

4901:2-5-01

Definitions.

- (A) "Authorized personnel" means employees of the commission's transportation department authorized to conduct inspections of motor vehicles and drivers, and employees of the state highway patrol designated by the superintendent to conduct inspections of motor vehicles and drivers.
- (B) "Commercial motor vehicle" when used in connection with a motor carrier operating in intrastate commerce, has the same meaning as in 49 C.F.R. 390.5, as effective on the date referenced in paragraph (C) of rule 4901:2-5-02 of the Administrative Code, when operated by a for-hire motor carrier, and the same meaning as in 49 C.F.R. 383.5, as effective on the date referenced in paragraph (C) of rule 4901:2-5-02 of the Administrative Code, when operated by a private motor carrier.
- (C) "Commercial vehicle safety plan" has the same meaning as in 49 C.F.R. 350.105, as effective on the date referenced in paragraph (C) of rule 4901:2-5-02 of the Administrative Code.
- (D) "Commission" means the public utilities commission of Ohio.
- (E) "Excepted carrier" means a person excepted as a for-hire motor carrier under divisions (B)(1) to (B)(9) of section 4923.01 of the Revised Code or a person excepted as a private motor carrier under divisions (A)(1) to (A)(9) of section 4923.02 of the Revised Code.
- (F) "For-hire motor carrier" has the same meaning as in section 4923.01 of the Revised Code.
- (G) "Hazardous material" has the same meaning as in 49 C.F.R. 171.8, as effective on the date referenced in paragraph (C) of rule 4901:2-5-02 of the Administrative Code.
- (H) "Hazardous materials transporter" means a person engaged in the highway transportation of hazardous materials, in intrastate commerce, by motor vehicles that are not commercial motor vehicles.
- (I) "Immediate destination" is the next scheduled stop of the vehicle already in motion where the cargo on board can be safely secured.
- (J) "Imminent hazard" means any condition of a motor vehicle, driver, or operation which is likely to result in serious injury or death if not discontinued immediately.
- (K) "Inspection report" means the "Driver Vehicle Examination Report" prescribed by the U.S. department of transportation pursuant to 49 C.F.R. 396.9, as effective on the date referenced in paragraph (C) of rule 4901:2-5-02 of the Administrative Code, to record the results of inspections conducted by authorized personnel.

- (L) "Interstate commerce" has the same meaning as in section 4923.01 of the Revised Code.
- (M) "Intrastate commerce" means any trade, traffic, or transportation within Ohio which does not meet the definition of interstate commerce.
- (N) "Medical examiner" has the same meaning as in 49 C.F.R. 390.5, as effective on the date referenced in paragraph (C) of rule 4901:2-5-02 of the Administrative Code.
- (O) "Motor carrier" includes all for-hire motor carriers and private motor carriers operating commercial motor vehicles in intrastate commerce. "Motor carrier" also includes those defined in 49 C.F.R. 390.5, as effective on the date referenced in paragraph (C) of rule 4901:2-5-02 of the Administrative Code, operating in Ohio in interstate commerce.
- (P) "Motor Carrier Safety Assistance Program" is the federal grant program described in 49 C.F.R. 350.101, as effective on the date referenced in paragraph (C) of rule 4901:2-5-02 of the Administrative Code.
- (Q) "Motor vehicle" has the same definition as in section 4921.01 of the Revised Code and includes commercial motor vehicles.
- (R) "Offeror" means any person that is subject to the regulations contained in 49 C.F.R. 171 to 180, as effective on the date referenced in paragraph (C) of rule 4901:2-5-02 of the Administrative Code, by reason of offering hazardous materials for transportation by motor vehicle into, within, or through Ohio.
- (S) "Private motor carrier" has the same meaning as in section 4923.01 of the Revised Code.
- (T) "Public highway" has the same meaning as in section 4923.01 of the Revised Code.
- (U) "Transportation of construction materials and equipment" means the transportation of construction and pavement materials, construction equipment, and construction maintenance vehicles, by a driver to or from an active construction site (a construction site between mobilization of equipment and materials to the site to the final completion of the construction project) within a fifty air mile radius of the normal work reporting location of the driver. This definition shall not apply to the transportation of hazardous materials in a quantity requiring placarding pursuant to 49 C.F.R. 172, subpart f, as effective on the date referenced in paragraph (C) of rule 4901:2-5-02 of the Administrative Code.

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Certification

04/01/2021

Date

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