

**As Introduced**

**132nd General Assembly**

**Regular Session**

**2017-2018**

**S. B. No. 92**

**Senator Thomas**

**Cosponsors: Senators Yuko, Sykes**

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**A BILL**

To amend sections 4503.21 and 4511.043 of the  
Revised Code to specify that failure to display  
a license plate on the front of a motor vehicle  
that is required to display a front license  
plate is a secondary traffic offense, to  
establish a maximum fine of \$25 for such an  
offense, and to name this act the "DuBose Was A  
Beacon Act."

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

**Section 1.** That sections 4503.21 and 4511.043 of the  
Revised Code be amended to read as follows:

**Sec. 4503.21.** (A) (1) No person who is the owner or  
operator of a motor vehicle shall fail to display in plain view  
on the front and rear of the motor vehicle a license plate that  
bears the distinctive number and registration mark assigned to  
the motor vehicle by the director of public safety, including  
any county identification sticker and any validation sticker  
issued under sections 4503.19 and 4503.191 of the Revised Code,  
~~furnished by the director of public safety, except that a as~~

follows:

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(a) A manufacturer of motor vehicles or dealer therein,  
the holder of an in transit permit, and the owner or operator of  
a motorcycle, motorized bicycle or moped, motor-driven cycle or  
motor scooter, autocycle, cab-enclosed motorcycle, manufactured  
home, mobile home, trailer, or semitrailer shall display a  
license plate on the rear only. ~~A-~~

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(b) A motor vehicle that is issued two license plates  
shall display the validation sticker only on the rear license  
plate, except that a commercial tractor that does not receive an  
apportioned license plate under the international registration  
plan shall display the validation sticker on the front of the  
commercial tractor. ~~An-~~

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(c) An apportioned vehicle receiving an apportioned  
license plate under the international registration plan shall  
display the license plate only on the front of a commercial  
tractor and on the rear of all other vehicles.

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(2) All license plates shall be securely fastened so as  
not to swing, and shall not be covered by any material that  
obstructs their visibility.

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(3) No person to whom a temporary license placard or  
windshield sticker has been issued for the use of a motor  
vehicle under section 4503.182 of the Revised Code, and no  
operator of that motor vehicle, shall fail to display the  
temporary license placard in plain view from the rear of the  
vehicle either in the rear window or on an external rear surface  
of the motor vehicle, or fail to display the windshield sticker  
in plain view on the rear window of the motor vehicle. No  
temporary license placard or windshield sticker shall be covered

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by any material that obstructs its visibility. 48

(B) ~~Whoever~~ Notwithstanding any provision of law to the 49  
contrary, no law enforcement officer shall do either of the 50  
following solely because the owner or operator of a motor 51  
vehicle has failed to display a license plate in plain view on 52  
the front of the motor vehicle in violation of division (A) of 53  
this section: 54

(1) Cause the operator of the motor vehicle to stop the 55  
motor vehicle for the purpose of issuing a ticket, citation, or 56  
summons for the violation, or causing the arrest or commencing a 57  
prosecution of the operator for the violation; 58

(2) Issue a ticket, citation, or summons to the owner of a 59  
parked motor vehicle for the violation, or cause the arrest or 60  
commence the prosecution of such owner for the violation. 61

(C) (1) Except as provided in division (C) (2) of this 62  
section, whoever violates division (A) of this section is guilty 63  
of a minor misdemeanor. 64

(2) Whoever violates division (A) of this section by 65  
failing to display a license plate in plain view on the front of 66  
a motor vehicle as required under division (A) of this section 67  
is guilty of a minor misdemeanor and may be fined not more than 68  
twenty-five dollars. 69

A person who is subject to the penalty prescribed in 70  
division (C) (2) of this section is not subject to the charging 71  
of points under section 4510.036 of the Revised Code. 72

**Sec. 4511.043.** (A) (1) No law enforcement officer who stops 73  
the operator of a motor vehicle in the course of an authorized 74  
sobriety or other motor vehicle checkpoint operation or a motor 75  
vehicle safety inspection shall issue a ticket, citation, or 76

summons for a secondary traffic offense unless in the course of 77  
the checkpoint operation or safety inspection the officer first 78  
determines that an offense other than a secondary traffic 79  
offense has occurred and either places the operator or a vehicle 80  
occupant under arrest or issues a ticket, citation, or summons 81  
to the operator or a vehicle occupant for an offense other than 82  
a secondary offense. 83

(2) A law enforcement agency that operates a motor vehicle 84  
checkpoint for an express purpose related to a secondary traffic 85  
offense shall not issue a ticket, citation, or summons for any 86  
secondary traffic offense at such a checkpoint, but may use such 87  
a checkpoint operation to conduct a public awareness campaign 88  
and distribute information. 89

(B) As used in this section, "secondary traffic offense" 90  
means a violation of division (A) of section 4503.21 of the 91  
Revised Code when the penalty described in division (C) (2) of 92  
that section applies, division (A) or (F) (2) of section 4507.05, 93  
division (B) (1) (a) or (b) or (E) of section 4507.071, division 94  
(A) of section 4511.204, division (C) or (D) of section 4511.81, 95  
division (A) (3) of section 4513.03, or division (B) of section 96  
4513.263 of the Revised Code. 97

**Section 2.** That existing sections 4503.21 and 4511.043 of 98  
the Revised Code are hereby repealed. 99

**Section 3.** This act shall be known as the "DuBose Was A 100  
Beacon Act." 101