

As Introduced

**132nd General Assembly
Regular Session
2017-2018**

S. B. No. 92

**Senator Thomas
Cosponsors: Senators Yuko, Sykes**

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