

4501:5-3-01 **Searchable electronic list(s).**

(A) Upon the effective date of this rule, in accordance with division (F)(2) of section 4737.04 of the Revised Code, each law enforcement agency that serves the jurisdiction in which a scrap metal dealer or bulk merchandise container dealer, hereinafter collectively referred to as "dealer," is located shall submit a searchable electronic list to the dealers registered in their jurisdiction and the Ohio department of public safety.

(B) The list shall contain all available primary and secondary personal identifiers for persons who have been convicted of theft or receiving stolen property and include the conviction information for each individual.

(1) Primary personal identifiers:

(a) First name;

(b) Middle name or initial, if applicable;

(c) Last name;

(d) Sex;

(e) Date of birth;

(f) State driver's license or state identification number, if included in the court record.

(2) Secondary personal identifiers:

(a) Race and/or ethnicity;

(b) Height;

(c) Weight;

(d) Hair color;

(e) Eye color;

(f) Scars, marks, and/or tattoos, as applicable;

(g) Known aliases, as applicable.

(3) Conviction information:

(a) Case number;

(b) Offense;

(c) Date of disposition;

(d) Offense class;

(e) Court number.

(C) The searchable electronic list that is submitted to the Ohio department of public safety shall be in the form of a character separated value (CSV) file. This file shall be submitted to the "Contact and Information Management System" (CIMS) website at <https://ext.dps.state.oh.us/cims/>. A character separated value file is a file that stores tabular data (numbers and text) in a plain-text form. CSV can include any file that:

(1) Is plain text using a character set such as "ASCII," "Unicode," "EBCDIC," or "Shift JIS";

(2) Consists of records (typically one record per line);

(3) Divides the records into fields separated by delimiters (typically a single reserved character such as comma, semicolon, or tab; the delimiter may include optional spaces);

(4) Contains the same sequence of fields for every record.

(D) Following an agency's initial submission of the list, if there are any updates to the initial list, the agency shall submit a new list to the dealers registered in its jurisdiction and the Ohio department of public safety on the first business day of each month.

(E) Unless the transaction is specifically exempted in section 4737.043 of the Revised Code, to ensure compliance with division (F)(2) of section 4737.04 of the Revised Code, prior to purchasing or receiving articles from any person, dealers shall verify that the person does not appear on either the searchable electronic list that the dealer receives from law enforcement or the list(s) made available by the Ohio department of public safety at <https://ext.dps.state.oh.us/scrapdealer/pages/public/login.aspx>.

(1) A person is deemed to be on the list if:

(a) The person's state driver's license or state issued identification card number match the same information contained on the list; or

(b) The person's last name, first name, and date of birth match the same information contained on the list.

(F) Once a person is deemed to be on the list in accordance with paragraph (E) of this

rule, dealers may also refer to secondary personal identifiers that are visible in plain sight for confirmation that the person matches the person identified on the list.

Effective: 02/01/2015

Five Year Review (FYR) Dates: 03/10/2019

CERTIFIED ELECTRONICALLY

Certification

12/29/2014

Date

Promulgated Under: 119.03
Statutory Authority: R.C. 4737.045, 4737.04
Rule Amplifies: R.C. 4737.04