007

Date

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