



## Ohio Administrative Code

### Rule 4301:1-1-61 Violation - identification and notification.

Effective: [October 25, 2021](#)

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(A) When a compliance officer of the division of liquor control or an enforcement agent of the investigative unit, a division of the department of public safety, witnesses a violation of a provision of the liquor control statutes or a rule of the liquor control commission, the compliance officer or enforcement agent shall, upon completion of the investigation, or within thirty days of the alleged violation if the investigation involves activities prohibited by rules 4301:1-1-52 and 4301:1-1-53 of the Administrative Code, identify themselves by presentation of their credentials to the permit holder or the permit holder's agent or employee, and notify the permit holder or the permit holder's agent or employee of the violation, in writing, on the forms prescribed and provided by the division of liquor control or department of public safety. The compliance officer or enforcement agent shall leave the original notice with the permit holder or the permit holder's agent or employee. The compliance officer making such a report shall forward a copy of such notice within forty-eight hours to the division of liquor control and shall retain a copy. The enforcement agent making such a report shall forward a copy of such notice to the central enforcement office, and the appropriate district enforcement office, and shall retain a copy.

(B) The provisions of paragraph (A) of this rule herein shall not be applicable to investigations conducted at the express order of the superintendent of the division of liquor control or the director of public safety or the director's designee or to violations occurring prior to obtaining an order, but used as a basis for obtaining such order.

(C) When a request for citation is made to the division of liquor control or the investigative unit by a law enforcement agency, such request must be submitted in writing within thirty days of the date of the alleged violation, except when an arrest, a summons in lieu of an arrest, an indictment, an information or another method of initiating criminal proceedings has been made in connection with the alleged violation or violations.

(D) This rule applies only to administrative violations and shall not be construed to apply to any criminal investigation conducted by the investigative unit.