TITLE 310. OKLAHOMA STATE DEPARTMENT OF HEALTH
CHAPTER 110. FEE AND FINE SCHEDULE FOR OCCUPATIONAL LICENSING

"Unofficial Version"

Subchapter		Section
1.	General Provisions	310:110-1-1
3.	Fees	310:110-3-1
5.	Administrative Fine Schedule	310:110-5-1

[Authority: Oklahoma State Board of Health; Fee and Fine Schedule For Occupation Licensing Service, 59 O.S., Section 61.1 et seq. and 1800.1 et seq.; 63 O.S. Section 1-106.1]

[Source: Codified 7-11-94]

SUBCHAPTER 1. GENERAL PROVISIONS

Section
310:110-1-1. Purpose

310:110-1-1. Purpose

(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.

[Source: Added at 10 Ok Reg 3441, eff 6-14-93 (emergency); Added at 11 Ok Reg 893, eff 12-17-93 (emergency); Added at 11 Ok Reg 3813, eff 7-11-94; Amended at 14 Ok Reg 933, eff 1-8-97 (emergency); Amended at 14 Ok Reg 3123, eff 7-25-97; Amended at 20 Ok Reg 502, eff 1-6-2003 (emergency); Amended at 20 Ok Reg 1611, eff 6-12-2003]

SUBCHAPTER 3. FEES

Section
310:110-3-1. Processing

310:110-3-1. Processing

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.

[Source: Added at 11 Ok Reg 893, eff 12-17-93 (emergency); Added at 11 Ok Reg 3813, eff 7-11-94]

SUBCHAPTER 5. ADMINISTRATIVE FINE SCHEDULE

Section
310:110-5-3. Administrative citations
310:110-5-4. Payment of fines
310:110-5-5. Schedule of fines for the alarm and locksmith industry
310:110-5-6. Schedule of fines for the Home Inspection Industry
310:110-5-7. Schedule of fines for the Barber Industry
310:110-5-8. Schedule of fines for the fire extinguisher industry

310:110-5-3. Administrative citations

(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.

[Source: Added at 11 Ok Reg 3813, eff 7-11-94; Amended at 14 Ok Reg 933, eff 1-8-97 (emergency); Amended at 14 Ok Reg 3123, eff 7-25-97; Amended at 20 Ok Reg 1611, eff 6-12-2003]

310:110-5-4. Payment of fines

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.

[Source: Added at 11 Ok Reg 3813, eff 7-11-94; Amended at 14 Ok Reg 933, eff 1-8-97 (emergency); Amended at 14 Ok Reg 3123, eff 7-25-97]

310:110-5-5. Schedule of fines for the alarm and locksmith industry

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

[Source: Added at 14 Ok Reg 933, eff 1-8-97 emergency); Added at 14 Ok Reg 3123, eff 7-25-97; Amended at 24 Ok Reg 1907, eff 6-25-2007]

310:110-5-6. Schedule of fines for the Home Inspection Industry

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(c):
(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

[**Source:** Added at 20 Ok Reg 502, eff 1-6-2003 (emergency); Added at 20 Ok Reg 1611, eff 6-12-2003; Amended at 23 Ok Reg 2345, eff 6-25-2006]

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

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 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

[**Source:** Added at 20 Ok Reg 502, eff 1-6-2003 (emergency); Added at 20 Ok Reg 1611, eff 6-12-2003; Amended at 24 Ok Reg 1907, eff 6-25-2007]

310:110-5-8. Schedule of fines for the fire extinguisher industry

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

[**Source:** Added at 25 Ok Reg 2390, eff 7-11-2008]