

OHIO

SENATE

JOURNAL

WEDNESDAY, MARCH 29, 2017

THIRTY-THIRD DAY
Senate Chamber, Columbus, Ohio
Wednesday, March 29, 2017, 1:30 p.m.

The Senate met pursuant to adjournment.

Prayer was offered by Pastor Brian Hanson, Grace Baptist in Cedarville, Ohio, followed by the Pledge of Allegiance to the Flag.

The journal of the last legislative day was read and approved.

The following guests were recognized by the Senate prior to the commencement of business:

Senator Thomas recognized Kimber L. Fender, from Cincinnati, for receiving the A. Chapman Parsons Award.

Senator Eklund recognized Liam Leskovec for shadowing him.

Senator Manning recognized Kayla Lenahan for shadowing her.

Senator Brown recognized students from the University of Toledo and Wittenberg University for shadowing her.

Senator Kunze recognized office intern Chris McCarthy.

Senator Kunze recognized student intern for Greater Ohio Policy Center Nick Livingston.

REPORTS OF STANDING AND SELECT COMMITTEES

Senator Coley submitted the following report:

The standing committee on Government Oversight and Reform, to which was referred **H. B. No. 32**-Representative Seitz, et al., having had the same under consideration, reports it back and recommends its passage.

Co-Sponsor: Huffman.

YES - 10: FRANK LAROSE, KRIS JORDAN, MATT HUFFMAN,
WILLIAM P. COLEY, II, JOE UECKER, TROY
BALDERSON, KEVIN BACON, KENNY YUKO, EDNA
BROWN, MICHAEL J. SKINDELL

NO - 0.

Senator Coley submitted the following report:

The standing committee on Government Oversight and Reform, to which was referred **S. B. No. 62**-Senator Yuko, et al., having had the same under consideration, reports it back and recommends its passage.

Co-Sponsors: Coley, Uecker, Skindell.

YES - 10: FRANK LAROSE, KRIS JORDAN, MATT HUFFMAN,
WILLIAM P. COLEY, II, JOE UECKER, TROY
BALDERSON, KEVIN BACON, KENNY YUKO, EDNA
BROWN, MICHAEL J. SKINDELL

NO - 0.

Senator Coley submitted the following report:

The standing committee on Government Oversight and Reform, to which was referred **S. B. No. 88**-Senator Terhar, et al., having had the same under consideration, reports it back and recommends its passage.

Co-Sponsor: Coley.

YES - 10: FRANK LAROSE, KRIS JORDAN, MATT HUFFMAN,
WILLIAM P. COLEY, II, JOE UECKER, TROY
BALDERSON, KEVIN BACON, KENNY YUKO, EDNA
BROWN, MICHAEL J. SKINDELL

NO - 0.

The question being, "Shall the reports of the committee be accepted?"

The reports of the committee were accepted.

Senator Obhof submitted the following report:

The standing committee on Rules and Reference to which were referred the appointments by the Governor of:

Randall T. Barengo, from Marietta, Washington County, Ohio, as a Member of the Washington State Community College Board of Trustees for a new term beginning February 24, 2017 and ending at the close of business February 17, 2023, replacing Randall T. Barengo, whose term expired.

Connie Jean Bauer, from Wellsville, Columbiana County, Ohio, as a Member of the Financial Planning and Supervision Commission for the City of Wellsville for a term beginning February 21, 2017 and continuing at the

pleasure of the Governor.

Phillip R. Buell, from Ottawa, Putnam County, Ohio, as a Member of the Credit Union Council for a term beginning March 3, 2017 and ending at the close of business September 22, 2019, replacing Gregory W. Harper, whose term expired.

Stephanie E. Green, from Columbus, Franklin County, Ohio, as a Member of the Ohio Higher Educational Facility Commission for a term beginning March 2, 2017 and ending at the close of business January 1, 2020, replacing Kenneth Lee Kutina, who passed away.

Clyde E. Henry, from Orient, Pickaway County, Ohio, as a Member of the Ohio Historic Site Preservation Advisory Board for a new term beginning March 8, 2017 and ending at the close of business January 14, 2020, replacing Clyde E. Henry, whose term expired.

Hallie Jankura, from Uniontown, Stark County, Ohio, as a Member of the Miami University Board of Trustees for a term beginning March 8, 2017 and ending at the close of business February 28, 2019, replacing Ciara R. Lawson, whose term expired.

Amy Lynn Kramb, from Dublin, Franklin County, Ohio, as a Member of the Ohio Historic Site Preservation Advisory Board for a new term beginning March 8, 2017 and ending at the close of business January 14, 2020, replacing Amy Lynn Kramb, whose term expired.

Rudolph John Lehman, from Marietta, Washington County, Ohio, as a Member of the Washington State Community College Board of Trustees for a new term beginning February 22, 2017 and ending at the close of business February 17, 2023, replacing Rudolph John Lehman, whose term expired.

Daniel Lee Pennock, from Beverly, Morgan County, Ohio, as a Member of the Washington State Community College Board of Trustees for a new term beginning February 22, 2017 and ending at the close of business February 17, 2023, replacing Daniel Lee Pennock, whose term expired.

Frank Sevier Quinn, IV, from Circleville, Pickaway County, Ohio, as a Member of the Ohio Historic Site Preservation Advisory Board for a new term beginning March 8, 2017 and ending at the close of business January 14, 2020, replacing Frank Sevier Quinn, IV, whose term expired.

Having had the same under consideration, reports back the recommendation that the Senate advise and consent to said appointments.

YES – 13: EDNA BROWN, DAVE BURKE, WILLIAM P. COLEY, II, JOHN EKLUND, RANDY GARDNER, CLIFF HITE, MATT HUFFMAN, GAYLE MANNING, LARRY OBHOF, SCOTT OELSLAGER, JOSEPH SCHIAVONI, CHARLETA B. TAVARES, CECIL THOMAS

NO – 0.

The question being, "Shall the Senate advise and consent to the appointments by the Governor?"

The yeas and nays were taken and resulted – yeas 33, nays 0, as follows:

Those who voted in the affirmative were: Senators

Bacon	Balderson	Beagle	Brown
Burke	Coley	Dolan	Eklund
Gardner	Hackett	Hite	Hoagland
Hottinger	Huffman	Jordan	Kunze
LaRose	Lehner	Manning	O'Brien
Oelslager	Peterson	Schiavoni	Skindell
Sykes	Tavares	Terhar	Thomas
Uecker	Williams	Wilson	Yuko
			Obhof-33

So the Senate advised and consented to said appointments.

REPORTS OF CONFERENCE COMMITTEES

Senator LaRose submitted the following report:

The committee of conference to which the matters of difference between the two houses were referred on **Sub. H. B. No. 26**, Representative McColley - et al., having had the same under consideration, recommends to the respective houses as follows:

The bill as passed by the Senate with the following amendments:

In line 10957, delete "4503.171."

In line 2 of the title, after "307.152," insert "729.43,"

In line 54 of the title, delete "4907.64,"

In line 78, after "307.152," insert "729.43,"

In line 117, delete "4907.64,"

Between lines 951 and 952, insert:

"Sec. 729.43. The legislative authority of each municipal corporation shall provide for assessing such portion of the cost and expenses of constructing any main sewer or drain under section 729.42 of the Revised Code as it determines to be a proper charge upon the lots and lands within the respective municipal corporations benefited thereby. Any excess over such assessment shall be paid from the sewer funds of the municipal corporations respectively, or if they or either of them are divided into sewer districts, from the sewer fund of the district directly or indirectly sewerd in whole or in part thereby. If more than one district is so sewerd thereby, the legislative authority shall apportion the amount to be paid by each district or assessed against the property therein, or such legislative authorities, or either, may

determine to place the whole cost, or any part thereof, upon the general tax duplicate.

The portion of lots and lands owned by a railroad as defined in section 4907.02 of the Revised Code that are covered by railroad track are exempt from sewer or drain assessments required by this section."

Delete lines 16008 through 16014

In line 18480, after "307.152," insert "729.43,"

In line 18742, after "situations" insert "or for the purchase of goods and services relating to dangerous inclement weather"; delete "could"

In line 12791, delete "or" and insert "and"

In line 38 of the title, after "4511.191," insert "4511.21,"

In line 106, after "4511.191," insert "4511.21,"

Between lines 14783 and 14784, insert:

"Sec. 4511.21. (A) No person shall operate a motor vehicle, trackless trolley, or streetcar at a speed greater or less than is reasonable or proper, having due regard to the traffic, surface, and width of the street or highway and any other conditions, and no person shall drive any motor vehicle, trackless trolley, or streetcar in and upon any street or highway at a greater speed than will permit the person to bring it to a stop within the assured clear distance ahead.

(B) It is prima-facie lawful, in the absence of a lower limit declared or established pursuant to this section by the director of transportation or local authorities, for the operator of a motor vehicle, trackless trolley, or streetcar to operate the same at a speed not exceeding the following:

(1)(a) Twenty miles per hour in school zones during school recess and while children are going to or leaving school during the opening or closing hours, and when twenty miles per hour school speed limit signs are erected; except that, on controlled-access highways and expressways, if the right-of-way line fence has been erected without pedestrian opening, the speed shall be governed by division (B)(4) of this section and on freeways, if the right-of-way line fence has been erected without pedestrian opening, the speed shall be governed by divisions (B)(10) and (11) of this section. The end of every school zone may be marked by a sign indicating the end of the zone. Nothing in this section or in the manual and specifications for a uniform system of traffic control devices shall be construed to require school zones to be indicated by signs equipped with flashing or other lights, or giving other special notice of the hours in which the school zone speed limit is in effect.

(b) As used in this section and in section 4511.212 of the Revised Code, "school" means any school chartered under section 3301.16 of the Revised Code and any nonchartered school that during the preceding year

filed with the department of education in compliance with rule 3301-35-08 of the Ohio Administrative Code, a copy of the school's report for the parents of the school's pupils certifying that the school meets Ohio minimum standards for nonchartered, nontax-supported schools and presents evidence of this filing to the jurisdiction from which it is requesting the establishment of a school zone. "School" also includes a special elementary school that in writing requests the county engineer of the county in which the special elementary school is located to create a school zone at the location of that school. Upon receipt of such a written request, the county engineer shall create a school zone at that location by erecting the appropriate signs.

(c) As used in this section, "school zone" means that portion of a street or highway passing a school fronting upon the street or highway that is encompassed by projecting the school property lines to the fronting street or highway, and also includes that portion of a state highway. Upon request from local authorities for streets and highways under their jurisdiction and that portion of a state highway under the jurisdiction of the director of transportation or a request from a county engineer in the case of a school zone for a special elementary school, the director may extend the traditional school zone boundaries. The distances in divisions (B)(1)(c)(i), (ii), and (iii) of this section shall not exceed three hundred feet per approach per direction and are bounded by whichever of the following distances or combinations thereof the director approves as most appropriate:

(i) The distance encompassed by projecting the school building lines normal to the fronting highway and extending a distance of three hundred feet on each approach direction;

(ii) The distance encompassed by projecting the school property lines intersecting the fronting highway and extending a distance of three hundred feet on each approach direction;

(iii) The distance encompassed by the special marking of the pavement for a principal school pupil crosswalk plus a distance of three hundred feet on each approach direction of the highway.

Nothing in this section shall be construed to invalidate the director's initial action on August 9, 1976, establishing all school zones at the traditional school zone boundaries defined by projecting school property lines, except when those boundaries are extended as provided in divisions (B)(1)(a) and (c) of this section.

(d) As used in this division, "crosswalk" has the meaning given that term in division (LL)(2) of section 4511.01 of the Revised Code.

The director may, upon request by resolution of the legislative authority of a municipal corporation, the board of trustees of a township, or a county board of developmental disabilities created pursuant to Chapter 5126.

of the Revised Code, and upon submission by the municipal corporation, township, or county board of such engineering, traffic, and other information as the director considers necessary, designate a school zone on any portion of a state route lying within the municipal corporation, lying within the unincorporated territory of the township, or lying adjacent to the property of a school that is operated by such county board, that includes a crosswalk customarily used by children going to or leaving a school during recess and opening and closing hours, whenever the distance, as measured in a straight line, from the school property line nearest the crosswalk to the nearest point of the crosswalk is no more than one thousand three hundred twenty feet. Such a school zone shall include the distance encompassed by the crosswalk and extending three hundred feet on each approach direction of the state route.

(e) As used in this section, "special elementary school" means a school that meets all of the following criteria:

(i) It is not chartered and does not receive tax revenue from any source.

(ii) It does not educate children beyond the eighth grade.

(iii) It is located outside the limits of a municipal corporation.

(iv) A majority of the total number of students enrolled at the school are not related by blood.

(v) The principal or other person in charge of the special elementary school annually sends a report to the superintendent of the school district in which the special elementary school is located indicating the total number of students enrolled at the school, but otherwise the principal or other person in charge does not report any other information or data to the superintendent.

(2) Twenty-five miles per hour in all other portions of a municipal corporation, except on state routes outside business districts, through highways outside business districts, and alleys;

(3) Thirty-five miles per hour on all state routes or through highways within municipal corporations outside business districts, except as provided in divisions (B)(4) and (6) of this section;

(4) Fifty miles per hour on controlled-access highways and expressways within municipal corporations;

(5) Fifty-five miles per hour on highways outside municipal corporations, other than highways within island jurisdictions as provided in division (B)(8) of this section, highways as provided in divisions (B)(9) and (10) of this section, and highways, expressways, and freeways as provided in divisions (B)(13), (14), (15), and (17) of this section;

(6) Fifty miles per hour on state routes within municipal corporations

outside urban districts unless a lower prima-facie speed is established as further provided in this section;

(7) Fifteen miles per hour on all alleys within the municipal corporation;

(8) Thirty-five miles per hour on highways outside municipal corporations that are within an island jurisdiction;

(9) Thirty-five miles per hour on through highways, except state routes, that are outside municipal corporations and that are within a national park with boundaries extending through two or more counties;

(10) Sixty miles per hour on two-lane state routes outside municipal corporations as established by the director under division (H)(2) of this section;

(11) Fifty-five miles per hour at all times on freeways with paved shoulders inside municipal corporations, other than freeways as provided in divisions (B)(15) and (17) of this section;

(12) Fifty-five miles per hour at all times on freeways outside municipal corporations, other than freeways as provided in divisions (B)(15) and (17) of this section;

(13) Sixty miles per hour for operators of any motor vehicle at all times on all portions of rural divided highways;

(14) Sixty-five miles per hour for operators of any motor vehicle at all times on all rural expressways without traffic control signals;

(15) Seventy miles per hour for operators of any motor vehicle at all times on all rural freeways;

(16) Fifty-five miles per hour for operators of any motor vehicle at all times on all portions of freeways in congested areas as determined by the director and that are part of the interstate system and are located within a municipal corporation or within an interstate freeway outerbelt;

(17) Sixty-five miles per hour for operators of any motor vehicle at all times on all portions of freeways in urban areas as determined by the director and that are part of the interstate system and are part of an interstate freeway outerbelt.

(C) It is prima-facie unlawful for any person to exceed any of the speed limitations in divisions (B)(1)(a), (2), (3), (4), (6), (7), (8), and (9) of this section, or any declared or established pursuant to this section by the director or local authorities and it is unlawful for any person to exceed any of the speed limitations in division (D) of this section. No person shall be convicted of more than one violation of this section for the same conduct, although violations of more than one provision of this section may be charged in the alternative in a single affidavit.

(D) No person shall operate a motor vehicle, trackless trolley, or streetcar upon a street or highway as follows:

(1) At a speed exceeding fifty-five miles per hour, except upon a two-lane state route as provided in division (B)(10) of this section and upon a highway, expressway, or freeway as provided in divisions (B)(13), (14), (15), and (17) of this section;

(2) At a speed exceeding sixty miles per hour upon a two-lane state route as provided in division (B)(10) of this section and upon a highway as provided in division (B)(13) of this section;

(3) At a speed exceeding sixty-five miles per hour upon an expressway as provided in division (B)(14) or upon a freeway as provided in division (B)(17) of this section, except upon a freeway as provided in division (B)(15) of this section;

(4) At a speed exceeding seventy miles per hour upon a freeway as provided in division (B)(15) of this section;

(5) At a speed exceeding the posted speed limit upon a highway, expressway, or freeway for which the director has determined and declared a speed limit pursuant to division (I)(2) or (L)(2) of this section.

(E) In every charge of violation of this section the affidavit and warrant shall specify the time, place, and speed at which the defendant is alleged to have driven, and in charges made in reliance upon division (C) of this section also the speed which division (B)(1)(a), (2), (3), (4), (6), (7), (8), or (9) of, or a limit declared or established pursuant to, this section declares is prima-facie lawful at the time and place of such alleged violation, except that in affidavits where a person is alleged to have driven at a greater speed than will permit the person to bring the vehicle to a stop within the assured clear distance ahead the affidavit and warrant need not specify the speed at which the defendant is alleged to have driven.

(F) When a speed in excess of both a prima-facie limitation and a limitation in division (D) of this section is alleged, the defendant shall be charged in a single affidavit, alleging a single act, with a violation indicated of both division (B)(1)(a), (2), (3), (4), (6), (7), (8), or (9) of this section, or of a limit declared or established pursuant to this section by the director or local authorities, and of the limitation in division (D) of this section. If the court finds a violation of division (B)(1)(a), (2), (3), (4), (6), (7), (8), or (9) of, or a limit declared or established pursuant to, this section has occurred, it shall enter a judgment of conviction under such division and dismiss the charge under division (D) of this section. If it finds no violation of division (B)(1)(a), (2), (3), (4), (6), (7), (8), or (9) of, or a limit declared or established pursuant to, this section, it shall then consider whether the evidence supports a conviction under division (D) of this section.

(G) Points shall be assessed for violation of a limitation under division (D) of this section in accordance with section 4510.036 of the Revised Code.

(H)(1) Whenever the director determines upon the basis of a geometric and traffic characteristic study that any speed limit set forth in divisions (B)(1)(a) to (D) of this section is greater or less than is reasonable or safe under the conditions found to exist at any portion of a street or highway under the jurisdiction of the director, the director shall determine and declare a reasonable and safe prima-facie speed limit, which shall be effective when appropriate signs giving notice of it are erected at the location.

(2) Whenever the director determines upon the basis of a geometric and traffic characteristic study that the speed limit of fifty-five miles per hour on a two-lane state route outside a municipal corporation is less than is reasonable or safe under the conditions found to exist at that portion of the state route, the director may determine and declare a speed limit of sixty miles per hour for that portion of the state route, which shall be effective when appropriate signs giving notice of it are erected at the location.

(3) For purposes of the safe and orderly movement of traffic upon any portion of a street or highway under the jurisdiction of the director, the director may establish a variable speed limit that is different than the speed limit established by or under this section on all or portions of interstate six hundred seventy, interstate two hundred seventy-five, and interstate ninety commencing at the intersection of that interstate with interstate seventy-one and continuing to the border of the state of Ohio with the state of Pennsylvania. The director shall establish criteria for determining the appropriate use of variable speed limits and shall establish variable speed limits in accordance with the criteria. The director may establish variable speed limits based upon the time of day, weather conditions, traffic incidents, or other factors that affect the safe speed on a street or highway. The director shall not establish a variable speed limit that is based on a particular type or class of vehicle. A variable speed limit established by the director under this section is effective when appropriate signs giving notice of the speed limit are displayed at the location.

(4) Nothing in this section shall be construed to limit the authority of the director to establish speed limits within a construction zone as authorized under section 4511.98 of the Revised Code.

(I)(1) Except as provided in divisions (I)(2) and (K) of this section, whenever local authorities determine upon the basis of an engineering and traffic investigation that the speed permitted by divisions (B)(1)(a) to (D) of this section, on any part of a highway under their jurisdiction, is greater than is reasonable and safe under the conditions found to exist at such location,

the local authorities may by resolution request the director to determine and declare a reasonable and safe prima-facie speed limit. Upon receipt of such request the director may determine and declare a reasonable and safe prima-facie speed limit at such location, and if the director does so, then such declared speed limit shall become effective only when appropriate signs giving notice thereof are erected at such location by the local authorities. The director may withdraw the declaration of a prima-facie speed limit whenever in the director's opinion the altered prima-facie speed becomes unreasonable. Upon such withdrawal, the declared prima-facie speed shall become ineffective and the signs relating thereto shall be immediately removed by the local authorities.

(2) A local authority may determine on the basis of a geometric and traffic characteristic study that the speed limit of sixty-five miles per hour on a portion of a freeway under its jurisdiction that was established through the operation of division (L)(3) of this section is greater than is reasonable or safe under the conditions found to exist at that portion of the freeway. If the local authority makes such a determination, the local authority by resolution may request the director to determine and declare a reasonable and safe speed limit of not less than fifty-five miles per hour for that portion of the freeway. If the director takes such action, the declared speed limit becomes effective only when appropriate signs giving notice of it are erected at such location by the local authority.

(J) Local authorities in their respective jurisdictions may authorize by ordinance higher prima-facie speeds than those stated in this section upon through highways, or upon highways or portions thereof where there are no intersections, or between widely spaced intersections, provided signs are erected giving notice of the authorized speed, but local authorities shall not modify or alter the basic rule set forth in division (A) of this section or in any event authorize by ordinance a speed in excess of fifty miles per hour.

Alteration of prima-facie limits on state routes by local authorities shall not be effective until the alteration has been approved by the director. The director may withdraw approval of any altered prima-facie speed limits whenever in the director's opinion any altered prima-facie speed becomes unreasonable, and upon such withdrawal, the altered prima-facie speed shall become ineffective and the signs relating thereto shall be immediately removed by the local authorities.

(K)(1) As used in divisions (K)(1), (2), (3), and (4) of this section, "unimproved highway" means a highway consisting of any of the following:

- (a) Unimproved earth;
- (b) Unimproved graded and drained earth;
- (c) Gravel.

(2) Except as otherwise provided in divisions (K)(4) and (5) of this section, whenever a board of township trustees determines upon the basis of an engineering and traffic investigation that the speed permitted by division (B)(5) of this section on any part of an unimproved highway under its jurisdiction and in the unincorporated territory of the township is greater than is reasonable or safe under the conditions found to exist at the location, the board may by resolution declare a reasonable and safe prima-facie speed limit of fifty-five but not less than twenty-five miles per hour. An altered speed limit adopted by a board of township trustees under this division becomes effective when appropriate traffic control devices, as prescribed in section 4511.11 of the Revised Code, giving notice thereof are erected at the location, which shall be no sooner than sixty days after adoption of the resolution.

(3)(a) Whenever, in the opinion of a board of township trustees, any altered prima-facie speed limit established by the board under this division becomes unreasonable, the board may adopt a resolution withdrawing the altered prima-facie speed limit. Upon the adoption of such a resolution, the altered prima-facie speed limit becomes ineffective and the traffic control devices relating thereto shall be immediately removed.

(b) Whenever a highway ceases to be an unimproved highway and the board has adopted an altered prima-facie speed limit pursuant to division (K)(2) of this section, the board shall, by resolution, withdraw the altered prima-facie speed limit as soon as the highway ceases to be unimproved. Upon the adoption of such a resolution, the altered prima-facie speed limit becomes ineffective and the traffic control devices relating thereto shall be immediately removed.

(4)(a) If the boundary of two townships rests on the centerline of an unimproved highway in unincorporated territory and both townships have jurisdiction over the highway, neither of the boards of township trustees of such townships may declare an altered prima-facie speed limit pursuant to division (K)(2) of this section on the part of the highway under their joint jurisdiction unless the boards of township trustees of both of the townships determine, upon the basis of an engineering and traffic investigation, that the speed permitted by division (B)(5) of this section is greater than is reasonable or safe under the conditions found to exist at the location and both boards agree upon a reasonable and safe prima-facie speed limit of less than fifty-five but not less than twenty-five miles per hour for that location. If both boards so agree, each shall follow the procedure specified in division (K)(2) of this section for altering the prima-facie speed limit on the highway. Except as otherwise provided in division (K)(4)(b) of this section, no speed limit altered pursuant to division (K)(4)(a) of this section may be withdrawn unless the boards of township trustees of both townships determine that the altered prima-facie speed limit previously adopted becomes unreasonable and

each board adopts a resolution withdrawing the altered prima-facie speed limit pursuant to the procedure specified in division (K)(3)(a) of this section.

(b) Whenever a highway described in division (K)(4)(a) of this section ceases to be an unimproved highway and two boards of township trustees have adopted an altered prima-facie speed limit pursuant to division (K)(4)(a) of this section, both boards shall, by resolution, withdraw the altered prima-facie speed limit as soon as the highway ceases to be unimproved. Upon the adoption of the resolution, the altered prima-facie speed limit becomes ineffective and the traffic control devices relating thereto shall be immediately removed.

(5) As used in division (K)(5) of this section:

(a) "Commercial subdivision" means any platted territory outside the limits of a municipal corporation and fronting a highway where, for a distance of three hundred feet or more, the frontage is improved with buildings in use for commercial purposes, or where the entire length of the highway is less than three hundred feet long and the frontage is improved with buildings in use for commercial purposes.

(b) "Residential subdivision" means any platted territory outside the limits of a municipal corporation and fronting a highway, where, for a distance of three hundred feet or more, the frontage is improved with residences or residences and buildings in use for business, or where the entire length of the highway is less than three hundred feet long and the frontage is improved with residences or residences and buildings in use for business.

Whenever a board of township trustees finds upon the basis of an engineering and traffic investigation that the prima-facie speed permitted by division (B)(5) of this section on any part of a highway under its jurisdiction that is located in a commercial or residential subdivision, except on highways or portions thereof at the entrances to which vehicular traffic from the majority of intersecting highways is required to yield the right-of-way to vehicles on such highways in obedience to stop or yield signs or traffic control signals, is greater than is reasonable and safe under the conditions found to exist at the location, the board may by resolution declare a reasonable and safe prima-facie speed limit of less than fifty-five but not less than twenty-five miles per hour at the location. An altered speed limit adopted by a board of township trustees under this division shall become effective when appropriate signs giving notice thereof are erected at the location by the township. Whenever, in the opinion of a board of township trustees, any altered prima-facie speed limit established by it under this division becomes unreasonable, it may adopt a resolution withdrawing the altered prima-facie speed, and upon such withdrawal, the altered prima-facie speed shall become ineffective, and the signs relating thereto shall be immediately removed by the township.

(L)(1) On September 29, 2013, the director of transportation, based upon an engineering study of a highway, expressway, or freeway described in division (B)(13), (14), (15), (16), or (17) of this section, in consultation with the director of public safety and, if applicable, the local authority having jurisdiction over the studied highway, expressway, or freeway, may determine and declare that the speed limit established on such highway, expressway, or freeway under division (B)(13), (14), (15), (16), or (17) of this section either is reasonable and safe or is more or less than that which is reasonable and safe.

(2) If the established speed limit for a highway, expressway, or freeway studied pursuant to division (L)(1) of this section is determined to be more or less than that which is reasonable and safe, the director of transportation, in consultation with the director of public safety and, if applicable, the local authority having jurisdiction over the studied highway, expressway, or freeway, shall determine and declare a reasonable and safe speed limit for that highway, expressway, or freeway.

(M)(1)(a) If the boundary of two local authorities rests on the centerline of a highway and both authorities have jurisdiction over the highway, the speed limit for the part of the highway within their joint jurisdiction shall be either one of the following as agreed to by both authorities:

(i) Either prima-facie speed limit permitted by division (B) of this section;

(ii) An altered speed limit determined and posted in accordance with this section.

(b) If the local authorities are unable to reach an agreement, the speed limit shall remain as established and posted under this section.

(2) Neither local authority may declare an altered prima-facie speed limit pursuant to this section on the part of the highway under their joint jurisdiction unless both of the local authorities determine, upon the basis of an engineering and traffic investigation, that the speed permitted by this section is greater than is reasonable or safe under the conditions found to exist at the location and both authorities agree upon a uniform reasonable and safe prima-facie speed limit of less than fifty-five but not less than twenty-five miles per hour for that location. If both authorities so agree, each shall follow the procedure specified in this section for altering the prima-facie speed limit on the highway, and the speed limit for the part of the highway within their joint jurisdiction shall be uniformly altered. No altered speed limit may be withdrawn unless both local authorities determine that the altered prima-facie speed limit previously adopted becomes unreasonable and each adopts a resolution withdrawing the altered prima-facie speed limit pursuant to the procedure specified in this section.

(N) The legislative authority of a municipal corporation or township in which a boarding school is located, by resolution or ordinance, may establish a boarding school zone. The legislative authority may alter the speed limit on any street or highway within the boarding school zone and shall specify the hours during which the altered speed limit is in effect. For purposes of determining the boundaries of the boarding school zone, the altered speed limit within the boarding school zone, and the hours the altered speed limit is in effect, the legislative authority shall consult with the administration of the boarding school and with the county engineer or other appropriate engineer, as applicable. A boarding school zone speed limit becomes effective only when appropriate signs giving notice thereof are erected at the appropriate locations.

(O) As used in this section:

(1) "Interstate system" has the same meaning as in 23 U.S.C.A. 101.

(2) "Commercial bus" means a motor vehicle designed for carrying more than nine passengers and used for the transportation of persons for compensation.

(3) "Noncommercial bus" includes but is not limited to a school bus or a motor vehicle operated solely for the transportation of persons associated with a charitable or nonprofit organization.

(4) "Outerbelt" means a portion of a freeway that is part of the interstate system and is located in the outer vicinity of a major municipal corporation or group of municipal corporations, as designated by the director.

(5) "Rural" means outside urbanized areas, as designated in accordance with 23 U.S.C. 101, and outside of a business or urban district.

(P)(1) A violation of any provision of this section is one of the following:

(a) Except as otherwise provided in divisions (P)(1)(b), (1)(c), (2), and (3) of this section, a minor misdemeanor;

(b) If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to two violations of any provision of this section or of any provision of a municipal ordinance that is substantially similar to any provision of this section, a misdemeanor of the fourth degree;

(c) If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to three or more violations of any provision of this section or of any provision of a municipal ordinance that is substantially similar to any provision of this section, a misdemeanor of the third degree.

(2) If the offender has not previously been convicted of or pleaded guilty to a violation of any provision of this section or of any provision of a

municipal ordinance that is substantially similar to this section and operated a motor vehicle faster than thirty-five miles an hour in a business district of a municipal corporation, faster than fifty miles an hour in other portions of a municipal corporation, or faster than thirty-five miles an hour in a school zone during recess or while children are going to or leaving school during the school's opening or closing hours, a misdemeanor of the fourth degree.

(3) Notwithstanding division (P)(1) of this section, if the offender operated a motor vehicle in a construction zone where a sign was then posted in accordance with section 4511.98 of the Revised Code, the court, in addition to all other penalties provided by law, shall impose upon the offender a fine of two times the usual amount imposed for the violation. No court shall impose a fine of two times the usual amount imposed for the violation upon an offender if the offender alleges, in an affidavit filed with the court prior to the offender's sentencing, that the offender is indigent and is unable to pay the fine imposed pursuant to this division and if the court determines that the offender is an indigent person and unable to pay the fine."

In line 18508, after "4511.191," insert "4511.21,"

Delete lines 19905 through 19933

In line 46 of the title, after "5531.149," insert "5533.88,"

In line 111, after "5531.149," insert "5533.88,"

Between lines 16599 and 16600, insert:

"Sec. 5533.88. The road known as United States route number twenty-four, running in an easterly and westerly direction within Defiance county only, shall be known as the "Defiance County Veterans Memorial Highway."

The director of transportation may erect suitable markers along the highway indicating its name ~~only if the department of transportation receives private contributions sufficient to pay all costs of manufacturing, erecting, and maintaining the markers. Any private money received by the department for the purposes of this section shall be deposited in the state treasury to the credit of the state highway operating fund or any other fund of the department as determined by the director. No public money shall be used to pay the costs associated with highway markers erected under this section.~~

In line 18513, after "5531.149," insert "5533.88,"

In line 53 of the title, after "4503.106," insert "4503.772,"

In line 116, after "4503.106," insert "4503.772,"

Between lines 9850 and 9851, insert:

"Sec. 4503.772. (A) Each school or school district for which a license plate is established under section 4503.871, 4503.874, 4503.877,

4503.902, 4503.903, or 4503.904 of the Revised Code shall produce an annual report containing all of the following information:

(1) The total amount received during the prior year from license plate contributions;

(2) An itemized list of each expenditure, and a description of each expenditure, made using funds received from license plate contributions during the prior year;

(3) The total percentage of spending that was used to provide services to students to assist in developing and maintaining mental and emotional well-being.

(B)(1) Not later than the first day of December of each year, the school or school district shall submit the report to the department of mental health and addiction services and to the registrar of motor vehicles. If a school or school district fails to submit the report by the thirty-first day of December of any year, the registrar shall begin transmitting the contribution for each registration involving the license plate for that school or school district to the treasurer of state for deposit into the general revenue fund, instead of for deposit in the license plate contribution fund created in section 4501.21 of the Revised Code.

(2) Immediately after receiving a report from a school or school district for which contributions are being diverted under division (B)(1) of this section, the registrar shall resume transmitting the contributions received for that license plate to the treasurer of state for deposit into the license plate contribution fund and for later distribution to the school or school district."

In line 10339, strike through "commercial motor vehicle,"

In line 10389, strike through "commercial motor vehicle,"

In line 10442, strike through "commercial motor vehicle,"

Between lines 20097 and 20098, insert:

"Section 755.60. Not later than December 31, 2017, the Director of Transportation shall submit to the President of the Senate and the Speaker of the House of Representatives a report of the Eastern Bypass of southwest Ohio and greater Cincinnati. The report shall collaborate with the study conducted by the State of Kentucky, which seeks to review the previous analysis and recommendations concerning the Brent Spence Bridge and related traffic management improvements."

In line 54 of the title, delete "and"; after "5511.10" insert ", and 5534.80"

In line 117, delete "and"; after "5511.10" insert ", and 5534.80"

Between lines 16599 and 16600, insert:

"Sec. 5534.80. In addition to any other name prescribed in the Revised Code or otherwise, the eastbound and westbound lanes of interstate route number ninety between mile marker one hundred eighty-two and mile marker one hundred eighty-five, in Cuyahoga county, shall be known as the "Specialist Lawrence George Stapleton Memorial Highway."

The director of transportation may erect suitable markers along the highway indicating its name."

In line 54 of the title, delete "and"; after "5511.10" insert ", and 5534.75"

In line 117, delete "and"; after "5511.10" insert ", and 5534.75"

Between lines 16599 and 16600, insert:

"Sec. 5534.75. The bridge spanning the Meander creek, located in the municipal corporation of Niles in Trumbull county and being a part of the highway known as state route forty-six, shall be known as "Sgt. Bruce R. Jones Memorial Bridge."

The director of transportation may erect suitable markers upon the bridge or its approaches indicating its name."

In line 54 of the title, delete "and"; after "5511.10" insert ", and 5534.94"

In line 117, delete "and"; after "5511.10" insert ", and 5534.94"

Between lines 16599 and 16600, insert:

"Sec. 5534.94. The northbound and southbound lanes of state route number seven between the intersection of that route and state route number eighty-two and the intersection of state route number seven and state route number sixty-two, in Trumbull county, shall be known as the "Virginia E. "Ginny" Kirsch Memorial Highway."

The director of transportation may erect suitable markers along the highway indicating its name."

In line 54 of the title, delete "and"; after "5511.10" insert ", and 5534.49"

In line 117, delete "and"; after "5511.10" insert ", and 5534.49"

Between lines 16599 and 16600, insert:

"Sec. 5534.49. In addition to any other name prescribed in the Revised Code or otherwise, the northbound and southbound lanes of state route number two hundred five, commencing at the northern border of the municipal corporation of Danville and proceeding in a southerly direction to the intersection of that route with United States route number sixty-two, and the northbound and southbound lanes of United States route number sixty-two, commencing at the intersection of that route with state route number

two hundred five and proceeding to the southern border of the municipal corporation of Danville, in Knox county only, shall be known as the "Officer Thomas W. Cottrell Jr. Memorial Highway."

The director of transportation may erect suitable markers along the highway indicating its name."

In line 3 of the title, after "1509.222," insert "1547.15,"

In line 78, after "1509.222," insert "1547.15,"

Between lines 1038 and 1039, insert:

"Sec. 1547.15. Any person who operates a vessel towing any person riding or attempting to ride upon one or more water skis or upon a surfboard or similar device, or engaging or attempting to engage in barefoot skiing, on the waters in this state shall have present in the vessel a one or both of the following:

(A) A person or persons other than the operator, ten years of age or older, who shall at all times observe the progress of the person being towed;

(B) A rearview mirror mounted so that the operator can observe the activities of the person being towed. The

The operator of the towing vessel shall at all times observe the traffic pattern toward which the vessel is approaching.

No person shall operate or permit to be operated any vessel on the waters in this state in violation of this section."

In line 18481, after "1509.222," insert "1547.15,"

In line 54 of the title, delete "and"; after "5511.10" insert ", and 5534.37"

In line 117, delete "and"; after "5511.10" insert ", and 5534.37"

Between lines 16599 and 16600, insert:

"Sec. 5534.37. That portion of the road known as state route number ninety-three, running in a northerly and southerly direction in the municipal corporation of New Franklin only, shall be known as the "PFC Burt "Rusty" Miller Memorial Highway."

The director of transportation may erect suitable markers along the highway indicating its name."

In line 54 of the title, delete "and"; after "5511.10" insert ", and 5534.38"

In line 117, delete "and"; after "5511.10" insert ", and 5534.38"

Between lines 16599 and 16600, insert:

"Sec. 5534.38. In addition to any other name prescribed in the Revised Code or otherwise, that portion of the road known as state route two,

commencing at the interchange of that state route and state route three hundred six and proceeding in a westerly direction to the interchange of state route two and Lost Nation road, in Lake county only, shall be known as "Lcpl Bret M. Poklar Memorial Highway."

The director of transportation may erect suitable markers along the highway indicating its name."

In line 54 of the title, delete "and"; after "5511.10" insert ", and 5534.45"

In line 117, delete "and"; after "5511.10" insert ", and 5534.45"

Between lines 16599 and 16600, insert:

"Sec. 5534.45. In addition to any other name prescribed in the Revised Code, the eastbound and westbound lanes of interstate route number ninety, in Cuyahoga county only, shall be known as "Officer David Fahey Memorial Highway."

The director of transportation may erect suitable markers along the highway indicating its name."

In line 54 of the title, delete "and"; after 5511.10" insert ", and 5534.47"

In line 117, delete "and"; after "5511.10" insert ", and 5534.47"

Between lines 16599 and 16600, insert:

"Sec. 5534.47. In addition to any other name prescribed in the Revised Code or otherwise, the portion of state route number five hundred forty-one, running in a northwesterly and southeasterly direction between the intersection of that route and state route number ninety-three and the intersection of that route and state route number sixty, in Coshocton county only, shall be known as the "Ohio Inspector General David D. Sturtz Memorial Highway."

The director of transportation may erect suitable markers along the highway indicating its name."

In line 54 of the title, delete "and"; after "5511.10" insert ", and 5534.74"

In line 117, delete "and"; after "5511.10" insert ", and 5534.74"

Between lines 16599 and 16600, insert:

"Sec. 5534.74. In addition to any other name prescribed in the Revised Code or otherwise, that portion of state route number forty-three commencing at mile marker twelve and proceeding in a northwesterly direction to mile marker fourteen, in Jefferson county, shall be known as the "Army Corporal Carl H. Bernhart Memorial Highway."

The director of transportation may erect suitable markers along the

highway indicating its name."

Delete lines 19872 through 19904

In line 16234, after the first "action" insert "advisory"; after the second "action" insert "advisory"

In line 16239, after "action" insert "advisory"; after "shall" delete the balance of the line

Delete lines 16240 and 16241

In line 16242, delete "initiatives commenced or operated" and insert "hear testimony, evaluate concepts, and make nonbinding recommendations to the general assembly regarding the use of public money for smart transportation initiatives and ways to promote cooperation at a state level for strategic investments"; delete "any" and insert "both"

In line 16244, delete the underlined semicolon

In line 16245, delete everything before the underlined period

In line 16247, after "action" insert "advisory"

In line 16249, after "action" insert "advisory"

In line 16250, after "(b)" delete the balance of the line

Delete line 16251

In line 16252, delete "(c)"; after "industry" insert ", one of whom is an auto dealer and one of whom is an auto manufacturer"

In line 16253, delete "(d) One representative" and insert "(c) Two representatives"

In line 16256, after "action" insert "advisory"

In line 16258, after "action" insert "advisory"

In line 16260, after "action" insert "advisory"

In line 16265, after "action" insert "advisory"

In line 16266, after "action" insert "advisory"

In line 16269, after "action" insert "advisory"

In line 16049, after "section" insert ";

(4) The support for the project by an economic development entity or chamber of commerce. For purposes of this application requirement, "economic development entity" includes any of the following:

(a) JobsOhio or any JobsOhio network or regional partner;

(b) Development services agency;

(c) Port authority created under Chapter 4582. of the Revised Code;

(d) Special improvement district created under Chapter 1710. of the

Revised Code;

(e) Community urban redevelopment corporation qualified to operate under Chapter 1728. of the Revised Code;

(f) Community improvement corporation organized under Chapter 1724. of the Revised Code;

(g) New community authority organized under Chapter 349. of the Revised Code;

(h) Joint economic development district created under section 715.70 or 715.71 of the Revised Code;

(i) Development corporation organized under Chapter 1726. of the Revised Code;

(j) Municipal utility district designated under section 715.84 of the Revised Code"

In line 9 of the title, after "4503.192," insert "4503.21,"

In line 83, after "4503.192," insert "4503.21,"

Between lines 4567 and 4568, insert:

"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 as follows:

(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~~

(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~~

(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. ~~All~~

(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.

(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 by any material that obstructs its visibility.

(B) Whoever A law enforcement officer shall only issue a ticket, citation, or summons, or cause the arrest or commence a prosecution, for the failure to display a license plate in plain view on the front of a parked motor vehicle if the officer first determines that another offense has occurred and either places the operator or vehicle owner under arrest or issues a ticket, citation, or summons to the operator or vehicle owner for the other offense.

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

(2) Whoever violates division (A) of this section by failing to display a license plate in plain view on the front of a motor vehicle as required under division (A) of this section while the motor vehicle is otherwise legally parked is guilty of a minor misdemeanor and may be fined not more than one hundred dollars.

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

(3) The offense established under division (A) of this section is a strict liability offense and section 2901.20 of the Revised Code does not apply. The designation of this offense as a strict liability offense shall not be construed to imply that any other offense, for which there is no specified degree of culpability, is not a strict liability offense."

In line 18485, after "4503.192," insert "4503.21,"

Delete lines 10998 through 11003 and insert:

"(C) No resolution adopted under this section shall become effective sooner than thirty days following its adoption. A resolution under this section is subject to a referendum as provided in sections 305.31 to 305.41 of the Revised Code. No resolution levying a tax under this section for which a referendum vote has been requested shall go into effect unless approved by a majority of those voting upon it."

Delete lines 17714 through 17719

In line 18542, delete "\$499,893,440 \$456,054,447" and insert "\$515,893,440 \$488,054,447"

In line 18555, delete "\$2,736,812,939 \$2,755,242,384" and insert

"\$2,752,812,939 \$2,787,242,384"

In line 18566, delete "\$3,293,701,678 \$3,153,962,924" and insert "\$3,309,701,678 \$3,185,962,924"

In line 19050, delete "\$78,000,000 \$94,000,000" and insert "\$62,000,000 \$62,000,000"

In line 19052, delete "\$78,297,076 \$94,298,340" and insert "\$62,297,076 \$62,298,340"

In line 19053, delete "\$78,297,076 \$94,298,340" and insert "\$62,297,076 \$62,298,340"

Delete lines 20132 through 20137

In line 54 of the title, after "5501.491," insert "5501.60,"

In line 117, after "5501.491," insert "5501.60,"

Between lines 16232 and 16233, insert:

"Sec. 5501.60. (A) When the boundaries of two municipal corporations are adjacent, the department of transportation shall ensure that limited access exit and entrance interchanges to an interstate highway located in those municipal corporations are constructed at intervals of at least one interchange every four miles when the following conditions exist:

(1) The adjacent municipal corporations each have a population of more than thirty thousand according to the most recent federal decennial census.

(2) The municipal corporations are located in different counties.

(3) At least one of the municipal corporations is located in a county with a population of more than one million according to the most recent federal decennial census.

(B) The department shall use money appropriated to it for highway purposes in order to comply with this section."

Delete lines 20057 through 20076

In line 3124, delete "not less than three dollars"

In line 3125, delete "and fifty cents and"

In line 6 of the title, delete "4503.02,"

In line 7 of the title, after "4503.04," insert "4503.042,"; delete "4503.08,"; delete "4503.101,"

In line 22 of the title, delete "4503.63,"

In line 23 of the title, delete "4503.65,"

In line 53 of the title, delete "4504.201,"

In line 55 of the title, delete "4503.042,"

- In line 81, delete "4503.02,"; after "4503.04," insert "4503.042,"
- In line 82, delete "4503.08,"; delete "4503.101,"
- In line 94, delete "4503.63, 4503.65,"
- In line 116, delete "4504.201,"
- In line 1703, reinsert "4503.042 or"
- In line 1708, reinsert "4503.042 or"
- In line 1888, after "Code" reinsert the balance of the line
- In line 1889, reinsert "the Revised Code"
- In line 1891, reinsert "4503.042"; delete "4503.65"
- In line 1908, delete "that are registered in this"
- In line 1909, delete "state"; reinsert "4503.042"; delete "4503.65"
- In line 1911, delete "from apportionable vehicles"
- In line 1912, delete "that are collected from other"
- In line 1913, delete "international registration plan jurisdictions"
- In line 1936, delete "vehicles registered in this state"
- In line 1937, reinsert "4503.042"
- In line 1938, delete "4503.65"
- In line 1943, reinsert "collections"; delete "apportionable vehicles"
- In line 1944, delete "that are collected from"
- In line 1945, delete "other international registration plan jurisdictions"
- In line 1963, reinsert "4503.042"; delete "4503.65"
- In line 1969, reinsert "4503.042"; delete "4503.65"
- In line 1976, reinsert "4503.042"; delete "4503.65"
- In line 1979, delete "from"
- Delete line 1980
- In line 1981, delete "registration plan jurisdiction"
- In line 1988, delete "for apportionable vehicles registered in this state"
- In line 1989, delete "for"
- Delete line 1990
- In line 1991, delete "registration plan jurisdiction"
- In line 1993, delete "for"
- In line 1994, delete "apportionable vehicles registered in this state"

In line 1995, delete "for"

Delete line 1996

In line 1997, delete "registration plan jurisdiction"

In line 1999, reinsert "(C)"; delete "~~(D)(1)(c)~~"; reinsert "4503.042"; delete "4503.65"

In line 2005, delete everything after "(D)"

Delete lines 2006 through 2011

In line 2012, delete "~~(E)~~"

In line 2016, delete "registered in this state and that are"

In line 2018, reinsert "4503.042"; delete "4503.65"

In line 2032, delete "registered in this state and that are"

Delete lines 2702 through 2752

In line 3121, after "4503.036," insert "4503.042,"

In line 3122, delete "4503.65,"

In line 3137, reinsert "sections 4503.042 and"

In line 3138, delete "section"

In line 3263, reinsert "4503.042"; delete "4503.65"

Between lines 3359 and 3360, insert:

"Sec. 4503.042. The registrar of motor vehicles shall adopt rules establishing the date, subsequent to this state's entry into membership in the international registration plan, when the rates established by this section become operative.

(A) The rates of the taxes imposed by section 4503.02 of the Revised Code are as follows for commercial cars having a gross vehicle weight or combined gross vehicle weight of:

- (1) Not more than two thousand pounds, forty-five dollars;
- (2) More than two thousand but not more than six thousand pounds, seventy dollars;
- (3) More than six thousand but not more than ten thousand pounds, eighty-five dollars;
- (4) More than ten thousand but not more than fourteen thousand pounds, one hundred five dollars;
- (5) More than fourteen thousand but not more than eighteen thousand pounds, one hundred twenty-five dollars;
- (6) More than eighteen thousand but not more than twenty-two thousand pounds, one hundred fifty dollars;

(7) More than twenty-two thousand but not more than twenty-six thousand pounds, one hundred seventy-five dollars;

(8) More than twenty-six thousand but not more than thirty thousand pounds, three hundred fifty-five dollars;

(9) More than thirty thousand but not more than thirty-four thousand pounds, four hundred twenty dollars;

(10) More than thirty-four thousand but not more than thirty-eight thousand pounds, four hundred eighty dollars;

(11) More than thirty-eight thousand but not more than forty-two thousand pounds, five hundred forty dollars;

(12) More than forty-two thousand but not more than forty-six thousand pounds, six hundred dollars;

(13) More than forty-six thousand but not more than fifty thousand pounds, six hundred sixty dollars;

(14) More than fifty thousand but not more than fifty-four thousand pounds, seven hundred twenty-five dollars;

(15) More than fifty-four thousand but not more than fifty-eight thousand pounds, seven hundred eighty-five dollars;

(16) More than fifty-eight thousand but not more than sixty-two thousand pounds, eight hundred fifty-five dollars;

(17) More than sixty-two thousand but not more than sixty-six thousand pounds, nine hundred twenty-five dollars;

(18) More than sixty-six thousand but not more than seventy thousand pounds, nine hundred ninety-five dollars;

(19) More than seventy thousand but not more than seventy-four thousand pounds, one thousand eighty dollars;

(20) More than seventy-four thousand but not more than seventy-eight thousand pounds, one thousand two hundred dollars;

(21) More than seventy-eight thousand pounds, one thousand three hundred forty dollars.

(B) The rates of the taxes imposed by section 4503.02 of the Revised Code are as follows for buses having a gross vehicle weight or combined gross vehicle weight of:

(1) Not more than two thousand pounds, ten dollars;

(2) More than two thousand but not more than six thousand pounds, forty dollars;

(3) More than six thousand but not more than ten thousand pounds, one hundred dollars;

(4) More than ten thousand but not more than fourteen thousand pounds, one hundred eighty dollars;

(5) More than fourteen thousand but not more than eighteen thousand pounds, two hundred sixty dollars;

(6) More than eighteen thousand but not more than twenty-two thousand pounds, three hundred forty dollars;

(7) More than twenty-two thousand but not more than twenty-six thousand pounds, four hundred twenty dollars;

(8) More than twenty-six thousand but not more than thirty thousand pounds, five hundred dollars;

(9) More than thirty thousand but not more than thirty-four thousand pounds, five hundred eighty dollars;

(10) More than thirty-four thousand but not more than thirty-eight thousand pounds, six hundred sixty dollars;

(11) More than thirty-eight thousand but not more than forty-two thousand pounds, seven hundred forty dollars;

(12) More than forty-two thousand but not more than forty-six thousand pounds, eight hundred twenty dollars;

(13) More than forty-six thousand but not more than fifty thousand pounds, nine hundred forty dollars;

(14) More than fifty thousand but not more than fifty-four thousand pounds, one thousand dollars;

(15) More than fifty-four thousand but not more than fifty-eight thousand pounds, one thousand ninety dollars;

(16) More than fifty-eight thousand but not more than sixty-two thousand pounds, one thousand one hundred eighty dollars;

(17) More than sixty-two thousand but not more than sixty-six thousand pounds, one thousand two hundred seventy dollars;

(18) More than sixty-six thousand but not more than seventy thousand pounds, one thousand three hundred sixty dollars;

(19) More than seventy thousand but not more than seventy-four thousand pounds, one thousand four hundred fifty dollars;

(20) More than seventy-four thousand but not more than seventy-eight thousand pounds, one thousand five hundred forty dollars;

(21) More than seventy-eight thousand pounds, one thousand six hundred thirty dollars.

(C) In addition to the license taxes imposed at the rates specified in divisions (A) and (B) of this section, ~~an administrative fee of three dollars~~

~~and fifty cents equal to the amount established under section 4503.038 of the Revised Code,~~ plus an appropriate amount to cover the cost of postage, shall be collected by the registrar for each international registration plan license processed by the registrar.

(D) The rate of the tax for each trailer and semitrailer is twenty-five dollars.

(E) ~~Commencing on October 1, 2009, if~~ If an application for registration renewal is not applied for prior to the expiration date of the registration or within thirty days after that date, the registrar or deputy registrar shall collect a fee of ten dollars for the issuance of the vehicle registration, but may waive the fee for good cause shown if the application is accompanied by supporting evidence as the registrar may require. The fee shall be in addition to all other fees established by this section. A deputy registrar shall retain fifty cents of the fee and shall transmit the remaining amount to the registrar at the time and in the manner provided by section 4503.10 of the Revised Code. The registrar shall deposit all moneys received under this division into the state highway safety public safety - highway purposes fund established in section 4501.06 of the Revised Code.

(F) The rates established by this section shall not apply to any of the following:

(1) Vehicles equipped, owned, and used by a charitable or nonprofit corporation exclusively for the purpose of administering chest x-rays or receiving blood donations;

(2) Vans used principally for the transportation of handicapped persons that have been modified by being equipped with adaptive equipment to facilitate the movement of such persons into and out of the vans;

(3) Buses used principally for the transportation of handicapped persons or persons sixty-five years of age or older;

(4) Buses used principally for the transportation of persons in a ridesharing arrangement;

(5) Transit buses having motor power;

(6) Noncommercial trailers, mobile homes, or manufactured homes."

Delete lines 3408 through 3425

In line 3563, reinsert everything after "(1)"

In line 3564, reinsert "this section,"

In line 3566, reinsert "the"; delete "The"

In line 3569, reinsert ". For"; delete ", except for"

In line 3570, reinsert "(1) to (21)"; delete "and (B)"; reinsert

"4503.042"; delete "4503.65"

In line 3573, reinsert ", the registrar"

Reinsert lines 3574 and 3575

In line 3576, reinsert "renewal received"

Delete lines 3720 through 3780

In line 3979, reinsert "4503.042"; delete "4503.65"

Delete lines 8321 through 8569

In line 9870, reinsert "4503.042"; delete "4503.65"

In line 9877, reinsert "4503.042"

In line 9878, delete "4503.65"

Delete lines 10936 through 10941

In line 10952, delete "section" and insert "sections"; after "4503.04" insert "and 4503.042"

In line 18483, delete "4503.02,"; after "4503.04," insert "4503.042,"

In line 18484, delete "4503.08,"; delete "4503.101,"

In line 18496, delete "4503.63, 4503.65,"

In line 18518, delete "4503.042,"

Between lines 19933 and 19934, insert:

"Section 745.20. The Registrar of Motor Vehicles shall establish a commercial motor vehicle registration pilot program for Clinton, Franklin, Lucas, Mahoning, Montgomery, and Stark counties that begins January 1, 2018, and ends December 31, 2019. Under the pilot program for calendar years 2018 and 2019, the Registrar or a deputy registrar shall charge a reduced fee of fifteen dollars in lieu of the thirty-dollar fee under division (C)(1) of section 4503.10 for a vehicle specified in divisions (A)(1) to (21) of section 4503.042 of the Revised Code if the vehicle is being registered under the International Registration Plan and the district of registration of the vehicle is within a county listed in this section."

In line 2 of the title, after "307.152," insert "325.33,"

In line 78, after "307.152," insert "325.33,"

Between lines 936 and 937, insert:

"Sec. 325.33. (A) Notwithstanding sections 325.27 and 325.31 of the Revised Code, all fees retained by the clerk of courts under Chapters 1548., 4505., and 4519. of the Revised Code and all fees the clerk of courts receives in the capacity of deputy registrar under section 4503.03 of the Revised Code shall be paid into the county treasury to the credit of the certificate of title administration fund, which is hereby created. ~~Except as~~

~~otherwise provided in this section, fees~~ Fees credited to the fund shall be used ~~only to as follows:~~

(1) To pay the costs incurred by the clerk of courts in processing titles under those chapters and in Chapters 1548., 4505., and 4519. of the Revised Code;

(2) To pay the clerk of courts an eight thousand dollar annual pay supplement for performing the duties of a deputy registrar if the clerk of courts is appointed a deputy registrar is not a limited authority deputy registrar, as described in section 4501:1-6-04 of the Ohio Administrative Code. However, if

(B) If the board of county commissioners and the clerk of courts agree that the money in the fund exceeds what is needed to pay those the costs specified in division (A) of this section, the excess may be transferred to the county general fund and used for other county purposes. If the board of county commissioners and the clerk of courts are unable to agree on the amount of any such excess, the county budget commission shall determine the amount that will be transferred to the county general fund."

In line 18480, after "307.152," insert "325.33,"

Managers on the Part of the
House of Representatives

/S/ RYAN SMITH
RYAN SMITH

/S/ ROBERT MCCOLLEY
ROBERT MCCOLLEY

/S/ ALICIA REECE

Managers on the Part of the
Senate

/S/ FRANK LAROSE
FRANK LAROSE

/S/ SCOTT OELSLAGER
SCOTT OELSLAGER

/S/ CHARLETA B. TAVARES

The question being, "Shall the report of the committee of conference be agreed to?"

The yeas and nays were taken and resulted – yeas 28, nays 5, as follows:
Those who voted in the affirmative were: Senators

Bacon	Balderson	Beagle	Brown
Burke	Coley	Dolan	Eklund
Gardner	Hackett	Hite	Hoagland
Hottinger	Huffman	Kunze	LaRose
Lehner	Manning	O'Brien	Oelslager
Peterson	Schiavoni	Sykes	Terhar
Thomas	Uecker	Wilson	Obhof-28

Senators Jordan, Skindell, Tavares, Williams, and Yuko voted in the negative-5.

So the report of committee of conference was agreed to.

Senator LaRose moved to amend the title as follows:

Remove the names: "Senators Tavares, Yuko."

The question being, "Shall the motion be agreed to?"

The motion was agreed to and the title so amended.

BILLS FOR THIRD CONSIDERATION

Am. H. B. No. 9-Representative Koehler.

Cosponsors: Representatives O'Brien, Ashford, Riedel, Green, Sheehy, Johnson, T., Antani, Arndt, Faber, Gavarone, Ginter, Hambley, Holmes, Miller, Patterson, Patton, Rogers, Sweeney, Thompson, West.

To amend section 4511.132 of the Revised Code to specify that the alternative protocol for proceeding into an intersection with malfunctioning traffic lights due to a failure of a vehicle detector applies only to bicycles, and to declare an emergency, was considered the third time.

The question being, "Shall the section, Section 3, setting forth the emergency features of the bill, stand as a part of the bill?"

The yeas and nays were taken and resulted – yeas 33, nays 0, as follows:

Those who voted in the affirmative were: Senators

Bacon	Balderson	Beagle	Brown
Burke	Coley	Dolan	Eklund
Gardner	Hackett	Hite	Hoagland
Hottinger	Huffman	Jordan	Kunze
LaRose	Lehner	Manning	O'Brien
Oelslager	Peterson	Schiavoni	Skindell
Sykes	Tavares	Terhar	Thomas
Uecker	Williams	Wilson	Yuko
			Obhof-33

So the section, Section 3, setting forth the emergency features of the bill stood as a part of the bill.

The question being, "Shall the bill pass as an emergency measure?"

The yeas and nays were taken and resulted – yeas 33, nays 0, as follows:

Those who voted in the affirmative were: Senators

Bacon	Balderson	Beagle	Brown
Burke	Coley	Dolan	Eklund
Gardner	Hackett	Hite	Hoagland
Hottinger	Huffman	Jordan	Kunze
LaRose	Lehner	Manning	O'Brien
Oelslager	Peterson	Schiavoni	Skindell
Sykes	Tavares	Terhar	Thomas
Uecker	Williams	Wilson	Yuko
			Obhof-33

So the bill having received the required constitutional majority passed as an emergency measure.

The question being, "Shall the title be agreed to?"

Senator Uecker moved to amend the title as follows:

Add the names: "Senators Beagle, Oelslager, Tavares, Uecker, Wilson."

The question being, "Shall the motion be agreed to?"

The motion was agreed to and the title so amended.

Sub. S. B. No. 1-Senator LaRose.

Cosponsors: Senators Gardner, Hoagland, Bacon, Hottinger, Beagle, Oelslager, Yuko, Hite, Eklund, Manning, Burke, Terhar, Hackett, O'Brien.

To amend sections 2925.01, 2925.02, 2925.03, 2925.04, 2925.05, 2925.11, 2925.13, 2925.36, 2929.01, 2929.13, 2929.14, 2941.1410, 3719.41, 3719.99, and 4729.99 of the Revised Code to increase penalties for drug trafficking violations, drug possession violations, and aggravated funding of drug trafficking when the drug involved in the offense is a fentanyl-related compound, except for drug possession violations when the fentanyl-related compound is combined with marihuana or a Schedule III, IV, or V controlled substance and the total amount of the combination drug is less than 40 unit doses or 4 grams and the offender did not know of the fentanyl content; to revise the manner of determining sentence for certain violations of the offense of permitting drug abuse; and to add lisdexamfetamine to the list of schedule II controlled substances, was considered the third time.

The question being, "Shall the bill, **Sub. S. B. No. 1**, pass?"

Senator LaRose moved to amend as follows:

In line 2356, delete the underlined comma; after "or" insert "a combination of a fentanyl-related compound and"

The question being, "Shall the amendment be agreed to?"

The motion to amend was agreed to.

The question recurred, "Shall the bill, **Am. Sub. S. B. No. 1**, pass?"

The yeas and nays were taken and resulted – yeas 27, nays 6, as follows:

Those who voted in the affirmative were: Senators

Bacon	Balderson	Beagle	Burke
Coley	Dolan	Eklund	Gardner
Hackett	Hite	Hoagland	Hottinger
Huffman	Jordan	Kunze	LaRose
Lehner	Manning	O'Brien	Oelslager
Peterson	Schiavoni	Terhar	Uecker
Wilson	Yuko		Obhof-27

Senators Brown, Skindell, Sykes, Tavares, Thomas, and Williams voted in

the negative-6.

So the bill passed.

The question being, "Shall the title be agreed to?"

Senator LaRose moved to amend the title as follows:

Add the names: "Senators Balderson, Huffman, Kunze, Lehner, Obhof, Peterson, Uecker, Wilson."

The question being, "Shall the motion be agreed to?"

The motion was agreed to and the title so amended.

OFFERING OF RESOLUTIONS

Pursuant to Senate Rule No. 54, the following resolution was offered:

S. R. No. 89 - Senators Kunze, Thomas.

Recognizing April 2017 as Child Abuse and Neglect Prevention Month in Ohio.

The question being, "Shall the resolution listed under the President's prerogative be adopted?"

So the resolution was adopted.

MESSAGE FROM THE PRESIDENT

Pursuant to Section 2151.57(B)(3) of the Ohio Revised Code, the President of the Senate appoints Senator John Eklund to serve on the Interstate Compact for Juveniles State Council.

MESSAGE FROM THE PRESIDENT

Pursuant to H.J.R. 1, the President of the Senate appoints the following members to serve on the Committee to Wait Upon the Governor at the State of the State on April 4 in Sandusky, Ohio:

Senator Bob Peterson
Senator Gayle Manning
Senator Randy Gardner
Senator Dave Burke
Senator Joe Schiavoni
Senator Edna Brown
Senator Cecil Thomas
Senator Kenny Yuko

On the motion of Senator Peterson, the Senate adjourned until Thursday, March 30, 2017 at 11:00 a.m.

Attest:

VINCENT L. KEERAN,
Clerk.