

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~~The device is not compliant with applicable requirements of "NIST Handbook~~handbook~~ 44" as adopted in rule 901:6-1-01 of the Administrative Code;
- (2) ~~Not found to be~~The device is not 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~~The device does not have an identified marking such as a serial or identification number;
- (4) ~~Is~~The device is not making the final validation of the transaction;
- (5) ~~Device~~The device registration fee has not been paid; or,
- (6) The device 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 1327.501 of the Revised Code.

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

Effective:

Five Year Review (FYR) Dates: 8/9/2023

Certification

Date

Promulgated Under: 119.03
Statutory Authority: 1327.501, 1327.50
Rule Amplifies: 1327.49, 1327.501
Prior Effective Dates: 09/16/2011, 09/29/2017