RULEMAKING ACTION:
   PERMANENT final adoption

RULES:
   Subchapter 1. General Provisions [REVOKED]
   310:110-1-1 [REVOKED]
   Subchapter 3. Fees [REVOKED]
   310:110-3-1 [REVOKED]
   Subchapter 5. Administrative Fine Schedule [REVOKED]
   310:110-5-3 [REVOKED]
   310:110-5-4 [REVOKED]
   310:110-5-5 [REVOKED]
   310:110-5-6 [REVOKED]
   310:110-5-7 [REVOKED]
   310:110-5-8 [REVOKED]

AUTHORITY:
   Commissioner of the Oklahoma State Department of Health; 63 O.S. § 1-104

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INCORPORATIONS BY REFERENCE:
   n/a

GIST/ANALYSIS:
   Since OSDH no longer issues occupational licenses, or has authority for these industries, and as part of the Governor's rule reduction, this chapter is to be revoked.

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PURSUANT TO THE ACTIONS DESCRIBED HEREIN, THE FOLLOWING RULES ARE CONSIDERED FINALLY ADOPTED AS SET FORTH IN 75 O.S., SECTIONS 250.3 (5) AND 308 (E), WITH AN EFFECTIVE DATE OF SEPTEMBER 11, 2021:

SUBCHAPTER 1. GENERAL PROVISIONS [REVOKED]

310:110-1-1. Purpose [REVOKED]
(a) Subchapter Three of this Chapter implements the fee provisions of the Public Health Code which authorize license fees for licenses issued by the Commissioner of Health or the Oklahoma State Department of Health for occupations and professions codified in Title 59 of the Oklahoma Statutes, as they exist and may be amended.
(b) Subchapter Five of this Chapter implements the administrative fine schedule for violations of the Alarm Industry Act, the Barber Licensing Act and the Home Inspection Licensing Act, as they exist and may be amended, and the rules promulgated thereunder, respectively.

SUBCHAPTER 3. FEES [REVOKED]

310:110-3-1. Processing [REVOKED]
Applications for licenses, registration or renewals which are received on the effective date of each of the rules in this chapter or later shall not be processed until the fee(s) of this subchapter are paid, as applicable.

SUBCHAPTER 5. ADMINISTRATIVE FINE SCHEDULE [REVOKED]

310:110-5-3. Administrative citations [REVOKED]
(a) Issuance of a citation. A citation which is issued to a person for violation of one or more of the compliance requirements provided in Section 310:110-5-5, Section 310:110-5-6, and Section 310:110-5-7 shall advise the person of the hearing date at which the person may contest the issuance of the citation and/or the amount of the fine. Such hearings shall be conducted in compliance with the Oklahoma Administrative Procedures Act and the Oklahoma Open Meetings Act.
(b) Orders following hearing. A final order may uphold the citation as issued, reduce the amount of the fine or dismiss the action. A default order may be issued if the person cited has been advised in writing of the hearing date and fails to appear. The fine is due and payable immediately upon issuance of the order unless otherwise provided therein. A final order is appealable to the district court in accordance with the Oklahoma Administrative Procedures Act.

310:110-5-4. Payment of fines [REVOKED]
A person who is ordered to pay a fine shall submit the fine to the Oklahoma State Department of Health, Occupational Licensing Service-0203, 1000 N.E. Tenth Street, Oklahoma City, Oklahoma 73117-1299. A person who decides not to contest the issuance of the citation shall submit payment of the fine amount to the address above on or before the hearing date indicated on the citation.

310:110-5-5. Schedule of fines for the alarm and locksmith industry [REVOKED]
The fine schedule for citations issued by the Department for violations of the Alarm and Locksmith Industry Act or the rules promulgated thereunder shall be subject to the fines as follows:
(1) Engaging in an Alarm and Locksmith Industry business without a license in the appropriate category or classification:
(A) First - $200
(B) Subsequent - $200

(2) Company employing unlicensed person to perform Alarm and Locksmith Industry work (per person):
   (A) First - $100
   (B) Subsequent - $200

(3) Altering a license:
   (A) First - $200
   (B) Subsequent - $200

(4) Failure to display company license in conspicuous place:
   (A) First - $50
   (B) Subsequent - $200

(5) Individual not carrying a personal license:
   (A) First - $50
   (B) Subsequent - $200

(6) Failure to display company license number as required by statute or rule:
   (A) First - $200
   (B) Subsequent - $200

(7) Company employing person to perform Alarm and Locksmith Industry work without supervision of properly licensed manager:
   (A) First - $200
   (B) Subsequent - $200

(8) Failure to have properly licensed manager or technician on site:
   (A) First - $200
   (B) Subsequent - $200

(9) Failure to correct code violations per day after NOV compliance date:
   (A) First - $200
   (B) Subsequent - $200

(10) Failure to comply with a specific provision of the Alarm and Locksmith Industry Regulations:
    (A) First - $50
    (B) Subsequent - $200


The fine schedule for citations issued by the Department for Violations of the Home Inspector Licensing Act or the Rules promulgated thereunder shall be subject to the following fines:

(1) Violation of 310:276-5-2(d):
   (A) First violation: $50.00
   (B) Subsequent violation: $200.00

(2) Violations of 310:276-11-2(a):
   (A) First violation: up to $500.00
   (B) Subsequent violation: up to $1,000.00

(3) Violations of 310:276-11-2(b):
   (A) First violation: up to $500.00
   (B) Subsequent violation: up to $1,000.00

(4) Violations of 310:276-11-2(e):
   (A) First violation: up to $500.00
   (B) Subsequent violation: up to $1,000.00

(5) Violations of 310:276-11-2(d):
(A) First violation: up to $200.00
(B) Subsequent violation: up to $500.00
(6) Violations of 310:276-11-2(e):
   (A) First violation: up to $500.00
   (B) Subsequent violation: up to $1,000.00
(7) Violations of 310:276-11-2(f):
   (A) First violation: up to $500.00
   (B) Subsequent violation: up to $1,000.00
(8) Violations of 310:276-11-2(g):
   (A) First violation: up to $500.00
   (B) Subsequent violation: up to $1,000.00
(9) Violations of 310:276-11-2(h):
   (A) First violation: up to $500.00
   (B) Subsequent violation: up to $1,000.00
(10) Violations of 310:276-11-2(i):
    (A) First violation: up to $500.00
    (B) Subsequent violation: up to $1,000.00
(11) Violations of 310:276-11-2(j):
    (A) First violation: up to $1,000.00
    (B) Subsequent violation: up to $2,000.00
(12) Violations of 310:276-11-2(k):
    (A) First violation: up to $200.00
    (B) Subsequent violation: up to $500.00
(13) Violations of 310:276-11-2(l):
    (A) First violation: up to $200.00
    (B) Subsequent violation: up to $500.00
(14) Violations of 310:276-11-2(m):
    (A) First violation: up to $200.00
    (B) Subsequent violation: up to $500.00
(15) Violations of 310:276-11-2(n):
    (A) First violation: up to $200.00
    (B) Subsequent violation: up to $500.00

310:110-5-7. Schedule of fines for the Barber Industry [REVOKED]

The fine schedule for citations issued by the Department for violations of the Barber Act or rules promulgated thereunder shall be subject to the fines as follows providing each day a violation continues shall be a separate offense:

1. Engaging in barbering as an instructor, barber or apprentice without a license in the appropriate category:
   (A) First: $250
   (B) Subsequent: $500

2. Employing an unlicensed person to perform barbering (per person):
   (A) First: $50
   (B) Subsequent: $50

3. Allowing a graduate apprentice or a barber apprentice to work without direct supervision:
   (A) First: $50
   (B) Subsequent: $50

4. Employing more than one barber apprentice and one graduate apprentice per shop (fine per
5

apprentice):  
(A) First: $50  
(B) Subsequent: $50

5 Operating a barber work station in violation of any general sanitation requirement found in  
Subchapter 7 of the Barber Regulations, 310:210-7-1 et seq.:  
(A) First: $50  
(B) Subsequent: $50

6 Failure to comply with a specific provision of the Barber Act or Regulations by a graduate  
apprentice, barbers, barber apprentice, or school:  
(A) First: $50  
(B) Subsequent: $50

7 Failure to comply with a specific provision of the Barber Act or Regulations by an individual not  
licensed under the Barber Act:  
(A) First: $250  
(B) Subsequent: $500

8 Operating a barber school without a state barber school license:  
(A) First: $250  
(B) Subsequent: $500

9 Operating a barbershop or school without notifying the appropriate authority for a sanitation and  
equipment inspection:  
(A) First: $50  
(B) Subsequent: $50

10 Operating a barber college without the appropriate number of licensed instructors:  
(A) First: $50  
(B) Subsequent $50

310:110-5-8. Schedule of fines for the fire extinguisher industry [REVOKED]  
The fine schedule for citations issued by the Department for violations of the Fire Extinguisher Licensing  
Act, Title 59 O.S. Section 1820.1 et seq., or the rules promulgated thereunder shall be subject to the fines as  
follows:  
(1) Engaging in fire extinguisher business without a license in the appropriate category or classification:  
(A) First – $200  
(B) Subsequent – $200

(2) Company employing unlicensed person to perform fire extinguisher work (per person):  
(A) First – $100  
(B) Subsequent – $200

(3) Altering a license:  
(A) First – $200  
(B) Subsequent – $200

(4) Failure to display company license in conspicuous place:  
(A) First – $50  
(B) Subsequent – $200

(5) Individual not carrying a personal license:  
(A) First – $50  
(B) Subsequent – $200

(6) Failure to display company license number as required by statute or rule:  
(A) First – $200  
(B) Subsequent – $200
(7) Company employing person to perform fire extinguisher work without supervision of properly licensed manager:
   (A) First—$200
   (B) Subsequent—$200

(8) Failure to have properly licensed manager or technician on site:
   (A) First—$200
   (B) Subsequent—$200

(9) Failure to correct code violations per day after NOV compliance date:
   (A) First—$200
   (B) Subsequent—$200

(10) Failure to comply with a specific provision of the Fire Extinguisher Industry Regulations:
     (A) First—$50
     (B) Subsequent—$200