

**As Reported by the House Transportation and Public Safety
Committee**

**122nd General Assembly
Regular Session
1997-1998**

Sub. S. B. No. 60

**Senators Oelslager, Gardner, Latell, Latta
Representatives Metelsky, Damschroder, Bender**

A B I L L

| | |
|--|----|
| To amend sections 109.71, 125.56, 1905.01, 2301.374, | 1 |
| 2919.22, 3327.08, 4501.01, 4501.021, 4501.25, | 2 |
| 4503.10, 4503.103, 4503.12, 4503.19, 4503.21, | 3 |
| 4503.27, 4503.301, 4503.31, 4503.311, 4503.312, | 4 |
| 4503.33, 4503.77, 4503.84, 4505.07, 4505.08, | 5 |
| 4505.11, 4506.01, 4506.08, 4506.14, 4506.16, | 6 |
| 4506.17, 4507.01, 4507.02, 4507.021, 4507.022, | 7 |
| 4507.08, 4507.09, 4507.10, 4507.13, 4507.14, | 8 |
| 4507.16, 4507.162, 4507.163, 4507.169, 4507.50, | 9 |
| 4507.52, 4509.31, 4511.191, 4511.193, 4511.195, | 10 |
| 4511.196, 4511.62, 4511.76, 4511.99, 4513.201, | 11 |
| 4513.202, 4513.61, 4513.63, 4517.01, 4517.03, | 12 |
| 4519.04, and 5503.09 and to enact sections | 13 |
| 4507.012 and 4549.451 of the Revised Code to make | 14 |
| changes in the law governing the operation, | 15 |
| registration, and titling of motor vehicles and in | 16 |
| the law governing the operation of the Bureau of | 17 |
| Motor Vehicles, and to require auctioneers to | 18 |
| disclose in all written materials advertising | 19 |
| motor vehicles for sale when a motor vehicle | 20 |
| listed or described in such materials has a | 21 |
| nonfunctional odometer. | 22 |

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

Section 1. That sections 109.71, 125.56, 1905.01, 2301.374, 23
2919.22, 3327.08, 4501.01, 4501.021, 4501.25, 4503.10, 4503.103, 24
4503.12, 4503.19, 4503.21, 4503.27, 4503.301, 4503.31, 4503.311, 25
4503.312, 4503.33, 4503.77, 4503.84, 4505.07, 4505.08, 4505.11, 26
4506.01, 4506.08, 4506.14, 4506.16, 4506.17, 4507.01, 4507.02, 27
4507.021, 4507.022, 4507.08, 4507.09, 4507.10, 4507.13, 4507.14, 28
4507.16, 4507.162, 4507.163, 4507.169, 4507.50, 4507.52, 4509.31, 29
4511.191, 4511.193, 4511.195, 4511.196, 4511.62, 4511.76, 4511.99, 30
4513.201, 4513.202, 4513.61, 4513.63, 4517.01, 4517.03, 4519.04, 31
and 5503.09 be amended and sections 4507.012 and 4549.451 of the 32
Revised Code be enacted to read as follows: 33

Sec. 109.71. There is hereby created in the office of the 34
attorney general the Ohio peace officer training commission. The 35
commission shall consist of nine members appointed by the governor 36
with the advice and consent of the senate and selected as follows: 37
one member representing the public; two members who are incumbent 38
sheriffs; two members who are incumbent chiefs of police; one 39
member from the bureau of criminal identification and 40
investigation; one member from the state highway patrol; one 41
member who is the special agent in charge of a field office of the 42
federal bureau of investigation in this state; and one member from 43
the department of education, trade and industrial education 44
services, law enforcement training. 45

As used in sections 109.71 to 109.77 of the Revised Code: 46

(A) "Peace officer" means: 47

(1) A deputy sheriff, marshal, deputy marshal, member of the 48
organized police department of a township or municipal 49
corporation, member of a township police district or joint 50

township police district police force, member of a police force 51
employed by a metropolitan housing authority under division (D) of 52
section 3735.31 of the Revised Code, or township constable, who is 53
commissioned and employed as a peace officer by a political 54
subdivision of this state or by a metropolitan housing authority, 55
and whose primary duties are to preserve the peace, to protect 56
life and property, and to enforce the laws of this state, 57
ordinances of a municipal corporation, resolutions of a township, 58
or regulations of a board of county commissioners or board of 59
township trustees, or any such laws, ordinances, resolutions, or 60
regulations; 61

(2) A police officer who is employed by a railroad company 62
and appointed and commissioned by the governor pursuant to 63
sections 4973.17 to 4973.22 of the Revised Code; 64

(3) Employees of the department of taxation engaged in the 65
enforcement of Chapter 5743. of the Revised Code and designated by 66
the tax commissioner for peace officer training for purposes of 67
the delegation of investigation powers under section 5743.45 of 68
the Revised Code; 69

(4) An undercover drug agent; 70

(5) Liquor control investigators of the department of public 71
safety engaged in the enforcement of Chapters 4301. and 4303. of 72
the Revised Code; 73

(6) An employee of the department of natural resources who is 74
a park officer designated pursuant to section 1541.10, a forest 75
officer designated pursuant to section 1503.29, a preserve officer 76
designated pursuant to section 1517.10, a wildlife officer 77
designated pursuant to section 1531.13, or a state watercraft 78
officer designated pursuant to section 1547.521 of the Revised 79
Code; 80

(7) An employee of a park district who is designated pursuant 81

| | |
|--|---|
| to section 511.232 or 1545.13 of the Revised Code; | 82 |
| (8) An employee of a conservancy district who is designated pursuant to section 6101.75 of the Revised Code; | 83 84 |
| (9) A police officer who is employed by a hospital that employs and maintains its own proprietary police department or security department, and who is appointed and commissioned by the governor pursuant to sections 4973.17 to 4973.22 of the Revised Code; | 85 86 87 88 89 |
| (10) Ohio veterans' home police officers designated under section 5907.02 of the Revised Code; | 90 91 |
| (11) A police officer who is employed by a qualified nonprofit corporation police department pursuant to section 1702.80 of the Revised Code; | 92 93 94 |
| (12) A state university law enforcement officer appointed under section 3345.04 of the Revised Code or a person serving as a state university law enforcement officer on a permanent basis on June 19, 1978, who has been awarded a certificate by the executive director of the Ohio peace officer training council attesting to the person's satisfactory completion of an approved state, county, municipal, or department of natural resources peace officer basic training program; | 95 96 97 98 99 100 101 102 |
| (13) A special police officer employed by the department of mental health pursuant to section 5119.14 of the Revised Code or the department of mental retardation and developmental disabilities pursuant to section 5123.13 of the Revised Code; | 103 104 105 106 |
| (14) A member of a campus police department appointed under section 1713.50 of the Revised Code; | 107 108 |
| (15) A member of a police force employed by a regional transit authority under division (Y) of section 306.35 of the Revised Code. | 109 110 111 |

(16) Food stamp trafficking agents of the department of public safety designated under section 5502.14 of the Revised Code;

(17) Investigators appointed by the auditor of state pursuant to section 117.091 of the Revised Code and engaged in the enforcement of Chapter 117. of the Revised Code;

(18) A special police officer designated by the superintendent of the state highway patrol pursuant to section 5503.09 Of the Revised Code.

(B) "Undercover drug agent" has the same meaning as in division (B)(2) of section 109.79 of the Revised Code.

(C) "Crisis intervention training" means training in the use of interpersonal and communication skills to most effectively and sensitively interview victims of rape.

(D) "Missing children" has the same meaning as in section 2901.30 of the Revised Code.

Sec. 125.56. ~~All~~ (A) Except as provided in division (B) of this section, all printing under sections 125.43 to 125.76 of the Revised Code, ~~must~~ shall be executed within this state.

(B) Division (A) of this section does not apply to printing contracts requiring special, security paper of a unique nature if compliance with division (A) will result in an excessive price for the product or acquiring a disproportionately inferior product.

(C) As used in this section, "excessive price" means a price that exceeds by more than five per cent the lowest price submitted on a non-Ohio bid.

Sec. 1905.01. (A) In all municipal corporations not being the site of a municipal court nor a place where a judge of the Auglaize county, Crawford county, Jackson county, Miami county,

Portage county, or Wayne county municipal court sits as required 141
pursuant to section 1901.021 of the Revised Code or by designation 142
of the judges pursuant to section 1901.021 of the Revised Code, 143
the mayor of the municipal corporation has jurisdiction, except as 144
provided in divisions (B) and (C) of this section and subject to 145
the limitation contained in section 1905.03 and the limitation 146
contained in section 1905.031 of the Revised Code, to hear and 147
determine any prosecution for the violation of an ordinance of the 148
municipal corporation, to hear and determine any case involving a 149
violation of a vehicle parking or standing ordinance of the 150
municipal corporation unless the violation is required to be 151
handled by a parking violations bureau or joint parking violations 152
bureau pursuant to Chapter 4521. of the Revised Code, and to hear 153
and determine all criminal causes involving any moving traffic 154
violation occurring on a state highway located within the 155
boundaries of the municipal corporation, subject to the 156
limitations of sections 2937.08 and 2938.04 of the Revised Code. 157

(B)(1) In all municipal corporations not being the site of a 158
municipal court nor a place where a judge of a court listed in 159
division (A) of this section sits as required pursuant to section 160
1901.021 of the Revised Code or by designation of the judges 161
pursuant to section 1901.021 of the Revised Code, the mayor of the 162
municipal corporation has jurisdiction, subject to the limitation 163
contained in section 1905.03 of the Revised Code, to hear and 164
determine prosecutions involving a violation of an ordinance of 165
the municipal corporation relating to operating a vehicle while 166
under the influence of alcohol, a drug of abuse, or alcohol and a 167
drug of abuse or relating to operating a vehicle with a prohibited 168
concentration of alcohol in the blood, breath, or urine, and to 169
hear and determine criminal causes involving a violation of 170
section 4511.19 of the Revised Code that occur on a state highway 171
located within the boundaries of the municipal corporation, 172

subject to the limitations of sections 2937.08 and 2938.04 of the Revised Code, only if the person charged with the violation, within five years of the date of the violation charged, has not been convicted of or pleaded guilty to any of the following:

(a) A violation of an ordinance of any municipal corporation relating to operating a vehicle while under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse or relating to operating a vehicle with a prohibited concentration of alcohol in the blood, breath, or urine;

(b) A violation of section 4511.19 of the Revised Code;

(c) A violation of any ordinance of any municipal corporation or of any section of the Revised Code that regulates the operation of vehicles, streetcars, and trackless trolleys upon the highways or streets, in relation to which all of the following apply:

(i) The person, in the case in which the conviction was obtained or the plea of guilty was entered, had been charged with a violation of an ordinance of any municipal corporation relating to operating a vehicle while under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse or relating to operating a vehicle with a prohibited concentration of alcohol in the blood, breath, or urine, or with a violation of section 4511.19 of the Revised Code;

(ii) The charge of the violation described in division (B)(1)(c)(i) of this section was dismissed or reduced;

(iii) The violation of which the person was convicted or to which the person pleaded guilty arose out of the same facts and circumstances and the same act as did the charge that was dismissed or reduced.

(d) A violation of a statute of the United States or of any

other state or a municipal ordinance of a municipal corporation 203
located in any other state that is substantially similar to 204
section 4511.19 of the Revised Code. 205

(2) The mayor of a municipal corporation does not have 206
jurisdiction to hear and determine any prosecution or criminal 207
cause involving a violation described in division (B)(1)(a) or (b) 208
of this section, regardless of where the violation occurred, if 209
the person charged with the violation, within five years of the 210
violation charged, has been convicted of or pleaded guilty to any 211
violation listed in division (B)(1)(a), (b), (c), or (d) of this 212
section. 213

If the mayor of a municipal corporation, in hearing a 214
prosecution involving a violation of an ordinance of the municipal 215
corporation the mayor serves relating to operating a vehicle while 216
under the influence of alcohol, a drug of abuse, or alcohol and a 217
drug of abuse or relating to operating a vehicle with a prohibited 218
concentration of alcohol in the blood, breath, or urine, or in 219
hearing a criminal cause involving a violation of section 4511.19 220
of the Revised Code, determines that the person charged, within 221
five years of the violation charged, has been convicted of or 222
pleaded guilty to any violation listed in division (B)(1)(a), (b), 223
(c), or (d) of this section, the mayor immediately shall transfer 224
the case to the county court or municipal court with jurisdiction 225
over the violation charged, in accordance with section 1905.032 of 226
the Revised Code. 227

(C)(1) In all municipal corporations not being the site of a 228
municipal court and not being a place where a judge of a court 229
listed in division (A) of this section sits as required pursuant 230
to section 1901.021 of the Revised Code or by designation of the 231
judges pursuant to section 1901.021 of the Revised Code, the mayor 232
of the municipal corporation, subject to sections 1901.031, 233
2937.08, and 2938.04 of the Revised Code, has jurisdiction to hear 234

and determine prosecutions involving a violation of a municipal ordinance that is substantially equivalent to division (B)(1) or (D)(2) of section 4507.02 of the Revised Code and to hear and determine criminal causes that involve a moving traffic violation, that involve a violation of division (B)(1) or (D)(2) of section 4507.02 of the Revised Code, and that occur on a state highway located within the boundaries of the municipal corporation only if all of the following apply regarding the violation and the person charged:

(a) Regarding a violation of division (B)(1) of section 4507.02 of the Revised Code or a violation of a municipal ordinance that is substantially equivalent to that division, the person charged with the violation, within five years of the date of the violation charged, has not been convicted of or pleaded guilty to any of the following:

(i) A violation of division (B)(1) of section 4507.02 of the Revised Code;

(ii) A violation of a municipal ordinance that is substantially equivalent to division (B)(1) of section 4507.02 of the Revised Code;

(iii) A violation of any municipal ordinance or section of the Revised Code that regulates the operation of vehicles, streetcars, and trackless trolleys upon the highways or streets, in a case in which, after a charge against the person of a violation of a type described in division (C)(1)(a)(i) or (ii) of this section was dismissed or reduced, the person is convicted of or pleads guilty to a violation that arose out of the same facts and circumstances and the same act as did the charge that was dismissed or reduced.

(b) Regarding a violation of division (D)(2) of section 4507.02 of the Revised Code or a violation of a municipal

ordinance that is substantially equivalent to that division, the
person charged with the violation, within five years of the date
of the violation charged, has not been convicted of or pleaded
guilty to any of the following:

(i) A violation of division (D)(2) of section 4507.02 of the
Revised Code;

(ii) A violation of a municipal ordinance that is
substantially equivalent to division (D)(2) of section 4507.02 of
the Revised Code;

(iii) A violation of any municipal ordinance or section of
the Revised Code that regulates the operation of vehicles,
streetcars, and trackless trolleys upon the highways or streets in
a case in which, after a charge against the person of a violation
of a type described in division (C)(1)(b)(i) or (ii) of this
section was dismissed or reduced, the person is convicted of or
pleads guilty to a violation that arose out of the same facts and
circumstances and the same act as did the charge that was
dismissed or reduced.

(2) The mayor of a municipal corporation does not have
jurisdiction to hear and determine any prosecution or criminal
cause involving a violation described in division (C)(1)(a)(i) or
(ii) of this section if the person charged with the violation,
within five years of the violation charged, has been convicted of
or pleaded guilty to any violation listed in division
(C)(1)(a)(i), (ii), or (iii) of this section and does not have
jurisdiction to hear and determine any prosecution or criminal
cause involving a violation described in division (C)(1)(b)(i) or
(ii) of this section if the person charged with the violation,
within five years of the violation charged, has been convicted of
or pleaded guilty to any violation listed in division
(C)(1)(b)(i), (ii), or (iii) of this section.

(3) If the mayor of a municipal corporation, in hearing a prosecution involving a violation of an ordinance of the municipal corporation the mayor serves that is substantially equivalent to division (B)(1) or (D)(2) of section 4507.02 of the Revised Code or a violation of division (B)(1) or (D)(2) of section 4507.02 of the Revised Code, determines that, under division (C)(2) of this section, mayors do not have jurisdiction of the prosecution, the mayor immediately shall transfer the case to the county court or municipal court with jurisdiction over the violation in accordance with section 1905.032 of the Revised Code.

(D) If the mayor of a municipal corporation has jurisdiction pursuant to division (B)(1) of this section to hear and determine a prosecution or criminal cause involving a violation described in division (B)(1)(a) or (b) of this section, the authority of the mayor to hear or determine the prosecution or cause is subject to the limitation contained in division (C) of section 1905.03 of the Revised Code. If the mayor of a municipal corporation has jurisdiction pursuant to division (A) or (C) of this section to hear and determine a prosecution or criminal cause involving a violation other than a violation described in division (B)(1)(a) or (b) of this section, the authority of the mayor to hear or determine the prosecution or cause is subject to the limitation contained in division (C) of section 1905.031 of the Revised Code.

(E) In keeping a docket and files, the mayor, and a mayor's court magistrate appointed under section 1905.05 of the Revised Code, shall be governed by the laws pertaining to county courts.

Sec. 2301.374. (A) The director of human services shall specify a date for the purposes of this section, which shall be the later of the date the support enforcement tracking system is expected to be operational in all the counties of the state, or the date that is six months after the effective date of this

section. 328

(B)(1) If a court or child support enforcement agency makes a 329
final and enforceable determination pursuant to division (B) of 330
section 3113.21 of the Revised Code prior to the date specified 331
under division (A) of this section that an individual is in 332
default under a child support order, the agency administering or 333
handling the child support order may determine whether the 334
individual holds a commercial driver's license or commercial 335
driver's temporary instruction permit issued by the registrar of 336
motor vehicles or a deputy registrar or, if possible, whether the 337
individual has applied, or is likely to apply, for such a license 338
or permit. If the agency determines that the individual holds, has 339
applied for, or is likely to apply for, such a license or permit, 340
it shall send the individual the notice specified in division 341
(B)(2) of this section. The agency also may send a notice to the 342
registrar ~~of motor vehicles~~ that gives the name and social 343
security number or other identifying number of the individual and 344
states that a court or agency has determined the individual to be 345
in default under a child support order. 346

(2) Notice shall be sent to the individual described in 347
division (B)(1) of this section by first class mail. The notice 348
shall specify that a court or agency has determined the individual 349
to be in default under a child support order, that a notice 350
containing the individual's name and social security number or 351
other identification number may be sent under division (B)(1) of 352
this section to the registrar, and that, if the registrar receives 353
that notice and determines that the individual is the individual 354
named in that notice and the registrar has not received notice 355
under division (B)(3) of this section, all of the following will 356
occur: 357

(a) The registrar and all deputy registrars will be 358

prohibited from issuing to, or renewing for, the individual a
commercial driver's license or commercial driver's temporary
instruction permit;

(b) If the individual holds a commercial driver's license or
commercial driver's temporary instruction permit, the registrar
will impose a disqualification as defined in section 4506.01 of
the Revised Code with respect to the license or permit if the
registrar determines that the individual is the individual named
in the notice sent pursuant to division (B)(1) of this section;

(c) If the individual is the individual named in the notice,
the individual will not be issued, and the disqualification will
not be removed with respect to, any license or permit listed in
division (B)(2) of this section until the registrar receives a
notice under division (B)(3) of this section.

(3) An agency that sent a notice under division (B)(1) of
this section shall send to the registrar a notice that the
individual is not in default under a child support order if it
determines that the individual is not in default or any of the
following occurs:

(a) The individual makes full payment to the agency of the
arrearage that was the basis for the court or agency determination
that the individual was in default;

(b) An appropriate withholding or deduction notice or other
appropriate order has been issued pursuant to section 3113.21 of
the Revised Code to collect current support and any arrearage due
under the child support order that was in default and the
individual is complying with the notice or order;

(c) A new child support order has been issued or the child
support order that was in default has been modified as provided
under sections 3113.21 to 3113.219 of the Revised Code to collect
current support and any arrearage due under the child support

order that was in default and the individual is complying with the
new or modified child support order.

390
391

The agency shall send the notice under this division not
later than seven days after it determines the individual is not in
default or that any of the circumstances specified in division
(B)(3) of this section has occurred.

392
393
394
395

(4)(a) On receipt of a notice pursuant to division (B)(1) of
this section, the registrar shall determine whether the individual
named in the notice holds or has applied for a commercial driver's
license or commercial driver's temporary instruction permit. If
the registrar determines that the individual holds or has applied
for a license or permit and the individual is the individual named
in the notice and does not receive a notice pursuant to division
(B)(3) of this section, the registrar immediately shall provide
notice of the determination to each deputy registrar. The
registrar or a deputy registrar may not issue to the individual
and may not renew for the individual a commercial driver's license
or commercial driver's temporary instruction permit and the
registrar shall impose a disqualification on the individual with
respect to the license or permit held by the individual.

396
397
398
399
400
401
402
403
404
405
406
407
408
409

(b) The registrar shall maintain a list of names of
individuals identified in notices sent to the registrar pursuant
to division (B)(1) of this section that do not hold a commercial
driver's license or commercial driver's temporary instruction
permit. The registrar shall update the list quarterly and provide
each deputy registrar with a copy. On receipt of an application
for such a license or permit from an individual who appears on the
list, a deputy registrar shall notify the registrar. On receipt of
an application for such a license or permit from such an
individual or on receipt of a notice from a deputy registrar
pursuant to division (B)(4)(b) of this section, the registrar
shall proceed in accordance with division (B)(4)(a) of this

410
411
412
413
414
415
416
417
418
419
420
421

section.

422

(c) Not later than seven days after receipt of a notice pursuant to division (B)(3) of this section, the registrar shall notify each deputy registrar of the notice. The registrar and each deputy registrar shall then, if the individual otherwise is eligible for the license or permit and wants the license or permit, issue a license or permit to, or renew a license or permit of, the individual, or, if a disqualification was imposed on the individual with respect to the individual's license or permit pursuant to division (B)(4)(a) of this section, remove the disqualification. The registrar or a deputy registrar may charge a fee of not more than twenty-five dollars for issuing or renewing a license or permit for an individual or removing the disqualification imposed on the individual's license or permit pursuant to this division. The fees collected by the registrar pursuant to this section shall be paid into the state bureau of motor vehicles fund established in section 4501.25 Of the Revised Code.

423
424
425
426
427
428
429
430
431
432
433
434
435
436
437
438
439

(d) Notwithstanding section 119.06 of the Revised Code, the registrar shall not hold any hearing in connection with an order refusing to issue or renew a license or permit for, or imposing a disqualification with respect to a license or permit of, an individual pursuant to this section.

440
441
442
443
444

(C)(1) If a court or child support enforcement agency makes a final and enforceable determination pursuant to division (B) of section 3113.21 of the Revised Code on or after the date specified under division (A) of this section that an individual is in default under a child support order, the agency administering or handling the child support order may determine whether the individual holds a driver's or commercial driver's license, motorcycle operator's license or endorsement, temporary instruction permit, or commercial driver's temporary instruction

445
446
447
448
449
450
451
452
453

permit issued by the registrar of motor vehicles or a deputy 454
registrar or, if possible, whether the individual has applied, or 455
is likely to apply, for such a license, endorsement, or permit. If 456
the agency determines that the individual holds, has applied for, 457
or is likely to apply for, such a license, endorsement, or permit, 458
it shall send to the individual the notice specified in division 459
(C)(2) of this section. The agency also may send a notice to the 460
registrar of motor vehicles that gives the name and social 461
security number or other identifying number of the individual and 462
states that a court or agency has determined the individual to be 463
in default under a child support order. 464

(2) Notice shall be sent to the individual described in 465
division (C)(1) of this section by first class mail. The notice 466
shall specify that a court or agency has determined the individual 467
to be in default under a child support order, that a notice 468
containing the individual's name and social security number or 469
other identification number may be sent under division (C)(1) of 470
this section to the registrar, and that, if the registrar receives 471
that notice and determines that the individual is the individual 472
named in that notice and the registrar has not received notice 473
under division (C)(3) of this section, all of the following will 474
occur: 475

(a) The registrar and all deputy registrars will be 476
prohibited from issuing to the individual a driver's or commercial 477
driver's license, motorcycle operator's license or endorsement, or 478
temporary instruction permit or commercial driver's temporary 479
instruction permit; 480

(b) The registrar and all deputy registrars will be 481
prohibited from renewing for the individual a driver's or 482
commercial driver's license, motorcycle operator's license or 483
endorsement, or commercial driver's temporary instruction permit; 484

(c) If the individual holds a driver's or commercial driver's license, motorcycle operator's license or endorsement, or temporary instruction permit or commercial driver's temporary instruction permit, it will be suspended if the registrar determines that the individual is the individual named in the notice sent pursuant to division (C)(1) of this section;

(d) If the individual is the individual named in the notice the individual will not be issued or have renewed any license, endorsement, or permit, and no suspension will be lifted with respect to any license, endorsement, or permit listed in division (C)(2) of this section until the registrar receives a notice under division (C)(3) of this section.

(3) An agency that sent a notice under division (C)(1) of this section shall send to the registrar a notice that the individual is not in default under a child support order if it determines that the individual is not in default or any of the following occurs:

(a) The individual makes full payment to the agency of the arrearage that was the basis for the court or agency determination that the individual was in default;

(b) An appropriate withholding or deduction notice or other appropriate order has been issued pursuant to section 3113.21 of the revised code to collect current support and any arrearage due under the child support order that was in default and the individual is complying with the notice or order;

(c) A new child support order has been issued or the child support order that was in default has been modified as provided under sections 3113.21 to 3113.219 of the Revised Code to collect current support and any arrearage due under the child support order that was in default and the individual is complying with the new or modified child support order.

The agency shall send the notice under this division not 516
later than seven days after it determines the individual is not in 517
default or that any of the circumstances specified in division 518
(C)(3) of this section has occurred. 519

(4)(a) On receipt of a notice pursuant to division (C)(1) of 520
this section, the registrar shall determine whether the individual 521
named in the notice holds or has applied for a driver's license or 522
commercial driver's license, motorcycle operator's license or 523
endorsement, or temporary instruction permit or commercial 524
driver's temporary instruction permit. If the registrar determines 525
that the individual holds or has applied for a license, permit, or 526
endorsement and the individual is the individual named in the 527
notice and does not receive a notice pursuant to division (C)(3) 528
of this section, the registrar immediately shall provide notice of 529
the determination to each deputy registrar. The registrar or a 530
deputy registrar may not issue to the individual a driver's or 531
commercial driver's license, motorcycle operator's license or 532
endorsement, or temporary instruction permit or commercial 533
driver's temporary instruction permit and may not renew for the 534
individual a driver's or commercial driver's license, motorcycle 535
operator's license or endorsement, or commercial driver's 536
temporary instruction permit. The registrar or a deputy registrar 537
also shall suspend a license, permit, or endorsement held by the 538
individual. 539

(b) The registrar shall maintain a list of names of 540
individuals identified in notices sent to the registrar pursuant 541
to division (C)(1) of this section that do not hold a driver's or 542
commercial driver's license, motorcycle operator's license or 543
endorsement, or temporary instruction permit or commercial 544
driver's temporary instruction permit. The registrar shall update 545
the list quarterly and provide each deputy registrar with a copy. 546
On receipt of an application for such a license, permit, or 547

endorsement from an individual who appears on the list, a deputy registrar shall notify the registrar. On receipt of an application for such a license, permit, or endorsement from such an individual or on receipt of a notice from a deputy registrar pursuant to division (C)(4)(b) of this section, the registrar shall proceed in accordance with division (C)(4)(a) of this section.

(c) Not later than seven days after receipt of a notice pursuant to division (C)(3) of this section, the registrar shall notify each deputy registrar of the notice. The registrar and each deputy registrar shall then, if the individual otherwise is eligible for the license, permit, or endorsement and wants the license, permit, or endorsement, issue a license, permit, or endorsement to, or renew a license, permit, or endorsement of, the individual, or, if the individual's license, permit, or endorsement was suspended pursuant to division (C)(4)(a) of this section, remove the suspension. The registrar or a deputy registrar may charge a fee of not more than twenty-five dollars for issuing or renewing or removing the suspension of a license pursuant to this division. The fees collected by the registrar pursuant to this section shall be paid into the state bureau of motor vehicles fund established in section 4501.25 Of the Revised Code.

(d) Notwithstanding section 119.06 of the Revised Code, the registrar shall not hold any hearing in connection with an order refusing to issue or renew a license, permit, or endorsement for, or suspending a license, permit, or endorsement of, an individual pursuant to this section.

(D) The department of human services may adopt rules in accordance with Chapter 119. of the Revised Code to implement this section.

Sec. 2919.22. (A) No person, who is the parent, guardian, 579
custodian, person having custody or control, or person in loco 580
parentis of a child under eighteen years of age or a mentally or 581
physically handicapped child under twenty-one years of age, shall 582
create a substantial risk to the health or safety of the child, by 583
violating a duty of care, protection, or support. It is not a 584
violation of a duty of care, protection, or support under this 585
division when the parent, guardian, custodian, or person having 586
custody or control of a child treats the physical or mental 587
illness or defect of the child by spiritual means through prayer 588
alone, in accordance with the tenets of a recognized religious 589
body. 590

(B) No person shall do any of the following to a child under 591
eighteen years of age or a mentally or physically handicapped 592
child under twenty-one years of age: 593

(1) Abuse the child; 594

(2) Torture or cruelly abuse the child; 595

(3) Administer corporal punishment or other physical 596
disciplinary measure, or physically restrain the child in a cruel 597
manner or for a prolonged period, which punishment, discipline, or 598
restraint is excessive under the circumstances and creates a 599
substantial risk of serious physical harm to the child; 600

(4) Repeatedly administer unwarranted disciplinary measures 601
to the child, when there is a substantial risk that such conduct, 602
if continued, will seriously impair or retard the child's mental 603
health or development; 604

(5) Entice, coerce, permit, encourage, compel, hire, employ, 605
use, or allow the child to act, model, or in any other way 606
participate in, or be photographed for, the production, 607
presentation, dissemination, or advertisement of any material or 608

performance that the offender knows or reasonably should know is 609
obscene, is sexually oriented matter, or is nudity-oriented 610
matter. 611

(C)(1) No person shall operate a vehicle, streetcar, or 612
trackless trolley within this state ~~and~~ in violation of division 613
(A) of section 4511.19 of the Revised Code when one or more 614
children under eighteen years of age are in the vehicle, 615
streetcar, or trackless trolley. Notwithstanding any other 616
provision of law, a person may be convicted at the same trial or 617
proceeding of a violation of this division and a violation of 618
division (A) of section 4511.19 of the Revised Code that 619
constitutes the basis of the charge of the violation of this 620
division. For purposes of section 4511.191 of the Revised Code and 621
all related provisions of law, a person arrested for a violation 622
of this division shall be considered to be under arrest for 623
operating a vehicle while under the influence of alcohol, a drug 624
of abuse, or alcohol and a drug of abuse or for operating a 625
vehicle with a prohibited concentration of alcohol in the blood, 626
breath, or urine. 627

(2) As used in division (C)(1) of this section, "vehicle," 628
"streetcar," and "trackless trolley" have the same meanings as in 629
section 4511.01 of the Revised Code. 630

(D)(1) Division (B)(5) of this section does not apply to any 631
material or performance that is produced, presented, or 632
disseminated for a bona fide medical, scientific, educational, 633
religious, governmental, judicial, or other proper purpose, by or 634
to a physician, psychologist, sociologist, scientist, teacher, 635
person pursuing bona fide studies or research, librarian, 636
clergyman, prosecutor, judge, or other person having a proper 637
interest in the material or performance. 638

(2) Mistake of age is not a defense to a charge under 639

division (B)(5) of this section.

640

(3) In a prosecution under division (B)(5) of this section, the trier of fact may infer that an actor, model, or participant in the material or performance involved is a juvenile if the material or performance, through its title, text, visual representation, or otherwise, represents or depicts the actor, model, or participant as a juvenile.

641

642

643

644

645

646

(4) As used in this division and division (B)(5) of this section:

647

648

(a) "Material," "performance," "obscene," and "sexual activity" have the same meanings as in section 2907.01 of the Revised Code.

649

650

651

(b) "Nudity-oriented matter" means any material or performance that shows a minor in a state of nudity and that, taken as a whole by the average person applying contemporary community standards, appeals to prurient interest.

652

653

654

655

(c) "Sexually oriented matter" means any material or performance that shows a minor participating or engaging in sexual activity, masturbation, or bestiality.

656

657

658

(E)(1) Whoever violates this section is guilty of endangering children.

659

660

(2) If the offender violates division (A) or (B)(1) of this section, endangering children is one of the following:

661

662

(a) Except as otherwise provided in division (E)(2)(b) or (c) of this section, a misdemeanor of the first degree;

663

664

(b) If the offender previously has been convicted of an offense under this section or of any offense involving neglect, abandonment, contributing to the delinquency of, or physical abuse of a child, except as otherwise provided in division (E)(2)(c) of this section, a felony of the fourth degree;

665

666

667

668

669

(c) If the violation results in serious physical harm to the child involved, a felony of the third degree. 670
671

(3) If the offender violates division (B)(2), (3), or (4) of this section, except as otherwise provided in this division, endangering children is a felony of the third degree. If the violation results in serious physical harm to the child involved, or if the offender previously has been convicted of an offense under this section or of any offense involving neglect, abandonment, contributing to the delinquency of, or physical abuse of a child, endangering children is a felony of the second degree. 672
673
674
675
676
677
678
679

(4) If the offender violates division (B)(5) of this section, endangering children is a felony of the second degree. 680
681

(5) If the offender violates division (C) of this section, the offender shall be punished as follows: 682
683

(a) Except as otherwise provided in division (E)(5)(b) or (c) of this section, endangering children in violation of division (C) of this section is a misdemeanor of the first degree. 684
685
686

(b) If the violation results in serious physical harm to the child involved or the offender previously has been convicted of an offense under this section or any offense involving neglect, abandonment, contributing to the delinquency of, or physical abuse of a child, except as otherwise provided in division (E)(5)(c) of this section, endangering children in violation of division (C) of this section is a felony of the fifth degree. 687
688
689
690
691
692
693

(c) If the violation results in serious physical harm to the child involved and if the offender previously has been convicted of a violation of division (C) of this section, section 2903.06, 2903.07, or 2903.08 of the Revised Code, or section 2903.04 of the Revised Code in a case in which the offender was subject to the sanctions described in division (D) of that section, endangering children in violation of division (C) of this section is a felony 694
695
696
697
698
699
700

of the fourth degree. 701

(d) In addition to any term of imprisonment, fine, or other 702
sentence, penalty, or sanction it imposes upon the offender 703
pursuant to division (E)(5)(a), (b), or (c) of this section or 704
pursuant to any other provision of law, the court also may impose 705
upon the offender one or both of the following sanctions: 706

(i) It may require the offender, as part of the offender's 707
sentence and in the manner described in division (F) of this 708
section, to perform not more than two hundred hours of supervised 709
community service work under the authority of any agency, 710
political subdivision, or charitable organization of the type 711
described in division (F)(1) of section 2951.02 of the Revised 712
Code, provided that the court shall not require the offender to 713
perform supervised community service work under this division 714
unless the offender agrees to perform the supervised community 715
service work. 716

(ii) It may suspend the driver's or commercial driver's 717
license or permit or nonresident operating privilege of the 718
offender for up to ninety days, in addition to any suspension or 719
revocation of the offender's driver's or commercial driver's 720
license or permit or nonresident operating privilege under Chapter 721
4506., 4507., 4509., or 4511. of the Revised Code or under any 722
other provision of law. 723

(e) In addition to any term of imprisonment, fine, or other 724
sentence, penalty, or sanction imposed upon the offender pursuant 725
to division (E)(5)(a), (b), (c), or (d) of this section or 726
pursuant to any other provision of law for the violation of 727
division (C) of this section, if as part of the same trial or 728
proceeding the offender also is convicted of or pleads guilty to a 729
separate charge charging the violation of division (A) of section 730
4511.19 of the Revised Code that was the basis of the charge of 731

the violation of division (C) of this section, the offender also 732
shall be sentenced, in accordance with section 4511.99 of the 733
Revised Code, for that violation of division (A) of section 734
4511.19 of the Revised Code and also shall be subject to all other 735
sanctions that are required or authorized by any provision of law 736
for that violation of division (A) of section 4511.19 of the 737
Revised Code. 738

(F)(1)(a) If a court, pursuant to division (E)(5)(d)(i) of 739
this section, requires an offender to perform supervised community 740
service work under the authority of an agency, subdivision, or 741
charitable organization, the requirement shall be part of the 742
community control sanction or sentence of the offender, and the 743
court shall impose the community service in accordance with and 744
subject to divisions (F)(1)(a) and (b) of this section. The court 745
may require an offender whom it requires to perform supervised 746
community service work as part of the offender's community control 747
sanction or sentence to pay the court a reasonable fee to cover 748
the costs of the offender's participation in the work, including, 749
but not limited to, the costs of procuring a policy or policies of 750
liability insurance to cover the period during which the offender 751
will perform the work. If the court requires the offender to 752
perform supervised community service work as part of the 753
offender's community control sanction or sentence, the court shall 754
do so in accordance with the following limitations and criteria: 755

(i) The court shall require that the community service work 756
be performed after completion of the term of imprisonment imposed 757
upon the offender for the violation of division (C) of this 758
section, if applicable. 759

(ii) The supervised community service work shall be subject 760
to the limitations set forth in divisions (F)(1)(a) to (c) of 761
section 2951.02 of the Revised Code. 762

(iii) The community service work shall be supervised in the manner described in division (F)(1)(d) of section 2951.02 of the Revised Code by an official or person with the qualifications described in that division. The official or person periodically shall report in writing to the court concerning the conduct of the offender in performing the work.

(iv) The court shall inform the offender in writing that if the offender does not adequately perform, as determined by the court, all of the required community service work, the court may order that the offender be committed to a jail or workhouse for a period of time that does not exceed the term of imprisonment that the court could have imposed upon the offender for the violation of division (C) of this section, reduced by the total amount of time that the offender actually was imprisoned under the sentence or term that was imposed upon the offender for that violation and by the total amount of time that the offender was confined for any reason arising out of the offense for which the offender was convicted and sentenced as described in sections 2949.08 and 2967.191 of the Revised Code, and that, if the court orders that the offender be so committed, the court is authorized, but not required, to grant the offender credit upon the period of the commitment for the community service work that the offender adequately performed.

(b) If a court, pursuant to this division and division (E)(5)(d)(i) of this section, orders an offender to perform community service work as part of the offender's community control sanction or sentence and if the offender does not adequately perform all of the required community service work, as determined by the court, the court may order that the offender be committed to a jail or workhouse for a period of time that does not exceed the term of imprisonment that the court could have imposed upon the offender for the violation of division (C) of this section,

reduced by the total amount of time that the offender actually was 795
imprisoned under the sentence or term that was imposed upon the 796
offender for that violation and by the total amount of time that 797
the offender was confined for any reason arising out of the 798
offense for which the offender was convicted and sentenced as 799
described in sections 2949.08 and 2967.191 of the Revised Code. 800
The court may order that a person committed pursuant to this 801
division shall receive hour-for-hour credit upon the period of the 802
commitment for the community service work that the offender 803
adequately performed. No commitment pursuant to this division 804
shall exceed the period of the term of imprisonment that the 805
sentencing court could have imposed upon the offender for the 806
violation of division (C) of this section, reduced by the total 807
amount of time that the offender actually was imprisoned under 808
that sentence or term and by the total amount of time that the 809
offender was confined for any reason arising out of the offense 810
for which the offender was convicted and sentenced as described in 811
sections 2949.08 and 2967.191 of the Revised Code. 812

(2) Divisions (E)(5)(d)(i) and (F)(1) of this section do not 813
limit or affect the authority of the court to suspend the sentence 814
imposed upon a misdemeanor offender and place the offender on 815
probation or otherwise suspend the sentence pursuant to sections 816
2929.51 and 2951.02 of the Revised Code, to require the 817
misdemeanor offender, as a condition of the offender's probation 818
or of otherwise suspending the offender's sentence, to perform 819
supervised community service work in accordance with division (F) 820
of section 2951.02 of the Revised Code, or to place a felony 821
offender under a community control sanction. 822

(G) If a court suspends an offender's driver's or commercial 823
driver's license or permit or nonresident operating privilege 824
under division (E)(5)(d)(ii) of this section, the period of the 825
suspension shall be consecutive to, and commence after, the period 826

of suspension or revocation of the offender's driver's or 827
commercial driver's license or permit or nonresident operating 828
privilege that is imposed under Chapter 4506., 4507., 4509., or 829
4511. of the Revised Code or under any other provision of law in 830
relation to the violation of division (C) of this section that is 831
the basis of the suspension under division (E)(5)(d)(ii) of this 832
section or in relation to the violation of division (A) of section 833
4511.19 of the Revised Code that is the basis for that violation 834
of division (C) of this section. 835

If an offender's license, permit, or privilege has been 836
suspended under division (E)(5)(d)(ii) of this section and the 837
offender, within the preceding seven years, has been convicted of 838
or pleaded guilty to three or more violations of division (C) of 839
this section, division (A) or (B) of section 4511.19 of the 840
Revised Code, a municipal ordinance relating to operating a 841
vehicle while under the influence of alcohol, a drug of abuse, or 842
alcohol and a drug of abuse, a municipal ordinance relating to 843
operating a vehicle with a prohibited concentration of alcohol in 844
the blood, breath, or urine, section 2903.04 of the Revised Code 845
in a case in which the offender was subject to the sanctions 846
described in division (D) of that section, section 2903.06, 847
2903.07, or 2903.08 of the Revised Code or a municipal ordinance 848
that is substantially similar to section 2903.07 of the Revised 849
Code in a case in which the jury or judge found that the offender 850
was under the influence of alcohol, a drug of abuse, or alcohol 851
and a drug of abuse, or a statute of the United States or of any 852
other state or a municipal ordinance of a municipal corporation 853
located in any other state that is substantially similar to 854
division (A) or (B) of section 4511.19 of the Revised Code, the 855
offender is not entitled to request, and the court shall not grant 856
to the offender, occupational driving privileges under this 857
division. Any other offender whose license, permit, or nonresident 858

operating privilege has been suspended under division 859
(E)(5)(d)(ii) of this section may file with the sentencing court a 860
petition alleging that the suspension would seriously affect the 861
offender's ability to continue employment. Upon satisfactory proof 862
that there is reasonable cause to believe that the suspension 863
would seriously affect the offender's ability to continue 864
employment, the court may grant the offender occupational driving 865
privileges during the period during which the suspension otherwise 866
would be imposed, except that the court shall not grant 867
occupational driving privileges for employment as a driver of 868
commercial motor vehicles to any person who is disqualified from 869
operating a commercial motor vehicle under section 2301.374 or 870
4506.16 of the Revised Code. 871

(H)(1) If a person violates division (C) of this section and 872
if, at the time of the violation, there were two or more children 873
under eighteen years of age in the motor vehicle involved in the 874
violation, the offender may be convicted of a violation of 875
division (C) of this section for each of the children, but the 876
court may sentence the offender for only one of the violations. 877

(2)(a) If a person is convicted of or pleads guilty to a 878
violation of division (C) of this section but the person is not 879
also convicted of and does not also plead guilty to a separate 880
charge charging the violation of division (A) of section 4511.19 881
of the Revised Code that was the basis of the charge of the 882
violation of division (C) of this section, both of the following 883
apply: 884

(i) For purposes of the provisions of section 4511.99 of the 885
Revised Code that set forth the penalties and sanctions for a 886
violation of division (A) of section 4511.19 of the Revised Code, 887
the conviction of or plea of guilty to the violation of division 888
(C) of this section shall not constitute a violation of division 889
(A) of section 4511.19 of the Revised Code; 890

(ii) For purposes of any provision of law that refers to a conviction of or plea of guilty to a violation of division (A) of section 4511.19 of the Revised Code and that is not described in division (H)(2)(a)(i) of this section, the conviction of or plea of guilty to the violation of division (C) of this section shall constitute a conviction of or plea of guilty to a violation of division (A) of section 4511.19 of the Revised Code.

(b) If a person is convicted of or pleads guilty to a violation of division (C) of this section and the person also is convicted of or pleads guilty to a separate charge charging the violation of division (A) of section 4511.19 of the Revised Code that was the basis of the charge of the violation of division (C) of this section, the conviction of or plea of guilty to the violation of division (C) of this section shall not constitute, for purposes of any provision of law that refers to a conviction of or plea of guilty to a violation of division (A) of section 4511.19 of the Revised Code, a conviction of or plea of guilty to a violation of division (A) of section 4511.19 of the Revised Code.

(I) As used in this section, "community control sanction" has the same meaning as in section 2929.01 of the Revised Code.

Sec. 3327.08. Boards of education of city school districts, local school districts, exempted village school districts, cooperative education school districts, and joint vocational school districts and governing boards of educational service centers may purchase on individual contract school buses and other equipment used in transporting children to and from school and to other functions as authorized by the boards, or the boards ~~may~~, at their discretion, may purchase ~~such the~~ buses and equipment through ~~whatever~~ any system of centralized purchasing ~~is~~ established by the state department of education for ~~such that~~

purpose, provided that state subsidy payments shall be based on 922
the amount of the lowest price available to the boards by either 923
method of purchase. No ~~such~~ board shall be deprived of any form of 924
state assistance in the purchase of ~~said~~ buses and equipment by 925
reason of purchases of ~~said~~ buses and equipment on an individual 926
contract. 927

The purchase of school buses shall be made only after 928
competitive bidding in accordance with section 3313.46 of the 929
Revised Code. All bids shall state that the buses, prior to 930
delivery, will comply with the safety ~~regulations~~ rules of the 931
department ~~of education adopted by and with the advice and consent~~ 932
~~of the director~~ of public safety adopted pursuant to section 933
4511.76 of the Revised Code and all other pertinent provisions of 934
law. 935

Sec. 4501.01. As used in this chapter and Chapters 4503., 936
4505., 4507., 4509., 4511., 4513., 4515., and 4517. of the Revised 937
Code, and in the penal laws, except as otherwise provided: 938

(A) "Vehicles" means everything on wheels or runners, 939
including motorized bicycles, but does not mean vehicles that are 940
operated exclusively on rails or tracks or from overhead electric 941
trolley wires and vehicles that belong to any police department, 942
municipal fire department, or volunteer fire department, or that 943
are used by such a department in the discharge of its functions. 944

(B) "Motor vehicle" means any vehicle, including manufactured 945
homes and recreational vehicles, that is propelled or drawn by 946
power other than muscular power or power collected from overhead 947
electric trolley wires, except motorized bicycles, road rollers, 948
traction engines, power shovels, power cranes, and other equipment 949
used in construction work and not designed for or employed in 950
general highway transportation, well-drilling machinery, 951

ditch-digging machinery, farm machinery, trailers that are used to 952
transport agricultural produce or agricultural production 953
materials between a local place of storage or supply and the farm 954
when drawn or towed on a public road or highway at a speed of 955
twenty-five miles per hour or less, threshing machinery, 956
hay-baling machinery, corn sheller, hammermill and agricultural 957
tractors, machinery used in the production of horticultural, 958
agricultural, and vegetable products, and trailers that are 959
designed and used exclusively to transport a boat between a place 960
of storage and a marina, or in and around a marina, when drawn or 961
towed on a public road or highway for a distance of no more than 962
ten miles and at a speed of twenty-five miles per hour or less. 963

(C) "Agricultural tractor" and "traction engine" mean any 964
self-propelling vehicle that is designed or used for drawing other 965
vehicles or wheeled machinery, but has no provisions for carrying 966
loads independently of such other vehicles, and that is used 967
principally for agricultural purposes. 968

(D) "Commercial tractor," except as defined in division (C) 969
of this section, means any motor vehicle that has motive power and 970
either is designed or used for drawing other motor vehicles, or is 971
designed or used for drawing another motor vehicle while carrying 972
a portion of the other motor vehicle or its load, or both. 973

(E) "Passenger car" means any motor vehicle that is designed 974
and used for carrying not more than nine persons and includes any 975
motor vehicle that is designed and used for carrying not more than 976
fifteen persons in a ridesharing arrangement. 977

(F) "Collector's vehicle" means any motor vehicle or 978
agricultural tractor or traction engine that is of special 979
interest, that has a fair market value of one hundred dollars or 980
more, whether operable or not, and that is owned, operated, 981
collected, preserved, restored, maintained, or used essentially as 982

a collector's item, leisure pursuit, or investment, but not as the
owner's principal means of transportation. "Licensed collector's
vehicle" means a collector's vehicle, other than an agricultural
tractor or traction engine, that displays current, valid license
tags issued under section 4503.45 of the Revised Code, or a
similar type of motor vehicle that displays current, valid license
tags issued under substantially equivalent provisions in the laws
of other states.

(G) "Historical motor vehicle" means any motor vehicle that
is over twenty-five years old and is owned solely as a collector's
item and for participation in club activities, exhibitions, tours,
parades, and similar uses, but that in no event is used for
general transportation.

(H) "Noncommercial motor vehicle" means any motor vehicle,
including a farm truck as defined in section 4503.04 of the
Revised Code, that is designed by the manufacturer to carry a load
of no more than one ton and is used exclusively for purposes other
than engaging in business for profit.

(I) "Bus" means any motor vehicle that has motor power and is
designed and used for carrying more than nine passengers, except
any motor vehicle that is designed and used for carrying not more
than fifteen passengers in a ridesharing arrangement.

(J) "Commercial car" means any motor vehicle that has motor
power and is designed and used for carrying merchandise or
freight, or that is used as a commercial tractor.

(K) "Bicycle" means every device, other than a tricycle that
is designed solely for use as a play vehicle by a child, that is
propelled solely by human power upon which any person may ride,
and that has either two tandem wheels, or one wheel in front and
two wheels in the rear, any of which is more than fourteen inches
in diameter.

(L) "Motorized bicycle" means any vehicle that ~~has~~ either has 1014
two tandem wheels or one wheel in the front and two wheels in the 1015
rear, that is capable of being pedaled, and that is equipped with 1016
a helper motor of not more than fifty cubic centimeters piston 1017
displacement that produces no more than one brake horsepower and 1018
is capable of propelling the vehicle at a speed of no greater than 1019
twenty miles per hour on a level surface. 1020

(M) "Trailer" means any vehicle without motive power that is 1021
designed or used for carrying property or persons wholly on its 1022
own structure and for being drawn by a motor vehicle, and includes 1023
any such vehicle that is formed by or operated as a combination of 1024
a semitrailer and a vehicle of the dolly type such as that 1025
commonly known as a trailer dolly, a vehicle used to transport 1026
agricultural produce or agricultural production materials between 1027
a local place of storage or supply and the farm when drawn or 1028
towed on a public road or highway at a speed greater than 1029
twenty-five miles per hour, and a vehicle that is designed and 1030
used exclusively to transport a boat between a place of storage 1031
and a marina, or in and around a marina, when drawn or towed on a 1032
public road or highway for a distance of more than ten miles or at 1033
a speed of more than twenty-five miles per hour. "Trailer" does 1034
not include a manufactured home or travel trailer. 1035

(N) "Noncommercial trailer" means any trailer, except a 1036
travel trailer or trailer that is used to transport a boat as 1037
described in division (B) of this section, but, where applicable, 1038
includes a vehicle that is used to transport a boat as described 1039
in division (M) of this section, that has a gross weight of no 1040
more than three thousand pounds, and that is used exclusively for 1041
purposes other than engaging in business for a profit. 1042

(O) "Manufactured home" means any nonself-propelled vehicle 1043
transportable in one or more sections, which, in the traveling 1044
mode, is eight body feet or more in width or forty body feet or 1045

more in length or, when erected on site, is three hundred twenty
or more square feet, and which is built on a permanent chassis and
designed to be used as a dwelling with or without a permanent
foundation when connected to the required utilities, and includes
the plumbing, heating, air conditioning, and electrical systems
contained therein. Calculations used to determine the number of
square feet in a structure are based on the structure's exterior
dimensions measured at the largest horizontal projections when
erected on site. These dimensions include all expandable rooms,
cabinets, and other projections containing interior space, but do
not include bay windows.

(P) "Semitrailer" means any vehicle of the trailer type that
does not have motive power and is so designed or used with another
and separate motor vehicle that in operation a part of its own
weight or that of its load, or both, rests upon and is carried by
the other vehicle furnishing the motive power for propelling
itself and the vehicle referred to in this division, and includes,
for the purpose only of registration and taxation under those
chapters, any vehicle of the dolly type, such as a trailer dolly,
that is designed or used for the conversion of a semitrailer into
a trailer.

(Q) "Recreational vehicle" means a vehicular portable
structure that is designed and constructed to be used as a
temporary dwelling for travel, recreational, and vacation uses and
is classed as follows:

(1) "Travel trailer" means a nonself-propelled recreational
vehicle that does not exceed an overall length of thirty-five
feet, exclusive of bumper and tongue or coupling, and includes a
tent-type fold-out camping trailer as defined in section 4517.01
of the Revised Code.

(2) "Motor home" means a self-propelled recreational vehicle

that is constructed with permanently installed facilities for cold storage, cooking and consuming of food, and for sleeping. 1077
1078

(3) "Truck camper" means a nonself-propelled recreational vehicle that does not have wheels for road use and is designed to be placed upon and attached to a motor vehicle. "Truck camper" does not include truck covers that consist of walls and a roof, but do not have floors and facilities enabling them to be used as a dwelling. 1079
1080
1081
1082
1083
1084

(4) "Fifth wheel trailer" means a vehicle that is of such size and weight as to be movable without a special highway permit, that has a gross trailer area of four hundred square feet or less, that is constructed with a raised forward section that allows a bi-level floor plan, and that is designed to be towed by a vehicle equipped with a fifth-wheel hitch ordinarily installed in the bed of a truck. 1085
1086
1087
1088
1089
1090
1091

(5) "Park trailer" means a vehicle that is commonly known as a park model recreational vehicle, meets the American national standard institute standard A119.5 (1988) for park trailers, is built on a single chassis, has a gross trailer area of four hundred square feet or less when set up, is designed for seasonal or temporary living quarters, and may be connected to utilities necessary for the operation of installed features and appliances. 1092
1093
1094
1095
1096
1097
1098

(R) "Pneumatic tires" means tires of rubber and fabric or tires of similar material, that are inflated with air. 1099
1100

(S) "Solid tires" means tires of rubber or similar elastic material that are not dependent upon confined air for support of the load. 1101
1102
1103

(T) "Solid tire vehicle" means any vehicle that is equipped with two or more solid tires. 1104
1105

(U) "Farm machinery" means all machines and tools that are 1106

used in the production, harvesting, and care of farm products, and 1107
includes trailers that are used to transport agricultural produce 1108
or agricultural production materials between a local place of 1109
storage or supply and the farm when drawn or towed on a public 1110
road or highway at a speed of twenty-five miles per hour or less. 1111

(V) "Owner" includes any person, firm, or corporation other 1112
than a manufacturer or dealer that has title to a motor vehicle, 1113
except that in sections 4505.01 to 4505.19 of the Revised Code, 1114
"owner" includes in addition manufacturers and dealers. 1115

(W) "Manufacturer" and "dealer" include all persons, firms, 1116
and corporations that are regularly engaged in the business of 1117
manufacturing, selling, displaying, offering for sale, or dealing 1118
in motor vehicles, at an established place of business that is 1119
used exclusively for the purpose of manufacturing, selling, 1120
displaying, offering for sale, or dealing in motor vehicles. A 1121
place of business that is used for manufacturing, selling, 1122
displaying, offering for sale, or dealing in motor vehicles shall 1123
be deemed to be used exclusively for those purposes even though 1124
snowmobiles or all-purpose vehicles are sold or displayed for sale 1125
thereat, even though farm machinery is sold or displayed for sale 1126
thereat, or even though repair, accessory, gasoline and oil, 1127
storage, parts, service, or paint departments are maintained 1128
thereat, or, in any county having a population of less than 1129
seventy-five thousand persons at the last federal census, even 1130
though a department in a place of business is used to dismantle, 1131
salvage, or rebuild motor vehicles by means of used parts, if such 1132
departments are operated for the purpose of furthering and 1133
assisting in the business of manufacturing, selling, displaying, 1134
offering for sale, or dealing in motor vehicles. Places of 1135
business or departments in a place of business used to dismantle, 1136
salvage, or rebuild motor vehicles by means of using used parts 1137
are not considered as being maintained for the purpose of 1138

assisting or furthering the manufacturing, selling, displaying, 1139
and offering for sale or dealing in motor vehicles. 1140

(X) "Operator" includes any person who drives or operates a 1141
motor vehicle upon the public highways. 1142

(Y) "Chauffeur" means any operator who operates a motor 1143
vehicle, other than a taxicab, as an employee for hire; or any 1144
operator whether or not the owner of a motor vehicle, other than a 1145
taxicab, who operates such vehicle for transporting, for gain, 1146
compensation, or profit, either persons or property owned by 1147
another. Any operator of a motor vehicle who is voluntarily 1148
involved in a ridesharing arrangement is not considered an 1149
employee for hire or operating such vehicle for gain, 1150
compensation, or profit. 1151

(Z) "State" includes the territories and federal districts of 1152
the United States, and the provinces of Canada. 1153

(AA) "Public roads and highways" for vehicles includes all 1154
public thoroughfares, bridges, and culverts. 1155

(BB) "Manufacturer's number" means the manufacturer's 1156
original serial number that is affixed to or imprinted upon the 1157
chassis or other part of the motor vehicle. 1158

(CC) "Motor number" means the manufacturer's original number 1159
that is affixed to or imprinted upon the engine or motor of the 1160
vehicle. 1161

(DD) "Bill of sale" means the written statement or document 1162
of transfer or conveyance required prior to January 1, 1938, to be 1163
executed and delivered by the corporation, partnership, 1164
association, or person selling, giving away, transferring, or 1165
passing title to a motor vehicle. 1166

(EE) "Distributor" means any person who is authorized by a 1167
motor vehicle manufacturer to distribute new motor vehicles to 1168

licensed motor vehicle dealers at an established place of business 1169
that is used exclusively for the purpose of distributing new motor 1170
vehicles to licensed motor vehicle dealers, except when the 1171
distributor also is a new motor vehicle dealer, in which case the 1172
distributor may distribute at the location of the distributor's 1173
licensed dealership. 1174

(FF) "Ridesharing arrangement" means the transportation of 1175
persons in a motor vehicle where the transportation is incidental 1176
to another purpose of a volunteer driver and includes ridesharing 1177
arrangements known as carpools, vanpools, and buspools. 1178

(GG) "Apportionable vehicle" means any vehicle that is used 1179
or intended for use in two or more international registration plan 1180
member jurisdictions that allocate or proportionally register 1181
vehicles, that is used for the transportation of persons for hire 1182
or designed, used, or maintained primarily for the transportation 1183
of property, and that meets any of the following qualifications: 1184

(1) Is a power unit having a gross vehicle weight in excess 1185
of twenty-six thousand pounds; 1186

(2) Is a power unit having three or more axles, regardless of 1187
the gross vehicle weight; 1188

(3) Is a combination vehicle with a gross vehicle weight in 1189
excess of twenty-six thousand pounds. 1190

"Apportionable vehicle" does not include recreational 1191
vehicles, vehicles displaying restricted plates, city pick-up and 1192
delivery vehicles, buses used for the transportation of chartered 1193
parties, or vehicles owned and operated by the United States, this 1194
state, or any political subdivisions thereof. 1195

(HH) "Chartered party" means a group of persons who contract 1196
as a group to acquire the exclusive use of a passenger-carrying 1197
motor vehicle at a fixed charge for the vehicle in accordance with 1198

the carrier's tariff, lawfully on file with the ~~interstate~~ 1199
~~commerce commission~~ United States department of transportation, 1200
for the purpose of group travel to a specified destination or for 1201
a particular itinerary, either agreed upon in advance or modified 1202
by the chartered group after having left the place of origin. 1203

(II) "International registration plan" means a reciprocal 1204
agreement of member jurisdictions that is endorsed by the American 1205
association of motor vehicle administrators, and that promotes and 1206
encourages the fullest possible use of the highway system by 1207
authorizing apportioned registration of fleets of vehicles and 1208
recognizing registration of vehicles apportioned in member 1209
jurisdictions. 1210

(JJ) "Restricted plate" means a license plate that has a 1211
restriction of time, geographic area, mileage, or commodity, and 1212
includes license plates issued to farm trucks under division (K) 1213
of section 4503.04 of the Revised Code. 1214

(KK) "Gross vehicle weight," with regard to any commercial 1215
car, trailer, semitrailer, or bus that is taxed at the rates 1216
established under section 4503.042 of the Revised Code, means the 1217
unladen weight of the vehicle fully equipped plus the maximum 1218
weight of the load to be carried on the vehicle. 1219

(LL) "Combined gross vehicle weight" with regard to any 1220
combination of a commercial car, trailer, and semitrailer, that is 1221
taxed at the rates established under section 4503.042 of the 1222
Revised Code, means the total unladen weight of the combination of 1223
vehicles fully equipped plus the maximum weight of the load to be 1224
carried on that combination of vehicles. 1225

(MM) "Chauffeured limousine" means a motor vehicle that is 1226
designed to carry ~~fewer than nine~~ or fewer passengers and is 1227
operated for hire on an hourly basis pursuant to a prearranged 1228
contract for the transportation of passengers on public roads and 1229

highways along a route under the control of the person hiring the 1230
vehicle and not over a defined and regular route. "Prearranged 1231
contract" means an agreement, made in advance of boarding, to 1232
provide transportation from a specific location in a chauffeured 1233
limousine at a fixed rate per hour or trip. "Chauffeured 1234
limousine" does not include any vehicle that is used exclusively 1235
in the business of funeral directing. 1236

Sec. 4501.021. (A) The registrar of motor vehicles may 1237
dispose of all ~~motor vehicle bureau~~ records of the bureau of motor 1238
vehicles pursuant to section 149.34 of the Revised Code. 1239

The disposal of all records shall not take place when the 1240
registrar has received notice that a court case or other legal 1241
action is pending involving such records. 1242

Any surplus from the sale of such records, after paying the 1243
cost of administering the destruction or sale of such records, 1244
shall be paid into the state treasury. 1245

(B) Each deputy registrar shall retain in the deputy 1246
registrar's office a file containing copies of all records and 1247
transactions performed for the bureau. Copies of motor vehicle 1248
registration applications shall be retained for a period of 1249
eighteen months from the date of the record or transaction, 1250
whichever is later; copies of driver's license or identification 1251
card applications shall be retained for a period of four years 1252
from the date of the record or transaction, whichever is later; 1253
and all other records shall be retained for a period of three 1254
years from the date of the record or transaction, whichever is 1255
later. The retained records shall be available for public 1256
examination, but no person may make copies of the records for sale 1257
or distribution. 1258

Sec. 4501.25. There is hereby created in the state treasury 1259

the state bureau of motor vehicles fund. The fund shall consist of 1260
all money collected by the registrar of motor vehicles, including 1261
taxes, fees, and fines levied, charged, or referred to in Chapters 1262
4501., 4503., 4505., 4506., 4507., 4509., 4511., 4517., 4519., 1263
4521., and sections ~~2301.374~~, 2935.27, 2937.221, 3407.168, 1264
4738.06, 4738.13, and 4738.18 of the Revised Code unless otherwise 1265
designated by law. The fund shall be used to pay the expenses of 1266
administering the law relative to the powers and duties of the 1267
registrar of motor vehicles. All investment earnings of the fund 1268
shall be retained by the fund. 1269

Sec. 4503.10. (A) Except as provided in section 4503.103 of 1270
the Revised Code, every owner of a motor vehicle and every person 1271
mentioned as owner in the last certificate of title, bill of sale, 1272
or sworn statement of ownership of a motor vehicle ~~which~~ that is 1273
operated or driven upon the public roads or highways shall cause 1274
to be filed each year, by mail or otherwise, in the office of the 1275
registrar of motor vehicles or a deputy registrar, a written 1276
application or a preprinted registration renewal notice issued 1277
under section 4503.102 of the Revised Code, the form of which 1278
shall be prescribed by the registrar, for registration for the 1279
following registration year, which shall begin on the first day of 1280
January of every calendar year and end on the thirty-first day of 1281
December in the same year. Applications for registration and 1282
registration renewal notices shall be filed at the times 1283
established by the registrar pursuant to section 4503.101 of the 1284
Revised Code. Except as provided in division (J) of this section, 1285
applications for registration shall be made on blanks furnished by 1286
the registrar for that purpose, containing the following 1287
information: 1288

(1) A brief description of the motor vehicle to be 1289
registered, including the name of the manufacturer, the factory 1290

number of the vehicle, the year's model, and, in the case of
commercial cars, the gross weight of the vehicle fully equipped
computed in the manner prescribed in section 4503.08 of the
Revised Code;

1291
1292
1293
1294

(2) The name and residence address of the owner, and the
township and municipal corporation in which the owner resides;

1295
1296

(3) The district of registration, which shall be determined
as follows:

1297
1298

(a) In case the motor vehicle to be registered is used for
hire or principally in connection with any established business or
branch business, conducted at a particular place, the district of
registration is the municipal corporation in which that place is
located or, if not located in any municipal corporation, the
county and township in which that place is located.

1299
1300
1301
1302
1303
1304

(b) In case the vehicle is not so used, the district of
registration is the municipal corporation or county in which the
owner resides at the time of making the application.

1305
1306
1307

(4) Whether the motor vehicle is a new or used motor vehicle;

1308
1309

(5) The date of purchase of the motor vehicle;

1310

(6) Whether the fees required to be paid for the registration
or transfer of the motor vehicle, during the preceding
registration year and during the preceding period of the current
registration year, have been paid. Each application for
registration shall be signed by the owner, directly or pursuant to
obtaining a limited power of attorney authorized by the registrar
for registration, or other document authorizing such signature.

1311
1312
1313
1314
1315
1316
1317

(7) The owner's social security number, if assigned, or,
where a motor vehicle to be registered is used for hire or
principally in connection with any established business, the

1318
1319
1320

owner's federal taxpayer identification number. 1321

(B) Each time the applicant first registers a motor vehicle 1322
in the applicant's name, the applicant shall present for 1323
inspection proper bills of sale or sworn statement of ownership, 1324
the originals of which have been filed with the clerk of the court 1325
of common pleas, or a certificate of the clerk certifying that 1326
such bills of sale or sworn statement of ownership have been filed 1327
with the clerk, or a certificate of title or a memorandum 1328
certificate showing title to the motor vehicle to be registered in 1329
the applicant. When a motor vehicle inspection and maintenance 1330
program is in effect under section 3704.14 of the Revised Code and 1331
rules adopted under it, each application for registration for a 1332
vehicle required to be inspected under that section and those 1333
rules shall be accompanied by an inspection certificate for the 1334
motor vehicle issued in accordance with that section. The 1335
application shall be refused if any of the following applies: 1336

(1) The application is not in proper form. 1337

(2) The application is prohibited from being accepted by 1338
division (D) of section 2935.27, division (A) of section 2937.221, 1339
division (B) of section 4507.168, or division (B)(1) of section 1340
4521.10 of the Revised Code. 1341

(3) When applicable, proper bills of sale or sworn statement 1342
of ownership or proper certificate thereof or certificate of title 1343
or memorandum certificate does not accompany the application. 1344

(4) All registration and transfer fees for the motor vehicle, 1345
for the preceding year or the preceding period of the current 1346
registration year, have not been paid. 1347

(5) The owner or lessee does not have an inspection 1348
certificate for the motor vehicle as provided in section 3704.14 1349
of the Revised Code, and rules adopted under it, if that section 1350
is applicable. 1351

This section does not require the payment of license or 1352
registration taxes on a motor vehicle for any preceding year, or 1353
for any preceding period of a year, if the motor vehicle was not 1354
taxable for that preceding year or period under sections 4503.02, 1355
4503.04, 4503.11, 4503.12, and 4503.16 or Chapter 4504. of the 1356
Revised Code. When a certificate of registration is issued upon 1357
the first registration of a motor vehicle by or on behalf of the 1358
owner, the official issuing the certificate shall indicate the 1359
issuance with a stamp on the certificate of title or memorandum 1360
certificate and on the inspection certificate for the motor 1361
vehicle, if any. The official also shall indicate, by a stamp or 1362
by such other means as the registrar prescribes, on the 1363
registration certificate issued upon the first registration of a 1364
motor vehicle by or on behalf of the owner the odometer reading of 1365
the motor vehicle as shown in the odometer statement included in 1366
or attached to the certificate of title. Upon each subsequent 1367
registration of the motor vehicle by or on behalf of the same 1368
owner, the official also shall so indicate the odometer reading of 1369
the motor vehicle as shown on the immediately preceding 1370
certificate of registration. 1371

The registrar shall include in the permanent registration 1372
record of any vehicle required to be inspected under section 1373
3704.14 of the Revised Code the inspection certificate number from 1374
the inspection certificate that is presented at the time of 1375
registration of the vehicle as required under this division. 1376

(C) In addition, a charge of twenty-five cents shall be made 1377
for each reflectorized safety license plate issued, and a single 1378
charge of twenty-five cents shall be made for each county 1379
identification sticker or each set of county identification 1380
stickers issued, as the case may be, to cover the cost of 1381
producing the license plates and stickers, including material, 1382
manufacturing, and administrative costs. Those fees shall be in 1383

addition to the license tax. If the total cost of producing the
plates is less than twenty-five cents per plate, or if the total
cost of producing the stickers is less than twenty-five cents per
sticker or per set issued, any excess moneys accruing from the
fees shall be distributed in the same manner as provided by
section 4501.04 of the Revised Code for the distribution of
license tax moneys. If the total cost of producing the plates
exceeds twenty-five cents per plate, or if the total cost of
producing the stickers exceeds twenty-five cents per sticker or
per set issued, the difference shall be paid from the license tax
moneys collected pursuant to section 4503.02 of the Revised Code.

(D) Each deputy registrar shall be allowed a fee of two
dollars and twenty-five cents for each application for
registration and registration renewal notice the deputy registrar
receives, which shall be for the purpose of compensating the
deputy registrar for the deputy registrar's ~~deputy's~~ services, and
such office and rental expenses, as may be necessary for the
proper discharge of the deputy registrar's ~~deputy's~~ duties in the
receiving of applications and renewal notices and the issuing of
licenses.

(E) Upon the certification of the registrar, the county
sheriff or local police officials shall recover license plates
erroneously or fraudulently issued.

(F) Each deputy registrar, upon receipt of any application
for registration or registration renewal notice, together with the
license fee and any⁷ township motor vehicle license tax, or local
motor vehicle license tax levied pursuant to Chapter 4504. of the
Revised Code, shall transmit that fee and tax, if any, in the
manner provided in this section, together with the original and
duplicate copy of the application, to the registrar. The
registrar, subject to the approval of the director of public
safety, may deposit the funds collected by those deputies in a

local bank or depository to the credit of the "state of Ohio,
bureau of motor vehicles." Where a local bank or depository has
been designated by the registrar, each deputy registrar shall
deposit all moneys collected by the deputy registrar into that
bank or depository not more than one business day after their
collection and shall make reports to the registrar of the amounts
so deposited, together with any other information, some of which
may be prescribed by the treasurer of state, as the registrar may
require and as prescribed by the registrar by rule. The registrar,
within three days after receipt of notification of the deposit of
funds by a deputy registrar in a local bank or depository, shall
draw on that account in favor of the treasurer of state. The
registrar, subject to the approval of the director and the
treasurer of state, may make reasonable rules necessary for the
prompt transmittal of fees and for safeguarding the interests of
the state and of counties, townships, and municipal corporations
levying county or township motor vehicle license taxes, ~~township~~
~~motor vehicle license taxes,~~ or municipal motor vehicle license
taxes. The registrar may pay service charges usually collected by
banks and depositories for such service. If deputy registrars are
located in communities where banking facilities are not available,
they shall transmit the fees forthwith, by money order or
otherwise, as the registrar, by rule approved by the director and
the treasurer of state, may prescribe. The registrar may pay the
usual and customary fees for such service.

(G) This section does not prevent any person from making an
application for a motor vehicle license directly to the registrar
upon payment of a two dollars and twenty-five cents service fee
for each application. ~~Each deputy registrar shall retain in the~~
~~deputy registrar's deputy's office a copy of each application the~~
~~deputy registrar receives for a period of three registration~~
~~years. This copy shall be for public examination, but no person~~

~~may make copies thereof for sale or distribution.~~ 1449

(H) No person shall make a false statement as to the district 1450
of registration in an application required by division (A) of this 1451
section. Violation of this division is falsification under section 1452
2921.13 of the Revised Code and punishable as specified in that 1453
section. 1454

(I)(1) Where applicable, the requirements of division (B) of 1455
this section relating to the presentation of an inspection 1456
certificate issued under section 3704.14 of the Revised Code and 1457
rules adopted under it for a motor vehicle, the refusal of a 1458
license for failure to present an inspection certificate, and the 1459
stamping of the inspection certificate by the official issuing the 1460
certificate of registration apply to the registration of and 1461
issuance of license plates for a motor vehicle under sections 1462
4503.102, 4503.12, 4503.14, 4503.15, 4503.16, 4503.171, 4503.172, 1463
4503.19, 4503.40, 4503.41, 4503.42, 4503.43, 4503.44, 4503.46, 1464
4503.47, and 4503.51 of the Revised Code. 1465

(2)(a) The registrar shall adopt rules ensuring that each 1466
owner registering a motor vehicle in a county where a motor 1467
vehicle inspection and maintenance program is in effect under 1468
section 3704.14 of the Revised Code and rules adopted under it 1469
receives information about the requirements established in that 1470
section and those rules and about the need in those counties to 1471
present an inspection certificate with an application for 1472
registration or preregistration. 1473

(b) Upon request, the registrar shall provide the director of 1474
environmental protection, or any person that has been awarded a 1475
contract under division (D) of section 3704.14 of the Revised 1476
Code, an on-line computer data link to registration information 1477
for all passenger cars, noncommercial motor vehicles, and 1478
commercial cars that are subject to that section. The registrar 1479
also shall provide to the director of environmental protection a 1480

magnetic data tape containing registration information regarding 1481
passenger cars, noncommercial motor vehicles, and commercial cars 1482
for which a multi-year registration is in effect under section 1483
4503.103 of the Revised Code or rules adopted under it, including, 1484
without limitation, the date of issuance of the multi-year 1485
registration, the registration deadline established under rules 1486
adopted under section 4503.101 of the Revised Code that was 1487
applicable in the year in which the multi-year registration was 1488
issued, and the registration deadline for renewal of the 1489
multi-year registration. 1490

(J) Application for registration under the international 1491
registration plan, as set forth in sections 4503.60 to 4503.66 of 1492
the Revised Code, shall be made to the registrar on forms 1493
furnished by the registrar. In accordance with international 1494
registration plan guidelines and pursuant to rules adopted by the 1495
registrar, the forms shall include the following: 1496

(1) A uniform mileage schedule; 1497

(2) The gross vehicle weight of the vehicle or combined gross 1498
vehicle weight of the combination vehicle as declared by the 1499
registrant; 1500

(3) Any other information the registrar requires by rule. 1501

Sec. 4503.103. (A) Any The registrar of motor vehicles may 1502
adopt rules to permit any person or lessee, other than a person 1503
receiving an apportioned license plate under the international 1504
registration plan, who owns or leases ~~twenty~~ ten or more motor 1505
vehicles used principally in connection with any established 1506
business, ~~in accordance with rules adopted by the registrar of~~ 1507
~~motor vehicles, may~~ to file a written application for registration 1508
for no more than ~~four~~ five succeeding registration years. The 1509
rules adopted by the registrar may designate the classes of motor 1510

vehicles that are eligible for such registration. At the time of 1511
application, all annual taxes and fees shall be paid for each year 1512
for which the person is registering. No person applying for a 1513
multi-year registration is entitled to a refund of any taxes or 1514
fees paid. 1515

The registrar may adopt rules to permit any person, other 1516
than a person receiving an apportioned license plate under the 1517
international registration plan, who owns a motor vehicle to file 1518
an application for registration for the next two succeeding 1519
registration years. 1520

The registrar shall not issue to any applicant who has been 1521
issued a final, nonappealable order under division (B) of this 1522
section a multi-year registration or renewal thereof under this 1523
division or rules adopted under it for any motor vehicle that is 1524
required to be inspected under section 3704.14 of the Revised Code 1525
the district of registration of which, as determined under section 1526
4503.10 of the Revised Code, is or is located in the county named 1527
in the order. 1528

(B) Upon receipt from the director of environmental 1529
protection of a notice issued under division (J) of section 1530
3704.14 of the Revised Code indicating that an owner of a motor 1531
vehicle that is required to be inspected under that section who 1532
obtained a multi-year registration for the vehicle under division 1533
(A) of this section or rules adopted under that division has not 1534
obtained an inspection certificate for the vehicle in accordance 1535
with that section in a year intervening between the years of 1536
issuance and expiration of the multi-year registration in which 1537
the owner is required to have the vehicle inspected and obtain an 1538
inspection certificate for it under division (F)(1)(a) of that 1539
section, the registrar in accordance with Chapter 119. of the 1540
Revised Code shall issue an order to the owner impounding the 1541

certificate of registration and identification license plates for 1542
the vehicle. The order also shall prohibit the owner from 1543
obtaining or renewing a multi-year registration for any vehicle 1544
that is required to be inspected under that section, the district 1545
of registration of which is or is located in the same county as 1546
the county named in the order during the number of years after 1547
expiration of the current multi-year registration that equals the 1548
number of years for which the current multi-year registration was 1549
issued. 1550

An order issued under this division shall require the owner 1551
to surrender to the registrar the certificate of registration and 1552
license plates for the vehicle named in the order within five days 1553
after its issuance. If the owner fails to do so within that time, 1554
the registrar shall certify that fact to the county sheriff or 1555
local police officials who shall recover the certificate of 1556
registration and license plates for the vehicle. 1557

(C) Upon the occurrence of either of the following 1558
circumstances, the registrar in accordance with Chapter 119. of 1559
the Revised Code shall issue to the owner a modified order 1560
rescinding the provisions of the order issued under division (B) 1561
of this section impounding the certificate of registration and 1562
license plates for the vehicle named in that original order: 1563

(1) Receipt from the director of environmental protection of 1564
a subsequent notice under division (J) of section 3704.14 of the 1565
Revised Code that the owner has obtained the inspection 1566
certificate for the vehicle as required under division (F)(1)(a) 1567
of that section; 1568

(2) Presentation to the registrar by the owner of the 1569
required inspection certificate for the vehicle. 1570

(D) The owner of a motor vehicle for which the certificate of 1571
registration and license plates have been impounded pursuant to an 1572

order issued under division (B) of this section, upon issuance of 1573
a modified order under division (C) of this section, may apply to 1574
the registrar for their return. A fee of two dollars and fifty 1575
cents shall be charged for the return of the certificate of 1576
registration and license plates for each vehicle named in the 1577
application. 1578

Sec. 4503.12. Upon the transfer of ownership of a motor 1579
vehicle, the registration of the motor vehicle expires and the 1580
original owner immediately shall remove the license plates from 1581
the motor vehicle, except that: 1582

(A) If a statutory merger or consolidation results in the 1583
transfer of ownership of a motor vehicle from a constituent 1584
corporation to the surviving corporation, or if the incorporation 1585
of a proprietorship or partnership results in the transfer of 1586
ownership of a motor vehicle from the proprietorship or 1587
partnership to the corporation, the registration shall be 1588
continued upon the filing by the surviving or new corporation, 1589
within thirty days of such transfer, of an application for an 1590
amended certificate of registration, unless such registration is 1591
prohibited by division (D) of section 2935.27, division (A) of 1592
section 2937.221, division (B) of section 4507.168, or division 1593
(B)(1) of section 4521.10 of the Revised Code. The application 1594
shall be accompanied by a service fee of two dollars and 1595
twenty-five cents, a transfer fee of one dollar, and the original 1596
certificate of registration. Upon a proper filing, the registrar 1597
of motor vehicles shall issue an amended certificate of 1598
registration in the name of the new owner. 1599

(B) If the death of the owner of a motor vehicle results in 1600
the transfer of ownership of the motor vehicle to the surviving 1601
spouse of the owner or if a motor vehicle is owned by two persons 1602
under joint ownership with right of survivorship established under 1603

section 2106.17 of the Revised Code and one of those persons dies, 1604
the registration shall be continued upon the filing by the 1605
surviving spouse of an application for an amended certificate of 1606
registration, unless such registration is prohibited by division 1607
(D) of section 2937.27, division (A) of section 2937.221, division 1608
(B) of section 4507.168, or division (B)(1) of section 4521.10 of 1609
the Revised Code. The application shall be accompanied by a 1610
service fee of two dollars and twenty-five cents, a transfer fee 1611
of one dollar, the original certificate of registration, and, in 1612
relation to a motor vehicle that is owned by two persons under 1613
joint ownership with right of survivorship established under 1614
section 2106.17 of the Revised Code, by a copy of the certificate 1615
of title that specifies that the vehicle is owned under joint 1616
ownership with right of survivorship. Upon a proper filing, the 1617
registrar shall issue an amended certificate of registration in 1618
the name of the surviving spouse. 1619

(C) If the original owner of a motor vehicle that has been 1620
transferred makes application for the registration of another 1621
motor vehicle at any time during the remainder of the registration 1622
period for which the transferred motor vehicle was registered, the 1623
owner, unless such registration is prohibited by division (D) of 1624
section 2935.27, division (A) of section 2937.221, division (E) of 1625
section 4503.234, division (B) of section 4507.168, or division 1626
(B)(1) of section 4521.10 of the Revised Code, may file an 1627
application for transfer of the registration and, where 1628
applicable, the license plates, accompanied by a service fee of 1629
two dollars and twenty-five cents, a transfer fee of one dollar, 1630
and the original certificate of registration. The transfer of the 1631
registration and, where applicable, the license plates from the 1632
motor vehicle for which they originally were issued to a 1633
succeeding motor vehicle purchased by the same person in whose 1634
name the original registration and license plates were issued 1635

shall be done within a period not to exceed thirty days. During 1636
that thirty-day period, the license plates from the motor vehicle 1637
for which they originally were issued may be displayed on the 1638
succeeding motor vehicle, and the succeeding motor vehicle may be 1639
operated on the public roads and highways in this state. 1640

At the time of application for transfer, the registrar shall 1641
compute and collect the amount of tax due on the succeeding motor 1642
vehicle, based upon the amount that would be due on a new 1643
registration as of the date on which the transfer is made less a 1644
credit for the unused portion of the original registration 1645
beginning on that date. If the credit exceeds the amount of tax 1646
due on the new registration, no refund shall be made. In computing 1647
the amount of tax due and credits to be allowed under this 1648
division, the provisions of division (B)(1)(a) and (b) of section 1649
4503.11 of the Revised Code shall apply. As to passenger cars, 1650
noncommercial vehicles, motor homes, and motorcycles, transfers 1651
within or between these classes of motor vehicles only shall be 1652
allowed. If the succeeding motor vehicle is of a different class 1653
than the motor vehicle for which the registration originally was 1654
issued, new license plates also shall be issued upon the surrender 1655
of the license plates originally issued and payment of the fees 1656
provided in divisions (C) and (D) of section 4503.10 of the 1657
Revised Code. 1658

(D) The owner of a commercial car having a gross vehicle 1659
weight or combined gross vehicle weight of more than ten thousand 1660
pounds may transfer the registration of that commercial car to 1661
another commercial car the owner owns without transferring 1662
ownership of the first commercial car, unless registration of the 1663
second commercial car is prohibited by division (D) of section 1664
2935.27, division (A) of section 2937.221, division (B) of section 1665
4507.168, or division (B)(1) of section 4521.10 of the Revised 1666
Code. At any time during the remainder of the registration period 1667

for which the first commercial car was registered, the owner may 1668
file an application for the transfer of the registration and, 1669
where applicable, the license plates, accompanied by a service fee 1670
of two dollars and twenty-five cents, a transfer fee of one 1671
dollar, and the certificate of registration of the first 1672
commercial car. The amount of any tax due or credit to be allowed 1673
for a transfer of registration under this division shall be 1674
computed in accordance with division (C) of this section. 1675

No commercial car to which a registration is transferred 1676
under this division shall be operated on a public road or highway 1677
in this state until after the transfer of registration is 1678
completed in accordance with this division. 1679

(E) Upon application to the registrar or a deputy registrar, 1680
a person who owns or leases a motor vehicle may transfer special 1681
license plates assigned to that vehicle to any other vehicle that 1682
the person owns or leases or that is owned or leased by the 1683
person's spouse. The application shall be accompanied by a service 1684
fee of two dollars and twenty-five cents, a transfer fee of one 1685
dollar, and the original certificate of registration. As 1686
appropriate, the application also shall be accompanied by a power 1687
of attorney for the registration of a leased vehicle and a written 1688
statement releasing the special plates to the applicant. Upon a 1689
proper filing, the registrar or deputy registrar shall assign the 1690
special license plates to the motor vehicle owned or leased by the 1691
applicant and issue a new certificate of registration for that 1692
motor vehicle. 1693

As used in division (E) of this section, "special license 1694
plates" means either of the following: 1695

(1) Any license plates for which the person to whom the 1696
license plates are issued must pay an additional fee in excess of 1697
the fees prescribed in section 4503.04 of the Revised Code, 1698

Chapter 4504. of the Revised Code, and the service fee prescribed 1699
in division (D) or (G) of section 4503.10 of the Revised Code; 1700

(2) License plates issued under section 4503.44 of the 1701
Revised Code. 1702

Sec. 4503.19. Upon the filing of an application for 1703
registration and the payment of the tax therefor, the registrar of 1704
motor vehicles or a deputy registrar shall determine whether the 1705
owner has previously been issued license plates for the motor 1706
vehicle described in the application. If no license plates have 1707
previously been issued to the owner for that motor vehicle, the 1708
registrar or deputy registrar shall assign to the motor vehicle a 1709
distinctive number and issue and deliver to the owner in such 1710
manner as the registrar may select a certificate of registration, 1711
in such form as the registrar shall prescribe, and, except as 1712
otherwise provided in this section, two license plates, duplicates 1713
of each other, and A validation ~~stickers~~ sticker, or A validation 1714
~~stickers~~ sticker alone, to be attached to the number plates as 1715
provided in section 4503.191 of the Revised Code. The registrar or 1716
deputy registrar also shall charge the owner any fees required 1717
under division (C) of section 4503.10 of the Revised Code. 1718

Trailers, manufactured homes, semitrailers, the manufacturer 1719
thereof, the dealer, or in transit companies therein, shall be 1720
issued one license plate only and one validation sticker, or a 1721
validation sticker alone, which license plate and validation 1722
sticker shall be displayed only on the rear of such vehicles. A 1723
commercial tractor that does not receive an apportioned license 1724
plate under the international registration plan shall be issued 1725
one license plate and one validation sticker, which license plate 1726
and validation sticker shall be displayed on the front of the 1727
commercial tractor. An apportioned vehicle receiving an 1728
apportioned license plate under the international registration 1729

plan shall be issued one license plate only and one validation 1730
sticker, or a validation sticker alone; the license plate shall be 1731
displayed only on the front of a semitractor and on the rear of 1732
all other vehicles. School buses shall not be issued license 1733
plates, but shall bear identifying numbers in the manner 1734
prescribed by section 4511.764 of the Revised Code. The 1735
certificate of registration and license plates and validation 1736
stickers, or validation stickers alone, shall be issued and 1737
delivered to the owner in person or by mail. Chauffeured 1738
limousines shall be issued license plates, a validation sticker, 1739
and a livery sticker as provided in section 4503.24 of the Revised 1740
Code. In the event of the loss, mutilation, or destruction of any 1741
certificate of registration, or of any license plates or 1742
validation stickers, or in the event the owner chooses to replace 1743
license plates previously issued for a motor vehicle, or the 1744
registration certificate and license plates have been impounded as 1745
provided by division (F)(1) of section 4507.02 and division (A)(2) 1746
of section 4507.16 Of the Revised Code, the owner of a motor 1747
vehicle, or manufacturer or dealer, may obtain from the registrar, 1748
or from a deputy registrar if authorized by the registrar, a 1749
duplicate thereof or new license plates bearing a different 1750
number, if the registrar considers it advisable, upon filing an 1751
application prescribed by the registrar, and upon paying a fee of 1752
one dollar for such certificate of registration ~~and~~ a fee of five 1753
dollars for each set of two license plates, or three dollars for 1754
each single license plate or validation sticker ~~and a service fee~~ 1755
~~of two dollars and twenty five cents.~~ In addition, each applicant 1756
for a replacement certificate of registration, license plate, or 1757
validation sticker shall pay the fees provided in divisions (C) 1758
and (D) of section 4503.10 Of the Revised Code. 1759

Additionally, the registrar and each deputy registrar who 1760
either issues license plates and a validation sticker for use on 1761

any vehicle other than a commercial tractor, semitrailer, or 1762
apportioned vehicle, or who issues a validation sticker alone for 1763
use on such a vehicle and the owner has changed the owner's county 1764
of residence since the owner last was issued county identification 1765
stickers, also shall issue and deliver to the owner either one or 1766
two county identification stickers, as appropriate, which shall be 1767
attached to the license plates in a manner prescribed by the 1768
director of public safety. The county identification stickers 1769
shall prominently identify by name or number the county in which 1770
the owner of the vehicle resides at the time of registration. 1771

Sec. 4503.21. No person who is the owner or operator of a 1772
motor vehicle shall fail to display in plain view on the front and 1773
rear of ~~such~~ the motor vehicle the distinctive number and 1774
registration mark, including any county identification sticker and 1775
any validation sticker issued under sections 4503.19 and 4503.191 1776
of the Revised Code, furnished by the director of public safety, 1777
except that a manufacturer of motor vehicles or dealer therein, 1778
the holder of an in transit permit, and the owner or operator of a 1779
motorcycle, motorized bicycle, manufactured home, trailer, or 1780
semitrailer shall display on the rear only. A motor vehicle that 1781
is issued two license plates shall display the validation sticker 1782
on the rear license plate. A commercial tractor that does not 1783
receive an apportioned license plate under the international 1784
registration plan shall be issued one license plate and one 1785
validation sticker, which license plate and validation sticker 1786
shall be displayed on the front of the commercial tractor. An 1787
apportioned vehicle receiving an apportioned license plate under 1788
the international registration plan shall display the license 1789
plate only on the front of a ~~semitractor~~ commercial tractor and on 1790
the rear of all other vehicles. ~~Such number~~ All license plates 1791
shall be securely fastened so as not to swing, and shall not be 1792
covered by any material that obstructs their visibility. 1793

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 ~~such~~ that motor vehicle, shall fail to display ~~such~~ 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 ~~such~~ the windshield sticker in plain view on the rear window of the motor vehicle. ~~Such~~ no temporary license placard or windshield sticker shall ~~not~~ be covered by any material that obstructs its visibility.

Sec. 4503.27. A manufacturer, dealer, or distributor shall make application for registration, for each place in this state at which the business of manufacturing, dealing, or distributing of motor vehicles is carried on. The application shall show the make of motor vehicles manufactured, dealt in, or distributed at such place and shall show the taxing district in which the place of business is located. Upon the filing of such application and the payment of the annual tax and postage therefor, the registrar of motor vehicles shall assign to the applicant a distinctive number which must be carried and displayed by each such motor vehicle in like manner as provided by law for other motor vehicles while it is operated on the public highway until it is sold or transferred. At the time the registrar assigns the distinctive number ~~he~~ the registrar shall furnish one placard with the number thereon. Such manufacturer, dealer, or distributor may procure a reasonable number of certified copies of the registration certificate upon the payment for each of ~~a~~ an annual fee of five dollars and the appropriate postage as required by the registrar. With each of ~~such~~ the certified copies the registrar shall furnish one placard with the same numbering provided in the original registration certificate, and shall add thereto such special designation as necessary to distinguish one set of placards from another.

The registrar shall not assign any distinctive number, and he shall not furnish any placards to any dealer or distributor unless ~~such~~ the dealer or distributor, at the time of making application for ~~such~~ the placards, produces evidence to show that ~~he~~ the dealer or distributor is the holder either of a motor vehicle dealer's license required by section 4517.04 or 4517.05 of the Revised Code, or a distributor's license required by section 4517.08 of the Revised Code. Such evidence shall be presented in the manner prescribed by the registrar.

Sec. 4503.301. (A) A manufacturer, dealer, or distributor of motor vehicles may apply for a reasonable number of commercial car demonstration ~~placard~~ placards. The application shall show the make of commercial cars, commercial tractors, trailers, and semitrailers manufactured, dealt, or distributed in and shall show the taxing district in which the applicant's place of business is located.

Upon the filing of such application and the payment of a an annual fee of five hundred dollars and appropriate postage as required by the registrar of motor vehicles, the registrar shall assign to the applicant a distinctive placard and number. Such placards shall be known as "commercial car demonstration placards," and shall ~~be valid for a period of one year from date of issue~~ expire on a date prescribed by the registrar. Such Upon the first application by any person for such placards, the registrar shall prorate the annual fee in accordance with section 4503.11 Of the Revised Code; for all renewals or replacements of such placards, the registrar shall collect the full amount of the annual fee.

Commercial car demonstration placards may be displayed on commercial cars, commercial tractors, trailers and semitrailers owned by the manufacturer, dealer, or distributor, when ~~such~~ those

vehicles are operated by or being demonstrated to a prospective purchaser. In addition to the purposes permitted by section 4503.30 of the Revised Code, the placards provided for in this section may be displayed on vehicles operated or used for delivery, hauling, transporting, or any other lawful purpose. When such placards are used, the placards provided for in section 4503.30 of the Revised Code need not be displayed.

The operator of any commercial car, commercial tractor, trailer, or semitrailer displaying the placards provided for in this section ~~shall~~, at all times, shall carry with ~~him~~ the operator a letter from the manufacturer, dealer, or distributor authorizing the use of such manufacturer's, dealer's, or distributor's commercial car demonstration placards.

When such placards are used on any commercial car or commercial tractor, such power unit shall be considered duly registered and licensed for the purposes of section 4503.38 of the Revised Code.

(B) No manufacturer, dealer, or distributor of motor vehicles shall use the commercial car demonstration placard for purposes other than those ~~provided in~~ authorized by this section.

Sec. 4503.31. As used in this section, "person" includes, but is not limited to, any person engaged in the business of manufacturing or distributing, or selling at retail, displaying, offering for sale, or dealing in, motorized bicycles who is not subject to section 4503.09 of the Revised Code, or an Ohio nonprofit corporation engaged in the business of testing of motor vehicles.

Persons other than manufacturers, dealers, or distributors may register annually with the registrar of motor vehicles and obtain placards to be displayed on motor vehicles as provided by this section. Applications for annual registration shall be made

at the time provided for payment of the tax and postage imposed on 1888
manufacturers, dealers, or distributors and shall be in the manner 1889
to be prescribed by the registrar. The fee for such registration 1890
shall be twenty-five dollars and shall not be reduced when the 1891
registration is for a part of a year. Applicants may procure a 1892
reasonable number of certified copies of such registration upon 1893
the payment of a fee of five dollars and appropriate postage as 1894
required by the registrar for each ~~such~~ copy. 1895

Upon the filing of the application and the payment of the fee 1896
and postage prescribed by this section, the registrar shall issue 1897
to each applicant a certificate of registration and assign a 1898
distinctive number and furnish one placard with the number 1899
thereon. With each of the certified copies of the registration 1900
provided for in this section the registrar shall furnish one 1901
placard with the same numbering assigned in the original 1902
registration certificate and shall add thereto such special 1903
designation as necessary to distinguish one set of placards from 1904
another. All placards furnished by the registrar pursuant to this 1905
section shall be so marked as to be distinguishable from placards 1906
issued dealers, manufacturers, or distributors. Placards issued 1907
pursuant to this section may be used only on motor vehicles or 1908
motorized bicycles owned and being used in testing or being 1909
demonstrated for purposes of sale or lease; or on motor vehicles 1910
subject to the rights and remedies of a secured party being 1911
exercised under sections 1309.01 to 1309.50 of the Revised Code; 1912
or on motor vehicles being held or transported by any insurance 1913
company for purposes of salvage disposition; or on motor vehicles 1914
being transported by any persons regularly engaged in salvage 1915
operations or scrap metal processing from the point of acquisition 1916
to their established place of business; or on motor vehicles owned 1917
by or in the lawful possession of an Ohio nonprofit corporation 1918
while being used in the testing of those motor vehicles. 1919

Placards issued pursuant to this section ~~may~~ also may be used 1920
by persons regularly and primarily engaged in the business of 1921
rustproofing, reconditioning, or installing equipment or trim on 1922
motor vehicles for motor vehicle dealers when such motor vehicles 1923
are being transported to or from the motor vehicle dealer's place 1924
of business; and by persons engaged in manufacturing articles for 1925
attachment to motor vehicles when such motor vehicles are being 1926
transported to or from places where mechanical equipment is 1927
attached to the chassis of such new motor vehicles; or on motor 1928
vehicles being towed by any persons regularly and primarily 1929
engaged in the business of towing motor vehicles while such 1930
vehicle is being towed to a point of storage. 1931

Placards issued pursuant to this section ~~may~~ also may be used 1932
on trailers being transported by persons engaged in the business 1933
of selling tangible personal property other than motor vehicles. 1934

No person required to register an apportionable vehicle under 1935
the international registration plan shall apply for or receive a 1936
placard for that vehicle under this section. 1937

The fees collected by the registrar pursuant to this section 1938
shall be paid into the state bureau of motor vehicles fund 1939
established in section 4501.25 of the Revised Code and used for 1940
the purposes described in that section. 1941

Sec. 4503.311. A manufacturer of or dealer in trailers for 1942
transporting watercraft may apply for registration with the 1943
registrar of motor vehicles for each place in this state where ~~he~~ 1944
the manufacturer or dealer carries on the business of 1945
manufacturing or dealing in such trailers. Applications for annual 1946
registration shall be made at the time provided for payment of the 1947
tax imposed on manufacturers and dealers by section 4503.09 of the 1948
Revised Code and shall be in the manner to be prescribed by the 1949
registrar. The fee for such registration shall be twenty-five 1950

dollars and shall not be reduced when the registration is for a 1951
part of a year. 1952

Upon the filing of such application and the payment of ~~such~~ 1953
the fee, and appropriate postage as required by the registrar of 1954
motor vehicles, the registrar shall assign to the applicant a 1955
distinctive number which shall be displayed on the rear of each 1956
trailer while it is operated on the public highway. Such trailer 1957
may be operated on the public highway while loaded, until it is 1958
sold or transferred. At the time the registrar assigns the 1959
distinctive number, ~~he~~ the registrar shall furnish one placard 1960
with the number thereon. Such manufacturer or dealer may procure a 1961
reasonable number of certified copies of the registration 1962
certificate upon the payment of a fee of five dollars and postage. 1963
With each of such certified copies, the registrar shall furnish 1964
one placard with the same number provided in the original 1965
registration certificate, and shall add thereto such special 1966
designation as necessary to distinguish one set of placards from 1967
another. All placards furnished by the registrar pursuant to this 1968
section shall be so marked as to be distinguishable from placards 1969
issued to dealers in or manufacturers of motor vehicles. 1970

The fees collected by the registrar pursuant to this section 1971
shall be paid into the state bureau of motor vehicles fund 1972
established in section 4501.25 of the Revised Code and used for 1973
the purposes described in that section. 1974

Sec. 4503.312. As used in this section: 1975

(A) "Utility trailer" means any trailer, except a travel 1976
trailer or trailer for transporting watercraft, having a gross 1977
weight of less than four thousand pounds. 1978

(B) "Snowmobile" and "all-purpose vehicle" have the same 1979
meaning as in section 4519.01 of the Revised Code. 1980

(C) "Distributor" means any person authorized by a 1981
manufacturer of utility trailers or trailers for transporting 1982
motorcycles, snowmobiles, or all-purpose vehicles to distribute 1983
new trailers to persons for purposes of resale. 1984

A manufacturer or distributor of utility trailers or trailers 1985
for transporting motorcycles, snowmobiles, or all-purpose vehicles 1986
may apply for registration with the registrar of motor vehicles 1987
for each place in this state where ~~he~~ the manufacturer or 1988
distributor carries on the business of manufacturing or 1989
distributing such trailers. Applications for annual registration 1990
shall be made at the time provided for payment of the tax imposed 1991
by section 4503.09 of the Revised Code; shall be in the manner to 1992
be prescribed by the registrar; and shall be accompanied by an 1993
affidavit certifying that the applicant is a manufacturer or 1994
distributor of utility trailers or trailers for transporting 1995
motorcycles, snowmobiles, or all-purpose vehicles. The fee for 1996
such registration shall be twenty-five dollars and shall not be 1997
reduced when the registration is for a part of a year. 1998

Upon the filing of the application and affidavit, and payment 1999
of the fee and appropriate postage as required by the registrar, 2000
the registrar shall assign to the applicant a distinctive number 2001
which shall be displayed on the rear of each trailer when it is 2002
operated on the public highway. Any trailer for transporting 2003
motorcycles, snowmobiles, or all-purpose vehicles that is not 2004
loaded may be operated on the public highway until it is sold or 2005
transferred; and any utility trailer that is not loaded, or that 2006
is being used to transport another utility trailer for purposes of 2007
demonstration or delivery, may be operated on the public highway 2008
until it is sold or transferred. 2009

At the time the registrar assigns the distinctive number, ~~he~~ 2010
the registrar shall furnish one placard with the number thereon. 2011
The manufacturer or distributor may procure a reasonable number of 2012

certified copies of the registration certificate upon the payment 2013
of a fee of five dollars and postage. With each of such certified 2014
copies, the registrar shall furnish one placard with the same 2015
number provided in the original registration certificate, and 2016
shall add thereto such special designation as necessary to 2017
distinguish one set of placards from another. All placards 2018
furnished by the registrar pursuant to this section shall be so 2019
marked as to be distinguishable from placards issued to dealers in 2020
or manufacturers of motor vehicles or trailers for transporting 2021
watercraft. 2022

The fees collected by the registrar pursuant to this section 2023
shall be paid into the state bureau of motor vehicles fund 2024
established by section 4501.25 of the Revised Code and used for 2025
the purposes described in that section. 2026

Sec. 4503.33. A person, firm, or corporation engaged in this 2027
state as a drive-away operator or trailer transporter or both in 2028
the business of transporting and delivering, by means of the full 2029
mount method, the saddle mount method, the tow bar method, 2030
tow-away method, or any combination thereof, or under their own 2031
power, new motor vehicles from the manufacturer or any other point 2032
of origin to any point of destination, or used motor vehicles from 2033
any individual, firm, or corporation to any point of destination, 2034
or both, shall make application to the registrar of motor vehicles 2035
for an "in transit" permit. This application shall be accompanied 2036
by a registration fee of fifty dollars, and shall show such 2037
information as ~~deemed~~ is considered necessary by the registrar. 2038
Upon the filing of the application and the payment of the annual 2039
fee and appropriate postage as required by the registrar, the 2040
registrar shall issue to each permittee a certificate of 2041
registration bearing a distinctive number or designation of the 2042
registration and one placard bearing a corresponding number or 2043
designation, which placard must be carried and displayed by each 2044

such motor vehicle in like manner as provided by law for other 2045
motor vehicles while operated upon a public highway in transit 2046
from the manufacturer or any other point of origin to any point of 2047
destination. 2048

~~Such~~ A permittee may procure a reasonable number of certified 2049
copies of such registration certificate upon the payment of a fee 2050
of three dollars and postage. With each such certified copy the 2051
registrar shall furnish one placard with the same numbering or 2052
designation provided in the original registration certificate, and 2053
~~he~~ the registrar may add thereto such special designation as may 2054
be necessary to distinguish one placard from another. 2055

No person required to register an apportionable vehicle under 2056
the international registration plan shall apply for or receive a 2057
placard for that vehicle under this section. 2058

Sec. 4503.77. (A) As used in this section, "nonstandard 2059
license plate" means all of the following: 2060

(1) A license plate issued under sections 4503.52, 4503.55, 2061
4503.56, 4503.57, 4503.70, 4503.71, ~~and~~ 4503.72, and 4503.75 of 2062
the Revised Code; 2063

(2) A license plate issued under a program that is 2064
reestablished under division (D) of this section and that meets 2065
the requirements contained in division (B) of section 4503.78 of 2066
the Revised Code; 2067

(3) Except as may otherwise be specifically provided by law, 2068
any license plate created after the effective date of this 2069
section. 2070

(B)(1) If, during any calendar year commencing with 1998, the 2071
total number of motor vehicle registrations involving a particular 2072
type of nonstandard license plate is less than one thousand, 2073
including both new registrations and registration renewals, the 2074

registrar of motor vehicles, on or after the first day of January, 2075
but not later than the fifteenth day of January of the following 2076
year, shall send a written notice to the sponsor of that type of 2077
nonstandard license plate, if a sponsor exists, informing the 2078
sponsor of this fact. The registrar also shall inform the sponsor 2079
that if, during the calendar year in which the written notice is 2080
sent, the total number of motor vehicle registrations involving 2081
the sponsor's nonstandard license plate again is less than one 2082
thousand, the program involving that type of nonstandard license 2083
plate will be terminated on the thirty-first day of December of 2084
the calendar year in which the written notice is sent and, except 2085
as provided in division (C) of this section, no motor vehicle 2086
registration application involving either the actual issuance of 2087
that type of nonstandard license plate or the registration renewal 2088
of a motor vehicle displaying that type of nonstandard license 2089
plate will be accepted by the registrar or a deputy registrar 2090
beginning the first day of January of the next calendar year. The 2091
registrar also shall inform the sponsor that if the program 2092
involving the sponsor's nonstandard license plate is terminated 2093
under this section, it may be reestablished pursuant to division 2094
(D) of this section. 2095

(2) If, during any calendar year commencing with 1998, the 2096
total number of motor vehicle registrations involving a particular 2097
type of nonstandard license plate is less than one thousand, 2098
including both new registrations and registration renewals, and no 2099
sponsor exists for that license plate, the registrar shall issue a 2100
public notice on or after the first day of January, but not later 2101
than the fifteenth day of January of the following year, stating 2102
that fact. The notice also shall inform the public that if, during 2103
the calendar year in which the registrar issues the public notice, 2104
the total number of motor vehicle registrations for that type of 2105
nonstandard license plate, including both new registrations and 2106

registration renewals, again is less than one thousand, the
program involving that type of nonstandard license plate will be
terminated on the thirty-first day of December of the calendar
year in which the registrar issues the public notice and, except
as provided in division (C) of this section, no motor vehicle
registration application involving either the actual issuance of
that type of nonstandard license plate or the registration renewal
of a motor vehicle displaying that type of nonstandard license
plate will be accepted by the registrar or a deputy registrar
beginning on the first day of January of the next calendar year.

(C) If the program involving a type of nonstandard license
plate is terminated under division (B) of this section, the
registration of any motor vehicle displaying that type of
nonstandard license plate at the time of termination may be
renewed so long as the nonstandard license plates remain
serviceable. If the nonstandard license plates of such a motor
vehicle become unfit for service, the owner of the motor vehicle
may apply for the issuance of nonstandard license plates of that
same type, but the registrar or deputy registrar shall issue such
nonstandard license plates only if at the time of application the
stock of the bureau contains license plates of that type of
nonstandard license plate. If, at the time of such application,
the stock of the bureau does not contain license plates of that
type of nonstandard license plate, the registrar or deputy
registrar shall inform the owner of that fact, and the application
shall be refused.

If the program involving a type of nonstandard license plate
is terminated under division (B) of this section and the
registration of motor vehicles displaying such license plates
continues as permitted by this division, the registrar, for as
long as such registrations continue to be issued, shall continue

to collect and distribute any contribution that was required to be 2139
collected and distributed prior to the termination of that 2140
program. 2141

(D) If the program involving a nonstandard license plate is 2142
terminated under division (B)(1) of this section, the sponsor of 2143
that license plate may apply to the registrar for the 2144
reestablishment of the program. If the program involving that 2145
nonstandard license plate is reestablished, the reestablishment is 2146
subject to division (B) of section 4503.78 of the Revised Code. 2147

Sec. 4503.84. The registrar of motor vehicles ~~shall~~ may 2148
prescribe rules to make license plates and validation stickers 2149
available for purchase in the year following the expiration of the 2150
~~license plate and validation sticker~~ or when the license plate 2151
design no longer is issued or in service. The price of each 2152
license plate shall be five dollars; the price of each validation 2153
sticker shall be two dollars. 2154

Sec. 4505.07. (A) A certificate of title shall be printed 2155
upon a special paper with a secure printing process or other 2156
secure process, for the printing of motor vehicle titles, as 2157
required by section 2 of the "Truth in Mileage Act of 1986," 100 2158
Stat. 3309, 15 U.S.C.A. 1901 et seq. 2159

(B) Every certificate of title shall bear the distinguishing 2160
number assigned to the title, and shall contain, on the front of 2161
the certificate, the following information: 2162

(1) An indication that the certificate is issued in this 2163
state; 2164

(2) The county in which the certificate is issued; 2165

(3) An indication that the certificate is an original, 2166
memorandum, duplicate, or salvage certificate; 2167

| | |
|--|--------------------------------------|
| (4) The date of issuance of the certificate; | 2168 |
| (5) The name and address of the owner, in full; | 2169 |
| (6) The name and address of the previous owner, in full; | 2170 |
| (7) The previous certificate of title number; | 2171 |
| (8) The state in which the vehicle previously was titled; | 2172 |
| (9) The make, body type, year, model, and vehicle identification number of the vehicle; | 2173 2174 |
| (10) First and second lien notation information, including the name and address of the lienholder in full and the date of the lien notation; | 2175 2176 2177 |
| (11) For discharging and canceling the lien notation, a notice that states: "lien discharge," a space for the signature of the lienholder, the discharge date, a space for the signature of the clerk of the court of common pleas, the cancellation date, and a space for the notation of the deputy clerk; | 2178 2179 2180 2181 2182 |
| (12) The purchase price of the motor vehicle and the amount of Ohio sales or use tax paid; | 2183 2184 |
| (13) The mileage registered on the odometer and the status of the odometer of the vehicle at the time the previous title was assigned; | 2185 2186 2187 |
| (14) A space for the seal of the clerk; | 2188 |
| (15) The signature of the clerk; | 2189 |
| (16) A space for the notation of the deputy clerk; | 2190 |
| (17) A space for other pertinent information as may be required by the registrar of motor vehicles; | 2191 2192 |
| (18) A consecutive number for control purposes; | 2193 |
| (19) In the case of a vehicle last previously registered in another state, a space to be used for recording any notation | 2194 2195 |

applicable to the vehicle and the abbreviation of the state in 2196
which the vehicle was last registered, as required by divisions 2197
(B)(1) and (2) of section 4505.08 of the Revised Code; 2198

(20) In the case of a vehicle last previously registered in 2199
this state, a space to be used for recording any information 2200
applicable to the vehicle as required by division (C) of section 2201
4505.08 Of the Revised Code or by rule of the registrar of motor 2202
vehicles adopted under that division. 2203

(C) If the certificate of title is a duplicate certificate, 2204
that fact and the original title number must be stated on the 2205
front of the duplicate certificate. 2206

(D) If the certificate of title is a memorandum certificate, 2207
that fact and the original title number must be stated on the 2208
front of the memorandum certificate. 2209

(E) If the certificate of title is a salvage certificate, 2210
that fact and the original title number must be stated on the 2211
front of the salvage certificate. 2212

(F) The following information shall appear on the reverse 2213
side of each certificate of title: 2214

(1) A notice in bold lettering that states: "ERASURES AND 2215
ALTERATIONS VOID THIS TITLE ASSIGNMENT. (Type or print in ink.); 2216

(2) The total consideration of the vehicle; 2217

(3) A disclosure that states: "I (we) certify the vehicle 2218
described in this title was transferred for the price of 2219
\$..... to:" and the printed name and address of the buyer in 2220
full; 2221

(4) An odometer certification statement that states: "Federal 2222
and state laws require that you state the mileage in connection 2223
with transfer of ownership. Failure to complete or providing false 2224
information may result in fines and imprisonment." 2225

| | |
|--|------|
| The odometer certification language as required by federal law and | 2226 |
| division (C) of section 4505.06 of the Revised Code. | 2227 |
| (5) A disclosure that states: "I (we) warrant the title to be | 2228 |
| free of all liens."; | 2229 |
| (6) A space for the signature of the transferor and the | 2230 |
| transferor's printed name and address in full; | 2231 |
| (7) A space for the seal of the clerk or a notary; | 2232 |
| (8) The acknowledgment statement of the clerk, the deputy | 2233 |
| clerk, or a notary; | 2234 |
| (9) A space for the signature of the clerk, the deputy clerk, | 2235 |
| or a notary; | 2236 |
| (10) The buyer's odometer acknowledgment statement, with a | 2237 |
| space for the buyer's printed name and address; | 2238 |
| (11) A notice in bold lettering that states: "WARNING TO | 2239 |
| TRANSFEROR AND TRANSFEREE (SELLER AND BUYER): You are required by | 2240 |
| law to state the true selling price. A false statement is in | 2241 |
| violation of section 2921.13 of the Revised Code and is punishable | 2242 |
| by six months' imprisonment or a fine of up to one thousand | 2243 |
| dollars, or both. All transfers are audited by the department of | 2244 |
| taxation. | 2245 |
| The seller and buyer must provide any information requested | 2246 |
| by the department of taxation. The buyer may be assessed any | 2247 |
| additional tax found to be due." | 2248 |
| (12) An application for a certificate of title, memorandum | 2249 |
| certificate of title, or salvage certificate of title, as | 2250 |
| prescribed by the registrar, which shall include all of the | 2251 |
| following: | 2252 |
| (a) A disclosure that states: "Application for certificate of | 2253 |
| title (type or print in ink)"; | 2254 |

| | |
|--|------|
| (b) A disclosure that states: "Fee of \$5.00 for failure to apply for title within 30 days of assignment."; | 2255 |
| | 2256 |
| (c) A space for the applicant's printed name and address: | 2257 |
| (d) A pace <u>space</u> for the applicant's social security number or employer's identification number; | 2258 |
| | 2259 |
| (e) A space for the purchase price, tax paid, or tax exemption reason, or dealer's permit number, and vendor's number, and condition of the vehicle; | 2260 |
| | 2261 |
| | 2262 |
| (f) A disclosure statement that states: "Lien information: If no lien state "none." If more than one lien, attach statement of all additional liens."; | 2263 |
| | 2264 |
| | 2265 |
| (g) A space for the lienholder's name and address; dress; | 2266 |
| (h) A disclosure statement that states: "I (we) state that all information contained in this application is true and correct."; | 2267 |
| | 2268 |
| | 2269 |
| (i) A space for the applicant's signature; | 2270 |
| (j) A space for the acknowledgment statement of the clerk, the deputy clerk, or a notary; | 2271 |
| | 2272 |
| (k) A space for the seal of the clerk or a notary; | 2273 |
| (l) A space for the signature of the clerk, the deputy clerk, or a notary; | 2274 |
| | 2275 |
| (m) Any other pertinent information as may be required by the registrar. | 2276 |
| | 2277 |
| Sec. 4505.08. (A) The clerk of the court of common pleas shall issue certificates of title in duplicate. One copy shall be retained and filed by the clerk in the clerk's office. The clerk shall sign and affix the clerk's seal to the original certificate of title and, if there are no liens on the motor vehicle, shall | 2278 |
| | 2279 |
| | 2280 |
| | 2281 |
| | 2282 |

deliver the certificate to the applicant or the selling dealer. If 2283
there are one or more liens on the motor vehicle, the certificate 2284
of title shall be delivered to the holder of the first lien or the 2285
selling dealer, who shall deliver the certificate of title to the 2286
holder of the first lien. 2287

The registrar of motor vehicles shall prescribe a uniform 2288
method of numbering certificates of title, and such numbering 2289
shall be in such manner that the county of issuance is indicated. 2290
The clerk shall assign numbers to certificates of title in the 2291
manner prescribed by the registrar. The clerk shall file all 2292
certificates of title according to regulations to be prescribed by 2293
the registrar, and the clerk shall maintain in the clerk's office 2294
indexes for the certificates of title. 2295

The clerk need not retain on file any current certificates of 2296
title, current duplicate certificates of title, current memorandum 2297
certificates of title, or current salvage certificates of title, 2298
or supporting evidence thereof covering any motor vehicle or 2299
manufactured home for a period longer than seven years after the 2300
date of its filing; thereafter the same may be destroyed. The 2301
clerk need not retain on file any inactive records including 2302
certificates of title, duplicate certificates of title, memorandum 2303
certificates of title, or supporting evidence thereof covering any 2304
motor vehicle or manufactured home for a period longer than five 2305
years after the date of its filing; thereafter, the same may be 2306
destroyed. The clerk shall retain the active index and all active 2307
records in the data base of the computer in the clerk's office, 2308
and shall retain in the data base a record and index of all 2309
inactive titles for ten years. If the clerk provides a written 2310
copy of any information contained in the data base, the copy shall 2311
be considered the original for purposes of the clerk certifying 2312
the record of such information for use in any legal proceeding. 2313

(B)(1) If the clerk issues a certificate of title for a motor vehicle that was last previously registered in another state, the clerk shall record verbatim, where practicable, in the space on the title described in division (B)(19) of section 4505.07 of the Revised Code, the words that appear as a notation to the vehicle on the title issued by the previous state. These notations may include, but are not limited to, words to the effect that the vehicle was considered or was categorized by the state in which it was last previously registered to be a law enforcement vehicle, a taxicab, or was once in a flood.

(2) If the clerk, while issuing a certificate of title for a motor vehicle that was last previously registered in another state, receives information from the automated title processing system indicating that a title to the vehicle previously was issued by this state and that the previous title contained notations that appeared in the space described in division (B)(19) or (20) of section 4505.07 of the Revised Code, the clerk shall enter the notations that appeared on the previous certificate of title issued by this state on the new certificate of title in the space described in division (B)(19) or (20) of section 4505.07 of the Revised Code, irrespective of whether the notations appear on the certificate of title issued by the state in which the vehicle was last previously registered.

(3) If the clerk, while issuing a certificate of title for a motor vehicle that was last previously registered in another state, receives information from the automated title processing system indicating that the vehicle was previously issued a title by this state and that the previous title bore the notation "REBUILT SALVAGE" as required by division (E) of section 4505.11 of the Revised Code, or the previous title to the vehicle issued by this state was a salvage certificate of title, the clerk shall cause the certificate of title the clerk issues to bear the

notation "REBUILT SALVAGE" in the location prescribed by the 2346
registrar pursuant to that division. 2347

(C) When the clerk issues a certificate of title for a motor 2348
vehicle that was last previously registered in this state and was 2349
a law enforcement vehicle, a taxicab, or was once in a flood, the 2350
clerk shall record that information in the space on the title 2351
described in division (B)(20) of section 4505.07 Of the Revised 2352
Code. The registrar, by rule, may prescribe any additional uses of 2353
or happenings to a motor vehicle that the registrar has reason to 2354
believe should be noted on the certificate of title as provided in 2355
this division. 2356

~~(4)~~(D) The clerk shall use reasonable care in recording or 2357
entering onto titles the clerk issues any notation and information 2358
the clerk is required by ~~division~~ divisions (B) and (C) of this 2359
section to record or enter and in causing the titles the clerk 2360
issues to bear any notation required by ~~that division~~ those 2361
divisions, but the clerk is not liable for any of the clerk's 2362
errors or omissions or those of the clerk's deputies, or the 2363
automated title processing system, in the performance of the 2364
duties imposed on the clerk by this section. 2365

~~(C)~~(E) The clerk may issue a duplicate title, when duly 2366
applied for, of any title that has been destroyed as herein 2367
provided. 2368

Sec. 4505.11. (A) Each owner of a motor vehicle and each 2369
person mentioned as owner in the last certificate of title, when 2370
the motor vehicle is dismantled, destroyed, or changed in such 2371
manner that it loses its character as a motor vehicle, or changed 2372
in such manner that it is not the motor vehicle described in the 2373
certificate of title, shall surrender the certificate of title to 2374
that motor vehicle to the clerk of the court of common pleas who 2375
issued it, and thereupon the clerk, with the consent of any 2376

holders of any liens noted thereon, shall enter a cancellation 2377
upon the clerk's records and shall notify the registrar of motor 2378
vehicles of the cancellation. 2379

Upon the cancellation of a certificate of title in the manner 2380
prescribed by this section, the clerk and the registrar of motor 2381
vehicles may cancel and destroy all certificates and all 2382
memorandum certificates in that chain of title. 2383

(B) Where an Ohio certificate of title or salvage certificate 2384
of title to a motor vehicle is assigned to a salvage dealer, the 2385
dealer is not required to obtain an Ohio certificate of title or a 2386
salvage certificate of title to the motor vehicle in the dealer's 2387
own name if the dealer dismantles or destroys the motor vehicle, 2388
indicates the number of the dealer's motor vehicle salvage 2389
dealer's license thereon, marks "FOR DESTRUCTION" across the face 2390
of the certificate of title or salvage certificate of title, and 2391
surrenders the certificate of title or salvage certificate of 2392
title to the clerk of the court of common pleas as provided in 2393
division (A) of this section. If the salvage dealer retains the 2394
motor vehicle for resale, the dealer shall make application for a 2395
salvage certificate of title to the motor vehicle in the dealer's 2396
own name as provided in division (C)(1) of this section. 2397

(C)(1) When an insurance company declares it economically 2399
impractical to repair such a motor vehicle and has paid an agreed 2400
price for the purchase of the motor vehicle to any insured or 2401
claimant owner, the insurance company shall receive the 2402
certificate of title and the motor vehicle and, ~~except as provided~~ 2403
~~in division (C)(2) of this section,~~ proceed as follows. Within 2404
thirty days the insurance company shall deliver the certificate of 2405
title to the clerk of the court of common pleas and shall make 2406
application for a salvage certificate of title. The clerk shall 2407

issue the salvage certificate of title on a form, prescribed by 2408
the registrar, that shall be easily distinguishable from the 2409
original certificate of title and shall bear the same number and 2410
information as the original certificate of title. ~~The~~ Except as 2411
provided in division (C)(2) of this section, the salvage 2412
certificate of title shall be assigned by the insurance company to 2413
a salvage dealer or any other person for use as evidence of 2414
ownership upon the sale or other disposition of the motor vehicle, 2415
and the salvage certificate of title shall be transferrable to any 2416
other person. The clerk shall charge a fee of four dollars for the 2417
cost of processing each salvage certificate of title. 2418

(2) If an insurance company considers a motor vehicle as 2419
described in division (C)(1) of this section to be impossible to 2420
restore for highway operation, the insurance company may assign 2421
the certificate of title to the motor vehicle to a salvage dealer 2422
or scrap metal processing facility and send the assigned 2423
certificate of title to the clerk of the court of common pleas of 2424
the county in which the salvage dealer or scrap metal processing 2425
facility is located. The insurance company shall mark the face of 2426
the certificate of title "FOR DESTRUCTION" and shall deliver a 2427
photocopy of the certificate of title to the salvage dealer or 2428
scrap metal processing facility for its records. 2429

(3) If an insurance company declares it economically 2430
impractical to repair a motor vehicle, agrees to pay to the 2431
insured or claimant owner an amount in settlement of a claim 2432
against a policy of motor vehicle insurance covering the motor 2433
vehicle, and agrees to permit the insured or claimant owner to 2434
retain possession of the motor vehicle, the insurance company 2435
shall not pay the insured or claimant owner any amount in 2436
settlement of the insurance claim until the owner obtains a 2437
salvage certificate of title to the vehicle and furnishes a copy 2438
of the salvage certificate of title to the insurance company. 2439

(D) When a self-insured organization, rental or leasing company, or secured creditor becomes the owner of a motor vehicle that is burned, damaged, or dismantled and is determined to be economically impractical to repair, the self-insured organization, rental or leasing company, or secured creditor shall do one of the following:

(1) Mark the face of the certificate of title to the motor vehicle "FOR DESTRUCTION" and surrender the certificate of title to the clerk of the court of common pleas for cancellation as described in division (A) of this section. The self-insured organization, rental or leasing company, or secured creditor thereupon shall deliver the motor vehicle, together with a photocopy of the certificate of title, to a salvage dealer or scrap metal processing facility and shall cause the motor vehicle to be dismantled, flattened, crushed, or destroyed.

(2) Obtain a salvage certificate of title to the motor vehicle in the name of the self-insured organization, rental or leasing company, or secured creditor, as provided in division (C)(1) of this section, and then sell or otherwise dispose of the motor vehicle. If the motor vehicle is sold, the self-insured organization, rental or leasing company, or secured creditor shall obtain a salvage certificate of title to the motor vehicle in the name of the purchaser from the clerk of the court of common pleas of the county in which the purchaser resides.

(E) If a motor vehicle titled with a salvage certificate of title is restored for operation upon the highways, application shall be made to the clerk of the court of common pleas for a certificate of title. Upon inspection by the state highway patrol, which shall include establishing proof of ownership and an inspection of the motor number and vehicle identification number of the motor vehicle and of documentation or receipts for the materials used in restoration by the owner of the motor vehicle

being inspected, which documentation or receipts shall be 2472
presented at the time of inspection, the clerk, upon surrender of 2473
the salvage certificate of title, shall issue a certificate of 2474
title for a fee prescribed by the registrar. The certificate of 2475
title shall be in the same form as the original certificate of 2476
title, shall bear the same number as the salvage certificate of 2477
title and the original certificate of title, and shall bear the 2478
words "REBUILT SALVAGE" in black boldface letters on its face. 2479
Every subsequent certificate of title, memorandum certificate of 2480
title, or duplicate certificate of title issued for the motor 2481
vehicle also shall bear the words "REBUILT SALVAGE" in black 2482
boldface letters on its face. The exact location on the face of 2483
the certificate of title of the words "REBUILT SALVAGE" shall be 2484
determined by the registrar, who shall develop an automated 2485
procedure within the automated title processing system to comply 2486
with this division. The clerk shall use reasonable care in 2487
performing the duties imposed on the clerk by this division in 2488
issuing a certificate of title pursuant to this division, but the 2489
clerk is not liable for any of the clerk's errors or omissions or 2490
those of the clerk's deputies, or the automated title processing 2491
system in the performance of those duties. A fee of forty dollars 2492
in fiscal year 1998 and fifty dollars in fiscal year 1999 and 2493
thereafter shall be assessed by the state highway patrol for each 2494
inspection made pursuant to this division and shall be deposited 2495
into the state highway safety fund established by section 4501.06 2496
of the Revised Code. 2497

(F) No person shall operate upon the highways in this state a 2498
motor vehicle, title to which is evidenced by a salvage 2499
certificate of title, except to deliver the motor vehicle pursuant 2500
to an appointment for an inspection under this section. 2501

(G) No motor vehicle the certificate of title to which has 2502
been marked "FOR DESTRUCTION" and surrendered to the clerk of the 2503

court of common pleas shall be used for anything except parts and 2504
scrap metal. 2505

Sec. 4506.01. As used in this chapter: 2506

(A) "Alcohol concentration" means the concentration of 2507
alcohol in a person's blood, breath, or urine. When expressed as a 2508
percentage, it means grams of alcohol per the following: 2509

(1) One hundred milliliters of blood; 2510

(2) Two hundred ten liters of breath; 2511

(3) One hundred milliliters of urine. 2512

(B) "School bus" has the same meaning as in section 4511.01 2513
of the Revised Code. 2514

(C) "Commercial driver's license" means a license, ~~including~~ 2515
~~a probationary commercial driver's license,~~ issued in accordance 2516
with this chapter that authorizes an individual to drive a 2517
commercial motor vehicle. 2518

(D) "Commercial driver license information system" means the 2519
information system established pursuant to the requirements of the 2520
"Commercial Motor Vehicle Safety Act of 1986," 100 Stat. 3207-171, 2521
49 U.S.C.A. App. 2701. 2522

(E) "Commercial motor vehicle" means any motor vehicle 2523
designed or used to transport persons or property that meets any 2524
of the following qualifications: 2525

(1) Any combination of vehicles with a combined gross vehicle 2526
weight rating of twenty-six thousand one pounds or more, provided 2527
the gross vehicle weight rating of the vehicle or vehicles being 2528
towed is in excess of ten thousand pounds; 2529

(2) Any single vehicle with a gross vehicle weight rating of 2530
twenty-six thousand one pounds or more, or any such vehicle towing 2531
a vehicle having a gross vehicle weight rating that is not in 2532

| | |
|---|--|
| excess of ten thousand pounds; | 2533 |
| (3) Any single vehicle or combination of vehicles that is not a class A or class B vehicle, but that either is designed to transport sixteen or more passengers including the driver, or is placarded for hazardous materials; | 2534 2535 2536 2537 |
| (4) Any school bus with a gross vehicle weight rating of less than twenty-six thousand one pounds that is designed to transport fewer than sixteen passengers including the driver; | 2538 2539 2540 |
| (5) Is transporting hazardous materials for which placarding is required by regulations adopted under the "Hazardous Materials Transportation Act," 88 Stat. 2156 (1975), 49 U.S.C.A. 1801, as amended; | 2541 2542 2543 2544 |
| (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 highway 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. | 2545 2546 2547 2548 2549 2550 |
| (F) "Controlled substance" means all of the following: | 2551 |
| (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; | 2552 2553 2554 |
| (2) Any substance included in schedules I through V of 21 C.F.R. part 1308, as amended; | 2555 2556 |
| (3) Any drug of abuse. | 2557 |
| (G) "Conviction" means an unvacated adjudication of guilt or a determination that a person has violated or failed to comply with the law in a court of original jurisdiction or an authorized administrative tribunal , an unvacated forfeiture of bail or collateral deposited to secure the person's appearance in court, | 2558 2559 2560 2561 2562 |

the payment of a fine or court cost, or violation of a condition 2563
of release without bail, regardless of whether or not the penalty 2564
is rebated, suspended, or probated. 2565

(H) "Disqualification" means withdrawal of the privilege to 2566
drive a commercial motor vehicle. 2567

(I) "Drive" means to drive, operate, or be in physical 2568
control of a motor vehicle. 2569

(J) "Driver" means any person who drives, operates, or is in 2570
physical control of a commercial motor vehicle or is required to 2571
have a commercial driver's license. 2572

(K) "Driver's license" means a license issued by the bureau 2573
of motor vehicles that authorizes an individual to drive. 2574

(L) "Drug of abuse" means any controlled substance, dangerous 2575
drug as defined in section 4729.02 of the Revised Code, or 2576
over-the-counter medication that, when taken in quantities 2577
exceeding the recommended dosage, can result in impairment of 2578
judgment or reflexes. 2579

(M) "Employer" means any person, including the federal 2580
government, any state, and a political subdivision of any state, 2581
that owns or leases a commercial motor vehicle or assigns a person 2582
to drive such a motor vehicle. 2583

(N) "Endorsement" means an authorization on a person's 2584
commercial driver's license that is required to permit the person 2585
to operate a specified type of commercial motor vehicle. 2586

(O) "Felony" means any offense under federal or state law 2587
that is punishable by death or specifically classified as a felony 2588
under the law of this state, regardless of the penalty that may be 2589
imposed. 2590

(P) "Foreign jurisdiction" means any jurisdiction other than 2591
a state. 2592

(Q) "Gross vehicle weight rating" means the value specified 2593
by the manufacturer as the maximum loaded weight of a single or a 2594
combination vehicle. The gross vehicle weight rating of a 2595
combination vehicle is the gross vehicle weight rating of the 2596
power unit plus the gross vehicle weight rating of each towed 2597
unit. 2598

(R) "Hazardous materials" means materials identified as such 2599
under regulations adopted under the "Hazardous Materials 2600
Transportation Act," 88 Stat. 2156 (1975), 49 U.S.C.A. 1801, as 2601
amended. 2602

(S) "Motor vehicle" has the same meaning as in section 2603
4511.01 of the Revised Code. 2604

(T) "Out-of-service order" means a temporary prohibition 2605
against driving a commercial motor vehicle issued under this 2606
chapter or a similar law of another state or of a foreign 2607
jurisdiction. 2608

(U) "Residence" means any person's residence determined in 2609
accordance with ~~section 3503.02 of the Revised Code~~ standards 2610
prescribed in rules adopted by the registrar. 2611

(V) "Temporary residence" means residence on a temporary 2612
basis as determined by the registrar in accordance with standards 2613
prescribed in rules adopted by the registrar. 2614

(W) "Serious traffic violation" means a conviction arising 2615
from the operation of a commercial motor vehicle that involves any 2616
of the following: 2617

(1) A single charge of any speed that is in excess of the 2618
posted speed limit by an amount specified by the United States 2619
secretary of transportation and that the director of public safety 2620
designates as such by rule; 2621

(2) Violation of section 4511.20, 4511.201, or 4511.202 of 2622

the Revised Code or any similar ordinance or resolution, or of any
similar law of another state or political subdivision of another
state;

(3) 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;

(4) Violation of any other law of this state or an ordinance
or resolution relating to traffic control, other than a parking
violation, that is determined to be a serious traffic violation by
the United States secretary of transportation and the director
designates as such by rule.

~~(W)~~(X) "State" means a state of the United States and
includes the District of Columbia.

~~(X)~~(Y) "Tank vehicle" means any commercial motor vehicle that
is designed to transport any liquid or gaseous materials within a
tank that is either permanently or temporarily attached to the
vehicle or its chassis, but does not include any portable tank
having a rated capacity of less than one thousand gallons.

~~(Y)~~(Z) "United States" means the fifty states and the
District of Columbia.

~~(Z)~~(AA) "Vehicle" has the same meaning as in section 4511.01
of the Revised Code.

~~(AA)~~(BB) "Peace officer" has the same meaning as in section
2935.01 of the Revised Code.

~~(BB)~~ "~~Probationary commercial driver's license~~" means the
~~license issued to a person between eighteen and twenty one years~~
~~of age.~~

Sec. 4506.08. (A) Each application for a commercial driver's

license temporary instruction permit shall be accompanied by a fee 2652
of ten dollars; except as provided in division (B) of this 2653
section, each application for a commercial driver's license, 2654
restricted commercial driver's license, or renewal of such a 2655
license, ~~or for a probationary commercial driver's license~~ shall 2656
be accompanied by a fee of twenty-five dollars; and each 2657
application for a duplicate commercial driver's license shall be 2658
accompanied by a fee of ten dollars. In addition, the registrar of 2659
motor vehicles or deputy registrar may collect and retain an 2660
additional fee of no more than two dollars and twenty-five cents 2661
for each application for a commercial driver's license temporary 2662
instruction permit, commercial driver's license, renewal of a 2663
commercial driver's license, or duplicate commercial driver's 2664
license received by ~~him~~ the registrar or deputy. No fee shall be 2665
charged for the annual issuance of a waiver for farm-related 2666
service industries pursuant to section 4506.24 of the Revised 2667
Code. 2668

Each deputy registrar shall transmit the fees collected to 2669
the registrar ~~of motor vehicles~~ at the time and in the manner 2670
prescribed by the registrar by rule. The registrar shall pay the 2671
fees into the state highway safety fund established in section 2672
4501.06 of the Revised Code. 2673

(B) ~~Each application for a probationary commercial driver's~~ 2674
~~license shall be accompanied by whichever of the following fees is~~ 2675
~~applicable:~~ 2676

~~(1) If the person is eighteen years of age or older, but less~~ 2677
~~than nineteen years of age, a fee of eighteen dollars and~~ 2678
~~seventy five cents;~~ 2679

~~(2) If the person is nineteen years of age or older, but less~~ 2680
~~than twenty years of age, a fee of twelve dollars and fifty cents;~~ 2681
2682

~~(3) If the person is twenty years of age or older, but less than twenty one years of age, a fee of six dollars and twenty five cents.~~

~~(C) Information regarding the driving record of any person holding a commercial driver's license issued by this state shall be furnished by the registrar, upon request and payment of a fee of three dollars, to the employer or prospective employer of such a person and to any insurer.~~

Sec. 4506.14. (A) Commercial driver's licenses shall expire as follows:

(1) Except as provided in division (A)(3) of this section, each such license issued to replace an operator's or chauffeur's license shall expire on the original expiration date of the operator's or chauffeur's license and, upon renewal, shall expire on the licensee's birthday in the fourth year after the date of issuance.

(2) Except as provided in division (A)(3) of this section, each such license issued as an original license to a person whose residence is in this state shall expire on the licensee's birthday in the fourth year after the date of issuance, and each such license issued to a person whose temporary residence is in this state shall expire in accordance with rules adopted by the registrar of motor vehicles. A license issued to a person with a temporary residence in this state is nonrenewable, but may be replaced with a new license within ninety days prior to its expiration upon the applicant's compliance with all applicable requirements.

(3) Each such license issued to replace the operator's or chauffeur's license of a person who is less than twenty-one years of age, and each such license issued as an original license to a

person who is less than twenty-one years of age, shall expire on 2713
the licensee's twenty-first birthday. 2714

(B) No commercial driver's license shall be issued for a 2715
period longer than four years and ninety days. Except as provided 2716
in section 4507.12 of the Revised Code, the registrar ~~of motor~~ 2717
~~vehicles~~ may waive the examination of any person applying for the 2718
renewal of a commercial driver's license issued under this 2719
chapter, provided that the applicant presents either an unexpired 2720
commercial driver's license or a commercial driver's license that 2721
has expired not more than six months prior to the date of 2722
application. 2723

(C) Subject to the requirements of this chapter and except as 2724
provided in division (A)(2) of this section in regard to a person 2725
whose temporary residence is in this state, every commercial 2726
driver's license shall be renewable ~~sixty~~ ninety days before its 2727
expiration upon payment of the fees required by section 4506.08 of 2728
the Revised Code. Each person applying for renewal of a commercial 2729
driver's license shall complete the application form prescribed by 2730
section 4506.07 of the Revised Code and shall provide all 2731
certifications required. If the person wishes to retain an 2732
endorsement authorizing ~~him~~ the person to transport hazardous 2733
materials, ~~he~~ the person shall take and successfully complete the 2734
written test for the endorsement. 2735

(D) Each person licensed as a driver under this chapter shall 2736
notify the registrar of any change in the person's address within 2737
ten days following that change. The notification shall be in 2738
writing on a form provided by the registrar and shall include the 2739
full name, date of birth, license number, county of residence, 2740
social security number, and new address of the person. 2741

Sec. 4506.16. (A) Whoever violates division (A) of section 2742
4506.15 of the Revised Code or a similar law of another state or a 2743

foreign jurisdiction, immediately shall be placed out-of-service 2744
for twenty-four hours, in addition to any disqualification 2745
required by this section and any other penalty imposed by the 2746
Revised Code. 2747

(B) The registrar of motor vehicles shall disqualify any 2748
person from operating a commercial motor vehicle as follows: 2749

(1) Upon a first conviction for a violation of divisions (B) 2750
to (G) of section 4506.15 of the Revised Code or a similar law of 2751
another state or a foreign jurisdiction, one year, in addition to 2752
any other penalty imposed by the Revised Code; 2753

(2) Upon a first conviction for a violation of division (H) 2754
of section 4506.15 of the Revised Code or a similar law of another 2755
state or a foreign jurisdiction, three years, in addition to any 2756
other penalty imposed by the Revised Code; 2757

(3) Upon a second conviction for a violation of divisions (B) 2758
to (G) of section 4506.15 of the Revised Code or a similar law of 2759
another state or a foreign jurisdiction, or any combination of 2760
such violations arising from two or more separate incidents, the 2761
person shall be disqualified for life or for any other period of 2762
time as determined by the United States secretary of 2763
transportation and designated by the director of public safety by 2764
rule, in addition to any other penalty imposed by the Revised 2765
Code; 2766

(4) Upon conviction of a violation of division (E) of section 2767
4506.15 of the Revised Code or a similar law of another state or a 2768
foreign jurisdiction in connection with the manufacture, 2769
distribution, or dispensing of a controlled substance or the 2770
possession with intent to manufacture, distribute, or dispense a 2771
controlled substance, the person shall be disqualified for life, 2772
in addition to any other penalty imposed by the Revised Code; 2773

2774

(5) Upon conviction of two serious traffic violations 2775
involving the operation of a commercial motor vehicle by the 2776
person and arising from separate incidents occurring in a 2777
three-year period, the person shall be disqualified for sixty 2778
days, in addition to any other penalty imposed by the Revised 2779
Code; 2780

(6) Upon conviction of three serious traffic violations 2781
involving the operation of a commercial motor vehicle by the 2782
person and arising from separate incidents occurring in a 2783
three-year period, the person shall be disqualified for one 2784
hundred twenty days, in addition to any other penalty imposed by 2785
the Revised Code. 2786

(C) For the purposes of this section, conviction of a 2787
violation for which disqualification is required may be evidenced 2788
by any of the following: 2789

(1) A judgment entry of a court of competent jurisdiction in 2790
this or any other state; 2791

(2) An administrative order of a state agency of a state 2792
other than Ohio having statutory jurisdiction over commercial 2793
drivers; 2794

(3) A computer record obtained from or through the commercial 2795
driver's license information system; 2796

(4) A computer record obtained from or through a state agency 2797
of a state other than Ohio having statutory jurisdiction over 2798
commercial drivers or the records of commercial drivers. 2799

(D) Any record described in division (C) of this section 2800
shall be deemed to be self-authenticating when it is received by 2801
the bureau of motor vehicles. 2802

(E) When disqualifying a driver, the registrar shall cause 2803
the records of the bureau to be updated to reflect that action 2804

within ten days after it occurs.

2805

(F) The registrar immediately shall notify a driver who is finally convicted of any offense described in section 4506.15 of the Revised Code or division (B)(4), (5), or (6) of this section and thereby is subject to disqualification, of the offense or offenses involved, of the length of time for which disqualification is to be imposed, and that the driver may request a hearing within thirty days of the mailing of the notice to show cause why ~~he~~ the driver should not be disqualified from operating a commercial motor vehicle. If a request for such a hearing is not made within thirty days of the mailing of the notice, the order of disqualification is final. The registrar may designate hearing examiners who, after affording all parties reasonable notice, shall conduct a hearing to determine whether the disqualification order is supported by reliable evidence. The registrar shall adopt rules to implement this division.

2806
2807
2808
2809
2810
2811
2812
2813
2814
2815
2816
2817
2818
2819
2820

(G) Any person who is disqualified from operating a commercial motor vehicle under this section may apply to the registrar for a driver's license to operate a motor vehicle other than a commercial motor vehicle, provided the person's commercial driver's license is not otherwise suspended or revoked. A person whose commercial driver's license is suspended or revoked shall not apply to the registrar for or receive a driver's license under Chapter 4507. of the Revised Code during the period of suspension or revocation.

2821
2822
2823
2824
2825
2826
2827
2828
2829

Sec. 4506.17. (A) Any person who drives a commercial motor vehicle within this state shall be deemed to have given consent to a test or tests of ~~his~~ the person's blood, breath, or urine for the purpose of determining ~~his~~ the person's alcohol concentration or the presence of any controlled substance.

2830
2831
2832
2833
2834

(B) A test or tests as provided in division (A) of this

2835

section may be administered at the direction of a peace officer 2836
having reasonable ground to stop or detain the person and, after 2837
investigating the circumstances surrounding the operation of the 2838
commercial motor vehicle, also having reasonable ground to believe 2839
the person was driving the commercial vehicle ~~in violation of~~ 2840
~~section 4506.15 of the Revised Code~~ while having a measurable or 2841
detectable amount of alcohol or of a controlled substance in the 2842
person's blood, breath, or urine. Any such test shall be given 2843
within two hours of the time of the alleged violation. 2844

(C) A person requested to submit to a test under division (A) 2845
of this section shall be advised by the peace officer requesting 2846
the test that a refusal to submit to the test will result in the 2847
person immediately being placed out-of-service for a period of 2848
twenty-four hours and being disqualified from operating a 2849
commercial motor vehicle for a period of not less than one year, 2850
and that the person is required to surrender ~~his~~ the person's 2851
commercial driver's license to the peace officer. 2852

(D) If a person refuses to submit to a test after being 2853
warned as provided in division (C) of this section or submits to a 2854
test that discloses the presence of a controlled substance or an 2855
alcohol concentration of four-hundredths of one per cent or more, 2856
~~the provisions of division (B)(1) or (3) of section 4506.16 of the~~ 2857
~~Revised Code apply and the person also shall~~ immediately shall 2858
surrender ~~his~~ the person's commercial driver's license to the 2859
peace officer. The peace officer shall forward the license, 2860
together with a sworn report, to the registrar of motor vehicles 2861
certifying that the test was requested pursuant to division (A) of 2862
this section and that the person either refused to submit to 2863
testing or submitted to a test that disclosed the presence of a 2864
controlled substance or an alcohol concentration of 2865
four-hundredths of one per cent or more. The form and contents of 2866
the report required by this section shall be established by the 2867

registrar by rule, but shall contain the advice to be read to the 2868
driver and a statement to be signed by ~~him~~ the driver 2869
acknowledging that ~~he~~ the driver has been read the advice and that 2870
the form was shown to ~~him~~ the driver. 2871

(E) Upon receipt of a sworn report from a peace officer as 2872
provided in division (D) of this section, the registrar shall 2873
disqualify the person named in the report from driving a 2874
commercial motor vehicle for the period ~~required by section~~ 2875
~~4506.16 of the Revised Code~~ described below: 2876

(1) Upon a first incident, one year; 2877

(2) Upon an incident of refusal or of a prohibited 2878
concentration of alcohol after one or more previous incidents of 2879
either refusal or of a prohibited concentration of alcohol, the 2880
person shall be disqualified for life or such lesser period as 2881
prescribed by rule by the registrar. 2882

(F) A blood test given under this section shall comply with 2883
the applicable provisions of division (D) of section 4511.19 of 2884
the Revised Code and any physician, registered nurse, or qualified 2885
technician or chemist who withdraws blood from a person under this 2886
section, and any hospital, first-aid station, or clinic at which 2887
blood is withdrawn from a person pursuant to this section, is 2888
immune from criminal liability, and from civil liability that is 2889
based upon a claim of assault and battery or based upon any other 2890
claim of malpractice, for any act performed in withdrawing blood 2891
from the person. 2892

(G) When a person submits to a test under this section, the 2893
results of the test, at ~~his~~ the person's request, shall be made 2894
available to ~~him~~ the person, ~~his~~ the person's attorney, or ~~his~~ the 2895
person's agent, immediately upon completion of the chemical test 2896
analysis. The person also may have an additional test administered 2897
by a physician, a registered nurse, or a qualified technician or 2898

chemist of ~~his~~ the person's own choosing as provided in division 2899
(D) of section 4511.19 of the Revised Code for tests administered 2900
under that section, and the failure to obtain such a test has the 2901
same effect as in that division. 2902

(H) No person shall refuse to immediately surrender ~~his~~ the 2903
person's commercial driver's license to a peace officer when 2904
required to do so by this section. 2905

(I) A peace officer issuing an out-of-service order or 2906
receiving a commercial driver's license surrendered under this 2907
section may remove or arrange for the removal of any commercial 2908
motor vehicle affected by the issuance of that order or the 2909
surrender of that license. 2910

(J)(1) Except for civil actions arising out of the operation 2911
of a motor vehicle and civil actions in which the state is a 2912
plaintiff, no peace officer of any law enforcement agency within 2913
this state is liable in compensatory damages in any civil action 2914
that arises under the Revised Code or common law of this state for 2915
an injury, death, or loss to person or property caused in the 2916
performance of ~~his~~ official duties under this section and rules 2917
adopted under this section, unless the officer's actions were 2918
manifestly outside the scope of ~~his~~ the officer's employment or 2919
official responsibilities, or unless the officer acted with 2920
malicious purpose, in bad faith, or in a wanton or reckless 2921
manner. 2922

(2) Except for civil actions that arise out of the operation 2923
of a motor vehicle and civil actions in which the state is a 2924
plaintiff, no peace officer of any law enforcement agency within 2925
this state is liable in punitive or exemplary damages in any civil 2926
action that arises under the Revised Code or common law of this 2927
state for any injury, death, or loss to person or property caused 2928
in the performance of ~~his~~ official duties under this section of 2929
the Revised Code and rules adopted under this section, unless the 2930

officer's actions were manifestly outside the scope of his the 2931
officer's employment or official responsibilities, or unless the 2932
officer acted with malicious purpose, in bad faith, or in a wanton 2933
or reckless manner. 2934

(K) When disqualifying a driver, the registrar shall cause 2935
the records of the bureau of motor vehicles to be updated to 2936
reflect the disqualification within ten days after it occurs. 2937

(L) The registrar immediately shall notify a driver who is 2938
subject to disqualification of the disqualification, of the length 2939
of the disqualification, and that the driver may request a hearing 2940
within thirty days of the mailing of the notice to show cause why 2941
the driver should not be disqualified from operating a commercial 2942
motor vehicle. If a request for such a hearing is not made within 2943
thirty days of the mailing of the notice, the order of 2944
disqualification is final. The registrar may designate hearing 2945
examiners who, after affording all parties reasonable notice, 2946
shall conduct a hearing to determine whether the disqualification 2947
order is supported by reliable evidence. The registrar shall adopt 2948
rules to implement this division. 2949

(M) Any person who is disqualified from operating a 2950
commercial motor vehicle under this section may apply to the 2951
Registrar for a driver's license to operate a motor vehicle other 2952
than a commercial motor vehicle, provided the person's commercial 2953
driver's license is not otherwise suspended or revoked. A person 2954
whose commercial driver's license is suspended or revoked shall 2955
not apply to the Registrar for or receive a driver's license under 2956
Chapter 4507. of the Revised Code during the period of suspension 2957
or revocation. 2958

Sec. 4507.01. (A) As used in this chapter, "motor vehicle," 2959
"motorized bicycle," "state," "owner," "operator," "chauffeur," 2960
and "highways" have the same meanings as in section 4501.01 of the 2961

| | |
|--|--------------------------------------|
| Revised Code. | 2962 |
| "Driver's license" means a class D license issued to any person to operate a motor vehicle or motor-driven cycle, other than a commercial motor vehicle, and includes "probationary license," "restricted license," and any operator's or chauffeur's license issued before January 1, 1990. | 2963 2964 2965 2966 2967 |
| "Probationary license" means the license issued to any person between sixteen and eighteen years of age to operate a motor vehicle. | 2968 2969 2970 |
| "Restricted license" means the license issued to any person to operate a motor vehicle subject to conditions or restrictions imposed by the registrar <u>of motor vehicles</u> . | 2971 2972 2973 |
| "Commercial driver's license" means the license issued to a person under Chapter 4506. of the Revised Code to operate a commercial motor vehicle. | 2974 2975 2976 |
| "Commercial motor vehicle" has the same meaning as in section 4506.01 of the Revised Code. | 2977 2978 |
| "Motorized bicycle license" means the license issued under section 4511.521 of the Revised Code to any person to operate a motorized bicycle including a "probationary motorized bicycle license." | 2979 2980 2981 2982 |
| "Probationary motorized bicycle license" means the license issued under section 4511.521 of the Revised Code to any person between fourteen and sixteen years of age to operate a motorized bicycle. | 2983 2984 2985 2986 |
| "Identification card" means a card issued under sections 4507.50 and 4507.51 of the Revised Code. | 2987 2988 |
| <u>"Resident" means a person who, in accordance with standards prescribed in rules adopted by the registrar, resides in this state on a permanent basis.</u> | 2989 2990 2991 |

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

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

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

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

The registrar shall assign one or more deputy registrars to any driver's license examining station operated under the supervision of the state highway patrol, whenever the registrar considers such assignment possible. Space shall be provided in the driver's license examining station for any such deputy registrar so assigned. The deputy ~~registrar~~ registrars shall not exercise the powers conferred by such sections upon the registrar, unless they are specifically authorized to exercise such powers by such sections.

(C) No agent for any insurance company, writing automobile insurance, shall be appointed deputy registrar, and any such

appointment is void. No deputy registrar shall in any manner
solicit any form of automobile insurance, nor in any manner
advise, suggest, or influence any licensee or applicant for
license for or against any kind or type of automobile insurance,
insurance company, or agent, nor have ~~his~~ the deputy registrar's
office directly connected with the office of any automobile
insurance agent, nor impart any information furnished by any
applicant for a license or identification card to any person,
except the registrar. This division shall not apply to any
nonprofit corporation appointed deputy registrar.

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

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

Sec. 4507.012. As used in the Revised Code, "suspension" or
"revocation," when applied to a driver's license, means, unless
the context clearly indicates otherwise, the withdrawal from a
resident, temporary resident, or nonresident of the privilege to
operate a motor vehicle upon a street or highway in this state.
The withdrawal of the privilege from a person causes the person to
be ineligible for the privilege during the entire period of the
suspension or revocation and also includes any period during which
the resident, temporary resident, or nonresident either has not

paid any applicable driver's license reinstatement fee or has not 3055
complied with any other requirement governing license 3056
reinstatement. 3057

Sec. 4507.02. (A)(1) No person, except those expressly 3058
exempted under sections 4507.03, 4507.04, and 4507.05 of the 3059
Revised Code, shall operate any motor vehicle upon a highway or 3060
any public or private property used by the public for purposes of 3061
vehicular travel or parking in this state unless the person has a 3062
valid driver's license issued under this chapter or a commercial 3063
driver's license issued under Chapter 4506. of the Revised Code. 3064

(2) No person shall permit the operation of a motor vehicle 3065
upon any public or private property used by the public for 3066
purposes of vehicular travel or parking knowing the operator does 3067
not have a valid driver's license issued to the operator by the 3068
registrar of motor vehicles under this chapter or a valid 3069
commercial driver's license issued under Chapter 4506. of the 3070
Revised Code. 3071

(3) No person, except a person expressly exempted under 3072
sections 4507.03, 4507.04, and 4507.05 of the Revised Code, shall 3073
operate any motorcycle upon a highway or any public or private 3074
property used by the public for purposes of vehicular travel or 3075
parking in this state unless the person has a valid license as a 3076
motorcycle operator, that was issued upon application by the 3077
registrar under this chapter. The license shall be in the form of 3078
an endorsement, as determined by the registrar, upon a driver's or 3079
commercial driver's license, if the person has a valid license to 3080
operate a motor vehicle or commercial motor vehicle, or in the 3081
form of a restricted license as provided in section 4507.14 of the 3082
Revised Code, if the person does not have a valid license to 3083
operate a motor vehicle or commercial motor vehicle. 3084

(4) No person shall receive a driver's license, or a 3085

motorcycle operator's endorsement of a driver's or commercial
driver's license, unless and until ~~he~~ the person surrenders to the
registrar all valid licenses issued to ~~him~~ the person by another
jurisdiction recognized by this state. All surrendered licenses
shall be returned by the registrar to the issuing authority,
together with information that a license is now issued in this
state. No person shall be permitted to have more than one valid
license at any time.

(B)(1) No person, whose driver's or commercial driver's
license or permit or nonresident's operating privilege has been
suspended or revoked pursuant to Chapter 4509. of the Revised
Code, shall operate any motor vehicle within this state, or
knowingly permit any motor vehicle owned by ~~him~~ the person to be
operated by another person in the state, during the period of the
suspension or revocation, except as specifically authorized by
Chapter 4509. of the Revised Code. No person shall operate a motor
vehicle within this state, or knowingly permit any motor vehicle
owned by ~~him~~ the person to be operated by another person in the
state, during the period in which ~~he~~ the person is required by
section 4509.45 of the Revised Code to file and maintain proof of
financial responsibility for a violation of section 4509.101 of
the Revised Code, unless proof of financial responsibility is
maintained with respect to that vehicle.

(2) No person shall operate any motor vehicle upon a highway
or any public or private property used by the public for purposes
of vehicular travel or parking in this state in violation of any
restriction of the person's driver's or commercial driver's
license imposed under division (D) of section 4506.10 or section
4507.14 of the Revised Code.

(C) No person, whose driver's or commercial driver's license
or permit has been suspended pursuant to section 4511.191, section
4511.196, or division (B) of section 4507.16 of the Revised Code,

shall operate any motor vehicle within this state until ~~he~~ the 3118
person has paid the license reinstatement fee required pursuant to 3119
division (L) of section 4511.191 of the Revised Code and the 3120
license or permit has been returned to the person or a new license 3121
or permit has been issued to the person. 3122

(D)(1) No person, whose driver's or commercial driver's 3123
license or permit or nonresident operating privilege has been 3124
suspended or revoked under any provision of the Revised Code other 3125
than Chapter 4509. of the Revised Code or under any applicable law 3126
in any other jurisdiction in which the person's license or permit 3127
was issued, shall operate any motor vehicle upon the highways or 3128
streets within this state during the period of the suspension or 3129
within one year after the date of the revocation. No person who is 3130
granted occupational driving privileges by any court shall operate 3131
any motor vehicle upon the highways or streets in this state 3132
except in accordance with the terms of the privileges. 3133

(2) No person, whose driver's or commercial driver's license 3134
or permit or nonresident operating privilege has been suspended 3135
under division (B) of section 4507.16 of the Revised Code, shall 3136
operate any motor vehicle upon the highways or streets within this 3137
state during the period of suspension. No person who is granted 3138
occupational driving privileges by any court shall operate any 3139
motor vehicle upon the highways or streets in this state except in 3140
accordance with the terms of those privileges. 3141

(E) It is an affirmative defense to any prosecution brought 3142
pursuant to division (B), (C), or (D) of this section that the 3143
alleged offender drove under suspension or in violation of a 3144
restriction because of a substantial emergency, provided that no 3145
other person was reasonably available to drive in response to the 3146
emergency. 3147

(F)(1) If a person is convicted of a violation of division 3148

(B), (C), or (D) of this section, the trial judge of any court, in addition to or independent of, any other penalties provided by law or ordinance, shall impound the identification license plates of any motor vehicle registered in the name of the person. The court shall send the impounded license plates to the registrar, who may retain the license plates until the driver's or commercial driver's license of the owner has been reinstated or destroy them pursuant to section 4503.232 of the Revised Code.

If the license plates of a person convicted of a violation of division (B), (C), or (D) of this section have been impounded in accordance with the provisions of this division, the court shall notify the registrar of that action. The notice shall contain the name and address of the driver, the serial number of ~~his~~ the driver's driver's or commercial driver's license, the serial numbers of the license plates of the motor vehicle, and the length of time for which the license plates have been impounded. The registrar shall record the data in the notice as part of the driver's permanent record.

(2) Any motor vehicle owner who has had the license plates of a motor vehicle impounded pursuant to division (F)(1) of this section may apply to the registrar, or to a deputy registrar, for special license plates which shall conform to the requirements of section 4503.231 of the Revised Code. The registrar or deputy registrar forthwith shall notify the court of the application and, upon approval of the court, shall issue special license plates to the applicant. Until the driver's or commercial driver's license of the owner is reinstated, any new license plates issued to ~~him~~ the owner also shall conform to the requirements of section 4503.231 of the Revised Code.

~~A fee of two dollars and fifty cents~~ The registrar or deputy registrar shall be charged charge the owner of a vehicle the fees provided in section 4503.19 Of the Revised Code for ~~every set of~~

special license plates that are issued in accordance with this 3181
division, except upon renewal as specified in section 4503.10 of 3182
the Revised Code, when the regular fee as provided in section 3183
4503.04 of the Revised Code shall be charged. ~~Whenever a set of~~ 3184
The registrar or deputy registrar shall charge the owner of a 3185
vehicle the fees provided in section 4503.19 Of the Revised Code 3186
whenever special license plates ~~is~~ are exchanged, by reason of the 3187
reinstatement of the driver's or commercial driver's license of 3188
the owner, for those ordinarily issued, ~~no fee shall be charged.~~ 3189

(3) If an owner wishes to sell a motor vehicle during the 3190
time the special license plates provided under division (F)(2) of 3191
this section are in use, ~~he~~ the owner may apply to the court that 3192
impounded the license plates of the motor vehicle for permission 3193
to transfer title to the motor vehicle. If the court is satisfied 3194
that the sale will be made in good faith and not for the purpose 3195
of circumventing the provisions of this section, it may certify 3196
its consent to the owner and to the registrar of motor vehicles 3197
who shall enter notice of the transfer of the title of the motor 3198
vehicle in the vehicle registration record. 3199

If, during the time the special license plates provided under 3200
division (F)(2) of this section are in use, the title to a motor 3201
vehicle is transferred by the foreclosure of a chattel mortgage, a 3202
sale upon execution, the cancellation of a conditional sales 3203
contract, or by order of a court, the court shall notify the 3204
registrar of the action and the registrar shall enter notice of 3205
the transfer of the title to the motor vehicle in the vehicle 3206
registration record. 3207

(G) This section is not intended to change or modify any 3208
provision of Chapter 4503. of the Revised Code with respect to the 3209
taxation of motor vehicles or the time within which the taxes on 3210
motor vehicles shall be paid. 3211

Sec. 4507.021. (A) Every county court judge, mayor of a 3212
mayor's court, and clerk of a court of record shall keep a full 3213
record of every case in which a person is charged with any 3214
violation of sections 4511.01 to 4511.771, 4511.99, and 4513.01 to 3215
4513.36 of the Revised Code, or of any other law or ordinance 3216
regulating the operation of vehicles, streetcars, and trackless 3217
trolleys on highways or streets. 3218

A United States district court whose jurisdiction lies within 3219
this state may keep a full record of every case in which a person 3220
is charged with any violation of sections 4511.01 to 4511.771, 3221
4511.99, and 4513.01 to 4513.36 of the Revised Code, or of any 3222
other law or ordinance regulating the operation of vehicles, 3223
streetcars, and trackless trolleys on highways or streets located 3224
on federal property within this state. 3225

(B) If a person is convicted of or forfeits bail in relation 3226
to a violation of any section listed in division (A) of this 3227
section or a violation of any other law or ordinance regulating 3228
the operation of vehicles, streetcars, and trackless trolleys on 3229
highways or streets, the county court judge, mayor of a mayor's 3230
court, or clerk, within ten days after the conviction or bail 3231
forfeiture, shall prepare and immediately forward to the bureau of 3232
motor vehicles an abstract, certified by the preparer to be true 3233
and correct, of the court record covering the case in which the 3234
person was convicted or forfeited bail. 3235

If a person is convicted of or forfeits bail in relation to a 3236
violation of any section listed in division (A) of this section or 3237
a violation of any other law or ordinance regulating the operation 3238
of vehicles, streetcars, and trackless trolleys on highways or 3239
streets, a United States district court whose jurisdiction lies 3240
within this state, within ten days after the conviction or bail 3241
forfeiture, may prepare and immediately forward to the bureau an 3242

abstract, certified by the preparer to be true and correct, of the
court record covering the case in which the person was convicted
or forfeited bail.

(C)(1) Each abstract required by division (B) of this section
shall be made upon a form approved and furnished by the bureau and
shall include the name and address of the person charged, the
number of the person's ~~the party's~~ driver's or commercial driver's
license, the registration number of the vehicle involved, the
nature of the offense, the date of the offense, the date of
hearing, the plea, the judgment, or whether bail was forfeited,
and the amount of the fine or forfeiture.

If a United States district court whose jurisdiction lies
within this state utilizes the provision contained in division (B)
of this section and forwards an abstract to the bureau, on a form
approved and furnished by the bureau, containing all the
information prescribed in division (C)(1) of this section, the
bureau shall accept and process the abstract in the same manner as
it accepts and processes an abstract received from a county judge,
mayor of a mayor's court, or clerk of a court of record.

(2)(a) If a person is charged with a violation of section
4511.19 of the Revised Code or a violation of any ordinance
relating to operating a vehicle while under the influence of
alcohol, a drug of abuse, or alcohol and a drug of abuse or
relating to operating a vehicle with a prohibited concentration of
alcohol in the blood, breath, or urine; if that charge is
dismissed or reduced; if the person is convicted of or forfeits
bail in relation to a violation of any other section of the
Revised Code or of any ordinance that regulates the operation of
vehicles, streetcars, and trackless trolleys on highways and
streets but that does not relate to operating a vehicle while
under the influence of alcohol, a drug of abuse, or alcohol and a
drug of abuse or to operating a vehicle with a prohibited

concentration of alcohol in the blood, breath, or urine; and if 3275
the violation of which the person was convicted or in relation to 3276
which the person forfeited bail arose out of the same facts and 3277
circumstances and the same act as did the charge that was 3278
dismissed or reduced, the abstract also shall set forth the charge 3279
that was dismissed or reduced, indicate that it was dismissed or 3280
reduced, and indicate that the violation resulting in the 3281
conviction or bail forfeiture arose out of the same facts and 3282
circumstances and the same act as did the charge that was 3283
dismissed or reduced. 3284

(b) If a charge against a person of a violation of division 3285
(B)(1) or (D)(2) of section 4507.02 of the Revised Code or any 3286
municipal ordinance that is substantially equivalent to that 3287
division is dismissed or reduced and if the person is convicted of 3288
or forfeits bail in relation to a violation of any other section 3289
of the Revised Code or any other ordinance that regulates the 3290
operation of vehicles, streetcars, and trackless trolleys on 3291
highways and streets that arose out of the same facts and 3292
circumstances as did the charge that was dismissed or reduced, the 3293
abstract also shall set forth the charge that was dismissed or 3294
reduced, indicate that it was dismissed or reduced, and indicate 3295
that the violation resulting in the conviction or bail forfeiture 3296
arose out of the same facts and circumstances and the same act as 3297
did the charge that was dismissed or reduced. 3298

(3) If a person was convicted of or pleaded guilty to a 3299
violation of division (B)(1) or (D)(2) of section 4507.02 of the 3300
Revised Code, a substantially equivalent municipal ordinance, 3301
section 4507.33 or division (A) of section 4511.19 of the Revised 3302
Code, or a municipal ordinance relating to operating a vehicle 3303
while under the influence of alcohol, a drug of abuse, or alcohol 3304
and a drug of abuse or with a prohibited concentration of alcohol 3305
in the blood, breath, or urine, and division (E) of section 3306

4503.234 of the Revised Code prohibits the registrar of motor
vehicles and all deputy registrars from accepting an application
for the registration of, or registering, any motor vehicle in the
name of that person, the abstract shall specifically set forth
these facts and clearly indicate the date on which the order of
criminal forfeiture was issued or would have been issued but for
the operation of division (C) of section 4503.234 or section
4503.235 of the Revised Code. If the registrar receives an
abstract containing this information relating to a person, the
registrar, in accordance with sections 4503.12 and 4503.234 of the
Revised Code, shall take all necessary measures to prevent the
registrar's office or any deputy registrar from accepting from the
person, for the period of time ending five years after the date on
which the order was issued or would have been issued and as
described in division (E) of section 4503.234 of the Revised Code,
any new application for the registration of any motor vehicle in
the name of the person.

(D)(1) Every court of record also shall forward to the bureau
an abstract of the court record as described in division (C) of
this section upon the conviction of any person of aggravated
vehicular homicide or vehicular homicide or of a felony in the
commission of which a vehicle was used.

A United States district court whose jurisdiction lies within
this state also may forward to the bureau an abstract as described
in division (C) of this section upon the conviction of any person
of aggravated vehicular homicide or vehicular homicide or of a
felony in the commission of which a vehicle was used.

(2)(a) If a child has been adjudicated an unruly or
delinquent child or a juvenile traffic offender for having
committed any act that if committed by an adult would be a drug
abuse offense, as defined in section 2925.01 of the Revised Code,
or any violation of division (B) of section 2917.11 or of section

4511.19 of the Revised Code, the court shall notify the bureau, by 3339
means of an abstract of the court record as described in divisions 3340
(B) and (C) of this section, within ten days after the 3341
adjudication. 3342

(b) If a court requires a child as provided in division 3343
(D)(2)(a) of this section to attend a drug abuse or alcohol abuse 3344
education, intervention, or treatment program, the abstract 3345
required by that division and forwarded to the bureau also shall 3346
include the name and address of the operator of the program and 3347
the date that the child entered the program. If the child 3348
satisfactorily completes the program, the court, immediately upon 3349
receipt of such information, shall send to the bureau an updated 3350
abstract that also shall contain the date on which the child 3351
satisfactorily completed the program. 3352

(E) The purposeful failure or refusal of the officer to 3353
comply with this section constitutes misconduct in office and is a 3354
ground for removal from the office. 3355

(F) The bureau shall record within ten days and keep all 3356
abstracts received under this section at its main office and shall 3357
maintain records of convictions and bond forfeitures for any 3358
violation of law or ordinance regulating the operation of 3359
vehicles, streetcars, and trackless trolleys on highways and 3360
streets, except as to parking a motor vehicle. The bureau also 3361
shall record any abstract of a case involving a first violation of 3362
division (D) of section 4511.21 of the Revised Code, whether or 3363
not points are to be assessed therefor, in such a manner that it 3364
becomes a part of the person's permanent record and assists a 3365
court in monitoring the assessment of points under division (G) of 3366
this section. 3367

(G) Every court of record or mayor's court before which a 3368
person is charged with a violation for which points are chargeable 3369

by this section shall assess and transcribe to the abstract of conviction report, furnished by the bureau, the number of points chargeable by this section in the correct space assigned on the reporting form. A United States district court whose jurisdiction lies within this state and before whom a person is charged with a violation for which points are chargeable by this section may assess and transcribe to the abstract of conviction report, furnished by the bureau, the number of points chargeable by this section in the correct space assigned on the reporting form. If the court so assesses and transcribes to the abstract of conviction report the number of points chargeable, the bureau shall record the points in the same manner as those assessed and transcribed by every court of record or mayor's court of this state. The points shall be assessed based on the following formula:

(1) Violation of division (B), (C), or (D) of section 4507.02 of the Revised Code or any ordinance prohibiting the operation of a motor vehicle while the driver's or commercial driver's license is under suspension or revocation 6 points

(2) Violation of section 2913.03 of the Revised Code, except the provisions relating to use or operation of an aircraft or motorboat, or any ordinance prohibiting the operation of a vehicle without the consent of the owner 6 points

(3) Aggravated vehicular homicide or vehicular homicide, when either involves the operation of a vehicle, streetcar, or trackless trolley on a highway or street 6 points

(4) Violation of division (A) of section 4511.19 of the Revised Code, any ordinance prohibiting the operation of a vehicle while under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse, or any ordinance substantially equivalent to division (A) of section 4511.19 of the Revised Code prohibiting

| | |
|--|------|
| the operation of a vehicle with a prohibited concentration of | 3401 |
| alcohol in the blood, breath, or urine | 3402 |
| 6 points | 3403 |
| (5) Violation of section 4549.02 or 4549.021 of the Revised | 3404 |
| Code or any ordinance requiring the driver of a vehicle to stop | 3405 |
| and disclose identity at the scene of an accident | 3406 |
| 6 points | 3407 |
| (6) Violation of section 2921.331 of the Revised Code or any | 3408 |
| ordinance prohibiting the willful fleeing or eluding of a police | 3409 |
| officer 6 points | 3410 |
| (7) Any crime punishable as a felony under the motor vehicle | 3411 |
| laws of this state, or any other felony in the commission of which | 3412 |
| a motor vehicle was used 6 points | 3413 |
| (8) Operating a motor vehicle in violation of a restriction | 3414 |
| imposed by a registrar 2 points | 3415 |
| (9) Violation of section 4511.251 of the Revised Code or any | 3416 |
| ordinance prohibiting street racing 6 points | 3417 |
| (10) Violation of section 4511.20 of the Revised Code or any | 3418 |
| ordinance prohibiting the operation of a motor vehicle in willful | 3419 |
| or wanton disregard of the safety of persons or property 4 points | 3420 |
| (11) Violation of division (B) of section 4511.19 of the | 3421 |
| Revised Code or any ordinance substantially equivalent to that | 3422 |
| division prohibiting the operation of a vehicle with a prohibited | 3423 |
| concentration of alcohol in the blood, breath, or urine | 3424 |
| 4 points | 3425 |
| (12) Violation of any law or ordinance pertaining to speed, | 3426 |
| except as otherwise provided in this section and in division (G) | 3427 |
| of section 4511.21 of the Revised Code 2 points | 3428 |
| (13) Upon a first violation of a limitation under division | 3429 |

| | |
|--|------|
| (D) of section 4511.21 of the Revised Code at a speed in excess of | 3430 |
| seventy-five miles per hour 2 points | 3431 |
| (14) Upon a second violation within one year of the first | 3432 |
| violation of a limitation under division (D) of section 4511.21 of | 3433 |
| the Revised Code, for each increment of five miles per hour in | 3434 |
| excess of the posted speed limit, exclusive of the first five | 3435 |
| miles per hour over the limitation 1 point | 3436 |
| (15) Upon a third or subsequent violation within one year of | 3437 |
| the first violation of a limitation under division (D) of section | 3438 |
| 4511.21 of the Revised Code, for each increment of five miles per | 3439 |
| hour in excess of the posted speed limit, exclusive of the first | 3440 |
| five miles per hour over the limitation 2 points | 3441 |
| (16) All other moving violations pertaining to the operation | 3442 |
| of motor vehicles reported under this section, except any | 3443 |
| violations of section 4513.263 of the Revised Code or any | 3444 |
| substantively comparable ordinance, or violations under Chapter | 3445 |
| 5577. of the Revised Code 2 points | 3446 |
| (H) Upon receiving notification from the proper court, | 3447 |
| including a United States district court whose jurisdiction lies | 3448 |
| within this state, the bureau shall delete any points entered for | 3449 |
| bond forfeiture in the event the driver is acquitted of the | 3450 |
| offense for which the driver bond was posted. | 3451 |
| (I) In the event a person is convicted of, or forfeits bail | 3452 |
| for two or more offenses, arising out of the same facts, and | 3453 |
| points are chargeable for each of the offenses, points shall be | 3454 |
| charged for only the conviction or bond forfeiture for which the | 3455 |
| greater number of points is chargeable, and if the number of | 3456 |
| points chargeable for each offense is equal, only one offense | 3457 |
| shall be recorded and points charged therefor. | 3458 |
| (J) Whenever the points charged against any person exceed | 3459 |
| five, the registrar shall forward to the person at the person's | 3460 |

last known address, via regular mail, a warning letter listing the
reported violations, along with the number of points charged for
each, and outlining the suspension provision of this section.

(K) When, upon determination of the registrar, any person has
charged against the person a total of not less than twelve points
within a period of two years from the date of the first conviction
within the two-year period, the registrar shall send written
notification to the person at the person's last known address,
that the person's driver's or commercial driver's license shall be
suspended for six months, effective on the twentieth day after
mailing the notice, unless the person files a petition in the
municipal court or the county court, or in case such person is
under the age of eighteen years, ~~to~~ in the juvenile court, in
whose jurisdiction such person resides, or in the case of a
nonresident, in the Franklin county municipal court. By filing an
appeal the person is agreeing to pay the cost of the proceedings
and is alleging that the person can show cause why the person's
~~the licensee's~~ driving privileges should not be suspended for a
period of six months.

(L) Any person who has charged against the person more than
five but not more than eleven points, for the purpose of obtaining
a credit of two points against the total amount of points on the
person's driving record, may enroll for one time only in a course
of remedial driving instruction, as approved by the director of
public safety. Such a credit, subject to successful completion of
an approved remedial driving course taken at a time when more than
five but not more than eleven points are charged against the
person, shall be approved by the registrar.

(M) When the driving privileges of any person are suspended
by any trial judge of any court of record pursuant to section
4507.16 of the Revised Code, and points are charged against the
person under this section for the offense which resulted in the

suspension, that period of suspension shall be credited against 3493
the time of any subsequent suspension under this section for which 3494
the points were considered in making the subsequent suspension. 3495

When the driving privileges of a person are suspended 3496
pursuant to the "Assimilative Crimes Act," 102 Stat. 4381 (1988), 3497
18 U.S.C.A. 13, as amended, by a United States district court 3498
whose jurisdiction lies within this state and the court utilizes 3499
the provision contained in division (B) of this section, and 3500
points are charged against the person under this section for the 3501
offense that resulted in the suspension, the period of suspension 3502
imposed by the district court shall be credited against the time 3503
of any subsequent suspension imposed under this section for which 3504
the points were considered in making the subsequent suspension. 3505

(N) The registrar, upon written request of a licensee 3506
petitioning under division (K) of this section, shall furnish the 3507
licensee a copy of the registrar's record of the convictions and 3508
bond forfeitures of the person certified by the registrar. This 3509
record shall include the name, address, and birthdate of the 3510
person so charged; the number of the person's driver's or 3511
commercial driver's license; the name of the court in which each 3512
conviction or bail forfeiture took place; the nature of the 3513
offense; the date of hearing; the number of points charged against 3514
each conviction or bail forfeiture; and such other information as 3515
the registrar considers necessary. When the record includes not 3516
less than twelve points charged against the person within a 3517
two-year period, it is prima-facie evidence that the person is a 3518
repeat traffic offender and the person's driving privilege shall 3519
be suspended as provided in this section. 3520

In hearing the matter and determining whether the person has 3521
shown cause why the person's driving privileges should not be 3522
suspended, the court shall decide the issue upon the record 3523
certified by the registrar and such additional relevant, 3524

competent, and material evidence as either the registrar or the 3525
person whose license is sought to be suspended submits. 3526

In such proceedings, the registrar shall be represented by 3527
the prosecuting attorney of the county in which the person resides 3528
if the petition is filed in the county court, except where the 3529
petitioner is a resident of a city or village within the 3530
jurisdiction of a county court in which case the city director of 3531
law or village solicitor shall represent the registrar. If the 3532
petition is filed in the municipal court, the registrar shall be 3533
represented as provided in section 1901.34 of the Revised Code. 3534

If the court finds from the evidence submitted that the 3535
person has failed to show cause why the person's driving 3536
privileges should not be suspended, then the court shall assess 3537
the cost of the proceeding against the person and shall impose the 3538
suspension provided in division (K) of this section or withhold 3539
the suspension, or part thereof, and provide such conditions or 3540
probation as the court deems proper. If the court finds that the 3541
person has shown cause why the person's driving privileges should 3542
not be suspended, the cost of the proceedings shall be paid out of 3543
the county treasury of the county in which the proceedings were 3544
held. 3545

Any person whose license is suspended under this section is 3546
not entitled to apply for or receive a new license during the 3547
effective period of the suspension. 3548

Upon termination of any suspension or other penalty imposed 3549
under this section involving surrender of a license or permit and 3550
upon request of the person whose license or permit was so 3551
suspended or surrendered, the registrar shall return the license 3552
or permit to the person upon determining that all provisions of 3553
section 4507.022 of the Revised Code have been met or shall 3554
reissue the person's license or permit under section 4507.54 of 3555

the Revised Code, if the registrar destroyed the license or permit 3556
under that section. 3557

Any person whose license, permit, or privilege to operate a 3558
motor vehicle has been suspended as a repeat traffic offender 3559
under this section and who, during such suspension, drives any 3560
motor vehicle upon any highway is guilty of a misdemeanor of the 3561
first degree, and no court shall suspend the first three days of 3562
any such sentence. 3563

(O) The privilege of driving a motor vehicle on the highways 3564
or streets of this state, given to nonresidents under section 3565
4507.04 of the Revised Code, is subject to suspension by the 3566
registrar. 3567

Sec. 4507.022. Any person whose driver's or commercial 3568
driver's license or permit is suspended, or who is put on 3569
probation or granted limited or occupational driving privileges, 3570
under section 4507.021 or division (E) of section 4507.16 of the 3571
Revised Code, is not eligible to retain the person's license, or 3572
to have the person's ~~license returned~~ driving privileges 3573
reinstated, until each of the following has occurred: 3574

(A) The person successfully completes a course of remedial 3575
driving instruction approved by the director of public safety, 3576
provided the person commences taking the course after the person's 3577
driver's or commercial driver's license or permit is suspended 3578
under section 4507.021 or division (E) of section 4507.16 of the 3579
Revised Code. A minimum of twenty-five per cent of the number of 3580
hours of instruction included in the course shall be devoted to 3581
instruction on driver attitude. 3582

The course also shall devote a number of hours to instruction 3583
in the area of alcohol and drugs and the operation of motor 3584
vehicles. The instruction shall include, but not be limited to, a 3585

review of the laws governing the operation of a motor vehicle 3586
while under the influence of alcohol, drugs, or both, the dangers 3587
of operating a motor vehicle while under the influence of alcohol, 3588
drugs, or both, and other information relating to the operation of 3589
motor vehicles and the consumption of alcoholic beverages and use 3590
of drugs. The director, in consultation with the director of ~~the~~ 3591
~~department of~~ alcohol and drug addiction services, shall prescribe 3592
the content of the instruction. The number of hours devoted to the 3593
area of alcohol and drugs and the operation of motor vehicles 3594
shall comprise a minimum of twenty-five per cent of the number of 3595
hours of instruction included in the course. 3596

(B) The person is examined in the manner provided for in 3597
section 4507.20 of the Revised Code, and found by the registrar of 3598
motor vehicles to be qualified to operate a motor vehicle; 3599

(C) The person gives and maintains proof of financial 3600
responsibility, in accordance with section 4509.45 of the Revised 3601
Code. 3602

Sec. 4507.08. No driver's license shall be issued to any 3603
person under eighteen years of age, except that a probationary 3604
license may be issued to a person over sixteen years of age and a 3605
restricted license may be issued to a person who is fourteen or 3606
fifteen years of age upon proof of hardship satisfactory to the 3607
registrar of motor vehicles. No probationary license shall be 3608
issued to any person under the age of eighteen who has been 3609
adjudicated an unruly or delinquent child or a juvenile traffic 3610
offender for having committed any act that if committed by an 3611
adult would be a drug abuse offense, as defined in section 2925.01 3612
of the Revised Code, a violation of division (B) of section 3613
2917.11, or a violation of division (A) of section 4511.19 of the 3614
Revised Code, unless the person has been required by the court to 3615
attend a drug abuse or alcohol abuse education, intervention, or 3616

treatment program specified by the court and has satisfactorily
completed the program. 3617
3618

No temporary instruction permit or driver's license shall be 3619
issued to any person whose license has been suspended, during the 3620
period for which the license was suspended, nor to any person 3621
whose license has been revoked, under sections 4507.01 to 4507.39 3622
of the Revised Code, until the expiration of one year after the 3623
license was revoked. 3624

No temporary instruction permit or driver's license shall be 3625
issued to any person whose commercial driver's license is 3626
suspended under section 1905.201, 2301.374, 4507.16, 4507.34, 3627
4507.99, 4511.191, or 4511.196 of the Revised Code or under any 3628
other provision of the Revised Code during the period of the 3629
suspension. 3630

No temporary instruction permit or driver's license shall be 3631
issued to, or retained by: 3632

(A) Any person who is an alcoholic, or is addicted to the use 3633
of controlled substances to the extent that the use constitutes an 3634
impairment to the person's ability to operate a motor vehicle with 3635
the required degree of safety; 3636

(B) Any person who is under the age of eighteen and has been 3637
adjudicated an unruly or delinquent child or a juvenile traffic 3638
offender for having committed any act that if committed by an 3639
adult would be a drug abuse offense, as defined in section 2925.01 3640
of the Revised Code, a violation of division (B) of section 3641
2917.11, or a violation of division (A) of section 4511.19 of the 3642
Revised Code, unless the person has been required by the court to 3643
attend a drug abuse or alcohol abuse education, intervention, or 3644
treatment program specified by the court and has satisfactorily 3645
completed the program; 3646

(C) Any person who, in the opinion of the registrar, is 3647
afflicted with or suffering from a physical or mental disability 3648
or disease that prevents the person from exercising reasonable and 3649
ordinary control over a motor vehicle while operating the vehicle 3650
upon the highways, except that a restricted license effective for 3651
six months may be issued to any person otherwise qualified who is 3652
or has been subject to any condition resulting in episodic 3653
impairment of consciousness or loss of muscular control and whose 3654
condition, in the opinion of the registrar, is dormant or is 3655
sufficiently under medical control that the person is capable of 3656
exercising reasonable and ordinary control over a motor vehicle. A 3657
restricted license effective for six months shall be issued to any 3658
person who is otherwise qualified who is subject to any condition 3659
which causes episodic impairment of consciousness or a loss of 3660
muscular control if the person presents a statement from a 3661
licensed physician that the person's condition is under effective 3662
medical control and the period of time for which the control has 3663
been continuously maintained, unless, thereafter, a medical 3664
examination is ordered and, pursuant thereto, cause for denial is 3665
found. 3666

A person to whom a six-month restricted license has been 3667
issued shall give notice of the person's medical condition to the 3668
registrar on forms provided by the registrar and signed by the 3669
licensee's physician. The notice shall be sent to the registrar 3670
six months after the issuance of the license. Subsequent 3671
restricted licenses issued to the same individual shall be 3672
effective for six months. 3673

(D) Any person who is unable to understand highway warnings 3674
or traffic signs or directions given in the English language; 3675

(E) Any person making an application whose driver's license 3676
or driving privileges are under revocation or suspension in the 3677
jurisdiction where issued or any other jurisdiction, until the 3678

expiration of one year after the license was revoked or until the
period of suspension ends. Any person whose application is denied
under this division may file a petition in the municipal court or
county court in whose jurisdiction the person resides agreeing to
pay the cost of the proceedings and alleging that the conduct
involved in the offense that resulted in suspension or revocation
in the foreign jurisdiction would not have resulted in a
suspension or revocation had the offense occurred in this state.
If the petition is granted, petitioner shall notify the registrar
of motor vehicles by a certified copy of the court's findings and
a license shall not be denied under this division;

(F) Any person whose driver's or commercial driver's license
or permit has been permanently revoked pursuant to division (C) of
section 4507.16 of the Revised Code;

(G) Any person who is not a resident or temporary resident of
this state.

Sec. 4507.09. (A) Except as provided in division (B) of this
section, every driver's license issued to a resident of this state
expires on the birthday of the applicant in the fourth year after
the date it is issued, ~~but in~~ and every driver's license issued to
a temporary resident expires in accordance with rules adopted by
the registrar of motor vehicles. In no event shall any such
license be issued for a period longer than four years and ninety
days.

Subject to the requirements of section 4507.12 of the Revised
Code, every driver's license issued to a resident is renewable
~~within sixty days at any time~~ prior to its expiration ~~upon payment~~
~~of the fees as required by law, except that~~ and any license of an
Ohio a temporary resident who will be temporarily out of state is
~~renewable at any time prior to its expiration~~ nonrenewable. A
nonrenewable license may be replaced with a new license within

ninety days prior to its expiration upon the applicant's 3710
compliance with all applicable requirements. No refund shall be 3711
made or credit given for the unexpired portion of the driver's 3712
license that is renewed. The registrar of motor vehicles shall 3713
notify each person whose driver's license has expired within 3714
forty-five days after the date of expiration. Notification shall 3715
be made by regular mail sent to the person's last known address as 3716
shown in the records of the bureau of motor vehicles. Failure to 3717
provide such notification shall not be construed as a renewal or 3718
extension of any license. ~~The registrar may issue rules permitting~~ 3719
~~the use and display of drivers' licenses at any time not to exceed~~ 3720
~~sixty days prior to the next succeeding birthday of the applicant.~~ 3721
For the purposes of this section, the date of birth of any 3722
applicant born on the twenty-ninth day of February shall be deemed 3723
to be the first day of March in any year in which there is no 3724
twenty-ninth day of February. 3725

~~The registrar may require an application for license renewal~~ 3726
~~submitted by a resident who will be temporarily out of state to be~~ 3727
~~accompanied by an affidavit, in a form prescribed by the~~ 3728
~~registrar, certifying that the resident will be temporarily~~ 3729
~~out of state at the time the resident's license will expire.~~ 3730

(B) Every driver's license or renewal of a driver's license 3731
issued to an applicant who is sixteen years of age or older, but 3732
less than twenty-one years of age, expires on the twenty-first 3733
birthday of the applicant, except that an applicant who applies no 3734
more than thirty days before the applicant's twenty-first birthday 3735
shall be issued a license in accordance with division (A) of this 3736
section. 3737

(C) Each person licensed as a driver under this chapter shall 3738
notify the registrar of any change in the person's address within 3739
ten days following that change. The notification shall be in 3740
writing on a form provided by the registrar and shall include the 3741

full name, date of birth, license number, county of residence, 3742
social security number, and new address of the person. 3743

Sec. 4507.10. (A) The registrar of motor vehicles shall 3744
examine every applicant for a driver's license, or motorcycle 3745
operator's endorsement before issuing any such license or 3746
endorsement. 3747

(B) Except as provided in section 4507.12 of the Revised 3748
Code, the registrar may waive the examination of any person 3749
applying for the renewal of a driver's license, or motorcycle 3750
operator's endorsement issued under this chapter, provided that 3751
the applicant presents either an unexpired license or endorsement 3752
or a license or endorsement which has expired not more than six 3753
months prior to the date of application. 3754

(C) The registrar may waive the examination of any person 3755
applying for the renewal of such license or endorsement who is on 3756
active duty in the military or naval forces of the United States, 3757
or in service with the peace corps, volunteers in service to 3758
America, or the foreign service of the United States if the 3759
applicant has no physical or mental disabilities that would affect 3760
~~his~~ the applicant's driving ability ~~and was an~~, had a valid Ohio 3761
licensee driver's or commercial driver's license at the time ~~he~~ 3762
the applicant commenced such active duty or service, and the 3763
applicant's license is not under suspension or revocation by this 3764
state or any other jurisdiction. 3765

(D) Except as provided in section 4507.12 of the Revised 3766
Code, the registrar may waive the examination of any person 3767
applying for such license or endorsement who meets either of the 3768
following sets of qualifications: 3769

(1) Has been on active duty in the military or naval forces 3770
of the United States, presents an honorable discharge certificate 3771

showing that ~~he~~ the applicant has no physical or mental 3772
disabilities which would affect ~~his~~ the applicant's driving 3773
ability, ~~was an~~ had a valid Ohio licensee driver's or commercial 3774
driver's license at the time ~~he~~ the applicant commenced such 3775
active duty, is not under a license suspension or revocation by 3776
this state or any other jurisdiction, and makes the application 3777
not more than six months after the date of discharge or 3778
separation; 3779

(2) Was in service with the peace corps, volunteers in 3780
service to America, or the foreign service of the United States; 3781
presents such evidence of such service as the registrar prescribes 3782
showing that the applicant has no physical or mental disabilities 3783
that would affect ~~his~~ applicant's driving ability; ~~was an~~ had a 3784
valid Ohio licensee driver's or commercial driver's license at the 3785
time ~~he~~ the applicant commenced such service, is not under a 3786
license suspension or revocation by this state or any other 3787
jurisdiction, and makes the application no more than six months 3788
after leaving the peace corps, volunteers, or foreign service. 3789

Sec. 4507.13. (A) The registrar of motor vehicles shall issue 3790
a driver's license to every person licensed as an operator of 3791
motor vehicles other than commercial motor vehicles. No person 3792
licensed as a commercial motor vehicle driver under Chapter 4506. 3793
of the Revised Code need procure a driver's license, but no person 3794
shall drive any commercial motor vehicle unless licensed as a 3795
commercial motor vehicle driver. 3796

Every driver's license shall bear on it the distinguishing 3797
number assigned to the licensee and shall contain the licensee's 3798
name, date of birth, social security number if such number has 3799
been assigned; the licensee's residence address and county of 3800
residence; a color photograph of the licensee; a brief description 3801
of the licensee for the purpose of identification; a facsimile of 3802

the signature of the licensee as it appears on the application for
the license; a space marked "blood type" in which a licensee may
specify ~~his~~ the licensee's blood type; a notation, in a manner
prescribed by the registrar, indicating any condition described in
division (D) of section 4507.08 of the Revised Code to which the
licensee is subject; on and after May 1, 1993, 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
~~he~~ the licensee wishes ~~his~~ the license to indicate that ~~he~~ 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; and any additional information that the
registrar requires by rule.

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

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

Every driver's or commercial driver's license bearing a
motorcycle operator's endorsement and every restricted license to
operate a motor vehicle also shall bear the designation "novice,"
if the endorsement or license is issued to a person who is
eighteen years of age or older and previously has not been
licensed to operate a motorcycle by this state or another
jurisdiction recognized by this state. The "novice" designation

shall be effective for one year after the date of issuance of the
motorcycle operator's endorsement or license.

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

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

Sec. 4507.14. The registrar of motor vehicles upon issuing a
driver's license, a motorcycle operator's endorsement, a driver's
license renewal, or the renewal of any other license issued under
this chapter, ~~may~~, whenever good cause appears, may impose
restrictions suitable to the licensee's driving ability with
respect to the type of or special mechanical control devices
required on a motor vehicle which the licensee may operate, or
such other restrictions applicable to the licensee as the
registrar determines to be necessary.

When issuing ~~licenses~~ a license to a ~~deaf~~ person ~~or to~~
~~persons~~ with impaired hearing, the registrar shall require that a
motor ~~vehicles~~ vehicle operated by ~~such persons~~ the person be
equipped with two outside rear vision mirrors, one ~~outside~~ on the
left side and ~~one inside such motor vehicles~~ the other on the
right side.

The registrar ~~may~~ either may issue a special restricted

license or may set forth such restrictions upon the usual license 3865
form. 3866

The registrar, upon receiving satisfactory evidence of any 3867
violation of the restrictions of such license, after an 3868
opportunity for a hearing in accordance with Chapter 119. Of the 3869
Revised Code, may suspend ~~or revoke the same~~ the license for a 3870
period of six months. 3871

Sec. 4507.16. (A)(1) The trial judge of any court of record, 3872
in addition to or independent of all other penalties provided by 3873
law or by ordinance, shall suspend for not less than thirty days 3874
or more than three years or shall revoke the driver's or 3875
commercial driver's license or permit or nonresident operating 3876
privilege of any person who is convicted of or pleads guilty to 3877
any of the following: 3878

(a) Perjury or the making of a false affidavit under this 3879
chapter, or any other law of this state requiring the registration 3880
of motor vehicles or regulating their operation on the highway; 3881

(b) Any crime punishable as a felony under the motor vehicle 3882
laws of this state or any other felony in the commission of which 3883
a motor vehicle is used; 3884

(c) Failing to stop and disclose identity at the scene of the 3885
accident when required by law or ordinance to do so; 3886

(d) Street racing as defined in section 4511.251 of the 3887
Revised Code or any substantially similar municipal ordinance; 3888

(e) Willfully eluding or fleeing a police officer; 3889

(f) Trafficking in cigarettes with the intent to avoid 3890
payment of the cigarette tax under division (A) of section 3891
5743.112 of the Revised Code; 3892

(g) A violation of section 2903.06, 2903.07, or 2903.08 of 3893
the Revised Code or a municipal ordinance substantially similar to 3894

section 2903.07 of the Revised Code, unless the jury or judge as
trier of fact in the case finds that the offender was under the
influence of alcohol, a drug of abuse, or alcohol and a drug of
abuse at the time of the commission of the offense.

If a person is convicted of or pleads guilty to a violation
of section 2907.24 of the Revised Code, an attempt to commit a
violation of that section, or a violation of or an attempt to
commit a violation of a municipal ordinance that is substantially
equivalent to that section and if the person, in committing or
attempting to commit the violation, was in, was on, or used a
motor vehicle, the trial judge of a court of record, in addition
to or independent of all other penalties provided by law or
ordinance, shall suspend for thirty days the person's driver's or
commercial driver's license or permit.

The trial judge of any court of record, in addition to
suspensions or revocations of licenses, permits, or privileges
pursuant to this division and in addition to or independent of all
other penalties provided by law or by ordinance, shall impose a
suspended jail sentence not to exceed six months, if imprisonment
was not imposed for the offense for which the person was
convicted.

(2) If the trial judge of any court of record suspends or
revokes the driver's or commercial driver's license or permit or
nonresident operating privilege of a person who is convicted of or
pleads guilty to any offense for which such suspension or
revocation is provided by law or ordinance, in addition to all
other penalties provided by law or ordinance, the judge may issue
an order prohibiting the offender from registering, renewing, or
transferring the registration of any vehicle during the period
that the offender's license, permit, or privilege is suspended or
revoked. The court promptly shall send a copy of the order to the
registrar of motor vehicles.

Upon receipt of such an order, neither the registrar nor any 3927
deputy registrar shall accept any application for the 3928
registration, registration renewal, or transfer of registration of 3929
any motor vehicle owned or leased by the person named in the order 3930
during the period that the person's license, permit, or privilege 3931
is suspended or revoked, unless the registrar is properly notified 3932
by the court that the order of suspension or revocation has been 3933
canceled. When the period of suspension or revocation expires or 3934
the order is canceled, the registrar or deputy registrar shall 3935
accept the application for registration, registration renewal, or 3936
transfer of registration of the person named in the order. 3937

(B) Except as otherwise provided in this section, the trial 3938
judge of any court of record and the mayor of a mayor's court, in 3939
addition to or independent of all other penalties provided by law 3940
or by ordinance, shall revoke the driver's or commercial driver's 3941
license or permit or nonresident operating privilege of any person 3942
who is convicted of or pleads guilty to a violation of division 3943
(A) of section 4511.19 of the Revised Code, of a municipal 3944
ordinance relating to operating a vehicle while under the 3945
influence of alcohol, a drug of abuse, or alcohol and a drug of 3946
abuse, or of a municipal ordinance that is substantially 3947
equivalent to division (A) of section 4511.19 of the Revised Code 3948
relating to operating a vehicle with a prohibited concentration of 3949
alcohol in the blood, breath, or urine or suspend the license, 3950
permit, or privilege as follows: 3951

(1) Except when division (B)(2), (3), or (4) of this section 3952
applies and the judge or mayor is required to suspend or revoke 3953
the offender's license or permit pursuant to that division, the 3954
judge or mayor shall suspend the offender's driver's or commercial 3955
driver's license or permit or nonresident operating privilege for 3956
not less than six months nor more than three years. 3957

(2) Subject to division (B)(4) of this section, if, within 3958

six years of the offense, the offender has been convicted of or
pleaded guilty to one violation of division (A) or (B) of section
4511.19 of the Revised Code, a municipal ordinance relating to
operating a vehicle while under the influence of alcohol, a drug
of abuse, or alcohol and a drug of abuse, a municipal ordinance
relating to operating a motor vehicle with a prohibited
concentration of alcohol in the blood, breath, or urine, section
2903.04 of the Revised Code in a case in which the offender was
subject to the sanctions described in division (D) of that
section, section 2903.06, 2903.07, or 2903.08 of the Revised Code
or a municipal ordinance that is substantially similar to section
2903.07 of the Revised Code in a case in which the jury or judge
found that the offender was under the influence of alcohol, a drug
of abuse, or alcohol and a drug of abuse, or a statute of the
United States or of any other state or a municipal ordinance of a
municipal corporation located in any other state that is
substantially similar to division (A) or (B) of section 4511.19 of
the Revised Code, the judge shall suspend the offender's driver's
or commercial driver's license or permit or nonresident operating
privilege for not less than one year nor more than five years.

(3) Subject to division (B)(4) of this section, if, within
six years of the offense, the offender has been convicted of or
pleaded guilty to two violations described in division (B)(2) of
this section, or a statute of the United States or of any other
state or a municipal ordinance of a municipal corporation located
in any other state that is substantially similar to division (A)
or (B) of section 4511.19 of the Revised Code, the judge shall
suspend the offender's driver's or commercial driver's license or
permit or nonresident operating privilege for not less than one
year nor more than ten years.

(4) If, within six years of the offense, the offender has
been convicted of or pleaded guilty to three or more violations

described in division (B)(2) of this section, ~~or~~ a statute of the 3991
United States or of any other state or a municipal ordinance of a 3992
municipal corporation located in any other state that is 3993
substantially similar to division (A) or (B) of section 4511.19 of 3994
the Revised Code, or if the offender previously has been convicted 3995
of or pleaded guilty to a violation of division (A) of section 3996
4511.19 of the Revised Code under circumstances in which the 3997
violation was a felony and regardless of when the violation and 3998
the conviction or guilty plea occurred, the judge shall suspend 3999
the offender's driver's or commercial driver's license or permit 4000
or nonresident operating privilege for a period of time set by the 4001
court but not less than three years, and the judge may permanently 4002
revoke the offender's driver's or commercial driver's license or 4003
permit or nonresident operating privilege. 4004

(5) The filing of an appeal by a person whose driver's or 4005
commercial driver's license is suspended or revoked under division 4006
(B)(1), (2), (3), or (4) of this section regarding any aspect of 4007
the person's trial or sentence does not stay the operation of the 4008
suspension or revocation. 4009

(C) The trial judge of any court of record or the mayor of a 4010
mayor's court, in addition to or independent of all other 4011
penalties provided by law or by ordinance, may suspend the 4012
driver's or commercial driver's license or permit or nonresident 4013
operating privilege of any person who violates a requirement or 4014
prohibition of the court imposed under division (F) of this 4015
section or division (G)(1) of section 2951.02 of the Revised Code 4016
as follows: 4017

(1) For not more than one year, upon conviction for a first 4018
violation of the requirement or prohibition; 4019

(2) For not more than five years, upon conviction for a 4020
second or subsequent violation of the requirement or prohibition 4021

during the same period of required use of an ignition interlock 4022
device that is certified pursuant to section 4511.83 of the 4023
Revised Code. 4024

(D)(1) The trial judge of any court of record, in addition to 4025
or independent of all other penalties provided by law or by 4026
ordinance, shall permanently revoke the driver's or commercial 4027
driver's license or permit or nonresident operating privilege of 4028
any person who is convicted of or pleads guilty to a violation of 4029
section 2903.04 of the Revised Code in a case in which the 4030
offender is subject to the sanctions described in division (D) of 4031
that section, or of any person who is convicted of or pleads 4032
guilty to a violation of section 2903.06, 2903.07, or 2903.08 of 4033
the Revised Code or of a municipal ordinance that is substantially 4034
similar to section 2903.07 of the Revised Code if the jury or 4035
judge as trier of fact in the case in which the person is 4036
convicted finds that the offender was under the influence of 4037
alcohol, a drug of abuse, or alcohol and a drug of abuse, at the 4038
time of the commission of the offense. 4039

(2) In addition to any prison term authorized or required by 4040
the section that establishes the offense and sections 2929.13 and 4041
2929.14 of the Revised Code, and in addition to any other sanction 4042
imposed for the offense under the section that establishes the 4043
offense or sections 2929.11 to 2929.182 of the Revised Code, the 4044
court that sentences an offender who is convicted of or pleads 4045
guilty to a violation of section 2925.02, 2925.03, 2925.04, 4046
2925.05, 2925.06, 2925.11, 2925.12, 2925.13, 2925.14, 2925.22, 4047
2925.23, 2925.31, 2925.32, 2925.36, or 2925.37 of the Revised Code 4048
either shall revoke or, if it does not revoke, shall suspend for 4049
not less than six months or more than five years, as specified in 4050
the section that establishes the offense, the person's driver's or 4051
commercial driver's license or permit. If the person's driver's or 4052
commercial driver's license or permit is under suspension on the 4053

date the court imposes sentence upon the person, any revocation
imposed upon the person that is referred to in division (D)(2) of
this section shall take effect immediately. If the person's
driver's or commercial driver's license or permit is under
suspension on the date the court imposes sentence upon the person,
any period of suspension imposed upon the person that is referred
to in division (D)(2) of this section shall take effect on the
next day immediately following the end of that period of
suspension. If the person is sixteen years of age or older and is
a resident of this state but does not have a current, valid Ohio
driver's or commercial driver's license or permit, the court shall
order the registrar ~~of motor vehicles~~ to deny to the person the
issuance of a driver's or commercial driver's license or permit
for six months beginning on the date the court imposes a sentence
upon the person. If the person has not attained the age of sixteen
years on the date the court sentences the person for the
violation, the period of denial shall commence on the date the
person attains the age of sixteen years.

(E) Except as otherwise provided in this section, the trial
judge of any court of record and the mayor of a mayor's court, in
addition to or independent of all other penalties provided by law
or ordinance, shall suspend for not less than sixty days nor more
than two years the driver's or commercial driver's license or
permit or nonresident operating privilege of any person who is
convicted of or pleads guilty to a violation of division (B) of
section 4511.19 of the Revised Code or of a municipal ordinance
substantially equivalent to that division relating to operating a
vehicle with a prohibited concentration of alcohol in the blood,
breath, or urine.

(F) If a person's driver's or commercial driver's license or
permit or nonresident operating privilege has been suspended
pursuant to division (B) or (C) of this section or pursuant to

division (F) of section 4511.191 of the Revised Code, and the
person, within the preceding seven years, has been convicted of or
pleaded guilty to three or more violations of division (A) or (B)
of section 4511.19 of the Revised Code, a municipal ordinance
relating to operating a vehicle while under the influence of
alcohol, a drug of abuse, or alcohol and a drug of abuse, a
municipal ordinance relating to operating a vehicle with a
prohibited concentration of alcohol in the blood, breath, or
urine, section 2903.04 of the Revised Code in a case in which the
person was subject to the sanctions described in division (D) of
that section, section 2903.06, 2903.07, or 2903.08 of the Revised
Code or a municipal ordinance that is substantially similar to
section 2903.07 of the Revised Code in a case in which the jury or
judge found that the person was under the influence of alcohol, a
drug of abuse, or alcohol and a drug of abuse, or a statute of the
United States or of any other state or a municipal ordinance of a
municipal corporation located in any other state that is
substantially similar to division (A) or (B) of section 4511.19 of
the Revised Code, the person is not entitled to request, and the
judge or mayor shall not grant to the person, occupational driving
privileges under this division. Any other person whose driver's or
commercial driver's license or nonresident operating privilege has
been suspended under any of those divisions may file a petition
that alleges that the suspension would seriously affect the
person's ability to continue the person's employment. The petition
of a person whose license, permit, or privilege was suspended
pursuant to division (F) of section 4511.191 of the Revised Code
shall be filed in the court specified in division (I)(4) of that
section, and the petition of a person whose license, permit, or
privilege was suspended under division (B) or (C) of this section
shall be filed in the municipal, county, mayor's, or in the case
of a minor, juvenile court that has jurisdiction over the place of
arrest. Upon satisfactory proof that there is reasonable cause to

believe that the suspension would seriously affect the person's 4119
ability to continue the person's employment, the judge of the 4120
court or mayor of the mayor's court may grant the person 4121
occupational driving privileges during the period during which the 4122
suspension otherwise would be imposed, except that the judge or 4123
mayor shall not grant occupational driving privileges to any 4124
person who, within seven years of the filing of the petition, has 4125
been convicted of or pleaded guilty to three or more violations of 4126
division (A) or (B) of section 4511.19 of the Revised Code, a 4127
municipal ordinance relating to operating a vehicle while under 4128
the influence of alcohol, a drug of abuse, or alcohol and a drug 4129
of abuse, a municipal ordinance relating to operating a vehicle 4130
with a prohibited concentration of alcohol in the blood, breath, 4131
or urine, section 2903.04 of the Revised Code in a case in which 4132
the person was subject to the sanctions described in division (D) 4133
of that section, section 2903.06, 2903.07, or 2903.08 of the 4134
Revised Code or a municipal ordinance that is substantially 4135
similar to section 2903.07 of the Revised Code in a case in which 4136
the jury or judge found that the person was under the influence of 4137
alcohol, a drug of abuse, or alcohol and a drug of abuse, or a 4138
statute of the United States or of any other state or a municipal 4139
ordinance of a municipal corporation located in any other state 4140
that is substantially similar to division (A) or (B) of section 4141
4511.19 of the Revised Code, shall not grant occupational driving 4142
privileges for employment as a driver of commercial motor vehicles 4143
to any person who is disqualified from operating a commercial 4144
motor vehicle under section 2301.374 or 4506.16 of the Revised 4145
Code, and shall not grant occupational driving privileges during 4146
any of the following periods of time: 4147

(1) The first fifteen days of suspension imposed upon an 4149
offender whose license, permit, or privilege is suspended pursuant 4150
to division (B)(1) of this section or division (F)(1) of section 4151

4511.191 of the Revised Code. On or after the sixteenth day of 4152
suspension, the court may grant the offender occupational driving 4153
privileges, but the court may provide that the offender shall not 4154
exercise the occupational driving privileges unless the vehicles 4155
the offender operates are equipped with ignition interlock 4156
devices. 4157

(2) The first thirty days of suspension imposed upon an 4158
offender whose license, permit, or privilege is suspended pursuant 4159
to division (B)(2) of this section or division (F)(2) of section 4160
4511.191 of the Revised Code. On or after the thirty-first day of 4161
suspension, the court may grant the offender occupational driving 4162
privileges, but the court may provide that the offender shall not 4163
exercise the occupational driving privileges unless the vehicles 4164
the offender operates are equipped with ignition interlock 4165
devices. 4166

(3) The first one hundred eighty days of suspension imposed 4167
upon an offender whose license, permit, or privilege is suspended 4168
pursuant to division (B)(3) of this section or division (F)(3) of 4169
section 4511.191 of the Revised Code. The judge may grant 4170
occupational driving privileges to an offender who receives a 4171
suspension under either of those divisions on or after the one 4172
hundred eighty-first day of the suspension only if division (F) of 4173
this section does not prohibit the judge from granting the 4174
privileges and only if the judge, at the time of granting the 4175
privileges, also issues an order prohibiting the offender, while 4176
exercising the occupational driving privileges during the period 4177
commencing with the one hundred eighty-first day of suspension and 4178
ending with the first year of suspension, from operating any motor 4179
vehicle unless it is equipped with a certified ignition interlock 4180
device. After the first year of the suspension, the court may 4181
authorize the offender to continue exercising the occupational 4182
driving privileges in vehicles that are not equipped with ignition 4183

interlock devices. If the offender does not petition for 4184
occupational driving privileges until after the first year of 4185
suspension and if division (F) of this section does not prohibit 4186
the judge from granting the privileges, the judge may grant the 4187
offender occupational driving privileges without requiring the use 4188
of a certified ignition interlock device. 4189

(4) The first three years of suspension imposed upon an 4190
offender whose license, permit, or privilege is suspended pursuant 4191
to division (B)(4) of this section or division (F)(4) of section 4192
4511.191 of the Revised Code. The judge may grant occupational 4193
driving privileges to an offender who receives a suspension under 4194
either of those divisions after the first three years of 4195
suspension only if division (F) of this section does not prohibit 4196
the judge from granting the privileges and only if the judge, at 4197
the time of granting the privileges, also issues an order 4198
prohibiting the offender from operating any motor vehicle, for the 4199
period of suspension following the first three years of 4200
suspension, unless the motor vehicle is equipped with a certified 4201
ignition interlock device. 4202

(G) If a person's driver's or commercial driver's license or 4203
permit or nonresident operating privilege has been suspended under 4204
division (E) of this section, and the person, within the preceding 4205
seven years, has been convicted of or pleaded guilty to three or 4206
more violations of division (A) or (B) of section 4511.19 of the 4207
Revised Code, a municipal ordinance relating to operating a 4208
vehicle while under the influence of alcohol, a drug of abuse, or 4209
alcohol and a drug of abuse, a municipal ordinance relating to 4210
operating a vehicle with a prohibited concentration of alcohol in 4211
the blood, breath, or urine, section 2903.04 of the Revised Code 4212
in a case in which the person was subject to the sanctions 4213
described in division (D) of that section, section 2903.06, 4214
2903.07, or 2903.08 of the Revised Code or a municipal ordinance 4215

that is substantially similar to section 2903.07 of the Revised Code in a case in which the jury or judge found that the person was under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse, or a statute of the United States or of any other state or a municipal ordinance of a municipal corporation located in any other state that is substantially similar to division (A) or (B) of section 4511.19 of the Revised Code, the person is not entitled to request, and the judge or mayor shall not grant to the person, occupational driving privileges under this division. Any other person whose driver's or commercial driver's license or nonresident operating privilege has been suspended under division (E) of this section may file a petition that alleges that the suspension would seriously affect the person's ability to continue the person's employment. The petition shall be filed in the municipal, county, or mayor's court that has jurisdiction over the place of arrest. Upon satisfactory proof that there is reasonable cause to believe that the suspension would seriously affect the person's ability to continue the person's employment, the judge of the court or mayor of the mayor's court may grant the person occupational driving privileges during the period during which the suspension otherwise would be imposed, except that the judge or mayor shall not grant occupational driving privileges to any person who, within seven years of the filing of the petition, has been convicted of or pleaded guilty to three or more violations of division (A) or (B) of section 4511.19 of the Revised Code, a municipal ordinance relating to operating a vehicle while under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse, a municipal ordinance relating to operating a vehicle with a prohibited concentration of alcohol in the blood, breath, or urine, section 2903.04 of the Revised Code in a case in which the person was subject to the sanctions described in division (D) of that section, section 2903.06, 2903.07, or 2903.08 of the Revised

Code or a municipal ordinance that is substantially similar to 4249
section 2903.07 of the Revised Code in a case in which the jury or 4250
judge found that the person was under the influence of alcohol, a 4251
drug of abuse, or alcohol and a drug of abuse, or a statute of the 4252
United States or of any other state or a municipal ordinance of a 4253
municipal corporation located in any other state that is 4254
substantially similar to division (A) or (B) of section 4511.19 of 4255
the Revised Code, shall not grant occupational driving privileges 4256
for employment as a driver of commercial motor vehicles to any 4257
person who is disqualified from operating a commercial motor 4258
vehicle under section 4506.16 of the Revised Code, and shall not 4259
grant occupational driving privileges during the first sixty days 4260
of suspension imposed upon an offender whose driver's or 4261
commercial driver's license or permit or nonresident operating 4262
privilege is suspended pursuant to division (E) of this section. 4263

(H)(1) After a driver's or commercial driver's license or 4264
permit has been suspended or revoked pursuant to this section, the 4265
judge of the court or mayor of the mayor's court that suspended or 4266
revoked the license or permit shall cause the offender to deliver 4267
the license or permit to the court. The judge, mayor, or clerk of 4268
the court or mayor's court, if the license or permit has been 4269
suspended or revoked in connection with any of the offenses listed 4270
in this section, forthwith shall forward it to the registrar with 4271
notice of the action of the court. 4272

(2) Suspension of a commercial driver's license under this 4273
section shall be concurrent with any period of disqualification 4274
under section 2301.374 or 4506.16 of the Revised Code. No person 4275
who is disqualified for life from holding a commercial driver's 4276
license under section 4506.16 of the Revised Code shall be issued 4277
a driver's license under this chapter during the period for which 4278
the commercial driver's license was suspended under this section, 4279
and no person whose commercial driver's license is suspended under 4280

this section shall be issued a driver's license under this chapter 4281
during the period of the suspension. 4282

(I) No judge shall suspend the first thirty days of 4283
suspension of a driver's or commercial driver's license or permit 4284
or a nonresident operating privilege required under division (A) 4285
of this section, no judge or mayor shall suspend the first six 4286
months of suspension required under division (B)(1) of this 4287
section, no judge shall suspend the first year of suspension 4288
required under division (B)(2) of this section, no judge shall 4289
suspend the first year of suspension required under division 4290
(B)(3) of this section, no judge shall suspend the first three 4291
years of suspension required under division (B)(4) of this 4292
section, no judge or mayor shall suspend the revocation required 4293
by division (D) of this section, and no judge or mayor shall 4294
suspend the first sixty days of suspension required under division 4295
(E) of this section, except that the court shall credit any period 4296
of suspension imposed pursuant to section 4511.191 or 4511.196 of 4297
the Revised Code against any time of suspension imposed pursuant 4298
to division (B) or (E) of this section as described in division 4299
(J) of this section. 4300

(J) The judge of the court or mayor of the mayor's court 4301
shall credit any time during which an offender was subject to an 4302
administrative suspension of the offender's driver's or commercial 4303
driver's license or permit or nonresident operating privilege 4304
imposed pursuant to division (E) or (F) of section 4511.191 or a 4305
suspension imposed by a judge, referee, or mayor pursuant to 4306
division (B)(1) or (2) of section 4511.196 of the Revised Code 4307
against the time to be served under a related suspension imposed 4308
pursuant to this section. 4309

(K) The judge or mayor shall notify the bureau of any 4310
determinations made, and of any suspensions or revocations 4311
imposed, pursuant to division (B) of this section. 4312

(L)(1) If a court issues an ignition interlock order under 4313
division (F) of this section, the order shall authorize the 4314
offender during the specified period to operate a motor vehicle 4315
only if it is equipped with a certified ignition interlock device. 4316
The court shall provide the offender with a copy of an ignition 4317
interlock order issued under division (F) of this section, and the 4318
copy of the order shall be used by the offender in lieu of an Ohio 4319
driver's or commercial driver's license or permit until the 4320
registrar or a deputy registrar issues the offender a restricted 4321
license. 4322

An order issued under division (F) of this section does not 4323
authorize or permit the offender to whom it has been issued to 4324
operate a vehicle during any time that the offender's driver's or 4325
commercial driver's license or permit is suspended or revoked 4326
under any other provision of law. 4327

(2) The offender may present the ignition interlock order to 4328
the registrar or to a deputy registrar. Upon presentation of the 4329
order to the registrar or a deputy registrar, the registrar or 4330
deputy registrar shall issue the offender a restricted license. A 4331
restricted license issued under this division shall be identical 4332
to an Ohio driver's license, except that it shall have printed on 4333
its face a statement that the offender is prohibited during the 4334
period specified in the court order from operating any motor 4335
vehicle that is not equipped with a certified ignition interlock 4336
device, and except that the date of commencement and the date of 4337
termination of the period shall be indicated conspicuously upon 4338
the face of the license. 4339

(3) As used in this section: 4340

(a) "Ignition interlock device" has the same meaning as in 4341
section 4511.83 of the Revised Code. 4342

(b) "Certified ignition interlock device" means an ignition 4343

interlock device that is certified pursuant to section 4511.83 of 4344
the Revised Code. 4345

Sec. 4507.162. (A) Except as provided in division (C) of this 4346
section, the registrar of motor vehicles shall suspend the 4347
probationary driver's license or restricted license issued to any 4348
person when the person, before reaching ~~his~~ the person's 4349
eighteenth birthday, has been convicted of, pleaded guilty to, or 4350
been adjudicated in juvenile court of having committed any of the 4351
following: 4352

(1) Three separate violations in any two-year period of 4353
section 2903.06, 2903.07, 2903.08, 2921.331, 4511.12, 4511.13, 4354
4511.15, 4511.191, 4511.192, 4511.20, 4511.201, 4511.202, 4511.21, 4355
4511.22, 4511.23, 4511.25 to 4511.48, 4511.57 to 4511.65, 4511.75, 4356
4549.02, 4549.021, or 4549.03 of the Revised Code, section 2903.04 4357
of the Revised Code in a case in which the person would have been 4358
subject to the sanctions described in division (D) of that section 4359
had ~~he~~ the person been convicted of the violation of that section, 4360
or any municipal ordinances similarly relating to the offenses 4361
contained in those sections; 4362

(2) One violation of section 4511.19 of the Revised Code or a 4363
substantially similar municipal ordinance. 4364

Any person whose license is suspended under division (A) of 4365
this section shall mail or deliver ~~his~~ the person's probationary 4366
driver's license or restricted license to the registrar within 4367
fourteen days of notification of the suspension. The registrar 4368
shall retain the license during the period of the suspension. A 4369
suspension pursuant to division (A)(1) of this section shall 4370
remain in effect until one year has elapsed since the date of 4371
suspension of the probationary driver's license or restricted 4372
license and a suspension pursuant to division (A)(2) of this 4373
section shall remain in effect until six months have elapsed since 4374

the date of the suspension. If the person's probationary driver's 4375
license or restricted license is under suspension on the date the 4376
court imposes sentence upon the person for a violation described 4377
in division (A)(2) of this section, the suspension shall take 4378
effect on the next day immediately following the end of that 4379
period of suspension. If the person is sixteen years of age or 4380
older and pleads guilty to or is convicted of a violation 4381
described in division (A)(2) of this section and ~~he~~ the person 4382
does not have a current, valid probationary driver's license or 4383
restricted license, the registrar shall deny the issuance to the 4384
person of a probationary driver's license, restricted license, 4385
driver's license, ~~probationary commercial driver's license,~~ or 4386
commercial driver's license, as the case may be, for six months 4387
beginning on the date the court imposes sentence upon the person 4388
for the violation. If the person has not attained the age of 4389
sixteen years on the date the court imposes sentence upon ~~him~~ the 4390
person for the violation, the period of denial shall commence on 4391
the date the person attains the age of sixteen years. 4392

(B) The registrar also shall suspend the temporary 4393
instruction permit or probationary driver's license of any person 4394
under the age of eighteen who has been adjudicated unruly, 4395
delinquent, or a juvenile traffic offender for having committed 4396
any act that if committed by an adult would be a drug abuse 4397
offense as defined in section 2925.01 of the Revised Code, or a 4398
violation of division (B) of section 2917.11 of the Revised Code 4399
until the person reaches the age of eighteen years or attends, at 4400
the discretion of the court, and satisfactorily completes a drug 4401
abuse or alcohol abuse education, intervention, or treatment 4402
program specified by the court. Any person whose temporary 4403
instruction permit or probationary driver's license is suspended 4404
under this division shall mail or deliver ~~his~~ the person's permit 4405
or license to the registrar within fourteen days of notification 4406
of the suspension. The registrar shall retain the license during 4407

the period of the suspension. 4408

(C) If a person is convicted of, pleads guilty to, or is 4409
adjudicated in juvenile court of having committed a third 4410
violation of sections 4511.12, 4511.13, 4511.15, 4511.20 to 4411
4511.23, 4511.25, 4511.26 to 4511.48, 4511.57 to 4511.65, or 4412
4511.75 of the Revised Code or any similar municipal ordinances 4413
within a two-year period, and the person, within the preceding 4414
seven years, has been convicted of, pleaded guilty to, or 4415
adjudicated in juvenile court of having committed three or more 4416
violations of division (A) or (B) of section 4511.19 of the 4417
Revised Code, a municipal ordinance relating to operating a 4418
vehicle while under the influence of alcohol, a drug of abuse, or 4419
alcohol and a drug of abuse, a municipal ordinance relating to 4420
operating a vehicle with a prohibited concentration of alcohol in 4421
the blood, breath, or urine, section 2903.04 of the Revised Code 4422
in a case in which the person was subject to the sanctions 4423
described in division (D) of that section, or section 2903.06, 4424
2903.07, or 2903.08 of the Revised Code or a municipal ordinance 4425
that is substantially similar to section 2903.07 of the Revised 4426
Code in a case in which the jury or judge found that the person 4427
was under the influence of alcohol, a drug of abuse, or alcohol 4428
and a drug of abuse, the person is not entitled to request, and 4429
the court shall not grant to the person, occupational driving 4430
privileges under this division. For any other person who is 4431
convicted of, pleads guilty to, or is adjudicated in juvenile 4432
court of having committed a third violation of sections 4511.12, 4433
4511.13, 4511.15, 4511.20 to 4511.23, 4511.25, 4511.26 to 4511.48, 4434
4511.57 to 4511.65, or 4511.75 of the Revised Code or any similar 4435
municipal ordinances within a two-year period, the court in which 4436
the third conviction, finding, plea, or adjudication was made, 4437
upon petition of the person, may grant the person occupational 4438
driving privileges if the court finds that the person will reach 4439
~~his~~ the person's eighteenth birthday before the period of 4440

suspension required to be imposed under division (A)(1) of this 4441
section expires and further finds reasonable cause to believe that 4442
the suspension, if continued beyond the person's eighteenth 4443
birthday, will seriously affect the person's ability to continue 4444
in ~~his~~ employment. The occupational driving privileges granted 4445
under this division shall be effective on the person's eighteenth 4446
birthday and during the period following such birthday for which 4447
the suspension would otherwise be imposed. A court shall not grant 4448
occupational driving privileges to any person who, within seven 4449
years of the filing of the petition, has been convicted of, 4450
pleaded guilty to, or adjudicated in juvenile court of having 4451
committed three or more violations of division (A) or (B) of 4452
section 4511.19 of the Revised Code, a municipal ordinance 4453
relating to operating a vehicle while under the influence of 4454
alcohol, a drug of abuse, or alcohol and a drug of abuse, a 4455
municipal ordinance relating to operating a vehicle with a 4456
prohibited concentration of alcohol in the blood, breath, or 4457
urine, section 2903.04 of the Revised Code in a case in which the 4458
person was subject to the sanctions described in division (D) of 4459
that section, or section 2903.06, 2903.07, or 2903.08 of the 4460
Revised Code or a municipal ordinance that is substantially 4461
similar to section 2903.07 of the Revised Code in a case in which 4462
the jury or judge found that the person was under the influence of 4463
alcohol, a drug of abuse, or alcohol and a drug of abuse. In 4464
granting occupational driving privileges, the court shall specify 4465
the times and places at which the person may drive and may impose 4466
any other conditions upon the person's use of a motor vehicle that 4467
the court considers reasonable and necessary. 4468

A court that grants occupational driving privileges to a 4469
person under this division shall retain the person's probationary 4470
driver's license or restricted license during the period the 4471
license is suspended and also during the period for which 4472
occupational driving privileges are granted, and shall deliver to 4473

the person a permit card, in a form to be prescribed by the court, 4474
setting forth the date on which the occupational driving 4475
privileges will become effective, the times and places at which 4476
the person may drive, and any other conditions imposed upon the 4477
person's use of a motor vehicle. 4478

The court immediately shall notify the registrar, in writing, 4479
of a grant of occupational driving privileges. The notification 4480
shall specify the date on which the occupational driving 4481
privileges will become effective, the times and places at which 4482
the person may drive, and any other conditions imposed upon the 4483
person's use of a motor vehicle. The registrar shall not suspend 4484
the probationary driver's license or restricted license of any 4485
person pursuant to division (A) of this section during any period 4486
for which the person has been granted occupational driving 4487
privileges as provided in this division, if the registrar has 4488
received the notification described in this division from the 4489
court. 4490

(D) If a person who has been granted occupational driving 4491
privileges under division (C) of this section is convicted of, 4492
pleads guilty to, or is adjudicated in juvenile court of having 4493
committed, a violation of section 4507.02 of the Revised Code, or 4494
a fourth or subsequent violation of any of the other sections of 4495
the Revised Code listed in division (A)(1) of this section or any 4496
similar municipal ordinance during the period for which ~~he~~ the 4497
person was granted occupational driving privileges, the court that 4498
granted the occupational driving privileges shall revoke them and 4499
cancel the person's permit card. The court or the clerk of the 4500
court immediately shall forward the person's probationary driver's 4501
license or restricted license together with written notification 4502
of the court's action to the registrar. Upon receipt of the 4503
license and notification, the registrar shall suspend the person's 4504
probationary driver's license or restricted license for a period 4505

of one year. The registrar shall retain the license during the 4506
period of suspension, and no further occupational driving 4507
privileges shall be granted during that period. 4508

(E) No application for a driver's or commercial driver's 4509
license shall be received from any person whose probationary 4510
driver's license or restricted license has been suspended under 4511
this section until the suspension period has expired, a temporary 4512
instruction permit or commercial driver's license temporary 4513
instruction permit has been issued, and the applicant has 4514
submitted to the examination for a driver's license as provided 4515
for in section 4507.11 or a commercial driver's license as 4516
provided in Chapter 4506. of the Revised Code. 4517

Sec. 4507.163. (A) Any person of insufficient age to purchase 4518
intoxicating liquor or beer who, contrary to division (A) or (C) 4519
of section 4507.30 of the Revised Code, displays as proof that ~~he~~ 4520
the person is of sufficient age to purchase intoxicating liquor or 4521
beer, a driver's or commercial driver's license, knowing the same 4522
to be fictitious, altered, or not ~~his~~ the person's own, shall 4523
thereby forfeit the driving privileges authorized by ~~his~~ the 4524
person's own driver's license, probationary driver's license, 4525
commercial driver's license, ~~probationary commercial driver's~~ 4526
~~license,~~ temporary instruction permit, or commercial driver's 4527
license temporary instruction permit and be denied the issuance or 4528
reissuance of any such license or permit by the registrar of motor 4529
vehicles for one year beginning with the date on which 4530
notification of such forfeiture and denial is mailed to ~~him~~ the 4531
person by the registrar. 4532

(B) In any prosecution, or in any proceeding before the 4533
liquor control commission, in which the defense authorized by 4534
section 4301.639 of the Revised Code is sustained, the clerk of 4535
the court in which ~~said~~ the prosecution was had, or the clerk of 4536

the liquor control commission, shall certify to the registrar ~~of~~ 4537
~~motor vehicles~~ the facts ascertainable from ~~his~~ the clerk's 4538
records evidencing violation of division (A) or (C) of section 4539
4507.30 of the Revised Code by a person of insufficient age to 4540
purchase intoxicating liquor or beer, including in ~~such~~ the 4541
certification the person's name and residence address ~~of such~~ 4542
~~person~~. 4543

(C) The registrar ~~of motor vehicles~~, upon receipt of ~~said~~ the 4544
certification, shall suspend ~~such~~ the person's license or permit 4545
to drive subject to review as provided in this section, and shall 4546
mail to ~~such~~ the person, at ~~his~~ the person's last known address, a 4547
notice of the suspension and of the hearing provided in division 4548
(D) of this section. 4549

(D) Any person whose license or permit to drive has been 4550
suspended under this section ~~may~~, within twenty days of the 4551
mailing of the notice provided above, may file a petition in the 4552
municipal court or county court, or in case ~~such~~ the person is 4553
under the age of eighteen years, in the juvenile court, in whose 4554
jurisdiction ~~such~~ the person resides, agreeing to pay the cost of 4555
the proceedings, and alleging error by the registrar ~~of motor~~ 4556
~~vehicles~~ in the suspension of the license or permit to drive, or 4557
in one or more of the matters within the scope of the hearing as 4558
provided in this section, or both. ~~Such~~ The petitioner shall 4559
notify the registrar of the filing of the petition and send ~~him~~ 4560
the registrar a copy thereof. The scope of ~~such~~ the hearing shall 4561
be limited to whether a court of record did in fact find that the 4562
petitioner displayed, or, if the original proceedings were before 4563
the liquor control commission, whether the petitioner did in fact 4564
display, as proof that ~~he~~ the person was of sufficient age to 4565
purchase intoxicating liquor or beer, a driver's or commercial 4566
driver's license knowing the same to be fictitious, altered, or 4567
not ~~his~~ the person's own, and whether ~~he~~ the person was at that 4568

time of insufficient age legally to make a purchase of 4569
intoxicating liquor or beer. 4570

(E) In any hearing authorized by this section, the registrar 4571
~~of motor vehicles~~ shall be represented by the prosecuting attorney 4572
of the county where the petitioner resides. 4573

(F) If the court finds from the evidence submitted that ~~such~~ 4574
the person has failed to show error in the action by the registrar 4575
~~of motor vehicles~~ or in one or more of the matters within the 4576
scope of the hearing as limited in division (D) of this section, 4577
or both, the court shall assess the cost of the proceeding against 4578
~~such the~~ person and shall impose the suspension provided in 4579
divisions (A) and (C) of this section. If the court finds that 4580
~~such the~~ person has shown error in the action taken by the 4581
registrar, or in one or more of the matters within the scope of 4582
the hearing as limited in division (B) of this section, or both, 4583
the cost of the proceeding shall be paid out of the county 4584
treasury of the county in which the proceedings were held, and the 4585
suspension provided in divisions (A) and (C) of this section shall 4586
not be imposed. The court shall inform the registrar ~~of motor~~ 4587
~~vehicles~~ in writing of the action taken. 4588

Sec. 4507.169. (A) The registrar of motor vehicles shall 4589
suspend for ~~six months~~ the period of time specified in this 4590
division the driver's or commercial driver's license or permit of, 4591
or deny for ~~six months~~ such period of time the issuance of a 4592
driver's or commercial driver's license or permit to, any person 4593
who is a resident of this state and is convicted of or pleads 4594
guilty to a violation of a statute of any other state or any 4595
federal statute that is substantially similar to section 2925.02, 4596
2925.03, 2925.04, 2925.05, 2925.06, 2925.11, 2925.12, 2925.13, 4597
2925.14, 2925.22, 2925.23, 2925.31, 2925.32, 2925.36, or 2925.37 4598
of the Revised Code. Upon receipt of a report from a court, court 4599

clerk, or other official of any other state or from any federal 4600
authority that a resident of this state was convicted of or 4601
pleaded guilty to an offense described in this division, the 4602
registrar shall send a notice by regular first class mail to the 4603
person, at the person's last known address as shown in the records 4604
of the bureau of motor vehicles, informing the person of the 4605
suspension or denial, that the suspension or denial will take 4606
effect twenty-one days from the date of the notice, and that, if 4607
the person wishes to appeal the suspension or denial, the person 4608
must file a notice of appeal within twenty-one days of the date of 4609
the notice requesting a hearing on the matter. If the person 4610
requests a hearing, the registrar shall hold the hearing not more 4611
than forty days after receipt by the registrar of the notice of 4612
appeal. The filing of a notice of appeal does not stay the 4613
operation of the suspension or denial that must be imposed 4614
pursuant to this division. The scope of the hearing shall be 4615
limited to whether the person actually was convicted of or pleaded 4616
guilty to the offense for which the suspension or denial is to be 4617
imposed. 4618

~~If the person is a resident of this state who does not have a 4619
current, valid Ohio driver's or commercial driver's license, the 4620
notice shall inform the person that the person will be denied 4621
issuance of a driver's or commercial driver's license or permit 4622
for six months beginning on the date of the notice the period of 4623
suspension or denial the registrar is required to impose under 4624
this division shall end either on the last day of any period of 4625
suspension of the person's nonresident operating privilege imposed 4626
by the state or federal court located in the other state, or the 4627
date six months and twenty-one days from the date of the notice 4628
sent by the registrar to the person under this division, whichever 4629
is earlier. 4630~~

The registrar shall subscribe to or otherwise participate in 4631

any information system or register, or enter into reciprocal and
mutual agreements with other states and federal authorities, in
order to facilitate the exchange of information with other states
and the United States government regarding persons who plead
guilty to or are convicted of offenses described in this division
and therefore are subject to the suspension or denial described in
this division.

(B) The registrar shall suspend for ~~six months~~ the period of
time specified in this division the driver's or commercial
driver's license or permit of, or deny for ~~six months~~ such period
of time the issuance of a driver's or commercial driver's license
or permit to, any person who is a resident of this state and is
convicted of or pleads guilty to a violation of a statute of any
other state or a municipal ordinance of a municipal corporation
located in any other state that is substantially similar to
section 4511.19 of the Revised Code. Upon receipt of a report from
another state made pursuant to section ~~4511.95~~ 4507.60 of the
Revised Code indicating that a resident of this state was
convicted of or pleaded guilty to an offense described in this
division, the registrar shall send a notice by regular first class
mail to the person, at the person's last known address as shown in
the records of the bureau of motor vehicles, informing the person
of the suspension or denial, that the suspension or denial will
take effect twenty-one days from the date of the notice, and that,
if the person wishes to appeal the suspension or denial, the
person must file a notice of appeal within twenty-one days of the
date of the notice requesting a hearing on the matter. If the
person requests a hearing, the registrar shall hold the hearing
not more than forty days after receipt by the registrar of the
notice of appeal. The filing of a notice of appeal does not stay
the operation of the suspension or denial that must be imposed
pursuant to this division. The scope of the hearing shall be

limited to whether the person actually was convicted of or pleaded 4664
guilty to the offense for which the suspension or denial is to be 4665
imposed. 4666

~~If the person is a resident of this state but does not have a 4667
current, valid Ohio driver's or commercial driver's license, the 4668
notice shall inform the person that the person will be denied 4669
issuance of a driver's or commercial driver's license or permit 4670
for six months beginning on the date of the notice the period of 4671
suspension or denial the registrar is required to impose under 4672
this division shall end either on the last day of any period of 4673
suspension of the person's nonresident operating privilege imposed 4674
by the state or federal court located in the other state, or the 4675
date six months and twenty-one days from the date of the notice 4676
sent by the registrar to the person under this division, whichever 4677
is earlier. 4678~~

(C) The registrar shall suspend for ~~six months~~ the period of 4679
time specified in this division the driver's or commercial 4680
driver's license or permit of, or deny for ~~six months~~ such period 4681
of time the issuance of a driver's or commercial driver's license 4682
or permit to, any child who is a resident of this state and is 4683
convicted of or pleads guilty to a violation of a statute of any 4684
other state or any federal statute that is substantially similar 4685
to section 2925.02, 2925.03, 2925.04, 2925.05, 2925.06, 2925.11, 4686
2925.12, 2925.13, 2925.14, 2925.22, 2925.23, 2925.31, 2925.32, 4687
2925.36, or 2925.37 of the Revised Code. Upon receipt of a report 4688
from a court, court clerk, or other official of any other state or 4689
from any federal authority that a child who is a resident of this 4690
state was convicted of or pleaded guilty to an offense described 4691
in this division, the registrar shall send a notice by regular 4692
first class mail to the child, at the child's last known address 4693
as shown in the records of the bureau of motor vehicles, informing 4694
the child of the suspension or denial, that the suspension or 4695

denial will take effect twenty-one days from the date of the 4696
notice, and that, if the child wishes to appeal the suspension or 4697
denial, the child must file a notice of appeal within twenty-one 4698
days of the date of the notice requesting a hearing on the matter. 4699
If the child requests a hearing, the registrar shall hold the 4700
hearing not more than forty days after receipt by the registrar of 4701
the notice of appeal. The filing of a notice of appeal does not 4702
stay the operation of the suspension or denial that must be 4703
imposed pursuant to this division. The scope of the hearing shall 4704
be limited to whether the child actually was convicted of or 4705
pleaded guilty to the offense for which the suspension or denial 4706
is to be imposed. 4707

The period of suspension the registrar is required to impose 4708
under this division shall end either on the last day of any period 4709
of suspension of the child's nonresident operating privilege 4710
imposed by the state or federal court located in the other state, 4711
or the date six months and twenty-one days from the date of the 4712
notice sent by the registrar to the child under this division, 4713
whichever is earlier. If the child is a resident of this state who 4714
is sixteen years of age or older and does not have a current, 4715
valid Ohio driver's or commercial driver's license or permit, the 4716
notice shall inform the child that the child will be denied 4717
issuance of a driver's or commercial driver's license or permit 4718
for six months beginning on the date of the notice. If the child 4719
has not attained the age of sixteen years on the date of the 4720
notice, the notice shall inform the child that the period of 4721
denial of six months shall commence on the date the child attains 4722
the age of sixteen years. 4723

The registrar shall subscribe to or otherwise participate in 4724
any information system or register, or enter into reciprocal and 4725
mutual agreements with other states and federal authorities, in 4726
order to facilitate the exchange of information with other states 4727

and the United States government regarding children who are 4728
residents of this state and plead guilty to or are convicted of 4729
offenses described in this division and therefore are subject to 4730
the suspension or denial described in this division. 4731

(D) The registrar shall suspend for ~~six months~~ the period of 4732
time specified in this division the driver's or commercial 4733
driver's license or permit of, or deny for ~~six months~~ such period 4734
of time the issuance of a driver's or commercial driver's license 4735
or permit to, any child who is a resident of this state and is 4736
convicted of or pleads guilty to a violation of a statute of any 4737
other state or a municipal ordinance of a municipal corporation 4738
located in any other state that is substantially similar to 4739
section 4511.19 of the Revised Code. Upon receipt of a report from 4740
another state made pursuant to section ~~4511.95~~ 4507.60 of the 4741
Revised Code indicating that a child who is a resident of this 4742
state was convicted of or pleaded guilty to an offense described 4743
in this division, the registrar shall send a notice by regular 4744
first class mail to the child, at the child's last known address 4745
as shown in the records of the bureau of motor vehicles, informing 4746
the child of the suspension or denial, that the suspension or 4747
denial will take effect twenty-one days from the date of the 4748
notice, and that, if the child wishes to appeal the suspension or 4749
denial, the child must file a notice of appeal within twenty-one 4750
days of the date of the notice requesting a hearing on the matter. 4751
If the child requests a hearing, the registrar shall hold the 4752
hearing not more than forty days after receipt by the registrar of 4753
the notice of appeal. The filing of a notice of appeal does not 4754
stay the operation of the suspension or denial that must be 4755
imposed pursuant to this division. The scope of the hearing shall 4756
be limited to whether the child actually was convicted of or 4757
pleaded guilty to the offense for which the suspension or denial 4758
is to be imposed. 4759

The period of suspension the registrar is required to impose 4760
under this division shall end either on the last day of any period 4761
of suspension of the child's nonresident operating privilege 4762
imposed by the state or federal court located in the other state, 4763
or the date six months and twenty-one days from the date of the 4764
notice sent by the registrar to the child under this division, 4765
whichever is earlier. If the child is a resident of this state who 4766
is sixteen years of age or older and does not have a current, 4767
valid Ohio driver's or commercial driver's license or permit, the 4768
notice shall inform the child that the child will be denied 4769
issuance of a driver's or commercial driver's license or permit 4770
for six months beginning on the date of the notice. If the child 4771
has not attained the age of sixteen years on the date of the 4772
notice, the notice shall inform the child that the period of 4773
denial of six months shall commence on the date the child attains 4774
the age of sixteen years. 4775

(E) Any person whose license or permit has been suspended 4776
pursuant to division (B) or (D) of this section may file a 4777
petition in the municipal or county court, or in case the person 4778
is under eighteen years of age, the juvenile court, in whose 4779
jurisdiction the person resides, agreeing to pay the cost of the 4780
proceedings and alleging that the suspension would seriously 4781
affect the person's ability to continue the person's employment. 4782
Upon satisfactory proof that there is reasonable cause to believe 4783
that the suspension would seriously affect the person's ability to 4784
continue the person's employment, the judge may grant the person 4785
occupational driving privileges during the period during which the 4786
suspension otherwise would be imposed, except that the judge shall 4787
not grant occupational driving privileges for employment as a 4788
driver of a commercial motor vehicle to any person who would be 4789
disqualified from operating a commercial motor vehicle under 4790
section 4506.16 of the Revised Code if the violation had occurred 4791

in this state, or during any of the following periods of time: 4792

(1) If the person has not been convicted within five years of 4793
the date of the offense giving rise to the suspension under this 4794
section of a violation of section 4511.19 of the Revised Code, of 4795
a municipal ordinance relating to operating a vehicle under the 4796
influence of alcohol, a drug of abuse, or alcohol and a drug of 4797
abuse, of a municipal ordinance relating to operating a motor 4798
vehicle with a prohibited concentration of alcohol in the blood, 4799
breath, or urine, of section 2903.04 of the Revised Code in a case 4800
in which the person was subject to the sanctions described in 4801
division (D) of that section, or of section 2903.06, 2903.07, or 4802
2903.08 of the Revised Code or a municipal ordinance that is 4803
substantially similar to section 2903.07 of the Revised Code in a 4804
case in which the jury or judge found that the person was under 4805
the influence of alcohol, a drug of abuse, or alcohol and a drug 4806
of abuse, the first fifteen days of the suspension. 4807

(2) If the person has been convicted only one time within 4808
five years of the date of the offense giving rise to the 4809
suspension under this section of a violation of section 4511.19 of 4810
the Revised Code, of a municipal ordinance relating to operating a 4811
vehicle under the influence of alcohol, a drug of abuse, or 4812
alcohol and a drug of abuse, of a municipal ordinance relating to 4813
operating a motor vehicle with a prohibited concentration of 4814
alcohol in the blood, breath, or urine, of section 2903.04 of the 4815
Revised Code in a case in which the person was subject to the 4816
sanctions described in division (D) of that section, or of section 4817
2903.06, 2903.07, or 2903.08 of the Revised Code or a municipal 4818
ordinance that is substantially similar to section 2903.07 of the 4819
Revised Code in a case in which the jury or judge found that the 4820
person was under the influence of alcohol, a drug of abuse, or 4821
alcohol and a drug of abuse, the first thirty days of the 4822
suspension. 4823

(3) If the person has been convicted two times within five 4824
years of the date of the offense giving rise to the suspension 4825
under this section of a violation of section 4511.19 of the 4826
Revised Code, of a municipal ordinance relating to operating a 4827
vehicle under the influence of alcohol, a drug of abuse, or 4828
alcohol and a drug of abuse, of a municipal ordinance relating to 4829
operating a motor vehicle with a prohibited concentration of 4830
alcohol in the blood, breath, or urine, of section 2903.04 of the 4831
Revised Code in a case in which the person was subject to the 4832
sanctions described in division (D) of that section, or of section 4833
2903.06, 2903.07, or 2903.08 of the Revised Code or a municipal 4834
ordinance that is substantially similar to section 2903.07 of the 4835
Revised Code in a case in which the jury or judge found that the 4836
person was under the influence of alcohol, a drug of abuse, or 4837
alcohol and a drug of abuse, the first one hundred eighty days of 4838
the suspension. 4839

(4) If the person has been convicted three or more times 4840
within five years of the date of the offense giving rise to the 4841
suspension under this section of a violation of section 4511.19 of 4842
the Revised Code, of a municipal ordinance relating to operating a 4843
vehicle under the influence of alcohol, a drug of abuse, or 4844
alcohol and a drug of abuse, of a municipal ordinance relating to 4845
operating a motor vehicle with a prohibited concentration of 4846
alcohol in the blood, breath, or urine, of section 2903.04 of the 4847
Revised Code in a case in which the person was subject to the 4848
sanctions described in division (D) of that section, or of section 4849
2903.06, 2903.07, or 2903.08 of the Revised Code or a municipal 4850
ordinance that is substantially similar to section 2903.07 of the 4851
Revised Code in a case in which the jury or judge found that the 4852
person was under the influence of alcohol, a drug of abuse, or 4853
alcohol and a drug of abuse, no occupational driving privileges 4854
may be granted. 4855

If a person petitions for occupational driving privileges 4856
under division (E) of this section, the registrar shall be 4857
represented by the county prosecutor of the county in which the 4858
person resides if the petition is filed in a juvenile court or 4859
county court, except that if the person resides within a city or 4860
village that is located within the jurisdiction of the county in 4861
which the petition is filed, the city director of law or village 4862
solicitor of that city or village shall represent the registrar. 4863
If the petition is filed in a municipal court, the registrar shall 4864
be represented as provided in section 1901.34 of the Revised Code. 4865

In granting occupational driving privileges under division 4866
(E) of this section, the court may impose any condition it 4867
considers reasonable and necessary to limit the use of a vehicle 4868
by the person. The court shall deliver to the person a permit 4869
card, in a form to be prescribed by the court, setting forth the 4870
time, place, and other conditions limiting the person's use of a 4871
motor vehicle. The grant of occupational driving privileges shall 4872
be conditioned upon the person's having the permit in ~~his~~ the 4873
person's possession at all times during which the person is 4874
operating a vehicle. 4875

A person granted occupational driving privileges who operates 4876
a vehicle for other than occupational purposes, in violation of 4877
any condition imposed by the court or without having the permit in 4878
the person's possession, is guilty of a violation of division 4879
(D)(1) of section 4507.02 of the Revised Code. 4880

(F) As used in divisions (C) and (D) of this section: 4881

(1) "Child" means a person who is under the age of eighteen 4882
years, except that any person who violates a statute or ordinance 4883
described in division (C) or (D) of this section prior to 4884
attaining eighteen years of age shall be deemed a "child" 4885
irrespective of the person's age at the time the complaint or 4886

other equivalent document is filed in the other state or a 4887
hearing, trial, or other proceeding is held in the other state on 4888
the complaint or other equivalent document, and irrespective of 4889
the person's age when the period of license suspension or denial 4890
prescribed in division (C) or (D) of this section is imposed. 4891

(2) "Is convicted of or pleads guilty to" means, as it 4892
relates to a child who is a resident of this state, that in a 4893
proceeding conducted in a state or federal court located in 4894
another state for a violation of a statute or ordinance described 4895
in division (C) or (D) of this section, the result of the 4896
proceeding is any of the following: 4897

(a) Under the laws that govern the proceedings of the court, 4898
the child is adjudicated to be or admits to being a delinquent 4899
child or a juvenile traffic offender for a violation described in 4900
division (C) or (D) of this section that would be a crime if 4901
committed by an adult; 4902

(b) Under the laws that govern the proceedings of the court, 4903
the child is convicted of or pleads guilty to a violation 4904
described in division (C) or (D) of this section; 4905

(c) Under the laws that govern the proceedings of the court, 4906
irrespective of the terminology utilized in those laws, the result 4907
of the court's proceedings is the functional equivalent of 4908
division (F)(2)(a) or (b) of this section. 4909

Sec. 4507.50. The registrar of motor vehicles or a deputy 4910
registrar ~~shall~~, upon receipt of an application filed in 4911
compliance with section 4507.51 of the Revised Code by any person 4912
who is a resident or a temporary resident of this state and, 4913
except as otherwise provided in this section, is not licensed as 4914
an operator of a motor vehicle in this state or another licensing 4915
jurisdiction, and upon receipt of a fee of three dollars and fifty 4916

cents, shall issue an identification card to that person. 4917

Any person who is a resident or temporary resident of this 4918
state whose Ohio driver's or commercial driver's license has been 4919
suspended or revoked, ~~may~~, upon application in compliance with 4920
section 4507.51 of the Revised Code and payment of a fee of three 4921
dollars and fifty cents, may be issued a temporary identification 4922
card. The temporary identification card shall be identical to an 4923
identification card, except that it shall be printed on its face 4924
with a statement that the card is valid during the effective dates 4925
of the suspension or revocation of the cardholder's license, or 4926
until the birthday of the cardholder in the fourth year after the 4927
date on which it is issued, whichever is shorter. The cardholder 4928
shall surrender ~~his~~ the identification card to the registrar or 4929
any deputy registrar before ~~his~~ the cardholder's driver's or 4930
commercial driver's license is restored or reissued. 4931

The deputy registrar shall be allowed a fee of two dollars 4932
and twenty-five cents for each identification card issued under 4933
this section. The fee allowed to the deputy registrar shall be in 4934
addition to the fee for issuing an identification card. 4935

Neither the registrar nor any deputy registrar shall charge a 4936
fee in excess of one dollar and fifty cents for laminating an 4937
identification card or temporary identification card. A deputy 4938
registrar laminating such a card shall retain the entire amount of 4939
the fee charged for lamination, less the actual cost to the 4940
registrar of the laminating materials used for that lamination, as 4941
specified in the contract executed by the bureau for the 4942
laminating materials and laminating equipment. The deputy 4943
registrar shall forward the amount of the cost of the laminating 4944
materials to the registrar for deposit as provided in this 4945
section. 4946

The fee collected for issuing an identification card under 4947

this section, except the fee allowed to the deputy registrar, 4948
shall be paid into the state treasury to the credit of the state 4949
bureau of motor vehicles fund created in section 4501.25 of the 4950
Revised Code. 4951

Sec. 4507.52. Each identification card issued by the 4952
registrar of motor vehicles or a deputy registrar shall bear a 4953
distinguishing number assigned to the cardholder, and shall 4954
contain the following inscription: 4955

"STATE OF OHIO IDENTIFICATION CARD 4956

This card is not valid for the purpose of operating a motor 4957
vehicle. It is provided solely for the purpose of establishing the 4958
identity of the bearer described on the card, who currently is not 4959
licensed to operate a motor vehicle in the state of Ohio." 4960

The identification card shall bear substantially the same 4961
information as contained in the application and as described in 4962
division (A)(1) of section 4507.51 of the Revised Code and shall 4963
contain the color photograph of the cardholder. On and after May 4964
1, 1993, if the cardholder has executed a durable power of 4965
attorney for health care or a declaration governing the use or 4966
continuation, or the withholding or withdrawal, of life-sustaining 4967
treatment and has specified that the cardholder wishes the 4968
identification card to indicate that the cardholder has executed 4969
either type of instrument, the card also shall contain any symbol 4970
chosen by the registrar to indicate that the cardholder has 4971
executed either type of instrument. The card shall be sealed in 4972
transparent plastic or similar material and shall be so designed 4973
as to prevent its reproduction or alteration without ready 4974
detection. 4975

The identification card for persons under twenty-one years of 4976
age shall have characteristics prescribed by the registrar 4977
distinguishing it from that issued to a person who is twenty-one 4978

years of age or older, except that an identification card issued 4979
to a person who applies no more than thirty days before the 4980
applicant's twenty-first birthday shall have the characteristics 4981
of an identification card issued to a person who is twenty-one 4982
years of age or older. 4983

Every identification card issued to a resident of this state 4984
shall expire, unless canceled or surrendered earlier, on the 4985
birthday of the cardholder in the fourth year after the date on 4986
which it is issued. Every identification card issued to a 4987
temporary resident shall expire in accordance with rules adopted 4988
by the registrar and is nonrenewable, but may be replaced with a 4989
new identification card upon the applicant's compliance with all 4990
applicable requirements. A cardholder may renew the cardholder's 4991
identification card within ~~thirty~~ ninety days prior to the day on 4992
which it expires by filing an application and paying the 4993
prescribed fee in accordance with section 4507.50 of the Revised 4994
Code. 4995

If a cardholder applies for a driver's or commercial driver's 4996
license in this state or another licensing jurisdiction, the 4997
cardholder shall surrender the cardholder's identification card to 4998
the registrar or any deputy registrar before the license is 4999
issued. 5000

If a card is lost, destroyed, or mutilated, the person to 5001
whom the card was issued may obtain a duplicate by doing both of 5002
the following: 5003

(A) Furnishing suitable proof of the loss, destruction, or 5004
mutilation to the registrar or a deputy registrar; 5005

(B) Filing an application and presenting documentary evidence 5006
under section 4507.51 of the Revised Code. 5007

Any person who loses a card and, after obtaining a duplicate, 5008
finds the original, immediately shall surrender the original to 5009

the registrar or a deputy registrar. 5010

A cardholder may obtain a replacement identification card 5011
that reflects any change of the cardholder's name by furnishing 5012
suitable proof of the change to the registrar or a deputy 5013
registrar and surrendering the cardholder's existing card. 5014

When a cardholder applies for a duplicate or obtains a 5015
replacement identification card, the cardholder shall pay a fee of 5016
two dollars and fifty cents. A deputy registrar shall be allowed 5017
an additional fee of two dollars and twenty-five cents for issuing 5018
a duplicate or replacement identification card. 5019

A duplicate or replacement identification card shall expire 5020
on the same date as the card it replaces. 5021

The registrar shall cancel any card upon determining that the 5022
card was obtained unlawfully, issued in error, or was altered. The 5023
registrar also shall cancel any card that is surrendered to the 5024
registrar or to a deputy registrar after the holder has obtained a 5025
duplicate, replacement, or driver's or commercial driver's 5026
license. 5027

No agent of the state or its political subdivisions shall 5028
condition the granting of any benefit, service, right, or 5029
privilege upon the possession by any person of an identification 5030
card. Nothing in this section shall preclude any publicly operated 5031
or franchised transit system from using an identification card for 5032
the purpose of granting benefits or services of the system. 5033
5034

No person shall be required to apply for, carry, or possess 5035
an identification card. 5036

(C) Neither Except in regard to an identification card issued 5037
to a person who applies no more than thirty days before the 5038
applicant's twenty-first birthday, neither the registrar nor any 5039

deputy registrar shall issue an identification card to a person 5040
under twenty-one years of age that does not have the 5041
characteristics prescribed by the registrar distinguishing it from 5042
the identification card issued to persons who are twenty-one years 5043
of age or older. 5044

Sec. 4509.31. (A) Whenever the registrar of motor vehicles 5045
receives notice from a court of record or mayor's court that a 5046
person has been convicted of, pleads guilty to, or forfeits any 5047
bail or collateral deposited to secure an appearance for trial for 5048
any of the crimes listed in section 4507.16 of the Revised Code, 5049
the registrar shall suspend the driver's or commercial driver's 5050
license or permit or nonresident operating privilege of the person 5051
and the registration of all motor vehicles registered in the name 5052
of the person as the owner, except that the registrar shall not 5053
suspend the driver's or commercial driver's license or permit or 5054
nonresident operating privilege, and registration unless otherwise 5055
required by law in the event the person has given or immediately 5056
gives and thereafter maintains, for a period of three years, proof 5057
of financial responsibility with respect to all the motor vehicles 5058
registered by the person as the owner. 5059

(B) Except as provided in division (L) of section 4511.191 of 5060
the Revised Code, division (A) of this section does not apply to 5061
any person who is convicted of, or pleads guilty to, a violation 5062
of section 4511.19 of the Revised Code, of a municipal ordinance 5063
relating to operating a vehicle while under the influence of 5064
alcohol, a drug of abuse, or alcohol and a drug of abuse, or of a 5065
municipal ordinance relating to operating a vehicle with a 5066
prohibited concentration of alcohol in the blood, breath, or 5067
urine, if the offender previously has not been convicted of a 5068
violation of section 4511.19 of the Revised Code, of a municipal 5069
ordinance relating to operating a vehicle while under the 5070
influence of alcohol, a drug of abuse, or alcohol and a drug of 5071

abuse or with a prohibited concentration of alcohol in the blood, 5072
breath, or urine, or of a statute of the United States or of any 5073
other state or a municipal ordinance of a municipal corporation 5074
located in any other state that is substantially similar to 5075
division (A) or (B) of section 4511.19 of the Revised Code, and 5076
the offender did not cause serious physical harm to a person other 5077
than the offender. 5078

Sec. 4511.191. (A) Any person who operates a vehicle upon a 5079
highway or any public or private property used by the public for 5080
vehicular travel or parking within this state shall be deemed to 5081
have given consent to a chemical test or tests of the person's 5082
blood, breath, or urine for the purpose of determining the 5083
alcohol, drug, or alcohol and drug content of the person's blood, 5084
breath, or urine if arrested for operating a vehicle while under 5085
the influence of alcohol, a drug of abuse, or alcohol and a drug 5086
of abuse or for operating a vehicle with a prohibited 5087
concentration of alcohol in the blood, breath, or urine. The 5088
chemical test or tests shall be administered at the request of a 5089
police officer having reasonable grounds to believe the person to 5090
have been operating a vehicle upon a highway or any public or 5091
private property used by the public for vehicular travel or 5092
parking in this state while under the influence of alcohol, a drug 5093
of abuse, or alcohol and a drug of abuse or with a prohibited 5094
concentration of alcohol in the blood, breath, or urine. The law 5095
enforcement agency by which the officer is employed shall 5096
designate which of the tests shall be administered. 5097

(B) Any person who is dead or unconscious, or who is 5098
otherwise in a condition rendering the person incapable of 5099
refusal, shall be deemed not to have withdrawn consent as provided 5100
by division (A) of this section and the test or tests may be 5101
administered, subject to sections 313.12 to 313.16 of the Revised 5102

Code. 5103

(C)(1) Any person under arrest for operating a vehicle while 5104
under the influence of alcohol, a drug of abuse, or alcohol and a 5105
drug of abuse or for operating a vehicle with a prohibited 5106
concentration of alcohol in the blood, breath, or urine shall be 5107
advised at a police station, or at a hospital, first-aid station, 5108
or clinic to which the person has been taken for first-aid or 5109
medical treatment, of both of the following: 5110

(a) The consequences, as specified in division (E) of this 5111
section, of the person's refusal to submit upon request to a 5112
chemical test designated by the law enforcement agency as provided 5113
in division (A) of this section; 5114

(b) The consequences, as specified in division (F) of this 5115
section, of the person's submission to the designated chemical 5116
test if the person is found to have a prohibited concentration of 5117
alcohol in the blood, breath, or urine. 5118

(2)(a) The advice given pursuant to division (C)(1) of this 5119
section shall be in a written form containing the information 5120
described in division (C)(2)(b) of this section and shall be read 5121
to the person. The form shall contain a statement that the form 5122
was shown to the person under arrest and read to the person in the 5123
presence of the arresting officer and either another police 5124
officer, a civilian police employee, or an employee of a hospital, 5125
first-aid station, or clinic, if any, to which the person has been 5126
taken for first-aid or medical treatment. The witnesses shall 5127
certify to this fact by signing the form. 5128

(b) The form required by division (C)(2)(a) of this section 5129
shall read as follows: 5130

"You now are under arrest for operating a vehicle while under 5131
the influence of alcohol, a drug of abuse, or both alcohol and a 5132
drug of abuse and will be requested by a police officer to submit 5133

to a chemical test to determine the concentration of alcohol, 5134
drugs of abuse, or alcohol and drugs of abuse in your blood, 5135
breath, or urine. 5136

If you refuse to submit to the requested test or if you 5137
submit to the requested test and are found to have a prohibited 5138
concentration of alcohol in your blood, breath, or urine, your 5139
driver's or commercial driver's license or permit or nonresident 5140
operating privilege immediately will be suspended for the period 5141
of time specified by law by the officer, on behalf of the 5142
registrar of motor vehicles. You may appeal this suspension at 5143
your initial appearance before the court that hears the charges 5144
against you resulting from the arrest, and your initial appearance 5145
will be conducted no later than five days after the arrest. This 5146
suspension is independent of the penalties for the offense, and 5147
you may be subject to other penalties upon conviction." 5148

(D)(1) If a person under arrest as described in division 5149
(C)(1) of this section is not asked by a police officer to submit 5150
to a chemical test designated as provided in division (A) of this 5151
section, the arresting officer shall seize the Ohio or 5152
out-of-state driver's or commercial driver's license or permit of 5153
the person and immediately forward the seized license or permit to 5154
the court in which the arrested person is to appear on the charge 5155
for which the person was arrested. If the arrested person does not 5156
have the person's driver's or commercial driver's license or 5157
permit on his or her person or in his or her vehicle, the 5158
arresting officer shall order the arrested person to surrender it 5159
to the law enforcement agency that employs the officer within 5160
twenty-four hours after the arrest, and, upon the surrender, the 5161
officer's employing agency immediately shall forward the license 5162
or permit to the court in which the arrested person is to appear 5163
on the charge for which the person was arrested. Upon receipt of 5164
the license or permit, the court shall retain it pending the 5165

initial appearance of the arrested person and any action taken 5166
under section 4511.196 of the Revised Code. 5167

If a person under arrest as described in division (C)(1) of 5168
this section is asked by a police officer to submit to a chemical 5169
test designated as provided in division (A) of this section and is 5170
advised of the consequences of the person's refusal or submission 5171
as provided in division (C) of this section and if the person 5172
either refuses to submit to the designated chemical test or the 5173
person submits to the designated chemical test and the test 5174
results indicate that the person's blood contained a concentration 5175
of ten-hundredths of one per cent or more by weight of alcohol, 5176
the person's breath contained a concentration of ten-hundredths of 5177
one gram or more by weight of alcohol per two hundred ten liters 5178
of the person's breath, or the person's urine contained a 5179
concentration of fourteen-hundredths of one gram or more by weight 5180
of alcohol per one hundred milliliters of the person's urine at 5181
the time of the alleged offense, the arresting officer shall do 5182
all of the following: 5183

(a) On behalf of the registrar, serve a notice of suspension 5184
upon the person that advises the person that, independent of any 5185
penalties or sanctions imposed upon the person pursuant to any 5186
other section of the Revised Code or any other municipal 5187
ordinance, the person's driver's or commercial driver's license or 5188
permit or nonresident operating privilege is suspended, that the 5189
suspension takes effect immediately, that the suspension will last 5190
at least until the person's initial appearance on the charge that 5191
will be held within five days after the date of the person's 5192
arrest or the issuance of a citation to the person, and that the 5193
person may appeal the suspension at the initial appearance; seize 5194
the Ohio or out-of-state driver's or commercial driver's license 5195
or permit of the person; and immediately forward the seized 5196
license or permit to the registrar. If the arrested person does 5197

not have the person's driver's or commercial driver's license or 5198
permit on his or her person or in his or her vehicle, the 5199
arresting officer shall order the person to surrender it to the 5200
law enforcement agency that employs the officer within twenty-four 5201
hours after the service of the notice of suspension, and, upon the 5202
surrender, the officer's employing agency immediately shall 5203
forward the license or permit to the registrar. 5204

(b) Verify the current residence of the person and, if it 5205
differs from that on the person's driver's or commercial driver's 5206
license or permit, notify the registrar of the change; 5207

(c) In addition to forwarding the arrested person's driver's 5208
or commercial driver's license or permit to the registrar, send to 5209
the registrar, within forty-eight hours after the arrest of the 5210
person, a sworn report that includes all of the following 5211
statements: 5212

(i) That the officer had reasonable grounds to believe that, 5213
at the time of the arrest, the arrested person was operating a 5214
vehicle upon a highway or public or private property used by the 5215
public for vehicular travel or parking within this state while 5216
under the influence of alcohol, a drug of abuse, or alcohol and a 5217
drug of abuse or with a prohibited concentration of alcohol in the 5218
blood, breath, or urine; 5219

(ii) That the person was arrested and charged with operating 5220
a vehicle while under the influence of alcohol, a drug of abuse, 5221
or alcohol and a drug of abuse or with operating a vehicle with a 5222
prohibited concentration of alcohol in the blood, breath, or 5223
urine; 5224

(iii) That the officer asked the person to take the 5225
designated chemical test, advised the person of the consequences 5226
of submitting to the chemical test or refusing to take the 5227
chemical test, and gave the person the form described in division 5228

(C)(2) of this section; 5229

(iv) That the person refused to submit to the chemical test 5230
or that the person submitted to the chemical test and the test 5231
results indicate that the person's blood contained a concentration 5232
of ten-hundredths of one per cent or more by weight of alcohol, 5233
the person's breath contained a concentration of ten-hundredths of 5234
one gram or more by weight of alcohol per two hundred ten liters 5235
of the person's breath, or the person's urine contained a 5236
concentration of fourteen-hundredths of one gram or more by weight 5237
of alcohol per one hundred milliliters of the person's urine at 5238
the time of the alleged offense; 5239

(v) That the officer served a notice of suspension upon the 5240
person as described in division (D)(1)(a) of this section. 5241

(2) The sworn report of an arresting officer completed under 5242
division (D)(1)(c) of this section shall be given by the officer 5243
to the arrested person at the time of the arrest or sent to the 5244
person by regular first class mail by the registrar as soon 5245
thereafter as possible, but no later than fourteen days after 5246
receipt of the report. An arresting officer may give an unsworn 5247
report to the arrested person at the time of the arrest provided 5248
the report is complete when given to the arrested person and 5249
subsequently is sworn to by the arresting officer. As soon as 5250
possible, but no later than forty-eight hours after the arrest of 5251
the person, the arresting officer shall send a copy of the sworn 5252
report to the court in which the arrested person is to appear on 5253
the charge for which the person was arrested. 5254

(3) The sworn report of an arresting officer completed and 5255
sent to the registrar and the court under divisions (D)(1)(c) and 5256
(D)(2) of this section is prima-facie proof of the information and 5257
statements that it contains and shall be admitted and considered 5258
as prima-facie proof of the information and statements that it 5259

contains in any appeal under division (H) of this section relative 5260
to any suspension of a person's driver's or commercial driver's 5261
license or permit or nonresident operating privilege that results 5262
from the arrest covered by the report. 5263

(E)(1) Upon receipt of the sworn report of an arresting 5264
officer completed and sent to the registrar and a court pursuant 5265
to divisions (D)(1)(c) and (D)(2) of this section in regard to a 5266
person who refused to take the designated chemical test, the 5267
registrar shall enter into the registrar's records the fact that 5268
the person's driver's or commercial driver's license or permit or 5269
nonresident operating privilege was suspended by the arresting 5270
officer under division (D)(1)(a) of this section and the period of 5271
the suspension, as determined under divisions (E)(1)(a) to (d) of 5272
this section. The suspension shall be subject to appeal as 5273
provided in this section and shall be for whichever of the 5274
following periods applies: 5275

(a) If the arrested person, within five years of the date on 5276
which the person refused the request to consent to the chemical 5277
test, had not refused a previous request to consent to a chemical 5278
test of the person's blood, breath, or urine to determine its 5279
alcohol content, the period of suspension shall be one year. If 5280
the person is a resident without a license or permit to operate a 5281
vehicle within this state, the registrar shall deny to the person 5282
the issuance of a driver's or commercial driver's license or 5283
permit for a period of one year after the date of the alleged 5284
violation. 5285

(b) If the arrested person, within five years of the date on 5286
which the person refused the request to consent to the chemical 5287
test, had refused one previous request to consent to a chemical 5288
test of the person's blood, breath, or urine to determine its 5289
alcohol content, the period of suspension or denial shall be two 5290
years. 5291

(c) If the arrested person, within five years of the date on which the person refused the request to consent to the chemical test, had refused two previous requests to consent to a chemical test of the person's blood, breath, or urine to determine its alcohol content, the period of suspension or denial shall be three years.

(d) If the arrested person, within five years of the date on which the person refused the request to consent to the chemical test, had refused three or more previous requests to consent to a chemical test of the person's blood, breath, or urine to determine its alcohol content, the period of suspension or denial shall be five years.

(2) The suspension or denial imposed under division (E)(1) of this section shall continue for the entire one-year, two-year, three-year, or five-year period, subject to appeal as provided in this section and subject to termination as provided in division (K) of this section.

(F) Upon receipt of the sworn report of an arresting officer completed and sent to the registrar and a court pursuant to divisions (D)(1)(c) and (D)(2) of this section in regard to a person whose test results indicate that the person's blood contained a concentration of ten-hundredths of one per cent or more by weight of alcohol, the person's breath contained a concentration of ten-hundredths of one gram or more by weight of alcohol per two hundred ten liters of the person's breath, or the person's urine contained a concentration of fourteen-hundredths of one gram or more by weight of alcohol per one hundred milliliters of the person's urine at the time of the alleged offense, the registrar shall enter into the registrar's records the fact that the person's driver's or commercial driver's license or permit or nonresident operating privilege was suspended by the arresting officer under division (D)(1)(a) of this section and the period of

the suspension, as determined under divisions (F)(1) to (4) of 5324
this section. The suspension shall be subject to appeal as 5325
provided in this section and shall be for whichever of the 5326
following periods that applies: 5327

(1) Except when division (F)(2), (3), or (4) of this section 5328
applies and specifies a different period of suspension or denial, 5329
the period of the suspension or denial shall be ninety days. 5330

(2) If the person has been convicted, within ten years of the 5331
date the test was conducted, of one violation of division (A) or 5332
(B) of section 4511.19 of the Revised Code, a municipal ordinance 5333
relating to operating a vehicle while under the influence of 5334
alcohol, a drug of abuse, or alcohol and a drug of abuse, a 5335
municipal ordinance relating to operating a vehicle with a 5336
prohibited concentration of alcohol in the blood, breath, or 5337
urine, section 2903.04 of the Revised Code in a case in which the 5338
offender was subject to the sanctions described in division (D) of 5339
that section, or section 2903.06, 2903.07, or 2903.08 of the 5340
Revised Code or a municipal ordinance that is substantially 5341
similar to section 2903.07 of the Revised Code in a case in which 5342
the jury or judge found that at the time of the commission of the 5343
offense the offender was under the influence of alcohol, a drug of 5344
abuse, or alcohol and a drug of abuse, or a statute of the United 5345
States or of any other state or a municipal ordinance of a 5346
municipal corporation located in any other state that is 5347
substantially similar to division (A) or (B) of section 4511.19 of 5348
the Revised Code, the period of the suspension or denial shall be 5349
one year. 5350

(3) If the person has been convicted, within ten years of the 5351
date the test was conducted, of two violations of a statute or 5352
ordinance described in division (F)(2) of this section, the period 5353
of the suspension or denial shall be two years. 5354

(4) If the person has been convicted, within ten years of the date the test was conducted, of more than two violations of a statute or ordinance described in division (F)(2) of this section, the period of the suspension or denial shall be three years.

(G)(1) A suspension of a person's driver's or commercial driver's license or permit or nonresident operating privilege under division (D)(1)(a) of this section for the period of time described in division (E) or (F) of this section is effective immediately from the time at which the arresting officer serves the notice of suspension upon the arrested person. Any subsequent finding that the person is not guilty of the charge that resulted in the person being requested to take, or in the person taking, the chemical test or tests under division (A) of this section affects the suspension only as described in division (H)(2) of this section.

(2) If a person is arrested for operating a vehicle while under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse or for operating a vehicle with a prohibited concentration of alcohol in the blood, breath, or urine and regardless of whether the person's driver's or commercial driver's license or permit or nonresident operating privilege is or is not suspended under division (E) or (F) of this section, the person's initial appearance on the charge resulting from the arrest shall be held within five days of the person's arrest or the issuance of the citation to the person, subject to any continuance granted by the court pursuant to division (H)(1) of this section regarding the issues specified in that division.

(H)(1) If a person is arrested for operating a vehicle while under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse or for operating a vehicle with a prohibited concentration of alcohol in the blood, breath, or urine and if the person's driver's or commercial driver's license or permit or

nonresident operating privilege is suspended under division (E) or 5387
(F) of this section, the person may appeal the suspension at the 5388
person's initial appearance on the charge resulting from the 5389
arrest in the court in which the person will appear on that 5390
charge. If the person appeals the suspension at the person's 5391
initial appearance, the appeal does not stay the operation of the 5392
suspension. Subject to division (H)(2) of this section, no court 5393
has jurisdiction to grant a stay of a suspension imposed under 5394
division (E) or (F) of this section, and any order issued by any 5395
court that purports to grant a stay of any suspension imposed 5396
under either of those divisions shall not be given administrative 5397
effect. 5398

If the person appeals the suspension at the person's initial 5399
appearance, either the person or the registrar may request a 5400
continuance of the appeal. Either the person or the registrar 5401
shall make the request for a continuance of the appeal at the same 5402
time as the making of the appeal. If either the person or the 5403
registrar requests a continuance of the appeal, the court may 5404
grant the continuance. The court also may continue the appeal on 5405
its own motion. The granting of a continuance applies only to the 5406
conduct of the appeal of the suspension and does not extend the 5407
time within which the initial appearance must be conducted, and 5408
the court shall proceed with all other aspects of the initial 5409
appearance in accordance with its normal procedures. Neither the 5410
request for nor the granting of a continuance stays the operation 5411
of the suspension that is the subject of the appeal. 5412

If the person appeals the suspension at the person's initial 5413
appearance, the scope of the appeal is limited to determining 5414
whether one or more of the following conditions have not been met: 5415

(a) Whether the law enforcement officer had reasonable ground 5416
to believe the arrested person was operating a vehicle upon a 5417
highway or public or private property used by the public for 5418

vehicular travel or parking within this state while under the 5419
influence of alcohol, a drug of abuse, or alcohol and a drug of 5420
abuse or with a prohibited concentration of alcohol in the blood, 5421
breath, or urine and whether the arrested person was in fact 5422
placed under arrest; 5423

(b) Whether the law enforcement officer requested the 5424
arrested person to submit to the chemical test designated pursuant 5425
to division (A) of this section; 5426

(c) Whether the arresting officer informed the arrested 5427
person of the consequences of refusing to be tested or of 5428
submitting to the test; 5429

(d) Whichever of the following is applicable: 5430

(i) Whether the arrested person refused to submit to the 5431
chemical test requested by the officer; 5432

(ii) Whether the chemical test results indicate that the 5433
arrested person's blood contained a concentration of 5434
ten-hundredths of one per cent or more by weight of alcohol, the 5435
person's breath contained a concentration of ten-hundredths of one 5436
gram or more by weight of alcohol per two hundred ten liters of 5437
the person's breath, or the person's urine contained a 5438
concentration of fourteen-hundredths of one gram or more by weight 5439
of alcohol per one hundred milliliters of the person's urine at 5440
the time of the alleged offense. 5441

(2) If the person appeals the suspension at the initial 5442
appearance, the judge or referee of the court or the mayor of the 5443
mayor's court shall determine whether one or more of the 5444
conditions specified in divisions (H)(1)(a) to (d) of this section 5445
have not been met. The person who appeals the suspension has the 5446
burden of proving, by a preponderance of the evidence, that one or 5447
more of the specified conditions has not been met. If during the 5448
appeal at the initial appearance the judge or referee of the court 5449

or the mayor of the mayor's court determines that all of those 5450
conditions have been met, the judge, referee, or mayor shall 5451
uphold the suspension, shall continue the suspension, and shall 5452
notify the registrar of the decision on a form approved by the 5453
registrar. Except as otherwise provided in division (H)(2) of this 5454
section, if the suspension is upheld or if the person does not 5455
appeal the suspension at the person's initial appearance under 5456
division (H)(1) of this section, the suspension shall continue 5457
until the complaint alleging the violation for which the person 5458
was arrested and in relation to which the suspension was imposed 5459
is adjudicated on the merits by the judge or referee of the trial 5460
court or by the mayor of the mayor's court. If the suspension was 5461
imposed under division (E) of this section and it is continued 5462
under this division, any subsequent finding that the person is not 5463
guilty of the charge that resulted in the person being requested 5464
to take the chemical test or tests under division (A) of this 5465
section does not terminate or otherwise affect the suspension. If 5466
the suspension was imposed under division (F) of this section and 5467
it is continued under this division, the suspension shall 5468
terminate if, for any reason, the person subsequently is found not 5469
guilty of the charge that resulted in the person taking the 5470
chemical test or tests under division (A) of this section. 5471

If, during the appeal at the initial appearance, the judge or 5472
referee of the trial court or the mayor of the mayor's court 5473
determines that one or more of the conditions specified in 5474
divisions (H)(1)(a) to (d) of this section have not been met, the 5475
judge, referee, or mayor shall terminate the suspension, subject 5476
to the imposition of a new suspension under division (B) of 5477
section 4511.196 of the Revised Code; shall notify the registrar 5478
of the decision on a form approved by the registrar; and, except 5479
as provided in division (B) of section 4511.196 of the Revised 5480
Code, shall order the registrar to return the driver's or 5481

commercial driver's license or permit to the person or to take 5482
such measures as may be necessary, if the license or permit was 5483
destroyed under section 4507.55 of the Revised Code, to permit the 5484
person to obtain a replacement driver's or commercial driver's 5485
license or permit from the registrar or a deputy registrar in 5486
accordance with that section. The court also shall issue to the 5487
person a court order, valid for not more than ten days from the 5488
date of issuance, granting the person operating privileges for 5489
that period of time. 5490

If the person appeals the suspension at the initial 5491
appearance, the registrar shall be represented by the prosecuting 5492
attorney of the county in which the arrest occurred if the initial 5493
appearance is conducted in a juvenile court or county court, 5494
except that if the arrest occurred within a city or village within 5495
the jurisdiction of the county court in which the appeal is 5496
conducted, the city director of law or village solicitor of that 5497
city or village shall represent the registrar. If the appeal is 5498
conducted in a municipal court, the registrar shall be represented 5499
as provided in section 1901.34 of the Revised Code. If the appeal 5500
is conducted in a mayor's court, the registrar shall be 5501
represented by the city director of law, village solicitor, or 5502
other chief legal officer of the municipal corporation that 5503
operates that mayor's court. 5504

(I)(1) If a person's driver's or commercial driver's license 5505
or permit or nonresident operating privilege has been suspended 5506
pursuant to division (E) of this section, and the person, within 5507
the preceding seven years, has refused three previous requests to 5508
consent to a chemical test of the person's blood, breath, or urine 5509
to determine its alcohol content or has been convicted of or 5510
pleaded guilty to three or more violations of division (A) or (B) 5511
of section 4511.19 of the Revised Code, a municipal ordinance 5512
relating to operating a vehicle while under the influence of 5513

alcohol, a drug of abuse, or alcohol and a drug of abuse, a
municipal ordinance relating to operating a vehicle with a
prohibited concentration of alcohol in the blood, breath, or
urine, section 2903.04 of the Revised Code in a case in which the
person was subject to the sanctions described in division (D) of
that section, or section 2903.06, 2903.07, or 2903.08 of the
Revised Code or a municipal ordinance that is substantially
similar to section 2903.07 of the Revised Code in a case in which
the jury or judge found that the person was under the influence of
alcohol, a drug of abuse, or alcohol and a drug of abuse, or a
statute of the United States or of any other state or a municipal
ordinance of a municipal corporation located in any other state
that is substantially similar to division (A) or (B) of section
4511.19 of the Revised Code, the person is not entitled to
request, and the court shall not grant to the person, occupational
driving privileges under this division. Any other person whose
driver's or commercial driver's license or nonresident operating
privilege has been suspended pursuant to division (E) of this
section may file a petition requesting occupational driving
privileges in the common pleas court, municipal court, county
court, mayor's court, or, if the person is a minor, juvenile court
with jurisdiction over the ~~place at which the arrest occurred~~
related criminal or delinquency case. The petition may be filed at
any time subsequent to the date on which the ~~arresting officer~~
~~serves the~~ notice of suspension is served upon the arrested
person. The person shall pay the costs of the proceeding, notify
the registrar of the filing of the petition, and send the
registrar a copy of the petition.

In the proceedings, the registrar shall be represented by the
prosecuting attorney of the county in which the arrest occurred if
the petition is filed in the juvenile court ~~or~~, county court, or
common pleas court, except that, if the arrest occurred within a

city or village within the jurisdiction of the county court in 5546
which the petition is filed, the city director of law or village 5547
solicitor of that city or village shall represent the registrar. 5548
If the petition is filed in the municipal court, the registrar 5549
shall be represented as provided in section 1901.34 of the Revised 5550
Code. If the petition is filed in a mayor's court, the registrar 5551
shall be represented by the city director of law, village 5552
solicitor, or other chief legal officer of the municipal 5553
corporation that operates the mayor's court. 5554

The court, if it finds reasonable cause to believe that 5555
suspension would seriously affect the person's ability to continue 5556
in the person's employment, may grant the person occupational 5557
driving privileges during the period of suspension imposed 5558
pursuant to division (E) of this section, subject to the 5559
limitations contained in this division and division (I)(2) of this 5560
section. The court may grant the occupational driving privileges, 5561
subject to the limitations contained in this division and division 5562
(I)(2) of this section, regardless of whether the person appeals 5563
the suspension at the person's initial appearance under division 5564
(H)(1) of this section or appeals the decision of the court made 5565
pursuant to the appeal conducted at the initial appearance, and, 5566
if the person has appealed the suspension or decision, regardless 5567
of whether the matter at issue has been heard or decided by the 5568
court. The court shall not grant occupational driving privileges 5569
to any person who, within seven years of the filing of the 5570
petition, has refused three previous requests to consent to a 5571
chemical test of the person's blood, breath, or urine to determine 5572
its alcohol content or has been convicted of or pleaded guilty to 5573
three or more violations of division (A) or (B) of section 4511.19 5574
of the Revised Code, a municipal ordinance relating to operating a 5575
vehicle while under the influence of alcohol, a drug of abuse, or 5576
alcohol and a drug of abuse, a municipal ordinance relating to 5577
operating a vehicle with a prohibited concentration of alcohol in 5578

the blood, breath, or urine, section 2903.04 of the Revised Code 5579
in a case in which the person was subject to the sanctions 5580
described in division (D) of that section, or section 2903.06, 5581
2903.07, or 2903.08 of the Revised Code or a municipal ordinance 5582
that is substantially similar to section 2903.07 of the Revised 5583
Code in a case in which the jury or judge found that the person 5584
was under the influence of alcohol, a drug of abuse, or alcohol 5585
and a drug of abuse, or a statute of the United States or of any 5586
other state or a municipal ordinance of a municipal corporation 5587
located in any other state that is substantially similar to 5588
division (A) or (B) of section 4511.19 of the Revised Code, and 5589
shall not grant occupational driving privileges for employment as 5590
a driver of commercial motor vehicles to any person who is 5591
disqualified from operating a commercial motor vehicle under 5592
section 2301.374 or 4506.16 of the Revised Code. 5593

(2)(a) In granting occupational driving privileges under 5594
division (I)(1) of this section, the court may impose any 5595
condition it considers reasonable and necessary to limit the use 5596
of a vehicle by the person. The court shall deliver to the person 5597
a permit card, in a form to be prescribed by the court, setting 5598
forth the time, place, and other conditions limiting the 5599
defendant's use of a vehicle. The grant of occupational driving 5600
privileges shall be conditioned upon the person's having the 5601
permit in the person's possession at all times during which the 5602
person is operating a vehicle. 5603

A person granted occupational driving privileges who operates 5604
a vehicle for other than occupational purposes, in violation of 5605
any condition imposed by the court, or without having the permit 5606
in the person's possession, is guilty of a violation of section 5607
4507.02 of the Revised Code. 5608

(b) The court may not grant a person occupational driving 5609
privileges under division (I)(1) of this section when prohibited 5610

by a limitation contained in that division or during any of the 5611
following periods of time: 5612

(i) The first thirty days of suspension imposed upon a person 5613
who, within five years of the date on which the person refused the 5614
request to consent to a chemical test of the person's blood, 5615
breath, or urine to determine its alcohol content and for which 5616
refusal the suspension was imposed, had not refused a previous 5617
request to consent to a chemical test of the person's blood, 5618
breath, or urine to determine its alcohol content; 5619

(ii) The first ninety days of suspension imposed upon a 5620
person who, within five years of the date on which the person 5621
refused the request to consent to a chemical test of the person's 5622
blood, breath, or urine to determine its alcohol content and for 5623
which refusal the suspension was imposed, had refused one previous 5624
request to consent to a chemical test of the person's blood, 5625
breath, or urine to determine its alcohol content; 5626

(iii) The first year of suspension imposed upon a person who, 5627
within five years of the date on which the person refused the 5628
request to consent to a chemical test of the person's blood, 5629
breath, or urine to determine its alcohol content and for which 5630
refusal the suspension was imposed, had refused two previous 5631
requests to consent to a chemical test of the person's blood, 5632
breath, or urine to determine its alcohol content; 5633

(iv) The first three years of suspension imposed upon a 5634
person who, within five years of the date on which the person 5635
refused the request to consent to a chemical test of the person's 5636
blood, breath, or urine to determine its alcohol content and for 5637
which refusal the suspension was imposed, had refused three or 5638
more previous requests to consent to a chemical test of the 5639
person's blood, breath, or urine to determine its alcohol content. 5640

(3) The court shall give information in writing of any action 5641

taken under this section to the registrar.

5642

(4) If a person's driver's or commercial driver's license or permit or nonresident operating privilege has been suspended pursuant to division (F) of this section, and the person, within the preceding seven years, has been convicted of or pleaded guilty to three or more violations of division (A) or (B) of section 4511.19 of the Revised Code, a municipal ordinance relating to operating a vehicle while under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse, a municipal ordinance relating to operating a vehicle with a prohibited concentration of alcohol in the blood, breath, or urine, section 2903.04 of the Revised Code in a case in which the person was subject to the sanctions described in division (D) of that section, or section 2903.06, 2903.07, or 2903.08 of the Revised Code or a municipal ordinance that is substantially similar to section 2903.07 of the Revised Code in a case in which the jury or judge found that the person was under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse, or a statute of the United States or of any other state or a municipal ordinance of a municipal corporation located in any other state that is substantially similar to division (A) or (B) of section 4511.19 of the Revised Code, the person is not entitled to request, and the court shall not grant to the person, occupational driving privileges under this division. Any other person whose driver's or commercial driver's license or nonresident operating privilege has been suspended pursuant to division (F) of this section may file in the court specified in division (I)(1) of this section a petition requesting occupational driving privileges in accordance with section 4507.16 of the Revised Code. The petition may be filed at any time subsequent to the date on which the arresting officer serves the notice of suspension upon the arrested person. Upon the making of the request, occupational driving privileges may be

5643

5644

5645

5646

5647

5648

5649

5650

5651

5652

5653

5654

5655

5656

5657

5658

5659

5660

5661

5662

5663

5664

5665

5666

5667

5668

5669

5670

5671

5672

5673

granted in accordance with section 4507.16 of the Revised Code. 5674
The court may grant the occupational driving privileges, subject 5675
to the limitations contained in section 4507.16 of the Revised 5676
Code, regardless of whether the person appeals the suspension at 5677
the person's initial appearance under division (H)(1) of this 5678
section or appeals the decision of the court made pursuant to the 5679
appeal conducted at the initial appearance, and, if the person has 5680
appealed the suspension or decision, regardless of whether the 5681
matter at issue has been heard or decided by the court. 5682

(J) When it finally has been determined under the procedures 5683
of this section that a nonresident's privilege to operate a 5684
vehicle within this state has been suspended, the registrar shall 5685
give information in writing of the action taken to the motor 5686
vehicle administrator of the state of the person's residence and 5687
of any state in which the person has a license. 5688

(K) A suspension of the driver's or commercial driver's 5689
license or permit of a resident, a suspension of the operating 5690
privilege of a nonresident, or a denial of a driver's or 5691
commercial driver's license or permit for refusal to submit to a 5692
chemical test to determine the alcohol, drug, or alcohol and drug 5693
content of the person's blood, breath, or urine pursuant to 5694
division (E) of this section, shall be terminated by the registrar 5695
upon receipt of notice of the person's entering a plea of guilty 5696
to, or of the person's conviction after entering a plea of no 5697
contest under Criminal Rule 11 to, operating a vehicle while under 5698
the influence of alcohol, a drug of abuse, or alcohol and a drug 5699
of abuse or with a prohibited concentration of alcohol in the 5700
blood, breath, or urine, if the offense for which the plea is 5701
entered arose from the same incident that led to the suspension or 5702
denial. 5703

The registrar shall credit against any judicial suspension of 5704
a person's driver's or commercial driver's license or permit or 5705

nonresident operating privilege imposed pursuant to division (B) 5706
or (E) of section 4507.16 of the Revised Code any time during 5707
which the person serves a related suspension imposed pursuant to 5708
division (E) or (F) of this section. 5709

(L) At the end of a suspension period under this section, 5710
section 4511.196, or division (B) of section 4507.16 of the 5711
Revised Code and upon the request of the person whose driver's or 5712
commercial driver's license or permit was suspended and who is not 5713
otherwise subject to suspension, revocation, or disqualification, 5714
the registrar shall return the driver's or commercial driver's 5715
license or permit to the person upon the occurrence of all of the 5716
following: 5717

(1) A showing by the person that the person had proof of 5718
financial responsibility, a policy of liability insurance in 5719
effect that meets the minimum standards set forth in section 5720
4509.51 of the Revised Code, or proof, to the satisfaction of the 5721
registrar, that the person is able to respond in damages in an 5722
amount at least equal to the minimum amounts specified in section 5723
4509.51 of the Revised Code. 5724

(2) Payment by the person of a license reinstatement fee of 5725
two hundred eighty dollars to the bureau of motor vehicles, which 5726
fee shall be deposited in the state treasury and credited as 5727
follows: 5728

(a) Seventy-five dollars shall be credited to the drivers' 5729
treatment and intervention fund, which is hereby established. The 5730
fund shall be used to pay the costs of driver treatment and 5731
intervention programs operated pursuant to sections 3793.02 and 5732
3793.10 of the Revised Code. The director of alcohol and drug 5733
addiction services shall determine the share of the fund that is 5734
to be allocated to alcohol and drug addiction programs authorized 5735
by section 3793.02 of the Revised Code, and the share of the fund 5736

that is to be allocated to drivers' intervention programs 5737
authorized by section 3793.10 of the Revised Code. 5738

(b) Fifty dollars shall be credited to the reparations fund 5739
created by section 2743.191 of the Revised Code. 5740

(c) Twenty-five dollars shall be credited to the indigent 5741
drivers alcohol treatment fund, which is hereby established. 5742
Except as otherwise provided in division (L)(2)(c) of this 5743
section, moneys in the fund shall be distributed by the department 5744
of alcohol and drug addiction services to the county indigent 5745
drivers alcohol treatment funds, the county juvenile indigent 5746
drivers alcohol treatment funds, and the municipal indigent 5747
drivers treatment funds that are required to be established by 5748
counties and municipal corporations pursuant to division (N) of 5749
this section, and shall be used only to pay the cost of an alcohol 5750
and drug addiction treatment program attended by an offender or 5751
juvenile traffic offender who is ordered to attend an alcohol and 5752
drug addiction treatment program by a county, juvenile, or 5753
municipal court judge and who is determined by the county, 5754
juvenile, or municipal court judge not to have the means to pay 5755
for attendance at the program. Moneys in the fund that are not 5756
distributed to a county indigent drivers alcohol treatment fund, a 5757
county juvenile indigent drivers alcohol treatment fund, or a 5758
municipal indigent drivers alcohol treatment fund under division 5759
(N) of this section because the director of alcohol and drug 5760
addiction services does not have the information necessary to 5761
identify the county or municipal corporation where the offender or 5762
juvenile offender was arrested may be transferred by the director 5763
of budget and management to the drivers' treatment and 5764
intervention fund, created in division (L)(2)(a) of this section, 5765
upon certification of the amount by the director of alcohol and 5766
drug addiction services. 5767

(d) Fifty dollars shall be credited to the Ohio 5768

rehabilitation services commission established by section 3304.12 5769
of the Revised Code, to the services for rehabilitation fund, 5770
which is hereby established. The fund shall be used to match 5771
available federal matching funds where appropriate, and for any 5772
other purpose or program of the commission to rehabilitate people 5773
with disabilities to help them become employed and independent. 5774

(e) Fifty dollars shall be deposited into the state treasury 5775
and credited to the drug abuse resistance education programs fund, 5776
which is hereby established, to be used by the attorney general 5777
for the purposes specified in division (L)(2)(e) of this section. 5778

(f) Thirty dollars shall be credited to the state bureau of 5779
motor vehicles fund created by section 4501.25 of the Revised 5780
Code. 5781

The attorney general shall use amounts in the drug abuse 5782
resistance education programs fund to award grants to law 5783
enforcement agencies to establish and implement drug abuse 5784
resistance education programs in public schools. Grants awarded to 5785
a law enforcement agency under division (L)(2)(e) of this section 5786
shall be used by the agency to pay for not more than fifty per 5787
cent of the amount of the salaries of law enforcement officers who 5788
conduct drug abuse resistance education programs in public 5789
schools. The attorney general shall not use more than six per cent 5790
of the amounts the attorney general's office receives under 5791
division (L)(2)(e) of this section to pay the costs it incurs in 5792
administering the grant program established by division (L)(2)(e) 5793
of this section and in providing training and materials relating 5794
to drug abuse resistance education programs. 5795

The attorney general shall report to the governor and the 5796
general assembly each fiscal year on the progress made in 5797
establishing and implementing drug abuse resistance education 5798
programs. These reports shall include an evaluation of the 5799

effectiveness of these programs. 5800

(M) Suspension of a commercial driver's license under 5801
division (E) or (F) of this section shall be concurrent with any 5802
period of disqualification under section 2301.374 or 4506.16 of 5803
the Revised Code. No person who is disqualified for life from 5804
holding a commercial driver's license under section 4506.16 of the 5805
Revised Code shall be issued a driver's license under Chapter 5806
4507. of the Revised Code during the period for which the 5807
commercial driver's license was suspended under division (E) or 5808
(F) of this section, and no person whose commercial driver's 5809
license is suspended under division (E) or (F) of this section 5810
shall be issued a driver's license under that chapter during the 5811
period of the suspension. 5812

(N)(1) Each county shall establish an indigent drivers 5813
alcohol treatment fund, each county shall establish a juvenile 5814
indigent drivers alcohol treatment fund, and each municipal 5815
corporation in which there is a municipal court shall establish an 5816
indigent drivers alcohol treatment fund. All revenue that the 5817
general assembly appropriates to the indigent drivers alcohol 5818
treatment fund for transfer to a county indigent drivers alcohol 5819
treatment fund, a county juvenile indigent drivers alcohol 5820
treatment fund, or a municipal indigent drivers alcohol treatment 5821
fund, all portions of fees that are paid under division (L) of 5822
this section and that are credited under that division to the 5823
indigent drivers alcohol treatment fund in the state treasury for 5824
a county indigent drivers alcohol treatment fund, a county 5825
juvenile indigent drivers alcohol treatment fund, or a municipal 5826
indigent drivers alcohol treatment fund, and all portions of fines 5827
that are specified for deposit into a county or municipal indigent 5828
drivers alcohol treatment fund by section 4511.193 of the Revised 5829
Code shall be deposited into that county indigent drivers alcohol 5830
treatment fund, county juvenile indigent drivers alcohol treatment 5831

fund, or municipal indigent drivers alcohol treatment fund in 5832
accordance with division (N)(2) of this section. Additionally, all 5833
portions of fines that are paid for a violation of section 4511.19 5834
of the Revised Code or division (B)(2) of section 4507.02 of the 5835
Revised Code, and that are required under division (A)(1) or (2) 5836
of section 4511.99 or division (B)(5) of section 4507.99 of the 5837
Revised Code to be deposited into a county indigent drivers 5838
alcohol treatment fund or municipal indigent drivers alcohol 5839
treatment fund shall be deposited into the appropriate fund in 5840
accordance with the applicable division. 5841

(2) That portion of the license reinstatement fee that is 5842
paid under division (L) of this section and that is credited under 5843
that division to the indigent drivers alcohol treatment fund shall 5844
be deposited into a county indigent drivers alcohol treatment 5845
fund, a county juvenile indigent drivers alcohol treatment fund, 5846
or a municipal indigent drivers alcohol treatment fund as follows: 5847

(a) If the suspension in question was imposed under this 5848
section, that portion of the fee shall be deposited as follows: 5849

(i) If the fee is paid by a person who was charged in a 5850
county court with the violation that resulted in the suspension, 5851
the portion shall be deposited into the county indigent drivers 5852
alcohol treatment fund under the control of that court; 5853

(ii) If the fee is paid by a person who was charged in a 5854
juvenile court with the violation that resulted in the suspension, 5855
the portion shall be deposited into the county juvenile indigent 5856
drivers alcohol treatment fund established in the county served by 5857
the court; 5858

(iii) If the fee is paid by a person who was charged in a 5859
municipal court with the violation that resulted in the 5860
suspension, the portion shall be deposited into the municipal 5861
indigent drivers alcohol treatment fund under the control of that 5862

court. 5863

(b) If the suspension in question was imposed under division 5864
(B) of section 4507.16 of the Revised Code, that portion of the 5865
fee shall be deposited as follows: 5866

(i) If the fee is paid by a person whose license or permit 5867
was suspended by a county court, the portion shall be deposited 5868
into the county indigent drivers alcohol treatment fund under the 5869
control of that court; 5870

(ii) If the fee is paid by a person whose license or permit 5871
was suspended by a municipal court, the portion shall be deposited 5872
into the municipal indigent drivers alcohol treatment fund under 5873
the control of that court. 5874

(3) Expenditures from a county indigent drivers alcohol 5875
treatment fund, a county juvenile indigent drivers alcohol 5876
treatment fund, or a municipal indigent drivers alcohol treatment 5877
fund shall be made only upon the order of a county, juvenile, or 5878
municipal court judge and only for payment of the cost of the 5879
attendance at an alcohol and drug addiction treatment program of a 5880
person who is convicted of, or found to be a juvenile traffic 5881
offender by reason of, a violation of division (A) of section 5882
4511.19 of the Revised Code or a substantially similar municipal 5883
ordinance, who is ordered by the court to attend the alcohol and 5884
drug addiction treatment program, and who is determined by the 5885
court to be unable to pay the cost of attendance at the treatment 5886
program. The board of alcohol, drug addiction, and mental health 5887
services established pursuant to section 340.02 of the Revised 5888
Code serving the alcohol, drug addiction, and mental health 5889
service district in which the court is located shall administer 5890
the indigent drivers alcohol treatment program of the court. When 5891
a court orders an offender or juvenile traffic offender to attend 5892
an alcohol and drug addiction treatment program, the board shall 5893

determine which program is suitable to meet the needs of the 5894
offender or juvenile traffic offender, and when a suitable program 5895
is located and space is available at the program, the offender or 5896
juvenile traffic offender shall attend the program designated by 5897
the board. A reasonable amount not to exceed five per cent of the 5898
amounts credited to and deposited into the county indigent drivers 5899
alcohol treatment fund, the county juvenile indigent drivers 5900
alcohol treatment fund, or the municipal indigent drivers alcohol 5901
treatment fund serving every court whose program is administered 5902
by that board shall be paid to the board to cover the costs it 5903
incurs in administering those indigent drivers alcohol treatment 5904
programs. 5905

Sec. 4511.193. (A) Twenty-five dollars of any fine imposed 5906
for a violation of a municipal ordinance relating to operating a 5907
vehicle while under the influence of alcohol, a drug of abuse, or 5908
alcohol and a drug of abuse or relating to operating a vehicle 5909
with a prohibited concentration of alcohol in the blood, breath, 5910
or urine shall be deposited into the municipal or county indigent 5911
drivers alcohol treatment fund created pursuant to division (N) of 5912
section 4511.191 of the Revised Code in accordance with this 5913
section and section 733.40, divisions (A) and (B) of section 5914
1901.024, division (F) of section 1901.31, or division (C) of 5915
section 1907.20 of the Revised Code. Regardless of whether the 5916
fine is imposed by a municipal court, a mayor's court, or a 5917
juvenile court, if the fine was imposed for a violation of an 5918
ordinance of a municipal corporation that is within the 5919
jurisdiction of a municipal court, the twenty-five dollars that is 5920
subject to this section shall be deposited into the indigent 5921
drivers alcohol treatment fund of the municipal corporation in 5922
which is located the municipal court that has jurisdiction over 5923
that municipal corporation. Regardless of whether the fine is 5924
imposed by a county court, a mayor's court, or a juvenile court, 5925

if the fine was imposed for a violation of an ordinance of a 5926
municipal corporation that is within the jurisdiction of a county 5927
court, the twenty-five dollars that is subject to this section 5928
shall be deposited into the indigent drivers alcohol treatment 5929
fund of the county in which is located the county court that has 5930
jurisdiction over that municipal corporation. The deposit shall be 5931
made in accordance with section 733.40, divisions (A) and (B) of 5932
section 1901.024, division (F) of section 1901.31, or division (C) 5933
of section 1907.20 of the Revised Code. 5934

(B)(1) The requirements and sanctions imposed by divisions 5935
(B)(1) and (2) of this section are an adjunct to and derive from 5936
the state's exclusive authority over the registration and titling 5937
of motor vehicles and do not comprise a part of the criminal 5938
sentence to be imposed upon a person who violates a municipal 5939
ordinance relating to operating a vehicle while under the 5940
influence of alcohol, a drug of abuse, or alcohol and a drug of 5941
abuse or relating to operating a vehicle with a prohibited 5942
concentration of alcohol in the blood, breath, or urine. 5943

(2) If a person is convicted of or pleads guilty to a 5944
municipal ordinance relating to operating a vehicle while under 5945
the influence of alcohol, a drug of abuse, or alcohol and a drug 5946
of abuse or relating to operating a vehicle with a prohibited 5947
concentration of alcohol in the blood, breath, or urine and if, 5948
within the period of time specified in division (B)(2)(a), (b), or 5949
(c) of this section, the offender has been convicted of or pleaded 5950
guilty to any violation of section 4511.19 of the Revised Code, a 5951
municipal ordinance relating to operating a vehicle while under 5952
the influence of alcohol, a drug of abuse, or alcohol and a drug 5953
of abuse, a municipal ordinance relating to operating a vehicle 5954
with a prohibited concentration of alcohol in the blood, breath, 5955
or urine, section 2903.04 of the Revised Code in a case in which 5956
the offender was subject to the sanctions described in division 5957

(D) of that section, section 2903.06, 2903.07, or 2903.08 of the Revised Code, or a municipal ordinance that is substantially similar to section 2903.07 of the Revised Code in a case in which the jury or judge found that the offender was under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse, ~~or~~ a statute of the United States or of any other state or a municipal ordinance of a municipal corporation located in any other state that is substantially similar to division (A) or (B) of section 4511.19 of the Revised Code, or if the other circumstances described in division (B)(2)(c) of this section apply, the court, in addition to and independent of any sentence that it imposes upon the offender for the offense, regardless of whether the vehicle the offender was operating at the time of the offense is registered in the offender's name or in the name of another person, and subject to section 4503.235 of the Revised Code, shall do whichever of the following is applicable:

(a) Except as otherwise provided in division (B)(2)(c) of this section, if, within six years of the current offense, the offender has been convicted of or pleaded guilty to one violation described in division (B)(2) of this section, the court shall order the immobilization for ninety days of the vehicle the offender was operating at the time of the offense and the impoundment for ninety days of the license plates of that vehicle. The order for the immobilization and impoundment shall be issued and enforced in accordance with section 4503.233 of the Revised Code.

(b) Except as otherwise provided in division (B)(2)(c) of this section, if, within six years of the current offense, the offender has been convicted of or pleaded guilty to two violations described in division (B)(2) of this section, the court shall order the immobilization for one hundred eighty days of the vehicle the offender was operating at the time of the offense and

the impoundment for one hundred eighty days of the license plates 5990
of that vehicle. The order for the immobilization and impoundment 5991
shall be issued and enforced in accordance with section 4503.233 5992
of the Revised Code. 5993

(c) If, within six years of the current offense, the offender 5994
has been convicted of or pleaded guilty to three or more 5995
violations described in division (B)(2) of this section, or if the 5996
offender previously has been convicted of or pleaded guilty to a 5997
violation of division (A) of section 4511.19 of the Revised Code 5998
under circumstances in which the violation was a felony and 5999
regardless of when the violation and the conviction or guilty plea 6000
occurred, the court shall order the criminal forfeiture to the 6001
state of the vehicle the offender was operating at the time of the 6002
offense. The order of criminal forfeiture shall be issued and 6003
enforced in accordance with section 4503.234 of the Revised Code. 6004

Sec. 4511.195. (A) As used in this section: 6005

(1) "Vehicle operator" means a person who is operating a 6006
vehicle at the time it is seized under division (B) of this 6007
section. 6008

(2) "Vehicle owner" means either of the following: 6009

(a) The person in whose name is registered, at the time of 6010
the seizure, a vehicle that is seized under division (B) of this 6011
section; 6012

(b) A person to whom the certificate of title to a vehicle 6013
that is seized under division (B) of this section has been 6014
assigned and who has not obtained a certificate of title to the 6015
vehicle in that person's name, but who is deemed by the court as 6016
being the owner of the vehicle at the time the vehicle was seized 6017
under division (B) of this section. 6018

(3) "Municipal OMVI ordinance" means any municipal ordinance 6019

prohibiting the operation of a vehicle while under the influence 6020
of alcohol, a drug of abuse, or alcohol and a drug of abuse or 6021
prohibiting the operation of a vehicle with a prohibited 6022
concentration of alcohol in the blood, breath, or urine. 6023

(4) "Interested party" includes the owner of a vehicle seized 6024
under this section, all lienholders, the defendant, the owner of 6025
the place of storage at which a vehicle seized under this section 6026
is stored, and the person or entity that caused the vehicle to be 6027
removed. 6028

(B)(1) If a person is arrested for a violation of division 6029
(A) of section 4511.19 of the Revised Code or of a municipal OMVI 6030
ordinance and, within six years of the alleged violation, the 6031
person previously has been convicted of or pleaded guilty to one 6032
or more violations of division (A) or (B) of section 4511.19 of 6033
the Revised Code, a municipal OMVI ordinance, section 2903.04 of 6034
the Revised Code in a case in which the offender was subject to 6035
the sanctions described in division (D) of that section, or 6036
section 2903.06, 2903.07, or 2903.08 of the Revised Code or a 6037
municipal ordinance that is substantially similar to section 6038
2903.07 of the Revised Code in a case in which the jury or judge 6039
found that the offender was under the influence of alcohol, a drug 6040
of abuse, or alcohol and a drug of abuse, a statute of the United 6041
States or of any other state or a municipal ordinance of a 6042
municipal corporation located in any other state that is 6043
substantially similar to division (A) or (B) of section 4511.19 Of 6044
the Revised Code, or if a person is arrested for a violation of 6045
division (A) of section 4511.19 of the Revised Code or of a 6046
municipal OMVI ordinance and the person previously has been 6047
convicted of or pleaded guilty to a violation of division (A) of 6048
section 4511.19 of the Revised Code under circumstances in which 6049
the violation was a felony, regardless of when the prior felony 6050
violation of division (A) of section 4511.19 of the Revised Code 6051

and the conviction or guilty plea occurred, the arresting officer 6052
or another officer of the law enforcement agency that employs the 6053
arresting officer, in addition to any action that the arresting 6054
officer is required or authorized to take by section 4511.191 of 6055
the Revised Code or by any other provision of law, shall seize the 6056
vehicle that the person was operating at the time of the alleged 6057
offense and its license plates. Except as otherwise provided in 6058
this division, the officer shall seize the vehicle and its license 6059
plates regardless of whether the vehicle is registered in the name 6060
of the person who was operating it or in the name of another 6061
person or entity. This section does not apply to or affect any 6062
rented or leased vehicle that is being rented or leased for a 6063
period of thirty days or less, except that a law enforcement 6064
agency that employs a law enforcement officer who makes an arrest 6065
of a type that is described in division (B)(1) of this section and 6066
that involves a rented or leased vehicle of this type shall 6067
notify, within twenty-four hours after the officer makes the 6068
arrest, the lessor or owner of the vehicle regarding the 6069
circumstances of the arrest and the location at which the vehicle 6070
may be picked up. At the time of the seizure of the vehicle, the 6071
law enforcement officer who made the arrest shall give the vehicle 6072
operator written notice that the vehicle and its license plates 6073
have been seized; that the vehicle either will be kept by the 6074
officer's law enforcement agency or will be immobilized at least 6075
until the operator's initial appearance on the charge of the 6076
offense for which the arrest was made; that, at the initial 6077
appearance, the court in certain circumstances may order that the 6078
vehicle and license plates be released to the vehicle owner until 6079
the disposition of that charge; that, if the vehicle operator is 6080
convicted of that charge, the court generally must order the 6081
immobilization of the vehicle and the impoundment of its license 6082
plates, or the forfeiture of the vehicle; and that, if the 6083
operator is not the vehicle owner, the operator immediately should 6084

inform the vehicle owner that the vehicle and its license plates 6085
have been seized and that the vehicle owner may be able to obtain 6086
their return or release at the initial appearance or thereafter. 6087

(2) The arresting officer or a law enforcement officer of the 6088
agency that employs the arresting officer shall give written 6089
notice of the seizure to the court that will conduct the initial 6090
appearance of the vehicle operator ~~the vehicle operator~~. The 6091
notice shall be given when the charges are filed against the 6092
vehicle operator. Upon receipt of the notice, the court promptly 6093
shall determine whether the vehicle operator is the vehicle owner 6094
and whether there are any liens recorded on the certificate of 6095
title to the vehicle. If the court determines that the vehicle 6096
operator is not the vehicle owner, it promptly shall send by 6097
regular mail written notice of the seizure of the motor vehicle to 6098
the vehicle owner and to all lienholders recorded on the 6099
certificate of title. The written notice to the vehicle owner and 6100
lienholders shall contain all of the information required by 6101
division (B)(1) of this section to be in a notice to be given to 6102
the vehicle operator and also shall specify the date, time, and 6103
place of the vehicle operator's initial appearance ~~the vehicle~~ 6104
~~operator~~. The notice to the vehicle owner also shall state that if 6105
the vehicle is immobilized under division (A) of section 4503.233 6106
of the Revised Code, seven days after the end of the period of 6107
immobilization a law enforcement agency will send the vehicle 6108
owner a notice, informing the vehicle owner that if the release of 6109
the vehicle is not obtained in accordance with division (D)(3) of 6110
section 4503.233 of the Revised Code, the vehicle shall be 6111
forfeited. The notice also shall inform the vehicle owner that the 6112
vehicle owner may be charged expenses or charges incurred under 6113
this section and section 4503.233 of the Revised Code for the 6114
removal and storage of the vehicle. 6115

The written notice that is given to the vehicle operator or 6116

is sent or delivered to the vehicle owner if the vehicle owner is 6117
not the vehicle operator also shall state that if the vehicle 6118
operator pleads guilty to or is convicted of the offense for which 6119
the vehicle operator was arrested and the court issues an 6120
immobilization and impoundment order relative to that vehicle, 6121
division (D)(4) of section 4503.233 of the Revised Code prohibits 6122
the vehicle from being sold during the period of immobilization 6123
without the prior approval of the court. 6124

Any such notice also shall state that if title to a motor 6125
vehicle that is subject to an order for criminal forfeiture under 6126
this section is assigned or transferred and division (C)(2) or (3) 6127
of section 4503.234 Of the Revised Code applies, the court may 6128
fine the offender the value of the vehicle. 6129

(3) At or before the initial appearance, the vehicle owner 6130
may file a motion requesting the court to order that the vehicle 6131
and its license plates be released to the vehicle owner. Except as 6132
provided in this division and subject to the payment of expenses 6133
or charges incurred in the removal and storage of the vehicle, the 6134
court, in its discretion, then may issue an order releasing the 6135
vehicle and its license plates to the vehicle owner. Such an order 6136
may be conditioned upon such terms as the court determines 6137
appropriate, including the posting of a bond in an amount 6138
determined by the court. If the vehicle operator is not the 6139
vehicle owner and if the vehicle owner is not present at the 6140
vehicle operator's initial appearance, and if the court believes 6141
that the vehicle owner was not provided with adequate notice of 6142
the initial appearance, the court, in its discretion, may allow 6143
the vehicle owner to file a motion within seven days of the 6144
initial appearance. If the court allows the vehicle owner to file 6145
such a motion after the initial appearance, the extension of time 6146
granted by the court does not extend the time within which the 6147
initial appearance is to be conducted. If the court issues an 6148

order for the release of the vehicle and its license plates, a 6149
copy of the order shall be made available to the vehicle owner. If 6150
the vehicle owner presents a copy of the order to the law 6151
enforcement agency that employs the law enforcement officer who 6152
arrested the person who was operating the vehicle, the law 6153
enforcement agency promptly shall release the vehicle and its 6154
license plates to the vehicle owner upon payment by the vehicle 6155
owner of any expenses or charges incurred in the removal and 6156
storage of the vehicle. 6157

(4) A vehicle seized under division (B)(1) of this section 6158
either shall be towed to a place specified by the law enforcement 6159
agency that employs the arresting officer to be safely kept by the 6160
agency at that place for the time and in the manner specified in 6161
this section or shall be otherwise immobilized for the time and in 6162
the manner specified in this section. A law enforcement officer of 6163
that agency shall remove the identification license plates of the 6164
vehicle, and they shall be safely kept by the agency for the time 6165
and in the manner specified in this section. No vehicle that is 6166
seized and either towed or immobilized pursuant to this division 6167
shall be considered contraband for purposes of section 2933.41, 6168
2933.42, or 2933.43 of the Revised Code. The vehicle shall not be 6169
immobilized at any place other than a commercially operated 6170
private storage lot, a place owned by a law enforcement agency or 6171
other government agency, or a place to which one of the following 6172
applies: 6173

(a) The place is leased by or otherwise under the control of 6174
a law enforcement agency or other government agency. 6175

(b) The place is owned by the vehicle operator, the vehicle 6176
operator's spouse, or a parent or child of the vehicle operator. 6177

(c) The place is owned by a private person or entity, and, 6178
prior to the immobilization, the private entity or person that 6179

owns the place, or the authorized agent of that private entity or
person, has given express written consent for the immobilization
to be carried out at that place.

(d) The place is a street or highway on which the vehicle is
parked in accordance with the law.

(C)(1) A vehicle that is seized under division (B) of this
section shall be safely kept at the place to which it is towed or
otherwise moved by the law enforcement agency that employs the
arresting officer until the initial appearance of the vehicle
operator relative to the charge ~~the vehicle operator~~ in question.
The license plates of the vehicle that are removed pursuant to
division (B) of this section shall be safely kept by the law
enforcement agency that employs the arresting officer until the
initial appearance of the vehicle operator relative to the charge
in question.

(2)(a) ~~the vehicle owner's the vehicle owner the vehicle
owner the vehicle owner's the vehicle owner the vehicle owner's
the vehicle owner's the vehicle operator the vehicle owner's the
vehicle owner's the vehicle owner's the vehicle operator The court
also shall notify the arrested person, and the movant if the
movant is not the arrested person, that if title to a motor
vehicle that is subject to an order for criminal forfeiture under
this section is assigned or transferred and division (C)(2) or (3)
of section 4503.234 of the Revised Code applies, the court may
fine the offender the value of the vehicle. the vehicle owner's
If, at the initial appearance, the vehicle operator pleads guilty
to the violation of division (A) of section 4511.19 of the Revised
Code or of the municipal OMVI ordinance or pleads no contest to
and is convicted of the violation, the court shall impose sentence
upon the vehicle operator as provided by law or ordinance; the
court, except as provided in this division and subject to section
4503.235 of the Revised Code, shall order the immobilization of~~

the vehicle and the impoundment of its license plates under 6212
section 4503.233 and section 4511.193 or 4511.99 of the Revised 6213
Code, or the criminal forfeiture of the vehicle under section 6214
4503.234 and section 4511.193 or 4511.99 of the Revised Code, 6215
whichever is applicable; and the vehicle and its license plates 6216
shall not be returned or released to the vehicle owner. If the 6217
vehicle operator is not the vehicle owner and the vehicle owner 6218
~~the vehicle owner's~~ is not present at the vehicle operator's 6219
initial appearance and if the court believes that the vehicle 6220
owner was not provided adequate notice of the initial appearance, 6221
the court, in its discretion, may refrain for a period of time not 6222
exceeding seven days from ordering the immobilization of the 6223
vehicle and the impoundment of its license plates, or the criminal 6224
forfeiture of the vehicle so that the vehicle owner ~~the vehicle~~ 6225
~~owner's~~ may appear before the court to present evidence as to why 6226
the court should not order the immobilization of the vehicle and 6227
the impoundment of its license plates, or the criminal forfeiture 6228
of the vehicle. If the court refrains from ordering the 6229
immobilization of the vehicle and the impoundment of its license 6230
plates, or the criminal forfeiture of the vehicle, section 6231
4503.235 of the Revised Code applies relative to the order of 6232
immobilization and impoundment, or the order of forfeiture. 6233

(b) If, at any time, the charge that the vehicle operator 6234
violated division (A) of section 4511.19 of the Revised Code or 6235
the municipal OMVI ordinance is dismissed for any reason, the 6236
court shall order that the vehicle seized at the time of the 6237
arrest and its license plates immediately be released to the 6238
vehicle owner subject to the payment of expenses or ~~the vehicle~~ 6239
~~owner's~~ charges incurred in the removal and storage of the 6240
vehicle. 6241

(D) If a vehicle is seized under division (B) of this section 6242
~~the vehicle operator OMVI~~ and is not returned or released to the 6243

vehicle owner ~~the vehicle owner's~~ pursuant to division (C) of this 6244
section, the vehicle or its license plates shall be retained until 6245
the final disposition of the charge in question. Upon the final 6246
disposition of that charge, the court shall do whichever of the 6247
following is applicable: 6248

(1) If the vehicle operator is convicted of or pleads guilty 6249
to the violation of division (A) of section 4511.19 of the Revised 6250
Code or of the municipal OMVI ordinance, the court shall impose 6251
sentence upon the vehicle operator as provided by law or ordinance 6252
and, subject to section 4503.235 of the Revised Code, shall order 6253
the immobilization of the vehicle the vehicle operator was 6254
operating at the time of, or that was involved in, the offense and 6255
the impoundment of its license plates under section 4503.233 and 6256
section 4511.193 or 4511.99 of the Revised Code, or the criminal 6257
forfeiture of the vehicle under section 4503.234 and section 6258
4511.193 or 4511.99 of the Revised Code, whichever is applicable. 6259

(2) If the vehicle operator is found not guilty of the 6260
violation of division (A) of section 4511.19 of the Revised Code 6261
or of the municipal OMVI ordinance, the court shall order that the 6262
vehicle and its license plates immediately be released to the 6263
vehicle owner upon the payment of any expenses or ~~the vehicle~~ 6264
~~owner's~~ charges incurred in its removal and storage. 6265

(3) If the charge that the vehicle operator violated division 6266
(A) of section 4511.19 of the Revised Code or the municipal OMVI 6267
ordinance is dismissed for any reason, the court shall order that 6268
the vehicle and its license plates immediately be released to the 6269
vehicle owner upon the payment of any expenses or ~~the vehicle~~ 6270
~~owner's~~ charges incurred in its removal and storage. 6271

~~the vehicle operator the vehicle owner's the vehicle owner's~~ 6272
~~the vehicle operator OMVI~~ 6273

(E) If a vehicle is seized under division (B) of this 6274

section, the time between the seizure of the vehicle and either 6275
its release to the vehicle owner ~~the vehicle owner's~~ under 6276
division (C) of this section or the issuance of an order of 6277
immobilization of the vehicle under section 4503.233 of the 6278
Revised Code shall be credited against the period of 6279
immobilization ordered by the court. 6280

(F)(1) The vehicle owner may be charged expenses or charges 6281
incurred in the removal and storage of the immobilized vehicle. 6282
The court with jurisdiction over the case, after notice to all 6283
interested parties, including lienholders, and after an 6284
opportunity for them to be heard, if the vehicle owner fails to 6285
appear in person, without good cause, or if the court finds that 6286
the vehicle owner does not intend to seek release of the vehicle 6287
at the end of the period of immobilization under section 4503.233 6288
of the Revised Code or that the vehicle owner is not or will not 6289
be able to pay the expenses and charges incurred in its removal 6290
and storage, may order that title to the vehicle be transferred, 6291
in order of priority, first into the name of the person or entity 6292
that removed it, next into the name of a lienholder, or lastly 6293
into the name of the owner of the place of storage. 6294

Any lienholder that receives title under a court order shall 6295
do so on the condition that it pay any expenses or charges 6296
incurred in the vehicle's removal and storage. If the person or 6297
entity that receives title to the vehicle is the person or entity 6298
that removed it, the person or entity shall receive title on the 6299
condition that it pay any lien on the vehicle. The court shall not 6300
order that title be transferred to any person or entity other than 6301
the owner of the place of storage if the person or entity refuses 6302
to receive the title. Any person or entity that receives title 6303
either may keep title to the vehicle or may dispose of the vehicle 6304
in any legal manner that it considers appropriate, including 6305
assignment of the certificate of title to the motor vehicle to a 6306

salvage dealer or a scrap metal processing facility. The person or
entity shall not transfer the vehicle to the person who is the
vehicle's immediate previous owner.

If the person or entity assigns the motor vehicle to a
salvage dealer or scrap metal processing facility, the person or
entity shall send the assigned certificate of title to the motor
vehicle to the clerk of the court of common pleas of the county in
which the salvage dealer or scrap metal processing facility is
located. The person or entity shall mark the face of the
certificate of title with the words "for destruction" and shall
deliver a photocopy of the certificate of title to the salvage
dealer or scrap metal processing facility for its records.

(2) Whenever a court issues an order under division (F)(1) of
this section, the court also shall order removal of the license
plates from the vehicle and cause them to be sent to the registrar
of motor vehicles if they have not already been sent to the
registrar. Thereafter, no further proceedings shall take place
under this section or under section 4503.233 of the Revised Code.

(3) Prior to initiating a proceeding under division (F)(1) of
this section, and upon payment of the fee under division (B) of
section 4505.14 of the Revised Code, any interested party may
cause a search to be made of the public records of the bureau of
motor vehicles or the clerk of the court of common pleas, to
ascertain the identity of any lienholder of the vehicle. The
initiating party shall furnish this information to the clerk of
the court with jurisdiction over the case, and the clerk shall
provide notice to the vehicle owner, the defendant, any
lienholder, and any other interested parties listed by the
initiating party, at the last known address supplied by the
initiating party, by certified mail or, at the option of the
initiating party, by personal service or ordinary mail.

~~the vehicle operator~~ 6338

Sec. 4511.196. (A) If a person is arrested for operating a 6339
vehicle while under the influence of alcohol, a drug of abuse, or 6340
alcohol and a drug of abuse or for operating a vehicle with a 6341
prohibited concentration of alcohol in the blood, breath, or urine 6342
and regardless of whether the person's driver's or commercial 6343
driver's license or permit or nonresident operating privilege is 6344
or is not suspended under division (E) or (F) of section 4511.191 6345
of the Revised Code, the person's initial appearance on the charge 6346
resulting from the arrest shall be held within five days of the 6347
person's arrest or the issuance of the citation to ~~him, subject to~~ 6348
~~any continuance granted by the court pursuant to division (H)(1)~~ 6349
~~of section 4511.191 of the Revised Code~~ person. 6350

(B)(1) If a person is arrested as described in division (A) 6351
of this section, if the person's driver's or commercial driver's 6352
license or permit or nonresident operating privilege has been 6353
suspended under division (E) or (F) of section 4511.191 of the 6354
Revised Code in relation to that arrest, if the person ~~at his~~ 6355
~~initial appearance on the charge resulting from the arrest~~ appeals 6356
the suspension in accordance with division (H)(1) of that section, 6357
and if the judge, ~~referee~~ magistrate, or mayor ~~at the initial~~ 6358
~~appearance~~ terminates the suspension in accordance with division 6359
(H)(2) of that section, the judge, ~~referee~~ magistrate, or mayor ~~at~~ 6360
~~the initial appearance~~ may impose a new suspension of the person's 6361
license, permit, or nonresident operating privilege, 6362
notwithstanding the termination of the suspension imposed under 6363
division (E) or (F) of section 4511.191 of the Revised Code, if 6364
the judge, ~~referee~~ magistrate, or mayor determines ~~at the initial~~ 6365
~~appearance~~ that the person's continued driving will be a threat to 6366
public safety. 6367

(2) If a person is arrested as described in division (A) of 6368

this section and if the person's driver's or commercial driver's
license or permit or nonresident operating privilege has not been
suspended under division (E) or (F) of section 4511.191 of the
Revised Code in relation to that arrest, the judge, ~~referee~~
~~magistrate~~, or mayor ~~at the person's initial appearance on the~~
~~charge resulting from the arrest~~ may impose a new suspension of
the person's license, permit, or nonresident operating privilege
if the judge, referee, or mayor determines ~~at the initial~~
~~appearance~~ that the person's continued driving will be a threat to
public safety.

(C) A suspension of a person's driver's or commercial
driver's license or permit or nonresident operating privilege
under division (B)(1) or (2) of this section ~~shall be imposed at~~
~~the person's initial appearance on the charge resulting from the~~
~~arrest and~~ shall continue until the complaint on the charge
resulting from the arrest is adjudicated on the merits ~~by the~~
~~judge or referee of the trial court or the mayor of the mayor's~~
~~court~~. A court that imposes a suspension under division (B)(2) of
this section shall send the person's driver's license or permit to
the registrar. If the court possesses the driver's or commercial
driver's license or permit of a person in the category described
in division (B)(2) of this section and the court does not impose a
suspension under division (B)(2) of this section, the court shall
return the license or permit to the person if the license or
permit has not otherwise been suspended or revoked.

Any time during which the person serves a suspension of ~~his~~
the person's driver's or commercial driver's license or permit or
nonresident operating privilege that is imposed pursuant to
division (B)(1) or (2) of this section shall be credited against
any judicial suspension of ~~his~~ the person's license, permit, or
nonresident operating privilege that is imposed pursuant to
division (B) of section 4507.16 of the Revised Code.

~~A suspension imposed pursuant to division (B)(1) or (2) of this section shall terminate if the person subsequently is found not guilty of the charge resulting from the arrest.~~

Sec. 4511.62. (A)(1) Whenever any person driving a vehicle or trackless trolley approaches a railroad grade crossing ~~under any of the circumstances stated in this section, he~~ the person shall stop within fifty feet, but not less than fifteen feet from the nearest rail of the railroad, ~~and shall not proceed until he can do so safely. The foregoing requirements shall apply when if any of the following circumstances exist at the crossing:~~

~~(1)(a)~~ A clearly visible electric or mechanical signal device gives warning of the immediate approach of a train.

~~(2)(b)~~ A crossing gate is lowered.

~~(3)(c)~~ A ~~human flagman~~ flagperson gives or continues to give a signal of the approach or passage of a train.

~~(4)~~ A train approaching within approximately one thousand five hundred feet (d) there is insufficient space on the other side of the highway railroad grade crossing emits a signal audible from that distance and the train, by reason of its speed or nearness to accommodate the crossing, is an immediate hazard; vehicle or trackless trolley the person is operating without obstructing the passage of other vehicles, trackless trolleys, pedestrians, or railroad trains, notwithstanding any traffic control signal indication to proceed.

~~(5)(e)~~ An approaching train is emitting an audible signal or is plainly visible and is in hazardous proximity to the crossing.

(2) A person who is driving a vehicle or trackless trolley and who approaches a railroad grade crossing shall not proceed as long as any of the circumstances described in divisions (A)(1)(a) to (e) of this section exist at the crossing.

(B) No person shall drive any vehicle through, around, or 6431
under any crossing gate or barrier at a railroad crossing while 6432
the gate or barrier is closed or is being opened or closed unless 6433
the person is signaled by a law enforcement officer or flagperson 6434
that it is permissible to do so. 6435

Sec. 4511.76. (A) The department of ~~education~~ public safety, 6436
by and with the advice ~~and consent~~ of the ~~director~~ superintendent 6437
of public ~~safety~~ instruction, shall adopt and enforce ~~regulations~~ 6438
rules relating to the construction, design, and equipment, 6439
including lighting equipment required by section 4511.771 of the 6440
Revised Code, ~~and operation~~ of all school buses ~~owned and operated~~ 6441
~~by any school district or both publicly and~~ privately owned and 6442
operated ~~under contract with any school district~~ in this state. 6443
~~When such buses are privately owned and operated under contract~~ 6444
~~with any school district in this state, these regulations shall,~~ 6445
~~by reference, be made a part of any such contract with a school~~ 6446
~~district. Every school district, its officers and employees, and~~ 6447
~~every person employed under contract by a school district shall be~~ 6448
~~subject to such regulations.~~ 6449

~~Any officer or employee of any school district who violates~~ 6450
~~any such regulation, or who fails to include the obligation to~~ 6451
~~comply with such regulations in any contract executed by him on~~ 6452
~~behalf of a school district, is guilty of misconduct and subject~~ 6453
~~to removal from office or employment. Any person operating a~~ 6454
~~school bus under contract with a school district who fails to~~ 6455
~~comply with any such regulation is guilty of a breach of contract,~~ 6456
~~and such contract shall be canceled by the responsible officers of~~ 6457
~~such school district.~~ 6458

~~No person shall operate such a school bus within this state~~ 6459
~~in violation of the regulations of the department of education. No~~ 6460
~~person, being the owner thereof or having the supervisory~~ 6461

~~responsibility therefor, shall permit the operation of such a~~ 6462
~~school bus within this state in violation of the regulations of~~ 6463
~~the department of education.~~ 6464

(B) The department of ~~public safety~~ education, by and with 6465
the advice of the director of public safety, shall adopt and 6466
enforce ~~such regulations as relate~~ rules relating to the ~~safety of~~ 6467
~~the construction, design, equipment, and operation of all school~~ 6468
~~buses not subject to the regulations of the department of~~ 6469
~~education pursuant to division (A) of this section. Such~~ 6470
~~regulations shall be adopted pursuant to Chapter 119. of the~~ 6471
~~Revised Code~~ both publicly and privately owned and operated in 6472
this state. 6473

(C) No person shall operate ~~such~~ a school bus within this 6474
state in violation of the ~~regulations~~ rules of the department of 6475
education or the department of public safety. No person, being the 6476
owner thereof or having the supervisory responsibility therefor, 6477
shall permit the operation of ~~such~~ a school bus within this state 6478
in violation of the ~~regulations~~ rules of the department of 6479
education or the department of public safety. 6480

~~(C)~~(D) The department of public safety shall adopt and 6481
enforce ~~such regulations as relate~~ rules relating to the issuance 6482
of a license under section 4511.763 of the Revised Code. ~~Such~~ 6483
~~regulations~~ The rules may relate to the moral character of the 6484
applicant; the condition of the equipment to be operated; the 6485
liability and property damage insurance carried by the applicant; 6486
the posting of satisfactory and sufficient bond; and such other 6487
~~rules and regulations~~ as the director of public safety ~~deems~~ 6488
determines reasonably necessary for the safety of the pupils to be 6489
transported. 6490

Sec. 4511.99. (A) Whoever violates division (A) of section 6491
4511.19 of the Revised Code, in addition to the license suspension 6492

or revocation provided in section 4507.16 of the Revised Code and 6493
any disqualification imposed under section 4506.16 of the Revised 6494
Code, shall be punished as provided in division (A)(1), (2), (3), 6495
or (4) of this section. 6496

(1) Except as otherwise provided in division (A)(2), (3), or 6497
(4) of this section, the offender is guilty of a misdemeanor of 6498
the first degree and the court shall sentence the offender to a 6499
term of imprisonment of three consecutive days and may sentence 6500
the offender pursuant to section 2929.21 of the Revised Code to a 6501
longer term of imprisonment. In addition, the court shall impose 6502
upon the offender a fine of not less than two hundred and not more 6503
than one thousand dollars. 6504

The court may suspend the execution of the mandatory three 6505
consecutive days of imprisonment that it is required to impose by 6506
this division, if the court, in lieu of the suspended term of 6507
imprisonment, places the offender on probation and requires the 6508
offender to attend, for three consecutive days, a drivers' 6509
intervention program that is certified pursuant to section 3793.10 6510
of the Revised Code. The court also may suspend the execution of 6511
any part of the mandatory three consecutive days of imprisonment 6512
that it is required to impose by this division, if the court 6513
places the offender on probation for part of the three consecutive 6514
days; requires the offender to attend, for that part of the three 6515
consecutive days, a drivers' intervention program that is 6516
certified pursuant to section 3793.10 of the Revised Code; and 6517
sentences the offender to a term of imprisonment equal to the 6518
remainder of the three consecutive days that the offender does not 6519
spend attending the drivers' intervention program. The court may 6520
require the offender, as a condition of probation, to attend and 6521
satisfactorily complete any treatment or education programs that 6522
comply with the minimum standards adopted pursuant to Chapter 6523
3793. of the Revised Code by the director of alcohol and drug 6524

addiction services, in addition to the required attendance at a
drivers' intervention program, that the operators of the drivers'
intervention program determine that the offender should attend and
to report periodically to the court on the offender's progress in
the programs. The court also may impose any other conditions of
probation on the offender that it considers necessary.

Of the fine imposed pursuant to this division, twenty-five
dollars shall be paid to an enforcement and education fund
established by the legislative authority of the law enforcement
agency in this state that primarily was responsible for the arrest
of the offender, as determined by the court that imposes the fine.
This share shall be used by the agency to pay only those costs it
incurs in enforcing section 4511.19 of the Revised Code or a
substantially similar municipal ordinance and in informing the
public of the laws governing the operation of a motor vehicle
while under the influence of alcohol, the dangers of operating a
motor vehicle while under the influence of alcohol, and other
information relating to the operation of a motor vehicle and the
consumption of alcoholic beverages. Twenty-five dollars of the
fine imposed pursuant to this division shall be deposited into the
county indigent drivers alcohol treatment fund or municipal
indigent drivers alcohol treatment fund under the control of that
court, as created by the county or municipal corporation pursuant
to division (N) of section 4511.191 of the Revised Code. The
balance of the fine shall be disbursed as otherwise provided by
law.

(2)(a) Except as otherwise provided in division (A)(4) of
this section, if, within six years of the offense, the offender
has been convicted of or pleaded guilty to one violation of
division (A) or (B) of section 4511.19 of the Revised Code, a
municipal ordinance relating to operating a vehicle while under
the influence of alcohol, a drug of abuse, or alcohol and a drug

of abuse, a municipal ordinance relating to operating a vehicle 6557
with a prohibited concentration of alcohol in the blood, breath, 6558
or urine, section 2903.04 of the Revised Code in a case in which 6559
the offender was subject to the sanctions described in division 6560
(D) of that section, section 2903.06, 2903.07, or 2903.08 of the 6561
Revised Code or a municipal ordinance that is substantially 6562
similar to section 2903.07 of the Revised Code in a case in which 6563
the jury or judge found that the offender was under the influence 6564
of alcohol, a drug of abuse, or alcohol and a drug of abuse, or a 6565
statute of the United States or of any other state or a municipal 6566
ordinance of a municipal corporation located in any other state 6567
that is substantially similar to division (A) or (B) of section 6568
4511.19 of the Revised Code, the offender is guilty of a 6569
misdemeanor of the first degree and, except as provided in this 6570
division, the court shall sentence the offender to a term of 6571
imprisonment of ten consecutive days and may sentence the offender 6572
pursuant to section 2929.21 of the Revised Code to a longer term 6573
of imprisonment. As an alternative to the term of imprisonment 6574
required to be imposed by this division, but subject to division 6575
(A)(8) of this section, the court may impose upon the offender a 6576
sentence consisting of both a term of imprisonment of five 6577
consecutive days and not less than eighteen consecutive days of 6578
electronically monitored house arrest as defined in division (A) 6579
of section 2929.23 of the Revised Code. The five consecutive days 6580
of imprisonment and the period of electronically monitored house 6581
arrest shall not exceed six months. The five consecutive days of 6582
imprisonment do not have to be served prior to or consecutively 6583
with the period of electronically monitored house arrest. 6584

In addition, the court shall impose upon the offender a fine 6585
of not less than three hundred and not more than one thousand five 6586
hundred dollars. 6587

In addition to any other sentence that it imposes upon the 6588

offender, the court may require the offender to attend a drivers' 6589
intervention program that is certified pursuant to section 3793.10 6590
of the Revised Code. If the officials of the drivers' intervention 6591
program determine that the offender is alcohol dependent, they 6592
shall notify the court, and the court shall order the offender to 6593
obtain treatment through an alcohol and drug addiction program 6594
authorized by section 3793.02 of the Revised Code. The cost of the 6595
treatment shall be paid by the offender. 6596

Of the fine imposed pursuant to this division, thirty-five 6597
dollars shall be paid to an enforcement and education fund 6598
established by the legislative authority of the law enforcement 6599
agency in this state that primarily was responsible for the arrest 6600
of the offender, as determined by the court that imposes the fine. 6601
This share shall be used by the agency to pay only those costs it 6602
incurs in enforcing division (A) of section 4511.19 of the Revised 6603
Code or a substantially similar municipal ordinance and in 6604
informing the public of the laws governing the operation of a 6605
motor vehicle while under the influence of alcohol, the dangers of 6606
operating a motor vehicle while under the influence of alcohol, 6607
and other information relating to the operation of a motor vehicle 6608
and the consumption of alcoholic beverages. Sixty-five dollars of 6609
the fine imposed pursuant to this division shall be paid to the 6610
political subdivision responsible for housing the offender during 6611
the offender's term of incarceration. This share shall be used by 6612
the political subdivision to pay or reimburse incarceration costs 6613
it incurs in housing persons who violate section 4511.19 of the 6614
Revised Code or a substantially similar municipal ordinance and to 6615
pay for ignition interlock devices and electronic house arrest 6616
equipment for persons who violate that section, and shall be paid 6617
to the credit of the fund that pays the cost of the incarceration. 6618
Fifty dollars of the fine imposed pursuant to this division shall 6619
be deposited into the county indigent drivers alcohol treatment 6620

fund or municipal indigent drivers alcohol treatment fund under 6621
the control of that court, as created by the county or municipal 6622
corporation pursuant to division (N) of section 4511.191 of the 6623
Revised Code. The balance of the fine shall be disbursed as 6624
otherwise provided by law. 6625

(b) Regardless of whether the vehicle the offender was 6626
operating at the time of the offense is registered in the 6627
offender's name or in the name of another person, the court, in 6628
addition to the penalties imposed under division (A)(2)(a) of this 6629
section and all other penalties provided by law and subject to 6630
section 4503.235 of the Revised Code, shall order the 6631
immobilization for ninety days of the vehicle the offender was 6632
operating at the time of the offense and the impoundment for 6633
ninety days of the identification license plates of that vehicle. 6634
The order for the immobilization and impoundment shall be issued 6635
and enforced in accordance with section 4503.233 of the Revised 6636
Code. 6637

(3)(a) Except as otherwise provided in division (A)(4) of 6638
this section, if, within six years of the offense, the offender 6639
has been convicted of or pleaded guilty to two violations of 6640
division (A) or (B) of section 4511.19 of the Revised Code, a 6641
municipal ordinance relating to operating a vehicle while under 6642
the influence of alcohol, a drug of abuse, or alcohol and a drug 6643
of abuse, a municipal ordinance relating to operating a vehicle 6644
with a prohibited concentration of alcohol in the blood, breath, 6645
or urine, section 2903.04 of the Revised Code in a case in which 6646
the offender was subject to the sanctions described in division 6647
(D) of that section, section 2903.06, 2903.07, or 2903.08 of the 6648
Revised Code or a municipal ordinance that is substantially 6649
similar to section 2903.07 of the Revised Code in a case in which 6650
the jury or judge found that the offender was under the influence 6651
of alcohol, a drug of abuse, or alcohol and a drug of abuse, or a 6652

statute of the United States or of any other state or a municipal ordinance of a municipal corporation located in any other state that is substantially similar to division (A) or (B) of section 4511.19 of the Revised Code, except as provided in this division, the court shall sentence the offender to a term of imprisonment of thirty consecutive days and may sentence the offender to a longer definite term of imprisonment of not more than one year. As an alternative to the term of imprisonment required to be imposed by this division, but subject to division (A)(8) of this section, the court may impose upon the offender a sentence consisting of both a term of imprisonment of fifteen consecutive days and not less than fifty-five consecutive days of electronically monitored house arrest as defined in division (A) of section 2929.23 of the Revised Code. The fifteen consecutive days of imprisonment and the period of electronically monitored house arrest shall not exceed one year. The fifteen consecutive days of imprisonment do not have to be served prior to or consecutively with the period of electronically monitored house arrest.

In addition, the court shall impose upon the offender a fine of not less than five hundred and not more than two thousand five hundred dollars.

In addition to any other sentence that it imposes upon the offender, the court shall require the offender to attend an alcohol and drug addiction program authorized by section 3793.02 of the Revised Code. The cost of the treatment shall be paid by the offender. If the court determines that the offender is unable to pay the cost of attendance at the treatment program, the court may order that payment of the cost of the offender's attendance at the treatment program be made from that court's indigent drivers alcohol treatment fund.

Of the fine imposed pursuant to this division, one hundred twenty-three dollars shall be paid to an enforcement and education

fund established by the legislative authority of the law 6685
enforcement agency in this state that primarily was responsible 6686
for the arrest of the offender, as determined by the court that 6687
imposes the fine. This share shall be used by the agency to pay 6688
only those costs it incurs in enforcing section 4511.19 of the 6689
Revised Code or a substantially similar municipal ordinance and in 6690
informing the public of the laws governing the operation of a 6691
motor vehicle while under the influence of alcohol, the dangers of 6692
operating a motor vehicle while under the influence of alcohol, 6693
and other information relating to the operation of a motor vehicle 6694
and the consumption of alcoholic beverages. Two hundred 6695
twenty-seven dollars of the fine imposed pursuant to this division 6696
shall be paid to the political subdivision responsible for housing 6697
the offender during the offender's term of incarceration. This 6698
share shall be used by the political subdivision to pay or 6699
reimburse incarceration costs it incurs in housing persons who 6700
violate division (A) of section 4511.19 of the Revised Code or a 6701
substantially similar municipal ordinance and to pay for ignition 6702
interlock devices and electronic house arrest equipment for 6703
persons who violate that section and shall be paid to the credit 6704
of the fund that pays the cost of incarceration. The balance of 6705
the fine shall be disbursed as otherwise provided by law. 6706

(b) Regardless of whether the vehicle the offender was 6707
operating at the time of the offense is registered in the 6708
offender's name or in the name of another person, the court, in 6709
addition to the penalties imposed under division (A)(3)(a) of this 6710
section and all other penalties provided by law and subject to 6711
section 4503.235 of the Revised Code, shall order the 6712
immobilization for one hundred eighty days of the vehicle the 6713
offender was operating at the time of the offense and the 6714
impoundment for one hundred eighty days of the identification 6715
license plates of that vehicle. The order for the immobilization 6716

and impoundment shall be issued and enforced in accordance with
section 4503.233 of the Revised Code.

6717
6718

(4)(a) If, within six years of the offense, the offender has
been convicted of or pleaded guilty to three or more violations of
division (A) or (B) of section 4511.19 of the Revised Code, a
municipal ordinance relating to operating a vehicle while under
the influence of alcohol, a drug of abuse, or alcohol and a drug
of abuse, a municipal ordinance relating to operating a vehicle
with a prohibited concentration of alcohol in the blood, breath,
or urine, section 2903.04 of the Revised Code in a case in which
the offender was subject to the sanctions described in division
(D) of that section, section 2903.06, 2903.07, or 2903.08 of the
Revised Code or a municipal ordinance that is substantially
similar to section 2903.07 of the Revised Code in a case in which
the jury or judge found that the offender was under the influence
of alcohol, a drug of abuse, or alcohol and a drug of abuse, or a
statute of the United States or of any other state or a municipal
ordinance of a municipal corporation located in any other state
that is substantially similar to division (A) or (B) of section
4511.19 of the Revised Code, or if the offender previously has
been convicted of or pleaded guilty to a violation of division (A)
of section 4511.19 of the Revised Code under circumstances in
which the violation was a felony and regardless of when the
violation and the conviction or guilty plea occurred, the offender
is guilty of a felony of the fourth degree. The court shall
sentence the offender in accordance with sections 2929.11 to
2929.19 of the Revised Code and shall impose as part of the
sentence a mandatory term of local incarceration of sixty
consecutive days of imprisonment in accordance with division
(G)(1) of section 2929.13 of the Revised Code or a mandatory
prison term of sixty consecutive days of imprisonment in
accordance with division (G)(2) of that section, whichever is

6719
6720
6721
6722
6723
6724
6725
6726
6727
6728
6729
6730
6731
6732
6733
6734
6735
6736
6737
6738
6739
6740
6741
6742
6743
6744
6745
6746
6747
6748

applicable. If the offender is required to serve a mandatory term 6749
of local incarceration of sixty consecutive days of imprisonment 6750
in accordance with division (G)(1) of section 2929.13 of the 6751
Revised Code, the court, pursuant to section 2929.17 of the 6752
Revised Code, may impose upon the offender a sentence that 6753
includes a term of electronically monitored house arrest, provided 6754
that the term of electronically monitored house arrest shall not 6755
commence until after the offender has served the mandatory term of 6756
local incarceration. 6757

In addition to all other sanctions imposed, the court shall 6758
impose upon the offender, pursuant to section 2929.18 of the 6759
Revised Code, a fine of not less than seven hundred fifty nor more 6760
than ten thousand dollars. 6761

In addition to any other sanction that it imposes upon the 6762
offender, the court shall require the offender to attend an 6763
alcohol and drug addiction program authorized by section 3793.02 6764
of the Revised Code. The cost of the treatment shall be paid by 6765
the offender. If the court determines that the offender is unable 6766
to pay the cost of attendance at the treatment program, the court 6767
may order that payment of the cost of the offender's attendance at 6768
the treatment program be made from the court's indigent drivers 6769
alcohol treatment fund. 6770

Of the fine imposed pursuant to this division, two hundred 6771
ten dollars shall be paid to an enforcement and education fund 6772
established by the legislative authority of the law enforcement 6773
agency in this state that primarily was responsible for the arrest 6774
of the offender, as determined by the court that imposes the fine. 6775
This share shall be used by the agency to pay only those costs it 6776
incurs in enforcing section 4511.19 of the Revised Code or a 6777
substantially similar municipal ordinance and in informing the 6778
public of the laws governing operation of a motor vehicle while 6779
under the influence of alcohol, the dangers of operation of a 6780

motor vehicle while under the influence of alcohol, and other 6781
information relating to the operation of a motor vehicle and the 6782
consumption of alcoholic beverages. Three hundred ninety dollars 6783
of the fine imposed pursuant to this division shall be paid to the 6784
political subdivision responsible for housing the offender during 6785
the offender's term of incarceration. This share shall be used by 6786
the political subdivision to pay or reimburse incarceration costs 6787
it incurs in housing persons who violate division (A) of section 6788
4511.19 of the Revised Code or a substantially similar municipal 6789
ordinance and to pay for ignition interlock devices and electronic 6790
house arrest equipment for persons who violate that section, and 6791
shall be paid to the credit of the fund that pays the cost of 6792
incarceration. The balance of the fine shall be disbursed as 6793
otherwise provided by law. 6794

(b) Regardless of whether the vehicle the offender was 6795
operating at the time of the offense is registered in the 6796
offender's name or in the name of another person, the court, in 6797
addition to the sanctions imposed under division (A)(4)(a) of this 6798
section and all other sanctions provided by law and subject to 6799
section 4503.235 of the Revised Code, shall order the criminal 6800
forfeiture to the state of the vehicle the offender was operating 6801
at the time of the offense. The order of criminal forfeiture shall 6802
be issued and enforced in accordance with section 4503.234 of the 6803
Revised Code. 6804

(c) As used in division (A)(4)(a) of this section, "mandatory 6805
prison term" and "mandatory term of local incarceration" have the 6806
same meanings as in section 2929.01 of the Revised Code. 6807

6808
If title to a motor vehicle that is subject to an order for 6809
criminal forfeiture under this section is assigned or transferred 6810
and division (C)(2) or (3) of section 4503.234 of the Revised Code 6811
applies, in addition to or independent of any other penalty 6812

established by law, the court may fine the offender the value of
the vehicle as determined by publications of the national auto
dealer's association. The proceeds from any fine imposed under
this division shall be distributed in accordance with division
(D)(4) of section 4503.234 of the Revised Code.

(5)(a) Except as provided in division (A)(5)(b) of this
section, upon a showing that imprisonment would seriously affect
the ability of an offender sentenced pursuant to division (A)(1),
(2), (3), or (4) of this section to continue the offender's
employment, the court may authorize that the offender be granted
work release from imprisonment after the offender has served the
three, ten, or thirty consecutive days of imprisonment or the
mandatory term of local incarceration of sixty consecutive days
that the court is required by division (A)(1), (2), (3), or (4) of
this section to impose. No court shall authorize work release from
imprisonment during the three, ten, or thirty consecutive days of
imprisonment or the mandatory term of local incarceration or
mandatory prison term of sixty consecutive days that the court is
required by division (A)(1), (2), (3), or (4) of this section to
impose. The duration of the work release shall not exceed the time
necessary each day for the offender to commute to and from the
place of employment and the place of imprisonment and the time
actually spent under employment.

(b) An offender who is sentenced pursuant to division (A)(2)
or (3) of this section to a term of imprisonment followed by a
period of electronically monitored house arrest is not eligible
for work release from imprisonment, but that person shall be
permitted work release during the period of electronically
monitored house arrest. The duration of the work release shall not
exceed the time necessary each day for the offender to commute to
and from the place of employment and the offender's home or other
place specified by the sentencing court and the time actually

spent under employment.

6845

(6) Notwithstanding any section of the Revised Code that
authorizes the suspension of the imposition or execution of a
sentence, the placement of an offender in any treatment program in
lieu of imprisonment, or the use of a community control sanction
for an offender convicted of a felony, no court shall suspend the
ten or thirty consecutive days of imprisonment required to be
imposed on an offender by division (A)(2) or (3) of this section,
no court shall place an offender who is sentenced pursuant to
division (A)(2), (3), or (4) of this section in any treatment
program in lieu of imprisonment until after the offender has
served the ten or thirty consecutive days of imprisonment or the
mandatory term of local incarceration or mandatory prison term of
sixty consecutive days required to be imposed pursuant to division
(A)(2), (3), or (4) of this section, no court that sentences an
offender under division (A)(4) of this section shall impose any
sanction other than a mandatory term of local incarceration or
mandatory prison term to apply to the offender until after the
offender has served the mandatory term of local incarceration or
mandatory prison term of sixty consecutive days required to be
imposed pursuant to division (A)(4) of this section, and no court
that imposes a sentence of imprisonment and a period of
electronically monitored house arrest upon an offender under
division (A)(2) or (3) of this section shall suspend any portion
of the sentence or place the offender in any treatment program in
lieu of imprisonment or electronically monitored house arrest.
Notwithstanding any section of the Revised Code that authorizes
the suspension of the imposition or execution of a sentence or the
placement of an offender in any treatment program in lieu of
imprisonment, no court, except as specifically authorized by
division (A)(1) of this section, shall suspend the three
consecutive days of imprisonment required to be imposed by

6846

6847

6848

6849

6850

6851

6852

6853

6854

6855

6856

6857

6858

6859

6860

6861

6862

6863

6864

6865

6866

6867

6868

6869

6870

6871

6872

6873

6874

6875

6876

division (A)(1) of this section or place an offender who is 6877
sentenced pursuant to division (A)(1) of this section in any 6878
treatment program in lieu of imprisonment until after the offender 6879
has served the three consecutive days of imprisonment required to 6880
be imposed pursuant to division (A)(1) of this section. 6881

(7) No court shall sentence an offender to an alcohol 6882
treatment program pursuant to division (A)(1), (2), (3), or (4) of 6883
this section unless the treatment program complies with the 6884
minimum standards adopted pursuant to Chapter 3793. of the Revised 6885
Code by the director of alcohol and drug addiction services. 6886

(8) No court shall impose the alternative sentence of a term 6887
of imprisonment of five consecutive days plus not less than 6888
eighteen consecutive days of electronically monitored house arrest 6889
permitted to be imposed by division (A)(2) of this section, or the 6890
alternative sentence of a term of imprisonment of fifteen 6891
consecutive days plus not less than fifty-five consecutive days of 6892
electronically monitored house arrest permitted to be imposed 6893
pursuant to division (A)(3) of this section, unless within sixty 6894
days of the date of sentencing, the court issues a written 6895
finding, entered into the record, that due to the unavailability 6896
of space at the incarceration facility where the offender is 6897
required to serve the term of imprisonment imposed upon the 6898
offender, the offender will not be able to commence serving the 6899
term of imprisonment within the sixty-day period following the 6900
date of sentencing. If the court issues such a finding, the court 6901
may impose the alternative sentence comprised of a term of 6902
imprisonment and a term of electronically monitored house arrest 6903
permitted to be imposed by division (A)(2) or (3) of this section. 6904

(B) Whoever violates section 4511.192, 4511.251, or 4511.85 6905
of the Revised Code is guilty of a misdemeanor of the first 6906
degree. The court, in addition to or independent of all other 6907
penalties provided by law, may suspend for a period not to exceed 6908

one year the driver's or commercial driver's license or permit or
nonresident operating privilege of any person who pleads guilty to
or is convicted of a violation of section 4511.192 of the Revised
Code.

(C) Whoever violates section 4511.63, 4511.76, 4511.761,
4511.762, 4511.764, 4511.77, or 4511.79 of the Revised Code is
guilty of one of the following:

(1) Except as otherwise provided in division (C)(2) of this
section, a minor misdemeanor.

(2) If the offender previously has been convicted of or
pleaded guilty to one or more violations of section 4511.63,
4511.76, 4511.761, 4511.762, 4511.764, 4511.77, or 4511.79 of the
Revised Code or a municipal ordinance that is substantially
similar to any of those sections, a misdemeanor of the fourth
degree.

(D)(1) Whoever violates any provision of sections 4511.01 to
4511.76 or section 4511.84 of the Revised Code, for which no
penalty otherwise is provided in this section is guilty of one of
the following:

(a) Except as otherwise provided in division (D)(1)(b),
(1)(c), (2), or (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 one
violation of any provision of sections 4511.01 to 4511.76 or
section 4511.84 of the Revised Code for which no penalty otherwise
is provided in this section or a municipal ordinance that is
substantially similar to any provision of sections 4511.01 to
4511.76 or section 4511.84 of the Revised Code for which no
penalty otherwise is provided in this section, a misdemeanor of
the fourth degree;

(c) If, within one year of the offense, the offender 6939
previously has been convicted of or pleaded guilty to two or more 6940
violations of any provision described in division (D)(1)(b) of 6941
this section or any municipal ordinance that is substantially 6942
similar to any of those provisions, a misdemeanor of the third 6943
degree. 6944

(2) When any person is found guilty of a first offense for a 6945
violation of section 4511.21 of the Revised Code upon a finding 6946
that the person operated a motor vehicle faster than thirty-five 6947
miles an hour in a business district of a municipal corporation, 6948
or faster than fifty miles an hour in other portions, or faster 6949
than thirty-five miles an hour while passing through a school zone 6950
during recess or while children are going to or leaving school 6951
during the opening or closing hours, the person is guilty of a 6952
misdemeanor of the fourth degree. 6953

(3) Notwithstanding section 2929.21 of the Revised Code, upon 6954
a finding that such person operated a motor vehicle in a 6955
construction zone where a sign was then posted in accordance with 6956
section 4511.98 of the Revised Code, the court, in addition to all 6957
other penalties provided by law, shall impose a fine of two times 6958
the usual amount imposed for the violation. No court shall impose 6959
a fine of two times the usual amount imposed for the violation 6960
upon an offender who alleges, in an affidavit filed with the court 6961
prior to the offender's sentencing, that the offender is indigent 6962
and is unable to pay the fine imposed pursuant to this division, 6963
provided the court determines the offender is an indigent person 6964
and is unable to pay the fine. 6965

(E) Whenever a person is found guilty in a court of record of 6966
a violation of section 4511.761, 4511.762, or 4511.77 of the 6967
Revised Code, the trial judge, in addition to or independent of 6968
all other penalties provided by law, may suspend for any period of 6969
time not exceeding three years, or revoke the license of any 6970

person, partnership, association, or corporation, issued under 6971
section 4511.763 of the Revised Code. 6972

(F) Whoever violates division (E) or (F) of section 4511.51, 6973
division (A), (D), or (E) of section 4511.521, section 4511.681, 6974
division (A), (C), or (F) of section 4511.69, section 4511.772, or 6975
division (A) or (B) of section 4511.82 of the Revised Code is 6976
guilty of a minor misdemeanor. 6977

(G) Whoever violates division (A) of section 4511.75 of the 6978
Revised Code may be fined an amount not to exceed five hundred 6979
dollars. A person who is issued a citation for a violation of 6980
division (A) of section 4511.75 of the Revised Code is not 6981
permitted to enter a written plea of guilty and waive the person's 6982
right to contest the citation in a trial, but instead must appear 6983
in person in the proper court to answer the charge. 6984

(H)(1) Whoever is a resident of this state and violates 6985
division (A) or (B) of section 4511.81 of the Revised Code shall 6986
be punished as follows: 6987

(a) Except as otherwise provided in division (H)(1)(b) of 6988
this section, the offender is guilty of a minor misdemeanor. 6989

(b) If the offender previously has been convicted of or 6990
pleaded guilty to a violation of division (A) or (B) of section 6991
4511.81 of the Revised Code or of a municipal ordinance that is 6992
substantially similar to either of those divisions, the offender 6993
is guilty of a misdemeanor of the fourth degree. 6994

(2) Whoever is not a resident of this state, violates 6995
division (A) or (B) of section 4511.81 of the Revised Code, and 6996
fails to prove by a preponderance of the evidence that the 6997
offender's use or nonuse of a child restraint system was in 6998
accordance with the law of the state of which the offender is a 6999
resident is guilty of a minor misdemeanor on a first offense; on a 7000
second or subsequent offense, that person is guilty of a 7001

misdemeanor of the fourth degree. 7002

(3) Sixty-five per cent of every fine imposed pursuant to 7003
division (H)(1) or (2) of this section shall be forwarded to the 7004
treasurer of state for deposit in the "child highway safety fund" 7005
created by division (G) of section 4511.81 of the Revised Code. 7006
The balance of the fine shall be disbursed as otherwise provided 7007
by law. 7008

(I) Whoever violates section 4511.202 of the Revised Code is 7009
guilty of operating a motor vehicle without being in control of 7010
it, a minor misdemeanor. 7011

(J) Whoever violates division (B) of section 4511.74, 7012
division (B)(1), (2), or (3), (C), or (E)(1), (2), or (3) of 7013
section 4511.83 of the Revised Code is guilty of a misdemeanor of 7014
the first degree. 7015

(K) Except as otherwise provided in this division, whoever 7016
violates division (E) of section 4511.11, division (A) or (C) of 7017
section 4511.17, or section 4511.18 of the Revised Code is guilty 7018
of a misdemeanor of the third degree. If a violation of division 7019
(A) or (C) of section 4511.17 of the Revised Code creates a risk 7020
of physical harm to any person, the offender is guilty of a 7021
misdemeanor of the first degree. A violation of division (A) or 7022
(C) of section 4511.17 of the Revised Code that causes serious 7023
physical harm to property that is owned, leased, or controlled by 7024
a state or local authority is a felony of the fifth degree. 7025

(L) Whoever violates division (H) of section 4511.69 of the 7026
Revised Code shall be punished as follows: 7027

(1) Except as otherwise provided in division (L)(2) of this 7028
section, the offender shall be issued a warning. 7029

(2) If the offender previously has been convicted of or 7030
pleaded guilty to a violation of division (H) of section 4511.69 7031

of the Revised Code or of a municipal ordinance that is 7032
substantially similar to that division, the offender shall not be 7033
issued a warning but shall be fined twenty-five dollars for each 7034
parking location that is not properly marked or whose markings are 7035
not properly maintained. 7036

(M) Whoever violates division (A)(1) or (2) of section 7037
4511.45 of the Revised Code is guilty of a misdemeanor of the 7038
fourth degree on a first offense; on a second offense within one 7039
year after the first offense, the person is guilty of a 7040
misdemeanor of the third degree; and on each subsequent offense 7041
within one year after the first offense, the person is guilty of a 7042
misdemeanor of the second degree. 7043

(N)(1) Whoever violates division (B) of section 4511.19 of 7044
the Revised Code is guilty of operating a motor vehicle after 7045
under-age alcohol consumption and shall be punished as follows: 7046

(a) Except as otherwise provided in division (N)(1)(b) of 7047
this section, the offender is guilty of a misdemeanor of the 7048
fourth degree. 7049

(b) If, within one year of the offense, the offender has been 7050
convicted of or pleaded guilty to any violation of division (A) or 7051
(B) of section 4511.19 of the Revised Code, a municipal ordinance 7052
relating to operating a vehicle while under the influence of 7053
alcohol, a drug of abuse, or alcohol and a drug of abuse, a 7054
municipal ordinance relating to operating a vehicle with a 7055
prohibited concentration of alcohol in the blood, breath, or 7056
urine, section 2903.04 of the Revised Code in a case in which the 7057
offender was subject to the sanctions described in division (D) of 7058
that section, section 2903.06, 2903.07, or 2903.08 of the Revised 7059
Code or a municipal ordinance that is substantially similar to 7060
section 2903.07 of the Revised Code in a case in which the jury or 7061
judge found that the offender was under the influence of alcohol, 7062

a drug of abuse, or alcohol and a drug of abuse, or a statute of
the United States or of any other state or a municipal ordinance
of a municipal corporation located in any other state that is
substantially similar to division (A) or (B) of section 4511.19 of
the Revised Code, the offender is guilty of a misdemeanor of the
third degree.

(2) In addition to or independent of all other penalties
provided by law, the offender's driver's or commercial driver's
license or permit or nonresident operating privilege shall be
suspended in accordance with, and for the period of time specified
in, division (E) of section 4507.16 of the Revised Code.

(O) Whoever violates section 4511.62 of the Revised Code is
guilty of a misdemeanor of the fourth degree.

Sec. 4513.201. (A) No hydraulic brake fluid for use in motor
vehicles shall be sold in this state if ~~such~~ the brake fluid is
below the minimum standard of specifications for heavy duty type
brake fluid established by the society of automotive engineers ~~for~~
~~heavy duty type brake fluid and the standard of specifications~~
established by 49 C.F.R. 571.116, as amended.

(B) All manufacturers, packers, or distributors of brake
fluid selling such fluid in this state shall state on the
containers that the brake fluid therein meets or exceeds the
applicable minimum SAE standard of specifications, and ~~before~~
~~commencing sale of any brake fluid in this state and at such~~
~~subsequent times as may be required by the director of public~~
~~safety, shall submit to the department of public safety a sample~~
~~of such brake fluid and a certified laboratory report of an~~
~~independent testing laboratory showing same to meet or exceed such~~
~~minimum SAE~~ the standard of specifications established in 49
C.F.R. 571.116, as amended.

Sec. 4513.202. (A) No brake lining, brake lining material, or 7093
brake lining assemblies for use as repair and replacement parts in 7094
motor vehicles shall be sold in this state if ~~such~~ these items do 7095
not meet or exceed the minimum standard of specifications 7096
established by the ~~director~~ society of ~~public safety~~ automotive 7097
engineers and the standard of specifications established in 49 7098
C.F.R. 571.105, as amended, and 49 C.F.R. 571.135, as amended. 7099

(B) All manufacturers or distributors of brake lining, brake 7100
lining material, or brake lining assemblies selling ~~such~~ these 7101
items for use as repair and replacement parts in motor vehicles 7102
shall state that ~~such~~ the items meet or exceed ~~such~~ the applicable 7103
minimum standard of specifications, ~~and before commencing sale of~~ 7104
~~any such items in this state and at such subsequent times as may~~ 7105
~~be required by the director of public safety, shall submit to the~~ 7106
~~department of public safety a certified laboratory report of an~~ 7107
~~independent testing laboratory showing same to meet or exceed such~~ 7108
~~minimum specifications.~~ 7109

(C) ~~The director of public safety, in conformity with~~ 7110
~~sections 119.01 to 119.13, inclusive, of the Revised Code, shall~~ 7111
~~prescribe and promulgate regulations relating to minimum~~ 7112
~~specifications for the performance of brake lining, brake lining~~ 7113
~~material, and brake lining assemblies and such regulations shall~~ 7114
~~be in accordance with currently recognized standards.~~ 7115

~~(D) As used in this section, "minimum standard of~~ 7116
~~specifications" means a minimum standard for brake system or brake~~ 7117
~~component performance. In prescribing such standards, the director~~ 7118
~~shall:~~ 7119

~~(1) Consider relevant available motor vehicle safety data,~~ 7120
~~including results of research, development, testing, and~~ 7121
~~evaluation;~~ 7122

~~(2) Consider relevant SAE standards and recommended practices;~~ 7123
7124

~~(3) Promulgate only standards that are practicable, meet the need for motor vehicle safety, and are stated in objective terms;~~ 7125
7126

~~(4) Amend said standards to comply with any that meets the need for motor vehicle safety and complies with the applicable SAE standards and recommended practices, and the federal motor vehicle safety standard which may appear covering standards that cover the same aspect of performance for any brake lining, brake lining material, or brake lining assemblies.~~ 7127
7128
7129
7130
7131
7132

Sec. 4513.61. The sheriff of a county or chief of police of a municipal corporation, township, or township police district, within the sheriff's or chief's respective territorial jurisdiction, or a state highway patrol trooper, upon notification to the sheriff or chief of police of such action and of the location of the place of storage, may order into storage any motor vehicle, ~~other than~~ including an abandoned junk motor vehicle as defined in section 4513.63 of the Revised Code, ~~which that has~~ come into the possession of the sheriff, chief of police, or state highway patrol trooper as a result of the performance of the sheriff's, chief's, or trooper's duties or that has been left on a public street or other property open to the public for purposes of vehicular travel, or upon or within the right-of-way of any road or highway, for forty-eight hours or longer without notification to the sheriff or chief of police of the reasons for leaving the motor vehicle in such place, except that when such a motor vehicle constitutes an obstruction to traffic it may be ordered into storage immediately. The sheriff or chief of police shall designate the place of storage of any motor vehicle so ordered removed.

The sheriff or chief of police immediately shall cause a 7153

search to be made of the records of the bureau of motor vehicles 7154
to ascertain the owner and any lienholder of a motor vehicle 7155
ordered into storage by the sheriff or chief of police, or by a 7156
state highway patrol trooper, and, if known, shall send or cause 7157
to be sent notice to the owner or lienholder at the owner's or 7158
lienholder's last known address by certified mail with return 7159
receipt requested, that the motor vehicle will be declared a 7160
nuisance and disposed of if not claimed within ten days of the 7161
date of mailing of the notice. The owner or lienholder of the 7162
motor vehicle may reclaim it upon payment of any expenses or 7163
charges incurred in its removal and storage, and presentation of 7164
proof of ownership, which may be evidenced by a certificate of 7165
title to the motor vehicle. If the owner or lienholder of the 7166
motor vehicle reclaims it after a search of the records of the 7167
bureau has been conducted and after notice has been sent to the 7168
owner or lienholder as described in this section, and the search 7169
was conducted by the owner of the place of storage or the owner's 7170
employee, and the notice was sent to the motor vehicle owner by 7171
the owner of the place of storage or the owner's employee, the 7172
owner or lienholder shall pay to the place of storage a processing 7173
fee of twenty-five dollars, in addition to any expenses or charges 7174
incurred in the removal and storage of the vehicle. 7175

If the owner or lienholder makes no claim to the motor 7176
vehicle within ten days of the date of mailing of the notice, and 7177
if the vehicle is to be disposed of at public auction as provided 7178
in section 4513.62 of the Revised Code, the sheriff or chief of 7179
police shall file with the clerk of courts of the county in which 7180
the place of storage is located an affidavit showing compliance 7181
with the requirements of this section. Upon presentation of the 7182
affidavit, the clerk, without charge, shall issue a salvage 7183
certificate of title, free and clear of all liens and 7184
encumbrances, to the sheriff or chief of police. If the vehicle is 7185

to be disposed of to a motor vehicle salvage dealer or other 7186
facility as provided in section 4513.62 of the Revised Code, the 7187
sheriff or chief of police shall execute in triplicate an 7188
affidavit, as prescribed by the registrar of motor vehicles, 7189
describing the motor vehicle and the manner in which it was 7190
disposed of, and that all requirements of this section have been 7191
complied with. The sheriff or chief of police shall retain the 7192
original of the affidavit for the sheriff's or chief's records, 7193
and shall furnish two copies to the motor vehicle salvage dealer 7194
or other facility. Upon presentation of a copy of the affidavit by 7195
the motor vehicle salvage dealer, the clerk of courts shall issue 7196
to such owner a salvage certificate of title, free and clear of 7197
all liens and encumbrances. 7198

Whenever a motor vehicle salvage dealer or other facility 7199
receives an affidavit for the disposal of a motor vehicle as 7200
provided in this section, the dealer or facility shall not be 7201
required to obtain an Ohio certificate of title to the motor 7202
vehicle in the dealer's or facility's own name if the vehicle is 7203
dismantled or destroyed and both copies of the affidavit are 7204
delivered to the clerk of courts. 7205

Sec. 4513.63. "Abandoned junk motor vehicle" means any motor 7206
vehicle meeting all of the following requirements: 7207

(A) Left on private property for ~~more than seventy two~~ 7208
forty-eight hours or longer without the permission of the person 7209
having the right to the possession of the property, on a public 7210
street or other property open to the public for purposes of 7211
vehicular travel or parking, or upon or within the right-of-way of 7212
any road or highway, for forty-eight hours or longer; 7213

(B) Three years old, or older; 7214

(C) Extensively damaged, such damage including but not 7215

limited to any of the following: missing wheels, tires, motor, or transmission; 7216
7217

(D) Apparently inoperable; 7218

(E) Having a fair market value of ~~four~~ one thousand five hundred dollars or less. 7219
7220

The sheriff of a county or chief of police of a municipal 7221
corporation, township, or township police district, within ~~his~~ the 7222
sheriff's or chief's respective territorial jurisdiction, or a 7223
state highway patrol trooper, upon notification to the sheriff or 7224
chief of police of such action, shall order any abandoned junk 7225
motor vehicle to be photographed by a law enforcement officer. The 7226
officer shall record the make of motor vehicle, the serial number 7227
when available, and shall also detail the damage or missing 7228
equipment to substantiate the value of ~~four~~ one thousand five 7229
hundred dollars or less. The sheriff or chief of police shall 7230
thereupon immediately dispose of the abandoned junk motor vehicle 7231
to a motor vehicle salvage dealer as defined in section 4738.01 of 7232
the Revised Code or a scrap metal processing facility as defined 7233
in section 4737.05 of the Revised Code which is under contract to 7234
the county, township, or municipal corporation, or to any other 7235
facility owned by or under contract with the county, township, or 7236
municipal corporation for the destruction of such motor vehicles. 7237
The records and photograph relating to the abandoned junk motor 7238
vehicle shall be retained by the law enforcement agency ordering 7239
the disposition of such vehicle for a period of at least two 7240
years. The law enforcement agency shall execute in quadruplicate 7241
an affidavit, as prescribed by the registrar of motor vehicles, 7242
describing the motor vehicle and the manner in which it was 7243
disposed of, and that all requirements of this section have been 7244
complied with, and shall sign and file the same with the clerk of 7245
courts of the county in which the motor vehicle was abandoned. The 7246
clerk of courts shall retain the original of the affidavit for ~~his~~ 7247

the clerk's files, shall furnish one copy thereof to the 7248
registrar, one copy to the motor vehicle salvage dealer or other 7249
facility handling the disposal of the vehicle, and one copy to the 7250
law enforcement agency ordering the disposal, who shall file such 7251
copy with the records and photograph relating to the disposal. Any 7252
moneys arising from the disposal of an abandoned junk motor 7253
vehicle shall be deposited in the general fund of the county, 7254
township, or the municipal corporation, as the case may be. 7255

Notwithstanding section 4513.61 of the Revised Code, any 7256
motor vehicle meeting the requirements of divisions (C), (D), and 7257
(E) of this section which has remained unclaimed by the owner or 7258
lienholder for a period of ten days or longer following 7259
notification as provided in section 4513.61 of the Revised Code 7260
may be disposed of as provided in this section. 7261

Sec. 4517.01. As used in sections 4517.01 to 4517.65 of the 7262
Revised Code: 7263

(A) "Persons" includes individuals, firms, partnerships, 7264
associations, joint stock companies, corporations, and any 7265
combinations of individuals. 7266

(B) "Motor vehicle" means motor vehicle as defined in section 7267
4501.01 of the Revised Code. 7268

(C) "New motor vehicle" means a motor vehicle, the legal 7269
title to which has never been transferred by a manufacturer, 7270
remanufacturer, distributor, or dealer to an ultimate purchaser. 7271

(D) "Ultimate purchaser" means, with respect to any new motor 7272
vehicle, the first person, other than a dealer purchasing in the 7273
capacity of a dealer, who in good faith purchases such new motor 7274
vehicle for purposes other than resale. 7275

(E) "Business" includes any activities engaged in by any 7276
person for the object of gain, benefit, or advantage either direct 7277

or indirect. 7278

(F) "Engaging in business" means commencing, conducting, or 7279
continuing in business, or liquidating a business when the 7280
liquidator thereof holds self out to be conducting such business; 7281
making a casual sale or otherwise making transfers in the ordinary 7282
course of business when the transfers are made in connection with 7283
the disposition of all or substantially all of the transferor's 7284
assets is not engaging in business. 7285

(G) "Retail sale" or "sale at retail" means the act or 7286
attempted act of selling, bartering, exchanging, or otherwise 7287
disposing of a motor vehicle to an ultimate purchaser for use as a 7288
consumer. 7289

(H) "Retail installment contract" includes any contract in 7290
the form of a note, chattel mortgage, conditional sales contract, 7291
lease, agreement, or other instrument payable in one or more 7292
installments over a period of time and arising out of the retail 7293
sale of a motor vehicle. 7294

(I) "Farm machinery" means all machines and tools used in the 7295
production, harvesting, and care of farm products. 7296

(J) "Dealer" or "motor vehicle dealer" means any new motor 7297
vehicle dealer, any motor vehicle leasing dealer, and any used 7298
motor vehicle dealer. 7299

(K) "New motor vehicle dealer" means any person engaged in 7300
the business of selling at retail, displaying, offering for sale, 7301
or dealing in new motor vehicles pursuant to a contract or 7302
agreement entered into with the manufacturer, remanufacturer, or 7303
distributor of the motor vehicles. 7304

(L) "Used motor vehicle dealer" means any person engaged in 7305
the business of selling, displaying, offering for sale, or dealing 7306
in used motor vehicles, at retail or wholesale, but does not mean 7307

any new motor vehicle dealer selling, displaying, offering for 7308
sale, or dealing in used motor vehicles incidentally to engaging 7309
in the business of selling, displaying, offering for sale, or 7310
dealing in new motor vehicles, any person engaged in the business 7311
of dismantling, salvaging, or rebuilding motor vehicles by means 7312
of using used parts, or any public officer performing official 7313
duties. 7314

(M) "Motor vehicle leasing dealer" means any person engaged 7315
in the business of regularly making available, offering to make 7316
available, or arranging for another person to use a motor vehicle 7317
pursuant to a bailment, lease, or other contractual arrangement 7318
under which a charge is made for its use at a periodic rate for a 7319
term of thirty days or more, and title to the motor vehicle is in 7320
a person other than the user, but does not mean a manufacturer or 7321
its affiliate leasing to its employees or to dealers. 7322

(N) "Salesperson" means any person employed by a dealer or 7323
manufactured home broker to sell, display, and offer for sale, or 7324
deal in motor vehicles for a commission, compensation, or other 7325
valuable consideration, but does not mean any public officer 7326
performing official duties. 7327

(O) "Casual sale" means any transfer of a motor vehicle by a 7328
person other than a new motor vehicle dealer, used motor vehicle 7329
dealer, motor vehicle salvage dealer, as defined in division (A) 7330
of section 4738.01 of the Revised Code, salesperson, motor vehicle 7331
auction owner, manufacturer, or distributor acting in the capacity 7332
of a dealer, salesperson, auction owner, manufacturer, or 7333
distributor, to a person who purchases the motor vehicle for use 7334
as a consumer. 7335

(P) "Motor vehicle show" means a display of current models of 7336
motor vehicles whereby the primary purpose is the exhibition of 7337
competitive makes and models in order to provide the general 7338

public the opportunity to review and inspect various makes and
models of motor vehicles at a single location.

(Q) "Motor vehicle auction owner" means any person who is
engaged wholly or in part in the business of auctioning motor
vehicles.

(R) "Manufacturer" means a person who manufactures,
assembles, or imports motor vehicles, including motor homes, but
does not mean a person who only assembles or installs a body,
special equipment unit, finishing trim, or accessories on a motor
vehicle chassis supplied by a manufacturer or distributor.

(S) "Tent-type fold out camping trailer" means any vehicle
intended to be used, when stationary, as a temporary shelter with
living and sleeping facilities, and which is subject to the
following properties and limitations:

(1) A minimum of twenty-five per cent of the fold out portion
of the top and sidewalls combined must be constructed of canvas,
vinyl, or other fabric, and form an integral part of the shelter.

(2) When folded, the unit must not exceed:

(a) Fifteen feet in length, exclusive of bumper and tongue;

(b) Sixty inches in height from the point of contact with the
ground;

(c) Eight feet in width;

(d) One ton gross weight at time of sale.

(T) "Distributor" means any person authorized by a motor
vehicle manufacturer to distribute new motor vehicles to licensed
new motor vehicle dealers, but does not mean a person who only
assembles or installs a body, special equipment unit, finishing
trim, or accessories on a motor vehicle chassis supplied by a
manufacturer or distributor.

(U) "Flea market" means a market place, other than a dealer's location licensed under this chapter, where a space or location is provided for a fee or compensation to a seller to exhibit and offer for sale or trade, motor vehicles to the general public.

(V) "Franchise" means any written agreement, contract, or understanding between any motor vehicle manufacturer or remanufacturer engaged in commerce and any motor vehicle dealer, which purports to fix the legal rights and liabilities of the parties to such agreement, contract, or understanding.

(W) "Franchisee" means a person who receives new motor vehicles from the franchisor under a franchise agreement and who offers, sells, and provides service for such new motor vehicles to the general public.

(X) "Franchisor" means a new motor vehicle manufacturer, remanufacturer, or distributor who supplies new motor vehicles under a franchise agreement to a franchisee.

(Y) "Dealer organization" means a state or local trade association the membership of which is comprised predominantly of new motor vehicle dealers.

(Z) "Factory representative" means a representative employed by a manufacturer, remanufacturer, or by a factory branch primarily for the purpose of promoting the sale of its motor vehicles, parts, or accessories to dealers or for supervising or contacting its dealers or prospective dealers.

(AA) "Administrative or executive management" means those individuals who are not subject to federal wage and hour laws.

(BB) "Good faith" means honesty in the conduct or transaction concerned and the observance of reasonable commercial standards of fair dealing in the trade as is defined in division (S) of section

1301.01 of the Revised Code, including, but not limited to, the
duty to act in a fair and equitable manner so as to guarantee
freedom from coercion, intimidation, or threats of coercion or
intimidation; provided however, that recommendation, endorsement,
exposition, persuasion, urging, or argument shall not be
considered to constitute a lack of good faith.

(CC) "Coerce" means to compel or attempt to compel by failing
to act in good faith or by threat of economic harm, breach of
contract, or other adverse consequences. Coerce does not mean to
argue, urge, recommend, or persuade.

(DD) "Relevant market area" means any area within a radius of
ten miles from the site of a potential new dealership, except that
for manufactured home or recreational vehicle dealerships the
radius shall be twenty-five miles.

(EE) "Wholesale" or "at wholesale" means the act or attempted
act of selling, bartering, exchanging, or otherwise disposing of a
motor vehicle to a transferee for the purpose of resale and not
for ultimate consumption by that transferee.

(FF) "Motor vehicle wholesaler" means any person licensed as
a dealer under the laws of another state and engaged in the
business of selling, displaying, or offering for sale used motor
vehicles, at wholesale, but does not mean any motor vehicle dealer
as defined in this section.

(GG) "Remanufacturer" means a person who assembles or
installs passenger seating, walls, a roof elevation, or a body
extension on a conversion van with the motor vehicle chassis
supplied by a manufacturer or distributor, ~~or~~ a person who
modifies a truck chassis supplied by a manufacturer or distributor
for use as a public safety or public service vehicle, or a person
who modifies a motor vehicle chassis supplied by a manufacturer or
distributor for use as a limousine or hearse, but does not mean

either of the following: 7430

(1) A person who assembles or installs passenger seating, 7431
walls, a roof elevation, or a body extension on a manufactured 7432
home as defined in division (O) and referred to in division (B) of 7433
section 4501.01 of the Revised Code or a recreational vehicle as 7434
defined in division (Q) and referred to in division (B) of section 7435
4501.01 of the Revised Code; 7436

(2) A person who assembles or installs special equipment or 7437
accessories for handicapped persons, as defined in section 4503.44 7438
of the Revised Code, upon a motor vehicle chassis supplied by a 7439
manufacturer or distributor. 7440

For the purposes of division (GG) of this section, "public 7441
safety vehicle or public service vehicle" means a fire truck, 7442
ambulance, school bus, street sweeper, garbage packing truck, or 7443
cement mixer, or a mobile self-contained facility vehicle. 7444

For the purposes of division (GG) of this section, 7445
"limousine" means a motor vehicle, designed only for the purpose 7446
of carrying nine or fewer passengers, that a person modifies by 7447
cutting the original chassis, lengthening the wheelbase by forty 7448
inches or more, and reinforcing the chassis in such a way that all 7449
modifications comply with all applicable federal motor vehicle 7450
safety standards. No person shall qualify as or be deemed to be a 7451
remanufacturer who produces limousines unless the person has a 7452
written agreement with the manufacturer of the chassis the person 7453
utilizes to produce the limousines to complete properly the 7454
remanufacture of the chassis into limousines. 7455

For the purposes of division (GG) of this section, "hearse" 7456
means a motor vehicle, designed only for the purpose of 7457
transporting a single casket, that is equipped with a compartment 7458
designed specifically to carry a single casket that a person 7459
modifies by cutting the original chassis, lengthening the 7460

wheelbase by ten inches or more, and reinforcing the chassis in 7461
such a way that all modifications comply with all applicable 7462
federal motor vehicle safety standards. No person shall qualify as 7463
or be deemed to be a remanufacturer who produces hearses unless 7464
the person has a written agreement with the manufacturer of the 7465
chassis the person utilizes to produce the hearses to complete 7466
properly the remanufacture of the chassis into hearses. 7467

For the purposes of division (GG) of this section, "mobile 7468
self-contained facility vehicle" means a mobile classroom vehicle, 7469
mobile laboratory vehicle, bookmobile, bloodmobile, testing 7470
laboratory, and mobile display vehicle, each of which is designed 7471
for purposes other than for passenger transportation and other 7472
than the transportation or displacement of cargo, freight, 7473
materials, or merchandise. A vehicle is remanufactured into a 7474
mobile self-contained facility vehicle in part by the addition of 7475
insulation to the body shell, and installation of all of the 7476
following: a generator, electrical wiring, plumbing, holding 7477
tanks, doors, windows, cabinets, shelving, and heating, 7478
ventilating, and air conditioning systems. 7479

(HH) "Operating as a new motor vehicle dealership" means 7480
engaging in activities such as displaying, offering for sale, and 7481
selling new motor vehicles at retail, operating a service facility 7482
to perform repairs and maintenance on motor vehicles, offering for 7483
sale and selling motor vehicle parts at retail, and conducting all 7484
other acts that are usual and customary to the operation of a new 7485
motor vehicle dealership. For the purposes of this chapter only, 7486
possession of either a valid new motor vehicle dealer franchise 7487
agreement or a new motor vehicle dealers license, or both of these 7488
items, is not evidence that a person is operating as a new motor 7489
vehicle dealership. 7490

(II) "Manufactured home broker" means any person acting as a 7491
selling agent on behalf of an owner of a manufactured home that is 7492

subject to taxation under section 4503.06 of the Revised Code. 7493

Sec. 4517.03. (A) A place of business that is used for 7494
selling, displaying, offering for sale, or dealing in motor 7495
vehicles shall be considered as used exclusively for those 7496
purposes even though snowmobiles, all purpose vehicles, or farm 7497
machinery is sold or displayed there, or if repair, accessory, 7498
gasoline and oil, storage, parts, service, or paint departments 7499
are maintained there, or such products or services are provided 7500
there, if the departments are operated or the products or services 7501
are provided for the business of selling, displaying, offering for 7502
sale, or dealing in motor vehicles. Places of business or 7503
departments in a place of business used to dismantle, salvage, or 7504
rebuild motor vehicles by means of using used parts, are not 7505
considered as being maintained for the purpose of assisting or 7506
furthering the selling, displaying, offering for sale, or dealing 7507
in motor vehicles. A place of business shall be considered as used 7508
exclusively for selling, displaying, offering for sale, or dealing 7509
in motor vehicles even though a business owned by a motor vehicle 7510
leasing dealer as defined in section 4517.01 of the Revised Code 7511
or a motor vehicle renting dealer as defined in section 4549.65 of 7512
the Revised Code is located at the place of business. 7513

7514
(B) No new motor vehicle dealer shall sell, display, offer 7515
for sale, or deal in motor vehicles at any place except an 7516
established place of business that is used exclusively for the 7517
purpose of selling, displaying, offering for sale, or dealing in 7518
motor vehicles and has space, under roof, for the display of at 7519
least one new motor vehicle and facilities and space therewith for 7520
the inspection, servicing, and repair of at least one motor 7521
vehicle; except that a new motor vehicle dealer selling 7522
manufactured homes is exempt from the requirement that ~~his~~ a place 7523

of business have space, under roof, for the display of at least 7524
one new motor vehicle and facilities and space therewith for the 7525
inspection, servicing, and repair of at least one motor vehicle. 7526

Nothing contained in Chapter 4517. of the Revised Code shall 7527
be construed as prohibiting the sale of a manufactured home 7528
located in a manufactured home park by a licensed motor vehicle 7529
dealer who is the owner of the manufactured home park. 7530

(C) No used motor vehicle dealer shall sell, display, offer 7531
for sale, or deal in motor vehicles at any place except an 7532
established place of business that is used exclusively for the 7533
purpose of selling, displaying, offering for sale, or dealing in 7534
motor vehicles. 7535

(D) No motor vehicle leasing dealer shall make a motor 7536
vehicle available for use by another, in the manner described in 7537
division (M) of section 4517.01 of the Revised Code, at any place 7538
except an established place of business that is used for leasing 7539
motor vehicles; except that a motor vehicle leasing dealer who is 7540
also a new motor vehicle dealer or used motor vehicle dealer may 7541
lease motor vehicles at the same place of business at which the 7542
dealer sells, offers for sale, or deals in new or used motor 7543
vehicles. 7544

(E) No motor vehicle leasing dealer or motor vehicle renting 7545
dealer as defined in section 4549.65 of the Revised Code shall 7546
sell a motor vehicle within ninety days after a certificate of 7547
title to the motor vehicle is issued to the dealer, except when a 7548
salvage certificate of title is issued to replace the original 7549
certificate of title. 7550

(F) No distributor shall distribute new motor vehicles to new 7551
motor vehicle dealers at any place except an established place of 7552
business that is used exclusively for the purpose of distributing 7553
new motor vehicles to new motor vehicle dealers; except that a 7554

distributor who is also a new motor vehicle dealer may distribute 7555
new motor vehicles at the same place of business at which the 7556
distributor sells, displays, offers for sale, or deals in new 7557
motor vehicles. 7558

(G) No person, firm, or corporation that sells, displays, or 7559
offers for sale tent-type fold out camping trailers is subject to 7560
the requirement that the person's, firm's, or corporation's place 7561
of business be used exclusively for the purpose of selling, 7562
displaying, offering for sale, or dealing in motor vehicles. No 7563
person, firm, or corporation that sells, displays, or offers for 7564
sale tent-type fold-out camping trailers, trailers, or 7565
semitrailers is subject to the requirement that the person's, 7566
firm's, or corporation's place of business have space, under roof, 7567
for the display of at least one new motor vehicle and facilities 7568
and space therewith for the inspection, servicing, and repair of 7569
at least one motor vehicle. 7570

(H) No manufactured home broker shall engage in the business 7571
of brokering manufactured homes at any place except an established 7572
place of business that is used exclusively for the purpose of 7573
brokering manufactured homes. 7574

(I) Nothing in this section shall be construed to prohibit 7575
persons licensed under this chapter from making sales calls. 7576

Sec. 4519.04. (A) Upon the filing of an application for 7577
registration of a snowmobile or all-purpose vehicle and the 7578
payment of the tax therefor, the registrar of motor vehicles or a 7579
deputy registrar shall assign to the snowmobile or all-purpose 7580
vehicle a distinctive number and issue and deliver to the owner in 7581
such manner as the registrar may select, a certificate of 7582
registration, in such form as the registrar shall prescribe. Any 7583
number so assigned to a snowmobile or all-purpose vehicle shall be 7584
a permanent number, and shall not be issued to any other 7585

snowmobile or all-purpose vehicle, except as provided in section 7586
4519.05 of the Revised Code. 7587

(B) Upon receipt of a certificate of registration for a 7588
snowmobile or all-purpose vehicle other than a mini-bike or trail 7589
bike, the owner shall paint on the vehicle or otherwise attach in 7590
such manner as the registrar shall prescribe, the identifying 7591
registration number in block characters of not less than two 7592
inches in height and of such color as to be distinctly visible and 7593
legible, as follows: 7594

(1) In the case of a snowmobile, the number shall be 7595
displayed upon each side of the forward cowling. 7596

(2) In the case of an all-purpose vehicle, the number shall 7597
be displayed upon the front and rear of the vehicle. 7598

(C) the certificate of registration for a mini-bike or trail 7599
bike shall be evidenced and displayed on the vehicle in such 7600
manner as the registrar shall prescribe. 7601

(D) Unless previously canceled, each certificate of 7602
registration issued for a snowmobile or all-purpose vehicle shall 7603
expire upon the thirty-first day of ~~August~~ December in the third 7604
year after the date it is issued. Application for renewal of a 7605
certificate may be made not earlier than ninety days preceding the 7606
expiration date, and shall be accompanied by a fee of five 7607
dollars. The renewal of a certificate of registration for a 7608
snowmobile or all-purpose vehicle shall be evidenced by a decal or 7609
similar device identifying the registration period for which it is 7610
issued, and shall be displayed upon the vehicle in such manner as 7611
the registrar shall prescribe. 7612

Sec. 4549.451. No auctioneer licensed under Chapter 4707. of 7613
the Revised Code shall advertise for sale by means of any written 7614
advertisement, brochure, flyer, or other writing, any motor 7615

vehicle the auctioneer knows or has reason to believe has an 7616
odometer that has been changed, tampered with, or disconnected, or 7617
in any other manner has been nonfunctional, unless the listing or 7618
description of the vehicle contained in the written advertisement, 7619
brochure, flyer, or other writing contains one of the two 7620
following statements: 7621

(A) "This motor vehicle has an odometer that has been 7622
changed, tampered with, or disconnected, or otherwise has been 7623
nonfunctional." 7624

(B) "Nonactual odometer reading: warning - odometer 7625
DISCREPANCY." 7626

The statement selected by the auctioneer shall be printed in 7627
type identical in size to the other type used in the listing or 7628
description, and shall be located within the listing or 7629
description and not located as a footnote to the listing or 7630
description. 7631

Sec. 5503.09. The superintendent of the state highway patrol 7632
~~may~~, with the approval of the director of public safety, may 7633
designate one or more persons to be special police officers to 7634
preserve the peace and enforce the laws of this state with respect 7635
to persons and property under their jurisdiction and control. ~~Such~~ 7636
The officers are vested with the same powers of arrest as police 7637
officers under section 2935.03 of the Revised Code when exercising 7638
their responsibilities on lands owned by the Ohio expositions 7639
commission and on those state properties and institutions owned or 7640
leased by the state where ~~such~~ the officers are assigned by the 7641
superintendent. 7642

Special police officers shall be required to complete peace 7643
officer basic training for the position to which they have been 7644
appointed as required by the Ohio peace officer training 7645
commission as authorized in section ~~109.78~~ 109.73 of the Revised 7646

Code. They ~~shall~~ also shall take an oath of office, wear the badge 7647
of office, and provide bond to the state in the amount of 7648
twenty-five hundred dollars for the proper performance of their 7649
duties. 7650

Section 2. That existing sections 109.71, 125.56, 1905.01, 7651
2301.374, 2919.22, 3327.08, 4501.01, 4501.021, 4501.25, 4503.10, 7652
4503.103, 4503.12, 4503.19, 4503.21, 4503.27, 4503.301, 4503.31, 7653
4503.311, 4503.312, 4503.33, 4503.77, 4503.84, 4505.07, 4505.08, 7654
4505.11, 4506.01, 4506.08, 4506.14, 4506.16, 4506.17, 4507.01, 7655
4507.02, 4507.021, 4507.022, 4507.08, 4507.09, 4507.10, 4507.13, 7656
4507.14, 4507.16, 4507.162, 4507.163, 4507.169, 4507.50, 4507.52, 7657
4509.31, 4511.191, 4511.193, 4511.195, 4511.196, 4511.62, 4511.76, 7658
4511.99, 4513.201, 4513.202, 4513.61, 4513.63, 4517.01, 4517.03, 7659
4519.04, and 5503.09 of the Revised Code are hereby repealed. 7660

Section 3. Section 109.71 of the Revised Code is presented in 7661
this act as a composite of the section as amended by Sub. H.B. 7662
351, Sub. H.B. 670, and Am. Sub. S.B. 285 of the 121st General 7663
Assembly, with the new language of none of the acts shown in 7664
capital letters. Section 2919.22 of the Revised Code is presented 7665
in this act as a composite of the section as amended by both Am. 7666
Sub. H.B. 353 and Am. Sub. S.B. 269 of the 121st General Assembly, 7667
with the new language of neither of the acts shown in capital 7668
letters. Sections 4503.10 and 4503.12 of the Revised Code are 7669
presented in this act as a composite of the sections as amended by 7670
both Am. Sub. H.B. 353 and Am. Sub. S.B. 121 of the 121st General 7671
Assembly, with the new language of neither of the acts shown in 7672
capital letters. Section 4507.02 of the Revised Code is presented 7673
in this act as a composite of the section as amended by both Am. 7674
Sub. S.B. 20 and Am. Sub. H.B. 687 of the 120th General Assembly, 7675
with the new language of neither of the acts shown in capital 7676
letters. Section 4507.021 of the Revised Code is presented in this 7677
act as a composite of the section as amended by both Am. Sub. H.B. 7678

353 and Am. Sub. H.B. 438 of the 121st General Assembly, with the 7679
new language of neither of the acts shown in capital letters. 7680
Section 4507.16 of the Revised Code is presented in this act as a 7681
composite of the section as amended by Am. Sub. H.B. 353, Am. Sub. 7682
S.B. 166, Am. Sub. S.B. 269, and Am. Sub. H.B. 676 of the 121st 7683
General Assembly, with the new language of none of the acts shown 7684
in capital letters. Section 4511.193 of the Revised Code is 7685
presented in this act as a composite of the section as amended by 7686
both Am. Sub. H.B. 353 and Am. Sub. S.B. 166 of the 121st General 7687
Assembly, with the new language of neither of the acts shown in 7688
capital letters. Section 4511.195 of the Revised Code is presented 7689
in this act as a composite of the section as amended by Am. Sub. 7690
H.B. 353, Am. Sub. S.B. 166, and Am. Sub. H.B. 676 of the 121st 7691
General Assembly, with the new language of none of the acts shown 7692
in capital letters. This is in recognition of the principle stated 7693
in division (B) of section 1.52 of the Revised Code that such 7694
amendments are to be harmonized where not substantively 7695
irreconcilable and constitutes a legislative finding that such is 7696
the resulting version in effect prior to the effective date of 7697
this act. 7698