

**As Passed by the House**

**132nd General Assembly**

**Regular Session**

**2017-2018**

**H. B. No. 60**

**Representatives Hambley, Rogers**

**Cosponsors: Representatives Seitz, Sheehy, Becker, Retherford, Thompson, Stein, Green, Antonio, Arndt, Ashford, Barnes, Boyd, Craig, Dever, Gavarone, Greenspan, Holmes, Kick, Koehler, Landis, Leland, Lepore-Hagan, Manning, O'Brien, Patterson, Patton, Perales, Ramos, Rezabek, Roegner, Smith, K., Sprague, Sweeney, West, Wiggam**

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**A BILL**

To amend sections 4506.01, 4506.11, 4507.01, 1  
4507.13, and 4507.52 and to enact sections 2  
4506.072, 4507.021, 4507.061, and 4507.511 of 3  
the Revised Code to authorize the issuance of an 4  
enhanced driver's license, enhanced commercial 5  
driver's license, and enhanced identification 6  
card to facilitate land and sea border crossings 7  
between the United States and Canada and Mexico, 8  
pursuant to an agreement with the United States 9  
Department of Homeland Security. 10

**BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:**

**Section 1.** That sections 4506.01, 4506.11, 4507.01, 11  
4507.13, and 4507.52 be amended and sections 4506.072, 4507.021, 12  
4507.061, and 4507.511 of the Revised Code be enacted to read as 13  
follows: 14

**Sec. 4506.01.** As used in this chapter: 15

(A) "Alcohol concentration" means the concentration of alcohol in a person's blood, breath, or urine. When expressed as a percentage, it means grams of alcohol per the following:

(1) One hundred milliliters of whole blood, blood serum, or blood plasma;

(2) Two hundred ten liters of breath;

(3) One hundred milliliters of urine.

(B) (1) "Commercial driver's license" means a license issued in accordance with this chapter that authorizes an individual to drive a commercial motor vehicle. Except as otherwise specifically provided, "commercial driver's license" includes "enhanced commercial driver's license."

(2) "Enhanced commercial driver's license" means a commercial driver's license issued in accordance with section 4506.072 of the Revised Code that denotes citizenship and identity and is approved by the United States secretary of homeland security for purposes of entering the United States and that contains technology and security features approved by the secretary of homeland security.

(C) "Commercial driver's license information system" means the information system established pursuant to the requirements of the "Commercial Motor Vehicle Safety Act of 1986," 100 Stat. 3207-171, 49 U.S.C.A. App. 2701.

(D) Except when used in section 4506.25 of the Revised Code, "commercial motor vehicle" means any motor vehicle designed or used to transport persons or property that meets any of the following qualifications:

(1) Any combination of vehicles with a gross vehicle

weight or combined gross vehicle weight rating of twenty-six thousand one pounds or more, provided the gross vehicle weight or gross vehicle weight rating of the vehicle or vehicles being towed is in excess of ten thousand pounds;

(2) Any single vehicle with a gross vehicle weight or gross vehicle weight rating of twenty-six thousand one pounds or more;

(3) Any single vehicle or combination of vehicles that is not a class A or class B vehicle, but is designed to transport sixteen or more passengers including the driver;

(4) Any school bus with a gross vehicle weight or gross vehicle weight rating of less than twenty-six thousand one pounds that is designed to transport fewer than sixteen passengers including the driver;

(5) Is transporting hazardous materials for which placarding is required under subpart F of 49 C.F.R. part 172, as amended;

(6) Any single vehicle or combination of vehicles that is designed to be operated and to travel on a public street or highway and is considered by the federal motor carrier safety administration to be a commercial motor vehicle, including, but not limited to, a motorized crane, a vehicle whose function is to pump cement, a rig for drilling wells, and a portable crane.

(E) "Controlled substance" means all of the following:

(1) Any substance classified as a controlled substance under the "Controlled Substances Act," 80 Stat. 1242 (1970), 21 U.S.C.A. 802(6), as amended;

(2) Any substance included in schedules I through V of 21

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| C.F.R. part 1308, as amended;                                   | 72 |
| (3) Any drug of abuse.  | 73 |
| (F) "Conviction" means an unvacated adjudication of guilt       | 74 |
| or a determination that a person has violated or failed to      | 75 |
| comply with the law in a court of original jurisdiction or an   | 76 |
| authorized administrative tribunal, an unvacated forfeiture of  | 77 |
| bail or collateral deposited to secure the person's appearance  | 78 |
| in court, a plea of guilty or nolo contendere accepted by the   | 79 |
| court, the payment of a fine or court cost, or violation of a   | 80 |
| condition of release without bail, regardless of whether or not | 81 |
| the penalty is rebated, suspended, or probated.                 | 82 |
| (G) "Disqualification" means any of the following:              | 83 |
| (1) The suspension, revocation, or cancellation of a            | 84 |
| person's privileges to operate a commercial motor vehicle;      | 85 |
| (2) Any withdrawal of a person's privileges to operate a        | 86 |
| commercial motor vehicle as the result of a violation of state  | 87 |
| or local law relating to motor vehicle traffic control other    | 88 |
| than parking, vehicle weight, or vehicle defect violations;     | 89 |
| (3) A determination by the federal motor carrier safety         | 90 |
| administration that a person is not qualified to operate a      | 91 |
| commercial motor vehicle under 49 C.F.R. 391.                   | 92 |
| (H) "Domiciled" means having a true, fixed, principal, and      | 93 |
| permanent residence to which an individual intends to return.   | 94 |
| (I) "Downgrade" means any of the following, as applicable:      | 95 |
| (1) A change in the commercial driver's license, or             | 96 |
| commercial driver's license temporary instruction permit,       | 97 |
| holder's self-certified status as described in division (A) (1) | 98 |
| of section 4506.10 of the Revised Code;                         | 99 |

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| (2) A change to a lesser class of vehicle;  | 100                             |
| (3) Removal of commercial driver's license privileges from the individual's driver's license.   | 101<br>102                      |
| (J) "Drive" means to drive, operate, or be in physical control of a motor vehicle.  | 103<br>104                      |
| (K) "Driver" means any person who drives, operates, or is in physical control of a commercial motor vehicle or is required to have a commercial driver's license.   | 105<br>106<br>107               |
| (L) "Driver's license" means a license issued by the bureau of motor vehicles that authorizes an individual to drive.   | 108<br>109                      |
| (M) "Drug of abuse" means any controlled substance, dangerous drug as defined in section 4729.01 of the Revised Code, or over-the-counter medication that, when taken in quantities exceeding the recommended dosage, can result in impairment of judgment or reflexes. | 110<br>111<br>112<br>113<br>114 |
| (N) "Electronic device" includes a cellular telephone, a personal digital assistant, a pager, a computer, and any other device used to input, write, send, receive, or read text.   | 115<br>116<br>117               |
| (O) "Eligible unit of local government" means a village, township, or county that has a population of not more than three thousand persons according to the most recent federal census.   | 118<br>119<br>120               |
| (P) "Employer" means any person, including the federal government, any state, and a political subdivision of any state, that owns or leases a commercial motor vehicle or assigns a person to drive such a motor vehicle.   | 121<br>122<br>123<br>124        |
| (Q) "Endorsement" means an authorization on a person's commercial driver's license that is required to permit the person to operate a specified type of commercial motor vehicle.   | 125<br>126<br>127               |

(R) "Farm truck" means a truck controlled and operated by 128  
a farmer for use in the transportation to or from a farm, for a 129  
distance of not more than one hundred fifty miles, of products 130  
of the farm, including livestock and its products, poultry and 131  
its products, floricultural and horticultural products, and in 132  
the transportation to the farm, from a distance of not more than 133  
one hundred fifty miles, of supplies for the farm, including 134  
tile, fence, and every other thing or commodity used in 135  
agricultural, floricultural, horticultural, livestock, and 136  
poultry production, and livestock, poultry, and other animals 137  
and things used for breeding, feeding, or other purposes 138  
connected with the operation of the farm, when the truck is 139  
operated in accordance with this division and is not used in the 140  
operations of a motor carrier, as defined in section 4923.01 of 141  
the Revised Code. 142

(S) "Fatality" means the death of a person as the result 143  
of a motor vehicle accident occurring not more than three 144  
hundred sixty-five days prior to the date of death. 145

(T) "Felony" means any offense under federal or state law 146  
that is punishable by death or specifically classified as a 147  
felony under the law of this state, regardless of the penalty 148  
that may be imposed. 149

(U) "Foreign jurisdiction" means any jurisdiction other 150  
than a state. 151

(V) "Gross vehicle weight rating" means the value 152  
specified by the manufacturer as the maximum loaded weight of a 153  
single or a combination vehicle. The gross vehicle weight rating 154  
of a combination vehicle is the gross vehicle weight rating of 155  
the power unit plus the gross vehicle weight rating of each 156  
towed unit. 157

(W) "Hazardous materials" means any material that has been 158  
designated as hazardous under 49 U.S.C. 5103 and is required to 159  
be placarded under subpart F of 49 C.F.R. part 172 or any 160  
quantity of a material listed as a select agent or toxin in 42 161  
C.F.R. part 73, as amended. 162

(X) "Imminent hazard" means the existence of a condition 163  
that presents a substantial likelihood that death, serious 164  
illness, severe personal injury, or a substantial endangerment 165  
to health, property, or the environment may occur before the 166  
reasonably foreseeable completion date of a formal proceeding 167  
begun to lessen the risk of that death, illness, injury, or 168  
endangerment. 169

(Y) "Medical variance" means one of the following received 170  
by a driver from the federal motor carrier safety administration 171  
that allows the driver to be issued a medical certificate: 172

(1) An exemption letter permitting operation of a 173  
commercial motor vehicle under 49 C.F.R. 381, subpart C or 49 174  
C.F.R. 391.64; 175

(2) A skill performance evaluation certificate permitting 176  
operation of a commercial motor vehicle pursuant to 49 C.F.R. 177  
391.49. 178

(Z) "Mobile telephone" means a mobile communication device 179  
that falls under or uses any commercial mobile radio service as 180  
defined in 47 C.F.R. 20, except that mobile telephone does not 181  
include two-way or citizens band radio services. 182

(AA) "Motor vehicle" means a vehicle, machine, tractor, 183  
trailer, or semitrailer propelled or drawn by mechanical power 184  
used on highways, except that such term does not include a 185  
vehicle, machine, tractor, trailer, or semitrailer operated 186

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| exclusively on a rail.  | 187 |
| (BB) "Out-of-service order" means a declaration by an             | 188 |
| authorized enforcement officer of a federal, state, local,        | 189 |
| Canadian, or Mexican jurisdiction declaring that a driver,        | 190 |
| commercial motor vehicle, or commercial motor carrier operation   | 191 |
| is out of service as defined in 49 C.F.R. 390.5.                  | 192 |
| (CC) "Peace officer" has the same meaning as in section           | 193 |
| 2935.01 of the Revised Code.                                      | 194 |
| (DD) "Portable tank" means a liquid or gaseous packaging          | 195 |
| designed primarily to be loaded onto or temporarily attached to   | 196 |
| a vehicle and equipped with skids, mountings, or accessories to   | 197 |
| facilitate handling of the tank by mechanical means.              | 198 |
| (EE) "Public safety vehicle" has the same meaning as in           | 199 |
| divisions (E) (1) and (3) of section 4511.01 of the Revised Code. | 200 |
| (FF) "Recreational vehicle" includes every vehicle that is        | 201 |
| defined as a recreational vehicle in section 4501.01 of the       | 202 |
| Revised Code and is used exclusively for purposes other than      | 203 |
| engaging in business for profit.                                  | 204 |
| (GG) "Residence" means any person's residence determined          | 205 |
| in accordance with standards prescribed in rules adopted by the   | 206 |
| registrar.  | 207 |
| (HH) "School bus" has the same meaning as in section              | 208 |
| 4511.01 of the Revised Code.                                      | 209 |
| (II) "Serious traffic violation" means any of the                 | 210 |
| following:  | 211 |
| (1) A conviction arising from a single charge of operating        | 212 |
| a commercial motor vehicle in violation of any provision of       | 213 |
| section 4506.03 of the Revised Code;                              | 214 |

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| (2) (a) Except as provided in division (II) (2) (b) of this section, a violation while operating a commercial motor vehicle of a law of this state, or any municipal ordinance or county or township resolution, or any other substantially similar law of another state or political subdivision of another state prohibiting either of the following: | 215<br>216<br>217<br>218<br>219<br>220 |
| (i) Texting while driving;  | 221                                    |
| (ii) Using a handheld mobile telephone.   | 222                                    |
| (b) It is not a serious traffic violation if the person was texting or using a handheld mobile telephone to contact law enforcement or other emergency services.  | 223<br>224<br>225                      |
| (3) A conviction arising from the operation of any motor vehicle that involves any of the following:  | 226<br>227                             |
| (a) A single charge of any speed in excess of the posted speed limit by fifteen miles per hour or more;   | 228<br>229                             |
| (b) Violation of section 4511.20 or 4511.201 of the Revised Code or any similar ordinance or resolution, or of any similar law of another state or political subdivision of another state;  | 230<br>231<br>232<br>233               |
| (c) Violation of a law of this state or an ordinance or resolution relating to traffic control, other than a parking violation, or of any similar law of another state or political subdivision of another state, that results in a fatal accident;   | 234<br>235<br>236<br>237               |
| (d) Violation of section 4506.03 of the Revised Code or a substantially similar municipal ordinance or county or township resolution, or of any similar law of another state or political subdivision of another state, that involves the operation of a commercial motor vehicle without a valid commercial driver's                                   | 238<br>239<br>240<br>241<br>242        |

license with the proper class or endorsement for the specific 243  
vehicle group being operated or for the passengers or type of 244  
cargo being transported; 245

(e) Violation of section 4506.03 of the Revised Code or a 246  
substantially similar municipal ordinance or county or township 247  
resolution, or of any similar law of another state or political 248  
subdivision of another state, that involves the operation of a 249  
commercial motor vehicle without a valid commercial driver's 250  
license being in the person's possession; 251

(f) Violation of section 4511.33 or 4511.34 of the Revised 252  
Code, or any municipal ordinance or county or township 253  
resolution substantially similar to either of those sections, or 254  
any substantially similar law of another state or political 255  
subdivision of another state; 256

(g) Violation of any other law of this state, any law of 257  
another state, or any ordinance or resolution of a political 258  
subdivision of this state or another state that meets both of 259  
the following requirements: 260

(i) It relates to traffic control, other than a parking 261  
violation; 262

(ii) It is determined to be a serious traffic violation by 263  
the United States secretary of transportation and is designated 264  
by the director as such by rule. 265

(JJ) "State" means a state of the United States and 266  
includes the District of Columbia. 267

(KK) "Tank vehicle" means any commercial motor vehicle 268  
that is designed to transport any liquid or gaseous materials 269  
within a tank or tanks that are either permanently or 270  
temporarily attached to the vehicle or its chassis and have an 271

individual rated capacity of more than one hundred nineteen 272  
gallons and an aggregate rated capacity of one thousand gallons 273  
or more. "Tank vehicle" does not include a commercial motor 274  
vehicle transporting an empty storage container tank that is not 275  
designed for transportation, has a rated capacity of one 276  
thousand gallons or more, and is temporarily attached to a 277  
flatbed trailer. 278

(LL) "Tester" means a person or entity acting pursuant to 279  
a valid agreement entered into pursuant to division (B) of 280  
section 4506.09 of the Revised Code. 281

(MM) "Texting" means manually entering alphanumeric text 282  
into, or reading text from, an electronic device. Texting 283  
includes short message service, e-mail, instant messaging, a 284  
command or request to access a world wide web page, pressing 285  
more than a single button to initiate or terminate a voice 286  
communication using a mobile telephone, or engaging in any other 287  
form of electronic text retrieval or entry, for present or 288  
future communication. Texting does not include the following: 289

(1) Using voice commands to initiate, receive, or 290  
terminate a voice communication using a mobile telephone; 291

(2) Inputting, selecting, or reading information on a 292  
global positioning system or navigation system; 293

(3) Pressing a single button to initiate or terminate a 294  
voice communication using a mobile telephone; or 295

(4) Using, for a purpose that is not otherwise prohibited 296  
by law, a device capable of performing multiple functions, such 297  
as a fleet management system, a dispatching device, a mobile 298  
telephone, a citizens band radio, or a music player. 299

(NN) "Texting while driving" means texting while operating 300

a commercial motor vehicle, with the motor running, including 301  
while temporarily stationary because of traffic, a traffic 302  
control device, or other momentary delays. Texting while driving 303  
does not include operating a commercial motor vehicle with or 304  
without the motor running when the driver has moved the vehicle 305  
to the side of, or off, a highway and is stopped in a location 306  
where the vehicle can safely remain stationary. 307

(OO) "United States" means the fifty states and the 308  
District of Columbia. 309

(PP) "Upgrade" means a change in the class of vehicles, 310  
endorsements, or self-certified status as described in division 311  
(A) (1) of section 4506.10 of the Revised Code, that expands the 312  
ability of a current commercial driver's license holder to 313  
operate commercial motor vehicles under this chapter; 314

(QQ) "Use of a handheld mobile telephone" means: 315

(1) Using at least one hand to hold a mobile telephone to 316  
conduct a voice communication; 317

(2) Dialing or answering a mobile telephone by pressing 318  
more than a single button; or 319

(3) Reaching for a mobile telephone in a manner that 320  
requires a driver to maneuver so that the driver is no longer in 321  
a seated driving position, or restrained by a seat belt that is 322  
installed in accordance with 49 C.F.R. 393.93 and adjusted in 323  
accordance with the vehicle manufacturer's instructions. 324

(RR) "Vehicle" has the same meaning as in section 4511.01 325  
of the Revised Code. 326

Sec. 4506.072. (A) Pursuant to the memorandum of 327  
understanding agreement between the director of public safety 328

and the United States department of homeland security or other 329  
designated federal agency authorized by section 4507.021 of the 330  
Revised Code, and in accordance with rules adopted by the 331  
registrar of motor vehicles under that section, the registrar or 332  
a deputy registrar shall issue an enhanced commercial driver's 333  
license to an eligible applicant for such a license who does all 334  
of the following: 335

(1) Provides satisfactory proof of the applicant's 336  
identity and citizenship; 337

(2) Submits a biometric identifier as required by rule; 338

(3) Signs a declaration on a form prescribed by the 339  
registrar acknowledging the use of the one-to-many biometric 340  
match and radio frequency identification or other security 341  
features of the license; 342

(4) Pays a fee of twenty-five dollars, in addition to 343  
applicable fees in section 4506.08 of the Revised Code for 344  
issuance of a commercial driver's license, which shall be paid 345  
into the state treasury to the credit of the state bureau of 346  
motor vehicles fund created in section 4501.25 of the Revised 347  
Code; 348

(5) Complies with all other conditions, qualifications, 349  
and requirements for issuance of a commercial driver's license. 350

(B) All provisions in the Revised Code relating to 351  
commercial drivers' licenses include and apply to an enhanced 352  
commercial driver's license. An enhanced commercial driver's 353  
license may be used in the same manner as a commercial driver's 354  
license and additionally is approved by the United States 355  
secretary of homeland security for purposes of entering the 356  
United States at authorized land and sea ports. 357

**Sec. 4506.11.** (A) Every commercial driver's license shall 358  
be marked "commercial driver's license" or "CDL" and shall be of 359  
such material and so designed as to prevent its reproduction or 360  
alteration without ready detection, and, to this end, shall be 361  
laminated with a transparent plastic material. The commercial 362  
driver's license for licensees under twenty-one years of age 363  
shall have characteristics prescribed by the registrar of motor 364  
vehicles distinguishing it from that issued to a licensee who is 365  
twenty-one years of age or older. Every commercial driver's 366  
license shall display all of the following information: 367

- (1) The name and residence address of the licensee; 368
- (2) A color photograph of the licensee showing the 369  
licensee's uncovered face; 370
- (3) A physical description of the licensee, including sex, 371  
height, weight, and color of eyes and hair; 372
- (4) The licensee's date of birth; 373
- (5) The licensee's social security number if the person 374  
has requested that the number be displayed in accordance with 375  
section 4501.31 of the Revised Code or if federal law requires 376  
the social security number to be displayed and any number or 377  
other identifier the director of public safety considers 378  
appropriate and establishes by rules adopted under Chapter 119. 379  
of the Revised Code and in compliance with federal law; 380
- (6) The licensee's signature; 381
- (7) The classes of commercial motor vehicles the licensee 382  
is authorized to drive and any endorsements or restrictions 383  
relating to the licensee's driving of those vehicles; 384
- (8) The name of this state; 385

(9) The dates of issuance and of expiration of the license; 386  
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(10) If the licensee has certified willingness to make an anatomical gift under section 2108.05 of the Revised Code, any symbol chosen by the registrar of motor vehicles to indicate that the licensee has certified that willingness; 388  
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(11) If the licensee has executed a durable power of attorney for health care or a declaration governing the use or continuation, or the withholding or withdrawal, of life-sustaining treatment and has specified that the licensee wishes the license to indicate that the licensee has executed either type of instrument, any symbol chosen by the registrar to indicate that the licensee has executed either type of instrument; 392  
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(12) On and after October 7, 2009, if the licensee has specified that the licensee wishes the license to indicate that the licensee is a veteran, active duty, or reservist of the armed forces of the United States and has presented a copy of the licensee's DD-214 form or an equivalent document, any symbol chosen by the registrar to indicate that the licensee is a veteran, active duty, or reservist of the armed forces of the United States; 400  
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(13) Any other information the registrar considers advisable and requires by rule. 408  
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(B) Every enhanced driver's license shall have any additional characteristics established by rule adopted under section 4507.021 of the Revised Code. 410  
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(C) The registrar may establish and maintain a file of negatives of photographs taken for the purposes of this section. 413  
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~~(C)~~-(D) Neither the registrar nor any deputy registrar 415  
shall issue a commercial driver's license to anyone under 416  
twenty-one years of age that does not have the characteristics 417  
prescribed by the registrar distinguishing it from the 418  
commercial driver's license issued to persons who are twenty-one 419  
years of age or older. 420

~~(D)~~-(E) Whoever violates division ~~(C)~~-(D) of this section 421  
is guilty of a minor misdemeanor. 422

**Sec. 4507.01.** (A) As used in this chapter, "motor 423  
vehicle," "motorized bicycle," "state," "owner," "operator," 424  
"chauffeur," and "highways" have the same meanings as in section 425  
4501.01 of the Revised Code. 426

"Driver's license" means a class D license issued to any 427  
person to operate a motor vehicle or motor-driven cycle, other 428  
than a commercial motor vehicle, and includes "probationary 429  
license," "restricted license," and any operator's or 430  
chauffeur's license issued before January 1, 1990. Except as 431  
otherwise specifically provided, "driver's license" includes 432  
"enhanced driver's license." 433

"Enhanced driver's license" means a driver's license 434  
issued in accordance with sections 4507.021 and 4507.061 of the 435  
Revised Code that denotes citizenship and identity and is 436  
approved by the United States secretary of homeland security for 437  
purposes of entering the United States and that contains 438  
technology and security features approved by the secretary of 439  
homeland security. 440

"Probationary license" means the license issued to any 441  
person between sixteen and eighteen years of age to operate a 442  
motor vehicle. 443

"Restricted license" means the license issued to any 444  
person to operate a motor vehicle subject to conditions or 445  
restrictions imposed by the registrar of motor vehicles. 446

"Commercial driver's license" means the license issued to 447  
a person under Chapter 4506. of the Revised Code to operate a 448  
commercial motor vehicle. 449

"Commercial motor vehicle" has the same meaning as in 450  
section 4506.01 of the Revised Code. 451

"Motorcycle operator's temporary instruction permit,  
license, or endorsement" includes a temporary instruction 452  
permit, license, or endorsement for a motor-driven cycle or 453  
motor scooter unless otherwise specified. 454  
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"Motorized bicycle license" means the license issued under 456  
section 4511.521 of the Revised Code to any person to operate a 457  
motorized bicycle including a "probationary motorized bicycle 458  
license." 459

"Probationary motorized bicycle license" means the license 460  
issued under section 4511.521 of the Revised Code to any person 461  
between fourteen and sixteen years of age to operate a motorized 462  
bicycle. 463

"Identification card" means a card issued under sections 464  
4507.50 and 4507.51 of the Revised Code. Except as otherwise 465  
specifically provided, "identification card" includes "enhanced 466  
identification card." 467

"Enhanced identification card" means an identification 468  
card issued in accordance with section 4507.511 of the Revised 469  
Code that denotes citizenship and identity and contains 470  
technology and security features approved by the secretary of 471  
homeland security and is approved by the secretary for purposes 472

of entering the United States. 473

"Resident" means a person who, in accordance with 474  
standards prescribed in rules adopted by the registrar, resides 475  
in this state on a permanent basis. 476

"Temporary resident" means a person who, in accordance 477  
with standards prescribed in rules adopted by the registrar, 478  
resides in this state on a temporary basis. 479

(B) In the administration of this chapter and Chapter 480  
4506. of the Revised Code, the registrar has the same authority 481  
as is conferred on the registrar by section 4501.02 of the 482  
Revised Code. Any act of an authorized deputy registrar of motor 483  
vehicles under direction of the registrar is deemed the act of 484  
the registrar. 485

To carry out this chapter, the registrar shall appoint 486  
such deputy registrars in each county as are necessary. 487

The registrar also shall provide at each place where an 488  
application for a driver's or commercial driver's license or 489  
identification card may be made the necessary equipment to take 490  
a color photograph of the applicant for such license or card as 491  
required under section 4506.11 or 4507.06 of the Revised Code, 492  
and to conduct the vision screenings required by section 4507.12 493  
of the Revised Code, and equipment to laminate licenses, 494  
motorized bicycle licenses, and identification cards as required 495  
by sections 4507.13, 4507.52, and 4511.521 of the Revised Code. 496

The registrar shall assign one or more deputy registrars 497  
to any driver's license examining station operated under the 498  
supervision of the director of public safety, whenever the 499  
registrar considers such assignment possible. Space shall be 500  
provided in the driver's license examining station for any such 501

deputy registrar so assigned. The deputy registrars shall not 502  
exercise the powers conferred by such sections upon the 503  
registrar, unless they are specifically authorized to exercise 504  
such powers by such sections. 505

(C) No agent for any insurance company, writing automobile 506  
insurance, shall be appointed deputy registrar, and any such 507  
appointment is void. No deputy registrar shall in any manner 508  
solicit any form of automobile insurance, nor in any manner 509  
advise, suggest, or influence any licensee or applicant for 510  
license for or against any kind or type of automobile insurance, 511  
insurance company, or agent, nor have the deputy registrar's 512  
office directly connected with the office of any automobile 513  
insurance agent, nor impart any information furnished by any 514  
applicant for a license or identification card to any person, 515  
except the registrar. This division shall not apply to any 516  
nonprofit corporation appointed deputy registrar. 517

(D) The registrar shall immediately remove a deputy 518  
registrar who violates the requirements of this chapter. 519

(E) The registrar shall periodically solicit bids and 520  
enter into a contract for the provision of laminating equipment 521  
and laminating materials to the registrar and all deputy 522  
registrars. The registrar shall not consider any bid that does 523  
not provide for the supplying of both laminating equipment and 524  
laminating materials. The laminating materials selected shall 525  
contain a security feature so that any tampering with the 526  
laminating material covering a license or identification card is 527  
readily apparent. In soliciting bids and entering into a 528  
contract for the provision of laminating equipment and 529  
laminating materials, the registrar shall observe all procedures 530  
required by law. 531

Sec. 4507.021. (A) (1) The director of public safety shall 532  
enter into a memorandum of understanding agreement with the 533  
United States department of homeland security or other 534  
designated federal agency for the purpose of obtaining approval 535  
to issue an enhanced driver's license, enhanced commercial 536  
driver's license, and enhanced identification card acceptable as 537  
proof of identity and citizenship for Ohio residents entering 538  
the United States at authorized land and sea ports. 539

(2) In conjunction with the United States department of 540  
homeland security or other designated federal agency, the 541  
director of public safety may enter into an agreement with the 542  
United Mexican States, Canada, or a Canadian province for the 543  
purpose of implementing a border-crossing initiative. 544

(B) Pursuant to an agreement under division (A) (1) of this 545  
section, the registrar of motor vehicles, subject to approval of 546  
the director of public safety, shall adopt rules in accordance 547  
with Chapter 119. of the Revised Code governing issuance of an 548  
enhanced driver's license, enhanced commercial driver's license, 549  
and enhanced identification card. The rules shall establish 550  
acceptable proof of citizenship for issuance of an enhanced 551  
license or identification card. The rules shall establish 552  
reasonable security measures to prevent counterfeiting and to 553  
protect against unauthorized disclosure of personal information 554  
that is contained in an enhanced license or identification card. 555

The rules may require a one-to-many biometric matching 556  
system for identification purposes and may require use of radio 557  
frequency identification technology or other secure technology 558  
acceptable to the United States department of homeland security 559  
that is encrypted or otherwise secure from unauthorized data 560  
access. The rules may establish additional characteristics for 561

an enhanced license or identification card. The registrar may 562  
adopt any other rules necessary to implement issuance of an 563  
enhanced driver's license, enhanced commercial driver's license, 564  
and enhanced identification card. 565

**Sec. 4507.061.** (A) Pursuant to the memorandum of 566  
understanding agreement between the director of public safety 567  
and the United States department of homeland security or other 568  
designated federal agency authorized by section 4507.021 of the 569  
Revised Code, and in accordance with rules adopted by the 570  
registrar of motor vehicles under that section, the registrar or 571  
a deputy registrar shall issue an enhanced driver's license to 572  
an eligible applicant for such a license who does all of the 573  
following: 574

(1) Provides satisfactory proof of the applicant's 575  
identity and citizenship; 576

(2) Submits a biometric identifier as required by rule; 577

(3) Signs a declaration on a form prescribed by the 578  
registrar acknowledging the use of the one-to-many biometric 579  
match and radio frequency identification or other security 580  
features of the license; 581

(4) Pays a fee of twenty-five dollars, in addition to 582  
applicable fees in sections 4507.23 and 4507.24 of the Revised 583  
Code for issuance of a driver's license, which shall be paid 584  
into the state treasury to the credit of the state bureau of 585  
motor vehicles fund created in section 4501.25 of the Revised 586  
Code; 587

(5) Complies with all other conditions, qualifications, 588  
and requirements for issuance of a driver's license. 589

(B) All provisions in the Revised Code relating to 590

drivers' licenses include and apply to an enhanced driver's 591  
license. An enhanced driver's license may be used in the same 592  
manner as a driver's license and additionally is approved by the 593  
United States secretary of homeland security for purposes of 594  
entering the United States at authorized land and sea ports. 595

**Sec. 4507.13.** (A) The registrar of motor vehicles shall 596  
issue a driver's license to every person licensed as an operator 597  
of motor vehicles other than commercial motor vehicles. No 598  
person licensed as a commercial motor vehicle driver under 599  
Chapter 4506. of the Revised Code need procure a driver's 600  
license, but no person shall drive any commercial motor vehicle 601  
unless licensed as a commercial motor vehicle driver. 602

Every driver's license shall display on it the 603  
distinguishing number assigned to the licensee and shall display 604  
the licensee's name and date of birth; the licensee's residence 605  
address and county of residence; a color photograph of the 606  
licensee; a brief description of the licensee for the purpose of 607  
identification; a facsimile of the signature of the licensee as 608  
it appears on the application for the license; a notation, in a 609  
manner prescribed by the registrar, indicating any condition 610  
described in division (D) (3) of section 4507.08 of the Revised 611  
Code to which the licensee is subject; if the licensee has 612  
executed a durable power of attorney for health care or a 613  
declaration governing the use or continuation, or the 614  
withholding or withdrawal, of life-sustaining treatment and has 615  
specified that the licensee wishes the license to indicate that 616  
the licensee has executed either type of instrument, any symbol 617  
chosen by the registrar to indicate that the licensee has 618  
executed either type of instrument; on and after October 7, 619  
2009, if the licensee has specified that the licensee wishes the 620  
license to indicate that the licensee is a veteran, active duty, 621

or reservist of the armed forces of the United States and has 622  
presented a copy of the licensee's DD-214 form or an equivalent 623  
document, any symbol chosen by the registrar to indicate that 624  
the licensee is a veteran, active duty, or reservist of the 625  
armed forces of the United States; and any additional 626  
information that the registrar requires by rule. No license 627  
shall display the licensee's social security number unless the 628  
licensee specifically requests that the licensee's social 629  
security number be displayed on the license. If federal law 630  
requires the licensee's social security number to be displayed 631  
on the license, the social security number shall be displayed on 632  
the license notwithstanding this section. 633

The driver's license for licensees under twenty-one years 634  
of age shall have characteristics prescribed by the registrar 635  
distinguishing it from that issued to a licensee who is twenty- 636  
one years of age or older, except that a driver's license issued 637  
to a person who applies no more than thirty days before the 638  
applicant's twenty-first birthday shall have the characteristics 639  
of a license issued to a person who is twenty-one years of age 640  
or older. 641

The driver's license issued to a temporary resident shall 642  
contain the word "nonrenewable" and shall have any additional 643  
characteristics prescribed by the registrar distinguishing it 644  
from a license issued to a resident. 645

Every enhanced driver's license shall have any additional 646  
characteristics established by rule adopted under section 647  
4507.021 of the Revised Code. 648

Every driver's or commercial driver's license displaying a 649  
motorcycle operator's endorsement and every restricted license 650  
to operate a motor vehicle also shall display the designation 651

"novice," if the endorsement or license is issued to a person 652  
who is eighteen years of age or older and previously has not 653  
been licensed to operate a motorcycle by this state or another 654  
jurisdiction recognized by this state. The "novice" designation 655  
shall be effective for one year after the date of issuance of 656  
the motorcycle operator's endorsement or license. 657

Each license issued under this section shall be of such 658  
material and so designed as to prevent its reproduction or 659  
alteration without ready detection and, to this end, shall be 660  
laminated with a transparent plastic material. 661

(B) Except in regard to a driver's license issued to a 662  
person who applies no more than thirty days before the 663  
applicant's twenty-first birthday, neither the registrar nor any 664  
deputy registrar shall issue a driver's license to anyone under 665  
twenty-one years of age that does not have the characteristics 666  
prescribed by the registrar distinguishing it from the driver's 667  
license issued to persons who are twenty-one years of age or 668  
older. 669

(C) Whoever violates division (B) of this section is 670  
guilty of a minor misdemeanor. 671

**Sec. 4507.511.** (A) Pursuant to the memorandum of 672  
understanding agreement between the director of public safety 673  
and the United States department of homeland security or other 674  
designated federal agency authorized by section 4507.021 of the 675  
Revised Code, and in accordance with rules adopted by the 676  
registrar of motor vehicles under that section, the registrar or 677  
a deputy registrar shall issue an enhanced identification card 678  
to an eligible applicant for such a card who does all of the 679  
following: 680

(1) Provides satisfactory proof of the applicant's 681  
identity and citizenship; 682

(2) Submits a biometric identifier as required by rule; 683

(3) Signs a declaration on a form prescribed by the 684  
registrar acknowledging the use of the one-to-many biometric 685  
match and radio frequency identification or other security 686  
features of the card; 687

(4) Pays a fee of twenty-five dollars, in addition to 688  
applicable fees in section 4507.50 of the Revised Code for 689  
issuance of an identification card, which shall be paid into the 690  
state treasury to the credit of the state bureau of motor 691  
vehicles fund created in section 4501.25 of the Revised Code; 692

(5) Complies with all other requirements for issuance of 693  
an identification card. 694

(B) All provisions in the Revised Code relating to 695  
identification cards issued under sections 4507.50 to 4507.52 of 696  
the Revised Code include and apply to an enhanced identification 697  
card. An enhanced identification card may be used in the same 698  
manner as an identification card issued under sections 4507.50 699  
to 4507.52 of the Revised Code and additionally is approved by 700  
the United States secretary of homeland security for purposes of 701  
entering the United States at authorized land and sea ports. 702

**Sec. 4507.52.** (A) Each identification card issued by the 703  
registrar of motor vehicles or a deputy registrar shall display 704  
a distinguishing number assigned to the cardholder, and shall 705  
display the following inscription: 706

"STATE OF OHIO IDENTIFICATION CARD 707

This card is not valid for the purpose of operating a 708

motor vehicle. It is provided solely for the purpose of 709  
establishing the identity of the bearer described on the card, 710  
who currently is not licensed to operate a motor vehicle in the 711  
state of Ohio." 712

The identification card shall display substantially the 713  
same information as contained in the application and as 714  
described in division (A) (1) of section 4507.51 of the Revised 715  
Code, but shall not display the cardholder's social security 716  
number unless the cardholder specifically requests that the 717  
cardholder's social security number be displayed on the card. If 718  
federal law requires the cardholder's social security number to 719  
be displayed on the identification card, the social security 720  
number shall be displayed on the card notwithstanding this 721  
section. The identification card also shall display the color 722  
photograph of the cardholder. If the cardholder has executed a 723  
durable power of attorney for health care or a declaration 724  
governing the use or continuation, or the withholding or 725  
withdrawal, of life-sustaining treatment and has specified that 726  
the cardholder wishes the identification card to indicate that 727  
the cardholder has executed either type of instrument, the card 728  
also shall display any symbol chosen by the registrar to 729  
indicate that the cardholder has executed either type of 730  
instrument. On and after October 7, 2009, if the cardholder has 731  
specified that the cardholder wishes the identification card to 732  
indicate that the cardholder is a veteran, active duty, or 733  
reservist of the armed forces of the United States and has 734  
presented a copy of the cardholder's DD-214 form or an 735  
equivalent document, the card also shall display any symbol 736  
chosen by the registrar to indicate that the cardholder is a 737  
veteran, active duty, or reservist of the armed forces of the 738  
United States. The card shall be sealed in transparent plastic 739

or similar material and shall be so designed as to prevent its 740  
reproduction or alteration without ready detection. 741

The identification card for persons under twenty-one years 742  
of age shall have characteristics prescribed by the registrar 743  
distinguishing it from that issued to a person who is twenty-one 744  
years of age or older, except that an identification card issued 745  
to a person who applies no more than thirty days before the 746  
applicant's twenty-first birthday shall have the characteristics 747  
of an identification card issued to a person who is twenty-one 748  
years of age or older. 749

Every enhanced identification card shall have any 750  
additional characteristics established by rule adopted under 751  
section 4507.021 of the Revised Code. 752

Every identification card issued to a resident of this 753  
state shall expire, unless canceled or surrendered earlier, on 754  
the birthday of the cardholder in the fourth year after the date 755  
on which it is issued. Every identification card issued to a 756  
temporary resident shall expire in accordance with rules adopted 757  
by the registrar and is nonrenewable, but may be replaced with a 758  
new identification card upon the applicant's compliance with all 759  
applicable requirements. A cardholder may renew the cardholder's 760  
identification card within ninety days prior to the day on which 761  
it expires by filing an application and paying the prescribed 762  
fee in accordance with section 4507.50 of the Revised Code. 763

If a cardholder applies for a driver's or commercial 764  
driver's license in this state or another licensing 765  
jurisdiction, the cardholder shall surrender the cardholder's 766  
identification card to the registrar or any deputy registrar 767  
before the license is issued. 768

(B) If a card is lost, destroyed, or mutilated, the person 769  
to whom the card was issued may obtain a duplicate by doing both 770  
of the following: 771

(1) Furnishing suitable proof of the loss, destruction, or 772  
mutilation to the registrar or a deputy registrar; 773

(2) Filing an application and presenting documentary 774  
evidence under section 4507.51 of the Revised Code. 775

Any person who loses a card and, after obtaining a 776  
duplicate, finds the original, immediately shall surrender the 777  
original to the registrar or a deputy registrar. 778

A cardholder may obtain a replacement identification card 779  
that reflects any change of the cardholder's name by furnishing 780  
suitable proof of the change to the registrar or a deputy 781  
registrar and surrendering the cardholder's existing card. 782

When a cardholder applies for a duplicate or obtains a 783  
replacement identification card, the cardholder shall pay a fee 784  
of two dollars and fifty cents. A deputy registrar shall be 785  
allowed an additional fee of ~~two dollars and seventy five cents~~ 786  
~~commencing on July 1, 2001, three dollars and twenty five cents~~ 787  
~~commencing on January 1, 2003, and three dollars and fifty cents~~ 788  
~~commencing on January 1, 2004,~~ for issuing a duplicate or 789  
replacement identification card. A disabled veteran who is a 790  
cardholder and has a service-connected disability rated at one 791  
hundred per cent by the veterans' administration may apply to 792  
the registrar or a deputy registrar for the issuance of a 793  
duplicate or replacement identification card without payment of 794  
any fee prescribed in this section, and without payment of any 795  
lamination fee if the disabled veteran would not be required to 796  
pay a lamination fee in connection with the issuance of an 797

identification card or temporary identification card as provided 798  
in division (B) of section 4507.50 of the Revised Code. 799

A duplicate or replacement identification card shall 800  
expire on the same date as the card it replaces. 801

(C) The registrar shall cancel any card upon determining 802  
that the card was obtained unlawfully, issued in error, or was 803  
altered. The registrar also shall cancel any card that is 804  
surrendered to the registrar or to a deputy registrar after the 805  
holder has obtained a duplicate, replacement, or driver's or 806  
commercial driver's license. 807

(D) (1) No agent of the state or its political subdivisions 808  
shall condition the granting of any benefit, service, right, or 809  
privilege upon the possession by any person of an identification 810  
card. Nothing in this section shall preclude any publicly 811  
operated or franchised transit system from using an 812  
identification card for the purpose of granting benefits or 813  
services of the system. 814

(2) No person shall be required to apply for, carry, or 815  
possess an identification card. 816

(E) Except in regard to an identification card issued to a 817  
person who applies no more than thirty days before the 818  
applicant's twenty-first birthday, neither the registrar nor any 819  
deputy registrar shall issue an identification card to a person 820  
under twenty-one years of age that does not have the 821  
characteristics prescribed by the registrar distinguishing it 822  
from the identification card issued to persons who are twenty- 823  
one years of age or older. 824

(F) Whoever violates division (E) of this section is 825  
guilty of a minor misdemeanor. 826

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|--|-----|
| <b>Section 2.</b> That existing sections 4506.01, 4506.11,   | 827 |
| 4507.01, 4507.13, and 4507.52 of the Revised Code are hereby | 828 |
| repealed.  | 829 |