

4501:5-3-02

Certificates of registration.

- (A) In accordance with section 4737.045 of the Revised Code, no person who meets the definition of scrap metal dealer as defined in division (A)(1) of section 4737.04 of the Revised Code, shall engage in the business of a scrap metal dealer or a bulk merchandise container dealer, hereinafter collectively referred to as "dealer," unless the person has first registered with the director of the Ohio department of public safety.
- (B) Registration as a dealer shall be completed electronically via the "Scrap Metal and Bulk Merchandise Container Dealer" (SMBC) website at <https://services.dps.ohio.gov/ScrapDealer/Pages/Public/Login.aspx> and upon payment of the initial registration fee as set forth in division (A)(6) of section 4737.045 of the Revised Code by electronic check or credit card.
- (C) Persons registering as dealers shall provide the following information:
- (1) The name, street address, and mailing address, if different from street address, of the dealer's place of business. A dealer's place of business is the physical address where the scrap metal recycling place of business exists;
 - (2) The name of the primary owner of the dealer's business, and of the manager of the business, if the manager is not the primary owner;
 - (3) The electronic mail address of the dealer's business;
 - (4) Confirmation that the dealer has the capabilities to electronically connect with the department of public safety for the purpose of sending and receiving information.
 - (5) Verification that the person is at least eighteen years of age.
 - (6) Verification that the person has not been convicted of, pled guilty to, had a judicial finding of guilt for, or had a judicial finding of eligibility for treatment and/or intervention in lieu of conviction for, any of the following:
 - (a) Any misdemeanor that is a theft offense, as defined in section 2913.01 of the Revised Code, within three years prior to the date of the person's registration;
 - (b) Any felony that is a theft offense, as defined in section 2913.01 of the Revised Code, within six years of the date of the person's registration.

- (c) Any violation of Chapter 4737. of the Revised Code;
 - (d) Any act committed in another state or jurisdiction that, if committed in Ohio, would constitute a violation set forth in this paragraph.
- (7) Verification that at the time of application, the person is neither under indictment for any felony nor has any misdemeanor charges pending as outlined in paragraph (C)(6) of this rule.
 - (8) Verification that the person has not committed fraud or material deception while registering as a dealer.
 - (9) Verification that the person has not violated any conditions of a consent agreement or an adjudication order issued by the director of the Ohio department of public safety.
- (D) A person's registration will not be accepted if the information submitted on the registration application is incomplete or inaccurate. Upon full completion and acceptance of registration, the SMBC will generate a temporary certificate of registration. The dealer shall print and prominently display this certificate in a conspicuous location at the dealer's place of business as entered into the SMBC.
 - (E) If the director finds that the dealer has met all requirements in this rule, prior to the expiration of the temporary certificate, the director shall mail the official certificate of registration, ~~via certified mail~~, to the dealer's mailing address as entered in the SMBC registration within forty-five days of payment processing. The dealer shall replace the temporary certificate of registration with the official certificate.
 - (F) Registered dealers are responsible for notifying the director within ten business days of any change in the dealer's registration information entered in the SMBC. Notice shall be sent by email to "scrapmetal@dps.ohio.gov."
 - (G) Registration issued in accordance with this rule shall expire one year from the date of the issuance stamped on the dealer's official certificate of registration.
 - (H) Registered dealers will receive a notice of renewal via email ninety days prior to the expiration of their certificates of registration. The renewal process must be completed prior to the date of expiration stamped on the dealer's certificate of registration.
- (1) Renewal of a certificate of registration shall be completed electronically via the

"Scrap Metal and Bulk Merchandise Container Dealer" (SMBC) website at <https://services.dps.ohio.gov/ScrapDealer/Pages/Public/Login.aspx> and upon the payment of the registration renewal fee as set forth in division (C) of section 4737.045 of the Revised Code by electronic check or credit card.

- (2) A dealer's renewal will not be accepted if the information submitted during renewal is incomplete or inaccurate. Upon full completion and acceptance of the renewal, the SMBC will generate a renewal payment receipt to serve as a temporary certificate of registration. The dealer shall print and prominently display this receipt in a conspicuous location at the dealer's place of business as entered into the SMBC.

- (I) If the director finds that the dealer continues to meet the requirements of this rule and Chapter 4501:5-3 of the Administrative Code, the director shall mail the renewed official certificate of registration, ~~via certified mail~~, to the dealer's mailing address as entered in the SMBC registration within forty-five days of payment processing. The dealer shall replace the temporary certificate of registration with the official certificate.

- (J) Dealers whose certificates of registration expire before the renewal process is completed shall be considered as new registrants requiring new registration and payment of the initial registration fee as set forth in division (A)(6) of section 4737.045 of the Revised Code.