

**As Reported by the House Finance and Appropriations
Committee**

**125th General Assembly
Regular Session
2003-2004**

Sub. H. B. No. 87

**Representative Buehrer
(By Request)**

A B I L L

To amend sections 723.52, 723.53, 1547.11, 3704.14,	1
3704.143, 4501.10, 4503.10, 4503.101, 4503.103,	2
4503.11, 4503.173, 4503.181, 4503.182, 4503.19,	3
4503.21, 4503.23, 4503.50, 4503.51, 4503.55,	4
4503.561, 4503.591, 4503.67, 4503.68, 4503.69,	5
4503.71, 4503.711, 4503.72, 4503.73, 4503.75,	6
4505.09, 4506.08, 4507.23, 4511.04, 4511.19,	7
4511.191, 4511.197, 4513.111, 4513.52, 4513.53,	8
4549.10, 5501.20, 5501.34, 5501.45, 5502.02,	9
5517.011, 5517.02, 5525.20, 5531.10, 5543.19,	10
5575.01, 5735.27, 5735.29, and 5735.291, to enact	11
sections 117.16, 4501.061, 4501.21, 4501.42,	12
4501.43, 4503.105, 4503.106, 4503.192, 4503.87,	13
5502.39, and 5543.22, and to repeal sections	14
4501.20, 4501.22, 4501.29, 4501.30, 4501.311,	15
4501.32, 4501.33, 4501.39, 4501.40, 4501.41,	16
4501.61, 4501.71, and 4503.251 of the Revised Code	17
to make appropriations for programs related to	18
transportation and public safety for the biennium	19
beginning July 1, 2003, and ending June 30, 2005,	20
to provide authorization and conditions for the	21
operation of those programs, and to amend the	22
versions of sections 1547.11, 4503.10, 4503.11,	23

4503.182, 4503.19, 4503.21, 4511.19, 4513.111, and 24
4549.10 of the Revised Code that are scheduled to 25
take effect January 1, 2004. 26

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

Section 1. That sections 723.52, 723.53, 1547.11, 3704.14, 27
3704.143, 4501.10, 4503.10, 4503.101, 4503.103, 4503.11, 4503.173, 28
4503.181, 4503.182, 4503.19, 4503.21, 4503.23, 4503.50, 4503.51, 29
4503.55, 4503.561, 4503.591, 4503.67, 4503.68, 4503.69, 4503.71, 30
4503.711, 4503.72, 4503.73, 4503.75, 4505.09, 4506.08, 4507.23, 31
4511.04, 4511.19, 4511.191, 4511.197, 4513.111, 4513.52, 4513.53, 32
4549.10, 5501.20, 5501.34, 5501.45, 5502.02, 5517.011, 5517.02, 33
5525.20, 5531.10, 5543.19, 5575.01, 5735.27, 5735.29, and 5735.291 34
be amended and sections 117.16, 4501.061, 4501.21, 4501.42, 35
4501.43, 4503.105, 4503.106, 4503.192, 4503.86, 5502.39, and 36
5543.22 of the Revised Code be enacted to read as follows: 37

Sec. 117.16. (A) The auditor of state shall do all of the 38
following: 39

(1) Develop a force account project assessment form that each 40
public office that undertakes force account projects shall use to 41
estimate or report the cost of a force account project. The form 42
shall include costs for employee salaries and benefits, any other 43
labor costs, materials, freight, fuel, hauling, overhead expense, 44
workers' compensation premiums, and all other items of cost and 45
expense, including a reasonable allowance for the use of all tools 46
and equipment used on or in connection with such work and for the 47
depreciation on the tools and equipment. 48

(2) Make the form available to public offices by any 49
cost-effective, convenient method accessible to the auditor of 50
state and the public offices; 51

(3) When conducting an audit of such a public office under this chapter, examine the forms and records of each force account project that the office has completed since an audit was last conducted to determine compliance with the force account limits and other force account provisions established by law. 52
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(B) If the auditor receives a complaint from any person that a public office has violated the force account limits established for that office, the auditor may conduct an audit in addition to the audit provided in section 117.11 of the Revised Code if the auditor has reasonable cause to believe that an additional audit is in the public interest. 57
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(C)(1) If the auditor finds that a county, township, or municipal corporation violated the force account limits established for that political subdivision, the auditor, in addition to any other action authorized by this chapter, shall notify the political subdivision that, for a period of one year from the date of the notification, the force account limits for the subdivision are reduced as follows: 63
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(a) For a county, the limits shall be ten thousand dollars per mile for construction or reconstruction of a road and forty thousand dollars for construction, reconstruction, maintenance, or repair of a bridge or culvert; 70
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(b) For a township, the limit shall be fifteen thousand dollars for maintenance and repair of a road or five thousand per mile for construction or reconstruction of a township road; 74
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(c) For a municipal corporation, the limit shall be ten thousand dollars for the construction, reconstruction, widening, resurfacing, or repair of a street or other public way. 77
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(2) If the auditor finds that a county, township, or municipal corporation violated the force account limits established for that political subdivision a second time within 80
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two years of finding a first violation, the auditor, in addition 83
to any other action authorized by this chapter, shall notify the 84
political subdivision that, for a period of two years from the 85
date of the notification, the force account limits for the 86
subdivision are reduced in accordance with division (C)(1)(a), 87
(b), or (c) of this section. 88

(D) As used in this section, "force account limits" means any 89
of the following, as applicable: 90

(1) For a county, the amounts established in section 5543.19 91
of the Revised Code; 92

(2) For a township, the amounts established in section 93
5575.01 of the Revised Code; 94

(3) For a municipal corporation, the amount established in 95
section 723.52 of the Revised Code; 96

(4) For the department of transportation, the amount 97
established in section 5517.02 of the Revised Code. 98

Sec. 723.52. Before letting or making any contract for the 99
construction, reconstruction, widening, resurfacing, or repair of 100
a street or other public way, the director of public service in a 101
city, or the legislative authority in a village, shall make an 102
estimate of the cost of such work, ~~which estimate shall include~~ 103
~~labor, materials, freight, fuel, hauling, overhead expense,~~ 104
~~workers' compensation premiums, use of machinery and equipment,~~ 105
~~and all other items of cost and expense~~ using the force account 106
project assessment form developed by the auditor of state under 107
section 117.16 of the Revised Code. In municipal corporations 108
having an engineer, or an officer having a different title but the 109
duties and functions of an engineer, the estimate shall be made by 110
the engineer or other officer. Where the total estimated cost of 111
any such work is thirty thousand dollars or less, the proper 112

officers may proceed by force account. 113

Where the total estimated cost of any such work exceeds ~~ten~~ 114
thirty thousand dollars, the proper officers of the municipal 115
corporation shall be required to invite and receive competitive 116
bids for furnishing all the labor, materials, and equipment and 117
doing the work, after newspaper advertisement as provided by law, 118
~~and to. The officers shall~~ consider and may reject such bids 119
~~before ordering.~~ If the bids are rejected, the officers may order 120
the work done by force account or direct labor. When such bids are 121
received, considered, and rejected, and the work done by force 122
account or direct labor, such work shall be performed in 123
compliance with the plans and specifications upon which the bids 124
were based. It shall be unlawful to divide a street or connecting 125
streets into separate sections for the purpose of defeating this 126
section and section 723.53 of the Revised Code. 127

"Street," as used in such sections, includes portions of 128
connecting streets on which the same or similar construction, 129
reconstruction, widening, resurfacing, or repair is planned or 130
projected. 131

Sec. 723.53. Where the proper officers of any municipal 132
corporation construct, reconstruct, widen, resurface, or repair a 133
street or other public way by force account or direct labor, and 134
the estimated cost of the work as defined in section 723.52 of the 135
Revised Code exceeds ~~ten~~ thirty thousand dollars, such municipal 136
authorities shall cause to be kept by the engineer of the 137
municipal corporation, or other officer or employee of the 138
municipal corporation in charge of such work, a complete and 139
accurate account, in detail, of the cost of doing the work. The 140
account shall include labor, materials, freight, fuel, hauling, 141
overhead expense, workers' compensation premiums, and all other 142
items of cost and expense, including a reasonable allowance for 143

the use of all tools and equipment used on or in connection with 144
such work and for the depreciation on the tools and equipment. The 145
engineer or other officer or employee shall keep such account, and 146
within ninety days after the completion of any such work ~~he~~ shall 147
prepare a detailed and itemized statement of such cost and file 148
the statement with the officer or board vested with authority to 149
direct the doing of the work in question. Such officer or board 150
shall thereupon examine the statement, correct it if necessary, 151
and file it in ~~his or its~~ the office of the officer or board. Such 152
statement shall be kept on file for not less than two years and 153
shall be open to public inspection. 154

This section and section 723.52 of the Revised Code do not 155
apply to any municipal corporations having a charter form of 156
government. 157

Sec. 1547.11. (A) No person shall operate or be in physical 158
control of any vessel underway or shall manipulate any water skis, 159
aquaplane, or similar device on the waters in this state if any of 160
the following applies: 161

(1) The person is under the influence of alcohol or a drug of 162
abuse, or the combined influence of alcohol and a drug of abuse~~+~~. 163

(2) The person has a concentration of ~~ten-hundredths~~ 164
eight-hundredths of one per cent or more by weight of alcohol in 165
the person's blood~~+~~. 166

(3) The person has a concentration of ~~fourteen-hundredths~~ 167
eleven-hundredths of one gram or more by weight of alcohol per one 168
hundred milliliters of the person's urine~~+~~. 169

(4) The person has a concentration of ~~ten-hundredths~~ 170
eight-hundredths of one gram or more by weight of alcohol per two 171
hundred ten liters of the person's breath. 172

(B) No person under twenty-one years of age shall operate or 173

be in physical control of any vessel underway or shall manipulate 174
any water skis, aquaplane, or similar device on the waters in this 175
state if any of the following applies: 176

(1) The person has a concentration of at least two-hundredths 177
of one per cent, but less than ~~ten-hundredths~~ eight-hundredths of 178
one per cent by weight of alcohol in the person's blood~~+~~. 179

(2) The person has a concentration of at least twenty-eight 180
one-thousandths of one gram, but less than ~~fourteen-hundredths~~ 181
eleven-hundredths of one gram by weight of alcohol per one hundred 182
milliliters of the person's urine~~+~~. 183

(3) The person has a concentration of at least two-hundredths 184
of one gram, but less than ~~ten-hundredths~~ eight-hundredths of one 185
gram by weight of alcohol per two hundred ten liters of the 186
person's breath. 187

(C) In any proceeding arising out of one incident, a person 188
may be charged with a violation of division (A)(1) and a violation 189
of division (B)(1), (2), or (3) of this section, but the person 190
shall not be convicted of more than one violation of those 191
divisions. 192

(D) In any criminal prosecution or juvenile court proceeding 193
for a violation of this section or of an ordinance of any 194
municipal corporation relating to operating a vessel or using any 195
water skis, aquaplane, or similar device while under the influence 196
of alcohol or a drug of abuse, the court may admit evidence on the 197
concentration of alcohol or a drug of abuse in the defendant's 198
blood, urine, or breath at the time of the alleged violation as 199
shown by chemical analysis of the defendant's blood, urine, or 200
breath taken within two hours of the time of the alleged 201
violation. 202

When a person submits to a blood test, only a physician, 203
registered nurse, or qualified technician or chemist shall 204

withdraw blood for the purpose of determining its alcohol or drug 205
of abuse content. This limitation does not apply to the taking of 206
breath or urine specimens. A physician, registered nurse, or 207
qualified technician or chemist may refuse to withdraw blood for 208
the purpose of determining its alcohol or drug of abuse content if 209
in the opinion of the physician, nurse, ~~or~~ technician, or chemist, 210
the physical welfare of the person would be endangered by the 211
withdrawing of blood. 212

The blood, urine, or breath shall be analyzed in accordance 213
with methods approved by the director of health by an individual 214
possessing a valid permit issued by the director pursuant to 215
section 3701.143 of the Revised Code. 216

If there was at the time the blood, urine, or breath was 217
taken a concentration of less than ~~ten-hundredths~~ eight-hundredths 218
of one per cent by weight of alcohol in the defendant's blood, 219
less than ~~fourteen-hundredths~~ eleven-hundredths of one gram by 220
weight of alcohol per one hundred ~~milliliters~~ milliliters of the 221
defendant's urine, or less than ~~ten-hundredths~~ eight-hundredths of 222
one gram by weight of alcohol per two hundred ten liters of the 223
defendant's breath, that fact may be considered with other 224
competent evidence in determining the guilt or innocence of the 225
defendant. 226

Upon the request of the person who was tested, the results of 227
the test shall be made available to the person or the person's 228
attorney or agent immediately upon the completion of the test 229
analysis. 230

The person tested may have a physician, registered nurse, or 231
qualified technician or chemist of the person's own choosing 232
administer a chemical test or tests in addition to any 233
administered at the direction of a law enforcement officer, and 234
shall be so advised. The failure or inability to obtain an 235
additional test by a person shall not preclude the admission of 236

evidence relating to the test or tests taken at the direction of a law enforcement officer. 237
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A physician, registered nurse, or qualified technician or chemist who withdraws blood from a person pursuant to this section, and a hospital, first-aid station, or clinic at which blood is withdrawn from a person pursuant to this section, is immune from criminal liability, and from civil liability that is based upon a claim of assault and battery or based upon any other claim that is not in the nature of a claim of malpractice, for any act performed in withdrawing blood from the person. 239
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(E) For the purposes of this section, "operate" means that a vessel is being used on the waters in this state when the vessel is not securely affixed to a dock or to shore or to any permanent structure to which the vessel has the right to affix or that a vessel is not anchored in a designated anchorage area or boat camping area that is established by the United States coast guard, this state, or a political subdivision and in which the vessel has the right to anchor. 247
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Sec. 3704.14. (A) As used in this section: 255

(1) "Basic motor vehicle inspection and maintenance program" or "basic program" means a motor vehicle inspection and maintenance program that complies with the requirements governing motor vehicle inspection and maintenance programs under the "Clean Air Act Amendments" and that is not an enhanced motor vehicle inspection and maintenance program. 256
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(2) "Clean Air Act Amendments" means the "Clean Air Act Amendments of 1990," 91 Stat. 685, 42 U.S.C.A. 7401, as amended, and regulations adopted under it. 262
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(3) "Contractor" means any person who has entered into a contract under division (D) of this section. 265
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(4) "District of registration" means the district of registration of a motor vehicle as determined under section 4503.10 of the Revised Code.	267 268 269
(5) "Enhanced motor vehicle inspection and maintenance program" or "enhanced program" means a motor vehicle inspection and maintenance program that complies with the requirements governing an enhanced motor vehicle inspection and maintenance program under the "Clean Air Act Amendments."	270 271 272 273 274
(6) "Licensee" means any person licensed under division (C) of this section.	275 276
(7) "Metropolitan planning organization" means a metropolitan planning organization designated under section 9(a) of the "Federal-Aid Highway Act of 1962," 76 Stat. 1148, 23 U.S.C.A. 134, as amended.	277 278 279 280
(8) "Motor vehicle" and "vehicle" have the same meanings as in section 4501.01 of the Revised Code.	281 282
(9) "Waiver limit" means the cost of repairs needed for a motor vehicle to pass a motor vehicle emissions inspection under this section above which the owner of the motor vehicle need not have the repairs performed on the vehicle and may receive a waiver under division (F) of this section. For a motor vehicle the district of registration of which is in a county classified as moderate nonattainment that is subject to a basic or an enhanced motor vehicle inspection and maintenance program, "waiver limit" means more than one hundred dollars for a vehicle of a 1980 or earlier model year and more than two hundred dollars for a vehicle of a 1981 or later model year. For a motor vehicle the district of registration of which is in a county classified as serious, severe, or extreme nonattainment and that is subject to an enhanced motor vehicle inspection and maintenance program, "waiver limit" means more than four hundred fifty dollars. "Waiver limit"	283 284 285 286 287 288 289 290 291 292 293 294 295 296 297

also includes the cumulative amount of the annual adjustments to 298
each of the amounts specified in this division made by the 299
director pursuant to regulations adopted under section 300
502(b)(3)(B)(v) of the "Clean Air Act Amendments." "Waiver limit" 301
does not include the cost of any repairs performed on a vehicle 302
for the purpose of restoring the vehicle in accordance with the 303
findings of the visual anti-tampering portion of a motor vehicle 304
emissions inspection conducted under this section. 305

(B) The director of environmental protection shall implement 306
and supervise a motor vehicle inspection and maintenance program 307
in any county classified as moderate, serious, severe, or extreme 308
nonattainment for carbon monoxide or ozone in accordance with the 309
"Clean Air Act Amendments." The director shall implement and 310
supervise a basic or an enhanced motor vehicle inspection and 311
maintenance program in a county that is within an area classified 312
as nonattainment for carbon monoxide or ozone when such a program 313
is included in the air quality maintenance plan or contingency 314
plan for the nonattainment area that includes the county and that 315
is submitted to the United States environmental protection agency 316
by the director as required under section 175A of the "Clean Air 317
Act Amendments" as part of a request for redesignation of the 318
nonattainment area as attainment for carbon monoxide or ozone 319
under section 107(d) of that act, and the director determines that 320
the conditions requiring implementation of such a program and set 321
forth in either such plan have been met. The director shall 322
implement and supervise the enhanced program in any county as 323
required under section 3704.142 of the Revised Code. The director 324
may terminate the program in any county that is subject to this 325
section in accordance with division (K)(2) of this section. The 326
director shall adopt, and may amend or rescind, rules to 327
facilitate the implementation, supervision, administration, 328
operation, and enforcement of the program, including, without 329
limitation, rules providing for all of the following: 330

(1) The form of all inspection certificates, distribution of 331
inspection certificates to reinspection stations licensed under 332
division (C) of this section, and form and distribution of any 333
other papers or documents necessary or convenient to the program. 334
The rules shall include, without limitation, the requirement that 335
all inspection certificates bear a statement that reads: "This 336
automobile inspection is the result of requirements under the 337
Clean Air Act Amendments enacted by the United States Congress. 338
Any questions or comments you may have about this program may be 339
directed to your United States senator in care of the United 340
States Senate, The Capitol, Washington, D.C. 20510 or to your 341
United States representative in care of ~~The~~ the United States 342
House of Representatives, The Capitol, Washington, D.C. 20515." 343

(2) The replacement of lost or stolen certificates, papers, 344
or documents; 345

(3) Inspection procedures and standards to be used in motor 346
vehicle emissions inspections conducted under this section, 347
including, without limitation, a requirement that the inspections 348
test for carbon monoxide and hydrocarbons at idle or loaded mode 349
conditions; a requirement that the inspections test opacity for 350
particulates for diesel fueled vehicles; standards establishing 351
maximum allowable emissions of those pollutants, for both gasoline 352
fueled and diesel fueled vehicles, for each model year of motor 353
vehicles inspected; a requirement that beginning with the 1994 354
model year, the inspections utilize the on-board diagnostic 355
computer links mandated by the "Clean Air Act Amendments"; 356
requirements governing the computerized exhaust analyzer system to 357
be used by any contractor conducting inspections and any licensees 358
conducting reinspections; tampering parameter inspection 359
procedures and standards to be used in the visual anti-tampering 360
portion of an inspection conducted under this section; 361
requirements governing the engine tune-up that shall be performed 362

on any motor vehicle that fails an inspection conducted under this 363
section, including, without limitation, requirements that specific 364
items be checked and repaired, replaced, or adjusted as necessary 365
to restore the motor vehicle to proper working order or 366
specifications; tailpipe emissions improvement requirements 367
specified by percentage; a waiver repair verification system; and 368
any other necessary waiver procedures for motor vehicles that fail 369
an inspection under this section; 370

(4) A system for the maintenance and reporting of inspection 371
and reinspection station data and records; 372

(5) The manner of identifying exempt vehicles; 373

(6) Inspection, and supervision thereof, of fleets and 374
governmental vehicles under divisions (G) and (H) of this section; 375

(7) Establishment of specifications for an identification 376
sign that reinspection stations licensed under division (C) of 377
this section shall display in a conspicuous manner; 378

(8) The issuance of motor vehicle inspection certificates 379
only to reinspection stations licensed under division (C) of this 380
section that continue to comply with this section; 381

(9) The surveillance of reinspection stations licensed under 382
division (C) of this section and of inspection stations operated 383
by any contractor hired to conduct inspections under this section 384
to ensure that quality testing and this section and rules adopted 385
under it are being adhered to throughout the inspection and 386
reinspection process; 387

(10) The information to be included in applications for 388
licenses filed under division (C) of this section and the 389
procedure for filing those applications; 390

(11) The establishment of a referee inspection system by the 391
director to resolve disagreements between owners of motor vehicles 392

and inspection and reinspection stations regarding inspection and 393
reinspection results, including, without limitation, procedures 394
for the collection of an inspection fee that a referee inspection 395
station may charge for any motor vehicle inspection conducted by 396
it. The fee shall not exceed the amount of the inspection or 397
reinspection fee paid by the owner of the motor vehicle 398
established under division (D)(7) of this section for the original 399
inspection or a reinspection of the motor vehicle under this 400
section. 401

(12) The locations of computerized, high-volume, 402
contractor-operated motor vehicle inspection stations conducting 403
inspections for the purposes of this section. The rules shall 404
require both of the following: 405

(a) In urban metropolitan statistical areas and consolidated 406
metropolitan statistical areas, as defined by the bureau of the 407
census in the United States department of commerce, eighty per 408
cent of the population that is subject to this section be no more 409
than five miles from an inspection station and one hundred per 410
cent of that population be no more than ten miles from an 411
inspection station; 412

(b) In rural areas, as defined by the bureau of the census in 413
the United States department of commerce, one hundred per cent of 414
the population that is subject to this section be no more than 415
fifteen miles from an inspection station. 416

(13) A requirement that contractor-operated inspection 417
stations conducting inspections under this section be in operation 418
for at least forty-five hours per week, which shall include, 419
without limitation, operating hours in the evening and on 420
Saturdays; 421

(14) A requirement that any contractor hired to conduct 422
inspections under this section not allow vehicle waiting time to 423

exceed an average of fifteen minutes and the establishment of 424
minimum performance penalties for failure to comply with that 425
requirement; 426

(15) An adequate queuing area, as determined by the director, 427
at each contractor-operated inspection station conducting 428
inspections under this section. The rules adopted under division 429
(B)(15) of this section shall not arbitrarily discriminate against 430
any person who can reasonably be expected to submit a proposal 431
under this section for any contract provided for in division (D) 432
of this section. 433

(16) Conditions for the suspension and revocation of licenses 434
and inspector certifications issued under this section; 435

(17) The commencement date of the basic motor vehicle 436
inspection and maintenance program established under this section 437
shall be July 1, 1994, in all affected counties classified as 438
moderate nonattainment for carbon monoxide or ozone under the 439
"Clean Air Act Amendments" on ~~the effective date of this amendment~~ 440
September 27, 1993, other than Cuyahoga county. The commencement 441
date of the enhanced program in a county so classified as moderate 442
nonattainment for carbon monoxide or ozone on ~~the effective date~~ 443
~~of this amendment~~ September 27, 1993, for which the implementation 444
and supervision of the enhanced program was requested under 445
section 3704.142 of the Revised Code shall be January 1, 1995. The 446
commencement date of the program in any other affected counties, 447
other than Cuyahoga county, shall be the date established by the 448
director. 449

(18) A requirement that reinspections under the enhanced 450
motor vehicle inspection and maintenance program be conducted only 451
by a contractor hired to conduct inspections under this section; 452

(19) A requirement that each inspection station operated by a 453
contractor, each licensed reinspection station, and each referee 454

inspection station, prominently display in a location that is 455
readily visible to persons whose motor vehicles are being tested 456
pursuant to this section a sign that contains the same language 457
that is required to be printed on inspection certificates under 458
division (B)(1) of this section; 459

(20) Procedures that are necessary for the inspection of 460
motor vehicles that are registered biennially under division 461
(A)(1)(b) of section 4503.103 of the Revised Code. 462

(C)(1) The director of environmental protection shall issue 463
licenses for reinspection stations for the purposes of the basic 464
motor vehicle inspection and maintenance program established under 465
this section for two-year periods, except that for the initial 466
license period for any station, the director may issue the license 467
for a period not to exceed five years. The director may include 468
terms and conditions as part of any license issued to ensure 469
compliance with this section and rules adopted under it. 470

The director may issue a license for each reinspection 471
station for which an application is filed that complies with this 472
section and rules adopted under it. Each application shall include 473
both of the following: 474

(a) A nonrefundable fee of one hundred dollars for each 475
initial license or a nonrefundable fee of fifty dollars for 476
renewal of any license; 477

(b) A demonstration that the reinspection station will comply 478
with this section and the director's rules adopted under it. 479

(2) Each licensee shall conduct reinspections as required by 480
the director's rules. The licensee shall provide an inspection 481
certificate for vehicles that pass a reinspection under this 482
section. 483

(3) A licensee shall charge the fee under the basic program 484
that is established under division (D)(7) of this section for any 485

reinspection performed by the licensee under this section. 486

(4) A licensee may charge each person for services. However, 487
fees for reinspection shall be separately stated from any other 488
charge to the person. 489

(5) No licensee shall require as a condition of performing a 490
reinspection that any needed repairs or adjustments to a vehicle 491
be done by the licensee. 492

(6) A licensee shall maintain and make available for 493
inspection by the director or the director's authorized 494
representative accurate records as required by rules adopted under 495
this section. 496

(7) The director shall credit the moneys the director 497
receives under division (C) of this section to the motor vehicle 498
inspection and maintenance fund created in division (I) of this 499
section. 500

(D)(1) The initial motor vehicle inspections conducted under 501
the basic motor vehicle inspection and maintenance program, and 502
all inspections and reinspections conducted under the enhanced 503
program, required under this section shall be conducted by one or 504
more private contractors. The director of administrative services 505
shall issue and award contracts pursuant to a request for proposal 506
process. In doing so, the director shall consider factors in the 507
interest of consumers, including at least consumer price, service 508
quality, service delivery time, and convenience. The director 509
shall use the director's best efforts to secure as many proposals 510
as possible for each contract to be entered into under division 511
(D) of this section, which shall include the division of the state 512
into independent zones for the purpose of submission of the 513
proposals and awarding of the contracts. Each such zone shall 514
consist of a consolidated metropolitan statistical area or, if 515
such an area does not exist, of a metropolitan statistical area, 516

as defined by the bureau of the census of ~~of~~ in the United States 517
department of commerce. 518

Contracts awarded under division (D) of this section are 519
subject to section 153.012 of the Revised Code. For the purpose of 520
that section, the operation of the motor vehicle inspection and 521
maintenance program is hereby deemed to be a public improvement. 522

The director shall not enter into a contract for the purposes 523
of this section with any person holding a current, valid contract 524
to act as a deputy registrar under section 4503.03 of the Revised 525
Code. 526

A contractor shall be paid from moneys generated by the 527
applicable inspection fee established by the director of 528
environmental protection under division (D)(7) of this section. No 529
general revenue funds shall be used to pay any contractor. A 530
contractor shall assume, or in accordance with a lease required 531
under division (E) of this section shall provide for the 532
assumption of, all initial capital investment costs of the motor 533
vehicle inspection and maintenance program established under this 534
section with regard to the initial inspections and reinspections 535
required to be conducted by a contractor under this section and 536
shall amortize, or in accordance with such a lease shall provide 537
for the amortization of, those costs over the period of the 538
initial contract. 539

(2) The director of administrative services shall require 540
each potential contractor to include as a part of the potential 541
contractor's proposal detailed information concerning, without 542
limitation, all of the following: 543

(a) The financial condition of the potential contractor; 544

(b) Any specialized experience and technical competence of 545
the potential contractor in connection with the type of services 546
required for the program; 547

(c) The potential contractor's past record of performance 548
with other government agencies or public entities and with private 549
industry, including, without limitation, such matters as the 550
ability to meet schedules and the names of persons who will serve 551
as references concerning the quality of the potential contractor's 552
work; 553

(d) The capacity of the potential contractor to perform the 554
work within the specified time limitations; 555

(e) The potential contractor's proposed method and equipment 556
to accomplish the work required; 557

(f) The person from whom the potential contractor proposes to 558
lease real property, including land, buildings, and other 559
structures, necessary for the operation of the program as required 560
in division (E) of this section, including information concerning 561
at least all of the following: 562

(i) Any specialized experience and technical competence of 563
the person; 564

(ii) The person's past record of performance with other 565
government agencies or public entities and with private industry, 566
including the ability to meet schedules; 567

(iii) Names of individuals who will serve as references 568
concerning the quality of the person's work; 569

(iv) The capacity of the person to perform the work within 570
the specified time limitations. 571

(g) The potential contractor's proposed schedule for leasing 572
of inspection sites, equipping of facilities, training of 573
personnel, and implementation of a public education program. 574

Each potential contractor shall include with the potential 575
contractor's proposal a signed statement from the person 576
identified under division (D)(2)(f) of this section indicating 577

that the person understands the applicable requirements 578
established under this section and rules adopted under it and 579
intends to comply with those requirements. 580

(3) The director of administrative services shall require a 581
performance bond of not less than one million dollars. Each 582
proposal shall be accompanied by a letter of commitment from a 583
bonding company stating that if the proposal is accepted, the 584
bonding company will issue such a bond. 585

(4)(a) The director of administrative services shall review 586
all information submitted with proposals under division (D)(2) of 587
this section for compliance with proposal specifications. The 588
director may require any potential contractor to supplement the 589
potential contractor's proposal with oral commentary for 590
clarification of the proposal document and to determine the 591
qualifications of the potential contractor. Any clarification of 592
information included in the proposal also shall be in writing. The 593
director shall reject the proposal of any potential contractor 594
whom the director determines to be unqualified. 595

(b) Although the director may require clarification of 596
information submitted with a proposal in accordance with division 597
(D)(4)(a) of this section, the director shall not change the 598
proposal specifications for a contract following the issuance of 599
the request for proposals for that contract. 600

(5)(a) The director of administrative services ~~shall award~~ 601
has awarded an initial contract for a period of operation of not 602
more than ten years. ~~Except as otherwise provided in division~~ 603
~~(D)(5)(b) of this section, a contract may be renewed for periods~~ 604
~~of not more than five years each, by mutual agreement of the~~ 605
~~director and the contractor. Any contract awarded under division~~ 606
~~(D)(5)(a) of this section is subject to the approval of the~~ 607
~~controlling board.~~ 608

~~(b) If the implementation and supervision of the enhanced motor vehicle inspection and maintenance program in Cuyahoga county is requested under section 3704.142 of the Revised Code and the initial contract for the operation of the motor vehicle inspection and maintenance program in that county is modified to provide for the operation of the enhanced program in that county, the initial contract for the operation of the motor vehicle inspection and maintenance program in that county that is in effect on the effective date of this amendment, as so modified, may be renewed for a period of not more than ten years so that the first renewal of that contract will expire on the same date as the initial contract for the operation of the enhanced program in the other counties in the same nonattainment area as Cuyahoga county. That first renewal shall be made by mutual agreement of the director and the contractor and is subject to the approval of the controlling board. Any subsequent renewals of the contract for the operation of the program in Cuyahoga county are subject to division (D)(5)(a) of this section.~~

(6) A contract entered into under division (D) of this section shall include, without limitation, all of the following provisions:

(a) A requirement that the contractor enter into a lease with the person identified in the contractor's proposal under division (D)(2)(f) of this section for real property, including land, buildings, and other structures, necessary for the operation of the program as required in division (E) of this section;

(b) A requirement that the contractor provide any equipment, parts, tools, services, personnel, supplies, materials, and program software and software updates, and design and implement a comprehensive public information program, necessary to conduct motor vehicle inspections and reinspections required to be conducted by a contractor under this section and data

communication links for reinspection stations licensed under 641
division (C) of this section; 642

(c) A provision allowing reasonable compensation, as 643
determined by the director of environmental protection, as 644
liquidated damages to the contractor if the motor vehicle 645
inspection and maintenance program established under this section 646
is terminated by law or its operation is discontinued during the 647
term of a contract or renewal, including, without limitation, 648
reasonable compensation for the unamortized costs of the 649
buildings, improvements, equipment, parts, tools, services, 650
supplies, and materials used by the contractor in the operation of 651
the program and the value of the remaining term of the contract to 652
the contractor. If a dispute arises as to the amount of the 653
compensation to be paid, it shall be submitted to and determined 654
by the court of claims under Chapter 2743. of the Revised Code. 655
The contractor shall remit any compensation so received for the 656
unamortized costs of the buildings and improvements to the person 657
with whom the contractor has entered into a lease in accordance 658
with division (E) of this section. 659

(d) A provision specifying that the forms for inspection 660
certificates are to be furnished by the contractor to the director 661
of environmental protection and that they shall conform to the 662
standards established by the director of environmental protection 663
in rules adopted under division (B)(1) of this section. The 664
director of environmental protection shall distribute the 665
inspection certificates to reinspection stations licensed under 666
division (C) of this section as needed. 667

(e) A provision allowing the director to require the 668
contractor to upgrade testing equipment in response to 669
improvements in technology and to negotiate reasonable 670
compensation for that upgrading. 671

(7) The director of environmental protection shall establish 672

inspection and reinspection fees to be paid by owners of motor 673
vehicles inspected under this section, provided that an owner 674
shall pay the inspection fee for the initial, annual, or biennial 675
inspection, as appropriate, only if the owner's vehicle passes 676
that inspection. The fees shall be sufficient to provide the 677
contractor's compensation identified in any contract entered into 678
under division (D) of this section plus the costs of the 679
environmental protection agency in implementing and administering 680
the motor vehicle inspection and maintenance program established 681
in this section. The inspection and reinspection fees shall not 682
differ in amount and shall not exceed ten dollars and fifty cents 683
under the basic motor vehicle inspection and maintenance program 684
or twenty-five dollars under the enhanced program. The director, 685
during the term of a contract or renewal, may increase the 686
inspection and reinspection fees if the director determines that 687
it is necessary to cover costs of the program, including increased 688
costs resulting from any upgrading of testing equipment pursuant 689
to division (D)(6)(e) of this section, or to prevent a possible 690
breach of contract, but shall not increase the fees above ten 691
dollars and fifty cents under the basic program or twenty-five 692
dollars under the enhanced program. 693

(8) The contractor shall do both of the following: 694

(a) Collect the fees established under division (D)(7) of 695
this section and forward to the director of environmental 696
protection the portion due the environmental protection agency; 697

(b) Maintain and make available for inspection by the 698
director of environmental protection, the auditor of state, or 699
their authorized representatives accurate records concerning the 700
collection of the fees. For the purposes of division (D)(8)(b) of 701
this section, record-keeping and accounting practices shall be 702
approved by the director. Failure to maintain or falsification of 703
fee collection records is grounds for breach of contract. 704

(9) The director of environmental protection shall credit the moneys the director receives under division (D)(8)(a) of this section to the motor vehicle inspection and maintenance fund created in division (I) of this section.

(10) A contractor shall maintain and make available for inspection by the director of environmental protection or the director's authorized representative accurate records as required by rules adopted under this section.

(11) If a contractor fails to perform an obligation imposed by the contract entered into under division (D) of this section, the director of environmental protection shall request the attorney general to bring a civil action to recover the amount of the bond executed under division (D)(3) of this section as well as other appropriate relief. The director shall deposit any moneys recovered in such a civil action in the motor vehicle inspection and maintenance fund created in division (I) of this section.

(12) The director of environmental protection shall compile and periodically revise lists of reinspection stations licensed under division (C) of this section and located within individual areas that are subject to the basic motor vehicle inspection and maintenance program under this section. Each such list also shall contain the locations of inspection stations operated by a contractor within the applicable area. A contractor shall provide the appropriate list to any owner whose motor vehicle fails the initial inspection required under this section.

(13) The director of environmental protection shall compile and periodically revise lists of inspection stations operated by a contractor located within individual areas subject to the enhanced motor vehicle inspection and maintenance program under this section. A contractor shall provide the appropriate list to any owner whose motor vehicle fails the initial inspection required

under this section. 736

(14) No owners, officers, or employees of a contractor 737
submitting a proposal or awarded a contract under division (D) of 738
this section shall have a principal interest in the person 739
identified by the contractor under division (D)(2)(f) of this 740
section or in any reinspection station licensed under division (C) 741
of this section. 742

(15) The department of administrative services may issue to 743
the environmental protection agency a release and permit under 744
section 125.06 of the Revised Code pursuant to which that agency 745
may issue and award a contract or contracts under division (D) of 746
this section. If a release and permit is issued, any reference to 747
the director of administrative services under divisions (D) and 748
(E) of this section is deemed to be a reference to the director of 749
environmental protection. 750

(E)(1) Notwithstanding section 3704.01 of the Revised Code, 751
as used in division (E) of this section, "person" has the same 752
meaning as in section 1.59 of the Revised Code. 753

(2) In order to fulfill the requirements of this section and 754
to comply with the "Clean Air Act Amendments," any contractor that 755
is awarded one or more contracts under division (D) of this 756
section shall enter into one or more assignable and renewable 757
leases with another person for the rental and use of real 758
property, including land, buildings, and other structures. 759

(3) The director of administrative services shall require a 760
contractor to make assignments of all leases under which the 761
contractor is lessee for real property to another contractor 762
awarded a contract under division (D) of this section. The 763
director shall require any contractor that is awarded a subsequent 764
contract under that division to renew the lease into which the 765
contractor entered under division (E)(2) of this section, or, if a 766

different contractor is awarded such a subsequent contract, the 767
director shall require that contractor to enter into a lease with 768
the person who was the lessor of the previous contractor. 769

(F)(1)(a) Except as otherwise provided in this section and 770
rules adopted under it, the owner of any self-propelled motor 771
vehicle the district of registration of which is or is located in 772
a county that is subject to this section shall have the vehicle 773
inspected annually, within three hundred sixty-five days prior to 774
the registration deadline established pursuant to rules adopted 775
under section 4503.101 of the Revised Code, by a contractor in 776
accordance with rules adopted under division (B)(3) of this 777
section if that county is subject to the basic motor vehicle 778
inspection and maintenance program pursuant to rules adopted under 779
that division or shall have the vehicle so inspected biennially 780
within three hundred sixty-five days prior to the registration 781
deadline so established if that county is subject to the enhanced 782
program pursuant to those rules. If the district of registration 783
of the motor vehicle is or is located in a county that is subject 784
to the enhanced program pursuant to rules adopted under division 785
(B)(3) of this section, the owner of the motor vehicle shall have 786
it inspected and, if necessary, reinspected only in a county that 787
is subject to the enhanced program under those rules. Any motor 788
vehicle that fails the inspection shall be reinspected in 789
accordance with rules adopted under that division. If the owner's 790
vehicle passes the inspection or any reinspection, the owner, at 791
the time of the inspection or reinspection, shall pay the 792
applicable fee established under division (D)(7) of this section. 793

~~An~~ 794

An owner of a motor vehicle the district of registration of 795
which is or is located in a county that is subject to the basic 796
program under this section and for which a multi-year registration 797
is in effect under division (A)(1)(a) of section 4503.103 of the 798

Revised Code or rules adopted under it, in each of the years 799
intervening between the year of the issuance of that registration 800
and its expiration, shall have the vehicle inspected annually 801
within the three hundred sixty-five days prior to the anniversary 802
of the registration deadline applicable in the year in which the 803
multi-year registration was issued. An owner of a motor vehicle 804
the district of registration of which is or is located in a county 805
that is subject to the enhanced program under this section for 806
which a multi-year registration is in effect under division 807
(A)(1)(a) of section 4503.103 of the Revised Code or rules adopted 808
under it, biennially during the years intervening between the year 809
of issuance of that registration and its expiration, shall have 810
the vehicle inspected within three hundred sixty-five days prior 811
to each of the biennial anniversaries of the registration deadline 812
applicable in the year in which the multi-year registration was 813
issued. ~~An~~ 814

An owner of a motor vehicle the district of registration of 815
which is or is located in a county that is subject to a basic or 816
enhanced program under this section who has voluntarily chosen to 817
register the vehicle biennially in accordance with division 818
(A)(1)(b) of section 4503.103 of the Revised Code shall have the 819
vehicle inspected annually or biennially, as applicable, in 820
accordance with rules adopted under this section. 821

An owner who registers a motor vehicle after the registration 822
deadline for the vehicle has passed in a year in which the vehicle 823
is required to be inspected under division (F)(1)(a) of this 824
section may have the vehicle inspected at any time between the 825
registration deadline and the actual registration date. 826

Division (F)(1) of this section does not require the 827
inspection of a motor vehicle upon transfer of ownership or 828
possession. 829

Except as otherwise provided in division (F)(3) or (4) of 830

this section, proof that an inspection certificate was issued for 831
a motor vehicle during the previous twelve months shall be 832
provided before the registrar of motor vehicles may issue license 833
plates for that vehicle under section 4503.40 or 4503.42 of the 834
Revised Code. 835

The owner of any motor vehicle that is required to be 836
inspected under this section, but that is leased to another person 837
may require the lessee to have the vehicle inspected and obtain 838
the inspection certificate on behalf of the owner. 839

(b) If a vehicle required to be inspected passes the 840
inspection, the contractor shall give the owner an inspection 841
certificate for the vehicle. 842

(c) The contractor shall include as part of the inspection 843
required under this section a visual anti-tampering inspection 844
that meets the requirements established by rules adopted under 845
division (B)(3) of this section. If the visual anti-tampering 846
inspection indicates that any emission control device has been 847
removed, modified, or impaired, the owner shall have performed on 848
the vehicle whatever repairs are necessary to pass the visual 849
anti-tampering inspection and to restore the vehicle to its proper 850
condition, including, without limitation, the restoration of any 851
emission control device that was removed, modified, or impaired. 852
If the district of registration of the vehicle is or is located in 853
a county that is subject to the basic motor vehicle inspection and 854
maintenance program under this section, the owner then shall take 855
the vehicle to a contractor or a licensee. If the district of 856
registration of the vehicle is or is located in a county that is 857
subject to the enhanced program under this section, the owner then 858
shall take the vehicle to a contractor. If the contractor or 859
licensee determines that the vehicle has been restored to its 860
proper condition and the vehicle then passes the tailpipe 861
emissions inspection required under this section, the contractor 862

or licensee shall give the owner an inspection certificate for the 863
vehicle. 864

(d) Except as otherwise provided in division (F)(1)(f) of 865
this section, if a vehicle required to be inspected under this 866
section fails the inspection, and the contractor's visual 867
anti-tampering inspection conducted under division (F)(1)(c) of 868
this section does not reveal any removal, modification, or 869
impairment of an emission control device or, if the original 870
visual anti-tampering inspection revealed such a removal, 871
modification, or impairment, the vehicle again fails the tailpipe 872
emissions inspection after the owner has performed all necessary 873
repairs to restore the vehicle to its proper condition, the owner 874
shall have the cost of repairs necessary to pass the tailpipe 875
emissions inspection estimated by a repair facility, which cost 876
shall include the cost of an engine tune-up. If the cost of the 877
repairs that are necessary for the vehicle to pass the tailpipe 878
emissions inspection do not exceed the waiver limit for that 879
vehicle, the owner shall have the repairs performed on the 880
vehicle. The owner then shall have the vehicle reinspected by a 881
contractor or licensee. 882

If the vehicle passes the reinspection, the contractor or 883
licensee shall give the owner an inspection certificate for the 884
vehicle. If the vehicle fails the reinspection, and the cost of 885
the repairs already performed on the vehicle is less than the 886
applicable waiver limit, the owner shall have additional repairs 887
performed on the vehicle in order to enable it to pass another 888
reinspection. If, after repairs costing at least the applicable 889
waiver limit have been performed on the vehicle under division 890
(F)(1)(d) of this section, the vehicle fails the reinspection, but 891
the reinspection indicates an improvement in tailpipe emissions of 892
the pollutant concerning which the vehicle initially failed the 893
inspection as specified in rules adopted under division (B)(3) of 894

this section and if, following the repairs, no emission levels 895
increase above the standard established by rules adopted under 896
that division for any pollutant concerning which the vehicle did 897
not initially fail, the contractor shall give the owner an 898
inspection certificate for the vehicle that includes a waiver 899
indicating that the vehicle did not pass the required inspection, 900
but that the owner had repairs costing at least the applicable 901
waiver limit performed on the vehicle. 902

For the purposes of divisions (F)(1)(d) to (f) of this 903
section, only a contractor may do either of the following: 904

(i) Issue inspection certificates that include waivers; 905

(ii) Notwithstanding any provision of those divisions, 906
conduct reinspections of vehicles the district of registration of 907
which is or is located in a county that is subject to the enhanced 908
program under this section. 909

(e) Except as otherwise provided in division (F)(1)(f) of 910
this section, if the cost of the repairs that are necessary for 911
the vehicle to pass the tailpipe emissions inspection is estimated 912
to be more than the applicable waiver limit, the owner need not 913
have all of those repairs performed on the vehicle, but shall have 914
an engine tune-up performed on the vehicle that meets the 915
standards established by rules adopted under division (B)(3) of 916
this section as well as any other necessary repairs the cost of 917
which, together with the cost of the engine tune-up, equals at 918
least the applicable waiver limit. Upon the owner's presentation 919
of original repair receipts attesting that repairs costing at 920
least the applicable waiver limit, including, without limitation, 921
the engine tune-up required under division (F)(1)(e) of this 922
section, have been performed on the vehicle, the contractor or 923
licensee shall reinspect the vehicle to determine the 924
effectiveness of the required engine tune-up. If the reinspection 925
indicates an improvement in tailpipe emissions of the pollutant 926

concerning which the vehicle initially failed the inspection as 927
specified in rules adopted under division (B)(3) of this section 928
and if, following the engine tune-up, no emission levels increase 929
above the standard established by rules adopted under that 930
division for any pollutant concerning which the vehicle did not 931
initially fail, the contractor shall give the owner an inspection 932
certificate for the vehicle that includes a waiver indicating that 933
the vehicle did not pass the required inspection, but that the 934
owner complied with all requirements governing waivers. 935

(f) If a vehicle required to be inspected under this section 936
fails the inspection, and the contractor's visual anti-tampering 937
inspection conducted under division (F)(1)(c) of this section does 938
not reveal any removal, modification, or impairment of an emission 939
control device or, if the original visual anti-tampering 940
inspection revealed such a removal, modification, or impairment, 941
the vehicle again fails the tailpipe emissions inspection after 942
the owner has performed all necessary repairs to restore the 943
vehicle to its proper condition, the owner may perform the repairs 944
necessary for the vehicle to pass the tailpipe emissions 945
inspection. The owner shall keep a detailed record of the costs 946
incurred in performing those repairs. After performing repairs on 947
the vehicle costing not more than the applicable waiver limit, the 948
owner shall have the vehicle reinspected by the contractor or a 949
licensee. 950

If the vehicle passes the reinspection, the contractor or 951
licensee shall give the owner an inspection certificate for the 952
vehicle. If the vehicle fails the reinspection and the documented 953
cost of the repairs performed by the owner is less than the 954
applicable waiver limit, the owner shall have the cost of repairs 955
necessary to pass the tailpipe emissions inspection estimated by a 956
repair facility. The estimate shall include, without limitation, 957
the cost of an engine tune-up that meets the standards established 958

by rules adopted under division (B)(3) of this section. If the 959
cost of the engine tune-up, together with the documented cost of 960
the repairs performed by the owner, does not exceed the applicable 961
waiver limit, the owner shall have the engine tune-up performed on 962
the vehicle as well as any other necessary repairs the cost of 963
which, together with that documented cost and the cost of the 964
engine tune-up, equals at least the applicable waiver limit. 965

If the documented cost of repairs performed by the owner and 966
the estimated cost of an engine tune-up that meets the standards 967
established in rules adopted under division (B)(3) of this section 968
exceed the applicable waiver limit, the owner shall have 969
additional repairs performed on the vehicle by a repair facility 970
in order to enable it to pass another reinspection or until a 971
minimum expenditure equal to the applicable waiver limit is met, 972
whichever occurs first. 973

If, after repairs costing at least the applicable waiver 974
limit have been performed on the vehicle under division (F)(1)(f) 975
of this section, the vehicle fails the tailpipe reinspection, but 976
the reinspection indicates an improvement in the tailpipe 977
emissions of the pollutant concerning which the vehicle initially 978
failed the inspection as specified in rules adopted under division 979
(B)(3) of this section and if, following the repairs, no emission 980
levels increase above the standard established by rules adopted 981
under that division for any pollutant concerning which the vehicle 982
did not initially fail, the contractor shall give the owner an 983
inspection certificate for the vehicle that includes a waiver 984
indicating that the vehicle did not pass the required inspection, 985
but that the owner performed or had performed on the vehicle 986
repairs costing at least the applicable waiver limit. 987

(g) If a motor vehicle that is required to be inspected under 988
this section is covered by a valid and unexpired emission 989
performance warranty as provided under section 207(b) of the 990

"Clean Air Act Amendments," the owner shall have any repairs 991
necessary for the vehicle to pass that inspection performed on the 992
vehicle under that warranty. Such a vehicle is not eligible for a 993
waiver under division (F)(1)(d), (e), or (f) of this section. 994

(2) An owner or lessee of a motor vehicle required to be 995
inspected under this section and applicable rules adopted under it 996
shall present an inspection certificate issued for that vehicle by 997
a contractor or a licensee under this section when registering the 998
vehicle under Chapter 4503. of the Revised Code. 999

(3) The following motor vehicles are exempt from the 1000
inspection requirements of this section and applicable rules 1001
adopted under it: 1002

(a) Vehicles over twenty-five years old, as determined by 1003
model year, on the date on which proof of an annual inspection 1004
otherwise would be required to be submitted with an application 1005
for registration of the vehicles under this section and Chapter 1006
4503. of the Revised Code; 1007

(b) Vehicles registered to military personnel assigned to 1008
military reservations outside this state, the district of 1009
registration of which is or is located in any county that is 1010
subject to this section; 1011

(c) Passenger cars and noncommercial motor vehicles, as 1012
defined in section 4501.01 of the Revised Code, that weigh over 1013
ten thousand pounds gross vehicle weight; 1014

(d) Commercial cars, as defined in section 4501.01 of the 1015
Revised Code, having a taxable gross vehicle weight of more than 1016
ten thousand pounds as provided in section 4503.042 of the Revised 1017
Code; 1018

(e) Historical vehicles registered under section 4503.181 of 1019
the Revised Code; 1020

(f) Licensed collector's vehicles as defined in section	1021
4501.01 of the Revised Code;	1022
(g) Parade and exhibition vehicles registered under section	1023
4503.18 of the Revised Code;	1024
(h) Motorcycles as defined in section 4511.01 of the Revised	1025
Code;	1026
(i) Electrically powered and alternatively fueled vehicles,	1027
including at least those that are equipped to operate using	1028
primarily one hundred per cent propane, butane, hydrogen, alcohol,	1029
or natural gas as fuel;	1030
(j) Recreational vehicles as defined in section 4501.01 of	1031
the Revised Code.	1032
(4) A motor vehicle, the legal title to which has never been	1033
transferred by a manufacturer, distributor, or dealer to an	1034
ultimate purchaser as defined in section 4517.01 of the Revised	1035
Code, is exempt from the inspection requirements of this section	1036
and rules adopted under it for a period of one year <u>five years</u>	1037
commencing on the date when the first certificate of title to the	1038
vehicle was issued on behalf of the ultimate purchaser under	1039
Chapter 4503. of the Revised Code if the district of registration	1040
of the vehicle is or is located in a county that is subject to the	1041
basic motor vehicle inspection and maintenance program under this	1042
section and rules adopted under it or is exempt from those	1043
inspection requirements for a period of two years commencing on	1044
the date when the first certificate of title to the vehicle was	1045
issued on behalf of the ultimate purchaser under that chapter if	1046
the district of registration of the vehicle is or is located in a	1047
county that is subject to the enhanced program under this section	1048
and rules adopted under it. <u>A motor vehicle that is exempt from</u>	1049
<u>the motor vehicle inspection and maintenance program for a period</u>	1050
<u>of five years under division (F)(4) of this section remains exempt</u>	1051

during that five-year period regardless of whether legal title to 1052
the motor vehicle is transferred during that period. 1053

(5) The director shall notify, by mail, the owners of all 1054
motor vehicles, the district of registration of which is or is 1055
located in any county that is subject to this section, of the 1056
applicable requirements established under this section. 1057

(G) The owner of a fleet of twenty-five or more vehicles 1058
required to be inspected under this section, instead of having the 1059
owner's motor vehicles inspected by a contractor or reinspected by 1060
a contractor or a licensee, may conduct self-inspection of those 1061
vehicles in accordance with rules adopted by the director of 1062
environmental protection under this section. The rules shall 1063
establish, without limitation, requirements governing inspections 1064
and reinspections conducted by any such owner, any inspection 1065
stations owned and operated by any such owner for that purpose, 1066
and inspection equipment used for that purpose; an annual 1067
reporting requirement to assist the director in determining 1068
compliance with this division; and the method of and procedures 1069
for payment of a fee that shall not exceed three dollars for each 1070
vehicle that is included in the self-inspection program. 1071

(H) The federal government, the state, any political 1072
subdivision, and any agency or instrumentality of those entities, 1073
in accordance with rules adopted by the director of environmental 1074
protection under this section, shall have inspected by a 1075
contractor or reinspected by a contractor or a licensee or shall 1076
self-inspect any motor vehicles that they own and operate in any 1077
county that is subject to this section. The director shall adopt 1078
rules under this section for the purposes of this division. The 1079
rules shall establish, without limitation, an annual reporting 1080
requirement to assist the director in determining compliance with 1081
this division. The director may issue a notice of violation to a 1082
governmental entity that the director finds has violated any 1083

specific prohibition or has failed to comply with any affirmative 1084
requirement of this section or any rule adopted under it. The 1085
notice of violation shall set forth the specific violation or 1086
failure to comply allegedly committed by the governmental entity 1087
and shall be accompanied by an order requiring the governmental 1088
entity to pay to the director the appropriate civil penalty 1089
prescribed in this division. A governmental entity that receives a 1090
notice of violation and order under this division for a violation 1091
or failure to comply is liable for a civil penalty of two hundred 1092
fifty dollars. The director may request the attorney general to 1093
take appropriate action to effect compliance. Notwithstanding 1094
division (A) of this section, as used in this division, "motor 1095
vehicle" has the same meaning as in section 4511.01 of the Revised 1096
Code. 1097

(I) There is hereby created in the state treasury the motor 1098
vehicle inspection and maintenance fund, which shall consist of 1099
moneys received by the director under this section and section 1100
3704.17 of the Revised Code. The director shall use moneys in the 1101
fund solely for administration, supervision, and enforcement of 1102
the program established under this section and rules adopted under 1103
it and public education concerning the program. 1104

(J) The director periodically shall review the information 1105
submitted to the director by licensed reinspection stations 1106
pursuant to rules adopted under division (C)(6) of this section, 1107
information submitted to the director by any contractor under 1108
division (D)(10) of this section, annual reports submitted by 1109
motor vehicle fleet owners under division (G) of this section and 1110
rules adopted under that division, and the list of motor vehicles 1111
for which multi-year registrations are in effect provided to the 1112
director under division (I)(2)(b) of section 4503.10 of the 1113
Revised Code, as necessary to determine whether owners of motor 1114
vehicles who have obtained multi-year registrations under section 1115

4503.103 of the Revised Code or rules adopted under it have 1116
complied with the requirement of division (F)(1)(a) of this 1117
section to have their vehicles inspected and obtain inspection 1118
certificates for them annually or biennially, whichever is 1119
applicable. If the director finds from that information that, in a 1120
year intervening between the years of issuance and expiration of a 1121
multi-year registration in which an owner is required to have a 1122
vehicle inspected and obtain an inspection certificate for it 1123
under that division, the owner has not done so within the 1124
applicable three hundred sixty-five day period, the director 1125
immediately shall send written notice of that fact to the 1126
registrar of motor vehicles. Upon receipt of information submitted 1127
pursuant to rules adopted under division (C)(6) of this section, 1128
information submitted under division (D)(10) of this section, or 1129
the annual report of a fleet owner submitted pursuant to rules 1130
adopted under division (G) of this section indicating that an 1131
owner who was the subject of an earlier notice to the registrar 1132
under this division has had the vehicle named in the notice 1133
inspected and has obtained an inspection certificate for it in 1134
compliance with division (F)(1)(a) of this section, the director 1135
immediately shall send written notice of that fact to the 1136
registrar. 1137

(K)(1)(a) If a redesignation request demonstrating compliance 1138
with the national ambient air quality standard for carbon monoxide 1139
or ozone in a county designated as nonattainment for carbon 1140
monoxide or ozone and demonstrating that operation of a motor 1141
vehicle inspection and maintenance program is not necessary for 1142
attainment and maintenance of those standards in that county has 1143
been submitted to and is pending before the United States 1144
environmental protection agency under the "Clean Air Act 1145
Amendments," and if no release and permit has been issued to the 1146
environmental protection agency under division (D)~~(14)~~(15) of this 1147
section and section 125.06 of the Revised Code, the director of 1148

environmental protection may submit a written request to the 1149
director of administrative services to indefinitely delay the 1150
issuance of a request for proposals or the award of a contract 1151
under division (D) of this section for the operation of a motor 1152
vehicle inspection and maintenance program in that county or, if 1153
such a request for proposals has been issued under that division, 1154
to withdraw it. Upon receipt of such a written request from the 1155
director of environmental protection, the director of 1156
administrative services shall take the requested actions. 1157

(b) If a release and permit has been issued to the 1158
environmental protection agency under division (D)~~(14)~~(15) of this 1159
section and section 125.06 of the Revised Code, the director of 1160
environmental protection may indefinitely delay the issuance of a 1161
request for proposals and award of a contract under division (D) 1162
of this section for the operation of a motor vehicle inspection 1163
and maintenance program or may withdraw any such request that has 1164
been issued under that division in connection with a county for 1165
which a redesignation request making the demonstrations described 1166
in division (K)(1)(a) of this section has been submitted to and is 1167
pending before the United States environmental protection agency 1168
under the "Clean Air Act Amendments." 1169

(c) If no release and permit has been issued to the 1170
environmental protection agency under division (D)~~(14)~~(15) of this 1171
section and section 125.06 of the Revised Code, the director of 1172
environmental protection may submit a written request to the 1173
director of administrative services to proceed with the issuance 1174
of a request for proposals and the award of a contract for the 1175
operation of a motor vehicle inspection and maintenance program 1176
under division (D) of this section in a county for which a 1177
redesignation request described in division (K)(1)(a) of this 1178
section was submitted to the United States environmental 1179
protection agency or, if such a release and permit has been issued 1180

to the environmental protection agency, the director of 1181
environmental protection may proceed with the issuance of such a 1182
request under either of the following circumstances: 1183

(i) Upon disapproval of the redesignation request by the 1184
United States environmental protection agency; 1185

(ii) Upon approval of the redesignation request by the United 1186
States environmental protection agency if the director of 1187
environmental protection determines that operation of a motor 1188
vehicle inspection and maintenance program in the county is 1189
necessary to protect and maintain compliance with the national 1190
ambient air quality standard for carbon monoxide or ozone in the 1191
county. 1192

If no such release and permit has been issued to the 1193
environmental protection agency, the director of administrative 1194
services, upon receipt of a written request from the director of 1195
environmental protection under division (K)(1)(c) of this section, 1196
shall take the requested actions. 1197

(2) If at any time air quality monitoring data in any county 1198
where a motor vehicle inspection and maintenance program is 1199
required under this section and rules adopted under it demonstrate 1200
that that county has attained and maintained compliance for three 1201
consecutive years with the national ambient air quality standard 1202
for carbon monoxide or ozone under the "Clean Air Act Amendments," 1203
the director, at the earliest possible date, shall prepare and 1204
submit to the administrator of the United States environmental 1205
protection agency a demonstration that such attainment has been so 1206
achieved and maintained in that county. If the administrator 1207
approves the director's submittal as demonstrating that compliance 1208
with the national ambient air quality standard for carbon monoxide 1209
or ozone under that act has been achieved and maintained in the 1210
county and if the director determines that continued operation of 1211
a motor vehicle inspection and maintenance program in the county 1212

is not necessary to protect and maintain compliance with the 1213
national ambient air quality standard for carbon monoxide or 1214
ozone, the director may rescind the rules adopted under division 1215
(B) of this section requiring implementation and operation of the 1216
program in that county. A rescission shall take effect in such a 1217
county on the date of the expiration of the contract or renewal 1218
thereof provided for in division (D) of this section that next 1219
succeeds the administrator's approval of the demonstration in that 1220
county. 1221

(L) There is hereby created the motor vehicle inspection and 1222
maintenance program legislative oversight committee, which shall 1223
be comprised of six members. The speaker of the house of 1224
representatives shall appoint three members of the house of 1225
representatives to the committee, not more than two of whom shall 1226
be from any one political party, and the president of the senate 1227
shall appoint three members of the senate to the committee, not 1228
more than two of whom shall be from any one political party. Each 1229
member shall serve at the pleasure of the member's appointing 1230
authority. During the first year of any legislative session, the 1231
~~chairman~~ chairperson of the committee shall be a member from the 1232
house of representatives and the ~~vice-chairman~~ vice-chairperson 1233
shall be a member from the senate, as designated by their 1234
appointing authorities. During the second year of any legislative 1235
session, the ~~chairman~~ chairperson shall be a member from the 1236
senate and the ~~vice-chairman~~ vice-chairperson shall be a member 1237
from the house of representatives, as designated by their 1238
appointing authorities. 1239

The committee shall monitor the motor vehicle inspection and 1240
maintenance program established under this section and, in doing 1241
so, shall work in complete cooperation with the Ohio environmental 1242
protection agency and the United States environmental protection 1243
agency. The former agency shall provide to the committee any data, 1244

reports, and other information and materials requested by the 1245
committee. 1246

The director shall notify the committee whenever the program 1247
established under this section is required to be implemented in a 1248
county because of a change in that county's nonattainment 1249
classification under the "Clean Air Act Amendments" or if an 1250
enhanced program is required to be implemented in a county under 1251
section 3704.142 of the Revised Code. 1252

If at any time the program established under this section is 1253
terminated, the committee shall cease to exist on the date of 1254
termination. 1255

(M) Implementation of the motor vehicle inspection and 1256
maintenance program established under this section is an essential 1257
state function mandated by the "Clean Air Act Amendments." The 1258
director or the director's authorized representative may perform 1259
essential governmental duties that are necessary to implement the 1260
program properly within any county that is subject to this 1261
section, including at least the placement of directional traffic 1262
signs to assist citizens in finding inspection stations. The 1263
director or the director's authorized representative need not 1264
comply with any applicable ordinances or resolutions of any 1265
political subdivisions if that compliance would prevent the 1266
director or the director's authorized representative from 1267
performing any such essential governmental duties. 1268

Sec. 3704.143. (A) As used in this section, "contract" means 1269
a contract entered into by the state under section 3704.14 of the 1270
Revised Code with a private contractor for the purpose of 1271
conducting emissions inspections under a motor vehicle inspection 1272
and maintenance program. 1273

(B) Notwithstanding division (D)(5) of section 3704.14 of the 1274
Revised Code, the director of administrative services or the 1275

director of environmental protection, as applicable, shall not 1276
renew any contract that is in existence on ~~the effective date of~~ 1277
~~this section~~ September 5, 2001. Further, the director of 1278
administrative services or the director of environmental 1279
protection, as applicable, shall not enter into a new contract 1280
upon the expiration or termination of any contract that is in 1281
existence on ~~the effective date of this section~~ September 5, 2001, 1282
or enter into any new contract for the implementation of a motor 1283
vehicle inspection and maintenance program in a county in which 1284
such a program is not operating on that date. 1285

(C) Notwithstanding section 3704.14 of the Revised Code or 1286
any other section of the Revised Code that requires emissions 1287
inspections to be conducted or proof of such inspections to be 1288
provided, upon the expiration or termination of all contracts that 1289
are in existence on ~~the effective date of this section~~ September 1290
5, 2001, the director of environmental protection shall terminate 1291
all motor vehicle inspection and maintenance programs in this 1292
state and shall not implement a new motor vehicle inspection and 1293
maintenance program unless this section is repealed and such a 1294
program is authorized by the general assembly. 1295

Sec. 4501.061. There is hereby created in the state treasury 1296
the state highway patrol fund. Moneys in the fund shall be used 1297
solely to defray the costs of the state highway patrol in 1298
enforcing and administering the motor vehicle and traffic laws of 1299
the state. Fees collected under division (E) of section 4503.042, 1300
division (C)(1) of section 4503.10, division (A)(3) of section 1301
4505.09, division (B) of section 4506.08, and division (G) of 1302
section 4507.23 of the Revised Code shall be deposited in the 1303
fund. 1304

Sec. 4501.10. (A) Except as provided in ~~division~~ divisions 1305
(B) and (C) of this section, money received by the department of 1306

public safety from the sale of motor vehicles and related 1307
equipment pursuant to section 125.13 of the Revised Code shall be 1308
transferred to the highway safety salvage and exchange 1309
administration fund or highway safety salvage and exchange highway 1310
patrol fund, as appropriate. Such funds are hereby created in the 1311
state treasury. The money shall be used only to purchase 1312
replacement motor vehicles and related equipment. All investment 1313
earnings of these funds shall be credited to the funds, 1314
respectively. 1315

(B) Money received by the department of public safety from 1316
the sale of motor vehicles and related equipment of the bureau of 1317
motor vehicles pursuant to section 125.13 of the Revised Code 1318
shall be transferred to the state bureau of motor vehicles fund 1319
created by section 4501.25 of the Revised Code. 1320

(C) Money received by the department of public safety 1321
investigative unit established under section 5502.13 of the 1322
Revised Code from the sale of motor vehicles and other equipment 1323
pursuant to section 125.13 of the Revised Code shall be deposited 1324
into the public safety investigative unit salvage and exchange 1325
fund, which is hereby created in the state treasury. The money in 1326
the fund shall be used only to purchase replacement motor vehicles 1327
and other equipment for that unit. 1328

Sec. 4501.21. (A) There is hereby created in the state 1329
treasury the license plate contribution fund. The fund shall 1330
consist of all contributions paid by motor vehicle registrants and 1331
collected by the registrar of motor vehicles pursuant to sections 1332
4503.50, 4503.51, 4503.55, 4503.561, 4503.591, 4503.67, 4503.68, 1333
4503.69, 4503.71, 4503.711, 4503.72, 4503.73, and 4503.75 of the 1334
Revised Code. 1335

(B) The registrar shall disburse the contributions the 1336
registrar collects in the fund as follows: 1337

(1) The registrar shall pay the contributions the registrar receives pursuant to section 4503.50 of the Revised Code to the future farmers of America foundation, which shall deposit the contributions into its general account to be used for educational and scholarship purposes of the future farmers of America foundation. 1338
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(2) The registrar shall pay each contribution the registrar receives pursuant to section 4503.51 of the Revised Code to the university or college whose name or marking or design appears on collegiate license plates that are issued to a person under that section. A university or college that receives contributions from the fund shall deposit the contributions into its general scholarship fund. 1344
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(3) The registrar shall pay the contributions the registrar receives pursuant to section 4503.55 of the Revised Code to the pro football hall of fame, which shall deposit the contributions into a special bank account that it establishes and which shall be separate and distinct from any other account the pro football hall of fame maintains, to be used exclusively for the purpose of promoting the pro football hall of fame as a travel destination. 1351
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(4) The registrar shall pay the contributions the registrar receives pursuant to section 4503.561 of the Revised Code to the state of Ohio chapter of ducks unlimited, inc., which shall deposit the contributions into a special bank account that it establishes. The special bank account shall be separate and distinct from any other account the state of Ohio chapter of ducks unlimited, inc., maintains and shall be used exclusively for the purpose of protecting, enhancing, restoring, and managing wetlands and conserving wildlife habitat. The state of Ohio chapter of ducks unlimited, inc., annually shall notify the registrar in writing of the name, address, and account to which payments are to be made under division (B)(4) of this section. 1358
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(5) The registrar shall pay to a sports commission created pursuant to section 4501.32 of the Revised Code each contribution the registrar receives under section 4503.591 of the Revised Code that an applicant pays to obtain license plates that bear the logo of a professional sports team located in the county of that sports commission and that is participating in the license plate program established by section 4501.32 of the Revised Code, irrespective of the county of residence of an applicant. 1370
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(6) The registrar shall pay the contributions the registrar receives pursuant to section 4503.67 of the Revised Code to the Dan Beard council of the boy scouts of America. The council shall distribute all contributions in an equitable manner throughout the state to regional councils of the boy scouts. 1378
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(7) The registrar shall pay the contributions the registrar receives pursuant to section 4503.68 of the Revised Code to the great river council of the girl scouts of the United States of America. The council shall distribute all contributions in an equitable manner throughout the state to regional councils of the girl scouts. 1383
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(8) The registrar shall pay the contributions the registrar receives pursuant to section 4503.69 of the Revised Code to the Dan Beard council of the boy scouts of America. The council shall distribute all contributions in an equitable manner throughout the state to regional councils of the boy scouts. 1389
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(9) The registrar shall pay the contributions the registrar receives pursuant to section 4503.71 of the Revised Code to the fraternal order of police of Ohio, incorporated, which shall deposit the fees into its general account to be used for purposes of the fraternal order of police of Ohio, incorporated. 1394
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(10) The registrar shall pay the contributions the registrar receives pursuant to section 4503.711 of the Revised Code to the 1399
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fraternal order of police of Ohio, incorporated, which shall 1401
deposit the contributions into an account that it creates to be 1402
used for the purpose of advancing and protecting the law 1403
enforcement profession, promoting improved law enforcement 1404
methods, and teaching respect for law and order. 1405

(11) The registrar shall pay the contributions the registrar 1406
receives pursuant to section 4503.72 of the Revised Code to the 1407
organization known on the effective date of this section as the 1408
Ohio CASA/GAL association, a private, nonprofit corporation 1409
organized under Chapter 1702. of the Revised Code. The Ohio 1410
CASA/GAL association shall use these contributions to pay the 1411
expenses it incurs in administering a program to secure the proper 1412
representation in the courts of this state of abused, neglected, 1413
and dependent children, and for the training and supervision of 1414
persons participating in that program. 1415

(12) The registrar shall pay the contributions the registrar 1416
receives pursuant to section 4503.73 of the Revised Code to Wright 1417
B. Flyer, incorporated, which shall deposit the contributions into 1418
its general account to be used for purposes of Wright B. Flyer, 1419
incorporated. 1420

(13) The registrar shall pay the contributions the registrar 1421
receives pursuant to section 4503.75 of the Revised Code to the 1422
rotary foundation, located on the effective date of this section 1423
in Evanston, Illinois, to be placed in a fund known as the 1424
permanent fund and used to endow educational and humanitarian 1425
programs of the rotary foundation. 1426

(C) All investment earnings of the license plate contribution 1427
fund shall be credited to the fund. Not later than the first day 1428
of May of every year, the registrar shall distribute to each 1429
entity described in divisions (B)(1) to (13) of this section the 1430
investment income the fund earned the previous calendar year. The 1431
amount of such a distribution paid to an entity shall be 1432

proportionate to the amount of money the entity received from the 1433
fund during the previous calendar year. 1434

Sec. 4501.42. There is hereby created in the state treasury 1435
the American red cross fund. The fund shall consist of the 1436
contributions that are paid to the registrar of motor vehicles by 1437
applicants who choose to make a voluntary contribution to the fund 1438
under section 4503.105 of the Revised Code. 1439

From the moneys deposited in the fund, the treasurer of state 1440
first shall reimburse the bureau of motor vehicles for its 1441
administrative costs incurred in performing its duties under 1442
section 4503.105 of the the Revised Code. The treasurer then shall 1443
pay the moneys remaining in the fund to the greater Cleveland 1444
chapter of the American red cross in its capacity as the 1445
coordinating chapter for all American red cross chapters in this 1446
state. The greater Cleveland chapter of the American red cross 1447
shall deposit the contributions into a segregated account to be 1448
used for disaster services and other purposes of the American red 1449
cross in this state as directed by that organization's state 1450
service council. 1451

All investment earnings of the fund shall be credited to the 1452
fund. 1453

Sec. 4501.43. There is hereby created the juvenile diabetes 1454
research trust fund in the custody of the state treasurer. The 1455
fund shall consist of voluntary contributions that are paid to the 1456
registrar of motor vehicles or a deputy registrar by applicants 1457
for motor vehicle registration or registration renewal who choose 1458
to make a voluntary contribution to the fund under section 1459
4503.106 of the Revised Code. 1460

From the moneys deposited in the fund, the treasurer of state 1461
first shall reimburse the bureau of motor vehicles for its 1462

administrative costs incurred in performing its duties under 1463
section 4503.106 of the Revised Code. On the first day of each 1464
January, April, July, and October, the treasurer then shall pay 1465
all money in the fund to the juvenile diabetes research foundation 1466
international. 1467

All investment earnings of the fund shall be credited to it. 1468

Sec. 4503.10. (A) The owner of every snowmobile, off-highway 1469
motorcycle, and all-purpose vehicle required to be registered 1470
under section 4519.02 of the Revised Code shall file an 1471
application for registration under section 4519.03 of the Revised 1472
Code. The owner of a motor vehicle, other than a snowmobile, 1473
off-highway motorcycle, or all-purpose vehicle, that is not 1474
designed and constructed by the manufacturer for operation on a 1475
street or highway may not register it under this chapter except 1476
upon certification of inspection pursuant to section 4513.02 of 1477
the Revised Code by the sheriff, or the chief of police of the 1478
municipal corporation or township, with jurisdiction over the 1479
political subdivision in which the owner of the motor vehicle 1480
resides. Except as provided in section 4503.103 of the Revised 1481
Code, every owner of every other motor vehicle not previously 1482
described in this section and every person mentioned as owner in 1483
the last certificate of title of a motor vehicle that is operated 1484
or driven upon the public roads or highways shall cause to be 1485
filed each year, by mail or otherwise, in the office of the 1486
registrar of motor vehicles or a deputy registrar, a written or 1487
electronic application or a preprinted registration renewal notice 1488
issued under section 4503.102 of the Revised Code, the form of 1489
which shall be prescribed by the registrar, for registration for 1490
the following registration year, which shall begin on the first 1491
day of January of every calendar year and end on the thirty-first 1492
day of December in the same year. Applications for registration 1493
and registration renewal notices shall be filed at the times 1494

established by the registrar pursuant to section 4503.101 of the Revised Code. A motor vehicle owner also may elect to apply for or renew a motor vehicle registration by electronic means using electronic signature in accordance with rules adopted by the registrar. Except as provided in division (J) of this section, applications for registration shall be made on blanks furnished by the registrar for that purpose, containing the following information:

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

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

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

(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.

(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.

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

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

(6) Whether the fees required to be paid for the registration

or transfer of the motor vehicle, during the preceding 1525
registration year and during the preceding period of the current 1526
registration year, have been paid. Each application for 1527
registration shall be signed by the owner, either manually or by 1528
electronic signature, or pursuant to obtaining a limited power of 1529
attorney authorized by the registrar for registration, or other 1530
document authorizing such signature. If the owner elects to apply 1531
for or renew the motor vehicle registration with the registrar by 1532
electronic means, the owner's manual signature is not required. 1533

(7) The owner's social security number, if assigned, or, 1534
where a motor vehicle to be registered is used for hire or 1535
principally in connection with any established business, the 1536
owner's federal taxpayer identification number. The bureau of 1537
motor vehicles shall retain in its records all social security 1538
numbers provided under this section, but the bureau shall not 1539
place social security numbers on motor vehicle certificates of 1540
registration. 1541

(B) Each time an applicant first registers a motor vehicle in 1542
the applicant's name, the applicant shall present for inspection a 1543
physical certificate of title or a memorandum certificate showing 1544
title to the motor vehicle to be registered in the name of the 1545
applicant if a physical certificate of title or memorandum 1546
certificate has been issued by a clerk of a court of common pleas. 1547
If, under sections 4505.021, 4505.06, and 4505.08 of the Revised 1548
Code, a clerk instead has issued an electronic certificate of 1549
title for the applicant's motor vehicle, that certificate may be 1550
presented for inspection at the time of first registration in a 1551
manner prescribed by rules adopted by the registrar. When a motor 1552
vehicle inspection and maintenance program is in effect under 1553
section 3704.14 of the Revised Code and rules adopted under it, 1554
each application for registration for a vehicle required to be 1555
inspected under that section and those rules shall be accompanied 1556

by an inspection certificate for the motor vehicle issued in 1557
accordance with that section. The application shall be refused if 1558
any of the following applies: 1559

(1) The application is not in proper form. 1560

(2) The application is prohibited from being accepted by 1561
division (D) of section 2935.27, division (A) of section 2937.221, 1562
division (A) of section 4503.13, division (B) of section 4507.168, 1563
or division (B)(1) of section 4521.10 of the Revised Code. 1564

(3) A certificate of title or memorandum certificate of title 1565
does not accompany the application or, in the case of an 1566
electronic certificate of title, is not presented in a manner 1567
prescribed by the registrar's rules. 1568

(4) All registration and transfer fees for the motor vehicle, 1569
for the preceding year or the preceding period of the current 1570
registration year, have not been paid. 1571

(5) The owner or lessee does not have an inspection 1572
certificate for the motor vehicle as provided in section 3704.14 1573
of the Revised Code, and rules adopted under it, if that section 1574
is applicable. 1575

This section does not require the payment of license or 1576
registration taxes on a motor vehicle for any preceding year, or 1577
for any preceding period of a year, if the motor vehicle was not 1578
taxable for that preceding year or period under sections 4503.02, 1579
4503.04, 4503.11, 4503.12, and 4503.16 or Chapter 4504. of the 1580
Revised Code. When a certificate of registration is issued upon 1581
the first registration of a motor vehicle by or on behalf of the 1582
owner, the official issuing the certificate shall indicate the 1583
issuance with a stamp on the certificate of title or memorandum 1584
certificate or, in the case of an electronic certificate of title, 1585
an electronic stamp or other notation as specified in rules 1586
adopted by the registrar, and with a stamp on the inspection 1587

certificate for the motor vehicle, if any. The official also shall 1588
indicate, by a stamp or by other means the registrar prescribes, 1589
on the registration certificate issued upon the first registration 1590
of a motor vehicle by or on behalf of the owner the odometer 1591
reading of the motor vehicle as shown in the odometer statement 1592
included in or attached to the certificate of title. Upon each 1593
subsequent registration of the motor vehicle by or on behalf of 1594
the same owner, the official also shall so indicate the odometer 1595
reading of the motor vehicle as shown on the immediately preceding 1596
certificate of registration. 1597

The registrar shall include in the permanent registration 1598
record of any vehicle required to be inspected under section 1599
3704.14 of the Revised Code the inspection certificate number from 1600
the inspection certificate that is presented at the time of 1601
registration of the vehicle as required under this division. 1602

(C)(1) Commencing October 1, 2003, the registrar and each 1603
deputy registrar shall collect an additional fee of eight dollars 1604
for each application for registration and registration renewal 1605
received. The additional fee is for the purpose of defraying the 1606
costs associated with the administration and enforcement of the 1607
motor vehicle and traffic laws of Ohio by the state highway 1608
patrol. Each deputy registrar shall transmit the fees collected 1609
under division (C)(1) of this section in the time and manner 1610
provided in this section. The registrar shall deposit all moneys 1611
received under division (C)(1) of this section into the state 1612
highway patrol fund established in section 4501.061 of the Revised 1613
Code. 1614

(2) In addition, a charge of twenty-five cents shall be made 1615
for each reflectorized safety license plate issued, and a single 1616
charge of twenty-five cents shall be made for each county 1617
identification sticker or each set of county identification 1618
stickers issued, as the case may be, to cover the cost of 1619

producing the license plates and stickers, including material, 1620
manufacturing, and administrative costs. Those fees shall be in 1621
addition to the license tax. If the total cost of producing the 1622
plates is less than twenty-five cents per plate, or if the total 1623
cost of producing the stickers is less than twenty-five cents per 1624
sticker or per set issued, any excess moneys accruing from the 1625
fees shall be distributed in the same manner as provided by 1626
section 4501.04 of the Revised Code for the distribution of 1627
license tax moneys. If the total cost of producing the plates 1628
exceeds twenty-five cents per plate, or if the total cost of 1629
producing the stickers exceeds twenty-five cents per sticker or 1630
per set issued, the difference shall be paid from the license tax 1631
moneys collected pursuant to section 4503.02 of the Revised Code. 1632

(D) Each deputy registrar shall be allowed a fee of two 1633
dollars and seventy-five cents commencing on July 1, 2001, three 1634
dollars and twenty-five cents commencing on January 1, 2003, and 1635
three dollars and fifty cents commencing on January 1, 2004, for 1636
each application for registration and registration renewal notice 1637
the deputy registrar receives, which shall be for the purpose of 1638
compensating the deputy registrar for the deputy registrar's 1639
services, and such office and rental expenses, as may be necessary 1640
for the proper discharge of the deputy registrar's duties in the 1641
receiving of applications and renewal notices and the issuing of 1642
registrations. 1643

(E) Upon the certification of the registrar, the county 1644
sheriff or local police officials shall recover license plates 1645
erroneously or fraudulently issued. 1646

(F) Each deputy registrar, upon receipt of any application 1647
for registration or registration renewal notice, together with the 1648
license fee and any local motor vehicle license tax levied 1649
pursuant to Chapter 4504. of the Revised Code, shall transmit that 1650
fee and tax, if any, in the manner provided in this section, 1651

together with the original and duplicate copy of the application, 1652
to the registrar. The registrar, subject to the approval of the 1653
director of public safety, may deposit the funds collected by 1654
those deputies in a local bank or depository to the credit of the 1655
"state of Ohio, bureau of motor vehicles." Where a local bank or 1656
depository has been designated by the registrar, each deputy 1657
registrar shall deposit all moneys collected by the deputy 1658
registrar into that bank or depository not more than one business 1659
day after their collection and shall make reports to the registrar 1660
of the amounts so deposited, together with any other information, 1661
some of which may be prescribed by the treasurer of state, as the 1662
registrar may require and as prescribed by the registrar by rule. 1663
The registrar, within three days after receipt of notification of 1664
the deposit of funds by a deputy registrar in a local bank or 1665
depository, shall draw on that account in favor of the treasurer 1666
of state. The registrar, subject to the approval of the director 1667
and the treasurer of state, may make reasonable rules necessary 1668
for the prompt transmittal of fees and for safeguarding the 1669
interests of the state and of counties, townships, municipal 1670
corporations, and transportation improvement districts levying 1671
local motor vehicle license taxes. The registrar may pay service 1672
charges usually collected by banks and depositories for such 1673
service. If deputy registrars are located in communities where 1674
banking facilities are not available, they shall transmit the fees 1675
forthwith, by money order or otherwise, as the registrar, by rule 1676
approved by the director and the treasurer of state, may 1677
prescribe. The registrar may pay the usual and customary fees for 1678
such service. 1679

(G) This section does not prevent any person from making an 1680
application for a motor vehicle license directly to the registrar 1681
by mail, by electronic means, or in person at any of the 1682
registrar's offices, upon payment of a service fee of two dollars 1683
and seventy-five cents commencing on July 1, 2001, three dollars 1684

and twenty-five cents commencing on January 1, 2003, and three 1685
dollars and fifty cents commencing on January 1, 2004, for each 1686
application. 1687

(H) No person shall make a false statement as to the district 1688
of registration in an application required by division (A) of this 1689
section. Violation of this division is falsification under section 1690
2921.13 of the Revised Code and punishable as specified in that 1691
section. 1692

(I)(1) Where applicable, the requirements of division (B) of 1693
this section relating to the presentation of an inspection 1694
certificate issued under section 3704.14 of the Revised Code and 1695
rules adopted under it for a motor vehicle, the refusal of a 1696
license for failure to present an inspection certificate, and the 1697
stamping of the inspection certificate by the official issuing the 1698
certificate of registration apply to the registration of and 1699
issuance of license plates for a motor vehicle under sections 1700
4503.102, 4503.12, 4503.14, 4503.15, 4503.16, 4503.171, 4503.172, 1701
4503.19, 4503.40, 4503.41, 4503.42, 4503.43, 4503.44, 4503.46, 1702
4503.47, and 4503.51 of the Revised Code. 1703

(2)(a) The registrar shall adopt rules ensuring that each 1704
owner registering a motor vehicle in a county where a motor 1705
vehicle inspection and maintenance program is in effect under 1706
section 3704.14 of the Revised Code and rules adopted under it 1707
receives information about the requirements established in that 1708
section and those rules and about the need in those counties to 1709
present an inspection certificate with an application for 1710
registration or preregistration. 1711

(b) Upon request, the registrar shall provide the director of 1712
environmental protection, or any person that has been awarded a 1713
contract under division (D) of section 3704.14 of the Revised 1714
Code, an on-line computer data link to registration information 1715
for all passenger cars, noncommercial motor vehicles, and 1716

commercial cars that are subject to that section. The registrar 1717
also shall provide to the director of environmental protection a 1718
magnetic data tape containing registration information regarding 1719
passenger cars, noncommercial motor vehicles, and commercial cars 1720
for which a multi-year registration is in effect under section 1721
4503.103 of the Revised Code or rules adopted under it, including, 1722
without limitation, the date of issuance of the multi-year 1723
registration, the registration deadline established under rules 1724
adopted under section 4503.101 of the Revised Code that was 1725
applicable in the year in which the multi-year registration was 1726
issued, and the registration deadline for renewal of the 1727
multi-year registration. 1728

(J) Application for registration under the international 1729
registration plan, as set forth in sections 4503.60 to 4503.66 of 1730
the Revised Code, shall be made to the registrar on forms 1731
furnished by the registrar. In accordance with international 1732
registration plan guidelines and pursuant to rules adopted by the 1733
registrar, the forms shall include the following: 1734

(1) A uniform mileage schedule; 1735

(2) The gross vehicle weight of the vehicle or combined gross 1736
vehicle weight of the combination vehicle as declared by the 1737
registrant; 1738

(3) Any other information the registrar requires by rule. 1739

Sec. 4503.101. (A) The registrar of motor vehicles shall 1740
adopt rules to establish a system of motor vehicle registration 1741
based upon the type of vehicle to be registered, the type of 1742
ownership of the vehicle, the class of license plate to be issued, 1743
and any other factor the registrar determines to be relevant. 1744
Except for commercial cars, buses, trailers, and semitrailers 1745
taxed under section 4503.042 of the Revised Code; except for 1746
rental vehicles owned by motor vehicle renting dealers; and except 1747

as otherwise provided by rule, motor vehicles owned by an 1748
individual shall be registered based upon the motor vehicle 1749
owner's date of birth. Beginning with the ~~1989~~ 2004 registration 1750
year, the registrar shall assign motor vehicles to the 1751
registration periods established by rules adopted under this 1752
section. 1753

(B) The registrar shall adopt rules to permit motor vehicle 1754
owners residing together at one address to select the date of 1755
birth of any one of the owners as the date to register any or all 1756
of the vehicles at that residence address, as shown in the records 1757
of the bureau of motor vehicles. 1758

(C) The registrar shall adopt rules to assign and reassign 1759
all commercial cars, buses, trailers, and semitrailers taxed under 1760
section 4503.042 of the Revised Code and all rental vehicles owned 1761
by motor vehicle renting dealers to a system of registration so 1762
that the registrations of approximately one-fourth of all such 1763
vehicles expire on the last day of every third month of a calendar 1764
year. To effect a reassignment from the registration period in 1765
effect on the effective date of this amendment to the new 1766
registration periods established by the rules adopted under this 1767
section as amended, the rules may require the motor vehicle to be 1768
registered for more or less than a twelve-month period at the time 1769
the motor vehicle's registration is subject to its initial renewal 1770
following the effective date of such rules. If necessary to effect 1771
an efficient transition, the rules may provide that the 1772
registration reassignments take place over two consecutive 1773
registration periods. The registration taxes to be charged shall 1774
be determined by the registrar on the basis of the annual tax 1775
otherwise due on the motor vehicle, prorated in accordance with 1776
the number of months for which the motor vehicle is registered, 1777
except that the fee established by division (E) of section 1778
4503.042 or division (C)(1) of section 4503.10 of the Revised 1779

Code, as applicable, shall be collected in full for each renewal 1780
that occurs during the transition period and shall not be 1781
prorated. 1782

(D) The registrar shall adopt rules to permit any person who 1783
owns ~~twenty two~~ or more motor vehicles to ~~select any single date~~ 1784
~~as the date~~ request the registrar to permit the owner to separate 1785
the owner's fleet into up to four divisions for assignment to 1786
separate dates upon which to register the vehicles, provided that 1787
the registrar may disapprove any ~~selected date~~ such request 1788
whenever ~~he~~ the registrar has reason to believe that an uneven 1789
distribution of registrations throughout the calendar year has 1790
developed or is likely to develop. ~~If the registrar disapproves a~~ 1791
~~date, the motor vehicle owner shall select an alternate date for~~ 1792
~~registration. Upon agreement of the motor vehicle owner, the~~ 1793
~~registrar may require the motor vehicle owner to register the~~ 1794
~~vehicles on a specific date designated by the registrar.~~ 1795

~~(D)~~(E) Every owner or lessee of a motor vehicle ~~and every~~ 1796
~~chauffeur~~ holding a certificate of registration shall notify the 1797
registrar ~~in writing~~ of any change of ~~his residence~~ the owner's or 1798
lessee's correct address within ten days after the change occurs. 1799
The notification shall be in writing on a form provided by the 1800
registrar or by electronic means approved by the registrar and 1801
shall include the full name, date of birth if applicable, license 1802
number, county of residence or place of business, social security 1803
account number of an individual or federal tax identification 1804
number of a business, and new address ~~of the person~~. 1805

(F) As used in this section, "motor vehicle renting dealer" 1806
has the same meaning as in section 4549.65 of the Revised Code. 1807

Sec. 4503.103. (A) (1)(a) The registrar of motor vehicles may 1808
adopt rules to permit any person or lessee, other than a person 1809
receiving an apportioned license plate under the international 1810

registration plan, who owns or leases ten or more motor vehicles 1811
used principally in connection with any established business to 1812
file a written application for registration for no more than five 1813
succeeding registration years. The rules adopted by the registrar 1814
may designate the classes of motor vehicles that are eligible for 1815
such registration. At the time of application, all annual taxes 1816
and fees shall be paid for each year for which the person is 1817
registering. ~~No person applying for a multi-year registration is~~ 1818
~~entitled to a refund of any taxes or fees paid.~~ 1819

(b) The registrar may shall adopt rules to permit any person, 1820
other than a person receiving an apportioned license plate under 1821
the international registration plan, who owns a motor vehicle to 1822
file an application for registration for the next two succeeding 1823
registration years. At the time of application, the person shall 1824
pay the annual taxes and fees for each registration year, 1825
calculated in accordance with division (C) of section 4503.11 of 1826
the Revised Code. A person who is registering a vehicle under 1827
division (A)(1)(b) of this section shall pay both of the 1828
following, for each year of registration: 1829

(i) A deputy registrar service fee as described in division 1830
(D) of section 4503.10 of the Revised Code or a bureau of motor 1831
vehicles service fee as described in division (G) of that section, 1832
as applicable; 1833

(ii) The additional fee established under division (C)(1) of 1834
section 4503.10 of the Revised Code. 1835

(2) No person applying for a multi-year registration under 1836
division (A)(1) of this section is entitled to a refund of any 1837
taxes or fees paid. 1838

(3) The registrar shall not issue to any applicant who has 1839
been issued a final, nonappealable order under division (B) of 1840
this section a multi-year registration or renewal thereof under 1841

this division or rules adopted under it for any motor vehicle that 1842
is required to be inspected under section 3704.14 of the Revised 1843
Code the district of registration of which, as determined under 1844
section 4503.10 of the Revised Code, is or is located in the 1845
county named in the order. 1846

(B) Upon receipt from the director of environmental 1847
protection of a notice issued under division (J) of section 1848
3704.14 of the Revised Code indicating that an owner of a motor 1849
vehicle that is required to be inspected under that section who 1850
obtained a multi-year registration for the vehicle under division 1851
(A) of this section or rules adopted under that division has not 1852
obtained an inspection certificate for the vehicle in accordance 1853
with that section in a year intervening between the years of 1854
issuance and expiration of the multi-year registration in which 1855
the owner is required to have the vehicle inspected and obtain an 1856
inspection certificate for it under division (F)(1)(a) of that 1857
section, the registrar in accordance with Chapter 119. of the 1858
Revised Code shall issue an order to the owner impounding the 1859
certificate of registration and identification license plates for 1860
the vehicle. The order also shall prohibit the owner from 1861
obtaining or renewing a multi-year registration for any vehicle 1862
that is required to be inspected under that section, the district 1863
of registration of which is or is located in the same county as 1864
the county named in the order during the number of years after 1865
expiration of the current multi-year registration that equals the 1866
number of years for which the current multi-year registration was 1867
issued. 1868

An order issued under this division shall require the owner 1869
to surrender to the registrar the certificate of registration and 1870
license plates for the vehicle named in the order within five days 1871
after its issuance. If the owner fails to do so within that time, 1872
the registrar shall certify that fact to the county sheriff or 1873

local police officials who shall recover the certificate of 1874
registration and license plates for the vehicle. 1875

(C) Upon the occurrence of either of the following 1876
circumstances, the registrar in accordance with Chapter 119. of 1877
the Revised Code shall issue to the owner a modified order 1878
rescinding the provisions of the order issued under division (B) 1879
of this section impounding the certificate of registration and 1880
license plates for the vehicle named in that original order: 1881

(1) Receipt from the director of environmental protection of 1882
a subsequent notice under division (J) of section 3704.14 of the 1883
Revised Code that the owner has obtained the inspection 1884
certificate for the vehicle as required under division (F)(1)(a) 1885
of that section; 1886

(2) Presentation to the registrar by the owner of the 1887
required inspection certificate for the vehicle. 1888

(D) The owner of a motor vehicle for which the certificate of 1889
registration and license plates have been impounded pursuant to an 1890
order issued under division (B) of this section, upon issuance of 1891
a modified order under division (C) of this section, may apply to 1892
the registrar for their return. A fee of two dollars and fifty 1893
cents shall be charged for the return of the certificate of 1894
registration and license plates for each vehicle named in the 1895
application. 1896

Sec. 4503.105. In addition to the fees collected under 1897
sections 4503.10 and 4503.102 of the Revised Code, the registrar 1898
of motor vehicles or deputy registrar shall ask each person 1899
applying for or renewing a motor vehicle registration whether the 1900
person wishes to make a one-dollar voluntary contribution to the 1901
American red cross fund created in section 4501.42 of the Revised 1902
Code. Every application for registration or renewal notice shall 1903
include an option for the owner of the motor vehicle to make a 1904

one-dollar voluntary contribution to the American red cross fund 1905
created in that section. 1906

All donations collected under this section during each 1907
calendar quarter shall be forwarded by the registrar to the 1908
treasurer of state, who shall deposit them into the American red 1909
cross fund. 1910

Sec. 4503.106. In addition to the fees collected under 1911
sections 4503.10 and 4503.102 of the Revised Code, the registrar 1912
of motor vehicles or a deputy registrar shall ask each person 1913
applying for or renewing a motor vehicle registration whether the 1914
person wishes to make a one-dollar voluntary contribution to the 1915
juvenile diabetes research trust fund created in section 4501.43 1916
of the Revised Code. Every application for registration or renewal 1917
notice shall include an option for the owner of the motor vehicle 1918
to make a one-dollar voluntary contribution to the juvenile 1919
diabetes research trust fund created in that section. 1920

The registrar shall forward all donations collected under 1921
this section during each calendar quarter to the treasurer of 1922
state, who shall deposit them into the juvenile diabetes research 1923
trust fund. 1924

Sec. 4503.11. (A) Except as provided by sections 4503.103, 1925
4503.173, 4503.41, 4503.43, and 4503.46 of the Revised Code, no 1926
person who is the owner or chauffeur of a motor vehicle operated 1927
or driven upon the public roads or highways shall fail to file 1928
annually the application for registration or to pay the tax 1929
therefor. 1930

(B) Except as provided by sections 4503.12 and 4503.16 of the 1931
Revised Code, the taxes payable on all applications made under 1932
sections 4503.10 and 4503.102 of the Revised Code shall be the sum 1933
of the tax due under division (B)(1)(a) or (b) of this section 1934

plus the tax due under division (B)(2)(a) or (b) of this section: 1935

(1)(a) If the application is made before the second month of 1936
the current registration period to which the motor vehicle is 1937
assigned as provided in section 4503.101 of the Revised Code, the 1938
tax due is the full amount of the tax provided in section 4503.04 1939
of the Revised Code; 1940

(b) If the application is made during or after the second 1941
month of the current registration period to which the motor 1942
vehicle is assigned as provided in section 4503.101 of the Revised 1943
Code, and prior to the beginning of the next such registration 1944
period, the amount of the tax provided in section 4503.04 of the 1945
Revised Code shall be reduced by one-twelfth of the amount of such 1946
tax, rounded upward to the nearest cent, multiplied by the number 1947
of full months that have elapsed in the current registration 1948
period. The resulting amount shall be rounded upward to the next 1949
highest dollar and shall be the amount of tax due. 1950

(2)(a) If the application is made before the sixth month of 1951
the current registration period to which the motor vehicle is 1952
assigned as provided in section 4503.101 of the Revised Code, the 1953
amount of tax due is the full amount of local motor vehicle 1954
license taxes levied under Chapter 4504. of the Revised Code; 1955

(b) If the application is made during or after the sixth 1956
month of the current registration period to which the motor 1957
vehicle is assigned as provided in section 4503.101 of the Revised 1958
Code and prior to the beginning of the next such registration 1959
period, the amount of tax due is one-half of the amount of local 1960
motor vehicle license taxes levied under Chapter 4504. of the 1961
Revised Code. 1962

(C) The taxes payable on all applications made under division 1963
(A)(1)(b) of section 4503.103 of the Revised Code shall be the sum 1964
of the tax due under division (B)(1)(a) or (b) of this section 1965

plus the tax due under division (B)(2)(a) or (b) of this section 1966
for the first year plus the full amount of the tax provided in 1967
section 4503.04 of the Revised Code and the full amount of local 1968
motor vehicle license taxes levied under Chapter 4504. of the 1969
Revised Code for the second year. 1970

Sec. 4503.173. (A) As used in this section: 1971

(1) "Boat trailer" means any trailer designed and used for 1972
the transportation of no more than one watercraft. 1973

(2) "Watercraft" means any of the following when used or 1974
capable of being used for transportation on the water: 1975

(a) A boat operated by machinery either permanently or 1976
temporarily affixed; 1977

(b) A sailboat other than a sailboard; 1978

(c) An inflatable, manually propelled boat having a hull 1979
identification number assigned by and meeting the requirements of 1980
the United States coast guard; 1981

(d) A canoe or rowboat. 1982

(3) "Disabled veteran" means a person who falls into any of 1983
the following categories: 1984

(a) Has been determined by the United States veterans 1985
administration to be permanently and totally disabled, receives a 1986
pension or compensation from the veterans administration, and 1987
received an honorable discharge from the armed forces of the 1988
United States; 1989

(b) Because of a service-connected disability, has been or is 1990
awarded funds for the purchase of a motor vehicle under the 1991
"Disabled Veterans' and Servicemen's Automobile Assistance Act of 1992
1970," 84 Stat. 1998, 38 U.S.C. 1901, and amendments thereto; 1993

(c) Has a service-connected disability rated at one hundred 1994

per cent by the veterans' administration. 1995

(4) "Prisoner of war" means any regularly appointed, 1996
enrolled, enlisted, or inducted member of the military forces of 1997
the United States who was captured, separated, and incarcerated by 1998
an enemy of the United States at any time, and any regularly 1999
appointed, enrolled, or enlisted member of the military forces of 2000
Great Britain, France, the Union of Soviet Socialist Republics, 2001
Australia, Belgium, Brazil, Canada, China, Denmark, Greece, the 2002
Netherlands, New Zealand, Norway, Poland, South Africa, or 2003
Yugoslavia who was a citizen of the United States at the time of 2004
the appointment, enrollment, or enlistment, and was captured, 2005
separated, and incarcerated by an enemy of this country during 2006
World War II. 2007

(B) Any owner of a boat trailer who is a disabled veteran, 2008
congressional medal of honor awardee, or prisoner of war may apply 2009
to the registrar of motor vehicles for the registration of the 2010
boat trailer without the payment of any registration tax and 2011
service fee as required by sections 4503.02, 4503.10, 4503.102, 2012
and 4503.12 of the Revised Code and without the payment of any 2013
applicable county, township, or municipal motor vehicle license 2014
tax levied under Chapter 4504. of the Revised Code. The 2015
application shall be accompanied by such evidence of disability or 2016
by such documentary evidence in support of a congressional medal 2017
of honor as the registrar requires by rule. The application for a 2018
registration by any person who has been a prisoner of war shall be 2019
accompanied by written evidence in the form of a record of 2020
separation, a letter from one of the armed forces of the United 2021
States or other country as listed in division (A)(4) of this 2022
section, or other evidence as the registrar may require by rule, 2023
that the person was a prisoner of war and was honorably discharged 2024
or is presently residing in this state on active duty with one of 2025
the branches of the armed forces of the United States, or was a 2026

prisoner of war and was honorably discharged or received an 2027
equivalent discharge or release from one of the armed forces of a 2028
country listed in division (A)(4) of this section. 2029

~~(C) Annually by the fifteenth day of January, the registrar 2030
of motor vehicles shall determine the amount of taxes and fees 2031
exempted from payment under division (B) of this section and 2032
certify the amount to the director of budget and management for 2033
reimbursement. The director shall thereupon transfer the amount 2034
certified from the general revenue fund to the auto registration 2035
distribution fund and the state highway safety fund in the same 2036
proportions as would be the case if the boat trailer registrations 2037
were not exempted from the payment of taxes and fees under 2038
division (B) of this section. Amounts transferred to the auto 2039
registration distribution fund under this division shall be 2040
distributed in the manner provided by section 4501.03 of the 2041
Revised Code. 2042~~

Sec. 4503.181. (A) As used in this section, "historical motor 2043
vehicle" means any motor vehicle that is more than twenty-five 2044
years old and that is owned solely as a collector's item and for 2045
participation in club activities, exhibitions, tours, parades, and 2046
similar uses, but in no event is used for general transportation. 2047

(B) In lieu of the annual license tax levied in sections 2049
4503.02 and 4503.04 of the Revised Code, a license fee of ten 2050
dollars is levied on the operation of an historical motor vehicle. 2051

(C) A person who owns an historical motor vehicle and applies 2052
for a license ~~plates~~ plate under this section shall execute an 2053
affidavit that the vehicle for which ~~plates are~~ the plate is 2054
requested is owned and operated solely for the purposes enumerated 2055
in division (A) of this section, and also setting forth in the 2056
affidavit that the vehicle has been inspected and found safe to 2057

operate on the public roads and highways in the state. A person 2058
who owns an historical motor vehicle and desires to display a 2059
model year license ~~plates~~ plate on the vehicle as permitted by 2060
this section shall execute at the time of registration an 2061
affidavit setting forth that the model year license ~~plates~~ plate 2062
the person desires to display on the person's historical motor 2063
vehicle ~~are~~ is a legible and serviceable license ~~plates~~ plate that 2064
originally ~~were~~ was issued by this state. No registration issued 2065
pursuant to this section need specify the weight of the vehicle. 2066

(D) A vehicle registered under this section may display an 2067
historical vehicle license ~~plates~~ plate issued by the registrar of 2068
motor vehicles or a model year license ~~plates~~ plate procured by 2069
the applicant. ~~Historical~~ The historical vehicle license ~~plates~~ 2070
plate shall not bear a date, but shall bear the inscription 2071
"Historical Vehicle--Ohio" and the registration number, which 2072
shall be shown thereon. ~~Model~~ The model year license ~~plates~~ plate 2073
shall be a legible and serviceable license ~~plates~~ plate issued by 2074
this state and inscribed with the date of the year corresponding 2075
to the model year when the vehicle was manufactured. 2076
~~Notwithstanding section 4503.21 of the Revised Code, only one~~ Two 2077
~~model year license plate is required to~~ plates may be displayed on 2078
~~the rear of~~ the historical motor vehicle at ~~all times~~ any time, 2079
one plate on the front and one plate on the rear of the vehicle. 2080
The registration certificate and the historical vehicle license 2081
~~plates~~ plate issued by the registrar shall be kept in the vehicle 2082
at all times the vehicle is operated on the public roads and 2083
highways in this state. 2084

Notwithstanding section 4503.21 of the Revised Code, the 2085
owner of an historical motor vehicle that was manufactured for 2086
military purposes and that is registered under this section may 2087
display the assigned registration number of the vehicle by 2088
painting the number on the front and rear of the vehicle. The 2089

number shall be painted, in accordance with the size and style 2090
specifications established for numerals and letters shown on 2091
license plates in section 4503.22 of the Revised Code, in a color 2092
that contrasts clearly with the color of the vehicle, and shall be 2093
legible and visible at all times. Upon application for 2094
registration under this section and payment of the license fee 2095
prescribed in division (B) of this section, the owner of such an 2096
historical motor vehicle shall be issued an historical vehicle 2097
license ~~plates~~ plate. The registration certificate and ~~at least~~ 2098
~~one such~~ the license plate shall be kept in the vehicle at all 2099
times the vehicle is operated on the public roads and highways in 2100
this state. If ownership of such a vehicle is transferred, the 2101
transferor shall surrender the historical vehicle license ~~plates~~ 2102
plate or transfer ~~them~~ it to another historical motor vehicle the 2103
transferor owns, and remove or obliterate the registration numbers 2104
painted on the vehicle. 2105

(E) Historical vehicle and model year license plates are 2106
valid without renewal as long as the vehicle for which they were 2107
issued or procured is in existence. ~~Historical~~ An historical 2108
vehicle ~~plates are~~ plate is issued for the owner's use only for 2109
such vehicle unless later transferred to another historical motor 2110
vehicle owned by that person. In order to effect such a transfer, 2111
the owner of the historical motor vehicle that originally 2112
displayed the historical vehicle ~~plates~~ plate shall comply with 2113
division (C) of this section. In the event of a transfer of title, 2114
the transferor shall surrender the historical vehicle license 2115
~~plates~~ plate or transfer ~~them~~ it to another historical motor 2116
vehicle owned by the transferor, but a model year license ~~plates~~ 2117
plate may be retained by the transferor. The registrar may revoke 2118
license plates issued under this section, for cause shown and 2119
after hearing, for failure of the applicant to comply with this 2120
section. Upon revocation, an historical vehicle license ~~plates~~ 2121
plate shall be surrendered; a model year license ~~plates~~ plate may 2122

be retained, but no longer ~~are~~ is valid for display on the 2123
vehicle. 2124

(F) The owner of an historical motor vehicle bearing an 2125
historical vehicle license ~~plates~~ plate may replace ~~them~~ it with a 2126
model year license ~~plates~~ plate by surrendering the historical 2127
vehicle license ~~plates~~ plate and motor vehicle certificate of 2128
registration to the registrar. The owner, at the time of 2129
registration, shall execute an affidavit setting forth that the 2130
model year ~~plates~~ are plate is a legible and serviceable license 2131
~~plates~~ plate that originally ~~were~~ was issued by this state. Such 2132
an owner is required to pay the license fee prescribed by division 2133
(B) of this section, but the owner is not required to have the 2134
historical motor vehicle reinspected under division (C) of this 2135
section. 2136

A person who owns an historical motor vehicle bearing a model 2137
year license ~~plates~~ plate may replace ~~them~~ it with an historical 2138
vehicle license ~~plates~~ plate by surrendering the motor vehicle 2139
certificate of registration and applying for issuance of an 2140
historical vehicle license ~~plates~~ plate. Such a person is required 2141
to pay the license fee prescribed by division (B) of this section, 2142
but the person is not required to have the historical motor 2143
vehicle reinspected under division (C) of this section. 2144

Sec. 4503.182. (A) A purchaser of a motor vehicle, upon 2145
application and proof of purchase of the vehicle, may be issued a 2146
temporary license placard or windshield sticker for the motor 2147
vehicle. 2148

The purchaser of a vehicle applying for a temporary license 2149
placard or windshield sticker under this section shall execute an 2150
affidavit stating that the purchaser has not been issued 2151
previously during the current registration year a license plate 2152
that could legally be transferred to the vehicle. 2153

Placards or windshield stickers shall be issued only for the 2154
applicant's use of the vehicle to enable the applicant to legally 2155
operate the motor vehicle while proper title, license plates, and 2156
a certificate of registration are being obtained, and shall be 2157
displayed on no other motor vehicle. 2158

Placards or windshield stickers issued under this section are 2159
valid for a period of thirty days from date of issuance and are 2160
not transferable or renewable. 2161

The fee for the placards or windshield stickers is two 2162
dollars plus a deputy registrar service fee of two dollars and 2163
seventy-five cents commencing on July 1, 2001, three dollars and 2164
twenty-five cents commencing on January 1, 2003, and three dollars 2165
and fifty cents commencing on January 1, 2004, for each placard 2166
issued by a deputy registrar. 2167

(B) The registrar of motor vehicles may issue to a motorized 2168
bicycle dealer or a licensed motor vehicle dealer temporary 2169
license placards to be issued to purchasers for use on vehicles 2170
sold by the dealer, in accordance with rules prescribed by the 2171
registrar. The dealer shall notify the registrar, within 2172
forty-eight hours, of the issuance of a placard by electronic 2173
means via computer equipment purchased and maintained by the 2174
dealer or in any other manner prescribed by the registrar. 2175

The fee for each placard issued by the registrar to a 2176
licensed motor vehicle dealer is two dollars if the dealer 2177
notifies the registrar of the issuance of the placards by 2178
electronic means via computer equipment. The fee for each placard 2179
issued by the registrar to a licensed motor vehicle dealer is two 2180
dollars plus a fee of two dollars and seventy-five cents 2181
commencing on July 1, 2001, three dollars and twenty-five cents 2182
commencing on January 1, 2003, and three dollars and fifty cents 2183
commencing on January 1, 2004, if the dealer notifies the 2184

registrar of the issuance of the placards in a manner other than 2185
by electronic means. 2186

When a licensed motor vehicle dealer issues a placard to the 2187
purchaser of a vehicle, the dealer shall collect and retain a fee 2188
of two dollars plus a service fee of three dollars and twenty-five 2189
cents commencing on January 1, 2003, and three dollars and fifty 2190
cents commencing on January 1, 2004. 2191

(C) The registrar of motor vehicles, at the registrar's 2192
discretion, may issue a temporary license placard. Such a placard 2193
may be issued in the case of extreme hardship encountered by a 2194
citizen from this state or another state who has attempted to 2195
comply with all registration laws, but for extreme circumstances 2196
is unable to properly register the citizen's vehicle. 2197

(D) In addition to the fees charged under divisions (A) and 2198
(B) of this section, commencing on October 1, 2003, the registrar 2199
and each deputy registrar shall collect a fee of five dollars for 2200
each temporary license placard issued. The additional fee is for 2201
the purpose of defraying the costs associated with the 2202
administration and enforcement of the motor vehicle and traffic 2203
laws of Ohio by the state highway patrol. Each deputy registrar 2204
shall transmit the fees collected under this division in the same 2205
manner as provided for transmission of fees collected under 2206
division (A) of this section. The registrar shall deposit all 2207
moneys received under this division into the state highway patrol 2208
fund established in section 4501.061 of the Revised Code. 2209

(E) The registrar shall adopt rules, in accordance with 2210
division (B) of section 111.15 of the Revised Code, to specify the 2211
procedures for reporting the information from applications for 2212
temporary license placards and windshield stickers and for 2213
providing the information from these applications to law 2214
enforcement agencies. 2215

~~(E)~~(F) Temporary license placards issued under this section 2216
shall bear a distinctive combination of seven letters, numerals, 2217
or letters and numerals, and shall incorporate a security feature 2218
that, to the greatest degree possible, prevents tampering with any 2219
of the information that is entered upon a placard when it is 2220
issued. 2221

~~(F)~~(G) As used in this section, "motorized bicycle dealer" 2222
means any person engaged in the business of selling at retail, 2223
displaying, offering for sale, or dealing in motorized bicycles 2224
who is not subject to section 4503.09 of the Revised Code. 2225

Sec. 4503.19. Upon the filing of an application for 2226
registration and the payment of the tax for registration, the 2227
registrar of motor vehicles or a deputy registrar shall determine 2228
whether the owner previously has been issued a license plates 2229
plate for the motor vehicle described in the application. If no 2230
license ~~plates~~ plate previously ~~have~~ has been issued to the owner 2231
for that motor vehicle, the registrar or deputy registrar shall 2232
assign to the motor vehicle a distinctive number and issue and 2233
deliver to the owner in the manner that the registrar may select a 2234
certificate of registration, in the form that the registrar shall 2235
prescribe, and, ~~except as otherwise provided in this section, two~~ 2236
a license plates, duplicates of each other, plate and a validation 2237
sticker, or a validation sticker alone, to be attached to the 2238
~~number plates~~ license plate as provided in section 4503.191 of the 2239
Revised Code. The registrar or deputy registrar also shall charge 2240
the owner any fees required under division (C) of section 4503.10 2241
of the Revised Code. ~~Trailers, manufactured homes, mobile homes,~~ 2242
~~semitrailers, the manufacturer thereof, the dealer, or in transit~~ 2243
~~companies therein, shall be issued one license plate only and one~~ 2244
~~validation sticker, or a validation sticker alone, and the~~ The 2245
license plate and validation sticker shall be displayed ~~only~~ on 2246

the rear of ~~such vehicles. A~~ the vehicle except that a commercial 2247
tractor that ~~does not receive an apportioned license plate under~~ 2248
~~the international registration plan shall be issued two~~ display 2249
the license plates plate and ~~one~~ validation sticker, ~~and the~~ 2250
~~validation sticker shall be displayed on the front of the~~ 2251
commercial tractor. ~~An apportioned vehicle receiving an~~ 2252
~~apportioned license plate under the international registration~~ 2253
~~plan shall be issued one license plate only and one validation~~ 2254
~~sticker, or a validation sticker alone; the license plate shall be~~ 2255
~~displayed only on the front of a semitractor and on the rear of~~ 2256
~~all other vehicles.~~ School buses shall not be issued a license 2257
~~plates~~ plate but shall bear identifying numbers in the manner 2258
prescribed by section 4511.764 of the Revised Code. The 2259
certificate of registration and license ~~plates~~ plate and 2260
validation ~~stickers~~ sticker, or validation ~~stickers~~ sticker alone, 2261
shall be issued and delivered to the owner in person or by mail. 2262
Chauffeured limousines shall be issued a license ~~plates~~ plate, a 2263
validation sticker, and a livery sticker as provided in section 2264
4503.24 of the Revised Code. In the event of the loss, mutilation, 2265
or destruction of any certificate of registration, or of any 2266
license ~~plates~~ plate or validation ~~stickers~~ sticker, or if the 2267
owner chooses to replace the license ~~plates~~ plate previously 2268
issued for a motor vehicle, or if the registration certificate and 2269
license ~~plates~~ plate have been impounded as provided by division 2270
(F)(1) of section 4507.02 and division (A)(4) of section 4507.16 2271
of the Revised Code, the owner of a motor vehicle, or manufacturer 2272
or dealer, may obtain from the registrar, or from a deputy 2273
registrar if authorized by the registrar, a duplicate thereof or a 2274
new license ~~plates~~ plate bearing a different number, if the 2275
registrar considers it advisable, upon filing an application 2276
prescribed by the registrar, and upon paying a fee of one dollar 2277
for such certificate of registration, or a fee of ~~two dollars for~~ 2278
~~each set of two license plates, or~~ one dollar for each ~~single~~ 2279

license plate or validation sticker. In addition, each applicant 2280
for a replacement certificate of registration, license plate, or 2281
validation sticker shall pay the fees provided in divisions (C) 2282
and (D) of section 4503.10 of the Revised Code. 2283

Additionally, the registrar and each deputy registrar who 2284
either issues a license plate and a validation sticker for 2285
use on any vehicle other than a commercial tractor, semitrailer, 2286
or apportioned vehicle, or who issues a validation sticker alone 2287
for use on such a vehicle and the owner has changed the owner's 2288
county of residence since the owner last was issued county 2289
identification stickers, also shall issue and deliver to the owner 2290
~~either one or two~~ a county identification sticker, as appropriate 2291
sticker, which shall be attached to the license ~~plates~~ plate in a 2292
manner prescribed by the director of public safety. The county 2293
identification ~~stickers~~ sticker shall identify prominently by name 2294
or number the county in which the owner of the vehicle resides at 2295
the time of registration. 2296

Sec. 4503.192. The display of a single current license plate 2297
and validation sticker on the rear of a motor vehicle sufficiently 2298
indicates that a vehicle is registered within this state. Any 2299
reference in the Revised Code to license plates, a set of license 2300
plates, registration plates, or validation stickers is deemed to 2301
be a reference to the single license plate and validation sticker 2302
required by section 4503.19 of the Revised Code. 2303

Sec. 4503.21. No person who is the owner or operator of a 2304
motor vehicle shall fail to display in plain view on the ~~front and~~ 2305
rear of the motor vehicle the distinctive number and registration 2306
mark, including any county identification sticker and any 2307
validation sticker issued under sections 4503.19 and 4503.191 of 2308
the Revised Code, furnished by the director of public safety, 2309
~~except that a manufacturer of motor vehicles or dealer therein,~~ 2310

~~the holder of an in transit permit, and the owner or operator of a~~ 2311
~~motorcycle, motorized bicycle, manufactured home, mobile home,~~ 2312
~~trailer, or semitrailer shall display on the rear only. A motor~~ 2313
~~vehicle that is issued two license plates shall display the~~ 2314
~~validation sticker only on the rear license plate, except that a~~ 2315
~~commercial tractor that does not receive an apportioned license~~ 2316
~~plate under the international registration plan shall display the~~ 2317
license plate and validation sticker on the front of the 2318
~~commercial tractor. An apportioned vehicle receiving an~~ 2319
~~apportioned license plate under the international registration~~ 2320
~~plan shall display the license plate only on the front of a~~ 2321
~~commercial tractor and on the rear of all other vehicles. All The~~ 2322
~~license plates plate shall be securely fastened so as not to~~ 2323
~~swing, and. No person shall not be covered by cover the face of~~ 2324
~~the license plate with any material that whatsoever, regardless of~~ 2325
~~whether the material obstructs ~~their~~ its visibility.~~ 2326

No person to whom a temporary license placard or windshield 2327
sticker has been issued for the use of a motor vehicle under 2328
section 4503.182 of the Revised Code, and no operator of that 2329
motor vehicle, shall fail to display the temporary license placard 2330
in plain view from the rear of the vehicle either in the rear 2331
window or on an external rear surface of the motor vehicle, or 2332
fail to display the windshield sticker in plain view on the rear 2333
window of the motor vehicle. No temporary license placard or 2334
windshield sticker shall be covered by any material that obstructs 2335
its visibility. 2336

Sec. 4503.23. No motor vehicle designed to carry passengers, 2337
owned or leased by the state, or any of its departments, bureaus, 2338
commissions, or institutions supported in whole or in part by 2339
funds provided by the state, shall be operated or driven by any 2340
person unless it has displayed, in a prominent position on ~~both~~ 2341
the ~~front and~~ rear of the vehicle, ~~identification plates~~ a license 2342

plate, which shall be the same size, shape, and treated for 2343
increased visibility in the same manner as those issued by the 2344
registrar of motor vehicles for private vehicles. ~~Such~~ 2345
~~identification plates~~ The license plate shall be attached to the 2346
vehicle in the same manner as provided by statute for the 2347
illumination and attachment of a license plates plate on private 2348
vehicles. The registrar shall designate the colors of the license 2349
~~tags which~~ plate that shall be used on state-owned cars; ~~such the~~ 2350
colors shall be other than those used on privately owned motor 2351
vehicles, and shall apply only to license plates used on state 2352
owned motor vehicles. ~~Said plates~~ The plate shall bear a special 2353
serial number, and the words "Ohio State Car." 2354

Sec. 4503.50. (A) The owner or lessee of any passenger car, 2355
noncommercial motor vehicle, motor home, or other vehicle of a 2356
class approved by the registrar of motor vehicles may apply to the 2357
registrar for the registration of the vehicle and issuance of 2358
future farmers of America license plates. The application for 2359
future farmers of America license plates may be combined with a 2360
request for a special reserved license plate under section 4503.40 2361
or 4503.42 of the Revised Code. Upon receipt of the completed 2362
application and compliance with division (B) of this section, the 2363
registrar shall issue to the applicant the appropriate vehicle 2364
registration and a set of future farmers of America license plates 2365
with a validation sticker or a validation sticker alone when 2366
required by section 4503.191 of the Revised Code. 2367

In addition to the letters and numbers ordinarily inscribed 2368
on the license plates, future farmers of America license plates 2369
shall be inscribed with identifying words or markings representing 2370
the future farmers of America and approved by the registrar. 2371
Future farmers of America license plates shall bear county 2372
identification stickers that identify the county of registration 2373
by name or number. 2374

(B) The future farmers of America license plates and validation sticker shall be issued upon receipt of a contribution as provided in division (C) of this section and upon payment of the regular license tax as prescribed under section 4503.04 of the Revised Code, a fee of ten dollars for the purpose of compensating the bureau of motor vehicles for additional services required in the issuing of the future farmers of America license plates, any applicable motor vehicle tax levied under Chapter 4504. of the Revised Code, and compliance with all other applicable laws relating to the registration of motor vehicles. If the application for future farmers of America license plates is combined with a request for a special reserved license plate under section 4503.40 or 4503.42 of the Revised Code, the license plate and validation sticker shall be issued upon payment of the contribution, fees, and taxes referred to or established in this division and the additional fee prescribed under section 4503.40 or 4503.42 of the Revised Code.

(C) For each application for registration and registration renewal the registrar receives under this section, the registrar shall collect a contribution of fifteen dollars. The registrar shall transmit this contribution to the treasurer of state for deposit in the ~~future farmers of America~~ license plate contribution fund created in section ~~4501.40~~ 4501.21 of the Revised Code.

The registrar shall deposit the additional fee of ten dollars specified in division (B) of this section that the applicant for registration pays for the purpose of compensating the bureau for the additional services required in the issuing of the applicant's future farmers of America license plates in the state bureau of motor vehicles fund created in section 4501.25 of the Revised Code.

Sec. 4503.51. (A) The owner or lessee of any passenger car, 2406
noncommercial motor vehicle, recreational vehicle, or vehicle of a 2407
class approved by the registrar of motor vehicles may voluntarily 2408
choose to submit an application to the registrar for registration 2409
of such motor vehicle and for issuance of collegiate license 2410
plates. The request for a collegiate license plate may be combined 2411
with a request for a special reserved license plate under section 2412
4503.40 or 4503.42 of the Revised Code. 2413

Upon receipt of the completed application for registration of 2414
a vehicle in accordance with any rules adopted under this section 2415
and upon compliance with division (B) of this section, the 2416
registrar shall issue to the applicant appropriate vehicle 2417
registration and a set of collegiate license plates with a 2418
validation sticker, or a validation sticker alone when required by 2419
section 4503.191 of the Revised Code. 2420

In addition to the letters and numbers ordinarily inscribed 2421
thereon, collegiate license plates shall be inscribed with the 2422
name of a university or college that is participating with the 2423
registrar in the issuance of collegiate license plates, or any 2424
other identifying marking or design selected by such a university 2425
or college and approved by the registrar. Collegiate license 2426
plates shall bear county identification stickers that identify the 2427
county of registration by name or number. 2428

(B) The collegiate license plates and validation sticker 2429
shall be issued upon receipt of a contribution as provided in 2430
division (C) of this section and payment of the regular license 2431
fees as prescribed under section 4503.04 of the Revised Code, any 2432
applicable motor vehicle tax levied under Chapter 4504. of the 2433
Revised Code, a fee not to exceed ten dollars for the purpose of 2434
compensating the bureau of motor vehicles for additional services 2435
required in the issuing of collegiate license plates, and 2436

compliance with all other applicable laws relating to the 2437
registration of motor vehicles, including presentation of any 2438
inspection certificate required to be obtained for the motor 2439
vehicle under section 3704.14 of the Revised Code. If the 2440
application for a collegiate license plate is combined with a 2441
request for a special reserved license plate under section 4503.40 2442
or 4503.42 of the Revised Code, the license plate and validation 2443
sticker shall be issued upon payment of the contribution, fees, 2444
and taxes referred to in this division, the additional fee 2445
prescribed under section 4503.40 or 4503.42 of the Revised Code, 2446
and compliance with all other laws relating to the registration of 2447
motor vehicles, including presentation of any inspection 2448
certificate required to be obtained for the motor vehicle under 2449
section 3704.14 of the Revised Code. 2450

(C) The registrar shall collect a contribution of twenty-five 2451
dollars for each application for registration and registration 2452
renewal notice under this section. 2453

The registrar shall transmit this contribution to the 2454
treasurer of state for deposit into the ~~collegiate~~ license plate 2455
contribution fund created by section ~~4501.20~~ 4501.21 of the 2456
Revised Code. The additional fee not to exceed ten dollars that 2457
the applicant for registration voluntarily pays for the purpose of 2458
compensating the bureau for the additional services required in 2459
the issuing of the applicant's collegiate license plates shall be 2460
transmitted into the state treasury to the credit of the state 2461
bureau of motor vehicles fund created in section 4501.25 of the 2462
Revised Code. 2463

(D) The registrar, in accordance with Chapter 119. of the 2464
Revised Code, shall adopt rules necessary for the efficient 2465
administration of the collegiate license plate program. 2466

(E) As used in this section, "university or college" means a 2467
state university or college or a private university or college 2468

located in this state that possesses a certificate of 2469
authorization issued by the Ohio board of regents pursuant to 2470
Chapter 1713. of the Revised Code. "University or college" also 2471
includes community colleges created pursuant to Chapter 3354. of 2472
the Revised Code, university branches created pursuant to Chapter 2473
3355. of the Revised Code, technical colleges created pursuant to 2474
Chapter 3357. of the Revised Code, and state community colleges 2475
created pursuant to Chapter 3358. of the Revised Code. 2476

Sec. 4503.55. (A) The owner or lessee of any passenger car, 2477
noncommercial motor vehicle, recreational vehicle, or other 2478
vehicle of a class approved by the registrar of motor vehicles may 2479
apply to the registrar for the registration of the vehicle and 2480
issuance of pro football hall of fame license plates. The 2481
application for pro football hall of fame license plates may be 2482
combined with a request for a special reserved license plate under 2483
section 4503.40 or 4503.42 of the Revised Code. Upon receipt of 2484
the completed application and compliance with division (B) of this 2485
section, the registrar shall issue to the applicant the 2486
appropriate vehicle registration and a set of pro football hall of 2487
fame license plates with a validation sticker or a validation 2488
sticker alone when required by section 4503.191 of the Revised 2489
Code. 2490

In addition to the letters and numbers ordinarily inscribed 2491
thereon, pro football hall of fame license plates shall be 2492
inscribed with identifying words or markings designed by the pro 2493
football hall of fame and approved by the registrar. Pro football 2494
hall of fame plates shall bear county identification stickers that 2495
identify the county of registration by name or number. 2496

(B) The pro football hall of fame license plates and 2497
validation sticker shall be issued upon receipt of a contribution 2498
as provided in division (C) of this section and upon payment of 2499

the regular license fees as prescribed under section 4503.04 of 2500
the Revised Code, a fee not to exceed ten dollars for the purpose 2501
of compensating the bureau of motor vehicles for additional 2502
services required in the issuing of the pro football hall of fame 2503
license plates, any applicable motor vehicle tax levied under 2504
Chapter 4504. of the Revised Code, and compliance with all other 2505
applicable laws relating to the registration of motor vehicles. If 2506
the application for pro football hall of fame license plates is 2507
combined with a request for a special reserved license plate under 2508
section 4503.40 or 4503.42 of the Revised Code, the license plate 2509
and validation sticker shall be issued upon payment of the 2510
contribution, fees, and taxes contained in this division and the 2511
additional fee prescribed under section 4503.40 or 4503.42 of the 2512
Revised Code. 2513

(C) For each application for registration and registration 2514
renewal under this section, the registrar shall collect a 2515
contribution of fifteen dollars. The registrar shall transmit this 2516
contribution to the treasurer of state for deposit in the ~~pro~~ 2517
~~football hall of fame~~ license plate contribution fund created in 2518
section ~~4501.22~~ 4501.21 of the Revised Code. 2519

The registrar shall deposit the additional fee not to exceed 2520
ten dollars specified in division (B) of this section that the 2521
applicant for registration voluntarily pays for the purpose of 2522
compensating the bureau for the additional services required in 2523
the issuing of the applicant's pro football hall of fame license 2524
plates in the state bureau of motor vehicles fund created in 2525
section 4501.25 of the Revised Code. 2526

Sec. 4503.561. (A) The owner or lessee of any passenger car, 2527
noncommercial motor vehicle, recreational vehicle, or other 2528
vehicle of a class approved by the registrar of motor vehicles may 2529
apply to the registrar for the registration of the vehicle and 2530

issuance of ducks unlimited license plates. The application for 2531
ducks unlimited license plates may be combined with a request for 2532
a special reserved license plate under section 4503.40 or 4503.42 2533
of the Revised Code. Upon receipt of the completed application and 2534
compliance with division (B) of this section, the registrar shall 2535
issue to the applicant the appropriate vehicle registration and a 2536
set of ducks unlimited license plates with a validation sticker or 2537
a validation sticker alone when required by section 4503.191 of 2538
the Revised Code. 2539

In addition to the letters and numbers ordinarily inscribed 2540
on the license plates, ducks unlimited license plates shall be 2541
inscribed with identifying words or markings representing ducks 2542
unlimited, inc., and approved by the registrar. Ducks unlimited 2543
license plates shall bear county identification stickers that 2544
identify the county of registration by name or number. 2545

(B) The ducks unlimited license plates and validation sticker 2546
shall be issued upon receipt of a contribution as provided in 2547
division (C) of this section and upon payment of the regular 2548
license tax as prescribed under section 4503.04 of the Revised 2549
Code, a fee of ten dollars for the purpose of compensating the 2550
bureau of motor vehicles for additional services required in the 2551
issuing of the ducks unlimited license plates, any applicable 2552
motor vehicle tax levied under Chapter 4504. of the Revised Code, 2553
and compliance with all other applicable laws relating to the 2554
registration of motor vehicles. If the application for ducks 2555
unlimited license plates is combined with a request for a special 2556
reserved license plate under section 4503.40 or 4503.42 of the 2557
Revised Code, the license plate and validation sticker shall be 2558
issued upon payment of the contribution, fees, and taxes referred 2559
to or established in this division and the additional fee 2560
prescribed under section 4503.40 or 4503.42 of the Revised Code. 2561

(C) For each application for registration and registration 2562

renewal the registrar receives under this section, the registrar 2563
shall collect a contribution of fifteen dollars. The registrar 2564
shall transmit this contribution to the treasurer of state for 2565
deposit in the ~~ducks unlimited~~ license plate contribution fund 2566
created in section ~~4501.33~~ 4501.21 of the Revised Code. 2567

The registrar shall deposit the additional fee of ten dollars 2568
specified in division (B) of this section that the applicant for 2569
registration pays for the purpose of compensating the bureau for 2570
the additional services required in the issuing of the applicant's 2571
ducks unlimited license plates in the state bureau of motor 2572
vehicles fund created in section 4501.25 of the Revised Code. 2573

Sec. 4503.591. (A) If a professional sports team located in 2574
this state desires to have its logo appear on license plates 2575
issued by this state, it shall enter into a contract with the 2576
sports commission to permit such display, as permitted in 2577
divisions (D), (E), and (F) of this section ~~4501.32 of the Revised~~ 2578
~~Code~~. The owner or lessee of any passenger car, noncommercial 2579
motor vehicle, recreational vehicle, or other vehicle of a class 2580
approved by the registrar of motor vehicles may apply to the 2581
registrar for the registration of the vehicle and issuance of 2582
license plates bearing the logo of a professional sports team that 2583
has entered into such a contract. The application shall designate 2584
the sports team whose logo the owner or lessee desires to appear 2585
on the license plates. Failure to designate a participating 2586
professional sports team shall result in rejection by the 2587
registrar of the registration application. An application made 2588
under this section may be combined with a request for a special 2589
reserved license plate under section 4503.40 or 4503.42 of the 2590
Revised Code. Upon receipt of the completed application and 2591
compliance by the applicant with divisions (B) and (C) of this 2592
section, the registrar shall issue to the applicant the 2593
appropriate vehicle registration and a set of license plates 2594

bearing the logo of the professional sports team the owner 2595
designated in the application and a validation sticker, or a 2596
validation sticker alone when required by section 4503.191 of the 2597
Revised Code. 2598

In addition to the letters and numbers ordinarily inscribed 2599
thereon, professional sports team license plates shall bear the 2600
logo of a participating professional sports team, and shall 2601
display county identification stickers that identify the county of 2602
registration by name or number. 2603

(B) The professional sports team license plates and 2604
validation sticker, or validation sticker alone, as the case may 2605
be, shall be issued upon payment of the regular license tax as 2606
prescribed under section 4503.04 of the Revised Code, any 2607
applicable motor vehicle license tax levied under Chapter 4504. of 2608
the Revised Code, a fee of ten dollars for the purpose of 2609
compensating the bureau of motor vehicles for additional services 2610
required in the issuing of professional sports team license 2611
plates, and compliance with all other applicable laws relating to 2612
the registration of motor vehicles. If the application for a 2613
professional sports team license plate is combined with a request 2614
for a special reserved license plate under section 4503.40 or 2615
4503.42 of the Revised Code, the license plates and validation 2616
sticker, or validation sticker alone, shall be issued upon payment 2617
of the regular license tax as prescribed under section 4503.04 of 2618
the Revised Code, any applicable motor vehicle tax levied under 2619
Chapter 4504. of the Revised Code, a fee of ten dollars for the 2620
purpose of compensating the bureau of motor vehicles for 2621
additional services required in the issuing of professional sports 2622
team license plates, the additional fee prescribed under section 2623
4503.40 or 4503.42 of the Revised Code, and compliance with all 2624
other applicable laws relating to the registration of motor 2625
vehicles. 2626

(C) For each application for registration and registration 2627
renewal notice the registrar receives under this section, the 2628
registrar shall collect a contribution of twenty-five dollars. The 2629
registrar shall transmit this contribution to the treasurer of 2630
state for deposit into the ~~state treasury for distribution as~~ 2631
~~described in~~ license plate contribution fund created by section 2632
4501.32 4501.21 of the Revised Code. 2633

The registrar shall transmit the additional fee of ten 2634
dollars paid to compensate the bureau for the additional services 2635
required in the issuing of professional sports team license plates 2636
to the treasurer of state for deposit into the state treasury to 2637
the credit of the state bureau of motor vehicles fund created by 2638
section 4501.25 of the Revised Code. 2639

(D) If a professional sports team located in this state 2640
desires to have its logo appear on license plates issued by this 2641
state, it shall inform the largest convention and visitors' bureau 2642
of the county in which the professional sports team is located of 2643
that desire. That convention and visitors' bureau shall create a 2644
sports commission to operate in that county to receive the 2645
contributions that are paid by applicants who choose to be issued 2646
license plates bearing the logo of that professional sports team 2647
for display on their motor vehicles. The sports commission shall 2648
negotiate with the professional sports team to permit the display 2649
of the team's logo on license plates issued by this state, enter 2650
into the contract with the team to permit such display, and pay to 2651
the team any licensing or rights fee that must be paid in 2652
connection with the issuance of the license plates. Upon execution 2653
of the contract, the sports commission shall provide a copy of it 2654
to the registrar of motor vehicles, along with any other 2655
documentation the registrar may require. Upon receipt of the 2656
contract and any required additional documentation, and when the 2657
numerical requirement contained in division (A) of section 4503.78 2658

of the Revised Code has been met relative to that particular 2659
professional sports team, the registrar shall take the measures 2660
necessary to issue license plates bearing the logo of that team. 2661

(E) A sports commission shall expend the money it receives 2662
pursuant to section 4501.21 of the Revised Code to attract amateur 2663
regional, national, and international sporting events to the 2664
municipal corporation, county, or township in which it is located, 2665
and it may sponsor such events. Prior to attracting or sponsoring 2666
such events, the sports commission shall perform an economic 2667
analysis to determine whether the proposed event will have a 2668
positive economic effect on the greater area in which the event 2669
will be held. A sports commission shall not expend any money it 2670
receives under that section to attract or sponsor an amateur 2671
regional, national, or international sporting event if its 2672
economic analysis does not result in a finding that the proposed 2673
event will have a positive economic effect on the greater area in 2674
which the event will be held. 2675

A sports commission that receives money pursuant to that 2676
section, in addition to any other duties imposed on it by law and 2677
notwithstanding the scope of those duties, also shall encourage 2678
the economic development of this state through the promotion of 2679
tourism within all areas of this state. A sports commission that 2680
receives ten thousand dollars or more during any calendar year 2681
shall submit a written report to the director of development, on 2682
or before the first day of October of the next succeeding year, 2683
detailing its efforts and expenditures in the promotion of tourism 2684
during the calendar year in which it received the ten thousand 2685
dollars or more. 2686

As used in this division, "promotion of tourism" means the 2687
encouragement through advertising, educational and informational 2688
means, and public relations, both within the state and outside of 2689
it, of travel by persons away from their homes for pleasure, 2690

personal reasons, or other purposes, except to work, to this state 2691
or to the region in which the sports commission is located. 2692

(F) For purposes of this section: 2693

(1) The "largest" convention and visitors' bureau of a county 2694
is the bureau that receives the largest amount of money generated 2695
in that county from excise taxes levied on lodging transactions 2696
under sections 351.021, 5739.08, and 5739.09 of the Revised Code. 2697

(2) "Sports commission" means a nonprofit corporation 2698
organized under the laws of this state that is entitled to tax 2699
exempt status under section 501(c)(3) of the "Internal Revenue 2700
Code of 1986," 100 Stat. 2085, 26 U.S.C.A. 501, as amended, and 2701
whose function is to attract, promote, or sponsor sports and 2702
athletic events within a municipal corporation, county, or 2703
township. 2704

Such a commission shall consist of twenty-one members. Seven 2705
members shall be appointed by the mayor of the largest city to be 2706
served by the commission. Seven members shall be appointed by the 2707
board of county commissioners of the county to be served by the 2708
commission. Seven members shall be appointed by the largest 2709
convention and visitors' bureau in the area to be served by the 2710
commission. A sports commission may provide all services related 2711
to attracting, promoting, or sponsoring such events, including, 2712
but not limited to, the booking of athletes and teams, scheduling, 2713
and hiring or contracting for staff, ushers, managers, and other 2714
persons whose functions are directly related to the sports and 2715
athletic events the commission attracts, promotes, or sponsors. 2716

Sec. 4503.67. (A) If the national organization of the boy 2717
scouts of America desires to have its logo appear on license 2718
plates issued by this state, a representative of the Dan Beard 2719
council shall enter into a contract with the registrar of motor 2720
vehicles as provided in division (D) of this section 4501.41 of 2721

~~the Revised Code.~~ The owner or lessee of any passenger car, 2722
noncommercial motor vehicle, recreational vehicle, or other 2723
vehicle of a class approved by the registrar may apply to the 2724
registrar for the registration of the vehicle and issuance of 2725
license plates bearing the logo of the boy scouts of America if 2726
the council representative has entered into such a contract. An 2727
application made under this section may be combined with a request 2728
for a special reserved license plate under section 4503.40 or 2729
4503.42 of the Revised Code. Upon receipt of the completed 2730
application and compliance by the applicant with divisions (B) and 2731
(C) of this section, the registrar shall issue to the applicant 2732
the appropriate vehicle registration and a set of license plates 2733
bearing the logo of the boy scouts of America and a validation 2734
sticker, or a validation sticker alone when required by section 2735
4503.191 of the Revised Code. 2736

In addition to the letters and numbers ordinarily inscribed 2737
thereon, the plates shall display county identification stickers 2738
that identify the county of registration by name or number. 2739

(B) The boy scouts logo license plates and validation 2740
sticker, or validation sticker alone, as the case may be, shall be 2741
issued upon payment of the regular license tax as prescribed under 2742
section 4503.04 of the Revised Code, any applicable motor vehicle 2743
license tax levied under Chapter 4504. of the Revised Code, a fee 2744
of ten dollars for the purpose of compensating the bureau of motor 2745
vehicles for additional services required in the issuing of boy 2746
scouts license plates, and compliance with all other applicable 2747
laws relating to the registration of motor vehicles. If the 2748
application for a boy scouts license plate is combined with a 2749
request for a special reserved license plate under section 4503.40 2750
or 4503.42 of the Revised Code, the license plates and validation 2751
sticker, or validation sticker alone, shall be issued upon payment 2752
of the regular license tax as prescribed under section 4503.04 of 2753

the Revised Code, any applicable motor vehicle tax levied under 2754
Chapter 4504. of the Revised Code, a fee of ten dollars for the 2755
purpose of compensating the bureau of motor vehicles for 2756
additional services required in the issuing of the plates, the 2757
additional fee prescribed under section 4503.40 or 4503.42 of the 2758
Revised Code, and compliance with all other applicable laws 2759
relating to the registration of motor vehicles. 2760

(C) For each application for registration and registration 2761
renewal notice the registrar receives under this section, the 2762
registrar shall collect a contribution of fifteen dollars. The 2763
registrar shall transmit this contribution to the treasurer of 2764
state for deposit into the ~~state treasury for distribution as~~ 2765
~~described in~~ license plate contribution fund created by section 2766
4501.41 4501.21 of the Revised Code. 2767

The registrar shall transmit the additional fee of ten 2768
dollars paid to compensate the bureau for the additional services 2769
required in the issuing of boy scouts license plates to the 2770
treasurer of state for deposit into the state treasury to the 2771
credit of the state bureau of motor vehicles fund created by 2772
section 4501.25 of the Revised Code. 2773

(D) If the national organization of the boy scouts of America 2774
desires to have its logo appear on license plates issued by this 2775
state, a representative of the Dan Beard council shall contract 2776
with the registrar to permit the display of the logo on license 2777
plates issued by this state. Upon execution of the contract, the 2778
council shall provide a copy of it to the registrar, along with 2779
any other documentation the registrar may require. Upon receiving 2780
the contract and any required additional documentation, and when 2781
the numerical requirement contained in division (A) of section 2782
4503.78 of the Revised Code has been met relative to the boy 2783
scouts of America, the registrar shall take the measures necessary 2784
to issue license plates bearing the logo of the boy scouts of 2785

America. 2786

Sec. 4503.68. (A) If the national organization of the girl 2787
scouts of the United States of America desires to have its logo 2788
appear on license plates issued by this state, a representative of 2789
the Great River council shall enter into a contract with the 2790
registrar of motor vehicles as provided in division (D) of this 2791
section ~~4501.61 of the Revised Code~~. The owner or lessee of any 2792
passenger car, noncommercial motor vehicle, recreational vehicle, 2793
or other vehicle of a class approved by the registrar may apply to 2794
the registrar for the registration of the vehicle and issuance of 2795
license plates bearing the logo of the girl scouts of United 2796
States of America if the council representative has entered into 2797
such a contract. An application made under this section may be 2798
combined with a request for a special reserved license plate under 2799
section 4503.40 or 4503.42 of the Revised Code. Upon receipt of 2800
the completed application and compliance by the applicant with 2801
divisions (B) and (C) of this section, the registrar shall issue 2802
to the applicant the appropriate vehicle registration and a set of 2803
license plates bearing the logo of the girl scouts of the United 2804
States of America and a validation sticker, or a validation 2805
sticker alone when required by section 4503.191 of the Revised 2806
Code. 2807

In addition to the letters and numbers ordinarily inscribed 2808
thereon, the plates shall display county identification stickers 2809
that identify the county of registration by name or number. 2810

(B) The girl scouts logo license plates and validation 2811
sticker, or validation sticker alone, as the case may be, shall be 2812
issued upon payment of the regular license tax as prescribed under 2813
section 4503.04 of the Revised Code, any applicable motor vehicle 2814
license tax levied under Chapter 4504. of the Revised Code, a fee 2815
of ten dollars for the purpose of compensating the bureau of motor 2816

vehicles for additional services required in the issuing of girl 2817
scouts license plates, and compliance with all other applicable 2818
laws relating to the registration of motor vehicles. If the 2819
application for a girl scouts license plate is combined with a 2820
request for a special reserved license plate under section 4503.40 2821
or 4503.42 of the Revised Code, the license plates and validation 2822
sticker, or validation sticker alone, shall be issued upon payment 2823
of the regular license tax as prescribed under section 4503.04 of 2824
the Revised Code, any applicable motor vehicle tax levied under 2825
Chapter 4504. of the Revised Code, a fee of ten dollars for the 2826
purpose of compensating the bureau of motor vehicles for 2827
additional services required in the issuing of the plates, the 2828
additional fee prescribed under section 4503.40 or 4503.42 of the 2829
Revised Code, and compliance with all other applicable laws 2830
relating to the registration of motor vehicles. 2831

(C) For each application for registration and registration 2832
renewal notice the registrar receives under this section, the 2833
registrar shall collect a contribution of fifteen dollars. The 2834
registrar shall transmit this contribution to the treasurer of 2835
state for deposit into the ~~state treasury for distribution as~~ 2836
~~described in~~ license plate contribution fund created by section 2837
~~4501.61~~ 4501.21 of the Revised Code. 2838

The registrar shall transmit the additional fee of ten 2839
dollars paid to compensate the bureau for the additional services 2840
required in the issuing of girl scouts license plates to the 2841
treasurer of state for deposit into the state treasury to the 2842
credit of the state bureau of motor vehicles fund created by 2843
section 4501.25 of the Revised Code. 2844

(D) If the national organization of the girl scouts of the 2845
United States of America desires to have its logo appear on 2846
license plates issued by this state, a representative from the 2847
Great River council shall contract with the registrar to permit 2848

the display of the logo on license plates issued by this state. 2849
Upon execution of the contract, the council shall provide a copy 2850
of it to the registrar, along with any other documentation the 2851
registrar may require. Upon receiving the contract and any 2852
required additional documentation, and when the numerical 2853
requirement contained in division (A) of section 4503.78 of the 2854
Revised Code has been met relative to the girl scouts of the 2855
United States of America, the registrar shall take the measures 2856
necessary to issue license plates bearing the logo of the girl 2857
scouts of the United States of America. 2858

Sec. 4503.69. (A) If the national organization of the eagle 2859
scouts desires to have its logo appear on license plates issued by 2860
this state, a representative of the Dan Beard council shall enter 2861
into a contract with the registrar of motor vehicles as provided 2862
in division (D) of this section 4501.71 of the Revised Code. The 2863
owner or lessee of any passenger car, noncommercial motor vehicle, 2864
recreational vehicle, or other vehicle of a class approved by the 2865
registrar may apply to the registrar for the registration of the 2866
vehicle and issuance of license plates bearing the logo of the 2867
eagle scouts if the council representative has entered into such a 2868
contract on behalf of the eagle scouts. An application made under 2869
this section may be combined with a request for a special reserved 2870
license plate under section 4503.40 or 4503.42 of the Revised 2871
Code. Upon receipt of the completed application and compliance by 2872
the applicant with divisions (B) and (C) of this section, the 2873
registrar shall issue to the applicant the appropriate vehicle 2874
registration and a set of license plates bearing the logo of the 2875
eagle scouts and a validation sticker, or a validation sticker 2876
alone when required by section 4503.191 of the Revised Code. 2877

In addition to the letters and numbers ordinarily inscribed 2878
thereon, the plates shall display county identification stickers 2879
that identify the county of registration by name or number. 2880

(B) The eagle scouts logo license plates and validation sticker, or validation sticker alone, as the case may be, shall be issued upon payment of the regular license tax as prescribed under section 4503.04 of the Revised Code, any applicable motor vehicle license tax levied under Chapter 4504. of the Revised Code, a fee of ten dollars for the purpose of compensating the bureau of motor vehicles for additional services required in the issuing of eagle scouts license plates, and compliance with all other applicable laws relating to the registration of motor vehicles. If the application for an eagle scouts license plate is combined with a request for a special reserved license plate under section 4503.40 or 4503.42 of the Revised Code, the license plates and validation sticker, or validation sticker alone, shall be issued upon payment of the regular license tax as prescribed under section 4503.04 of the Revised Code, any applicable motor vehicle tax levied under Chapter 4504. of the Revised Code, a fee of ten dollars for the purpose of compensating the bureau of motor vehicles for additional services required in the issuing of the plates, the additional fee prescribed under section 4503.40 or 4503.42 of the Revised Code, and compliance with all other applicable laws relating to the registration of motor vehicles.

(C) For each application for registration and registration renewal notice the registrar receives under this section, the registrar shall collect a contribution of fifteen dollars. The registrar shall transmit this contribution to the treasurer of state for deposit into the ~~state treasury for distribution as described in~~ license plate contribution fund created by section 4501.71 4501.21 of the Revised Code.

The registrar shall transmit the additional fee of ten dollars paid to compensate the bureau for the additional services required in the issuing of eagle scouts license plates to the treasurer of state for deposit into the state treasury to the

credit of the state bureau of motor vehicles fund created by 2913
section 4501.25 of the Revised Code. 2914

(D) If the national organization of the eagle scouts desires 2915
to have its logo appear on license plates issued by this state, a 2916
representative from the Dan Beard council shall contract with the 2917
registrar to permit the display of the logo on license plates 2918
issued by this state. Upon execution of the contract, the council 2919
shall provide a copy of it to the registrar, along with any other 2920
documentation the registrar may require. Upon receiving the 2921
contract and any required additional documentation, and when the 2922
numerical requirement contained in division (A) of section 4503.78 2923
of the Revised Code has been met relative to the eagle scouts, the 2924
registrar shall take the measures necessary to issue license 2925
plates bearing the logo of the eagle scouts. 2926

Sec. 4503.71. (A) The owner or lessee of any passenger car, 2927
noncommercial motor vehicle, recreational vehicle, or other 2928
vehicle of a class approved by the registrar of motor vehicles who 2929
also is a member in good standing of the fraternal order of police 2930
may apply to the registrar for the registration of the vehicle and 2931
issuance of fraternal order of police license plates. The 2932
application for fraternal order of police license plates may be 2933
combined with a request for a special reserved license plate under 2934
section 4503.40 or 4503.42 of the Revised Code. Upon receipt of 2935
the completed application, presentation by the applicant of the 2936
required evidence that the applicant is a member in good standing 2937
of the fraternal order of police, and compliance by the applicant 2938
with this section, the registrar shall issue to the applicant the 2939
appropriate vehicle registration and a set of fraternal order of 2940
police license plates with a validation sticker or a validation 2941
sticker alone when required by section 4503.191 of the Revised 2942
Code. 2943

In addition to the letters and numbers ordinarily inscribed thereon, fraternal order of police license plates shall be inscribed with identifying words and a symbol or logo designed by the fraternal order of police of Ohio, incorporated, and approved by the registrar. Fraternal order of police license plates shall bear county identification stickers that identify the county of registration by name or number.

Fraternal order of police license plates and validation stickers shall be issued upon payment of the regular license fee required by section 4503.04 of the Revised Code, payment of any local motor vehicle license tax levied under Chapter 4504. of the Revised Code, payment of a fee of ten dollars, and compliance with all other applicable laws relating to the registration of motor vehicles. If the application for fraternal order of police license plates is combined with a request for a special reserved license plate under section 4503.40 or 4503.42 of the Revised Code, the license plates and validation sticker shall be issued upon payment of the fees and taxes contained in this section and the additional fee prescribed under section 4503.40 or 4503.42 of the Revised Code. The fee of ten dollars shall be for the purpose of compensating the bureau of motor vehicles for additional services required in the issuing of fraternal order of police license plates, and shall be transmitted by the registrar to the treasurer of state for deposit into the state treasury to the credit of the state bureau of motor vehicles fund created by section 4501.25 of the Revised Code.

(B) For each application for registration and registration renewal the registrar receives under this section, the registrar shall collect an additional fee of two dollars. The registrar shall transmit this additional fee to the treasurer of state for deposit in the ~~fraternal order of police~~ license plate contribution fund created in section ~~4501.311~~ 4501.21 of the

Revised Code. 2976

Sec. 4503.711. (A) The owner or lessee of any passenger car, 2977
noncommercial motor vehicle, recreational vehicle, or other 2978
vehicle of a class approved by the registrar of motor vehicles who 2979
is a member in good standing of the fraternal order of police 2980
associates of Ohio, inc., may apply to the registrar for the 2981
registration of the vehicle and issuance of fraternal order of 2982
police associate license plates. The application for fraternal 2983
order of police associate license plates may be combined with a 2984
request for a special reserved license plate under section 4503.40 2985
or 4503.42 of the Revised Code. Upon receipt of the completed 2986
application, presentation by the applicant of the required 2987
evidence that the applicant is a member in good standing of the 2988
fraternal order of police associates of Ohio, inc., and compliance 2989
with division (B) of this section, the registrar shall issue to 2990
the applicant the appropriate vehicle registration and a set of 2991
fraternal order of police associate license plates with a 2992
validation sticker or a validation sticker alone when required by 2993
section 4503.191 of the Revised Code. 2994

In addition to the letters and numbers ordinarily inscribed 2995
thereon, fraternal order of police associate license plates shall 2996
be inscribed with identifying words or markings designed by the 2997
fraternal order of police of Ohio, inc., and approved by the 2998
registrar. Fraternal order of police associate plates shall bear 2999
county identification stickers that identify the county of 3000
registration by name and number. 3001

(B) The registrar shall issue a set of fraternal order of 3002
police associate license plates with a validation sticker or a 3003
validation sticker alone upon receipt of a contribution as 3004
provided in division (C) of this section and upon payment of the 3005
regular license fees prescribed under section 4503.04 of the 3006

Revised Code, an additional fee of ten dollars for the purpose of 3007
compensating the bureau of motor vehicles for additional services 3008
required in the issuing of the fraternal order of police associate 3009
license plates, any applicable motor vehicle tax levied under 3010
Chapter 4504. of the Revised Code, and compliance with all other 3011
applicable laws relating to the registration of motor vehicles. If 3012
the application for fraternal order of police associate license 3013
plates is combined with a request for a special reserved license 3014
plate under section 4503.40 or 4503.42 of the Revised Code, the 3015
license plate and validation sticker shall be issued upon payment 3016
of the contribution, fees, and taxes contained in this division 3017
and the additional fee prescribed under section 4503.40 or 4503.42 3018
of the Revised Code. 3019

(C) For each application for registration and registration 3020
renewal the registrar receives under this section, the registrar 3021
shall collect a contribution of fifteen dollars. The registrar 3022
shall transmit this contribution to the treasurer of state for 3023
deposit in the ~~fraternal order of police associate~~ license plate 3024
contribution fund created in section ~~4501.25~~ 4501.21 of the 3025
Revised Code. 3026

The registrar shall transmit the additional fee of ten 3027
dollars specified in division (B) of this section to the treasurer 3028
of state for deposit into the state treasury to the credit of the 3029
state bureau of motor vehicles fund created by section 4501.25 of 3030
the Revised Code. 3031

Sec. 4503.72. (A) The owner or lessee of any passenger car, 3032
noncommercial motor vehicle, recreational vehicle, or other 3033
vehicle of a class approved by the registrar of motor vehicles may 3034
apply to the registrar for the registration of the vehicle and 3035
issuance of Ohio court-appointed special advocate/guardian ad 3036
litem license plates. The application for Ohio court-appointed 3037

special advocate/guardian ad litem license plates may be combined 3038
with a request for a special reserved license plate under section 3039
4503.40 or 4503.42 of the Revised Code. Upon receipt of the 3040
completed application and compliance with division (B) of this 3041
section, the registrar shall issue to the applicant the 3042
appropriate vehicle registration and a set of Ohio court-appointed 3043
special advocate/guardian ad litem license plates with a 3044
validation sticker or a validation sticker alone when required by 3045
section 4503.191 of the Revised Code. 3046

In addition to the letters and numbers ordinarily inscribed 3047
thereon, Ohio court-appointed special advocate/guardian ad litem 3048
license plates shall be inscribed with identifying words or 3049
markings designed by the board of directors of the Ohio CASA/GAL 3050
association and approved by the registrar. Ohio court-appointed 3051
special advocate/guardian ad litem license plates shall bear 3052
county identification stickers that identify the county of 3053
registration by name or number. 3054

(B) The Ohio court-appointed special advocate/guardian ad 3055
litem license plates and validation sticker shall be issued upon 3056
receipt of a contribution as provided in division (C) of this 3057
section and upon payment of the regular license tax as prescribed 3058
under section 4503.04 of the Revised Code, a fee of ten dollars 3059
for the purpose of compensating the bureau of motor vehicles for 3060
additional services required in the issuing of the Ohio 3061
court-appointed special advocate/guardian ad litem license plates, 3062
any applicable motor vehicle tax levied under Chapter 4504. of the 3063
Revised Code, and compliance with all other applicable laws 3064
relating to the registration of motor vehicles. If the application 3065
for Ohio court-appointed special advocate/guardian ad litem 3066
license plates is combined with a request for a special reserved 3067
license plate under section 4503.40 or 4503.42 of the Revised 3068
Code, the license plate and validation sticker shall be issued 3069

upon payment of the contribution, fees, and taxes contained in 3070
this division and the additional fee prescribed under section 3071
4503.40 or 4503.42 of the Revised Code. 3072

(C) For each application for registration and registration 3073
renewal the registrar receives under this section, the registrar 3074
shall collect a contribution in an amount not to exceed forty 3075
dollars as determined by the board of directors of the Ohio 3076
CASA/GAL association. The registrar shall transmit this 3077
contribution to the treasurer of state for deposit in the ~~Ohio~~ 3078
~~court-appointed special advocate/guardian ad litem~~ license plate 3079
contribution fund created in section ~~4501.28~~ 4501.21 of the 3080
Revised Code. 3081

The registrar shall deposit the additional fee of ten dollars 3082
specified in division (B) of this section that the applicant for 3083
registration voluntarily pays for the purpose of compensating the 3084
bureau for the additional services required in the issuing of the 3085
applicant's Ohio court-appointed special advocate/guardian ad 3086
litem license plates in the state bureau of motor vehicles fund 3087
created in section 4501.25 of the Revised Code. 3088

Sec. 4503.73. (A) The owner or lessee of any passenger car, 3089
noncommercial motor vehicle, motor home, or other vehicle of a 3090
class approved by the registrar of motor vehicles may apply to the 3091
registrar for the registration of the vehicle and issuance of "the 3092
leader in flight" license plates. The application for "the leader 3093
in flight" license plates may be combined with a request for a 3094
special reserved license plate under section 4503.40 or 4503.42 of 3095
the Revised Code. Upon receipt of the completed application and 3096
compliance with division (B) of this section, the registrar shall 3097
issue to the applicant the appropriate vehicle registration and a 3098
set of "the leader in flight" license plates with a validation 3099
sticker or a validation sticker alone when required by section 3100

4503.191 of the Revised Code. 3101

In addition to the letters and numbers ordinarily inscribed 3102
thereon, "the leader in flight" license plates shall be inscribed 3103
with the words "the leader in flight" and illustrations of a space 3104
shuttle in a vertical position and the Wright "B" airplane. "The 3105
leader in flight" license plates shall bear county identification 3106
stickers that identify the county of registration by name or 3107
number. 3108

(B) "The leader in flight" license plates and validation 3109
sticker shall be issued upon receipt of a contribution as provided 3110
in division (C) of this section and payment of the regular license 3111
tax as prescribed under section 4503.04 of the Revised Code, a fee 3112
of ten dollars for the purpose of compensating the bureau of motor 3113
vehicles for additional services required in the issuing of "the 3114
leader in flight" license plates, any applicable motor vehicle tax 3115
levied under Chapter 4504. of the Revised Code, and compliance 3116
with all other applicable laws relating to the registration of 3117
motor vehicles. If the application for "the leader in flight" 3118
license plates is combined with a request for a special reserved 3119
license plate under section 4503.40 or 4503.42 of the Revised 3120
Code, the license plate and validation sticker shall be issued 3121
upon payment of the fees and taxes referred to or established in 3122
this division and the additional fee prescribed under section 3123
4503.40 or 4503.42 of the Revised Code. 3124

(C) For each application for registration and registration 3125
renewal received under this section, the registrar shall collect a 3126
contribution of fifteen dollars. The registrar shall transmit this 3127
contribution to the treasurer of state for deposit in the ~~leader~~ 3128
~~in-flight~~ license plate contribution fund created in section 3129
~~4501.39~~ 4501.21 of the Revised Code. 3130

The registrar shall deposit the additional fee of ten dollars 3131
specified in division (B) of this section that the applicant for 3132

registration voluntarily pays for the purpose of compensating the 3133
bureau for the additional services required in the issuing of the 3134
applicant's "the leader in flight" license plates in the state 3135
bureau of motor vehicles fund created in section 4501.25 of the 3136
Revised Code. 3137

Sec. 4503.75. (A) The owner or lessee of any passenger car, 3138
noncommercial motor vehicle, recreational vehicle, or other 3139
vehicle of a class approved by the registrar of motor vehicles who 3140
also is a member of the rotary international may apply to the 3141
registrar for the registration of the vehicle and issuance of 3142
rotary international license plates. The application for rotary 3143
international license plates may be combined with a request for a 3144
special reserved license plate under section 4503.40 or 4503.42 of 3145
the Revised Code. Upon receipt of the completed application, proof 3146
of membership in rotary international as required by the 3147
registrar, and compliance with division (B) of this section, the 3148
registrar shall issue to the applicant the appropriate vehicle 3149
registration and a set of rotary international license plates with 3150
a validation sticker or a validation sticker alone when required 3151
by section 4503.191 of the Revised Code. 3152

In addition to the letters and numbers ordinarily inscribed 3153
thereon, rotary international license plates shall be inscribed 3154
with identifying words or markings representing the international 3155
rotary and approved by the registrar. Rotary international license 3156
plates shall bear county identification stickers that identify the 3157
county of registration by name or number. 3158

(B) The rotary international license plates and validation 3159
sticker shall be issued upon receipt of a contribution as provided 3160
in division (C) of this section and upon payment of the regular 3161
license tax as prescribed under section 4503.04 of the Revised 3162
Code, a fee of ten dollars for the purpose of compensating the 3163

bureau of motor vehicles for additional services required in the 3164
issuing of the rotary international license plates, any applicable 3165
motor vehicle tax levied under Chapter 4504. of the Revised Code, 3166
and compliance with all other applicable laws relating to the 3167
registration of motor vehicles. If the application for rotary 3168
international license plates is combined with a request for a 3169
special reserved license plate under section 4503.40 or 4503.42 of 3170
the Revised Code, the license plate and validation sticker shall 3171
be issued upon payment of the contribution, fees, and taxes 3172
contained in this division and the additional fee prescribed under 3173
section 4503.40 or 4503.42 of the Revised Code. 3174

(C) For each application for registration and registration 3175
renewal the registrar receives under this section, the registrar 3176
shall collect a contribution of fifteen dollars. The registrar 3177
shall transmit this contribution to the treasurer of state for 3178
deposit in the ~~rotary international~~ license plate contribution 3179
fund created in section ~~4501.29~~ 4501.21 of the Revised Code. 3180

The registrar shall deposit the additional fee of ten dollars 3181
specified in division (B) of this section that the applicant for 3182
registration voluntarily pays for the purpose of compensating the 3183
bureau for the additional services required in the issuing of the 3184
applicant's rotary international license plates in the state 3185
bureau of motor vehicles fund created in section 4501.25 of the 3186
Revised Code. 3187

Sec. 4503.86. (A) As used in this section, "motor vehicle 3188
renting dealer" has the same meaning as in section 4549.65 of the 3189
Revised Code. 3190

(B) On and after July 1, 2003, for the purpose of offsetting 3191
contract related costs incurred by the state as a result of 3192
amendments to the motor vehicle inspection and maintenance 3193
program, a tax of fifty cents per day is levied on each 3194

transaction by which a motor vehicle is rented from a motor 3195
vehicle renting dealer. The tax shall be paid by the person 3196
renting the vehicle and applies to each day or portion of a day 3197
for which the vehicle is rented. 3198

(C) The motor vehicle renting dealer shall collect the tax 3199
levied under this section from the person renting the motor 3200
vehicle. The dealer shall remit all taxes collected to the 3201
treasurer of state pursuant to procedures prescribed by the tax 3202
commissioner under division (D) of this section. 3203

(D) The tax commissioner shall prescribe forms and procedures 3204
governing the payment, collection, and remission of the tax levied 3205
under this section. 3206

(E) No person shall fail to comply with the procedures 3207
prescribed by the tax commissioner under division (D) of this 3208
section. 3209

(F) Whoever violates division (E) of this section shall be 3210
fined not less than one hundred nor more than one thousand 3211
dollars. 3212

Sec. 4505.09. (A)(1) The clerk of a court of common pleas 3213
shall charge a fee of five dollars for each certificate of title 3214
that is not applied for within thirty days after the assignment or 3215
delivery of the motor vehicle described in it. The fees shall be 3216
retained by the clerk. 3217

(2) In addition to ~~those fees~~ any fee charged under division 3218
(A)(1) of this section, the clerk shall charge a fee of five 3219
dollars for each certificate of title, duplicate certificate of 3220
title, memorandum certificate of title, authorization to print a 3221
non-negotiable evidence of ownership described in division (G) of 3222
section 4505.08 of the Revised Code, non-negotiable evidence of 3223
ownership printed by the clerk under division (H) of that section, 3224

and notation of any lien on a certificate of title. The clerk 3225
shall retain two dollars and twenty-five cents of the fee charged 3226
for each certificate of title, four dollars and seventy-five cents 3227
of the fee charged for each duplicate certificate of title, all of 3228
the fees charged for each memorandum certificate, authorization to 3229
print a non-negotiable evidence of ownership, or non-negotiable 3230
evidence of ownership printed by the clerk, and four dollars and 3231
twenty-five cents of the fee charged for each notation of a lien. 3232

The remaining two dollars and seventy-five cents charged for 3233
the certificate of title, the remaining twenty-five cents charged 3234
for the duplicate certificate of title, and the remaining 3235
seventy-five cents charged for the notation of any lien on a 3236
certificate of title shall be paid to the registrar of motor 3237
vehicles by monthly returns, which shall be forwarded to the 3238
registrar not later than the fifth day of the month next 3239
succeeding that in which the certificate is issued or that in 3240
which the registrar is notified of a lien or cancellation of a 3241
lien. 3242

(3) In addition to the fees charged under divisions (A)(1) 3243
and (2) of this section, commencing on October 1, 2003, the clerk 3244
shall charge a fee of eight dollars for each certificate of title, 3245
duplicate certificate of title, and notation of any lien on a 3246
certificate of title. The additional fee is for the purpose of 3247
defraying the costs associated with the administration and 3248
enforcement of the motor vehicle and traffic laws of Ohio by the 3249
state highway patrol. The clerk shall pay these fees to the 3250
registrar by monthly returns, which shall be forwarded to the 3251
registrar not later than the fifth day of the month next 3252
succeeding that in which the title is issued or that in which the 3253
registrar is notified of a lien or cancellation of a lien. The 3254
registrar shall deposit all moneys received under division (A)(3) 3255
of this section into the state highway patrol fund established in 3256

section 4501.061 of the Revised Code. The fee established under 3257
division (A)(3) of this section does not apply to a motor vehicle 3258
dealer licensed under Chapter 4517. of the Revised Code who is 3259
obtaining a certificate of title, duplicate certificate of title, 3260
or notation of any lien on a certificate of title in the name of 3261
the dealer for purposes of selling or reselling the motor vehicle. 3262

(B)(1) ~~The~~ Of the amounts received under division (A)(2) of 3263
this section, the registrar shall pay twenty-five cents of the 3264
amount received for each certificate of title and all of the 3265
amounts received for each notation of any lien and each duplicate 3266
certificate of title into the state bureau of motor vehicles fund 3267
established in section 4501.25 of the Revised Code. 3268

(2) Fifty cents of the amount received under division (A)(2) 3269
of this section for each certificate of title shall be paid by the 3270
registrar as follows: 3271

(a) Four cents shall be paid into the state treasury to the 3272
credit of the motor vehicle dealers board fund, which is hereby 3273
created. All investment earnings of the fund shall be credited to 3274
the fund. The moneys in the motor vehicle dealers board fund shall 3275
be used by the motor vehicle dealers board created under section 3276
4517.30 of the Revised Code, together with other moneys 3277
appropriated to it, in the exercise of its powers and the 3278
performance of its duties under Chapter 4517. of the Revised Code, 3279
except that the director of budget and management may transfer 3280
excess money from the motor vehicle dealers board fund to the 3281
bureau of motor vehicles fund if the registrar determines that the 3282
amount of money in the motor vehicle dealers board fund, together 3283
with other moneys appropriated to the board, exceeds the amount 3284
required for the exercise of its powers and the performance of its 3285
duties under Chapter 4517. of the Revised Code and requests the 3286
director to make the transfer. 3287

(b) Twenty-one cents shall be paid into the general revenue 3288

fund. 3289

(c) Twenty-five cents shall be paid into the state treasury 3290
to the credit of the motor vehicle sales audit fund, which is 3291
hereby created. The moneys in the fund shall be used by the tax 3292
commissioner together with other funds available to the 3293
commissioner to conduct a continuing investigation of sales and 3294
use tax returns filed for motor vehicles in order to determine if 3295
sales and use tax liability has been satisfied. The commissioner 3296
shall refer cases of apparent violations of section 2921.13 of the 3297
Revised Code made in connection with the titling or sale of a 3298
motor vehicle and cases of any other apparent violations of the 3299
sales or use tax law to the appropriate county prosecutor whenever 3300
the commissioner considers it advisable. 3301

(3) Two dollars of the amount received by the registrar under 3302
division (A)(2) of this section for each certificate of title 3303
shall be paid into the state treasury to the credit of the 3304
automated title processing fund, which is hereby created and which 3305
shall consist of moneys collected under division (B)(3) of this 3306
section and under sections 1548.10 and 4519.59 of the Revised 3307
Code. All investment earnings of the fund shall be credited to the 3308
fund. The moneys in the fund shall be used as follows: 3309

(a) Except for moneys collected under section 1548.10 of the 3310
Revised Code and as provided in division (B)(3)(c) of this 3311
section, moneys collected under division (B)(3) of this section 3312
shall be used to implement and maintain an automated title 3313
processing system for the issuance of motor vehicle, off-highway 3314
motorcycle, and all-purpose vehicle certificates of title in the 3315
offices of the clerks of the courts of common pleas. 3316

(b) Moneys collected under section 1548.10 of the Revised 3317
Code shall be used to issue marine certificates of title in the 3318
offices of the clerks of the courts of common pleas as provided in 3319
Chapter 1548. of the Revised Code. 3320

(c) Moneys collected under division (B)(3) of this section 3321
shall be used in accordance with section 4505.25 of the Revised 3322
Code to implement Sub. S.B. 59 of the 124th general assembly. 3323

(C)(1) The automated title processing board is hereby created 3324
consisting of the registrar or the registrar's representative, a 3325
person selected by the registrar, the president of the Ohio clerks 3326
of court association or the president's representative, and two 3327
clerks of courts of common pleas appointed by the governor. The 3328
director of budget and management or the director's designee, the 3329
chief of the division of watercraft in the department of natural 3330
resources or the chief's designee, and the tax commissioner or the 3331
commissioner's designee shall be nonvoting members of the board. 3332

(2) The automated title processing board shall determine each 3333
of the following: 3334

(a) The automated title processing equipment and certificates 3335
of title requirements for each county; 3336

(b) The payment of expenses that may be incurred by the 3337
counties in implementing an automated title processing system; 3338

(c) The repayment to the counties for existing title 3339
processing equipment. 3340

(3) The registrar shall purchase, lease, or otherwise acquire 3341
any automated title processing equipment and certificates of title 3342
that the board determines are necessary from moneys in the 3343
automated title processing fund established by division (B)(3) of 3344
this section. Each county issuing more than one hundred thousand 3345
certificates of title annually, with the approval of the registrar 3346
and in accordance with the registrar's requirements, may purchase 3347
and maintain an automated title processing system for the issuance 3348
of motor vehicle titles, certificates of title for off-highway 3349
motorcycles and all-purpose vehicles, and certificates of title 3350
for watercraft and outboard motors with the cost of the system 3351

paid for from the automated processing title fund. 3352

(D) All counties shall conform to the requirements of the 3353
registrar regarding the operation of their automated title 3354
processing system for motor vehicle titles, certificates of title 3355
for off-highway motorcycles and all-purpose vehicles, and 3356
certificates of title for watercraft and outboard motors. 3357

Sec. 4506.08. (A) Each application for a commercial driver's 3358
license temporary instruction permit shall be accompanied by a fee 3359
of ten dollars; except as provided in division (B) of this 3360
section, each application for a commercial driver's license, 3361
restricted commercial driver's license, or renewal of such a 3362
license shall be accompanied by a fee of twenty-five dollars; and 3363
each application for a duplicate commercial driver's license shall 3364
be accompanied by a fee of ten dollars. In addition, the registrar 3365
of motor vehicles or deputy registrar may collect and retain an 3366
additional fee of no more than two dollars and seventy-five cents 3367
commencing on July 1, 2001, three dollars and twenty-five cents 3368
commencing on January 1, 2003, and three dollars and fifty cents 3369
commencing on January 1, 2004, for each application for a 3370
commercial driver's license temporary instruction permit, 3371
commercial driver's license, renewal of a commercial driver's 3372
license, or duplicate commercial driver's license received by the 3373
registrar or deputy. No fee shall be charged for the annual 3374
issuance of a waiver for farm-related service industries pursuant 3375
to section 4506.24 of the Revised Code. 3376

Each deputy registrar shall transmit the fees collected to 3377
the registrar at the time and in the manner prescribed by the 3378
registrar by rule. The registrar shall pay the fees into the state 3379
highway safety fund established in section 4501.06 of the Revised 3380
Code. 3381

(B) In addition to the fees imposed under division (A) of 3382

this section, the registrar of motor vehicles or deputy registrar 3383
shall collect a fee of ten dollars commencing on October 1, 2003, 3384
for each application for a commercial driver's license temporary 3385
instruction permit, commercial driver's license, renewal of a 3386
commercial driver's license, or duplicate commercial driver's 3387
license received by the registrar or deputy. The additional fee is 3388
for the purpose of defraying the costs associated with the 3389
administration and enforcement of the motor vehicle and traffic 3390
laws of Ohio by the state highway patrol. Each deputy registrar 3391
shall transmit the fees collected under division (B) of this 3392
section in the time and manner prescribed by the registrar. The 3393
registrar shall deposit all moneys received under division (B) of 3394
this section into the state highway patrol fund established in 3395
section 4501.061 of the Revised Code. 3396

(C) Information regarding the driving record of any person 3397
holding a commercial driver's license issued by this state shall 3398
be furnished by the registrar, upon request and payment of a fee 3399
of three dollars, to the employer or prospective employer of such 3400
a person and to any insurer. 3401

Sec. 4507.23. (A) Except as provided in division ~~(H)~~(I) of 3402
this section, each application for a temporary instruction permit 3403
and examination shall be accompanied by a fee of four dollars. 3404

(B) Except as provided in division ~~(H)~~(I) of this section, 3405
each application for a driver's license made by a person who 3406
previously held such a license and whose license has expired not 3407
more than two years prior to the date of application, and who is 3408
required under this chapter to give an actual demonstration of the 3409
person's ability to drive, shall be accompanied by a fee of three 3410
dollars in addition to any other fees. 3411

(C) Except as provided in divisions (E) and ~~(H)~~(I) of this 3412
section, each application for a driver's license, or motorcycle 3413

operator's endorsement, or renewal of a driver's license shall be 3414
accompanied by a fee of six dollars. Except as provided in 3415
division ~~(H)~~(I) of this section, each application for a duplicate 3416
driver's license shall be accompanied by a fee of two dollars and 3417
fifty cents. The duplicate driver's licenses issued under this 3418
section shall be distributed by the deputy registrar in accordance 3419
with rules adopted by the registrar of motor vehicles. 3420

(D) Except as provided in division ~~(H)~~(I) of this section, 3421
each application for a motorized bicycle license or duplicate 3422
thereof shall be accompanied by a fee of two dollars and fifty 3423
cents. 3424

(E) Except as provided in division ~~(H)~~(I) of this section, 3425
each application for a driver's license or renewal of a driver's 3426
license that will be issued to a person who is less than 3427
twenty-one years of age shall be accompanied by whichever of the 3428
following fees is applicable: 3429

(1) If the person is sixteen years of age or older, but less 3430
than seventeen years of age, a fee of seven dollars and 3431
twenty-five cents; 3432

(2) If the person is seventeen years of age or older, but 3433
less than eighteen years of age, a fee of six dollars; 3434

(3) If the person is eighteen years of age or older, but less 3435
than nineteen years of age, a fee of four dollars and seventy-five 3436
cents; 3437

(4) If the person is nineteen years of age or older, but less 3438
than twenty years of age, a fee of three dollars and fifty cents; 3439

(5) If the person is twenty years of age or older, but less 3440
than twenty-one years of age, a fee of two dollars and twenty-five 3441
cents. 3442

(F) Neither the registrar nor any deputy registrar shall 3443

charge a fee in excess of one dollar and fifty cents for 3444
laminating a driver's license, motorized bicycle license, or 3445
temporary instruction permit identification cards as required by 3446
sections 4507.13 and 4511.521 of the Revised Code. A deputy 3447
registrar laminating a driver's license, motorized bicycle 3448
license, or temporary instruction permit identification cards 3449
shall retain the entire amount of the fee charged for lamination, 3450
less the actual cost to the registrar of the laminating materials 3451
used for that lamination, as specified in the contract executed by 3452
the bureau for the laminating materials and laminating equipment. 3453
The deputy registrar shall forward the amount of the cost of the 3454
laminating materials to the registrar for deposit as provided in 3455
this section. 3456

(G) Except as provided in division (I) of this section, 3457
commencing on October 1, 2003, each transaction described in 3458
divisions (A), (B), (C), (D), and (E) of this section shall be 3459
accompanied by an additional fee of ten dollars. The additional 3460
fee is for the purpose of defraying the costs associated with the 3461
administration and enforcement of the motor vehicle and traffic 3462
laws of Ohio by the state highway patrol. 3463

(H) At the time and in the manner provided by section 4503.10 3464
of the Revised Code, the deputy registrar shall transmit the fees 3465
collected under divisions (A), (B), (C), (D), and (E), ~~and~~ those 3466
portions of the fees specified in and collected under division 3467
(F), and the additional fee under division (G) of this section to 3468
the registrar. The registrar shall pay two dollars and fifty cents 3469
of each fee collected under divisions (A), (B), (C), (D), and 3470
(E)(1) to (4) of this section, and the entire fee collected under 3471
division (E)(5) of this section, into the state highway safety 3472
fund established in section 4501.06 of the Revised Code, and such 3473
fees shall be used for the sole purpose of supporting driver 3474
licensing activities. The registrar also shall pay the entire fee 3475

collected under division (G) of this section into the state 3476
highway patrol fund created in section 4501.061 of the Revised 3477
Code. The remaining fees collected by the registrar under this 3478
section shall be paid into the state bureau of motor vehicles fund 3479
established in section 4501.25 of the Revised Code. 3480

~~(H)~~(I) A disabled veteran who has a service-connected 3481
disability rated at one hundred per cent by the veterans' 3482
administration may apply to the registrar or a deputy registrar 3483
for the issuance to that veteran, without the payment of any fee 3484
prescribed in this section, of any of the following items: 3485

(1) A temporary instruction permit and examination; 3486

(2) A new, renewal, or duplicate driver's or commercial 3487
driver's license; 3488

(3) A motorcycle operator's endorsement; 3489

(4) A motorized bicycle license or duplicate thereof; 3490

(5) Lamination of a driver's license, motorized bicycle 3491
license, or temporary instruction permit identification card as 3492
provided in division (F) of this section, if the circumstances 3493
specified in division ~~(H)~~(I)(5) of this section are met. 3494

If the driver's license, motorized bicycle license, or 3495
temporary instruction permit identification card of a disabled 3496
veteran described in division ~~(H)~~(I) of this section is laminated 3497
by a deputy registrar who is acting as a deputy registrar pursuant 3498
to a contract with the registrar that is in effect on October 14, 3499
1997, the disabled veteran shall be required to pay the deputy 3500
registrar the lamination fee provided in division (F) of this 3501
section. If the driver's license, motorized bicycle license, or 3502
temporary instruction permit identification card of such a 3503
disabled veteran is laminated by a deputy registrar who is acting 3504
as a deputy registrar pursuant to a contract with the registrar 3505
that is executed after October 14, 1997, the disabled veteran is 3506

not required to pay the deputy registrar the lamination fee 3507
provided in division (F) of this section. 3508

A disabled veteran whose driver's license, motorized bicycle 3509
license, or temporary instruction permit identification card is 3510
laminated by the registrar is not required to pay the registrar 3511
any lamination fee. 3512

An application made under division ~~(H)~~(I) of this section 3513
shall be accompanied by such documentary evidence of disability as 3514
the registrar may require by rule. 3515

Sec. 4511.04. (A) Sections 4511.01 to 4511.18, 4511.20 to 3516
4511.78, ~~inclusive, section~~ 4511.99, and ~~sections~~ 4513.01 to 3517
4513.37, ~~inclusive,~~ of the Revised Code do not apply to persons, 3518
teams, motor vehicles, and other equipment while actually engaged 3519
in work upon the surface of a highway within an area designated by 3520
traffic control devices, but apply to such persons and vehicles 3521
when traveling to or from such work. 3522

(B) The ~~drivers~~ driver of ~~snow plows, traffic line strippers,~~ 3523
~~road sweepers, mowing machines, tar distributing vehicles, and~~ 3524
~~other vehicles utilized in snow and ice removal or road surface a~~ 3525
highway maintenance vehicle owned by this state or any political 3526
subdivision of this state, while the driver is engaged in ~~work~~ the 3527
performance of official duties upon a street or highway, provided 3528
~~such vehicles are~~ the highway maintenance vehicle is equipped with 3529
flashing lights and such other markings as are required by law, 3530
and such lights are in operation when the ~~vehicles~~ driver and 3531
vehicle are so engaged, shall be exempt from criminal prosecution 3532
for violations of sections 4511.22, 4511.25, 4511.26, 4511.27, 3533
4511.28, 4511.30, 4511.31, 4511.33, 4511.35, ~~and~~ 4511.66, 4513.02, 3534
and 5577.01 to 5577.09 of the Revised Code. ~~Such exemption shall~~ 3535
~~not apply to such drivers when their vehicles are not so engaged.~~ 3536
This 3537

(C)(1) This section shall does not exempt a driver of such 3538
equipment a highway maintenance vehicle from civil liability 3539
arising from ~~the a~~ violation of ~~sections~~ section 4511.22, 4511.25, 3540
4511.26, 4511.27, 4511.28, 4511.30, 4511.31, 4511.33, 4511.35, ~~and~~ 3541
4511.66, or 4513.02 or sections 5577.01 to 5577.09 of the Revised 3542
Code. 3543

(2) This section does not exempt the driver of a vehicle that 3544
is engaged in the transport of highway maintenance equipment from 3545
criminal liability for a violation of sections 5577.01 to 5577.09 3546
of the Revised Code. 3547

(D) As used in this section, "highway maintenance vehicle" 3548
means a vehicle used in snow and ice removal or road surface 3549
maintenance, including a snow plow, traffic line striper, road 3550
sweeper, mowing machine, asphalt distributing vehicle, or other 3551
such vehicle designed for use in specific highway maintenance 3552
activities. 3553

Sec. 4511.19. (A) No person shall operate any vehicle, 3554
streetcar, or trackless trolley within this state, if any of the 3555
following apply: 3556

(1) The person is under the influence of alcohol, a drug of 3557
abuse, or alcohol and a drug of abuse; . 3558

(2) The person has a concentration of ~~ten-hundredths~~ 3559
eight-hundredths of one per cent or more but less than 3560
seventeen-hundredths of one per cent by weight of alcohol in the 3561
person's blood; . 3562

(3) The person has a concentration of ~~ten-hundredths~~ 3563
eight-hundredths of one gram or more but less than 3564
seventeen-hundredths of one gram by weight of alcohol per two 3565
hundred ten liters of the person's breath; . 3566

(4) The person has a concentration of ~~fourteen-hundredths~~ 3567

~~eleven-hundredths~~ of one gram or more but less than two hundred
thirty-eight-thousandths of one gram by weight of alcohol per one
hundred milliliters of the person's urine~~+~~. 3568
3569
3570

(5) The person has a concentration of seventeen-hundredths of
one per cent or more by weight of alcohol in the person's blood~~+~~. 3571
3572

(6) The person has a concentration of seventeen-hundredths of
one gram or more by weight of alcohol per two hundred ten liters
of the person's breath~~+~~. 3573
3574
3575

(7) The person has a concentration of two hundred
thirty-eight-thousandths of one gram or more by weight of alcohol
per one hundred milliliters of the person's urine. 3576
3577
3578

(B) No person under twenty-one years of age shall operate any
vehicle, streetcar, or trackless trolley within this state, if any
of the following apply: 3579
3580
3581

(1) The person has a concentration of at least two-hundredths
of one per cent but less than ~~ten-hundredths~~ eight-hundredths of
one per cent by weight of alcohol in the person's blood~~+~~. 3582
3583
3584

(2) The person has a concentration of at least two-hundredths
of one gram but less than ~~ten-hundredths~~ eight-hundredths of one
gram by weight of alcohol per two hundred ten liters of the
person's breath~~+~~. 3585
3586
3587
3588

(3) The person has a concentration of at least twenty-eight
one-thousandths of one gram but less than ~~fourteen-hundredths~~
eleven-hundredths of one gram by weight of alcohol per one hundred
milliliters of the person's urine. 3589
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(C) In any proceeding arising out of one incident, a person
may be charged with a violation of division (A)(1) and a violation
of division (B)(1), (2), or (3) of this section, but the person
may not be convicted of more than one violation of these
divisions. 3593
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(D)(1) In any criminal prosecution or juvenile court proceeding for a violation of this section, of 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, or of a municipal ordinance relating to operating a vehicle with a prohibited concentration of alcohol in the blood, breath, or urine, the court may admit evidence on the concentration of alcohol, drugs of abuse, or alcohol and drugs of abuse in the defendant's blood, breath, urine, or other bodily substance at the time of the alleged violation as shown by chemical analysis of the defendant's blood, urine, breath, or other bodily substance withdrawn within two hours of the time of the alleged violation.

When a person submits to a blood test at the request of a police officer under section 4511.191 of the Revised Code, only a physician, a registered nurse, or a qualified technician or chemist shall withdraw blood for the purpose of determining its alcohol, drug, or alcohol and drug content. This limitation does not apply to the taking of breath or urine specimens. A physician, a registered nurse, or a qualified technician or chemist may refuse to withdraw blood for the purpose of determining the alcohol, drug, or alcohol and drug content of the blood, if in the opinion of the physician, nurse, technician, or chemist the physical welfare of the person would be endangered by the withdrawing of blood.

Such bodily substance shall be analyzed in accordance with methods approved by the director of health by an individual possessing a valid permit issued by the director of health pursuant to section 3701.143 of the Revised Code.

(2) In a criminal prosecution or juvenile court proceeding for a violation of division (A) of this section, of 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, or of a municipal ordinance substantially equivalent to 3630
division (A) of this section relating to operating a vehicle with 3631
a prohibited concentration of alcohol in the blood, breath, or 3632
urine, if there was at the time the bodily substance was withdrawn 3633
a concentration of less than ~~ten-hundredths~~ eight-hundredths of 3634
one per cent by weight of alcohol in the defendant's blood, less 3635
than ~~ten-hundredths~~ eight-hundredths of one gram by weight of 3636
alcohol per two hundred ten liters of the defendant's breath, or 3637
less than ~~fourteen-hundredths~~ eleven-hundredths of one gram by 3638
weight of alcohol per one hundred milliliters of the defendant's 3639
urine, ~~such that~~ fact may be considered with other competent 3640
evidence in determining the guilt or innocence of the defendant. 3641
This division does not limit or affect a criminal prosecution or 3642
juvenile court proceeding for a violation of division (B) of this 3643
section or of a municipal ordinance substantially equivalent to 3644
division (B) of this section relating to operating a vehicle with 3645
a prohibited concentration of alcohol in the blood, breath, or 3646
urine. 3647

(3) Upon the request of the person who was tested, the 3648
results of the chemical test shall be made available to the person 3649
or the person's attorney or agent immediately upon the completion 3650
of the chemical test analysis. 3651

The person tested may have a physician, a registered nurse, 3652
or a qualified technician or chemist of the person's own choosing 3653
administer a chemical test or tests in addition to any 3654
administered at the request of a police officer, and shall be so 3655
advised. The failure or inability to obtain an additional chemical 3656
test by a person shall not preclude the admission of evidence 3657
relating to the chemical test or tests taken at the request of a 3658
police officer. 3659

(4) Any physician, registered nurse, or qualified technician 3660
or chemist who withdraws blood from a person pursuant to this 3661

section, and any hospital, first-aid station, or clinic at which 3662
blood is withdrawn from a person pursuant to this section, is 3663
immune from criminal liability, and from civil liability that is 3664
based upon a claim of assault and battery or based upon any other 3665
claim that is not in the nature of a claim of malpractice, for any 3666
act performed in withdrawing blood from the person. 3667

Sec. 4511.191. (A) Any person who operates a vehicle upon a 3668
highway or any public or private property used by the public for 3669
vehicular travel or parking within this state shall be deemed to 3670
have given consent to a chemical test or tests of the person's 3671
blood, breath, or urine for the purpose of determining the 3672
alcohol, drug, or alcohol and drug content of the person's blood, 3673
breath, or urine if arrested for operating a vehicle while under 3674
the influence of alcohol, a drug of abuse, or alcohol and a drug 3675
of abuse or for operating a vehicle with a prohibited 3676
concentration of alcohol in the blood, breath, or urine. The 3677
chemical test or tests shall be administered at the request of a 3678
police officer having reasonable grounds to believe the person to 3679
have been operating a vehicle upon a highway or any public or 3680
private property used by the public for vehicular travel or 3681
parking in this state while under the influence of alcohol, a drug 3682
of abuse, or alcohol and a drug of abuse or with a prohibited 3683
concentration of alcohol in the blood, breath, or urine. The law 3684
enforcement agency by which the officer is employed shall 3685
designate which of the tests shall be administered. 3686

(B) Any person who is dead or unconscious, or who is 3687
otherwise in a condition rendering the person incapable of 3688
refusal, shall be deemed not to have withdrawn consent as provided 3689
by division (A) of this section and the test or tests may be 3690
administered, subject to sections 313.12 to 313.16 of the Revised 3691
Code. 3692

(C)(1) Any person under arrest for operating a vehicle while 3693
under the influence of alcohol, a drug of abuse, or alcohol and a 3694
drug of abuse or for operating a vehicle with a prohibited 3695
concentration of alcohol in the blood, breath, or urine shall be 3696
advised at a police station, or at a hospital, first-aid station, 3697
or clinic to which the person has been taken for first-aid or 3698
medical treatment, of both of the following: 3699

(a) The consequences, as specified in division (E) of this 3700
section, of the person's refusal to submit upon request to a 3701
chemical test designated by the law enforcement agency as provided 3702
in division (A) of this section; 3703

(b) The consequences, as specified in division (F) of this 3704
section, of the person's submission to the designated chemical 3705
test if the person is found to have a prohibited concentration of 3706
alcohol in the blood, breath, or urine. 3707

(2)(a) The advice given pursuant to division (C)(1) of this 3708
section shall be in a written form containing the information 3709
described in division (C)(2)(b) of this section and shall be read 3710
to the person. The form shall contain a statement that the form 3711
was shown to the person under arrest and read to the person in the 3712
presence of the arresting officer and either another police 3713
officer, a civilian police employee, or an employee of a hospital, 3714
first-aid station, or clinic, if any, to which the person has been 3715
taken for first-aid or medical treatment. The witnesses shall 3716
certify to this fact by signing the form. 3717

(b) The form required by division (C)(2)(a) of this section 3718
shall read as follows: 3719

"You now are under arrest for operating a vehicle while under 3720
the influence of alcohol, a drug of abuse, or both alcohol and a 3721
drug of abuse and will be requested by a police officer to submit 3722
to a chemical test to determine the concentration of alcohol, 3723

drugs of abuse, or alcohol and drugs of abuse in your blood, 3724
breath, or urine. 3725

If you refuse to submit to the requested test or if you 3726
submit to the requested test and are found to have a prohibited 3727
concentration of alcohol in your blood, breath, or urine, your 3728
driver's or commercial driver's license or permit or nonresident 3729
operating privilege immediately will be suspended for the period 3730
of time specified by law by the officer, on behalf of the 3731
registrar of motor vehicles. You may appeal this suspension at 3732
your initial appearance before the court that hears the charges 3733
against you resulting from the arrest, and your initial appearance 3734
will be conducted no later than five days after the arrest. This 3735
suspension is independent of the penalties for the offense, and 3736
you may be subject to other penalties upon conviction." 3737

(D)(1) If a person under arrest as described in division 3738
(C)(1) of this section is not asked by a police officer to submit 3739
to a chemical test designated as provided in division (A) of this 3740
section, the arresting officer shall seize the Ohio or 3741
out-of-state driver's or commercial driver's license or permit of 3742
the person and immediately forward the seized license or permit to 3743
the court in which the arrested person is to appear on the charge 3744
for which the person was arrested. If the arrested person does not 3745
have the person's driver's or commercial driver's license or 3746
permit on the person's self or in the person's vehicle, the 3747
arresting officer shall order the arrested person to surrender it 3748
to the law enforcement agency that employs the officer within 3749
twenty-four hours after the arrest, and, upon the surrender, the 3750
officer's employing agency immediately shall forward the license 3751
or permit to the court in which the arrested person is to appear 3752
on the charge for which the person was arrested. Upon receipt of 3753
the license or permit, the court shall retain it pending the 3754
initial appearance of the arrested person and any action taken 3755

under section 4511.196 of the Revised Code. 3756

If a person under arrest as described in division (C)(1) of 3757
this section is asked by a police officer to submit to a chemical 3758
test designated as provided in division (A) of this section and is 3759
advised of the consequences of the person's refusal or submission 3760
as provided in division (C) of this section and if the person 3761
either refuses to submit to the designated chemical test or the 3762
person submits to the designated chemical test and the test 3763
results indicate that the person's blood contained a concentration 3764
of ~~ten-hundredths~~ eight-hundredths of one per cent or more by 3765
weight of alcohol, the person's breath contained a concentration 3766
of ~~ten-hundredths~~ eight-hundredths of one gram or more by weight 3767
of alcohol per two hundred ten liters of the person's breath, or 3768
the person's urine contained a concentration of 3769
~~fourteen-hundredths~~ eleven-hundredths of one gram or more by 3770
weight of alcohol per one hundred milliliters of the person's 3771
urine at the time of the alleged offense, the arresting officer 3772
shall do all of the following: 3773

(a) On behalf of the registrar, serve a notice of suspension 3774
upon the person that advises the person that, independent of any 3775
penalties or sanctions imposed upon the person pursuant to any 3776
other section of the Revised Code or any other municipal 3777
ordinance, the person's driver's or commercial driver's license or 3778
permit or nonresident operating privilege is suspended, that the 3779
suspension takes effect immediately, that the suspension will last 3780
at least until the person's initial appearance on the charge that 3781
will be held within five days after the date of the person's 3782
arrest or the issuance of a citation to the person, and that the 3783
person may appeal the suspension at the initial appearance; seize 3784
the Ohio or out-of-state driver's or commercial driver's license 3785
or permit of the person; and immediately forward the seized 3786
license or permit to the registrar. If the arrested person does 3787

not have the person's driver's or commercial driver's license or 3788
permit on the person's self or in the person's vehicle, the 3789
arresting officer shall order the person to surrender it to the 3790
law enforcement agency that employs the officer within twenty-four 3791
hours after the service of the notice of suspension, and, upon the 3792
surrender, the officer's employing agency immediately shall 3793
forward the license or permit to the registrar. 3794

(b) Verify the current residence of the person and, if it 3795
differs from that on the person's driver's or commercial driver's 3796
license or permit, notify the registrar of the change; 3797

(c) In addition to forwarding the arrested person's driver's 3798
or commercial driver's license or permit to the registrar, send to 3799
the registrar, within forty-eight hours after the arrest of the 3800
person, a sworn report that includes all of the following 3801
statements: 3802

(i) That the officer had reasonable grounds to believe that, 3803
at the time of the arrest, the arrested person was operating a 3804
vehicle upon a highway or public or private property used by the 3805
public for vehicular travel or parking within this state while 3806
under the influence of alcohol, a drug of abuse, or alcohol and a 3807
drug of abuse or with a prohibited concentration of alcohol in the 3808
blood, breath, or urine; 3809

(ii) That the person was arrested and charged with operating 3810
a vehicle while under the influence of alcohol, a drug of abuse, 3811
or alcohol and a drug of abuse or with operating a vehicle with a 3812
prohibited concentration of alcohol in the blood, breath, or 3813
urine; 3814

(iii) That the officer asked the person to take the 3815
designated chemical test, advised the person of the consequences 3816
of submitting to the chemical test or refusing to take the 3817
chemical test, and gave the person the form described in division 3818

(C)(2) of this section; 3819

(iv) That the person refused to submit to the chemical test 3820
or that the person submitted to the chemical test and the test 3821
results indicate that the person's blood contained a concentration 3822
of ~~ten-hundredths~~ eight-hundredths of one per cent or more by 3823
weight of alcohol, the person's breath contained a concentration 3824
of ~~ten-hundredths~~ eight-hundredths of one gram or more by weight 3825
of alcohol per two hundred ten liters of the person's breath, or 3826
the person's urine contained a concentration of 3827
~~fourteen-hundredths~~ eleven-hundredths of one gram or more by 3828
weight of alcohol per one hundred milliliters of the person's 3829
urine at the time of the alleged offense; 3830

(v) That the officer served a notice of suspension upon the 3831
person as described in division (D)(1)(a) of this section. 3832

(2) The sworn report of an arresting officer completed under 3833
division (D)(1)(c) of this section shall be given by the officer 3834
to the arrested person at the time of the arrest or sent to the 3835
person by regular first class mail by the registrar as soon 3836
thereafter as possible, but no later than fourteen days after 3837
receipt of the report. An arresting officer may give an unsworn 3838
report to the arrested person at the time of the arrest provided 3839
the report is complete when given to the arrested person and 3840
subsequently is sworn to by the arresting officer. As soon as 3841
possible, but no later than forty-eight hours after the arrest of 3842
the person, the arresting officer shall send a copy of the sworn 3843
report to the court in which the arrested person is to appear on 3844
the charge for which the person was arrested. 3845

(3) The sworn report of an arresting officer completed and 3846
sent to the registrar and the court under divisions (D)(1)(c) and 3847
(D)(2) of this section is prima-facie proof of the information and 3848
statements that it contains and shall be admitted and considered 3849
as prima-facie proof of the information and statements that it 3850

contains in any appeal under division (H) of this section relative 3851
to any suspension of a person's driver's or commercial driver's 3852
license or permit or nonresident operating privilege that results 3853
from the arrest covered by the report. 3854

(E)(1) Upon receipt of the sworn report of an arresting 3855
officer completed and sent to the registrar and a court pursuant 3856
to divisions (D)(1)(c) and (D)(2) of this section in regard to a 3857
person who refused to take the designated chemical test, the 3858
registrar shall enter into the registrar's records the fact that 3859
the person's driver's or commercial driver's license or permit or 3860
nonresident operating privilege was suspended by the arresting 3861
officer under division (D)(1)(a) of this section and the period of 3862
the suspension, as determined under divisions (E)(1)(a) to (d) of 3863
this section. The suspension shall be subject to appeal as 3864
provided in this section and shall be for whichever of the 3865
following periods applies: 3866

(a) If the arrested person, within five years of the date on 3867
which the person refused the request to consent to the chemical 3868
test, had not refused a previous request to consent to a chemical 3869
test of the person's blood, breath, or urine to determine its 3870
alcohol content, the period of suspension shall be one year. If 3871
the person is a resident without a license or permit to operate a 3872
vehicle within this state, the registrar shall deny to the person 3873
the issuance of a driver's or commercial driver's license or 3874
permit for a period of one year after the date of the alleged 3875
violation. 3876

(b) If the arrested person, within five years of the date on 3877
which the person refused the request to consent to the chemical 3878
test, had refused one previous request to consent to a chemical 3879
test of the person's blood, breath, or urine to determine its 3880
alcohol content, the period of suspension or denial shall be two 3881
years. 3882

(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~~ eight-hundredths of one per cent or more by weight of alcohol, the person's breath contained a concentration of ~~ten-hundredths~~ eight-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~~ eleven-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 3915
the suspension, as determined under divisions (F)(1) to (4) of 3916
this section. The suspension shall be subject to appeal as 3917
provided in this section and shall be for whichever of the 3918
following periods that applies: 3919

(1) Except when division (F)(2), (3), or (4) of this section 3920
applies and specifies a different period of suspension or denial, 3921
the period of the suspension or denial shall be ninety days. 3922

(2) The period of suspension or denial shall be one year if 3923
the person has been convicted, within six years of the date the 3924
test was conducted, of a violation of one of the following: 3925

(a) Division (A) or (B) of section 4511.19 of the Revised 3926
Code; 3927

(b) A municipal ordinance relating to operating a vehicle 3928
while under the influence of alcohol, a drug of abuse, or alcohol 3929
and a drug of abuse; 3930

(c) A municipal ordinance relating to operating a vehicle 3931
with a prohibited concentration of alcohol in the blood, breath, 3932
or urine; 3933

(d) Section 2903.04 of the Revised Code in a case in which 3934
the offender was subject to the sanctions described in division 3935
(D) of that section; 3936

(e) Division (A)(1) of section 2903.06 or division (A)(1) of 3937
section 2903.08 of the Revised Code or a municipal ordinance that 3938
is substantially similar to either of those divisions; 3939

(f) Division (A)(2), (3), or (4) of section 2903.06, division 3940
(A)(2) of section 2903.08, or former section 2903.07 of the 3941
Revised Code, or a municipal ordinance that is substantially 3942
similar to any of those divisions or that former section, in a 3943
case in which the jury or judge found that at the time of the 3944

commission of the offense the offender was under the influence of 3945
alcohol, a drug of abuse, or alcohol and a drug of abuse; 3946

(g) A statute of the United States or of any other state or a 3947
municipal ordinance of a municipal corporation located in any 3948
other state that is substantially similar to division (A) or (B) 3949
of section 4511.19 of the Revised Code. 3950

(3) If the person has been convicted, within six years of the 3951
date the test was conducted, of two violations of a statute or 3952
ordinance described in division (F)(2) of this section, the period 3953
of the suspension or denial shall be two years. 3954

(4) If the person has been convicted, within six years of the 3955
date the test was conducted, of more than two violations of a 3956
statute or ordinance described in division (F)(2) of this section, 3957
the period of the suspension or denial shall be three years. 3958

(G)(1) A suspension of a person's driver's or commercial 3959
driver's license or permit or nonresident operating privilege 3960
under division (D)(1)(a) of this section for the period of time 3961
described in division (E) or (F) of this section is effective 3962
immediately from the time at which the arresting officer serves 3963
the notice of suspension upon the arrested person. Any subsequent 3964
finding that the person is not guilty of the charge that resulted 3965
in the person being requested to take, or in the person taking, 3966
the chemical test or tests under division (A) of this section 3967
affects the suspension only as described in division (H)(2) of 3968
this section. 3969

(2) If a person is arrested for operating a vehicle while 3970
under the influence of alcohol, a drug of abuse, or alcohol and a 3971
drug of abuse or for operating a vehicle with a prohibited 3972
concentration of alcohol in the blood, breath, or urine and 3973
regardless of whether the person's driver's or commercial driver's 3974
license or permit or nonresident operating privilege is or is not 3975

suspended under division (E) or (F) of this section, the person's 3976
initial appearance on the charge resulting from the arrest shall 3977
be held within five days of the person's arrest or the issuance of 3978
the citation to the person, subject to any continuance granted by 3979
the court pursuant to division (H)(1) of this section regarding 3980
the issues specified in that division. 3981

(H)(1) If a person is arrested for operating a vehicle while 3982
under the influence of alcohol, a drug of abuse, or alcohol and a 3983
drug of abuse or for operating a vehicle with a prohibited 3984
concentration of alcohol in the blood, breath, or urine and if the 3985
person's driver's or commercial driver's license or permit or 3986
nonresident operating privilege is suspended under division (E) or 3987
(F) of this section, the person may appeal the suspension at the 3988
person's initial appearance on the charge resulting from the 3989
arrest in the court in which the person will appear on that 3990
charge. If the person appeals the suspension at the person's 3991
initial appearance, the appeal does not stay the operation of the 3992
suspension. Subject to division (H)(2) of this section, no court 3993
has jurisdiction to grant a stay of a suspension imposed under 3994
division (E) or (F) of this section, and any order issued by any 3995
court that purports to grant a stay of any suspension imposed 3996
under either of those divisions shall not be given administrative 3997
effect. 3998

If the person appeals the suspension at the person's initial 3999
appearance, either the person or the registrar may request a 4000
continuance of the appeal. Either the person or the registrar 4001
shall make the request for a continuance of the appeal at the same 4002
time as the making of the appeal. If either the person or the 4003
registrar requests a continuance of the appeal, the court may 4004
grant the continuance. The court also may continue the appeal on 4005
its own motion. The granting of a continuance applies only to the 4006
conduct of the appeal of the suspension and does not extend the 4007

time within which the initial appearance must be conducted, and 4008
the court shall proceed with all other aspects of the initial 4009
appearance in accordance with its normal procedures. Neither the 4010
request for nor the granting of a continuance stays the operation 4011
of the suspension that is the subject of the appeal. 4012

If the person appeals the suspension at the person's initial 4013
appearance, the scope of the appeal is limited to determining 4014
whether one or more of the following conditions have not been met: 4015

(a) Whether the law enforcement officer had reasonable ground 4016
to believe the arrested person was operating a vehicle upon a 4017
highway or public or private property used by the public for 4018
vehicular travel or parking within this state while under the 4019
influence of alcohol, a drug of abuse, or alcohol and a drug of 4020
abuse or with a prohibited concentration of alcohol in the blood, 4021
breath, or urine and whether the arrested person was in fact 4022
placed under arrest; 4023

(b) Whether the law enforcement officer requested the 4024
arrested person to submit to the chemical test designated pursuant 4025
to division (A) of this section; 4026

(c) Whether the arresting officer informed the arrested 4027
person of the consequences of refusing to be tested or of 4028
submitting to the test; 4029

(d) Whichever of the following is applicable: 4030

(i) Whether the arrested person refused to submit to the 4031
chemical test requested by the officer; 4032

(ii) Whether the chemical test results indicate that the 4033
arrested person's blood contained a concentration of 4034
~~ten-hundredths~~ eight-hundredths of one per cent or more by weight 4035
of alcohol, the person's breath contained a concentration of 4036
~~ten-hundredths~~ eight-hundredths of one gram or more by weight of 4037
alcohol per two hundred ten liters of the person's breath, or the 4038

person's urine contained a concentration of ~~fourteen-hundredths~~ 4039
eleven-hundredths of one gram or more by weight of alcohol per one 4040
hundred milliliters of the person's urine at the time of the 4041
alleged offense. 4042

(2) If the person appeals the suspension at the initial 4043
appearance, the judge or referee of the court or the mayor of the 4044
mayor's court shall determine whether one or more of the 4045
conditions specified in divisions (H)(1)(a) to (d) of this section 4046
have not been met. The person who appeals the suspension has the 4047
burden of proving, by a preponderance of the evidence, that one or 4048
more of the specified conditions has not been met. If during the 4049
appeal at the initial appearance the judge or referee of the court 4050
or the mayor of the mayor's court determines that all of those 4051
conditions have been met, the judge, referee, or mayor shall 4052
uphold the suspension, shall continue the suspension, and shall 4053
notify the registrar of the decision on a form approved by the 4054
registrar. Except as otherwise provided in division (H)(2) of this 4055
section, if the suspension is upheld or if the person does not 4056
appeal the suspension at the person's initial appearance under 4057
division (H)(1) of this section, the suspension shall continue 4058
until the complaint alleging the violation for which the person 4059
was arrested and in relation to which the suspension was imposed 4060
is adjudicated on the merits by the judge or referee of the trial 4061
court or by the mayor of the mayor's court. If the suspension was 4062
imposed under division (E) of this section and it is continued 4063
under this division, any subsequent finding that the person is not 4064
guilty of the charge that resulted in the person being requested 4065
to take the chemical test or tests under division (A) of this 4066
section does not terminate or otherwise affect the suspension. If 4067
the suspension was imposed under division (F) of this section and 4068
it is continued under this division, the suspension shall 4069
terminate if, for any reason, the person subsequently is found not 4070
guilty of the charge that resulted in the person taking the 4071

chemical test or tests under division (A) of this section. 4072

If, during the appeal at the initial appearance, the judge or 4073
referee of the trial court or the mayor of the mayor's court 4074
determines that one or more of the conditions specified in 4075
divisions (H)(1)(a) to (d) of this section have not been met, the 4076
judge, referee, or mayor shall terminate the suspension, subject 4077
to the imposition of a new suspension under division (B) of 4078
section 4511.196 of the Revised Code; shall notify the registrar 4079
of the decision on a form approved by the registrar; and, except 4080
as provided in division (B) of section 4511.196 of the Revised 4081
Code, shall order the registrar to return the driver's or 4082
commercial driver's license or permit to the person or to take 4083
such measures as may be necessary, if the license or permit was 4084
destroyed under section 4507.55 of the Revised Code, to permit the 4085
person to obtain a replacement driver's or commercial driver's 4086
license or permit from the registrar or a deputy registrar in 4087
accordance with that section. The court also shall issue to the 4088
person a court order, valid for not more than ten days from the 4089
date of issuance, granting the person operating privileges for 4090
that period of time. 4091

If the person appeals the suspension at the initial 4092
appearance, the registrar shall be represented by the prosecuting 4093
attorney of the county in which the arrest occurred if the initial 4094
appearance is conducted in a juvenile court or county court, 4095
except that if the arrest occurred within a city or village within 4096
the jurisdiction of the county court in which the appeal is 4097
conducted, the city director of law or village solicitor of that 4098
city or village shall represent the registrar. If the appeal is 4099
conducted in a municipal court, the registrar shall be represented 4100
as provided in section 1901.34 of the Revised Code. If the appeal 4101
is conducted in a mayor's court, the registrar shall be 4102
represented by the city director of law, village solicitor, or 4103

other chief legal officer of the municipal corporation that 4104
operates that mayor's court. 4105

(I)(1)(a) A person is not entitled to request, and a court 4106
shall not grant to the person, occupational driving privileges 4107
under division (I)(1) of this section if a person's driver's or 4108
commercial driver's license or permit or nonresident operating 4109
privilege has been suspended pursuant to division (E) of this 4110
section, and the person, within the preceding seven years, has 4111
refused three previous requests to consent to a chemical test of 4112
the person's blood, breath, or urine to determine its alcohol 4113
content or has been convicted of or pleaded guilty to three or 4114
more violations of one or more of the following: 4115

(i) Division (A) or (B) of section 4511.19 of the Revised 4116
Code; 4117

(ii) A municipal ordinance relating to operating a vehicle 4118
while under the influence of alcohol, a drug of abuse, or alcohol 4119
and a drug of abuse; 4120

(iii) A municipal ordinance relating to operating a vehicle 4121
with a prohibited concentration of alcohol in the blood, breath, 4122
or urine; 4123

(iv) Section 2903.04 of the Revised Code in a case in which 4124
the person was subject to the sanctions described in division (D) 4125
of that section; 4126

(v) Division (A)(1) of section 2903.06 or division (A)(1) of 4127
section 2903.08 of the Revised Code or a municipal ordinance that 4128
is substantially similar to either of those divisions; 4129

(vi) Division (A)(2), (3), or (4) of section 2903.06, 4130
division (A)(2) of section 2903.08, or former section 2903.07 of 4131
the Revised Code, or a municipal ordinance that is substantially 4132
similar to any of those divisions or that former section, in a 4133
case in which the jury or judge found that the person was under 4134

the influence of alcohol, a drug of abuse, or alcohol and a drug 4135
of abuse; 4136

(vii) A statute of the United States or of any other state or 4137
a municipal ordinance of a municipal corporation located in any 4138
other state that is substantially similar to division (A) or (B) 4139
of section 4511.19 of the Revised Code. 4140

(b) Any other person who is not described in division 4141
(I)(1)(a) of this section and whose driver's or commercial 4142
driver's license or nonresident operating privilege has been 4143
suspended pursuant to division (E) of this section may file a 4144
petition requesting occupational driving privileges in the common 4145
pleas court, municipal court, county court, mayor's court, or, if 4146
the person is a minor, juvenile court with jurisdiction over the 4147
related criminal or delinquency case. The petition may be filed at 4148
any time subsequent to the date on which the notice of suspension 4149
is served upon the arrested person. The person shall pay the costs 4150
of the proceeding, notify the registrar of the filing of the 4151
petition, and send the registrar a copy of the petition. 4152

In the proceedings, the registrar shall be represented by the 4153
prosecuting attorney of the county in which the arrest occurred if 4154
the petition is filed in the juvenile court, county court, or 4155
common pleas court, except that, if the arrest occurred within a 4156
city or village within the jurisdiction of the county court in 4157
which the petition is filed, the city director of law or village 4158
solicitor of that city or village shall represent the registrar. 4159
If the petition is filed in the municipal court, the registrar 4160
shall be represented as provided in section 1901.34 of the Revised 4161
Code. If the petition is filed in a mayor's court, the registrar 4162
shall be represented by the city director of law, village 4163
solicitor, or other chief legal officer of the municipal 4164
corporation that operates the mayor's court. 4165

The court, if it finds reasonable cause to believe that 4166

suspension would seriously affect the person's ability to continue 4167
in the person's employment, may grant the person occupational 4168
driving privileges during the period of suspension imposed 4169
pursuant to division (E) of this section, subject to the 4170
limitations contained in this division and division (I)(2) of this 4171
section. The court may grant the occupational driving privileges, 4172
subject to the limitations contained in this division and division 4173
(I)(2) of this section, regardless of whether the person appeals 4174
the suspension at the person's initial appearance under division 4175
(H)(1) of this section or appeals the decision of the court made 4176
pursuant to the appeal conducted at the initial appearance, and, 4177
if the person has appealed the suspension or decision, regardless 4178
of whether the matter at issue has been heard or decided by the 4179
court. The court shall not grant occupational driving privileges 4180
for employment as a driver of commercial motor vehicles to any 4181
person who is disqualified from operating a commercial motor 4182
vehicle under section 3123.611 or 4506.16 of the Revised Code or 4183
whose commercial driver's license or commercial driver's temporary 4184
instruction permit has been suspended under section 3123.58 of the 4185
Revised Code. 4186

(2)(a) In granting occupational driving privileges under 4187
division (I)(1) of this section, the court may impose any 4188
condition it considers reasonable and necessary to limit the use 4189
of a vehicle by the person. The court shall deliver to the person 4190
a permit card, in a form to be prescribed by the court, setting 4191
forth the time, place, and other conditions limiting the 4192
defendant's use of a vehicle. The grant of occupational driving 4193
privileges shall be conditioned upon the person's having the 4194
permit in the person's possession at all times during which the 4195
person is operating a vehicle. 4196

A person granted occupational driving privileges who operates 4197
a vehicle for other than occupational purposes, in violation of 4198

any condition imposed by the court, or without having the permit 4199
in the person's possession, is guilty of a violation of section 4200
4507.02 of the Revised Code. 4201

(b) The court may not grant a person occupational driving 4202
privileges under division (I)(1) of this section when prohibited 4203
by a limitation contained in that division or during any of the 4204
following periods of time: 4205

(i) The first thirty days of suspension imposed upon a person 4206
who, within five years of the date on which the person refused the 4207
request to consent to a chemical test of the person's blood, 4208
breath, or urine to determine its alcohol content and for which 4209
refusal the suspension was imposed, had not refused a previous 4210
request to consent to a chemical test of the person's blood, 4211
breath, or urine to determine its alcohol content; 4212

(ii) The first ninety days of suspension imposed upon a 4213
person who, within five years of the date on which the person 4214
refused the request to consent to a chemical test of the person's 4215
blood, breath, or urine to determine its alcohol content and for 4216
which refusal the suspension was imposed, had refused one previous 4217
request to consent to a chemical test of the person's blood, 4218
breath, or urine to determine its alcohol content; 4219

(iii) The first year of suspension imposed upon a person who, 4220
within five years of the date on which the person refused the 4221
request to consent to a chemical test of the person's blood, 4222
breath, or urine to determine its alcohol content and for which 4223
refusal the suspension was imposed, had refused two previous 4224
requests to consent to a chemical test of the person's blood, 4225
breath, or urine to determine its alcohol content; 4226

(iv) The first three years of suspension imposed upon a 4227
person who, within five years of the date on which the person 4228
refused the request to consent to a chemical test of the person's 4229

blood, breath, or urine to determine its alcohol content and for 4230
which refusal the suspension was imposed, had refused three or 4231
more previous requests to consent to a chemical test of the 4232
person's blood, breath, or urine to determine its alcohol content. 4233

(3) The court shall give information in writing of any action 4234
taken under this section to the registrar. 4235

(4) If a person's driver's or commercial driver's license or 4236
permit or nonresident operating privilege has been suspended 4237
pursuant to division (F) of this section, and the person, within 4238
the preceding seven years, has been convicted of or pleaded guilty 4239
to three or more violations of division (A) or (B) of section 4240
4511.19 of the Revised Code, a municipal ordinance relating to 4241
operating a vehicle while under the influence of alcohol, a drug 4242
of abuse, or alcohol and a drug of abuse, a municipal ordinance 4243
relating to operating a vehicle with a prohibited concentration of 4244
alcohol in the blood, breath, or urine, section 2903.04 of the 4245
Revised Code in a case in which the person was subject to the 4246
sanctions described in division (D) of that section, or section 4247
2903.06, ~~2903.07~~, or 2903.08 or former section 2903.07 of the 4248
Revised Code or a municipal ordinance that is substantially 4249
similar to former section 2903.07 of the Revised Code in a case in 4250
which the jury or judge found that the person was under the 4251
influence of alcohol, a drug of abuse, or alcohol and a drug of 4252
abuse, or a statute of the United States or of any other state or 4253
a municipal ordinance of a municipal corporation located in any 4254
other state that is substantially similar to division (A) or (B) 4255
of section 4511.19 of the Revised Code, the person is not entitled 4256
to request, and the court shall not grant to the person, 4257
occupational driving privileges under this division. Any other 4258
person whose driver's or commercial driver's license or 4259
nonresident operating privilege has been suspended pursuant to 4260
division (F) of this section may file in the court specified in 4261

division (I)(1)(b) of this section a petition requesting 4262
occupational driving privileges in accordance with section 4507.16 4263
of the Revised Code. The petition may be filed at any time 4264
subsequent to the date on which the arresting officer serves the 4265
notice of suspension upon the arrested person. Upon the making of 4266
the request, occupational driving privileges may be granted in 4267
accordance with section 4507.16 of the Revised Code. The court may 4268
grant the occupational driving privileges, subject to the 4269
limitations contained in section 4507.16 of the Revised Code, 4270
regardless of whether the person appeals the suspension at the 4271
person's initial appearance under division (H)(1) of this section 4272
or appeals the decision of the court made pursuant to the appeal 4273
conducted at the initial appearance, and, if the person has 4274
appealed the suspension or decision, regardless of whether the 4275
matter at issue has been heard or decided by the court. 4276

(J) When it finally has been determined under the procedures 4277
of this section that a nonresident's privilege to operate a 4278
vehicle within this state has been suspended, the registrar shall 4279
give information in writing of the action taken to the motor 4280
vehicle administrator of the state of the person's residence and 4281
of any state in which the person has a license. 4282

(K) A suspension of the driver's or commercial driver's 4283
license or permit of a resident, a suspension of the operating 4284
privilege of a nonresident, or a denial of a driver's or 4285
commercial driver's license or permit pursuant to division (E) or 4286
(F) of this section shall be terminated by the registrar upon 4287
receipt of notice of the person's entering a plea of guilty to, or 4288
of the person's conviction of, operating a vehicle while under the 4289
influence of alcohol, a drug of abuse, or alcohol and a drug of 4290
abuse or with a prohibited concentration of alcohol in the blood, 4291
breath, or urine, if the offense for which the plea is entered or 4292
that resulted in the conviction arose from the same incident that 4293

led to the suspension or denial. 4294

The registrar shall credit against any judicial suspension of 4295
a person's driver's or commercial driver's license or permit or 4296
nonresident operating privilege imposed pursuant to division (B) 4297
or (E) of section 4507.16 of the Revised Code any time during 4298
which the person serves a related suspension imposed pursuant to 4299
division (E) or (F) of this section. 4300

(L) At the end of a suspension period under this section, 4301
section 4511.196, or division (B) of section 4507.16 of the 4302
Revised Code and upon the request of the person whose driver's or 4303
commercial driver's license or permit was suspended and who is not 4304
otherwise subject to suspension, revocation, or disqualification, 4305
the registrar shall return the driver's or commercial driver's 4306
license or permit to the person upon the person's compliance with 4307
all of the conditions specified in divisions (L)(1) and (2) of 4308
this section: 4309

(1) A showing by the person that the person has proof of 4310
financial responsibility, a policy of liability insurance in 4311
effect that meets the minimum standards set forth in section 4312
4509.51 of the Revised Code, or proof, to the satisfaction of the 4313
registrar, that the person is able to respond in damages in an 4314
amount at least equal to the minimum amounts specified in section 4315
4509.51 of the Revised Code. 4316

(2) Subject to the limitation contained in division (L)(3) of 4317
this section, payment by the person of a license reinstatement fee 4318
of four hundred twenty-five dollars to the bureau of motor 4319
vehicles, which fee shall be deposited in the state treasury and 4320
credited as follows: 4321

(a) One hundred twelve dollars and fifty cents shall be 4322
credited to the statewide treatment and prevention fund created by 4323
section 4301.30 of the Revised Code. The fund shall be used to pay 4324

the costs of driver treatment and intervention programs operated 4325
pursuant to sections 3793.02 and 3793.10 of the Revised Code. The 4326
director of alcohol and drug addiction services shall determine 4327
the share of the fund that is to be allocated to alcohol and drug 4328
addiction programs authorized by section 3793.02 of the Revised 4329
Code, and the share of the fund that is to be allocated to 4330
drivers' intervention programs authorized by section 3793.10 of 4331
the Revised Code. 4332

(b) Seventy-five dollars shall be credited to the reparations 4333
fund created by section 2743.191 of the Revised Code. 4334

(c) Thirty-seven dollars and fifty cents shall be credited to 4335
the indigent drivers alcohol treatment fund, which is hereby 4336
established. Except as otherwise provided in division (L)(2)(c) of 4337
this section, moneys in the fund shall be distributed by the 4338
department of alcohol and drug addiction services to the county 4339
indigent drivers alcohol treatment funds, the county juvenile 4340
indigent drivers alcohol treatment funds, and the municipal 4341
indigent drivers alcohol treatment funds that are required to be 4342
established by counties and municipal corporations pursuant to 4343
division (N) of this section, and shall be used only to pay the 4344
cost of an alcohol and drug addiction treatment program attended 4345
by an offender or juvenile traffic offender who is ordered to 4346
attend an alcohol and drug addiction treatment program by a 4347
county, juvenile, or municipal court judge and who is determined 4348
by the county, juvenile, or municipal court judge not to have the 4349
means to pay for attendance at the program or to pay the costs 4350
specified in division (N)(4) of this section in accordance with 4351
that division. Moneys in the fund that are not distributed to a 4352
county indigent drivers alcohol treatment fund, a county juvenile 4353
indigent drivers alcohol treatment fund, or a municipal indigent 4354
drivers alcohol treatment fund under division (N) of this section 4355
because the director of alcohol and drug addiction services does 4356

not have the information necessary to identify the county or 4357
municipal corporation where the offender or juvenile offender was 4358
arrested may be transferred by the director of budget and 4359
management to the statewide treatment and prevention fund created 4360
by section 4301.30 of the Revised Code, upon certification of the 4361
amount by the director of alcohol and drug addiction services. 4362

(d) Seventy-five dollars shall be credited to the Ohio 4363
rehabilitation services commission established by section 3304.12 4364
of the Revised Code, to the services for rehabilitation fund, 4365
which is hereby established. The fund shall be used to match 4366
available federal matching funds where appropriate, and for any 4367
other purpose or program of the commission to rehabilitate people 4368
with disabilities to help them become employed and independent. 4369

(e) Seventy-five dollars shall be deposited into the state 4370
treasury and credited to the drug abuse resistance education 4371
programs fund, which is hereby established, to be used by the 4372
attorney general for the purposes specified in division (L)(4) of 4373
this section. 4374

(f) Thirty dollars shall be credited to the state bureau of 4375
motor vehicles fund created by section 4501.25 of the Revised 4376
Code. 4377

(g) Twenty dollars shall be credited to the trauma and 4378
emergency medical services grants fund created by section 4513.263 4379
of the Revised Code. 4380

(3) If a person's driver's or commercial driver's license or 4381
permit is suspended under division (E) or (F) of this section, 4382
section 4511.196, or division (B) of section 4507.16 of the 4383
Revised Code, or any combination of the suspensions described in 4384
division (L)(3) of this section, and if the suspensions arise from 4385
a single incident or a single set of facts and circumstances, the 4386
person is liable for payment of, and shall be required to pay to 4387

the bureau, only one reinstatement fee of four hundred five 4388
dollars. The reinstatement fee shall be distributed by the bureau 4389
in accordance with division (L)(2) of this section. 4390

(4) The attorney general shall use amounts in the drug abuse 4391
resistance education programs fund to award grants to law 4392
enforcement agencies to establish and implement drug abuse 4393
resistance education programs in public schools. Grants awarded to 4394
a law enforcement agency under division (L)~~(2)~~(e)(4) of this 4395
section shall be used by the agency to pay for not more than fifty 4396
per cent of the amount of the salaries of law enforcement officers 4397
who conduct drug abuse resistance education programs in public 4398
schools. The attorney general shall not use more than six per cent 4399
of the amounts the attorney general's office receives under 4400
division (L)(2)(e) of this section to pay the costs it incurs in 4401
administering the grant program established by division 4402
(L)~~(2)~~(e)(4) of this section and in providing training and 4403
materials relating to drug abuse resistance education programs. 4404

The attorney general shall report to the governor and the 4405
general assembly each fiscal year on the progress made in 4406
establishing and implementing drug abuse resistance education 4407
programs. These reports shall include an evaluation of the 4408
effectiveness of these programs. 4409

(M) Suspension of a commercial driver's license under 4410
division (E) or (F) of this section shall be concurrent with any 4411
period of disqualification under section 3123.611 or 4506.16 of 4412
the Revised Code or any period of suspension under section 3123.58 4413
of the Revised Code. No person who is disqualified for life from 4414
holding a commercial driver's license under section 4506.16 of the 4415
Revised Code shall be issued a driver's license under Chapter 4416
4507. of the Revised Code during the period for which the 4417
commercial driver's license was suspended under division (E) or 4418
(F) of this section, and no person whose commercial driver's 4419

license is suspended under division (E) or (F) of this section 4420
shall be issued a driver's license under that chapter during the 4421
period of the suspension. 4422

(N)(1) Each county shall establish an indigent drivers 4423
alcohol treatment fund, each county shall establish a juvenile 4424
indigent drivers alcohol treatment fund, and each municipal 4425
corporation in which there is a municipal court shall establish an 4426
indigent drivers alcohol treatment fund. All revenue that the 4427
general assembly appropriates to the indigent drivers alcohol 4428
treatment fund for transfer to a county indigent drivers alcohol 4429
treatment fund, a county juvenile indigent drivers alcohol 4430
treatment fund, or a municipal indigent drivers alcohol treatment 4431
fund, all portions of fees that are paid under division (L) of 4432
this section and that are credited under that division to the 4433
indigent drivers alcohol treatment fund in the state treasury for 4434
a county indigent drivers alcohol treatment fund, a county 4435
juvenile indigent drivers alcohol treatment fund, or a municipal 4436
indigent drivers alcohol treatment fund, and all portions of fines 4437
that are specified for deposit into a county or municipal indigent 4438
drivers alcohol treatment fund by section 4511.193 of the Revised 4439
Code shall be deposited into that county indigent drivers alcohol 4440
treatment fund, county juvenile indigent drivers alcohol treatment 4441
fund, or municipal indigent drivers alcohol treatment fund in 4442
accordance with division (N)(2) of this section. Additionally, all 4443
portions of fines that are paid for a violation of section 4511.19 4444
of the Revised Code or division (B)(2) of section 4507.02 of the 4445
Revised Code, and that are required under division (A)(1), (2), 4446
(5), or (6) of section 4511.99 or division (B)(5) of section 4447
4507.99 of the Revised Code to be deposited into a county indigent 4448
drivers alcohol treatment fund or municipal indigent drivers 4449
alcohol treatment fund shall be deposited into the appropriate 4450
fund in accordance with the applicable division. 4451

(2) That portion of the license reinstatement fee that is 4452
paid under division (L) of this section and that is credited under 4453
that division to the indigent drivers alcohol treatment fund shall 4454
be deposited into a county indigent drivers alcohol treatment 4455
fund, a county juvenile indigent drivers alcohol treatment fund, 4456
or a municipal indigent drivers alcohol treatment fund as follows: 4457

(a) If the suspension in question was imposed under this 4458
section, that portion of the fee shall be deposited as follows: 4459

(i) If the fee is paid by a person who was charged in a 4460
county court with the violation that resulted in the suspension, 4461
the portion shall be deposited into the county indigent drivers 4462
alcohol treatment fund under the control of that court; 4463

(ii) If the fee is paid by a person who was charged in a 4464
juvenile court with the violation that resulted in the suspension, 4465
the portion shall be deposited into the county juvenile indigent 4466
drivers alcohol treatment fund established in the county served by 4467
the court; 4468

(iii) If the fee is paid by a person who was charged in a 4469
municipal court with the violation that resulted in the 4470
suspension, the portion shall be deposited into the municipal 4471
indigent drivers alcohol treatment fund under the control of that 4472
court. 4473

(b) If the suspension in question was imposed under division 4474
(B) of section 4507.16 of the Revised Code, that portion of the 4475
fee shall be deposited as follows: 4476

(i) If the fee is paid by a person whose license or permit 4477
was suspended by a county court, the portion shall be deposited 4478
into the county indigent drivers alcohol treatment fund under the 4479
control of that court; 4480

(ii) If the fee is paid by a person whose license or permit 4481

was suspended by a municipal court, the portion shall be deposited 4482
into the municipal indigent drivers alcohol treatment fund under 4483
the control of that court. 4484

(3) Expenditures from a county indigent drivers alcohol 4485
treatment fund, a county juvenile indigent drivers alcohol 4486
treatment fund, or a municipal indigent drivers alcohol treatment 4487
fund shall be made only upon the order of a county, juvenile, or 4488
municipal court judge and only for payment of the cost of the 4489
attendance at an alcohol and drug addiction treatment program of a 4490
person who is convicted of, or found to be a juvenile traffic 4491
offender by reason of, a violation of division (A) of section 4492
4511.19 of the Revised Code or a substantially similar municipal 4493
ordinance, who is ordered by the court to attend the alcohol and 4494
drug addiction treatment program, and who is determined by the 4495
court to be unable to pay the cost of attendance at the treatment 4496
program or for payment of the costs specified in division (N)(4) 4497
of this section in accordance with that division. The alcohol and 4498
drug addiction services board or the board of alcohol, drug 4499
addiction, and mental health services established pursuant to 4500
section 340.02 or 340.021 of the Revised Code and serving the 4501
alcohol, drug addiction, and mental health service district in 4502
which the court is located shall administer the indigent drivers 4503
alcohol treatment program of the court. When a court orders an 4504
offender or juvenile traffic offender to attend an alcohol and 4505
drug addiction treatment program, the board shall determine which 4506
program is suitable to meet the needs of the offender or juvenile 4507
traffic offender, and when a suitable program is located and space 4508
is available at the program, the offender or juvenile traffic 4509
offender shall attend the program designated by the board. A 4510
reasonable amount not to exceed five per cent of the amounts 4511
credited to and deposited into the county indigent drivers alcohol 4512
treatment fund, the county juvenile indigent drivers alcohol 4513
treatment fund, or the municipal indigent drivers alcohol 4514

treatment fund serving every court whose program is administered 4515
by that board shall be paid to the board to cover the costs it 4516
incurs in administering those indigent drivers alcohol treatment 4517
programs. 4518

(4) If a county, juvenile, or municipal court determines, in 4519
consultation with the alcohol and drug addiction services board or 4520
the board of alcohol, drug addiction, and mental health services 4521
established pursuant to section 340.02 or 340.021 of the Revised 4522
Code and serving the alcohol, drug addiction, and mental health 4523
district in which the court is located, that the funds in the 4524
county indigent drivers alcohol treatment fund, the county 4525
juvenile indigent drivers alcohol treatment fund, or the municipal 4526
indigent drivers alcohol treatment fund under the control of the 4527
court are more than sufficient to satisfy the purpose for which 4528
the fund was established, as specified in divisions (N)(1) to (3) 4529
of this section, the court may declare a surplus in the fund. If 4530
the court declares a surplus in the fund, the court may expend the 4531
amount of the surplus in the fund for alcohol and drug abuse 4532
assessment and treatment of persons who are charged in the court 4533
with committing a criminal offense or with being a delinquent 4534
child or juvenile traffic offender and in relation to whom both of 4535
the following apply: 4536

(a) The court determines that substance abuse was a 4537
contributing factor leading to the criminal or delinquent activity 4538
or the juvenile traffic offense with which the person is charged. 4539

(b) The court determines that the person is unable to pay the 4540
cost of the alcohol and drug abuse assessment and treatment for 4541
which the surplus money will be used. 4542

Sec. 4511.197. (A) If a person is arrested for operating a 4543
vehicle, streetcar, or trackless trolley in violation of division 4544
(A) or (B) of section 4511.19 of the Revised Code or a municipal 4545

OVI ordinance or for being in physical control of a vehicle, 4546
streetcar, or trackless trolley in violation of section 4511.194 4547
of the Revised Code and if the person's driver's or commercial 4548
driver's license or permit or nonresident operating privilege is 4549
suspended under section 4511.191 of the Revised Code, the person 4550
may appeal the suspension at the person's initial appearance on 4551
the charge resulting from the arrest or within the period ending 4552
thirty days after the person's initial appearance on that charge, 4553
in the court in which the person will appear on that charge. If 4554
the person appeals the suspension, the appeal itself does not stay 4555
the operation of the suspension. If the person appeals the 4556
suspension, either the person or the registrar of motor vehicles 4557
may request a continuance of the appeal, and the court may grant 4558
the continuance. The court also may continue the appeal on its own 4559
motion. Neither the request for, nor the granting of, a 4560
continuance stays the suspension that is the subject of the 4561
appeal, unless the court specifically grants a stay. 4562

(B) A person shall file an appeal under division (A) of this 4563
section in the municipal court, county court, juvenile court, 4564
mayor's court, or court of common pleas that has jurisdiction over 4565
the charge in relation to which the person was arrested. 4566

(C) If a person appeals a suspension under division (A) of 4567
this section, the scope of the appeal is limited to determining 4568
whether one or more of the following conditions have not been met: 4569

(1) Whether the arresting law enforcement officer had 4570
reasonable ground to believe the arrested person was operating a 4571
vehicle, streetcar, or trackless trolley in violation of division 4572
(A) or (B) of section 4511.19 of the Revised Code or a municipal 4573
OVI ordinance or was in physical control of a vehicle, streetcar, 4574
or trackless trolley in violation of section 4511.194 of the 4575
Revised Code and whether the arrested person was in fact placed 4576
under arrest; 4577

(2) Whether the law enforcement officer requested the 4578
arrested person to submit to the chemical test or tests designated 4579
pursuant to division (A) of section 4511.191 of the Revised Code; 4580

(3) Whether the arresting officer informed the arrested 4581
person of the consequences of refusing to be tested or of 4582
submitting to the test or tests; 4583

(4) Whichever of the following is applicable: 4584

(a) Whether the arrested person refused to submit to the 4585
chemical test or tests requested by the officer; 4586

(b) Whether the arrest was for a violation of division (A) or 4587
(B) of section 4511.19 of the Revised Code or a municipal OVI 4588
ordinance and, if it was, whether the chemical test results 4589
indicate that the arrested person's whole blood contained a 4590
concentration of ~~ten-hundredths~~ eight-hundredths of one per cent 4591
or more by weight of alcohol, the person's blood serum or plasma 4592
contained a concentration of ~~twelve-hundredths~~ 4593
ninety-six-thousandths of one per cent or more by weight of 4594
alcohol, the person's breath contained a concentration of 4595
~~ten-hundredths~~ eight-hundredths of one gram or more by weight of 4596
alcohol per two hundred ten liters of the person's breath, or the 4597
person's urine contained a concentration of ~~fourteen-hundredths~~ 4598
eleven-hundredths of one gram or more by weight of alcohol per one 4599
hundred milliliters of the person's urine at the time of the 4600
alleged offense. 4601

(D) A person who appeals a suspension under division (A) of 4602
this section has the burden of proving, by a preponderance of the 4603
evidence, that one or more of the conditions specified in division 4604
(C) of this section has not been met. If, during the appeal, the 4605
judge or magistrate of the court or the mayor of the mayor's court 4606
determines that all of those conditions have been met, the judge, 4607
magistrate, or mayor shall uphold the suspension, continue the 4608

suspension, and notify the registrar of motor vehicles of the 4609
decision on a form approved by the registrar. 4610

Except as otherwise provided in this section, if a suspension 4611
imposed under section 4511.191 of the Revised Code is upheld on 4612
appeal or if the subject person does not appeal the suspension 4613
under division (A) of this section, the suspension shall continue 4614
until the complaint alleging the violation for which the person 4615
was arrested and in relation to which the suspension was imposed 4616
is adjudicated on the merits or terminated pursuant to law. If the 4617
suspension was imposed under division (B)(1) of section 4511.191 4618
of the Revised Code and it is continued under this section, any 4619
subsequent finding that the person is not guilty of the charge 4620
that resulted in the person being requested to take the chemical 4621
test or tests under division (A) of section 4511.191 of the 4622
Revised Code does not terminate or otherwise affect the 4623
suspension. If the suspension was imposed under division (C) of 4624
section 4511.191 of the Revised Code in relation to an alleged 4625
misdemeanor violation of division (A) or (B) of section 4511.19 of 4626
the Revised Code or of a municipal OVI ordinance and it is 4627
continued under this section, the suspension shall terminate if, 4628
for any reason, the person subsequently is found not guilty of the 4629
charge that resulted in the person taking the chemical test or 4630
tests. 4631

If, during the appeal, the judge or magistrate of the trial 4632
court or the mayor of the mayor's court determines that one or 4633
more of the conditions specified in division (C) of this section 4634
have not been met, the judge, magistrate, or mayor shall terminate 4635
the suspension, subject to the imposition of a new suspension 4636
under division (B) of section 4511.196 of the Revised Code; shall 4637
notify the registrar of motor vehicles of the decision on a form 4638
approved by the registrar; and, except as provided in division (B) 4639
of section 4511.196 of the Revised Code, shall order the registrar 4640

to return the driver's or commercial driver's license or permit to 4641
the person or to take any other measures that may be necessary, if 4642
the license or permit was destroyed under section 4510.53 of the 4643
Revised Code, to permit the person to obtain a replacement 4644
driver's or commercial driver's license or permit from the 4645
registrar or a deputy registrar in accordance with that section. 4646
The court also shall issue to the person a court order, valid for 4647
not more than ten days from the date of issuance, granting the 4648
person operating privileges for that period. 4649

(E) Any person whose driver's or commercial driver's license 4650
or permit or nonresident operating privilege has been suspended 4651
pursuant to section 4511.191 of the Revised Code may file a 4652
petition requesting limited driving privileges in the common pleas 4653
court, municipal court, county court, mayor's court, or juvenile 4654
court with jurisdiction over the related criminal or delinquency 4655
case. The petition may be filed at any time subsequent to the date 4656
on which the arresting law enforcement officer serves the notice 4657
of suspension upon the arrested person but no later than thirty 4658
days after the arrested person's initial appearance or 4659
arraignment. Upon the making of the request, limited driving 4660
privileges may be granted under sections 4510.021 and 4510.13 of 4661
the Revised Code, regardless of whether the person appeals the 4662
suspension under this section or appeals the decision of the court 4663
on the appeal, and, if the person has so appealed the suspension 4664
or decision, regardless of whether the matter has been heard or 4665
decided by the court. The person shall pay the costs of the 4666
proceeding, notify the registrar of the filing of the petition, 4667
and send the registrar a copy of the petition. 4668

The court may not grant the person limited driving privileges 4669
when prohibited by section 4510.13 or 4511.191 of the Revised 4670
Code. 4671

(F) Any person whose driver's or commercial driver's license 4672

or permit has been suspended under section 4511.19 of the Revised 4673
Code or under section 4510.07 of the Revised Code for a conviction 4674
of a municipal OVI offense and who desires to retain the license 4675
or permit during the pendency of an appeal, at the time sentence 4676
is pronounced, shall notify the court of record or mayor's court 4677
that suspended the license or permit of the person's intention to 4678
appeal. If the person so notifies the court, the court, mayor, or 4679
clerk of the court shall retain the license or permit until the 4680
appeal is perfected, and, if execution of sentence is stayed, the 4681
license or permit shall be returned to the person to be held by 4682
the person during the pendency of the appeal. If the appeal is not 4683
perfected or is dismissed or terminated in an affirmance of the 4684
conviction, then the license or permit shall be taken up by the 4685
court, mayor, or clerk, at the time of putting the sentence into 4686
execution, and the court shall proceed in the same manner as if no 4687
appeal was taken. 4688

(G) Except as otherwise provided in this division, if a 4689
person whose driver's or commercial driver's license or permit or 4690
nonresident operating privilege was suspended under section 4691
4511.191 of the Revised Code appeals the suspension under division 4692
(A) of this section, the prosecuting attorney of the county in 4693
which the arrest occurred shall represent the registrar of motor 4694
vehicles in the appeal. If the arrest occurred within a municipal 4695
corporation within the jurisdiction of the court in which the 4696
appeal is conducted, the city director of law, village solicitor, 4697
or other chief legal officer of that municipal corporation shall 4698
represent the registrar. If the appeal is conducted in a municipal 4699
court, the registrar shall be represented as provided in section 4700
1901.34 of the Revised Code. If the appeal is conducted in a 4701
mayor's court, the city director of law, village solicitor, or 4702
other chief legal officer of the municipal corporation that 4703
operates that mayor's court shall represent the registrar. 4704

(H) The court shall give information in writing of any action 4705
taken under this section to the registrar of motor vehicles. 4706

(I) When it finally has been determined under the procedures 4707
of this section that a nonresident's privilege to operate a 4708
vehicle within this state has been suspended, the registrar of 4709
motor vehicles shall give information in writing of the action 4710
taken to the motor vehicle administrator of the state of the 4711
nonresident's residence and of any state in which the nonresident 4712
has a license. 4713

Sec. 4513.111. (A)(1) Every multi-wheel agricultural tractor 4714
whose model year was 2001 or earlier, when being operated or 4715
traveling on a street or highway at the times specified in section 4716
4513.03 of the Revised Code, at a minimum shall be equipped with 4717
and display reflectors and illuminated amber lamps so that the 4718
extreme left and right projections of the tractor are indicated by 4719
flashing lamps displaying amber light, visible to the front and 4720
the rear, by amber reflectors, all visible to the front, and by 4721
red reflectors, all visible to the rear. 4722

(2) The lamps displaying amber light need not flash 4723
simultaneously and need not flash in conjunction with any 4724
directional signals of the tractor. 4725

(3) The lamps and reflectors required by division (A)(1) of 4726
this section and their placement shall meet standards and 4727
specifications contained in rules adopted by the director of 4728
public safety in accordance with Chapter 119. of the Revised Code. 4729
The rules governing the amber lamps, amber reflectors, and red 4730
reflectors and their placement shall correlate with and, as far as 4731
possible, conform with paragraphs 4.1.4.1, 4.1.7.1, and 4.1.7.2 4732
respectively of the American society of agricultural engineers 4733
standard ANSI/ASAE S279.10 OCT98, lighting and marking of 4734
agricultural equipment on highways. 4735

(B) Every unit of farm machinery whose model year was 2002 or later, when being operated or traveling on a street or highway at the times specified in section 4513.03 of the Revised Code, shall be equipped with and display markings and illuminated lamps that meet or exceed the lighting, illumination, and marking standards and specifications that are applicable to that type of farm machinery for the unit's model year specified in the American society of agricultural engineers standard ANSI/ASAE ~~S279.10-OCT98~~ S279.11-APR01, lighting and marking of agricultural equipment on highways, or any subsequent revisions of that standard.

(C) The lights and reflectors required by division (A) of this section are in addition to the slow-moving vehicle emblem and lights required or permitted by section 4513.11 or 4513.17 of the Revised Code to be displayed on farm machinery being operated or traveling on a street or highway.

(D) No person shall operate any unit of farm machinery on a street or highway or cause any unit of farm machinery to travel on a street or highway in violation of division (A) or (B) of this section.

Sec. 4513.52. (A) The department of public safety, with the advice of the public utilities commission, shall adopt and enforce rules relating to the inspection of buses to determine whether a bus is safe and lawful, including whether its equipment is in proper adjustment or repair.

(B) The rules shall determine the safety features, items of equipment, and other safety-related conditions subject to inspection. The rules may authorize the state highway patrol to operate safety inspection sites, or to enter in or upon the property of any bus operator to conduct the safety inspections, or both. The rules also shall establish a fee, not to exceed ~~one~~ two hundred dollars, for each bus inspected.

(C) The state highway patrol shall conduct the bus safety inspections at least on an annual basis. An inspection conducted under this section is valid for twelve months unless, prior to that time, the bus fails a subsequent inspection or ownership of the bus is transferred.

(D) The state highway patrol shall collect a fee for each bus inspected.

(E) Upon determining that a bus is in safe operating condition, that its equipment is in proper adjustment and repair, and that it is otherwise lawful, the inspecting officer shall do both of the following:

(1) Affix an official safety inspection decal to the outside surface of each side of the bus;

(2) Issue the owner or operator of the bus a safety inspection report, to be presented to the registrar or a deputy registrar upon application for registration of the bus.

Sec. 4513.53. (A) The superintendent of the state highway patrol, with approval of the director of public safety, may appoint and maintain necessary staff to carry out the inspection of buses.

(B) The superintendent of the state highway patrol shall adopt a distinctive annual safety inspection decal bearing the date of inspection. The state highway patrol may remove any decal from a bus that fails any inspection.

(C) Fees collected by the state highway patrol shall be paid into the state treasury to the credit of the general revenue fund. Annually by the first day of June, the director of public safety shall determine the amount of fees collected under section 4513.52 of the Revised Code and shall certify the amount to the director of budget and management for reimbursement. The director of budget

and management then may transfer cash up to the amount certified 4797
from the general revenue fund to the state highway safety fund. 4798

Sec. 4549.10. No person shall operate or cause to be operated 4799
upon a public road or highway a motor vehicle of a manufacturer or 4800
dealer unless such vehicle carries and displays ~~two placards~~ a 4801
placard, except as provided in section 4503.21 of the Revised Code 4802
issued by the director of public safety, bearing the registration 4803
number of its manufacturer or dealer. 4804

Sec. 5501.20. (A) As used in this section: 4805

(1) "Career professional service" means that part of the 4806
competitive classified service that consists of employees of the 4807
department of transportation who, regardless of job 4808
classification, meet both of the following qualifications: 4809

(a) They are supervisors, professional employees who are not 4810
in a collective bargaining unit, confidential employees, or 4811
management level employees, all as defined in section 4117.01 of 4812
the Revised Code. 4813

(b) They exercise authority that is not merely routine or 4814
clerical in nature and report only to a higher level unclassified 4815
employee or employee in the career professional service. 4816

(2) "Demoted" means that an employee is placed in a position 4817
where the employee's wage rate equals, or is not more than twenty 4818
per cent less than, the employee's wage rate immediately prior to 4819
demotion or where the employee's job responsibilities are reduced, 4820
or both. 4821

(3) "Employee in the career professional service with 4822
restoration rights" means an employee in the career professional 4823
service who has been in the classified civil service for at least 4824
two years and who has a cumulative total of at least ten years of 4825
continuous service with the department of transportation. 4826

(B) Not later than the first day of July of each odd-numbered year, the director of transportation shall adopt a rule in accordance with section 111.15 of the Revised Code that establishes a business plan for the department of transportation that states the department's mission, business objectives, and strategies and that establishes a procedure by which employees in the career professional service will be held accountable for their performance. The director shall adopt a rule that establishes a business plan for the department only once in each two years. Within sixty days after the effective date of a rule that establishes a business plan for the department, the director shall adopt a rule in accordance with section 111.15 of the Revised Code that identifies specific positions within the department of transportation that are included in the career professional service. The director may amend the rule that identifies the specific positions included in the career professional service whenever the director determines necessary. Any rule adopted under this division is subject to review and invalidation by the joint committee on agency rule review as provided in division (D) of section 111.15 of the Revised Code. The director shall provide a copy of any rule adopted under this division to the director of budget and management.

Except as otherwise provided in this section, an employee in the career professional service is subject to the provisions of Chapter 124. of the Revised Code that govern employees in the classified civil service.

(C) After an employee is appointed to a position in the career professional service, the employee's direct supervisor shall provide the employee appointed to that position with a written performance action plan that describes the department's expectations for that employee in fulfilling the mission, business objectives, and strategies stated in the department's business

plan. No sooner than four months after being appointed to a 4859
position in the career professional service, an employee appointed 4860
to that position shall receive a written performance review based 4861
on the employee's fulfillment of the mission, business objectives, 4862
and strategies stated in the department's business plan. After the 4863
initial performance review, the employee shall receive a written 4864
performance review at least once each year or as often as the 4865
director considers necessary. The department shall give an 4866
employee whose performance is unsatisfactory an opportunity to 4867
improve performance for a period of at least six months, by means 4868
of a written corrective action plan, before the department takes 4869
any disciplinary action under this section or section 124.34 of 4870
the Revised Code. The department shall base its performance review 4871
forms on its business plan. 4872

(D) An employee in the career professional service may be 4873
suspended, demoted, or removed because of performance that hinders 4874
or restricts the fulfillment of the department's business plan or 4875
for disciplinary reasons under section 124.34 or 124.57 of the 4876
Revised Code. An employee in the career professional service may 4877
appeal only the employee's removal to the state personnel board of 4878
review. An employee in the career professional service may appeal 4879
a demotion or a suspension of more than three days pursuant to 4880
rules the director adopts in accordance with section 111.15 of the 4881
Revised Code. 4882

(E) An employee in the career professional service with 4883
restoration rights has restoration rights if demoted because of 4884
performance that hinders or restricts fulfillment of the mission, 4885
business objectives, or strategies stated in the department's 4886
business plan, but not if involuntarily demoted or removed for any 4887
of the reasons described in section 124.34 or for a violation of 4888
section 124.57 of the Revised Code. The director shall demote an 4889
employee who has restoration rights of that nature to a position 4890

in the classified service that in the director's judgment is 4891
similar in nature to the position the employee held immediately 4892
prior to being appointed to the position in the career 4893
professional service. The director shall assign to an employee who 4894
is demoted to a position in the classified service as provided in 4895
this division a wage rate that equals, or that is not more than 4896
twenty per cent less than, the wage rate assigned to the employee 4897
in the career professional service immediately prior to the 4898
employee's demotion. 4899

~~(F) This section establishes a pilot program for employees in 4900
the career professional service of the department of 4901
transportation. At the end of each fiscal biennium that this 4902
program is in effect, the director of transportation shall prepare 4903
a report describing and evaluating the operation of the program 4904
and forward a copy of the report to the governor, director of 4905
administrative services, speaker of the house of representatives, 4906
and president of the senate. 4907~~

~~(G) No person shall be appointed to a position in the career 4908
professional service of the Department of Transportation after 4909
June 30, 2003, including for the purpose of filling a vacancy 4910
within the career professional service that occurs for any reason. 4911~~

Sec. 5501.34. (A) ~~In the event that~~ If circumstances alter 4912
the highway requirements after the director of transportation has 4913
acquired property so that the real property, or part thereof, of 4914
the real property is no longer required for highway purposes, the 4915
director, in the name of the state, may sell all the right, title, 4916
and interest of the state in any of the real property. After 4917
determining that a parcel of real property is no longer required 4918
for highway purposes, the director shall have the parcel appraised 4919
by a department prequalified appraiser. 4920

(B) Except as otherwise provided in this section, the 4921

director shall advertise the sale of real property that is no 4922
longer required for highway purposes in a newspaper of general 4923
circulation in the county in which the real property is situated 4924
for at least two consecutive weeks prior to the date set for the 4925
sale. The real property may be sold at public auction to the 4926
highest bidder for not less than two-thirds of its appraised 4927
value, but the director may reject all bids that are less than the 4928
full appraised value of the real property. However, if no sale has 4929
been effected after an effort to sell under this division, the 4930
director may set aside the appraisal, order a new appraisal, and, 4931
except as otherwise provided in this section, readvertise the 4932
property for sale. 4933

(C) If real property no longer required for highway purposes 4934
is appraised or reappraised as having a current fair market value 4935
of twenty thousand dollars or less, the director may sell the real 4936
property to the sole abutting owner through a private sale at a 4937
price not less than the appraised value. If there is more than one 4938
abutting owner, the director may invite all of the abutting owners 4939
to submit sealed bids and may sell the real property to the 4940
highest bidder at not less than its appraised value. 4941

(D) If real property no longer required for highway purposes 4942
is appraised or reappraised as having a fair market value of two 4943
thousand dollars or less, and no sale has been effected after an 4944
effort to sell to the abutting owner or owners, the director may 4945
advertise the sale of ~~such~~ the real property in accordance with 4946
division (B) of this section. The director may sell the land at 4947
public auction to the highest bidder without regard to its 4948
appraised value, but the director may reject all bids that are 4949
less than the full appraised value of the real property. 4950

(E) The department shall pay all expenses incurred in the 4951
sale of a parcel of real property out of the proceeds of the sale 4952
and shall deposit the balance of the proceeds in the highway fund 4953

used to acquire that parcel of real property. 4954

(F) Upon a determination that real property previously 4955
acquired within a highway improvement project corridor no longer 4956
is needed for highway purposes, the director may offer the 4957
unneded property to another landowner located within that 4958
project's corridor as full or partial consideration for other real 4959
property to be acquired from the landowner. If the landowner 4960
accepts the offer, the director shall convey the unneded property 4961
directly to the landowner at the full fair market value determined 4962
by the department by appraisal. The director shall credit the 4963
value of the unneded property against the acquisition price of 4964
the property being acquired by the department, and the landowner 4965
shall pay the department the difference if the value of the 4966
unneded property exceeds the acquisition price of the property 4967
being acquired. 4968

(G) Conveyances of real property under this section shall be 4969
by a deed executed by the governor, ~~shall bear~~ bearing the great 4970
seal of the state of ~~Ohio~~, and ~~shall be~~ in the form ~~as~~ prescribed 4971
by the attorney general. ~~Section~~ The requirements of section 4972
5301.13 of the Revised Code, relating to the sale for conveyances 4973
of public lands, shall that are contrary to the requirements of 4974
this section do not apply to conveyances made pursuant to under 4975
this section. The director shall keep a record of all ~~such~~ 4976
conveyances of real property made under this section. This section 4977
applies to all real property acquired by the department, 4978
regardless of how or from whom the property was acquired. 4979

Sec. 5501.45. (A) The director of transportation may convey 4980
or transfer the fee simple estate or any lesser estate or interest 4981
in, or permit the use of, for ~~such~~ a period as the director shall 4982
determine, any lands owned by the state and acquired or used for 4983
the state highway system or for highways or in connection with 4984

highways or as incidental to the acquisition of land for highways, 4985
provided that the director determines, after consulting with the 4986
director of natural resources, that the property or interest 4987
conveyed or made subject to a permit to use is not needed by the 4988
state for highway or recreation purposes. ~~Such~~ The conveyance, 4989
transfer, or permit to use may be to the grantee or permittee or 4990
to the grantee or permittee and the grantee's or its successors 4991
and assigns and shall be of such portion of such lands as the 4992
director shall determine, which shall be described in the deed, 4993
transfer, or other instrument or conveyance and in any permit to 4994
use, and may include or be limited to areas or space on, above, or 4995
below the surface, and also may include the grant of easements or 4996
other interests in any such lands for use by the grantee for 4997
buildings or structures or for other uses and purposes, and for 4998
the support of buildings or structures constructed or to be 4999
constructed on or in the lands or areas or space conveyed or made 5000
subject to a permit to use. 5001

(B) Whenever, pursuant to this section, separate units of 5002
property are created in any lands, each unit shall for all 5003
purposes constitute real property ~~and,~~ shall be deemed real estate 5004
within the meaning of all provisions of the Revised Code, and 5005
shall be deemed to be a separate parcel for all purposes of 5006
taxation and assessment of real property, ~~and no.~~ No other unit or 5007
other part of ~~such~~ the lands shall be charged with the payment of 5008
~~such~~ the taxes and assessments. 5009

(C) With respect to any portion of the state highway system 5010
not owned in fee simple by the state, the director may permit the 5011
use of any portion thereof in perpetuity or for ~~such~~ a period of 5012
time ~~as~~ the director shall specify, including areas or space on, 5013
above, or beneath the surface, together with rights for the 5014
support of buildings or structures constructed or to be 5015
constructed thereon or therein, provided that the director 5016

determines that the portion made subject to a right to use is not 5017
needed by the state for highway purposes. 5018

(D) The director shall require, as either a condition 5019
precedent or a condition subsequent to any conveyance, transfer, 5020
~~or grant~~ or permit to use, that the plans and specifications for 5021
all such buildings or structures and the contemplated use thereof, 5022
be approved by the director as not interfering with the use of the 5023
state highway system and not unduly endangering the public. The 5024
director may require such indemnity agreements in favor of the 5025
director and the public as shall be lawful and as shall be deemed 5026
necessary by the director. The director shall not unreasonably 5027
withhold approval of such plans, specifications, and contemplated 5028
use. 5029

(E)(1) All ~~such~~ conveyances, transfers, grants, or permits to 5030
use that are made under this section to state institutions, 5031
agencies, commissions, or instrumentalities, to political 5032
subdivisions, ~~or~~ to taxing districts of the state, ~~and to~~ 5033
institutions receiving financial assistance from the state, or to 5034
the federal government shall be upon ~~such the~~ consideration ~~as~~ 5035
~~shall be determined by~~ the director determines to be fair and 5036
reasonable, without competitive bidding, ~~and sections 5301.13 and~~ 5037
~~5515.01 of the Revised Code, relating to the sale or use of public~~ 5038
~~lands shall not apply to conveyances, grants, transfers, or~~ 5039
~~permits to use made pursuant to this division. An~~ A conveyance, 5040
transfer, or grant shall be by deed or, if a statutory dedication 5041
of public roads is included, by plat; shall be executed by the 5042
director; and shall be in the form prescribed by the attorney 5043
general. 5044

(2) An institution receiving financial assistance from the 5045
state shall provide the director with acceptable documentary 5046
evidence of the state loan, grant, or other state financial 5047
assistance. 5048

+2)(3) Any provision of section 5301.13 of the Revised Code 5049
that is contrary to a provision of this division does not apply to 5050
a conveyance, transfer, or grant made under this section. 5051

(4) The director shall keep a record of all conveyances, 5052
transfers, grants, or permits to use made under this section. 5053

(5) As used in this division, "institution receiving 5054
financial assistance from the state" includes any public or 5055
private organization, especially one of a charitable, civic, or 5056
educational character, in receipt of a state loan, grant, or other 5057
type of state financial assistance. 5058

(F) Except as provided in division (E) of this section, all 5059
conveyances, transfers, grants, or permits to use that are made to 5060
private persons, firms, or corporations shall be conducted in 5061
accordance with the procedure set forth in section 5501.311 or 5062
5501.34 of the Revised Code, as applicable. 5063

(G) In any case where the director has acquired or acquires, 5064
for the state highway system, easements in or permits to use areas 5065
or space on, above, or below the surface, the director may 5066
extinguish them in whole or in part or subordinate them to uses by 5067
others, provided that the director determines that the easements 5068
or permit to use so extinguished or subordinated are not needed by 5069
the state for highway purposes. The director shall make any 5070
extinguishments to the current underlying fee owner of record at 5071
no cost. 5072

(H) No conveyance, transfer, easement, lease, permit, or 5073
other instrument executed pursuant to the authorization given by 5074
this section shall prejudice any right, title, or interest in any 5075
lands affected thereby which at the date thereof existed in any 5076
person, firm, or corporation, other than the state and other than 5077
members of the general public having no specific rights in ~~said~~ 5078
those lands, unless the right, title, or interest was expressly 5079

subject to the right of the state to make ~~such the~~ conveyance or 5080
transfer, grant ~~such the~~ right, or execute ~~such the~~ instrument, 5081
and unless the state by ~~such that~~ instrument expressly exercises 5082
~~such that~~ right, nor shall any public utility be required to move 5083
or relocate any of its facilities that may be located in or on the 5084
areas described in ~~any such the~~ conveyance, transfer, easement, 5085
lease, permit, or other instrument. 5086

Sec. 5502.02. All expenditures for the ~~operation~~ 5087
administration and maintenance of enforcement of motor vehicle and 5088
traffic laws by the department of public safety shall be paid out 5089
of moneys derived from fees, excises, or license taxes relating to 5090
registration, operation, or use of vehicles on public highways or 5091
to fuels used for propelling such vehicles as provided in Section 5092
5a of Article XII, Ohio Constitution. 5093

Sec. 5502.39. There is hereby created in the state treasury 5094
the emergency management agency service and reimbursement fund. 5095
The fund shall consist of money collected under sections 5502.21 5096
to 5502.38 of the Revised Code. All money in the fund shall be 5097
used to pay the costs of administering programs of the emergency 5098
management agency. 5099

Sec. 5517.011. ~~(A)(1)~~ Notwithstanding section 5517.01 of the 5100
Revised Code, the director of transportation may establish a ~~pilot~~ 5101
program to expedite the sale and construction of ~~no more than six~~ 5102
special projects by combining the design and construction elements 5103
of a highway or bridge project into a single contract. The 5104
director shall prepare and distribute a scope of work document 5105
upon which the bidders shall base their bids. Except in regard to 5106
those requirements relating to providing plans, the director shall 5107
award contracts under this section in accordance with ~~section~~ 5108
~~5525.01~~ Chapter 5525. of the Revised Code. 5109

~~(2) On or before December 31, 2002, the director shall 5110
prepare and submit to the general assembly a report evaluating the 5111
experience of the department of transportation with each project 5112
under this division and contract under division (B) of this 5113
section, including whether the department realized any cost or 5114
time savings. Regarding those projects and contracts, the report 5115
shall include a discussion of the number and cost of change 5116
orders, the quality of work performed, the number of bids 5117
received, the impact on minority and female contract 5118
participation, and other issues the director considers 5119
appropriate. The director also may make recommendations regarding 5120
the continuation of the program, including the need for any 5121
changes. 5122~~

~~(3) After completion of the sixth project, no projects shall 5123
be commenced under this division unless the general assembly 5124
either approves additional projects to further study the 5125
effectiveness of the procedures or makes the program permanent. 5126~~

~~(B) In addition to the six projects under division (A) of 5127
this section, during the period beginning July 1, 1999, and ending 5128
June 30, 2001, and also during the period beginning July 1, 2001, 5129
and ending June 30, 2003, the director may expand the pilot 5130
program to more contracts combining the design and construction 5131
elements of highway or bridge projects. For each biennium, the 5132
total dollar value of contracts made under this division section 5133
shall not exceed two hundred fifty million dollars. ~~The director~~ 5134
~~may seek either bids or technical proposals for contracts under~~ 5135
~~this division.~~ 5136~~

~~(1) When the director determines to award a single contract 5137
for a design build project under this division through the receipt 5138
of bids, except for those requirements relating to providing 5139
plans, the director shall award contracts in accordance with 5140
Chapter 5525. of the Revised Code. When the director determines to 5141~~

~~award a single contract for a design build project under this 5142
division through the receipt of technical proposals, the director 5143
shall advertise and select the design build team using a 5144
value based selection process combining technical qualifications 5145
and competitive bidding elements. 5146~~

~~(2) If the director elects to utilize the competitive bid 5147
option for design build projects, the director shall prepare and 5148
distribute a scope of work document upon which the bidders shall 5149
base their bids. 5150~~

~~(3)(a) If the director elects to utilize a value based 5151
selection process for design build projects through the receipt of 5152
technical proposals, the director shall restrict usage of this 5153
method to no more than eighty five million dollars and no more 5154
than two projects, whose per project estimate must exceed twenty 5155
million dollars. The director shall prepare conceptual documents 5156
for review by interested parties, accept letters of interest, and 5157
select the three most qualified design build teams to submit a 5158
technical proposal. 5159~~

~~The criteria for selecting the three finalists shall include 5160
the qualifications and experience of the design build team, 5161
including the proposed personnel to be utilized and general 5162
proposed project approach. The schedule of activities and 5163
financial resources of the design build team also shall be factors 5164
in the selection process. In addition, the director shall take 5165
into consideration the design build team's affirmative action 5166
policies and record with regard to employees and subcontracts. 5167~~

~~(b) After the director selects the three finalists, the 5168
finalists shall prepare both a technical proposal and a price 5169
proposal. The technical proposal shall state the finalist's 5170
qualifications and experience, including prior performance by the 5171
design build team on similar projects, the identity of the members 5172
of each team, and a detailed project approach and schedule. The 5173~~

~~technical proposal also may include innovative design and 5174
construction techniques, aesthetics, environmental protection, a 5175
maintenance of traffic plan, and the type and duration of warranty 5176
coverage. The finalists shall submit the price proposal separately 5177
as requested by the director. 5178~~

~~The director first shall review the submitted technical 5179
proposals and ascribe a numerical score to each proposal. The 5180
technical numerical scores shall be equated to a percentage 5181
adjustment to be applied to the finalists' price proposals, using 5182
a predetermined schedule of adjustment made known to the finalists 5183
at the time of advertising. In no case shall the technical 5184
proposal rating exceed twenty five per cent of the value based 5185
technical and price selection criteria. The director shall reserve 5186
the right to consider a technical proposal as being nonresponsive, 5187
thereby eliminating that finalist from further consideration. 5188~~

~~Upon completion of the rating of technical proposals, the 5189
director shall apply to the price proposals the percentage 5190
adjustments predetermined from the numerical scores assigned to 5191
the technical proposals. Unless all proposals are rejected, the 5192
director shall select the finalist with the lowest adjusted price. 5193
The adjusted price shall be used for selection only. The contract 5194
shall be based on the price proposal as submitted. 5195~~

~~The department shall compensate each responsive finalist not 5196
selected in an amount generally equal to one fourth of one per 5197
cent of the unadjusted price proposal amount submitted by the 5198
selected finalist or by an amount the director establishes at the 5199
time of advertising. The proposals of the two unsuccessful 5200
finalists shall become the property of the director unless an 5201
unsuccessful finalist elects to waive the compensation. The 5202
director shall return the proposal of any unsuccessful finalist 5203
who waives the compensation. 5204~~

Sec. 5517.02. (A) Before undertaking the construction, 5205
improvement, maintenance, or repair of a state highway, or a 5206
bridge or culvert thereon, or the installation, maintenance, or 5207
repair of a traffic control signal on a state highway, the 5208
director of transportation shall make an estimate of the cost of 5209
the work, ~~which estimate shall include labor, material, freight,~~ 5210
~~fuel, use of equipment, and all other items of cost and expense~~ 5211
using the force account project assessment form developed by the 5212
auditor of state under section 117.16 of the Revised Code. In 5213
constructing, improving, maintaining, and repairing state 5214
highways, and the bridges and culverts thereon, and in installing, 5215
maintaining, and repairing traffic control signals on state 5216
highways, the director, except as provided in division (B) of this 5217
section, shall proceed by contract let to the lowest competent and 5218
responsible bidder, after advertisement as provided in section 5219
5525.01 of the Revised Code. 5220

~~The above provision relating to the performance of work by~~ 5221
~~contract applies to all construction and reconstruction, except in~~ 5222
~~the case of a bridge or culvert, or the installation of a traffic~~ 5223
~~control signal, estimated to cost not more than twenty thousand~~ 5224
~~dollars.~~ (B)(1) Where the work contemplated is the construction of 5225
a bridge or culvert, or the installation of a traffic control 5226
signal, estimated to cost not more than ~~twenty~~ fifty thousand 5227
dollars, the director may proceed by employing labor, purchasing 5228
materials, and furnishing equipment. 5229

(2) The director may also proceed with maintenance or repair 5230
work by employing labor, purchasing materials, and furnishing 5231
equipment, provided the total estimated cost of the completed 5232
operation, or series of connected operations, does not exceed ~~ten~~ 5233
twenty-five thousand dollars per mile of highway, exclusive of 5234
structures and traffic control signals, or ~~twenty~~ fifty thousand 5235

dollars for any single structure or traffic control signal. The 5236

(3) The director may proceed by furnishing equipment, 5237
purchasing materials, and employing labor in the erection of 5238
temporary bridges or the making of temporary repairs to a highway 5239
or bridge rendered necessary by flood, landslide, or other 5240
extraordinary emergency. If the director determines ~~that he is~~ 5241
~~unable~~ inability to complete such emergency work by force account, 5242
~~then he~~ the director may contract for any part of the work, with 5243
or without advertising for bids, as ~~he~~ the director considers for 5244
the best interest of the department of transportation. 5245

Sec. 5525.20. (A) Subject to division (B) of this section, 5246
the director of transportation may include incentive and 5247
disincentive provisions in contracts ~~he~~ the director executes for 5248
projects or portions or phases of projects that involve any of the 5249
following: 5250

- (1) A major bridge out of service; 5251
- (2) A lengthy detour; 5252
- (3) Excessive disruption to traffic; 5253
- (4) A significant impact on public safety; 5254
- (5) A link that completes a segment of a highway. 5255

(B) No such provisions shall be included in any particular 5256
contract without the prior consent of the municipal corporation, 5257
or, if outside a municipal corporation and off the state highway 5258
system, the prior consent of the board of county commissioners of 5259
the county, in which the bridge, detour, disruption, impact, or 5260
link will be located or occur. 5261

(C) If the director decides to include incentive and 5262
disincentive provisions in such contracts, ~~he~~ the director shall 5263
make those provisions part of the bid proposal issued by ~~him~~ the 5264
director pursuant to this chapter and shall also adopt rules, in 5265

accordance with Chapter 119. of the Revised Code, governing the 5266
formulation and use of those provisions. The rules shall be 5267
equivalent in scope, content, and coverage to the regulations the 5268
federal highway administrator issues concerning the use of such 5269
provisions in state contracts. 5270

As used in this section, "incentive and disincentive 5271
provisions" means provisions under which the contractor would be 5272
compensated a certain amount of money for each day specified 5273
critical work is completed ahead of schedule or under which ~~he~~ the 5274
contractor would be assessed a deduction for each day the 5275
specified critical work is completed behind schedule. The director 5276
also may elect to compensate the contractor in the form of a lump 5277
sum incentive for completing critical work ahead of schedule. 5278

Sec. 5531.10. (A) As used in this chapter: 5279

(1) "Bond proceedings" means the resolution, order, trust 5280
agreement, indenture, lease, lease-purchase agreements, and other 5281
agreements, amendments and supplements to the foregoing, or any 5282
one or more or combination thereof, authorizing or providing for 5283
the terms and conditions applicable to, or providing for the 5284
security or liquidity of, obligations issued pursuant to this 5285
section, and the provisions contained in such obligations. 5286

(2) "Bond service charges" means principal, including 5287
mandatory sinking fund requirements for retirement of obligations, 5288
and interest, and redemption premium, if any, required to be paid 5289
by the state on obligations. 5290

(3) "Bond service fund" means the applicable fund and 5291
accounts therein created for and pledged to the payment of bond 5292
service charges, which may be, or may be part of, the state 5293
infrastructure bank revenue bond service fund created by division 5294
(R) of this section including all moneys and investments, and 5295
earnings from investments, credited and to be credited thereto. 5296

(4) "Issuing authority" means the treasurer of state, or the officer who by law performs the functions of the treasurer of state.

(5) "Obligations" means bonds, notes, or other evidence of obligation including interest coupons pertaining thereto, issued pursuant to this section.

(6) "Pledged receipts" means moneys accruing to the state from the lease, lease-purchase, sale, or other disposition, or use, of qualified projects, and from the repayment, including interest, of loans made from proceeds received from the sale of obligations; accrued interest received from the sale of obligations; income from the investment of the special funds; any gifts, grants, donations, and pledges, and receipts therefrom, available for the payment of bond service charges; and any amounts in the state infrastructure bank pledged to the payment of such charges. If the amounts in the state infrastructure bank are insufficient for the payment of such charges, "pledged receipts" also means moneys that are apportioned by the United States secretary of transportation under United States Code, Title XXIII, as amended, or any successor legislation, or under any other federal law relating to aid for highways, and that are to be received as a grant by the state, to the extent the state is not prohibited by state or federal law from using such moneys and the moneys are pledged to the payment of such bond service charges.

(7) "Special funds" or "funds" means, except where the context does not permit, the bond service fund, and any other funds, including reserve funds, created under the bond proceedings, and the state infrastructure bank revenue bond service fund created by division (R) of this section to the extent provided in the bond proceedings, including all moneys and investments, and earnings from investment, credited and to be credited thereto.

(8) "State infrastructure project" means any public 5329
transportation project undertaken by the state, including, but not 5330
limited to, all components of any such project, as described in 5331
division (D) of section 5131.09 of the Revised Code. 5332

(B) The issuing authority, after giving written notice to the 5333
director of budget and management and upon the certification by 5334
the director of transportation to the issuing authority of the 5335
amount of moneys or additional moneys needed either for state 5336
infrastructure projects or to provide financial assistance for any 5337
of the purposes for which the state infrastructure bank may be 5338
used under section 5531.09 of the Revised Code, or needed for 5339
capitalized interest, funding reserves, and paying costs and 5340
expenses incurred in connection with the issuance, carrying, 5341
securing, paying, redeeming, or retirement of the obligations or 5342
any obligations refunded thereby, including payment of costs and 5343
expenses relating to letters of credit, lines of credit, 5344
insurance, put agreements, standby purchase agreements, indexing, 5345
marketing, remarketing and administrative arrangements, interest 5346
swap or hedging agreements, and any other credit enhancement, 5347
liquidity, remarketing, renewal, or refunding arrangements, all of 5348
which are authorized by this section, shall issue obligations of 5349
the state under this section in the required amount. The proceeds 5350
of such obligations, except for the portion to be deposited in 5351
special funds, including reserve funds, as may be provided in the 5352
bond proceedings, shall as provided in the bond proceedings be 5353
credited to the infrastructure bank obligations fund of the state 5354
infrastructure bank created by section 5531.09 of the Revised 5355
Code. The issuing authority may appoint trustees, paying agents, 5356
transfer agents, and authenticating agents, and may retain the 5357
services of financial advisors, accounting experts, and attorneys, 5358
and retain or contract for the services of marketing, remarketing, 5359
indexing, and administrative agents, other consultants, and 5360

independent contractors, including printing services, as are 5361
necessary in the issuing authority's judgment to carry out this 5362
section. The costs of such services are payable from funds of the 5363
state infrastructure bank. 5364

(C) The holders or owners of such obligations shall have no 5365
right to have moneys raised by taxation by the state of Ohio 5366
obligated or pledged, and moneys so raised shall not be obligated 5367
or pledged, for the payment of bond service charges. The right of 5368
such holders and owners to the payment of bond service charges is 5369
limited to all or that portion of the pledged receipts and those 5370
special funds pledged thereto pursuant to the bond proceedings for 5371
such obligations in accordance with this section, and each such 5372
obligation shall bear on its face a statement to that effect. 5373

(D) Obligations shall be authorized by order of the issuing 5374
authority and the bond proceedings shall provide for the purpose 5375
thereof and the principal amount or amounts, and shall provide for 5376
or authorize the manner or agency for determining the principal 5377
maturity or maturities, not exceeding twenty-five years from the 5378
date of issuance, the interest rate or rates or the maximum 5379
interest rate, the date of the obligations and the dates of 5380
payment of interest thereon, their denomination, and the 5381
establishment within or without the state of a place or places of 5382
payment of bond service charges. Sections 9.98 to 9.983 of the 5383
Revised Code are applicable to obligations issued under this 5384
section. The purpose of such obligations may be stated in the bond 5385
proceedings in terms describing the general purpose or purposes to 5386
be served. The bond proceedings also shall provide, subject to the 5387
provisions of any other applicable bond proceedings, for the 5388
pledge of all, or such part as the issuing authority may 5389
determine, of the pledged receipts and the applicable special fund 5390
or funds to the payment of bond service charges, which pledges may 5391
be made either prior or subordinate to other expenses, claims, or 5392

payments, and may be made to secure the obligations on a parity 5393
with obligations theretofore or thereafter issued, if and to the 5394
extent provided in the bond proceedings. The pledged receipts and 5395
special funds so pledged and thereafter received by the state 5396
immediately are subject to the lien of such pledge without any 5397
physical delivery thereof or further act, and the lien of any such 5398
pledges is valid and binding against all parties having claims of 5399
any kind against the state or any governmental agency of the 5400
state, irrespective of whether such parties have notice thereof, 5401
and shall create a perfected security interest for all purposes of 5402
Chapter 1309. of the Revised Code, without the necessity for 5403
separation or delivery of funds or for the filing or recording of 5404
the bond proceedings by which such pledge is created or any 5405
certificate, statement, or other document with respect thereto; 5406
and the pledge of such pledged receipts and special funds is 5407
effective and the money therefrom and thereof may be applied to 5408
the purposes for which pledged without necessity for any act of 5409
appropriation. Every pledge, and every covenant and agreement made 5410
with respect thereto, made in the bond proceedings may therein be 5411
extended to the benefit of the owners and holders of obligations 5412
authorized by this section, and to any trustee therefor, for the 5413
further security of the payment of the bond service charges. 5414

(E) The bond proceedings may contain additional provisions as 5415
to: 5416

(1) The redemption of obligations prior to maturity at the 5417
option of the issuing authority at such price or prices and under 5418
such terms and conditions as are provided in the bond proceedings; 5419

(2) Other terms of the obligations; 5420

(3) Limitations on the issuance of additional obligations; 5421

(4) The terms of any trust agreement or indenture securing 5422
the obligations or under which the same may be issued; 5423

(5) The deposit, investment, and application of special 5424
funds, and the safeguarding of moneys on hand or on deposit, 5425
without regard to Chapter 131. or 135. of the Revised Code, but 5426
subject to any special provisions of this section with respect to 5427
particular funds or moneys, provided that any bank or trust 5428
company which acts as depository of any moneys in the special 5429
funds may furnish such indemnifying bonds or may pledge such 5430
securities as required by the issuing authority; 5431

(6) Any or every provision of the bond proceedings being 5432
binding upon such officer, board, commission, authority, agency, 5433
department, or other person or body as may from time to time have 5434
the authority under law to take such actions as may be necessary 5435
to perform all or any part of the duty required by such provision; 5436

(7) Any provision that may be made in a trust agreement or 5437
indenture; 5438

(8) Any other or additional agreements with the holders of 5439
the obligations, or the trustee therefor, relating to the 5440
obligations or the security therefor, including the assignment of 5441
mortgages or other security relating to financial assistance for 5442
qualified projects under section 5531.09 of the Revised Code. 5443

(F) The obligations may have the great seal of the state or a 5444
facsimile thereof affixed thereto or printed thereon. The 5445
obligations and any coupons pertaining to obligations shall be 5446
signed or bear the facsimile signature of the issuing authority. 5447
Any obligations or coupons may be executed by the person who, on 5448
the date of execution, is the proper issuing authority although on 5449
the date of such bonds or coupons such person was not the issuing 5450
authority. In case the issuing authority whose signature or a 5451
facsimile of whose signature appears on any such obligation or 5452
coupon ceases to be the issuing authority before delivery thereof, 5453
such signature or facsimile nevertheless is valid and sufficient 5454

for all purposes as if the former issuing authority had remained 5455
the issuing authority until such delivery; and in case the seal to 5456
be affixed to obligations has been changed after a facsimile of 5457
the seal has been imprinted on such obligations, such facsimile 5458
seal shall continue to be sufficient as to such obligations and 5459
obligations issued in substitution or exchange therefor. 5460

(G) All obligations are negotiable instruments and securities 5461
under Chapter 1308. of the Revised Code, subject to the provisions 5462
of the bond proceedings as to registration. The obligations may be 5463
issued in coupon or in registered form, or both, as the issuing 5464
authority determines. Provision may be made for the registration 5465
of any obligations with coupons attached thereto as to principal 5466
alone or as to both principal and interest, their exchange for 5467
obligations so registered, and for the conversion or reconversion 5468
into obligations with coupons attached thereto of any obligations 5469
registered as to both principal and interest, and for reasonable 5470
charges for such registration, exchange, conversion, and 5471
reconversion. 5472

(H) Obligations may be sold at public sale or at private 5473
sale, as determined in the bond proceedings. 5474

(I) Pending preparation of definitive obligations, the 5475
issuing authority may issue interim receipts or certificates which 5476
shall be exchanged for such definitive obligations. 5477

(J) In the discretion of the issuing authority, obligations 5478
may be secured additionally by a trust agreement or indenture 5479
between the issuing authority and a corporate trustee which may be 5480
any trust company or bank having its principal place of business 5481
within the state. Any such agreement or indenture may contain the 5482
order authorizing the issuance of the obligations, any provisions 5483
that may be contained in any bond proceedings, and other 5484
provisions which are customary or appropriate in an agreement or 5485
indenture of such type, including, but not limited to: 5486

(1) Maintenance of each pledge, trust agreement, indenture,	5487
or other instrument comprising part of the bond proceedings until	5488
the state has fully paid the bond service charges on the	5489
obligations secured thereby, or provision therefor has been made;	5490
(2) In the event of default in any payments required to be	5491
made by the bond proceedings, or any other agreement of the	5492
issuing authority made as a part of the contract under which the	5493
obligations were issued, enforcement of such payments or agreement	5494
by mandamus, the appointment of a receiver, suit in equity, action	5495
at law, or any combination of the foregoing;	5496
(3) The rights and remedies of the holders of obligations and	5497
of the trustee, and provisions for protecting and enforcing them,	5498
including limitations on the rights of individual holders of	5499
obligations;	5500
(4) The replacement of any obligations that become mutilated	5501
or are destroyed, lost, or stolen;	5502
(5) Such other provisions as the trustee and the issuing	5503
authority agree upon, including limitations, conditions, or	5504
qualifications relating to any of the foregoing.	5505
(K) Any holder of obligations or a trustee under the bond	5506
proceedings, except to the extent that the holder's or trustee's	5507
rights are restricted by the bond proceedings, may by any suitable	5508
form of legal proceedings, protect and enforce any rights under	5509
the laws of this state or granted by such bond proceedings. Such	5510
rights include the right to compel the performance of all duties	5511
of the issuing authority and the director of transportation	5512
required by the bond proceedings or sections 5531.09 and 5531.10	5513
of the Revised Code; to enjoin unlawful activities; and in the	5514
event of default with respect to the payment of any bond service	5515
charges on any obligations or in the performance of any covenant	5516
or agreement on the part of the issuing authority or the director	5517

of transportation in the bond proceedings, to apply to a court 5518
having jurisdiction of the cause to appoint a receiver to receive 5519
and administer the pledged receipts and special funds, other than 5520
those in the custody of the treasurer of state, which are pledged 5521
to the payment of the bond service charges on such obligations or 5522
which are the subject of the covenant or agreement, with full 5523
power to pay, and to provide for payment of bond service charges 5524
on, such obligations, and with such powers, subject to the 5525
direction of the court, as are accorded receivers in general 5526
equity cases, excluding any power to pledge additional revenues or 5527
receipts or other income or moneys of the state or local 5528
governmental entities, or agencies thereof, to the payment of such 5529
principal and interest and excluding the power to take possession 5530
of, mortgage, or cause the sale or otherwise dispose of any 5531
project facilities. 5532

Each duty of the issuing authority and the issuing 5533
authority's officers and employees, and of each state or local 5534
governmental agency and its officers, members, or employees, 5535
undertaken pursuant to the bond proceedings or any loan, loan 5536
guarantee, lease, lease-purchase agreement, or other agreement 5537
made under authority of section 5531.09 of the Revised Code, and 5538
in every agreement by or with the issuing authority, is hereby 5539
established as a duty of the issuing authority, and of each such 5540
officer, member, or employee having authority to perform such 5541
duty, specifically enjoined by the law resulting from an office, 5542
trust, or station within the meaning of section 2731.01 of the 5543
Revised Code. 5544

The person who is at the time the issuing authority, or the 5545
issuing authority's officers or employees, are not liable in their 5546
personal capacities on any obligations issued by the issuing 5547
authority or any agreements of or with the issuing authority. 5548

(L) The issuing authority may authorize and issue obligations 5549

for the refunding, including funding and retirement, and advance 5550
refunding with or without payment or redemption prior to maturity, 5551
of any obligations previously issued by the issuing authority. 5552
Such obligations may be issued in amounts sufficient for payment 5553
of the principal amount of the prior obligations, any redemption 5554
premiums thereon, principal maturities of any such obligations 5555
maturing prior to the redemption of the remaining obligations on a 5556
parity therewith, interest accrued or to accrue to the maturity 5557
dates or dates of redemption of such obligations, and any expenses 5558
incurred or to be incurred in connection with such issuance and 5559
such refunding, funding, and retirement. Subject to the bond 5560
proceedings therefor, the portion of proceeds of the sale of 5561
obligations issued under this division to be applied to bond 5562
service charges on the prior obligations shall be credited to an 5563
appropriate account held by the trustee for such prior or new 5564
obligations or to the appropriate account in the bond service fund 5565
for such obligations. Obligations authorized under this division 5566
shall be deemed to be issued for those purposes for which such 5567
prior obligations were issued and are subject to the provisions of 5568
this section pertaining to other obligations, except as otherwise 5569
provided in this section. The last maturity of obligations 5570
authorized under this division shall not be later than twenty-five 5571
years from the date of issuance of the original securities issued 5572
for the original purpose. 5573

(M) The authority to issue obligations under this section 5574
includes authority to issue obligations in the form of bond 5575
anticipation notes and to renew the same from time to time by the 5576
issuance of new notes. The holders of such notes or interest 5577
coupons pertaining thereto shall have a right to be paid solely 5578
from the pledged receipts and special funds that may be pledged to 5579
the payment of the bonds anticipated, or from the proceeds of such 5580
bonds or renewal notes, or both, as the issuing authority provides 5581
in the order authorizing such notes. Such notes may be 5582

additionally secured by covenants of the issuing authority to the 5583
effect that the issuing authority and the state will do such or 5584
all things necessary for the issuance of such bonds or renewal 5585
notes in the appropriate amount, and apply the proceeds thereof to 5586
the extent necessary, to make full payment of the principal of and 5587
interest on such notes at the time or times contemplated, as 5588
provided in such order. For such purpose, the issuing authority 5589
may issue bonds or renewal notes in such principal amount and upon 5590
such terms as may be necessary to provide funds to pay when 5591
required the principal of and interest on such notes, 5592
notwithstanding any limitations prescribed by or for purposes of 5593
this section. Subject to this division, all provisions for and 5594
references to obligations in this section are applicable to notes 5595
authorized under this division. 5596

The issuing authority in the bond proceedings authorizing the 5597
issuance of bond anticipation notes shall set forth for such bonds 5598
an estimated interest rate and a schedule of principal payments 5599
for such bonds and the annual maturity dates thereof. 5600

(N) Obligations issued under this section are lawful 5601
investments for banks, societies for savings, savings and loan 5602
associations, deposit guarantee associations, trust companies, 5603
trustees, fiduciaries, insurance companies, including domestic for 5604
life and domestic not for life, trustees or other officers having 5605
charge of sinking and bond retirement or other special funds of 5606
political subdivisions and taxing districts of this state, the 5607
commissioners of the sinking fund of the state, the administrator 5608
of workers' compensation in accordance with the investment policy 5609
established by the workers' compensation oversight commission 5610
pursuant to section 4121.12 of the Revised Code, the state 5611
teachers retirement system, the public employees retirement 5612
system, the school employees retirement system, and the Ohio 5613
police and fire pension fund, notwithstanding any other provisions 5614

of the Revised Code or rules adopted pursuant thereto by any 5615
agency of the state with respect to investments by them, and are 5616
also acceptable as security for the deposit of public moneys. 5617

(O) Unless otherwise provided in any applicable bond 5618
proceedings, moneys to the credit of or in the special funds 5619
established by or pursuant to this section may be invested by or 5620
on behalf of the issuing authority only in notes, bonds, or other 5621
obligations of the United States, or of any agency or 5622
instrumentality of the United States, obligations guaranteed as to 5623
principal and interest by the United States, obligations of this 5624
state or any political subdivision of this state, and certificates 5625
of deposit of any national bank located in this state and any 5626
bank, as defined in section 1101.01 of the Revised Code, subject 5627
to inspection by the superintendent of financial institutions. If 5628
the law or the instrument creating a trust pursuant to division 5629
(J) of this section expressly permits investment in direct 5630
obligations of the United States or an agency of the United 5631
States, unless expressly prohibited by the instrument, such moneys 5632
also may be invested in no-front-end-load money market mutual 5633
funds consisting exclusively of obligations of the United States 5634
or an agency of the United States and in repurchase agreements, 5635
including those issued by the fiduciary itself, secured by 5636
obligations of the United States or an agency of the United 5637
States; and in collective investment funds as defined in division 5638
(A) of section 1111.01 of the Revised Code and consisting 5639
exclusively of any such securities. The income from such 5640
investments shall be credited to such funds as the issuing 5641
authority determines, and such investments may be sold at such 5642
times as the issuing authority determines or authorizes. 5643

(P) Provision may be made in the applicable bond proceedings 5644
for the establishment of separate accounts in the bond service 5645
fund and for the application of such accounts only to the 5646

specified bond service charges on obligations pertinent to such 5647
accounts and bond service fund and for other accounts therein 5648
within the general purposes of such fund. Unless otherwise 5649
provided in any applicable bond proceedings, moneys to the credit 5650
of or in the several special funds established pursuant to this 5651
section shall be disbursed on the order of the treasurer of state, 5652
provided that no such order is required for the payment from the 5653
bond service fund when due of bond service charges on obligations. 5654

(Q)(1) The issuing authority may pledge all, or such portion 5655
as the issuing authority determines, of the pledged receipts to 5656
the payment of bond service charges on obligations issued under 5657
this section, and for the establishment and maintenance of any 5658
reserves, as provided in the bond proceedings, and make other 5659
provisions therein with respect to pledged receipts as authorized 5660
by this chapter, which provisions are controlling notwithstanding 5661
any other provisions of law pertaining thereto. 5662

(2) An action taken under division (Q)(2) of this section 5663
does not limit the generality of division (Q)(1) of this section, 5664
and is subject to division (C) of this section and, if and to the 5665
extent otherwise applicable, Section 13 of Article VIII, Ohio 5666
Constitution. The bond proceedings may contain a covenant that, in 5667
the event the pledged receipts primarily pledged and required to 5668
be used for the payment of bond service charges on obligations 5669
issued under this section, and for the establishment and 5670
maintenance of any reserves, as provided in the bond proceedings, 5671
are insufficient to make any such payment in full when due, or to 5672
maintain any such reserve, the director of transportation shall so 5673
notify the governor, and shall determine to what extent, if any, 5674
the payment may be made or moneys may be restored to the reserves 5675
from lawfully available moneys previously appropriated for that 5676
purpose to the department of transportation. The covenant also may 5677
provide that if the payments are not made or the moneys are not 5678

immediately and fully restored to the reserves from such moneys, 5679
the director shall promptly submit to the governor and to the 5680
director of budget and management a written request for either or 5681
both of the following: 5682

(a) That the next biennial budget submitted by the governor 5683
to the general assembly include an amount to be appropriated from 5684
lawfully available moneys to the department for the purpose of and 5685
sufficient for the payment in full of bond service charges 5686
previously due and for the full replenishment of the reserves; 5687

(b) That the general assembly be requested to increase 5688
appropriations from lawfully available moneys for the department 5689
in the current biennium sufficient for the purpose of and for the 5690
payment in full of bond service charges previously due and to come 5691
due in the biennium and for the full replenishment of the 5692
reserves. 5693

The director of transportation shall include with such 5694
requests a recommendation that the payment of the bond service 5695
charges and the replenishment of the reserves be made in the 5696
interest of maximizing the benefits of the state infrastructure 5697
bank. Any such covenant shall not obligate or purport to obligate 5698
the state to pay the bond service charges on such bonds or notes 5699
or to deposit moneys in a reserve established for such payments 5700
other than from moneys that may be lawfully available and 5701
appropriated for that purpose during the then-current biennium. 5702

(R) There is hereby created the state infrastructure bank 5703
revenue bond service fund, which shall be in the custody of the 5704
treasurer of state but shall not be a part of the state treasury. 5705
All moneys received by or on account of the issuing authority or 5706
state agencies and required by the applicable bond proceedings, 5707
consistent with this section, to be deposited, transferred, or 5708
credited to the bond service fund, and all other moneys 5709
transferred or allocated to or received for the purposes of the 5710

fund, shall be deposited and credited to such fund and to any 5711
separate accounts therein, subject to applicable provisions of the 5712
bond proceedings, but without necessity for any act of 5713
appropriation. The state infrastructure bank revenue bond service 5714
fund is a trust fund and is hereby pledged to the payment of bond 5715
service charges to the extent provided in the applicable bond 5716
proceedings, and payment thereof from such fund shall be made or 5717
provided for by the treasurer of state in accordance with such 5718
bond proceedings without necessity for any act of appropriation. 5719

(S) The obligations issued pursuant to this section, the 5720
transfer thereof, and the income therefrom, including any profit 5721
made on the sale thereof, shall at all times be free from taxation 5722
within this state. 5723

Sec. 5543.19. (A) The county engineer may, when authorized by 5724
the board of county commissioners and not required by this section 5725
or other law to use competitive bidding, employ such laborers and 5726
vehicles, use such county employees and property, lease such 5727
implements and tools, and purchase such materials as are necessary 5728
in the construction, reconstruction, improvement, maintenance, or 5729
repair of roads by force account. 5730

In determining whether ~~he may undertake~~ construction or 5731
reconstruction, including widening and resurfacing, of roads may 5732
be undertaken by force account, the county engineer shall first 5733
cause to be made an estimate of the cost of such work, ~~which~~ 5734
~~estimate shall include labor, material, freight, fuel, hauling,~~ 5735
~~use of machinery and equipment, and all other items of cost~~ using 5736
the force account project assessment form developed by the auditor 5737
of state under section 117.16 of the Revised Code. When the total 5738
estimated cost of the work exceeds ~~ten~~ thirty thousand dollars per 5739
mile, the county commissioners shall invite and receive 5740
competitive bids for furnishing all the labor, materials, and 5741

equipment necessary to complete the work in accordance with 5742
sections 307.86 to 307.92, ~~inclusive~~, of the Revised Code. 5743

(B) The county engineer may, when authorized by the board of 5744
county commissioners and not required by this section or other law 5745
to use competitive bidding, employ such laborers and vehicles, use 5746
such county employees and property, lease such implements and 5747
tools, and purchase such materials as are necessary in the 5748
construction, reconstruction, improvement, maintenance, or repair 5749
of bridges and culverts by force account. 5750

In determining whether ~~he may undertake~~ such construction, 5751
reconstruction, improvement, maintenance, or repair of bridges or 5752
culverts may be undertaken by force account, the county engineer 5753
shall first cause to be made an estimate of the cost of such work, 5754
~~which estimate shall include labor, material, freight, fuel,~~ 5755
~~hauling, use of machinery and equipment, and all other items of~~ 5756
~~cost~~ using the force account project assessment form. When the 5757
total estimated cost of the work exceeds forty one hundred 5758
thousand dollars, the board of county commissioners shall invite 5759
and receive competitive bids for furnishing all the labor, 5760
materials, and equipment necessary to complete the work, in 5761
accordance with sections 307.86 to 307.92, ~~inclusive~~, of the 5762
Revised Code. The county engineer shall obtain the approval 5763
required by section 5543.02 of the Revised Code. 5764

(C) "Force account," as used in this section means that the 5765
county engineer will act as contractor, using labor employed by 5766
~~him~~ the engineer using material and equipment either owned by the 5767
county or leased or purchased in compliance with sections 307.86 5768
to 307.92, ~~inclusive~~, of the Revised Code and excludes 5769
subcontracting any part of such work unless done pursuant to 5770
sections 307.86 to 307.92, ~~inclusive~~, of the Revised Code. 5771

The term "competitive bids" as used in this section requires 5772
competition for the whole contract and in regard to its component 5773

parts, including labor and materials. Neither plans nor 5774
specifications shall be drawn to favor any manufacturer or bidder 5775
unless required by the public interest. 5776

Sec. 5543.22. Notwithstanding sections 153.65 to 153.71 of 5777
the Revised Code, a county engineer may combine the design and 5778
construction elements of a bridge, highway, or safety project into 5779
a single contract, but only if the cost of the project as bid does 5780
not exceed one million five hundred thousand dollars. 5781

When required to use competitive bidding, the county engineer 5782
shall award a design-build contract in accordance with sections 5783
307.86 to 307.92 of the Revised Code. In lieu of the requirement 5784
for plans, the county engineer shall prepare and distribute a 5785
scope of work document upon which bidders shall base their bids. 5786

A county engineer may request the director of transportation 5787
to review and comment on the scope of work document or the 5788
construction plans for conformance with state and federal 5789
requirements. If so requested, the director shall review and 5790
comment on the document or plans. 5791

Sec. 5575.01. In the maintenance and repair of roads the 5792
board of township trustees may proceed either by contract or force 5793
account, provided the board has first caused the county engineer 5794
to complete the force account assessment form developed by the 5795
auditor of state under section 117.16 of the Revised Code. Except 5796
as otherwise provided in sections 505.08 and 505.101 of the 5797
Revised Code, when the board proceeds by contract the contract 5798
shall, if the amount involved exceeds ~~fifteen~~ forty-five thousand 5799
dollars, be let by the board to the lowest responsible bidder 5800
after advertisement for bids once, not later than two weeks prior 5801
to the date fixed for the letting of such contract, in a newspaper 5802
published in the county and of general circulation within the 5803

township, but if there is no such paper published in the county, 5804
then in one having general circulation in the township. If the 5805
amount involved is ~~fifteen~~ forty-five thousand dollars or less ~~the~~ 5806
a contract may be let without competitive bidding or the work may 5807
be done by force account. Such contract shall be performed under 5808
the supervision of a member of the board or the township road 5809
superintendent. 5810

Before undertaking the construction or reconstruction of a 5811
township road, the board shall cause to be made by the county 5812
engineer an estimate of the cost of such work, which estimate 5813
shall include labor, material, freight, fuel, hauling, use of 5814
machinery and equipment, and all other items of cost. If the board 5815
finds it in the best interest of the public, it may, in lieu of 5816
constructing the road by contract, proceed to construct the road 5817
by force account. Except as otherwise provided under sections 5818
505.08 and 505.101 of the Revised Code, where the total estimate 5819
cost of the work exceeds ~~five~~ fifteen thousand dollars per mile, 5820
the board shall invite and receive competitive bids for furnishing 5821
all the labor, materials, and equipment and doing the work, as 5822
provided in section 5575.02 of the Revised Code, and shall 5823
consider and reject them before ordering the work done by force 5824
account. When such bids are received, considered, and rejected, 5825
and the work done by force account, such work shall be performed 5826
in compliance with the plans and specifications upon which the 5827
bids were based. 5828

All force account work shall be done under the direction of a 5829
member of the board or the superintendent. 5830

Sec. 5735.27. (A) There is hereby created in the state 5831
treasury the gasoline excise tax fund, which shall be distributed 5832
in the following manner: 5833

(1) The amount credited pursuant to divisions (B)(2)(a) and 5834

(C)(2)(a) of section 5735.23 of the Revised Code shall be 5835
distributed among municipal corporations. The amount paid to each 5836
municipal corporation shall be that proportion of the amount to be 5837
so distributed that the number of motor vehicles registered within 5838
such municipal corporation bears to the total number of motor 5839
vehicles registered within all the municipal corporations of this 5840
state during the preceding motor vehicle registration year. When a 5841
new village is incorporated, the registrar of motor vehicles shall 5842
determine from the applications on file in the bureau of motor 5843
vehicles the number of motor vehicles located within the territory 5844
comprising the village during the entire registration year in 5845
which such municipal corporation was incorporated. The registrar 5846
shall forthwith certify the number of motor vehicles so determined 5847
to the tax commissioner for use in distributing motor vehicle fuel 5848
tax funds to such village until such village is qualified to 5849
participate in the distribution of such funds pursuant to this 5850
division. The number of such motor vehicle registrations shall be 5851
determined by the official records of the bureau of motor 5852
vehicles. The amount received by each municipal corporation shall 5853
be used to plan, construct, reconstruct, repave, widen, maintain, 5854
repair, clear, and clean public highways, roads, and streets; to 5855
maintain and repair bridges and viaducts; to purchase, erect, and 5856
maintain street and traffic signs and markers; to pay the costs 5857
apportioned to the municipal corporation under section 4907.47 of 5858
the Revised Code; to purchase, erect, and maintain traffic lights 5859
and signals; to pay the principal, interest, and charges on bonds 5860
and other obligations issued pursuant to Chapter 133. of the 5861
Revised Code for the purpose of acquiring or constructing roads, 5862
highways, bridges, or viaducts or acquiring or making other 5863
highway improvements for which the municipal corporation may issue 5864
bonds; and to supplement revenue already available for such 5865
purposes. 5866

(2) The amount credited pursuant to division (B) of section 5867

5735.26 of the Revised Code shall be distributed among the 5868
municipal corporations within the state, in the proportion which 5869
the number of motor vehicles registered within each municipal 5870
corporation bears to the total number of motor vehicles registered 5871
within all the municipal corporations of the state during the 5872
preceding calendar year, as shown by the official records of the 5873
bureau of motor vehicles, and shall be expended by each municipal 5874
corporation to plan, construct, reconstruct, repave, widen, 5875
maintain, repair, clear, and clean public highways, roads and 5876
streets; to maintain and repair bridges and viaducts; to purchase, 5877
erect, and maintain street and traffic signs and markers; to 5878
purchase, erect, and maintain traffic lights and signals; to pay 5879
costs apportioned to the municipal corporation under section 5880
4907.47 of the Revised Code; to pay the principal, interest, and 5881
charges on bonds and other obligations issued pursuant to Chapter 5882
133. of the Revised Code for the purpose of acquiring or 5883
constructing roads, highways, bridges, or viaducts or acquiring or 5884
making other highway improvements for which the municipal 5885
corporation may issue bonds; and to supplement revenue already 5886
available for such purposes. 5887

(3) The amount credited pursuant to divisions (B)(2)(b) and 5888
(C)(2)(c) of section 5735.23 of the Revised Code shall be paid in 5889
equal proportions to the county treasurer of each county within 5890
the state and shall be used only for the purposes of planning, 5891
maintaining, and repairing the county system of public roads and 5892
highways within such county; the planning, construction, and 5893
repair of walks or paths along county roads in congested areas; 5894
the planning, construction, purchase, lease, and maintenance of 5895
suitable buildings for the housing and repair of county road 5896
machinery, housing of supplies, and housing of personnel 5897
associated with the machinery and supplies; the payment of costs 5898
apportioned to the county under section 4907.47 of the Revised 5899
Code; the payment of principal, interest, and charges on bonds and 5900

other obligations issued pursuant to Chapter 133. of the Revised Code for the purpose of acquiring or constructing roads, highways, bridges, or viaducts or acquiring or making other highway improvements for which the board of county commissioners may issue bonds under that chapter; and the purchase, installation, and maintenance of traffic signal lights.

(4) The amount credited pursuant to division (C) of section 5735.26 of the Revised Code shall be paid in equal proportions to the county treasurer of each county for the purposes of planning, maintaining, constructing, widening, and reconstructing the county system of public roads and highways; paying principal, interest, and charges on bonds and other obligations issued pursuant to Chapter 133. of the Revised Code for the purpose of acquiring or constructing roads, highways, bridges, or viaducts or acquiring or making other highway improvements for which the board of county commissioners may issue bonds under such chapter; and paying costs apportioned to the county under section 4907.47 of the Revised Code.

(5)(a) The amount credited pursuant to division (D) of section 5735.26 and division (C)(2)(b) of section 5735.23 of the Revised Code shall be divided in equal proportions among the townships within the state ~~and~~.

(b) As used in division (A)(5)(b) of this section, the "formula amount" for any township is the amount that would be allocated to that township if fifty per cent of the amount credited to townships pursuant to section 5735.291 of the Revised Code were allocated among townships in the state proportionate to the number of lane miles within the boundaries of the respective townships and the other fifty per cent of the amount credited pursuant to section 5735.291 of the Revised Code were allocated among townships in the state proportionate to the number of motor vehicles registered within the respective townships.

The amount credited to townships pursuant to section 5735.291 5933
of the Revised Code shall be allocated among townships as follows: 5934

(i) In the year beginning August 15, 2003, each township 5935
shall receive the greater of \$14,718 or seventy per cent of the 5936
formula amount for that township. 5937

(ii) In the year beginning August 15, 2004, each township 5938
shall receive the greater of \$29,436 or seventy per cent of the 5939
formula amount for that township. 5940

(iii) In the year beginning August 15, 2005 each township 5941
shall receive the greater of \$44,155 or seventy per cent of the 5942
formula amount for that township. 5943

(c) All amounts credited pursuant to divisions (a) and (b) of 5944
this section shall be paid to the county treasurer of each county 5945
for the total amount payable to the townships within each of the 5946
counties. The county treasurer shall pay to each township within 5947
the county its ~~equal~~ proportional share of the funds, which shall 5948
be expended by each township for the sole purpose of planning, 5949
constructing, maintaining, widening, and reconstructing the public 5950
roads and highways within such township, and paying costs 5951
apportioned to the township under section 4907.47 of the Revised 5952
Code. 5953

No part of the funds shall be used for any purpose except to 5954
pay in whole or part the contract price of any such work done by 5955
contract, or to pay the cost of labor in planning, constructing, 5956
widening, and reconstructing such roads and highways, and the cost 5957
of materials forming a part of the improvement; provided, that 5958
such funds may be used for the purchase of road machinery and 5959
equipment and for the planning, construction, and maintenance of 5960
suitable buildings for housing road machinery and equipment, and 5961
that all such improvement of roads shall be under supervision and 5962
direction of the county engineer as provided in section 5575.07 of 5963

the Revised Code. No obligation against such funds shall be 5964
incurred unless plans and specifications for such improvement, 5965
approved by the county engineer, are on file in the office of the 5966
township clerk, and all contracts for material and for work done 5967
by contract shall be approved by the county engineer before being 5968
signed by the board of township trustees. The board of township 5969
trustees of any township may pass a resolution permitting the 5970
board of county commissioners to expend such township's share of 5971
the funds, or any portion thereof, for the improvement of such 5972
roads within the township as may be designated in the resolution. 5973

All investment earnings of the fund shall be credited to the 5974
fund. 5975

(B) Amounts credited to the highway operating fund pursuant 5976
to divisions (B)(2)(c) and (C)(2)(d) of section 5735.23 and 5977
division (A) of section 5735.26 of the Revised Code shall be 5978
expended in the following manner: 5979

(1) The amount credited pursuant to divisions (B)(2)(c) and 5980
(C)(2)(d) of section 5735.23 of the Revised Code shall be 5981
apportioned to and expended by the department of transportation 5982
for the purposes of planning, maintaining, repairing, and keeping 5983
in passable condition for travel the roads and highways of the 5984
state required by law to be maintained by the department; paying 5985
the costs apportioned to the state under section 4907.47 of the 5986
Revised Code; paying that portion of the construction cost of a 5987
highway project which a county, township, or municipal corporation 5988
normally would be required to pay, but which the director of 5989
transportation, pursuant to division (B) of section 5531.08 of the 5990
Revised Code, determines instead will be paid from moneys in the 5991
highway operating fund; and paying the costs of the department of 5992
public safety in administering and enforcing the state law 5993
relating to the registration and operation of motor vehicles. 5994

(2) The amount credited pursuant to division (A) of section 5995

5735.26 of the Revised Code shall be used for paying the state's 5996
share of the cost of planning, constructing, widening, 5997
maintaining, and reconstructing the state highways; paying that 5998
portion of the construction cost of a highway project which a 5999
county, township, or municipal corporation normally would be 6000
required to pay, but which the director of transportation, 6001
pursuant to division (B) of section 5531.08 of the Revised Code, 6002
determines instead will be paid from moneys in the highway 6003
operating fund; and also for supplying the state's share of the 6004
cost of eliminating railway grade crossings upon such highways and 6005
costs apportioned to the state under section 4907.47 of the 6006
Revised Code. The director of transportation may expend portions 6007
of such amount upon extensions of state highways within municipal 6008
corporations or upon portions of state highways within municipal 6009
corporations, as is provided by law. 6010

Sec. 5735.29. To provide revenue for supplying the state's 6011
share of the cost of constructing, widening, maintaining, and 6012
reconstructing the state highways; to maintain and repair bridges 6013
and viaducts; to purchase, erect, and maintain street and traffic 6014
signs and markers; to purchase, erect, and maintain traffic lights 6015
and signals; to pay the expense of administering and enforcing the 6016
state law relative to the registration and operation of motor 6017
vehicles; to make road improvements associated with retaining or 6018
attracting business for this state, to pay that portion of the 6019
construction cost of a highway project which a county, township, 6020
or municipal corporation normally would be required to pay, but 6021
which the director of transportation, pursuant to division (B) of 6022
section 5531.08 of the Revised Code, determines instead will be 6023
paid from moneys in the highway operating fund; to provide revenue 6024
for the purposes of sections 1547.71 to 1547.78 of the Revised 6025
Code; and to supplement revenue already available for such 6026
purposes, to pay the expenses of the department of taxation 6027

incident to the administration of the motor fuel laws, to 6028
supplement revenue already available for such purposes; and to pay 6029
the interest, principal, and charges on highway obligations issued 6030
pursuant to Section 2i of Article VIII, Ohio Constitution, and 6031
sections 5528.30 and 5528.31 of the Revised Code; to enable the 6032
counties and townships of the state to properly plan, construct, 6033
widen, reconstruct, and maintain their public highways, roads, and 6034
streets; to enable counties to pay principal, interest, and 6035
charges on bonds and other obligations issued pursuant to Chapter 6036
133. of the Revised Code for highway improvements; to enable 6037
municipal corporations to plan, construct, reconstruct, repave, 6038
widen, maintain, repair, clear, and clean public highways, roads, 6039
and streets; to enable municipal corporations to pay the 6040
principal, interest, and charges on bonds and other obligations 6041
issued pursuant to Chapter 133. of the Revised Code for highway 6042
improvements; and to pay the costs apportioned to the public under 6043
section 4907.47 of the Revised Code, a motor fuel excise tax is 6044
hereby imposed on all motor fuel dealers upon their receipt of 6045
motor fuel within the state at the rate of two cents on each 6046
gallon so received; provided, that effective July 1, 2003, the 6047
motor fuel excise tax imposed by this section shall be at the rate 6048
of four cents on each gallon so received; effective July 1, 2004, 6049
the motor fuel excise tax imposed by this section shall be at the 6050
rate of six cents on each gallon so received; and effective July 6051
1, 2005, the motor fuel excise tax imposed by this section shall 6052
be at the rate of eight cents on each gallon so received. This tax 6053
is subject to the specific exemptions set forth in this chapter of 6054
the Revised Code. It shall be reported, computed, paid, collected, 6055
administered, enforced, and refunded, and the failure properly and 6056
correctly to report and pay the tax shall be penalized, in exactly 6057
the same manner as is provided in this chapter. Such sections 6058
relating to motor fuel excise taxes are reenacted and incorporated 6059
as if specifically set forth in this section. The tax levied by 6060

this section is in addition to any other taxes imposed under this 6061
chapter. 6062

Sec. 5735.291. (A) The treasurer of state shall place to the 6063
credit of the tax refund fund created by section 5703.052 of the 6064
Revised Code, out of receipts from the tax levied by section 6065
5735.29 of the Revised Code, amounts equal to the refunds 6066
certified by the tax commissioner pursuant to sections 5735.142 6067
and 5735.29 of the Revised Code. The refunds provided for by 6068
sections 5735.142 and 5735.29 of the Revised Code shall be paid 6069
from such fund. The treasurer of state shall transfer the amount 6070
required by section 5735.051 of the Revised Code to the waterways 6071
safety fund. The specified portion of the balance of taxes 6072
collected under section 5735.29 of the Revised Code after the 6073
credits to the tax refund fund, and after the transfer to the 6074
waterways safety fund, shall be credited to the gasoline excise 6075
tax fund. Subject to division (B) of this section, forty-two and 6076
eighty-six hundredths per cent of the specified portion shall be 6077
distributed among the municipal corporations within the state in 6078
accordance with division (A)(2) of section 5735.27 of the Revised 6079
Code, thirty-seven and fourteen hundredths per cent of the 6080
specified portion shall be distributed among the counties within 6081
the state in accordance with division (A)(3) of section 5735.27 of 6082
the Revised Code, and twenty per cent of the specified portion 6083
shall be distributed among the townships within the state in 6084
accordance with division (A)(5) of section 5735.27 of the Revised 6085
Code. Subject to division (B) of this section, the remainder of 6086
the tax levied by section 5735.29 of the Revised Code after 6087
receipt by the treasurer of state of certifications from the 6088
commissioners of the sinking fund certifying, as required by 6089
sections 5528.15 and 5528.35 of the Revised Code, there are 6090
sufficient moneys to the credit of the highway improvement bond 6091
retirement fund created by section 5528.12 of the Revised Code to 6092

meet in full all payments of interest, principal, and charges for 6093
the retirement of bonds and other obligations issued pursuant to 6094
Section 2g of Article VIII, Ohio Constitution, and sections 6095
5528.10 and 5528.11 of the Revised Code due and payable during the 6096
current calendar year, and that there are sufficient moneys to the 6097
credit of the highway obligations bond retirement fund created by 6098
section 5528.32 of the Revised Code to meet in full all payments 6099
of interest, principal, and charges for the retirement of highway 6100
obligations issued pursuant to Section 2i of Article VIII, Ohio 6101
Constitution, and sections 5528.30 and 5528.31 of the Revised Code 6102
due and payable during the current calendar year, shall be 6103
credited to the highway operating fund, which is hereby created in 6104
the state treasury and shall be used solely for the purposes 6105
enumerated in section 5735.29 of the Revised Code. All investment 6106
earnings of the fund shall be credited to the fund. 6107

(B)(1)(a) Effective August 15, 2003, prior to the 6108
distribution from the gasoline excise tax fund to municipal 6109
corporations of the forty-two and eighty-six hundredths per cent 6110
of the specified portion as provided in division (A) of this 6111
section, four hundred sixty thousand dollars from that forty-two 6112
and eighty-six hundredths per cent shall be credited to townships 6113
and distributed pursuant to division (A)(5)(b) of section 5735.27 6114
of the Revised Code. 6115

(b) Effective August 15, 2003, prior to the distribution from 6116
the gasoline excise tax fund to counties of the thirty-seven and 6117
fourteen hundredths per cent of the specified portion as provided 6118
in division (A) of this section, four hundred sixty thousand 6119
dollars from that thirty-seven and fourteen hundredths per cent 6120
shall be credited to townships pursuant to division (A)(5)(b) of 6121
section 5735.27 of the Revised Code. 6122

(c) Effective August 15, 2003, prior to crediting any revenue 6123
resulting from the tax levied by section 5735.29 of the Revised 6124

Code to the highway operating fund, the treasurer shall credit one 6125
million five hundred thousand dollars to townships for 6126
distribution pursuant to division (A)(5)(b) of section 5735.27 of 6127
the Revised Code. 6128

(2)(a) Effective August 15, 2004, prior to the distribution 6129
from the gasoline excise tax fund to municipal corporations of the 6130
forty-two and eighty-six hundredths per cent of the specified 6131
portion as provided in division (A) of this section, nine hundred 6132
twenty thousand dollars from that forty-two and eighty-six 6133
hundredths per cent shall be credited to townships pursuant to 6134
division (A)(5)(b) of section 5735.27 of the Revised Code. 6135

(b) Effective August 15, 2004, prior to the distribution from 6136
the gasoline excise tax fund to counties of the thirty-seven and 6137
fourteen hundredths per cent of the specified portion as provided 6138
in division (A) of this section, nine hundred twenty thousand 6139
dollars from that thirty-seven and fourteen hundredths per cent 6140
shall be credited to townships pursuant to division (A)(5)(b) of 6141
section 5735.27 of the Revised Code. 6142

(c) Effective August 15, 2004, prior to crediting any revenue 6143
resulting from the tax levied by section 5735.29 of the Revised 6144
Code to the highway operating fund, the treasurer shall credit 6145
three million dollars to townships for distribution pursuant to 6146
division (A)(5)(b) of section 5735.27 of the Revised Code. 6147

(3)(a) Effective August 15, 2005, prior to the distribution 6148
from the gasoline excise tax fund to municipal corporations of the 6149
forty-two and eighty-six hundredths per cent of the specified 6150
portion as provided in division (A) of this section, one million 6151
three hundred eighty thousand dollars from that forty-two and 6152
eighty-six hundredths per cent shall be credited to townships 6153
pursuant to division (A)(5)(b) of section 5735.27 of the Revised 6154
Code. 6155

(b) Effective August 15, 2005, prior to the distribution from the gasoline excise tax fund to counties of the thirty-seven and fourteen hundredths per cent of the specified portion as provided in division (A) of this section, one million three hundred eighty thousand dollars from that thirty-seven and fourteen hundredths per cent shall be credited to townships in accordance with division (A)(5)(b) of section 5735.27 of the Revised Code.

(c) Effective August 15, 2005, prior to crediting any revenue resulting from the tax levied by section 5735.29 of the Revised Code to the highway operating fund, the treasurer shall credit four million five hundred thousand dollars to townships for distribution pursuant to division (A)(5)(b) of section 5735.27 of the Revised Code.

(C) As used in this section, "specified portion" means all of the following:

(1) Until August 15, 2003, none of the taxes collected under section 5735.29 of the Revised Code;

(2) Effective August 15, 2003, one-eighth of the balance of taxes collected under section 5735.29 of the Revised Code, after the credits to the tax refund fund and after the transfer to the waterways safety fund;

(3) Effective August 15, 2004, one-sixth of the balance of taxes described in division (B)(2) of this section;

(4) Effective August 15, 2005, three-sixteenths of the balance of taxes described in division (B)(2) of this section.

Section 2. That existing sections 723.52, 723.53, 1547.11, 3704.14, 3704.143, 4501.10, 4503.10, 4503.101, 4503.103, 4503.11, 4503.173, 4503.181, 4503.182, 4503.19, 4503.21, 4503.23, 4503.50, 4503.51, 4503.55, 4503.561, 4503.591, 4503.67, 4503.68, 4503.69, 4503.71, 4503.711, 4503.72, 4503.73, 4503.75, 4505.09, 4506.08,

4507.23, 4511.04, 4511.19, 4511.191, 4511.197, 4513.111, 4513.52, 6186
4513.53, 4549.10, 5501.20, 5501.34, 5501.45, 5502.02, 5517.011, 6187
5517.02, 5525.20, 5531.10, 5543.19, 5575.01, 5735.27, 5735.29, and 6188
5735.291, and sections 4501.20, 4501.22, 4501.29, 4501.30, 6189
4501.311, 4501.32, 4501.33, 4501.39, 4501.40, 4501.41, 4501.61, 6190
4501.71, and 4503.251 of the Revised Code are hereby repealed. 6191

Section 3. Section 4511.197 of the Revised Code, as amended 6192
by this act, shall take effect January 1, 2004. 6193

Section 4. That the versions of sections 1547.11, 4503.10, 6194
4503.11, 4503.182, 4503.19, 4503.21, 4511.19, 4513.111, and 6195
4549.10 of the Revised Code that are scheduled to take effect 6196
January 1, 2004, be amended to read as follows: 6197

Sec. 1547.11. (A) No person shall operate or be in physical 6198
control of any vessel underway or shall manipulate any water skis, 6199
aquaplane, or similar device on the waters in this state if, at 6200
the time of the operation, control, or manipulation, any of the 6201
following applies: 6202

(1) The person is under the influence of alcohol, a drug of 6203
abuse, or a combination of them. 6204

(2) The person has a concentration of ~~ten-hundredths~~ 6205
eight-hundredths of one per cent or more by weight of alcohol per 6206
unit volume in the person's whole blood. 6207

(3) The person has a concentration of ~~twelve-hundredths~~ 6208
ninety-six-thousandths of one per cent or more by weight per unit 6209
volume of alcohol in the person's blood serum or plasma. 6210

(4) The person has a concentration of ~~fourteen-hundredths~~ 6211
eleven-hundredths of one gram or more by weight of alcohol per one 6212
hundred milliliters of the person's urine. 6213

(5) The person has a concentration of ~~ten-hundredths~~ 6214

~~eight-hundredths~~ of one gram or more by weight of alcohol per two hundred ten liters of the person's breath. 6215
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(B) No person under twenty-one years of age shall operate or be in physical control of any vessel underway or shall manipulate any water skis, aquaplane, or similar device on the waters in this state if, at the time of the operation, control, or manipulation, any of the following applies: 6217
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(1) The person has a concentration of at least two-hundredths of one per cent, but less than ~~ten-hundredths~~ eight-hundredths of one per cent by weight per unit volume of alcohol in the person's whole blood. 6222
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(2) The person has a concentration of at least three-hundredths of one per cent but less than ~~twelve-hundredths~~ ninety-six-thousandths of one per cent by weight per unit volume of alcohol in the person's blood serum or plasma. 6226
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(3) The person has a concentration of at least twenty-eight one-thousandths of one gram, but less than ~~fourteen-hundredths~~ eleven-hundredths of one gram by weight of alcohol per one hundred milliliters of the person's urine. 6230
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(4) The person has a concentration of at least two-hundredths of one gram, but less than ~~ten-hundredths~~ eight-hundredths of one gram by weight of alcohol per two hundred ten liters of the person's breath. 6234
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(C) In any proceeding arising out of one incident, a person may be charged with a violation of division (A)(1) and a violation of division (B)(1), (2), (3), or (4) of this section, but the person shall not be convicted of more than one violation of those divisions. 6238
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(D)(1) In any criminal prosecution or juvenile court proceeding for a violation of this section or for an equivalent violation, the court may admit evidence on the concentration of 6243
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alcohol, drugs of abuse, or a combination of them in the 6246
defendant's or child's whole blood, blood serum or plasma, urine, 6247
or breath at the time of the alleged violation as shown by 6248
chemical analysis of the substance withdrawn, or specimen taken 6249
within two hours of the time of the alleged violation. 6250

When a person submits to a blood test, only a physician, a 6251
registered nurse, or a qualified technician, chemist, or 6252
phlebotomist shall withdraw blood for the purpose of determining 6253
the alcohol, drug, or alcohol and drug content of the whole blood, 6254
blood serum, or blood plasma. This limitation does not apply to 6255
the taking of breath or urine specimens. A person authorized to 6256
withdraw blood under this division may refuse to withdraw blood 6257
under this division if, in that person's opinion, the physical 6258
welfare of the defendant or child would be endangered by 6259
withdrawing blood. 6260

The whole blood, blood serum or plasma, urine, or breath 6261
shall be analyzed in accordance with methods approved by the 6262
director of health by an individual possessing a valid permit 6263
issued by the director pursuant to section 3701.143 of the Revised 6264
Code. 6265

(2) In a criminal prosecution or juvenile court proceeding 6266
for a violation of division (A) of this section or for a violation 6267
of a prohibition that is substantially equivalent to division (A) 6268
of this section, if there was at the time the whole blood, blood 6269
serum or plasma, urine, or breath was taken a concentration of 6270
less than the applicable concentration of alcohol specified for a 6271
violation of division (A)(2), (3), (4), or (5) of this section, 6272
that fact may be considered with other competent evidence in 6273
determining the guilt or innocence of the defendant or in making 6274
an adjudication for the child. This division does not limit or 6275
affect a criminal prosecution or juvenile court proceeding for a 6276
violation of division (B) of this section or for a violation of a 6277

prohibition that is substantially equivalent to that division. 6278

(3) Upon the request of the person who was tested, the 6279
results of the chemical test shall be made available to the person 6280
or the person's attorney immediately upon completion of the test 6281
analysis. 6282

The person tested may have a physician, a registered nurse, 6283
or a qualified technician, chemist, or phlebotomist of the 6284
person's own choosing administer a chemical test or tests in 6285
addition to any administered at the direction of a law enforcement 6286
officer, and shall be so advised. The failure or inability to 6287
obtain an additional test by a person shall not preclude the 6288
admission of evidence relating to the test or tests taken at the 6289
direction of a law enforcement officer. 6290

(E)(1) Subject to division (E)(3) of this section, in any 6291
criminal prosecution or juvenile court proceeding for a violation 6292
of this section or for an equivalent violation, the court shall 6293
admit as prima-facie evidence a laboratory report from any 6294
forensic laboratory certified by the department of health that 6295
contains an analysis of the whole blood, blood serum or plasma, 6296
breath, urine, or other bodily substance tested and that contains 6297
all of the information specified in this division. The laboratory 6298
report shall contain all of the following: 6299

(a) The signature, under oath, of any person who performed 6300
the analysis; 6301

(b) Any findings as to the identity and quantity of alcohol, 6302
a drug of abuse, or a combination of them that was found; 6303

(c) A copy of a notarized statement by the laboratory 6304
director or a designee of the director that contains the name of 6305
each certified analyst or test performer involved with the report, 6306
the analyst's or test performer's employment relationship with the 6307
laboratory that issued the report, and a notation that performing 6308

an analysis of the type involved is part of the analyst's or test performer's regular duties; 6309
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(d) An outline of the analyst's or test performer's education, training, and experience in performing the type of analysis involved and a certification that the laboratory satisfies appropriate quality control standards in general and, in this particular analysis, under rules of the department of health. 6311
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(2) Notwithstanding any other provision of law regarding the admission of evidence, a report of the type described in division (E)(1) of this section is not admissible against the defendant or child to whom it pertains in any proceeding, other than a preliminary hearing or a grand jury proceeding, unless the prosecutor has served a copy of the report on the defendant's or child's attorney or, if the defendant or child has no attorney, on the defendant or child. 6316
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(3) A report of the type described in division (E)(1) of this section shall not be prima-facie evidence of the contents, identity, or amount of any substance if, within seven days after the defendant or child to whom the report pertains or the defendant's or child's attorney receives a copy of the report, the defendant or child or the defendant's or child's attorney demands the testimony of the person who signed the report. The judge in the case may extend the seven-day time limit in the interest of justice. 6324
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(F) Except as otherwise provided in this division, any physician, registered nurse, or qualified technician, chemist, or phlebotomist who withdraws blood from a person pursuant to this section, and a hospital, first-aid station, or clinic at which blood is withdrawn from a person pursuant to this section, is immune from criminal and civil liability based upon a claim of assault and battery or any other claim that is not a claim of malpractice, for any act performed in withdrawing blood from the 6333
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person. The immunity provided in this division is not available to 6341
a person who withdraws blood if the person engages in willful or 6342
wanton misconduct. 6343

(G) As used in this section and section 1547.111 of the 6344
Revised Code: 6345

(1) "Equivalent violation" means a violation of a municipal 6346
ordinance, law of another state, or law of the United States that 6347
is substantially equivalent to division (A) or (B) of this 6348
section. 6349

(2) "Operate" means that a vessel is being used on the waters 6350
in this state when the vessel is not securely affixed to a dock or 6351
to shore or to any permanent structure to which the vessel has the 6352
right to affix or that a vessel is not anchored in a designated 6353
anchorage area or boat camping area that is established by the 6354
United States coast guard, this state, or a political subdivision 6355
and in which the vessel has the right to anchor. 6356

Sec. 4503.10. (A) The owner of every snowmobile, off-highway 6357
motorcycle, and all-purpose vehicle required to be registered 6358
under section 4519.02 of the Revised Code shall file an 6359
application for registration under section 4519.03 of the Revised 6360
Code. The owner of a motor vehicle, other than a snowmobile, 6361
off-highway motorcycle, or all-purpose vehicle, that is not 6362
designed and constructed by the manufacturer for operation on a 6363
street or highway may not register it under this chapter except 6364
upon certification of inspection pursuant to section 4513.02 of 6365
the Revised Code by the sheriff, or the chief of police of the 6366
municipal corporation or township, with jurisdiction over the 6367
political subdivision in which the owner of the motor vehicle 6368
resides. Except as provided in section 4503.103 of the Revised 6369
Code, every owner of every other motor vehicle not previously 6370
described in this section and every person mentioned as owner in 6371

the last certificate of title of a motor vehicle that is operated 6372
or driven upon the public roads or highways shall cause to be 6373
filed each year, by mail or otherwise, in the office of the 6374
registrar of motor vehicles or a deputy registrar, a written or 6375
electronic application or a preprinted registration renewal notice 6376
issued under section 4503.102 of the Revised Code, the form of 6377
which shall be prescribed by the registrar, for registration for 6378
the following registration year, which shall begin on the first 6379
day of January of every calendar year and end on the thirty-first 6380
day of December in the same year. Applications for registration 6381
and registration renewal notices shall be filed at the times 6382
established by the registrar pursuant to section 4503.101 of the 6383
Revised Code. A motor vehicle owner also may elect to apply for or 6384
renew a motor vehicle registration by electronic means using 6385
electronic signature in accordance with rules adopted by the 6386
registrar. Except as provided in division (J) of this section, 6387
applications for registration shall be made on blanks furnished by 6388
the registrar for that purpose, containing the following 6389
information: 6390

(1) A brief description of the motor vehicle to be 6391
registered, including the name of the manufacturer, the factory 6392
number of the vehicle, the year's model, and, in the case of 6393
commercial cars, the gross weight of the vehicle fully equipped 6394
computed in the manner prescribed in section 4503.08 of the 6395
Revised Code; 6396

(2) The name and residence address of the owner, and the 6397
township and municipal corporation in which the owner resides; 6398

(3) The district of registration, which shall be determined 6399
as follows: 6400

(a) In case the motor vehicle to be registered is used for 6401
hire or principally in connection with any established business or 6402
branch business, conducted at a particular place, the district of 6403

registration is the municipal corporation in which that place is 6404
located or, if not located in any municipal corporation, the 6405
county and township in which that place is located. 6406

(b) In case the vehicle is not so used, the district of 6407
registration is the municipal corporation or county in which the 6408
owner resides at the time of making the application. 6409

(4) Whether the motor vehicle is a new or used motor vehicle; 6410

(5) The date of purchase of the motor vehicle; 6411

(6) Whether the fees required to be paid for the registration 6412
or transfer of the motor vehicle, during the preceding 6413
registration year and during the preceding period of the current 6414
registration year, have been paid. Each application for 6415
registration shall be signed by the owner, either manually or by 6416
electronic signature, or pursuant to obtaining a limited power of 6417
attorney authorized by the registrar for registration, or other 6418
document authorizing such signature. If the owner elects to apply 6419
for or renew the motor vehicle registration with the registrar by 6420
electronic means, the owner's manual signature is not required. 6421

(7) The owner's social security number, if assigned, or, 6422
where a motor vehicle to be registered is used for hire or 6423
principally in connection with any established business, the 6424
owner's federal taxpayer identification number. The bureau of 6425
motor vehicles shall retain in its records all social security 6426
numbers provided under this section, but the bureau shall not 6427
place social security numbers on motor vehicle certificates of 6428
registration. 6429

(B) Each time an applicant first registers a motor vehicle in 6430
the applicant's name, the applicant shall present for inspection a 6431
physical certificate of title or memorandum certificate showing 6432
title to the motor vehicle to be registered in the name of the 6433
applicant if a physical certificate of title or memorandum 6434

certificate has been issued by a clerk of a court of common pleas. 6435
If, under sections 4505.021, 4505.06, and 4505.08 of the Revised 6436
Code, a clerk instead has issued an electronic certificate of 6437
title for the applicant's motor vehicle, that certificate may be 6438
presented for inspection at the time of first registration in a 6439
manner prescribed by rules adopted by the registrar. When a motor 6440
vehicle inspection and maintenance program is in effect under 6441
section 3704.14 of the Revised Code and rules adopted under it, 6442
each application for registration for a vehicle required to be 6443
inspected under that section and those rules shall be accompanied 6444
by an inspection certificate for the motor vehicle issued in 6445
accordance with that section. The application shall be refused if 6446
any of the following applies: 6447

(1) The application is not in proper form. 6448

(2) The application is prohibited from being accepted by 6449
division (D) of section 2935.27, division (A) of section 2937.221, 6450
division (A) of section 4503.13, division (B) of section 4510.22, 6451
or division (B)(1) of section 4521.10 of the Revised Code. 6452

(3) A certificate of title or memorandum certificate of title 6453
does not accompany the application or, in the case of an 6454
electronic certificate of title, is not presented in a manner 6455
prescribed by the registrar's rules. 6456

(4) All registration and transfer fees for the motor vehicle, 6457
for the preceding year or the preceding period of the current 6458
registration year, have not been paid. 6459

(5) The owner or lessee does not have an inspection 6460
certificate for the motor vehicle as provided in section 3704.14 6461
of the Revised Code, and rules adopted under it, if that section 6462
is applicable. 6463

This section does not require the payment of license or 6464
registration taxes on a motor vehicle for any preceding year, or 6465

for any preceding period of a year, if the motor vehicle was not 6466
taxable for that preceding year or period under sections 4503.02, 6467
4503.04, 4503.11, 4503.12, and 4503.16 or Chapter 4504. of the 6468
Revised Code. When a certificate of registration is issued upon 6469
the first registration of a motor vehicle by or on behalf of the 6470
owner, the official issuing the certificate shall indicate the 6471
issuance with a stamp on the certificate of title or memorandum 6472
certificate or, in the case of an electronic certificate of title, 6473
an electronic stamp or other notation as specified in rules 6474
adopted by the registrar, and with a stamp on the inspection 6475
certificate for the motor vehicle, if any. The official also shall 6476
indicate, by a stamp or by other means the registrar prescribes, 6477
on the registration certificate issued upon the first registration 6478
of a motor vehicle by or on behalf of the owner the odometer 6479
reading of the motor vehicle as shown in the odometer statement 6480
included in or attached to the certificate of title. Upon each 6481
subsequent registration of the motor vehicle by or on behalf of 6482
the same owner, the official also shall so indicate the odometer 6483
reading of the motor vehicle as shown on the immediately preceding 6484
certificate of registration. 6485

The registrar shall include in the permanent registration 6486
record of any vehicle required to be inspected under section 6487
3704.14 of the Revised Code the inspection certificate number from 6488
the inspection certificate that is presented at the time of 6489
registration of the vehicle as required under this division. 6490

(C)(1) Commencing October 1, 2003, the registrar and each 6491
deputy registrar shall collect an additional fee of eight dollars 6492
for each application for registration and registration renewal 6493
received. The additional fee is for the purpose of defraying the 6494
costs associated with the administration and enforcement of the 6495
motor vehicle and traffic laws of Ohio by the state highway 6496
patrol. Each deputy registrar shall transmit the fees collected 6497

under division (C)(1) of this section in the time and manner 6498
provided in this section. The registrar shall deposit all moneys 6499
received under division (C)(1) of this section into the state 6500
highway patrol fund established in section 4501.061 of the Revised 6501
Code. 6502

(2) In addition, a charge of twenty-five cents shall be made 6503
for each reflectorized safety license plate issued, and a single 6504
charge of twenty-five cents shall be made for each county 6505
identification sticker or each set of county identification 6506
stickers issued, as the case may be, to cover the cost of 6507
producing the license plates and stickers, including material, 6508
manufacturing, and administrative costs. Those fees shall be in 6509
addition to the license tax. If the total cost of producing the 6510
plates is less than twenty-five cents per plate, or if the total 6511
cost of producing the stickers is less than twenty-five cents per 6512
sticker or per set issued, any excess moneys accruing from the 6513
fees shall be distributed in the same manner as provided by 6514
section 4501.04 of the Revised Code for the distribution of 6515
license tax moneys. If the total cost of producing the plates 6516
exceeds twenty-five cents per plate, or if the total cost of 6517
producing the stickers exceeds twenty-five cents per sticker or 6518
per set issued, the difference shall be paid from the license tax 6519
moneys collected pursuant to section 4503.02 of the Revised Code. 6520

(D) Each deputy registrar shall be allowed a fee of two 6521
dollars and seventy-five cents commencing on July 1, 2001, three 6522
dollars and twenty-five cents commencing on January 1, 2003, and 6523
three dollars and fifty cents commencing on January 1, 2004, for 6524
each application for registration and registration renewal notice 6525
the deputy registrar receives, which shall be for the purpose of 6526
compensating the deputy registrar for the deputy registrar's 6527
services, and such office and rental expenses, as may be necessary 6528
for the proper discharge of the deputy registrar's duties in the 6529

receiving of applications and renewal notices and the issuing of 6530
registrations. 6531

(E) Upon the certification of the registrar, the county 6532
sheriff or local police officials shall recover license plates 6533
erroneously or fraudulently issued. 6534

(F) Each deputy registrar, upon receipt of any application 6535
for registration or registration renewal notice, together with the 6536
license fee and any local motor vehicle license tax levied 6537
pursuant to Chapter 4504. of the Revised Code, shall transmit that 6538
fee and tax, if any, in the manner provided in this section, 6539
together with the original and duplicate copy of the application, 6540
to the registrar. The registrar, subject to the approval of the 6541
director of public safety, may deposit the funds collected by 6542
those deputies in a local bank or depository to the credit of the 6543
"state of Ohio, bureau of motor vehicles." Where a local bank or 6544
depository has been designated by the registrar, each deputy 6545
registrar shall deposit all moneys collected by the deputy 6546
registrar into that bank or depository not more than one business 6547
day after their collection and shall make reports to the registrar 6548
of the amounts so deposited, together with any other information, 6549
some of which may be prescribed by the treasurer of state, as the 6550
registrar may require and as prescribed by the registrar by rule. 6551
The registrar, within three days after receipt of notification of 6552
the deposit of funds by a deputy registrar in a local bank or 6553
depository, shall draw on that account in favor of the treasurer 6554
of state. The registrar, subject to the approval of the director 6555
and the treasurer of state, may make reasonable rules necessary 6556
for the prompt transmittal of fees and for safeguarding the 6557
interests of the state and of counties, townships, municipal 6558
corporations, and transportation improvement districts levying 6559
local motor vehicle license taxes. The registrar may pay service 6560
charges usually collected by banks and depositories for such 6561

service. If deputy registrars are located in communities where 6562
banking facilities are not available, they shall transmit the fees 6563
forthwith, by money order or otherwise, as the registrar, by rule 6564
approved by the director and the treasurer of state, may 6565
prescribe. The registrar may pay the usual and customary fees for 6566
such service. 6567

(G) This section does not prevent any person from making an 6568
application for a motor vehicle license directly to the registrar 6569
by mail, by electronic means, or in person at any of the 6570
registrar's offices, upon payment of a service fee of two dollars 6571
and seventy-five cents commencing on July 1, 2001, three dollars 6572
and twenty-five cents commencing on January 1, 2003, and three 6573
dollars and fifty cents commencing on January 1, 2004, for each 6574
application. 6575

(H) No person shall make a false statement as to the district 6576
of registration in an application required by division (A) of this 6577
section. Violation of this division is falsification under section 6578
2921.13 of the Revised Code and punishable as specified in that 6579
section. 6580

(I)(1) Where applicable, the requirements of division (B) of 6581
this section relating to the presentation of an inspection 6582
certificate issued under section 3704.14 of the Revised Code and 6583
rules adopted under it for a motor vehicle, the refusal of a 6584
license for failure to present an inspection certificate, and the 6585
stamping of the inspection certificate by the official issuing the 6586
certificate of registration apply to the registration of and 6587
issuance of license plates for a motor vehicle under sections 6588
4503.102, 4503.12, 4503.14, 4503.15, 4503.16, 4503.171, 4503.172, 6589
4503.19, 4503.40, 4503.41, 4503.42, 4503.43, 4503.44, 4503.46, 6590
4503.47, and 4503.51 of the Revised Code. 6591

(2)(a) The registrar shall adopt rules ensuring that each 6592
owner registering a motor vehicle in a county where a motor 6593

vehicle inspection and maintenance program is in effect under 6594
section 3704.14 of the Revised Code and rules adopted under it 6595
receives information about the requirements established in that 6596
section and those rules and about the need in those counties to 6597
present an inspection certificate with an application for 6598
registration or preregistration. 6599

(b) Upon request, the registrar shall provide the director of 6600
environmental protection, or any person that has been awarded a 6601
contract under division (D) of section 3704.14 of the Revised 6602
Code, an on-line computer data link to registration information 6603
for all passenger cars, noncommercial motor vehicles, and 6604
commercial cars that are subject to that section. The registrar 6605
also shall provide to the director of environmental protection a 6606
magnetic data tape containing registration information regarding 6607
passenger cars, noncommercial motor vehicles, and commercial cars 6608
for which a multi-year registration is in effect under section 6609
4503.103 of the Revised Code or rules adopted under it, including, 6610
without limitation, the date of issuance of the multi-year 6611
registration, the registration deadline established under rules 6612
adopted under section 4503.101 of the Revised Code that was 6613
applicable in the year in which the multi-year registration was 6614
issued, and the registration deadline for renewal of the 6615
multi-year registration. 6616

(J) Application for registration under the international 6617
registration plan, as set forth in sections 4503.60 to 4503.66 of 6618
the Revised Code, shall be made to the registrar on forms 6619
furnished by the registrar. In accordance with international 6620
registration plan guidelines and pursuant to rules adopted by the 6621
registrar, the forms shall include the following: 6622

(1) A uniform mileage schedule; 6623

(2) The gross vehicle weight of the vehicle or combined gross 6624
vehicle weight of the combination vehicle as declared by the 6625

registrant; 6626

(3) Any other information the registrar requires by rule. 6627

Sec. 4503.11. (A) Except as provided by sections 4503.103, 6628
4503.173, 4503.41, 4503.43, and 4503.46 of the Revised Code, no 6629
person who is the owner or chauffeur of a motor vehicle operated 6630
or driven upon the public roads or highways shall fail to file 6631
annually the application for registration or to pay the tax 6632
therefor. 6633

(B) Except as provided by sections 4503.12 and 4503.16 of the 6634
Revised Code, the taxes payable on all applications made under 6635
sections 4503.10 and 4503.102 of the Revised Code shall be the sum 6636
of the tax due under division (B)(1)(a) or (b) of this section 6637
plus the tax due under division (B)(2)(a) or (b) of this section: 6638

(1)(a) If the application is made before the second month of 6639
the current registration period to which the motor vehicle is 6640
assigned as provided in section 4503.101 of the Revised Code, the 6641
tax due is the full amount of the tax provided in section 4503.04 6642
of the Revised Code; 6643

(b) If the application is made during or after the second 6644
month of the current registration period to which the motor 6645
vehicle is assigned as provided in section 4503.101 of the Revised 6646
Code, and prior to the beginning of the next such registration 6647
period, the amount of the tax provided in section 4503.04 of the 6648
Revised Code shall be reduced by one-twelfth of the amount of such 6649
tax, rounded upward to the nearest cent, multiplied by the number 6650
of full months that have elapsed in the current registration 6651
period. The resulting amount shall be rounded upward to the next 6652
highest dollar and shall be the amount of tax due. 6653

(2)(a) If the application is made before the sixth month of 6654
the current registration period to which the motor vehicle is 6655

assigned as provided in section 4503.101 of the Revised Code, the 6656
amount of tax due is the full amount of local motor vehicle 6657
license taxes levied under Chapter 4504. of the Revised Code; 6658

(b) If the application is made during or after the sixth 6659
month of the current registration period to which the motor 6660
vehicle is assigned as provided in section 4503.101 of the Revised 6661
Code and prior to the beginning of the next such registration 6662
period, the amount of tax due is one-half of the amount of local 6663
motor vehicle license taxes levied under Chapter 4504. of the 6664
Revised Code. 6665

(C) The taxes payable on all applications made under division 6666
(A)(1)(b) of section 4503.103 of the Revised Code shall be the sum 6667
of the tax due under division (B)(1)(a) or (b) of this section 6668
plus the tax due under division (B)(2)(a) or (b) of this section 6669
for the first year plus the full amount of the tax provided in 6670
section 4503.04 of the Revised Code and the full amount of local 6671
motor vehicle license taxes levied under Chapter 4504. of the 6672
Revised Code for the second year. 6673

(D) Whoever violates this section is guilty of a misdemeanor 6674
of the fourth degree. 6675

Sec. 4503.182. (A) A purchaser of a motor vehicle, upon 6676
application and proof of purchase of the vehicle, may be issued a 6677
temporary license placard or windshield sticker for the motor 6678
vehicle. 6679

The purchaser of a vehicle applying for a temporary license 6680
placard or windshield sticker under this section shall execute an 6681
affidavit stating that the purchaser has not been issued 6682
previously during the current registration year a license plate 6683
that could legally be transferred to the vehicle. 6684

Placards or windshield stickers shall be issued only for the 6685

applicant's use of the vehicle to enable the applicant to legally 6686
operate the motor vehicle while proper title, license plates, and 6687
a certificate of registration are being obtained, and shall be 6688
displayed on no other motor vehicle. 6689

Placards or windshield stickers issued under this section are 6690
valid for a period of thirty days from date of issuance and are 6691
not transferable or renewable. 6692

The fee for the placards or windshield stickers is two 6693
dollars plus a deputy registrar service fee of two dollars and 6694
seventy-five cents commencing on July 1, 2001, three dollars and 6695
twenty-five cents commencing on January 1, 2003, and three dollars 6696
and fifty cents commencing on January 1, 2004, for each placard 6697
issued by a deputy registrar. 6698

(B) The registrar of motor vehicles may issue to a motorized 6699
bicycle dealer or a licensed motor vehicle dealer temporary 6700
license placards to be issued to purchasers for use on vehicles 6701
sold by the dealer, in accordance with rules prescribed by the 6702
registrar. The dealer shall notify the registrar, within 6703
forty-eight hours, of the issuance of a placard by electronic 6704
means via computer equipment purchased and maintained by the 6705
dealer or in any other manner prescribed by the registrar. 6706

The fee for each placard issued by the registrar to a 6707
licensed motor vehicle dealer is two dollars if the dealer 6708
notifies the registrar of the issuance of the placards by 6709
electronic means via computer equipment. The fee for each placard 6710
issued by the registrar to a licensed motor vehicle dealer is two 6711
dollars plus a fee of two dollars and seventy-five cents 6712
commencing on July 1, 2001, three dollars and twenty-five cents 6713
commencing on January 1, 2003, and three dollars and fifty cents 6714
commencing on January 1, 2004, if the dealer notifies the 6715
registrar of the issuance of the placards in a manner other than 6716
by electronic means. 6717

When a licensed motor vehicle dealer issues a placard to the purchaser of a vehicle, the dealer shall collect and retain a fee of two dollars plus a service fee of three dollars and twenty-five cents commencing on January 1, 2003, and three dollars and fifty cents commencing on January 1, 2004.

(C) The registrar of motor vehicles, at the registrar's discretion, may issue a temporary license placard. Such a placard may be issued in the case of extreme hardship encountered by a citizen from this state or another state who has attempted to comply with all registration laws, but for extreme circumstances is unable to properly register the citizen's vehicle.

(D) In addition to the fees charged under divisions (A) and (B) of this section, commencing on October 1, 2003, the registrar and each deputy registrar shall collect a fee of five dollars for each temporary license placard issued. The additional fee is for the purpose of defraying the costs associated with the administration and enforcement of the motor vehicle and traffic laws of Ohio by the state highway patrol. Each deputy registrar shall transmit the fees collected under this division in the same manner as provided for transmission of fees collected under division (A) of this section. The registrar shall deposit all moneys received under this division into the state highway patrol fund established in section 4501.061 of the Revised Code.

(E) The registrar shall adopt rules, in accordance with division (B) of section 111.15 of the Revised Code, to specify the procedures for reporting the information from applications for temporary license placards and windshield stickers and for providing the information from these applications to law enforcement agencies.

~~(E)~~(F) Temporary license placards issued under this section shall bear a distinctive combination of seven letters, numerals,

or letters and numerals, and shall incorporate a security feature 6749
that, to the greatest degree possible, prevents tampering with any 6750
of the information that is entered upon a placard when it is 6751
issued. 6752

~~(F)~~(G) Whoever violates division (A) of this section is 6753
guilty of a misdemeanor of the fourth degree. Whoever violates 6754
division (B) of this section is guilty of a misdemeanor of the 6755
first degree. 6756

~~(G)~~(H) As used in this section, "motorized bicycle dealer" 6757
means any person engaged in the business of selling at retail, 6758
displaying, offering for sale, or dealing in motorized bicycles 6759
who is not subject to section 4503.09 of the Revised Code. 6760

Sec. 4503.19. (A) Upon the filing of an application for 6761
registration and the payment of the tax for registration, the 6762
registrar of motor vehicles or a deputy registrar shall determine 6763
whether the owner previously has been issued a license plates 6764
plate for the motor vehicle described in the application. If no 6765
license ~~plates~~ plate previously ~~have~~ has been issued to the owner 6766
for that motor vehicle, the registrar or deputy registrar shall 6767
assign to the motor vehicle a distinctive number and issue and 6768
deliver to the owner in the manner that the registrar may select a 6769
certificate of registration, in the form that the registrar shall 6770
prescribe, and, ~~except as otherwise provided in this section, two~~ 6771
a license plates, duplicates of each other, plate and a validation 6772
sticker, or a validation sticker alone, to be attached to the 6773
~~number plates~~ license plate as provided in section 4503.191 of the 6774
Revised Code. The registrar or deputy registrar also shall charge 6775
the owner any fees required under division (C) of section 4503.10 6776
of the Revised Code. ~~Trailers, manufactured homes, mobile homes,~~ 6777
~~semitrailers, the manufacturer thereof, the dealer, or in transit~~ 6778
~~companies therein, shall be issued one license plate only and one~~ 6779

~~validation sticker, or a validation sticker alone, and the~~ The 6780
license plate and validation sticker shall be displayed ~~only~~ on 6781
the rear of ~~such vehicles. A~~ the vehicle, except that a commercial 6782
tractor ~~that does not receive an apportioned license plate under~~ 6783
~~the international registration plan shall be issued two~~ display 6784
~~the license plates~~ plate and ~~one~~ validation sticker, ~~and the~~ 6785
~~validation sticker shall be displayed~~ on the front of the 6786
commercial tractor. ~~An apportioned vehicle receiving an~~ 6787
~~apportioned license plate under the international registration~~ 6788
~~plan shall be issued one license plate only and one validation~~ 6789
~~sticker, or a validation sticker alone; the license plate shall be~~ 6790
~~displayed only on the front of a semitractor and on the rear of~~ 6791
~~all other vehicles.~~ School buses shall not be issued a license 6792
~~plates~~ plate but shall bear identifying numbers in the manner 6793
prescribed by section 4511.764 of the Revised Code. The 6794
certificate of registration and license ~~plates~~ plate and 6795
validation ~~stickers~~ sticker, or validation ~~stickers~~ sticker alone, 6796
shall be issued and delivered to the owner in person or by mail. 6797
Chauffeured limousines shall be issued a license ~~plates~~ plate, a 6798
validation sticker, and a livery sticker as provided in section 6799
4503.24 of the Revised Code. In the event of the loss, mutilation, 6800
or destruction of any certificate of registration, or of any 6801
license ~~plates~~ plate or validation ~~stickers~~ sticker, or if the 6802
owner chooses to replace the license ~~plates~~ plate previously 6803
issued for a motor vehicle, or if the registration certificate and 6804
license ~~plates~~ plate have been impounded as provided by division 6805
(B)(1) of section 4507.02 and section 4507.16 of the Revised Code, 6806
the owner of a motor vehicle, or manufacturer or dealer, may 6807
obtain from the registrar, or from a deputy registrar if 6808
authorized by the registrar, a duplicate thereof or a new license 6809
~~plates~~ plate bearing a different number, if the registrar 6810
considers it advisable, upon filing an application prescribed by 6811
the registrar, and upon paying a fee of one dollar for such 6812

certificate of registration, ~~or~~ a fee of ~~two dollars for each set~~ 6813
~~of two license plates, or~~ one dollar for each ~~single~~ license plate 6814
or validation sticker. In addition, each applicant for a 6815
replacement certificate of registration, license plate, or 6816
validation sticker shall pay the fees provided in divisions (C) 6817
and (D) of section 4503.10 of the Revised Code. 6818

Additionally, the registrar and each deputy registrar who 6819
either issues ~~a license plates~~ plate and a validation sticker for 6820
use on any vehicle other than a commercial tractor, semitrailer, 6821
or apportioned vehicle, or who issues a validation sticker alone 6822
for use on such a vehicle and the owner has changed the owner's 6823
county of residence since the owner last was issued county 6824
identification stickers, also shall issue and deliver to the owner 6825
~~either one or two~~ a county identification ~~stickers, as appropriate~~ 6826
sticker, which shall be attached to the license ~~plates~~ plate in a 6827
manner prescribed by the director of public safety. The county 6828
identification ~~stickers~~ sticker shall identify prominently by name 6829
or number the county in which the owner of the vehicle resides at 6830
the time of registration. 6831

(B) Whoever violates this section is guilty of a minor 6832
misdemeanor. 6833

Sec. 4503.21. (A) No person who is the owner or operator of a 6834
motor vehicle shall fail to display in plain view on the ~~front and~~ 6835
rear of the motor vehicle the distinctive number and registration 6836
mark, including any county identification sticker and any 6837
validation sticker issued under sections 4503.19 and 4503.191 of 6838
the Revised Code, furnished by the director of public safety, 6839
~~except that a manufacturer of motor vehicles or dealer therein,~~ 6840
~~the holder of an in transit permit, and the owner or operator of a~~ 6841
~~motorcycle, motorized bicycle, manufactured home, mobile home,~~ 6842
~~trailer, or semitrailer shall display on the rear only. A motor~~ 6843

~~vehicle that is issued two license plates shall display the~~ 6844
~~validation sticker only on the rear license plate, except that a~~ 6845
~~commercial tractor that does not receive an apportioned license~~ 6846
~~plate under the international registration plan shall display the~~ 6847
license plate and validation sticker on the front of the 6848
commercial tractor. ~~An apportioned vehicle receiving an~~ 6849
~~apportioned license plate under the international registration~~ 6850
~~plan shall display the license plate only on the front of a~~ 6851
~~commercial tractor and on the rear of all other vehicles. All~~ The 6852
~~license plates~~ plate shall be securely fastened so as not to 6853
~~swing, and. No person shall not be covered by~~ cover the face of 6854
the license plate with any material ~~that~~ whatsoever, regardless of 6855
whether the material obstructs ~~their~~ its visibility. 6856

No person to whom a temporary license placard or windshield 6857
sticker has been issued for the use of a motor vehicle under 6858
section 4503.182 of the Revised Code, and no operator of that 6859
motor vehicle, shall fail to display the temporary license placard 6860
in plain view from the rear of the vehicle either in the rear 6861
window or on an external rear surface of the motor vehicle, or 6862
fail to display the windshield sticker in plain view on the rear 6863
window of the motor vehicle. No temporary license placard or 6864
windshield sticker shall be covered by any material that obstructs 6865
its visibility. 6866

(B) Whoever violates this section is guilty of a minor 6867
misdemeanor. 6868

Sec. 4511.19. (A) No person shall operate any vehicle, 6869
streetcar, or trackless trolley within this state, if, at the time 6870
of the operation, any of the following apply: 6871

(1) The person is under the influence of alcohol, a drug of 6872
abuse, or a combination of them; 6873

(2) The person has a concentration of ~~ten hundredths~~ 6874

~~eight-hundredths~~ of one per cent or more but less than 6875
seventeen-hundredths of one per cent by weight per unit volume of 6876
alcohol in the person's whole blood~~±~~. 6877

(3) The person has a concentration of ~~twelve-hundredths~~ 6878
~~ninety-six-thousandths~~ of one per cent or more but less than two 6879
hundred four-thousandths of one per cent by weight per unit volume 6880
of alcohol in the person's blood serum or plasma~~±~~. 6881

(4) The person has a concentration of ~~ten-hundredths~~ 6882
~~eight-hundredths~~ of one gram or more but less than 6883
seventeen-hundredths of one gram by weight of alcohol per two 6884
hundred ten liters of the person's breath~~±~~. 6885

(5) The person has a concentration of ~~fourteen-hundredths~~ 6886
~~eleven-hundredths~~ of one gram or more but less than two hundred 6887
thirty-eight-thousandths of one gram by weight of alcohol per one 6888
hundred milliliters of the person's urine~~±~~. 6889

(6) The person has a concentration of seventeen-hundredths of 6890
one per cent or more by weight per unit volume of alcohol in the 6891
person's whole blood~~±~~. 6892

(7) The person has a concentration of two hundred 6893
four-thousandths of one per cent or more by weight per unit volume 6894
of alcohol in the person's blood serum or plasma~~±~~. 6895

(8) The person has a concentration of seventeen-hundredths of 6896
one gram or more by weight of alcohol per two hundred ten liters 6897
of the person's breath~~±~~. 6898

(9) The person has a concentration of two hundred 6899
thirty-eight-thousandths of one gram or more by weight of alcohol 6900
per one hundred milliliters of the person's urine. 6901

(B) No person under twenty-one years of age shall operate any 6902
vehicle, streetcar, or trackless trolley within this state, if, at 6903
the time of the operation, any of the following apply: 6904

(1) The person has a concentration of at least two-hundredths 6905
of one per cent but less than ~~ten-hundredths~~ eight-hundredths of 6906
one per cent by weight per unit volume of alcohol in the person's 6907
whole blood~~+~~. 6908

(2) The person has a concentration of at least 6909
three-hundredths of one per cent but less than ~~twelve-hundredths~~ 6910
ninety-six-thousandths of one per cent by weight per unit volume 6911
of alcohol in the person's blood serum or plasma~~+~~. 6912

(3) The person has a concentration of at least two-hundredths 6913
of one gram but less than ~~ten-hundredths~~ eight-hundredths of one 6914
gram by weight of alcohol per two hundred ten liters of the 6915
person's breath~~+~~. 6916

(4) The person has a concentration of at least twenty-eight 6917
one-thousandths of one gram but less than ~~fourteen-hundredths~~ 6918
eleven-hundredths of one gram by weight of alcohol per one hundred 6919
milliliters of the person's urine. 6920

(C) In any proceeding arising out of one incident, a person 6921
may be charged with a violation of division (A)(1) and a violation 6922
of division (B)(1), (2), or (3) of this section, but the person 6923
may not be convicted of more than one violation of these 6924
divisions. 6925

(D)(1) In any criminal prosecution or juvenile court 6926
proceeding for a violation of this section or for an equivalent 6927
offense, the court may admit evidence on the concentration of 6928
alcohol, drugs of abuse, or a combination of them in the 6929
defendant's whole blood, blood serum or plasma, breath, urine, or 6930
other bodily substance at the time of the alleged violation as 6931
shown by chemical analysis of the substance withdrawn within two 6932
hours of the time of the alleged violation. 6933

When a person submits to a blood test at the request of a law 6934
enforcement officer under section 4511.191 of the Revised Code, 6935

only a physician, a registered nurse, or a qualified technician, 6936
chemist, or phlebotomist shall withdraw blood for the purpose of 6937
determining the alcohol, drug, or alcohol and drug content of the 6938
whole blood, blood serum, or blood plasma. This limitation does 6939
not apply to the taking of breath or urine specimens. A person 6940
authorized to withdraw blood under this division may refuse to 6941
withdraw blood under this division, if in that person's opinion, 6942
the physical welfare of the person would be endangered by the 6943
withdrawing of blood. 6944

The bodily substance withdrawn shall be analyzed in 6945
accordance with methods approved by the director of health by an 6946
individual possessing a valid permit issued by the director 6947
pursuant to section 3701.143 of the Revised Code. 6948

(2) In a criminal prosecution or juvenile court proceeding 6949
for a violation of division (A) of this section or for an 6950
equivalent offense, if there was at the time the bodily substance 6951
was withdrawn a concentration of less than the applicable 6952
concentration of alcohol specified in divisions (A)(2), (3), (4), 6953
and (5) of this section, that fact may be considered with other 6954
competent evidence in determining the guilt or innocence of the 6955
defendant. This division does not limit or affect a criminal 6956
prosecution or juvenile court proceeding for a violation of 6957
division (B) of this section or for an equivalent offense that is 6958
substantially equivalent to that division. 6959

(3) Upon the request of the person who was tested, the 6960
results of the chemical test shall be made available to the person 6961
or the person's attorney, immediately upon the completion of the 6962
chemical test analysis. 6963

The person tested may have a physician, a registered nurse, 6964
or a qualified technician, chemist, or phlebotomist of the 6965
person's own choosing administer a chemical test or tests, at the 6966
person's expense, in addition to any administered at the request 6967

of a law enforcement officer. The form to be read to the person to 6968
be tested, as required under section 4511.192 of the Revised Code, 6969
shall state that the person may have an independent test performed 6970
at the person's expense. The failure or inability to obtain an 6971
additional chemical test by a person shall not preclude the 6972
admission of evidence relating to the chemical test or tests taken 6973
at the request of a law enforcement officer. 6974

(E)(1) Subject to division (E)(3) of this section, in any 6975
criminal prosecution or juvenile court proceeding for a violation 6976
of division (A)(2), (3), (4), (5), (6), (7), (8), or (9) or 6977
(B)(1), (2), (3), or (4) of this section or for an equivalent 6978
offense that is substantially equivalent to any of those 6979
divisions, a laboratory report from any forensic laboratory 6980
certified by the department of health that contains an analysis of 6981
the whole blood, blood serum or plasma, breath, urine, or other 6982
bodily substance tested and that contains all of the information 6983
specified in this division shall be admitted as prima-facie 6984
evidence of the information and statements that the report 6985
contains. The laboratory report shall contain all of the 6986
following: 6987

(a) The signature, under oath, of any person who performed 6988
the analysis; 6989

(b) Any findings as to the identity and quantity of alcohol, 6990
a drug of abuse, or a combination of them that was found; 6991

(c) A copy of a notarized statement by the laboratory 6992
director or a designee of the director that contains the name of 6993
each certified analyst or test performer involved with the report, 6994
the analyst's or test performer's employment relationship with the 6995
laboratory that issued the report, and a notation that performing 6996
an analysis of the type involved is part of the analyst's or test 6997
performer's regular duties; 6998

(d) An outline of the analyst's or test performer's 6999
education, training, and experience in performing the type of 7000
analysis involved and a certification that the laboratory 7001
satisfies appropriate quality control standards in general and, in 7002
this particular analysis, under rules of the department of health. 7003

(2) Notwithstanding any other provision of law regarding the 7004
admission of evidence, a report of the type described in division 7005
(E)(1) of this section is not admissible against the defendant to 7006
whom it pertains in any proceeding, other than a preliminary 7007
hearing or a grand jury proceeding, unless the prosecutor has 7008
served a copy of the report on the defendant's attorney or, if the 7009
defendant has no attorney, on the defendant. 7010

(3) A report of the type described in division (E)(1) of this 7011
section shall not be prima-facie evidence of the contents, 7012
identity, or amount of any substance if, within seven days after 7013
the defendant to whom the report pertains or the defendant's 7014
attorney receives a copy of the report, the defendant or the 7015
defendant's attorney demands the testimony of the person who 7016
signed the report. The judge in the case may extend the seven-day 7017
time limit in the interest of justice. 7018

(F) Except as otherwise provided in this division, any 7019
physician, registered nurse, or qualified technician, chemist, or 7020
phlebotomist who withdraws blood from a person pursuant to this 7021
section, and any hospital, first-aid station, or clinic at which 7022
blood is withdrawn from a person pursuant to this section, is 7023
immune from criminal liability and civil liability based upon a 7024
claim of assault and battery or any other claim that is not a 7025
claim of malpractice, for any act performed in withdrawing blood 7026
from the person. The immunity provided in this division is not 7027
available to a person who withdraws blood if the person engages in 7028
willful or wanton misconduct. 7029

(G)(1) Whoever violates any provision of divisions (A)(1) to 7030
(9) of this section is guilty of operating a vehicle under the 7031
influence of alcohol, a drug of abuse, or a combination of them. 7032
The court shall sentence the offender under Chapter 2929. of the 7033
Revised Code, except as otherwise authorized or required by 7034
divisions (G)(1)(a) to (e) of this section: 7035

(a) Except as otherwise provided in division (G)(1)(b), (c), 7036
(d), or (e) of this section, the offender is guilty of a 7037
misdemeanor of the first degree, and the court shall sentence the 7038
offender to all of the following: 7039

(i) If the sentence is being imposed for a violation of 7040
division (A)(1), (2), (3), (4), or (5) of this section, a 7041
mandatory jail term of three consecutive days. As used in this 7042
division, three consecutive days means seventy-two consecutive 7043
hours. The court may sentence an offender to both an intervention 7044
program and a jail term. The court may impose a jail term in 7045
addition to the three-day mandatory jail term or intervention 7046
program. However, in no case shall the cumulative jail term 7047
imposed for the offense exceed six months. 7048

The court may suspend the execution of the three-day jail 7049
term under this division if the court, in lieu of that suspended 7050
term, places the offender on probation and requires the offender 7051
to attend, for three consecutive days, a drivers' intervention 7052
program certified under section 3793.10 of the Revised Code. The 7053
court also may suspend the execution of any part of the three-day 7054
jail term under this division if it places the offender on 7055
probation for part of the three days, requires the offender to 7056
attend for the suspended part of the term a drivers' intervention 7057
program so certified, and sentences the offender to a jail term 7058
equal to the remainder of the three consecutive days that the 7059
offender does not spend attending the program. The court may 7060
require the offender, as a condition of probation and in addition 7061

to the required attendance at a drivers' intervention program, to 7062
attend and satisfactorily complete any treatment or education 7063
programs that comply with the minimum standards adopted pursuant 7064
to Chapter 3793. of the Revised Code by the director of alcohol 7065
and drug addiction services that the operators of the drivers' 7066
intervention program determine that the offender should attend and 7067
to report periodically to the court on the offender's progress in 7068
the programs. The court also may impose on the offender any other 7069
conditions of probation that it considers necessary. 7070

(ii) If the sentence is being imposed for a violation of 7071
division (A)(6), (7), (8), or (9) of this section, except as 7072
otherwise provided in this division, a mandatory jail term of at 7073
least three consecutive days and a requirement that the offender 7074
attend, for three consecutive days, a drivers' intervention 7075
program that is certified pursuant to section 3793.10 of the 7076
Revised Code. As used in this division, three consecutive days 7077
means seventy-two consecutive hours. If the court determines that 7078
the offender is not conducive to treatment in a drivers' 7079
intervention program, if the offender refuses to attend a drivers' 7080
intervention program, or if the jail at which the offender is to 7081
serve the jail term imposed can provide a driver's intervention 7082
program, the court shall sentence the offender to a mandatory jail 7083
term of at least six consecutive days. 7084

The court may require the offender, as a condition of 7085
probation, to attend and satisfactorily complete any treatment or 7086
education programs that comply with the minimum standards adopted 7087
pursuant to Chapter 3793. of the Revised Code by the director of 7088
alcohol and drug addiction services, in addition to the required 7089
attendance at drivers' intervention program, that the operators of 7090
the drivers' intervention program determine that the offender 7091
should attend and to report periodically to the court on the 7092
offender's progress in the programs. The court also may impose any 7093

other conditions of probation on the offender that it considers 7094
necessary. 7095

(iii) In all cases, a fine of not less than two hundred fifty 7096
and not more than one thousand dollars; 7097

(iv) In all cases, a class five license suspension of the 7098
offender's driver's or commercial driver's license or permit or 7099
nonresident operating privilege from the range specified in 7100
division (A)(5) of section 4510.02 of the Revised Code. The court 7101
may grant limited driving privileges relative to the suspension 7102
under sections 4510.021 and 4510.13 of the Revised Code. 7103

(b) Except as otherwise provided in division (G)(1)(e) of 7104
this section, an offender who, within six years of the offense, 7105
previously has been convicted of or pleaded guilty to one 7106
violation of division (A) or (B) of this section or one other 7107
equivalent offense is guilty of a misdemeanor of the first degree. 7108
The court shall sentence the offender to all of the following: 7109

(i) If the sentence is being imposed for a violation of 7110
division (A)(1), (2), (3), (4), or (5) of this section, a 7111
mandatory jail term of ten consecutive days. The court shall 7112
impose the ten-day mandatory jail term under this division unless, 7113
subject to division (G)(3) of this section, it instead imposes a 7114
sentence under that division consisting of both a jail term and a 7115
term of electronically monitored house arrest. The court may 7116
impose a jail term in addition to the ten-day mandatory jail term. 7117
The cumulative jail term imposed for the offense shall not exceed 7118
six months. 7119

In addition to the jail term or the term of electronically 7120
monitored house arrest and jail term, the court may require the 7121
offender to attend a drivers' intervention program that is 7122
certified pursuant to section 3793.10 of the Revised Code. If the 7123
operator of the program determines that the offender is alcohol 7124

dependent, the program shall notify the court, and, subject to 7125
division (I) of this section, the court shall order the offender 7126
to obtain treatment through an alcohol and drug addiction program 7127
authorized by section 3793.02 of the Revised Code. 7128

(ii) If the sentence is being imposed for a violation of 7129
division (A)(6), (7), (8), or (9) of this section, except as 7130
otherwise provided in this division, a mandatory jail term of 7131
twenty consecutive days. The court shall impose the twenty-day 7132
mandatory jail term under this division unless, subject to 7133
division (G)(3) of this section, it instead imposes a sentence 7134
under that division consisting of both a jail term and a term of 7135
electronically monitored house arrest. The court may impose a jail 7136
term in addition to the twenty-day mandatory jail term. The 7137
cumulative jail term imposed for the offense shall not exceed six 7138
months. 7139

In addition to the jail term or the term of electronically 7140
monitored house arrest and jail term, the court may require the 7141
offender to attend a driver's intervention program that is 7142
certified pursuant to section 3793.10 of the Revised Code. If the 7143
operator of the program determines that the offender is alcohol 7144
dependent, the program shall notify the court, and, subject to 7145
division (I) of this section, the court shall order the offender 7146
to obtain treatment through an alcohol and drug addiction program 7147
authorized by section 3793.02 of the Revised Code. 7148

(iii) In all cases, notwithstanding the fines set forth in 7149
Chapter 2929. of the Revised Code, a fine of not less than three 7150
hundred fifty and not more than one thousand five hundred dollars; 7151

(iv) In all cases, a class four license suspension of the 7152
offender's driver's license, commercial driver's license, 7153
temporary instruction permit, probationary license, or nonresident 7154
operating privilege from the range specified in division (A)(4) of 7155
section 4510.02 of the Revised Code. The court may grant limited 7156

driving privileges relative to the suspension under sections 7157
4510.021 and 4510.13 of the Revised Code. 7158

(v) In all cases, if the vehicle is registered in the 7159
offender's name, immobilization of the vehicle involved in the 7160
offense for ninety days in accordance with section 4503.233 of the 7161
Revised Code and impoundment of the license plates of that vehicle 7162
for ninety days. 7163

(c) Except as otherwise provided in division (G)(1)(e) of 7164
this section, an offender who, within six years of the offense, 7165
previously has been convicted of or pleaded guilty to two 7166
violations of division (A) or (B) of this section or other 7167
equivalent offenses is guilty of a misdemeanor. The court shall 7168
sentence the offender to all of the following: 7169

(i) If the sentence is being imposed for a violation of 7170
division (A)(1), (2), (3), (4), or (5) of this section, a 7171
mandatory jail term of thirty consecutive days. The court shall 7172
impose the thirty-day mandatory jail term under this division 7173
unless, subject to division (G)(3) of this section, it instead 7174
imposes a sentence under that division consisting of both a jail 7175
term and a term of electronically monitored house arrest. The 7176
court may impose a jail term in addition to the thirty-day 7177
mandatory jail term. Notwithstanding the terms of imprisonment set 7178
forth in Chapter 2929. of the Revised Code, the additional jail 7179
term shall not exceed one year, and the cumulative jail term 7180
imposed for the offense shall not exceed one year. 7181

(ii) If the sentence is being imposed for a violation of 7182
division (A)(6), (7), (8), or (9) of this section, a mandatory 7183
jail term of sixty consecutive days. The court shall impose the 7184
sixty-day mandatory jail term under this division unless, subject 7185
to division (G)(3) of this section, it instead imposes a sentence 7186
under that division consisting of both a jail term and a term of 7187
electronically monitored house arrest. The court may impose a jail 7188

term in addition to the sixty-day mandatory jail term. 7189
Notwithstanding the terms of imprisonment set forth in Chapter 7190
2929. of the Revised Code, the additional jail term shall not 7191
exceed one year, and the cumulative jail term imposed for the 7192
offense shall not exceed one year. 7193

(iii) In all cases, notwithstanding the fines set forth in 7194
Chapter 2929. of the Revised Code, a fine of not less than five 7195
hundred fifty and not more than two thousand five hundred dollars; 7196

(iv) In all cases, a class three license suspension of the 7197
offender's driver's license, commercial driver's license, 7198
temporary instruction permit, probationary license, or nonresident 7199
operating privilege from the range specified in division (A)(3) of 7200
section 4510.02 of the Revised Code. The court may grant limited 7201
driving privileges relative to the suspension under sections 7202
4510.021 and 4510.13 of the Revised Code. 7203

(v) In all cases, if the vehicle is registered in the 7204
offender's name, criminal forfeiture of the vehicle involved in 7205
the offense in accordance with section 4503.234 of the Revised 7206
Code. Division (G)(6) of this section applies regarding any 7207
vehicle that is subject to an order of criminal forfeiture under 7208
this division. 7209

(vi) In all cases, participation in an alcohol and drug 7210
addiction program authorized by section 3793.02 of the Revised 7211
Code, subject to division (I) of this section. 7212

(d) Except as otherwise provided in division (G)(1)(e) of 7213
this section, an offender who, within six years of the offense, 7214
previously has been convicted of or pleaded guilty to three or 7215
more violations of division (A) or (B) of this section or other 7216
equivalent offenses is guilty of a felony of the fourth degree. 7217
The court shall sentence the offender to all of the following: 7218

(i) If the sentence is being imposed for a violation of 7219

division (A)(1), (2), (3), (4), or (5) of this section, in the 7220
discretion of the court, either a mandatory term of local 7221
incarceration of sixty consecutive days in accordance with 7222
division (G)(1) of section 2929.13 of the Revised Code or a 7223
mandatory prison term of sixty consecutive days of imprisonment in 7224
accordance with division (G)(2) of that section. If the court 7225
imposes a mandatory term of local incarceration, it may impose a 7226
jail term in addition to the sixty-day mandatory term, the 7227
cumulative total of the mandatory term and the jail term for the 7228
offense shall not exceed one year, and no prison term is 7229
authorized for the offense. If the court imposes a mandatory 7230
prison term, notwithstanding division (A)(4) of section 2929.14 of 7231
the Revised Code, it also may sentence the offender to a definite 7232
prison term that shall be not less than six months and not more 7233
than thirty months, the prison terms shall be imposed as described 7234
in division (G)(2) of section 2929.13 of the Revised Code, and no 7235
term of local incarceration, community residential sanction, or 7236
nonresidential sanction is authorized for the offense. 7237

(ii) If the sentence is being imposed for a violation of 7238
division (A)(6), (7), (8), or (9) of this section, in the 7239
discretion of the court, either a mandatory term of local 7240
incarceration of one hundred twenty consecutive days in accordance 7241
with division (G)(1) of section 2929.13 of the Revised Code or a 7242
mandatory prison term of one hundred twenty consecutive days in 7243
accordance with division (G)(2) of that section. If the court 7244
imposes a mandatory term of local incarceration, it may impose a 7245
jail term in addition to the one hundred twenty-day mandatory 7246
term, the cumulative total of the mandatory term and the jail term 7247
for the offense shall not exceed one year, and no prison term is 7248
authorized for the offense. If the court imposes a mandatory 7249
prison term, notwithstanding division (A)(4) of section 2929.14 of 7250
the Revised Code, it also may sentence the offender to a definite 7251
prison term that shall be not less than six months and not more 7252

than thirty months, the prison terms shall be imposed as described 7253
in division (G)(2) of section 2929.13 of the Revised Code, and no 7254
term of local incarceration, community residential sanction, or 7255
nonresidential sanction is authorized for the offense. 7256

(iii) In all cases, notwithstanding section 2929.18 of the 7257
Revised Code, a fine of not less than eight hundred nor more than 7258
ten thousand dollars; 7259

(iv) In all cases, a class two license suspension of the 7260
offender's driver's license, commercial driver's license, 7261
temporary instruction permit, probationary license, or nonresident 7262
operating privilege from the range specified in division (A)(2) of 7263
section 4510.02 of the Revised Code. The court may grant limited 7264
driving privileges relative to the suspension under sections 7265
4510.021 and 4510.13 of the Revised Code. 7266

(v) In all cases, if the vehicle is registered in the 7267
offender's name, criminal forfeiture of the vehicle involved in 7268
the offense in accordance with section 4503.234 of the Revised 7269
Code. Division (G)(6) of this section applies regarding any 7270
vehicle that is subject to an order of criminal forfeiture under 7271
this division. 7272

(vi) In all cases, participation in an alcohol and drug 7273
addiction program authorized by section 3793.02 of the Revised 7274
Code, subject to division (I) of this section. 7275

(vii) In all cases, if the court sentences the offender to a 7276
mandatory term of local incarceration, in addition to the 7277
mandatory term, the court, pursuant to section 2929.17 of the 7278
Revised Code, may impose a term of electronically monitored house 7279
arrest. The term shall not commence until after the offender has 7280
served the mandatory term of local incarceration. 7281

(e) An offender who previously has been convicted of or 7282
pleaded guilty to a violation of division (A) of this section that 7283

was a felony, regardless of when the violation and the conviction 7284
or guilty plea occurred, is guilty of a felony of the third 7285
degree. The court shall sentence the offender to all of the 7286
following: 7287

(i) If the offender is being sentenced for a violation of 7288
division (A)(1), (2), (3), (4), or (5) of this section, a 7289
mandatory prison term of sixty consecutive days in accordance with 7290
division (G)(2) of section 2929.13 of the Revised Code. The court 7291
may impose a prison term in addition to the sixty-day mandatory 7292
prison term. The cumulative total of the mandatory prison term and 7293
the additional prison term for the offense shall not exceed five 7294
years. No term of local incarceration, community residential 7295
sanction, or nonresidential sanction is authorized for the 7296
offense. 7297

(ii) If the sentence is being imposed for a violation of 7298
division (A)(6), (7), (8), or (9) of this section, a mandatory 7299
prison term of one hundred twenty consecutive days in accordance 7300
with division (G)(2) of section 2929.13 of the Revised Code. The 7301
court may impose a prison term in addition to the one hundred 7302
twenty-day mandatory prison term. The cumulative total of the 7303
mandatory prison term and the additional prison term for the 7304
offense shall not exceed five years. No term of local 7305
incarceration, community residential sanction, or nonresidential 7306
sanction is authorized for the offense. 7307

(iii) In all cases, notwithstanding section 2929.18 of the 7308
Revised Code, a fine of not less than eight hundred nor more than 7309
ten thousand dollars; 7310

(iv) In all cases, a class two license suspension of the 7311
offender's driver's license, commercial driver's license, 7312
temporary instruction permit, probationary license, or nonresident 7313
operating privilege from the range specified in division (A)(2) of 7314
section 4510.02 of the Revised Code. The court may grant limited 7315

driving privileges relative to the suspension under sections 7316
4510.021 and 4510.13 of the Revised Code. 7317

(v) In all cases, if the vehicle is registered in the 7318
offender's name, criminal forfeiture of the vehicle involved in 7319
the offense in accordance with section 4503.234 of the Revised 7320
Code. Division (G)(6) of this section applies regarding any 7321
vehicle that is subject to an order of criminal forfeiture under 7322
this division. 7323

(vi) In all cases, participation in an alcohol and drug 7324
addiction program authorized by section 3793.02 of the Revised 7325
Code, subject to division (I) of this section. 7326

(2) An offender who is convicted of or pleads guilty to a 7327
violation of division (A) of this section and who subsequently 7328
seeks reinstatement of the driver's or occupational driver's 7329
license or permit or nonresident operating privilege suspended 7330
under this section as a result of the conviction or guilty plea 7331
shall pay a reinstatement fee as provided in division (F)(2) of 7332
section 4511.191 of the Revised Code. 7333

(3) If an offender is sentenced to a jail term under division 7334
(G)(1)(b)(i) or (ii) or (G)(1)(c)(i) or (ii) of this section and 7335
if, within sixty days of sentencing of the offender, the court 7336
issues a written finding on the record that, due to the 7337
unavailability of space at the jail where the offender is required 7338
to serve the term, the offender will not be able to begin serving 7339
that term within the sixty-day period following the date of 7340
sentencing, the court may impose an alternative sentence under 7341
this division that includes a term of electronically monitored 7342
house arrest, as defined in section 2929.23 of the Revised Code. 7343

As an alternative to a mandatory jail term of ten consecutive 7344
days required by division (G)(1)(b)(i) of this section, the court, 7345
under this division, may sentence the offender to five consecutive 7346

days in jail and not less than eighteen consecutive days of 7347
electronically monitored house arrest. The cumulative total of the 7348
five consecutive days in jail and the period of electronically 7349
monitored house arrest shall not exceed six months. The five 7350
consecutive days in jail do not have to be served prior to or 7351
consecutively to the period of house arrest. 7352

As an alternative to the mandatory jail term of twenty 7353
consecutive days required by division (G)(1)(b)(ii) of this 7354
section, the court, under this division, may sentence the offender 7355
to ten consecutive days in jail and not less than thirty-six 7356
consecutive days of electronically monitored house arrest. The 7357
cumulative total of the ten consecutive days in jail and the 7358
period of electronically monitored house arrest shall not exceed 7359
six months. The ten consecutive days in jail do not have to be 7360
served prior to or consecutively to the period of house arrest. 7361

As an alternative to a mandatory jail term of thirty 7362
consecutive days required by division (G)(1)(c)(i) of this 7363
section, the court, under this division, may sentence the offender 7364
to fifteen consecutive days in jail and not less than fifty-five 7365
consecutive days of electronically monitored house arrest. The 7366
cumulative total of the fifteen consecutive days in jail and the 7367
period of electronically monitored house arrest shall not exceed 7368
one year. The fifteen consecutive days in jail do not have to be 7369
served prior to or consecutively to the period of house arrest. 7370

As an alternative to the mandatory jail term of sixty 7371
consecutive days required by division (G)(1)(c)(ii) of this 7372
section, the court, under this division, may sentence the offender 7373
to thirty consecutive days in jail and not less than one hundred 7374
ten consecutive days of electronically monitored house arrest. The 7375
cumulative total of the thirty consecutive days in jail and the 7376
period of electronically monitored house arrest shall not exceed 7377
one year. The thirty consecutive days in jail do not have to be 7378

served prior to or consecutively to the period of house arrest. 7379

(4) If an offender's driver's or occupational driver's 7380
license or permit or nonresident operating privilege is suspended 7381
under division (G) of this section and if section 4510.13 of the 7382
Revised Code permits the court to grant limited driving 7383
privileges, the court may grant the limited driving privileges 7384
only if the court imposes as one of the conditions of the 7385
privileges that the offender must display on the vehicle that is 7386
driven subject to the privileges restricted license plates that 7387
are issued under section 4503.231 of the Revised Code, except as 7388
provided in division (B) of that section. 7389

(5) Fines imposed under this section for a violation of 7390
division (A) of this section shall be distributed as follows: 7391

(a) Twenty-five dollars of the fine imposed under division 7392
(G)(1)(a)(iii), thirty-five dollars of the fine imposed under 7393
division (G)(1)(b)(iii), one hundred twenty-three dollars of the 7394
fine imposed under division (G)(1)(c)(iii), and two hundred ten 7395
dollars of the fine imposed under division (G)(1)(d)(iii) or 7396
(e)(iii) of this section shall be paid to an enforcement and 7397
education fund established by the legislative authority of the law 7398
enforcement agency in this state that primarily was responsible 7399
for the arrest of the offender, as determined by the court that 7400
imposes the fine. The agency shall use this share to pay only 7401
those costs it incurs in enforcing this section or a municipal OVI 7402
ordinance and in informing the public of the laws governing the 7403
operation of a vehicle while under the influence of alcohol, the 7404
dangers of the operation of a vehicle under the influence of 7405
alcohol, and other information relating to the operation of a 7406
vehicle under the influence of alcohol and the consumption of 7407
alcoholic beverages. 7408

(b) Fifty dollars of the fine imposed under division 7409
(G)(1)(a)(iii) of this section shall be paid to the political 7410

subdivision that pays the cost of housing the offender during the 7411
offender's term of incarceration. If the offender is being 7412
sentenced for a violation of division (A)(1), (2), (3), (4), or 7413
(5) of this section and was confined as a result of the offense 7414
prior to being sentenced for the offense but is not sentenced to a 7415
term of incarceration, the fifty dollars shall be paid to the 7416
political subdivision that paid the cost of housing the offender 7417
during that period of confinement. The political subdivision shall 7418
use the share under this division to pay or reimburse 7419
incarceration or treatment costs it incurs in housing or providing 7420
drug and alcohol treatment to persons who violate this section or 7421
a municipal OVI ordinance, costs of any immobilizing or disabling 7422
device used on the offender's vehicle, and costs of electronic 7423
house arrest equipment needed for persons who violate this 7424
section. 7425

(c) Twenty-five dollars of the fine imposed under division 7426
(G)(1)(a)(iii) and fifty dollars of the fine imposed under 7427
division (G)(1)(b)(iii) of this section shall be deposited into 7428
the county or municipal indigent drivers' alcohol treatment fund 7429
under the control of that court, as created by the county or 7430
municipal corporation under division (N) of section 4511.191 of 7431
the Revised Code. 7432

(d) One hundred fifteen dollars of the fine imposed under 7433
division (G)(1)(b)(iii), two hundred seventy-seven dollars of the 7434
fine imposed under division (G)(1)(c)(iii), and four hundred forty 7435
dollars of the fine imposed under division (G)(1)(d)(iii) or 7436
(e)(iii) of this section shall be paid to the political 7437
subdivision that pays the cost of housing the offender during the 7438
offender's term of incarceration. The political subdivision shall 7439
use this share to pay or reimburse incarceration or treatment 7440
costs it incurs in housing or providing drug and alcohol treatment 7441
to persons who violate this section or a municipal OVI ordinance, 7442

costs for any immobilizing or disabling device used on the 7443
offender's vehicle, and costs of electronic house arrest equipment 7444
needed for persons who violate this section. 7445

(e) The balance of the fine imposed under division 7446
(G)(1)(a)(iii), (b)(iii), (c)(iii), (d)(iii), or (e)(iii) of this 7447
section shall be disbursed as otherwise provided by law. 7448

(6) If title to a motor vehicle that is subject to an order 7449
of criminal forfeiture under division (G)(1)(c), (d), or (e) of 7450
this section is assigned or transferred and division (B)(2) or (3) 7451
of section 4503.234 of the Revised Code applies, in addition to or 7452
independent of any other penalty established by law, the court may 7453
fine the offender the value of the vehicle as determined by 7454
publications of the national auto dealers association. The 7455
proceeds of any fine so imposed shall be distributed in accordance 7456
with division (C)(2) of that section. 7457

(H) Whoever violates division (B) of this section is guilty 7458
of operating a vehicle after underage alcohol consumption and 7459
shall be punished as follows: 7460

(1) Except as otherwise provided in division (H)(2) of this 7461
section, the offender is guilty of a misdemeanor of the fourth 7462
degree. In addition to any other sanction imposed for the offense, 7463
the court shall impose a class six suspension of the offender's 7464
driver's license, commercial driver's license, temporary 7465
instruction permit, probationary license, or nonresident operating 7466
privilege from the range specified in division (A)(6) of section 7467
4510.02 of the Revised Code. 7468

(2) If, within one year of the offense, the offender 7469
previously has been convicted of or pleaded guilty to one or more 7470
violations of division (A) or (B) of this section or other 7471
equivalent offense offenses, the offender is guilty of a 7472
misdemeanor of the third degree. In addition to any other sanction 7473

imposed for the offense, the court shall impose a class four 7474
suspension of the offender's driver's license, commercial driver's 7475
license, temporary instruction permit, probationary license, or 7476
nonresident operating privilege from the range specified in 7477
division (A)(4) of section 4510.02 of the Revised Code. 7478

(I)(1) No court shall sentence an offender to an alcohol 7479
treatment program under this section unless the treatment program 7480
complies with the minimum standards for alcohol treatment programs 7481
adopted under Chapter 3793. of the Revised Code by the director of 7482
alcohol and drug addiction services. 7483

(2) An offender who stays in a drivers' intervention program 7484
or in an alcohol treatment program under an order issued under 7485
this section shall pay the cost of the stay in the program. 7486
However, if the court determines that an offender who stays in an 7487
alcohol treatment program under an order issued under this section 7488
is unable to pay the cost of the stay in the program, the court 7489
may order that the cost be paid from the court's indigent drivers' 7490
alcohol treatment fund. 7491

(J) If a person whose driver's or commercial driver's license 7492
or permit or nonresident operating privilege is suspended under 7493
this section files an appeal regarding any aspect of the person's 7494
trial or sentence, the appeal itself does not stay the operation 7495
of the suspension. 7496

(K) All terms defined in sections 4510.01 of the Revised Code 7497
apply to this section. If the meaning of a term defined in section 7498
4510.01 of the Revised Code conflicts with the meaning of the same 7499
term as defined in section 4501.01 or 4511.01 of the Revised Code, 7500
the term as defined in section 4510.01 of the Revised Code applies 7501
to this section. 7502

(L)(1) The Ohio Traffic Rules in effect on ~~the effective date~~ 7503
~~of this amendment~~ January 1, 2004, as adopted by the supreme court 7504

under authority of section 2937.46 of the Revised Code, do not 7505
apply to felony violations of this section. Subject to division 7506
(L)(2) of this section, the Rules of Criminal Procedure apply to 7507
felony violations of this section. 7508

(2) If, on or after ~~the effective date of this amendment~~ 7509
January 1, 2004, the supreme court modifies the Ohio Traffic Rules 7510
to provide procedures to govern felony violations of this section, 7511
the modified rules shall apply to felony violations of this 7512
section. 7513

Sec. 4513.111. (A)(1) Every multi-wheel agricultural tractor 7514
whose model year was 2001 or earlier, when being operated or 7515
traveling on a street or highway at the times specified in section 7516
4513.03 of the Revised Code, at a minimum shall be equipped with 7517
and display reflectors and illuminated amber lamps so that the 7518
extreme left and right projections of the tractor are indicated by 7519
flashing lamps displaying amber light, visible to the front and 7520
the rear, by amber reflectors, all visible to the front, and by 7521
red reflectors, all visible to the rear. 7522

(2) The lamps displaying amber light need not flash 7523
simultaneously and need not flash in conjunction with any 7524
directional signals of the tractor. 7525

(3) The lamps and reflectors required by division (A)(1) of 7526
this section and their placement shall meet standards and 7527
specifications contained in rules adopted by the director of 7528
public safety in accordance with Chapter 119. of the Revised Code. 7529
The rules governing the amber lamps, amber reflectors, and red 7530
reflectors and their placement shall correlate with and, as far as 7531
possible, conform with paragraphs 4.1.4.1, 4.1.7.1, and 4.1.7.2 7532
respectively of the American society of agricultural engineers 7533
standard ANSI/SAE S279.10 OCT98, lighting and marking of 7534
agricultural equipment on highways. 7535

(B) Every unit of farm machinery whose model year was 2002 or later, when being operated or traveling on a street or highway at the times specified in section 4513.03 of the Revised Code, shall be equipped with and display markings and illuminated lamps that meet or exceed the lighting, illumination, and marking standards and specifications that are applicable to that type of farm machinery for the unit's model year specified in the American society of agricultural engineers standard ANSI/ASAE ~~S279.10 OCT98~~ S279.11 APR01, lighting and marking of agricultural equipment on highways, or any subsequent revisions of that standard.

(C) The lights and reflectors required by division (A) of this section are in addition to the slow-moving vehicle emblem and lights required or permitted by section 4513.11 or 4513.17 of the Revised Code to be displayed on farm machinery being operated or traveling on a street or highway.

(D) No person shall operate any unit of farm machinery on a street or highway or cause any unit of farm machinery to travel on a street or highway in violation of division (A) or (B) of this section.

(E) Whoever violates this section shall be punished as provided in section 4513.99 of the Revised Code.

Sec. 4549.10. (A) No person shall operate or cause to be operated upon a public road or highway a motor vehicle of a manufacturer or dealer unless the vehicle carries and displays ~~two placards~~ a placard, except as provided in section 4503.21 of the Revised Code, issued by the director of public safety that ~~bear~~ bears the registration number of its manufacturer or dealer.

(B) Whoever violates division (A) of this section is guilty of illegal operation of a manufacturer's or dealer's motor vehicle, a minor misdemeanor on a first offense and a misdemeanor

of the fourth degree on each subsequent offense. 7566

Section 5. That the existing versions of sections 1547.11, 7567
4503.10, 4503.11, 4503.182, 4503.19, 4503.21, 4511.19, 4513.111, 7568
and 4549.10 of the Revised Code that are scheduled to take effect 7569
January 1, 2004, are hereby repealed. 7570

Section 6. Sections 4 and 5 of this act take effect January 7571
1, 2004. 7572

Section 7. The amendment of section 4511.191 of the Revised 7573
Code by this act does not supersede the earlier amendment with 7574
delayed effective date of that section by Am. Sub. S.B. 123 of the 7575
124th General Assembly. 7576

Section 8. Upon the approval of the Legislative Service 7577
Commission, the staff of the Legislative Service Commission, 7578
beginning in January, 2006, shall conduct a study of force account 7579
limits established by this act for the Department of 7580
Transportation, counties, townships, and municipal corporations. 7581

The study shall consider the number of force account projects 7582
completed by the Department of Transportation and the political 7583
subdivisions and shall assess the use of taxpayer funds for those 7584
projects. The study shall discuss any measurable effects on 7585
economic development that may relate to specific force account 7586
projects. The study also shall address findings of the Auditor of 7587
State under section 117.16 of the Revised Code, including whether 7588
the Department of Transportation or political subdivisions were 7589
found to have violated the force account limits and whether any 7590
political subdivisions were subject to reduced force account 7591
limits as a result of the audits. 7592

If approved by the Commission, the staff shall submit a 7593
report on the study to the General Assembly not later than January 7594

1, 2007. 7595

Section 9. From July 1, 2003, through June 30, 2005, three or 7596
fewer steel coils are deemed to be a nondivisible load for 7597
purposes of special permits issued under section 4513.34 of the 7598
Revised Code, provided that the maximum overall gross vehicle 7599
weight of the vehicle and load shall not exceed ninety-two 7600
thousand pounds. 7601

Section 10. Except as otherwise provided, all appropriation 7602
items in this act are hereby appropriated out of any moneys in the 7603
state treasury to the credit of the designated fund, which are not 7604
otherwise appropriated. For all appropriations made in this act, 7605
the amounts in the first column are for fiscal year 2004 and the 7606
amounts in the second column are for fiscal year 2005. 7607

Section 11. DOT DEPARTMENT OF TRANSPORTATION 7608

FUND	TITLE		FY 2004		FY 2005	
	Transportation Planning and Research					7609
	Highway Operating Fund Group					7610
002 771-411	Planning and Research	\$	14,548,950	\$	15,070,100	7611
	- State					7612
002 771-412	Planning and Research	\$	35,193,300	\$	35,644,900	7613
	- Federal					7614
TOTAL HOF	Highway Operating					7615
Fund Group		\$	49,742,250	\$	50,715,000	7616
TOTAL ALL BUDGET FUND GROUPS -						7617
Transportation Planning						7618
and Research		\$	49,742,250	\$	50,715,000	7619
	Highway Construction					7620
Highway Operating Fund Group						7621
002 772-421	Highway Construction -	\$	486,222,430	\$	446,847,300	7622
	State					

002	772-422	Highway Construction -	\$	762,964,700	\$	766,001,700	7622
		Federal					
002	772-424	Highway Construction -	\$	70,000,000	\$	51,000,000	7623
		Other					
212	770-005	Infrastructure Debt	\$	72,064,200	\$	78,696,100	7624
		Service - Federal					
212	772-423	Infrastructure Lease	\$	12,537,800	\$	12,537,300	7625
		Payments - Federal					
212	772-426	Highway Infrastructure	\$	2,740,000	\$	2,620,000	7626
		Bank - Federal					
212	772-427	Highway Infrastructure	\$	11,000,000	\$	11,000,000	7627
		Bank - State					
TOTAL HOF Highway Operating							7628
Fund Group				\$ 1,417,529,130	\$ 1,368,702,400		7629
Highway Capital Improvement Fund Group							7630
042	772-723	Highway Construction -	\$	220,000,000	\$	220,000,000	7631
		Bonds					
TOTAL 042 Highway Capital							7632
Improvement Fund Group				\$ 220,000,000	\$ 220,000,000		7633
Infrastructure Bank Obligations							7634
Fund Group							
045	772-428	Highway Infrastructure	\$	40,000,000	\$	40,000,000	7635
		Bank - Bonds					
TOTAL 045 Infrastructure Bank							7636
Obligations Fund Group				\$ 40,000,000	\$ 40,000,000		7637
TOTAL ALL BUDGET FUND GROUPS -							7638
Highway Construction				\$ 1,679,029,130	\$ 1,631,702,400		7639
Highway Maintenance							7640
Highway Operating Fund Group							7641
002	773-431	Highway Maintenance -	\$	394,605,100	\$	413,082,600	7642
		State					
TOTAL HOF Highway Operating							7643

Fund Group	\$	394,605,100	\$	413,082,600	7644
TOTAL ALL BUDGET FUND GROUPS -					7645
Highway Maintenance	\$	394,605,100	\$	413,082,600	7646
Public Transportation					7647
Highway Operating Fund Group					7648
002 775-452 Public Transportation	\$	27,000,000	\$	27,000,000	7649
- Federal					
002 775-454 Public Transportation	\$	1,500,000	\$	1,500,000	7650
- Other					
002 775-459 Elderly and Disabled	\$	4,230,000	\$	4,230,000	7651
Special Equipment -					
Federal					
TOTAL HOF Highway Operating					7652
Fund Group	\$	32,730,000	\$	32,730,000	7653
TOTAL ALL BUDGET FUND GROUPS -					7654
Public Transportation	\$	32,730,000	\$	32,730,000	7655
Rail Transportation					7656
Highway Operating Fund Group					7657
002 776-462 Grade Crossings -	\$	15,000,000	\$	15,000,000	7658
Federal					
TOTAL HOF Highway Operating					7659
Fund Group	\$	15,000,000	\$	15,000,000	7660
State Special Revenue Fund Group					7661
4A3 776-665 Railroad Crossing	\$	1,000,000	\$	0	7662
Safety Devices					
TOTAL SSR State Special Revenue	\$	1,000,000	\$	0	7663
Fund Group					
TOTAL ALL BUDGET FUND GROUPS -					7664
Rail Transportation	\$	16,000,000	\$	15,000,000	7665
Aviation					7666
Highway Operating Fund Group					7667
002 777-472 Airport Improvements -	\$	405,000	\$	405,000	7668

	Federal				
002 777-475	Aviation	\$ 4,064,700	\$ 4,139,000		7669
	Administration				
TOTAL HOF	Highway Operating				7670
Fund Group		\$ 4,469,700	\$ 4,544,000		7671
TOTAL ALL BUDGET FUND GROUPS -					7672
Aviation		\$ 4,469,700	\$ 4,544,000		7673
	Administration				7674
State Special Revenue Fund Group					7675
4T5 770-609	Administration	\$ 5,000	\$ 5,000		7676
	Memorial Fund				
TOTAL SSR	State Special Revenue				7677
Fund Group		\$ 5,000	\$ 5,000		7678
Highway Operating Fund Group					7679
002 779-491	Administration - State	\$ 116,449,900	\$ 121,986,500		7680
TOTAL HOF	Highway Operating				7681
Fund Group		\$ 116,449,900	\$ 121,986,500		7682
TOTAL ALL BUDGET FUND GROUPS -					7683
Administration		\$ 116,454,900	\$ 121,991,500		7684
	Debt Service				7685
Highway Operating Fund Group					7686
002 770-003	Administration - State	\$ 13,802,600	\$ 13,395,900		7687
	- Debt Service				
TOTAL HOF	Highway Operating				7688
Fund Group		\$ 13,802,600	\$ 13,395,900		7689
TOTAL ALL BUDGET FUND GROUPS -					7690
Debt Service		\$ 13,802,600	\$ 13,395,900		7691
	TOTAL Department of Transportation				7692
TOTAL HOF	Highway Operating				7693
Fund Group		\$ 2,044,328,680	\$ 2,020,156,400		7694
TOTAL 042	Highway Capital				7695
Improvement Fund Group		\$ 220,000,000	\$ 220,000,000		7696

TOTAL 045 Infrastructure Bank				7697	
Obligations Fund Group	\$	40,000,000	\$	40,000,000	7698
TOTAL SSR State Special Revenue				7699	
Fund Group	\$	1,005,000	\$	5,000	7700
TOTAL ALL BUDGET FUND GROUPS	\$	2,305,333,680	\$	2,280,161,400	7701

Section 11.01. ISSUANCE OF BONDS 7703

The Treasurer of State, upon the request of the Director of 7704
Transportation, is authorized to issue and sell, in accordance 7705
with Section 2m of Article VIII, Ohio Constitution, and Chapter 7706
151. and particularly sections 151.01 and 151.06 of the Revised 7707
Code, obligations, including bonds and notes, of the State of Ohio 7708
in the aggregate amount of \$420,000,000 in addition to the 7709
original issuance of obligations heretofore authorized by prior 7710
acts of the General Assembly. 7711

The obligations shall be dated, issued, and sold from time to 7712
time in such amounts as may be necessary to provide sufficient 7713
moneys to the credit of the Highway Capital Improvement Fund (Fund 7714
042) created by section 5528.53 of the Revised Code to pay costs 7715
charged to the fund when due as estimated by the Director of 7716
Transportation, provided, however, that such obligations shall be 7717
issued and sold at such time or times so that not more than 7718
\$220,000,000 original principal amount of obligations, plus the 7719
principal amount of obligations that in prior fiscal years could 7720
have been, but were not, issued within the \$220,000,000 limit, may 7721
be issued in any fiscal year, and not more than \$1,200,000,000 7722
original principal amount of such obligations are outstanding at 7723
any one time. 7724

Section 11.02. MAINTENANCE INTERSTATE HIGHWAYS 7725

The Director of Transportation may remove snow and ice and 7726
maintain, repair, improve, or provide lighting upon interstate 7727

highways that are located within the boundaries of municipal 7728
corporations, adequate to meet the requirements of federal law. 7729
When agreed in writing by the Director of Transportation and the 7730
legislative authority of a municipal corporation and 7731
notwithstanding sections 125.01 and 125.11 of the Revised Code, 7732
the Department of Transportation may reimburse the municipal 7733
corporation for all or any part of the costs, as provided by such 7734
agreement, incurred by the municipal corporation in maintaining, 7735
repairing, lighting, and removing snow and ice from the interstate 7736
system. 7737

Section 11.03. TRANSFER OF FUND 002 APPROPRIATIONS - PLANNING 7738
AND RESEARCH, HIGHWAY CONSTRUCTION, HIGHWAY MAINTENANCE, RAIL, 7739
AVIATION, AND ADMINISTRATION 7740

The Director of Budget and Management may approve requests 7741
from the Department of Transportation for transfer of Fund 002 7742
appropriations for highway planning and research (appropriation 7743
items 771-411 and 771-412), highway construction (appropriation 7744
items 772-421, 772-422, and 772-424), highway maintenance 7745
(appropriation item 773-431), rail grade crossings (appropriation 7746
item 776-462), aviation (appropriation item 777-475), and 7747
administration (appropriation item 779-491). Transfers of 7748
appropriations may be made upon the written request of the 7749
Director of Transportation and with the approval of the Director 7750
of Budget and Management. Such transfers shall be reported to the 7751
Controlling Board at the next regularly scheduled meeting of the 7752
board. 7753

This transfer authority is intended to provide for emergency 7754
situations and flexibility to meet unforeseen conditions that 7755
could arise during the budget period. It also is intended to allow 7756
the department to optimize the use of available resources and 7757
adjust to circumstances affecting the obligation and expenditure 7758

of federal funds.	7759
TRANSFER OF APPROPRIATIONS - FEDERAL HIGHWAY AND FEDERAL	7760
TRANSIT	7761
The Director of Budget and Management may approve requests	7762
from the Department of Transportation for the transfer of	7763
appropriations between appropriation items 772-422, Highway	7764
Construction - Federal, and 775-452, Public Transportation -	7765
Federal, based upon transit capital projects meeting Federal	7766
Highway Administration and Federal Transit Administration funding	7767
guidelines. Transfers between these appropriation items may be	7768
made upon the written request of the Director of Transportation	7769
and with the approval of the Director of Budget and Management.	7770
Such transfers shall be reported to the Controlling Board at its	7771
next regularly scheduled meeting.	7772
TRANSFER OF APPROPRIATIONS - STATE INFRASTRUCTURE BANK	7773
The Director of Budget and Management may approve requests	7774
from the Department of Transportation for transfer of	7775
appropriations and cash of the Infrastructure Bank funds created	7776
in section 5531.09 of the Revised Code, including transfers	7777
between fiscal years 2004 and 2005. Such transfers shall be	7778
reported to the Controlling Board at its next regularly scheduled	7779
meeting. However, the director may not make transfers out of debt	7780
service and lease payment appropriation items unless the director	7781
determines that the appropriated amounts exceed the actual and	7782
projected debt, rental, or lease payments.	7783
Should the appropriation and any reappropriations from prior	7784
years in appropriation item 770-005 and appropriation item 772-423	7785
exceed the actual and projected debt, rental, or lease payments	7786
for fiscal year 2004 or 2005, then prior to June 30, 2005, the	7787
balance may be transferred to appropriation item 772-422. Such	7788
transfer may be made upon the written request of the Director of	7789

Transportation and with the approval of the Director of Budget and Management. Transfers shall be reported to the Controlling Board at its next regularly scheduled meeting.

The Director of Budget and Management may approve requests from the Department of Transportation for transfer of appropriations and cash from the Highway Operating Fund (Fund 002) to the Infrastructure Bank funds created in section 5531.09 of the Revised Code. The Director of Budget and Management may transfer from the Infrastructure Bank funds to the Highway Operating Fund up to the amounts originally transferred to the Infrastructure Bank funds under this section. Such transfers shall be reported to the Controlling Board at its next regularly scheduled meeting. However, the director may not make transfers between modes and transfers between different funding sources.

INCREASE APPROPRIATION AUTHORITY - STATE FUNDS

In the event that receipts or unexpended balances credited to the Highway Operating Fund exceed the estimates upon which the appropriations have been made in this act, upon the request of the Director of Transportation, the Controlling Board may increase appropriation authority in the manner prescribed in section 131.35 of the Revised Code.

INCREASE APPROPRIATION AUTHORITY - FEDERAL AND LOCAL FUNDS

In the event that receipts or unexpended balances credited to the Highway Operating Fund or apportionments or allocations made available from the federal and local government exceed the estimates upon which the appropriations have been made in this act, upon the request of the Director of Transportation, the Controlling Board may increase appropriation authority in the manner prescribed in section 131.35 of the Revised Code.

REAPPROPRIATIONS

All appropriations of the Highway Operating Fund (Fund 002),

the Highway Capital Improvement Fund (Fund 042), and the 7821
Infrastructure Bank funds created in section 5531.09 of the 7822
Revised Code remaining unencumbered on June 30, 2003, are hereby 7823
reappropriated for the same purpose in fiscal year 2004. 7824

All appropriations of the Highway Operating Fund (Fund 002) 7825
and the Highway Capital Improvement Fund (Fund 042), and the 7826
Infrastructure Bank funds created in section 5531.09 of the 7827
Revised Code remaining unencumbered on June 30, 2004, are hereby 7828
reappropriated for the same purpose in fiscal year 2005. 7829

Any balances of prior years' appropriations to the Highway 7830
Operating Fund (Fund 002), the Highway Capital Improvement Fund 7831
(Fund 042), and the Infrastructure Bank funds created in section 7832
5531.09 of the Revised Code that are unencumbered on June 30, 7833
2003, subject to the availability of revenue as determined by the 7834
Director of Transportation, are hereby reappropriated for the same 7835
purpose in fiscal year 2004 upon the request of the Director of 7836
Transportation and with the approval of the Director of Budget and 7837
Management. Such reappropriations shall be reported to the 7838
Controlling Board. 7839

Any balances of prior years' appropriations to the Highway 7840
Operating Fund (Fund 002), the Highway Capital Improvement Fund 7841
(Fund 042), and the Infrastructure Bank funds created in section 7842
5531.09 of the Revised Code that are unencumbered on June 30, 7843
2004, subject to the availability of revenue as determined by the 7844
Director of Transportation, are hereby reappropriated for the same 7845
purpose in fiscal year 2005 upon the request of the Director of 7846
Transportation and with the approval of the Director of Budget and 7847
Management. Such reappropriations shall be reported to the 7848
Controlling Board. 7849

Section 11.04. PUBLIC ACCESS ROADS FOR STATE FACILITIES 7850

Of the foregoing appropriation item 772-421, Highway 7851

Construction - State, \$3,145,500 is to be used each fiscal year 7852
during the 2003-2005 biennium by the Department of Transportation 7853
for the construction, reconstruction, or maintenance of public 7854
access roads, including support features, to and within state 7855
facilities owned or operated by the Department of Natural 7856
Resources, as requested by the Director of Natural Resources. 7857

Notwithstanding section 5511.06 of the Revised Code, of the 7858
foregoing appropriation item 772-421, Highway Construction - 7859
State, \$2,228,000 in each fiscal year of the 2003-2005 biennium 7860
shall be used by the Department of Transportation for the 7861
construction, reconstruction, or maintenance of park drives or 7862
park roads within the boundaries of metropolitan parks. 7863

Included in the foregoing appropriation item 772-421, Highway 7864
Construction - State, the department may perform related road work 7865
on behalf of the Ohio Expositions Commission at the state 7866
fairgrounds, including reconstruction or maintenance of public 7867
access roads, including support features, to and within the 7868
facilities as requested by the commission and approved by the 7869
Director of Transportation. 7870

LIQUIDATION OF UNFORESEEN LIABILITIES 7871

Any appropriation made to the Department of Transportation, 7872
Highway Operating Fund, not otherwise restricted by law, is 7873
available to liquidate unforeseen liabilities arising from 7874
contractual agreements of prior years when the prior year 7875
encumbrance is insufficient. 7876

RUMBLE STRIPS AT RAILROAD CROSSINGS 7877

Of the foregoing appropriation item 776-665, Railroad 7878
Crossing Safety Devices, \$1,000,000 in fiscal year 2004 shall be 7879
used by the Department of Transportation to fund competitive 7880
grants to political subdivisions for the cost of putting rumble 7881
strips at active railroad crossings without gates or lights. The 7882

maximum amount of a competitive grant is \$50,000 for any single 7883
crossing. Each political subdivision with jurisdiction over a 7884
crossing may apply to the Department for a competitive grant for 7885
the costs of putting rumble strips at crossings. Those political 7886
subdivisions awarded grants shall install the rumble strips by 7887
December 1, 2004. 7888

If rumble strips are not appropriate for a crossing, the 7889
Department may allow the political subdivision which is awarded 7890
the grant to use the funding for a safety device or technology 7891
more appropriate for the crossing. 7892

The Department shall notify each political subdivision with 7893
jurisdiction over a crossing of the requirements of this section 7894
that funding is available for rumble strips at crossings and for 7895
other rail crossing safety improvements. The Department also shall 7896
notify associations representing political subdivisions of the 7897
availability of the funding. 7898

The Department shall spend no more than five per cent of the 7899
appropriation item on Department administrative expenses. 7900

The Department shall issue a report on or before June 30, 7901
2005, describing the activities carried out by the Department to 7902
comply with the provisions of this section. The report shall 7903
include the number of crossings at which rumble strip installation 7904
was completed, the cost of each installation to date, the number 7905
of active crossings without gates or lights that still do not have 7906
rumble strips, and a geographic breakdown of where the crossings 7907
are that have and have not yet received rumble strips. 7908

All appropriations in Fund 4A3, appropriation item 776-665, 7909
Railroad Crossing Safety Devices, remaining unencumbered on June 7910
30, 2004, are hereby reappropriated for the same purpose in fiscal 7911
year 2005. The Department shall report all such appropriations to 7912
the Controlling Board. 7913

Section 11.05. RENTAL PAYMENTS - OBA 7914

The foregoing appropriation item 770-003, Administration - 7915
State - Debt Service, shall be used to pay rent to the Ohio 7916
Building Authority for various capital facilities to be 7917
constructed, reconstructed, or rehabilitated for the use of the 7918
Department of Transportation, including the department's plant and 7919
facilities at its central office, field districts, and county and 7920
outpost locations. The rental payments shall be made from revenues 7921
received from the motor vehicle fuel tax. The amounts of any bonds 7922
and notes to finance such capital facilities shall be at the 7923
request of the Director of Transportation. Notwithstanding section 7924
152.24 of the Revised Code, the Ohio Building Authority may, with 7925
approval of the Office of Budget and Management, lease capital 7926
facilities to the Department of Transportation. 7927

The Director of Transportation shall hold title to any land 7928
purchased and any resulting structures that are attributable to 7929
appropriation item 770-003. Notwithstanding section 152.18 of the 7930
Revised Code, the Director of Transportation shall administer any 7931
purchase of land and any contract for construction, 7932
reconstruction, and rehabilitation of facilities as a result of 7933
this appropriation. 7934

Should the appropriation and any reappropriations from prior 7935
years in appropriation item 770-003 exceed the rental payments for 7936
fiscal year 2004 or 2005, then prior to June 30, 2005, the balance 7937
may be transferred to appropriation item 772-421, 773-431, or 7938
779-491. Such transfer may be made upon the written request of the 7939
Director of Transportation and with the approval of the Director 7940
of Budget and Management. Transfers shall be reported to the 7941
Controlling Board at its next regularly scheduled meeting. 7942

Section 11.06. PUBLIC TRANSPORTATION HIGHWAY PURPOSE GRANTS 7943

The Director of Transportation may use revenues from the 7944
state motor vehicle fuel tax to match approved federal grants 7945
awarded to the Department of Transportation, regional transit 7946
authorities, or eligible public transportation systems, for public 7947
transportation highway purposes, or to support local or state 7948
funded projects for public transportation highway purposes. Public 7949
transportation highway purposes include: the construction or 7950
repair of high-occupancy vehicle traffic lanes, the acquisition or 7951
construction of park-and-ride facilities, the acquisition or 7952
construction of public transportation vehicle loops, the 7953
construction or repair of bridges used by public transportation 7954
vehicles or that are the responsibility of a regional transit 7955
authority or other public transportation system, or other similar 7956
construction that is designated as an eligible public 7957
transportation highway purpose. Motor vehicle fuel tax revenues 7958
may not be used for operating assistance or for the purchase of 7959
vehicles, equipment, or maintenance facilities. 7960

Section 12. PAVEMENT-SELECTION PROCESS ANALYSIS 7961

The Ohio Department of Transportation shall contract with a 7962
neutral third-party entity to conduct an analysis of the 7963
Department's pavement-selection process including but not limited 7964
to life cycle cost analysis; user delay; constructability and 7965
environment factors. The entity shall be an individual or an 7966
academic, research, or professional association with an expertise 7967
in pavement-selection processes. The entity shall have no 7968
financial interest in any pavement-selection decisions and shall 7969
not be a research center for concrete or asphalt pavement. The 7970
analysis shall compare and contrast the Department's 7971
pavement-selection process with those of other states and with 7972
model selection processes as described by the American Association 7973
of State Highway and Transportation Officials and the Federal 7974

Highway Administration.				7975
The Department shall convene an advisory panel of interested parties to assist it in the selection of the neutral third-party entity and to prepare the scope of the study. The entity shall allow a comment period before issuing its final report. The report shall be concluded by October 31, 2003.				7976 7977 7978 7979 7980
The Department shall make the changes to its pavement-selection process based on the recommendations included in the neutral third-party entity's report.				7981 7982 7983
Section 13. DHS DEPARTMENT OF PUBLIC SAFETY				7984
Highway Safety Information and Education				7985
State Highway Safety Fund Group				7986
036 761-321 Operating Expense - Information and Education	\$	2,900,702	\$ 3,030,054	7987
036 761-402 Traffic Safety Match	\$	277,137	\$ 277,137	7988
831 761-610 Information and Education - Federal	\$	468,982	\$ 468,982	7989
83N 761-611 Elementary School Seat Belt Program	\$	447,895	\$ 447,895	7990
832 761-612 Traffic Safety-Federal	\$	16,577,565	\$ 16,577,565	7991
844 761-613 Seat Belt Education Program	\$	463,760	\$ 482,095	7992
846 761-625 Motorcycle Safety Education	\$	1,780,507	\$ 1,827,868	7993
847 761-622 Film Production Reimbursement	\$	22,000	\$ 22,000	7994
TOTAL HSF State Highway Safety Fund Group	\$	22,938,548	\$ 23,133,596	7995 7996
Agency Fund Group				7997
5J9 761-678 Federal Salvage/GSA	\$	100,000	\$ 100,000	7998

TOTAL AGY Agency	\$	100,000	\$	100,000	7999
TOTAL ALL BUDGET FUND GROUPS -					8000
Highway Safety Information					8001
and Education	\$	23,038,548	\$	23,233,596	8002
FEDERAL HIGHWAY SAFETY PROGRAM MATCH					8003
The foregoing appropriation item 761-402, Traffic Safety					8004
Match, shall be used to provide the nonfederal portion of the					8005
federal Highway Safety Program. Upon request by the Director of					8006
Public Safety and approval by the Director of Budget and					8007
Management, appropriation item 761-402 shall be used to transfer					8008
cash from the Highway Safety Fund to the Traffic Safety - Federal					8009
Fund (Fund 832) at the beginning of each fiscal year on an					8010
intrastate transfer voucher.					8011
Section 13.01. BUREAU OF MOTOR VEHICLES					8012
State Special Revenue Fund Group					8013
539 762-614 Motor Vehicle Dealers	\$	239,902	\$	239,902	8014
Board					
TOTAL SSR State Special Revenue					8015
Fund Group	\$	239,902	\$	239,902	8016
State Highway Safety Fund Group					8017
4W4 762-321 Operating Expense-BMV	\$	73,385,912	\$	70,152,893	8018
4W4 762-410 Registrations	\$	34,588,363	\$	32,480,610	8019
Supplement					
5V1 762-682 License Plate	\$	2,388,568	\$	2,388,568	8020
Contributions					
83R 762-639 Local Immobilization	\$	850,000	\$	850,000	8021
Reimbursement					
835 762-616 Financial	\$	6,303,125	\$	6,551,535	8022
Responsibility					
Compliance					
849 762-627 Automated Title	\$	16,800,620	\$	26,076,349	8023

Processing Board					
TOTAL HSF State Highway Safety				8024	
Fund Group	\$	134,316,588	\$	138,499,955	8025
TOTAL ALL BUDGET FUND GROUPS -					8026
Bureau of Motor Vehicles	\$	134,556,490	\$	138,739,857	8027
MOTOR VEHICLE REGISTRATION					8028
The Registrar of Motor Vehicles may deposit revenues to meet					8029
the cash needs of the State Bureau of Motor Vehicles Fund (Fund					8030
4W4) established in section 4501.25 of the Revised Code, obtained					8031
pursuant to sections 4503.02 and 4504.02 of the Revised Code, less					8032
all other available cash. Revenue deposited pursuant to this					8033
section shall support, in part, appropriations for operating					8034
expenses and defray the cost of manufacturing and distributing					8035
license plates and license plate stickers and enforcing the law					8036
relative to the operation and registration of motor vehicles.					8037
Notwithstanding section 4501.03 of the Revised Code, the revenues					8038
shall be paid into the State Bureau of Motor Vehicles Fund before					8039
any revenues obtained pursuant to sections 4503.02 and 4504.02 of					8040
the Revised Code are paid into any other fund. The deposit of					8041
revenues to meet the aforementioned cash needs shall be in					8042
approximate equal amounts on a monthly basis or as otherwise					8043
determined by the Director of Budget and Management pursuant to a					8044
plan submitted by the Registrar of Motor Vehicles.					8045
CAPITAL PROJECTS					8046
The Registrar of Motor Vehicles may transfer cash from the					8047
State Bureau of Motor Vehicles Fund (Fund 4W4) to the State					8048
Highway Safety Fund (Fund 036) to meet its obligations for capital					8049
projects CIR-047, Department of Public Safety Office Building,					8050
CIR-049, Warehouse Facility, and CAP-070, Canton One Stop Shop.					8051
TRANSFER OF FUNDS TO FUND 5V1					8052
On July 1, 2003, or as soon thereafter as possible, the					8053

Director of Budget and Management shall transfer the cash balances 8054
in the Collegiate, Football Hall of Fame, Ohio Casa/GAL, Rotary 8055
International, Pro Sports Teams, Boy Scouts, Girl Scouts, Eagle 8056
Scouts, FOP, FOP Associates, Ducks Unlimited, FFA, and Leader in 8057
Flight Funds to the License Plate Contribution Fund (Fund 5V1). 8058
The spending authority to honor encumbrances established in the 8059
prior fiscal year is hereby appropriated. 8060

Section 13.02. ENFORCEMENT 8061

State Highway Safety Fund Group				8062
036 764-033 Minor Capital Projects	\$	1,775,667	\$ 1,779,664	8063
036 764-321 Operating Expense - Highway Patrol	\$	208,447,118	\$ 217,516,933	8064
036 764-605 Motor Carrier Enforcement Expenses	\$	2,544,319	\$ 2,603,697	8065
83C 764-630 Contraband, Forfeiture, Other	\$	622,894	\$ 622,894	8066
83F 764-657 Law Enforcement Automated Data System	\$	6,425,009	\$ 7,111,198	8067
83G 764-633 OMVI Fines	\$	820,927	\$ 820,927	8068
831 764-610 Patrol - Federal	\$	2,371,659	\$ 2,407,585	8069
831 764-659 Transportation Enforcement - Federal	\$	4,635,684	\$ 4,738,515	8070
837 764-602 Turnpike Policing	\$	9,648,265	\$ 9,653,030	8071
838 764-606 Patrol Reimbursement	\$	222,108	\$ 222,108	8072
840 764-607 State Fair Security	\$	1,462,774	\$ 1,496,283	8073
840 764-617 Security and Investigations	\$	8,653,390	\$ 8,145,192	8074
840 764-626 State Fairgrounds Police Force	\$	788,375	\$ 788,375	8075
841 764-603 Salvage and Exchange - Highway Patrol	\$	1,274,101	\$ 1,274,101	8076
TOTAL HSF State Highway Safety				8077

Fund Group	\$	249,692,290	\$	259,180,502	8078
General Services Fund Group					8079
4S2 764-660 MARCS Maintenance	\$	232,154	\$	237,210	8080
TOTAL GSF General Services					8081
Fund Group	\$	232,154	\$	237,210	8082
TOTAL ALL BUDGET FUND GROUPS -					8083
Enforcement	\$	249,924,444	\$	259,417,712	8084
COLLECTIVE BARGAINING INCREASES					8085
Notwithstanding division (D) of section 127.14 and division					8086
(B) of section 131.35 of the Revised Code, except for the General					8087
Revenue Fund, the Controlling Board may, upon the request of					8088
either the Director of Budget and Management, or the Department of					8089
Public Safety with the approval of the Director of Budget and					8090
Management, increase appropriations for any fund, as necessary for					8091
the Department of Public Safety, to assist in paying the costs of					8092
increases in employee compensation that have occurred pursuant to					8093
collective bargaining agreements under Chapter 4117. of the					8094
Revised Code and, for exempt employees, under section 124.152 of					8095
the Revised Code.					8096
Section 13.03. EMERGENCY MEDICAL SERVICES					8097
State Highway Safety Fund Group					8098
83M 765-624 Operating Expenses -	\$	2,519,883	\$	2,587,627	8099
EMS					
83P 765-637 EMS Grants	\$	5,836,744	\$	5,836,744	8100
831 765-610 EMS/Federal	\$	582,007	\$	582,007	8101
TOTAL HSF State Highway Safety					8102
Fund Group	\$	8,938,634	\$	9,006,378	8103
TOTAL ALL BUDGET FUND GROUPS -					8104
Emergency Medical Services	\$	8,938,634	\$	9,006,378	8105
Section 13.04. INVESTIGATIVE UNIT					8107

State Highway Safety Fund Group				8108
831 767-610 Liquor Enforcement -	\$	514,184	\$ 514,184	8109
Federal				
831 769-610 Food Stamp Trafficking	\$	817,177	\$ 817,177	8110
Enforcement - Federal				
TOTAL HSF State Highway Safety				8111
Fund Group	\$	1,331,361	\$ 1,331,361	8112
Liquor Control Fund Group				8113
043 767-321 Liquor Enforcement -	\$	9,644,288	\$ 9,825,597	8114
Operations				
TOTAL LCF Liquor Control Fund				8115
Group	\$	9,644,288	\$ 9,825,597	8116
State Special Revenue Fund Group				8117
622 767-615 Investigative	\$	404,111	\$ 404,111	8118
Contraband and				
Forfeiture				
850 767-628 Investigative Unit	\$	120,000	\$ 120,000	8119
Salvage				
TOTAL SSR State Special Revenue				8120
Fund Group	\$	524,111	\$ 524,111	8121
TOTAL ALL BUDGET FUND GROUPS -				8122
Special Enforcement	\$	11,499,760	\$ 11,681,069	8123
LEASE RENTAL PAYMENTS FOR CAP-076, INVESTIGATIVE UNIT MARCS				8124
EQUIPMENT				8125
The Director of Public Safety, using intrastate transfer				8126
vouchers, shall make cash transfers to the State Highway Safety				8127
Fund (Fund 036) from other funds to reimburse the State Highway				8128
Safety Fund for the share of lease rental payments to the Ohio				8129
Building Authority that are associated with appropriation item				8130
CAP-076, Investigative Unit MARCS Equipment.				8131

Section 13.05. EMERGENCY MANAGEMENT				8132
Federal Special Revenue Fund Group				8133
3N5	763-644	U.S. DOE Agreement	\$ 266,000 \$ 275,000	8134
329	763-645	Individual/Family Grant - Fed	\$ 303,504 \$ 303,504	8135
337	763-609	Federal Disaster Relief	\$ 5,000,000 \$ 3,000,000	8136
339	763-647	Emergency Management Assistance and Training	\$ 129,622,000 \$ 129,622,000	8137
TOTAL FED Federal Special Revenue Fund Group				8138
				8139
				8140
4V3	763-662	EMA Service and Reimbursement	\$ 696,446 \$ 696,446	8141
533	763-601	State Disaster Relief	\$ 7,500,000 \$ 7,500,000	8142
TOTAL GSF General Services Fund Group				8143
				8144
State Special Revenue Fund Group				8145
657	763-652	Utility Radiological Safety	\$ 1,200,000 \$ 1,260,000	8146
681	763-653	SARA Title III HAZMAT Planning	\$ 264,510 \$ 271,510	8147
TOTAL SSR State Special Revenue Fund Group				8148
				8149
TOTAL ALL BUDGET FUND GROUPS - Emergency Management				8150
				8151
EMERGENCY MANAGEMENT ASSISTANCE AND TRAINING				8152
Of the foregoing appropriation item 763-647, Emergency Management Assistance and Training, a minimum of 85 per cent of				8153
				8154

the federal grant moneys received shall be distributed to local 8155
governments for the purposes of acquiring homeland security 8156
equipment, training for essential first responders, and enhancing 8157
local government capabilities to plan, coordinate, and exercise 8158
emergency operation plans regarding weapons of mass destruction 8159
and other antiterrorism events. The remainder of the moneys shall 8160
be used by the Emergency Management Agency. If federal grant 8161
guidelines for the moneys received by this appropriation item 8162
require the amount of moneys to be used by the Emergency 8163
Management Agency or other state agencies for the purposes of 8164
homeland security to be higher than 15 per cent, or if federal 8165
grant guidelines prohibit use of the moneys for the aforementioned 8166
purposes, the Emergency Management Agency may alter the 8167
aforementioned local government portion of the moneys, with 8168
approval of the Controlling Board. 8169

Prior to the release of moneys from appropriation item 8170
763-647, Emergency Management Assistance and Training, the 8171
Controlling Board shall approve the use and distribution of the 8172
moneys. 8173

SARA TITLE III HAZMAT PLANNING 8174

The SARA Title III HAZMAT Planning Fund (Fund 681) shall 8175
receive grant funds from the Emergency Response Commission to 8176
implement the Emergency Management Agency's responsibilities under 8177
Chapter 3750. of the Revised Code. 8178

STATE DISASTER RELIEF 8179

The foregoing appropriation item 763-601, State Disaster 8180
Relief, may accept transfers of cash and appropriations from 8181
Controlling Board appropriation items to reimburse eligible local 8182
governments and private nonprofit organizations for costs related 8183
to disasters that have been declared by local governments or the 8184
Governor. The Ohio Emergency Management Agency shall publish and 8185

make available an application packet outlining eligible items and 8186
application procedures for entities requesting state disaster 8187
relief. 8188

Individuals may be eligible for reimbursement of costs 8189
related to disasters that have been declared by the Governor and 8190
the Small Business Administration. The funding in appropriation 8191
item 763-601, State Disaster Relief, shall be used in accordance 8192
with the principles of the federal Individual and Family Grant 8193
Program, which provides grants to households that have been 8194
affected by a disaster to replace basic living items. The Ohio 8195
Emergency Management Agency shall publish and make available an 8196
application procedure for individuals requesting assistance under 8197
the state Individual Assistance Program. 8198

EMA SERVICE AND REIMBURSEMENT FUND 8199

On July 1, 2003, or as soon as possible thereafter, the 8200
Director of Budget and Management shall transfer the cash balances 8201
in the EMA Utility Payment Fund (Fund 4Y0) and the Salvage and 8202
Exchange-EMA Fund (Fund 4Y1) to the EMA Service and Reimbursement 8203
Fund (Fund 4V3), created in section 5502.39 of the Revised Code. 8204
Upon the completion of the transfer, notwithstanding any other 8205
provision of law to the contrary, the EMA Utility Payment Fund 8206
(Fund 4Y0) and the Salvage and Exchange-EMA Fund (Fund 4Y1) are 8207
abolished. The director shall cancel any existing encumbrances 8208
against appropriation items 763-654, EMA Utility Payment, and 8209
763-655, Salvage and Exchange-EMA, and reestablish them against 8210
appropriation item 763-662, EMA Service and Reimbursement. The 8211
amounts of the reestablished encumbrances are hereby appropriated. 8212

Section 13.06. ADMINISTRATION 8213

State Highway Safety Fund Group 8214
036 766-321 Operating Expense - \$ 4,346,226 \$ 4,461,836 8215
Administration

830 761-603 Salvage and Exchange - \$	22,070	\$	22,070	8216
Administration				
TOTAL HSF State Highway Safety				8217
Fund Group	\$	4,368,296	\$	4,483,906 8218
General Services Fund Group				8219
4S3 766-661 Hilltop Utility \$	500,000	\$	500,000	8220
Reimbursement				
TOTAL GSF General Services				8221
Fund Group	\$	500,000	\$	500,000 8222
TOTAL ALL BUDGET FUND GROUPS -				8223
Administration	\$	4,868,296	\$	4,983,906 8224
Section 13.07. DEBT SERVICE				8226
State Highway Safety Fund Group				8227
036 761-401 Lease Rental Payments \$	11,676,700	\$	13,663,200	8228
TOTAL HSF State Highway Safety				8229
Fund Group	\$	11,676,700	\$	13,663,200 8230
TOTAL ALL BUDGET FUND GROUPS -				8231
Debt Service	\$	11,676,700	\$	13,663,200 8232
OBA BOND AUTHORITY/LEASE RENTAL PAYMENTS				8233
The foregoing appropriation item 761-401, Lease Rental				8234
Payments, shall be used for payments to the Ohio Building				8235
Authority for the period July 1, 2003, to June 30, 2005, pursuant				8236
to the primary leases and agreements for buildings made under				8237
Chapter 152. of the Revised Code that are pledged for bond service				8238
charges on related obligations issued pursuant to Chapter 152. of				8239
the Revised Code. Notwithstanding section 152.24 of the Revised				8240
Code, the Ohio Building Authority may, with approval of the				8241
Director of Budget and Management, lease capital facilities to the				8242
Department of Public Safety.				8243
HILLTOP TRANSFER				8244

The Director of Public Safety shall determine, per an 8245
agreement with the Director of Transportation, the share of each 8246
debt service payment made out of appropriation item 761-401, Lease 8247
Rental Payments, that relates to the Department of 8248
Transportation's portion of the Hilltop Building Project, and 8249
shall certify to the Director of Budget and Management the amounts 8250
of this share. The Director of Budget and Management shall 8251
transfer such shares from the Highway Operating Fund (Fund 002) to 8252
the Highway Safety Fund (Fund 036). 8253

Section 13.08. REVENUE DISTRIBUTION 8254

Holding Account Redistribution Fund Group				8255
R24 762-619 Unidentified Motor	\$	1,850,000	\$ 1,850,000	8256
Vehicle Receipts				
R27 764-608 Patrol Fee Refunds	\$	35,000	\$ 35,000	8257
R52 762-623 Security Deposits	\$	250,000	\$ 250,000	8258
TOTAL 090 Holding Account				8259
Redistribution Fund Group	\$	2,135,000	\$ 2,135,000	8260
TOTAL ALL BUDGET FUND GROUPS -				8261
Revenue Distribution	\$	2,135,000	\$ 2,135,000	8262
TOTAL Department of Public Safety				8263
TOTAL HSF State Highway Safety				8264
Fund Group	\$	433,262,417	\$ 449,298,898	8265
TOTAL SSR State Special Revenue				8266
Fund Group	\$	2,228,523	\$ 2,295,523	8267
TOTAL LCF Liquor Control				8268
Fund Group	\$	9,644,288	\$ 9,825,597	8269
TOTAL GSF General Services				8270
Fund Group	\$	8,928,600	\$ 8,933,656	8271
TOTAL FED Federal Revenue Special				8272
Fund Group	\$	135,191,504	\$ 133,200,504	8273
TOTAL AGY Agency Fund Group	\$	100,000	\$ 100,000	8274

TOTAL 090 Holding Account				8275	
Redistribution					
Fund Group	\$	2,135,000	\$	2,135,000	8276
TOTAL ALL BUDGET FUND GROUPS	\$	591,490,332	\$	605,789,178	8277

Section 13.09. CASH BALANCE FUND REVIEW 8279

Not later than the first day of April in each fiscal year of 8280
the biennium, the Director of Budget and Management shall review 8281
the cash balances for each fund, except the State Highway Safety 8282
Fund (Fund 036) and the Bureau of Motor Vehicles Fund (Fund 4W4) 8283
in the State Highway Safety Fund Group, and shall recommend to the 8284
Controlling Board an amount to be transferred to the credit of the 8285
State Highway Safety Fund, or the Bureau of Motor Vehicles Fund, 8286
as appropriate. 8287

SCHEDULE OF TRANSFERS TO THE STATE HIGHWAY SAFETY FUND 8288

The Director of Budget and Management, pursuant to a plan 8289
submitted by the Department of Public Safety or as otherwise 8290
determined by the Director, shall set a cash transfer schedule 8291
totaling \$140,137,500 in fiscal year 2004 and \$94,359,250 in 8292
fiscal year 2005 from the Highway Operating Fund, established in 8293
section 5735.291 of the Revised Code, to the State Highway Safety 8294
Fund, established in section 4501.06 of the Revised Code. The 8295
director shall transfer the cash at such times as is determined by 8296
the transfer schedule. 8297

MONTHLY TRANSFERS TO GASOLINE EXCISE TAX FUND 8298

The Director of Budget and Management shall transfer cash in 8299
equal monthly increments totaling \$46,712,500 in fiscal year 2004 8300
and \$94,359,250 in fiscal year 2005 from the Highway Operating 8301
Fund, established in section 5735.291 of the Revised Code, to the 8302
Gasoline Excise Tax Fund established in division (A) of section 8303
5735.27 of the Revised Code. The monthly amounts transferred 8304

pursuant to this section shall be distributed as follows: 8305
forty-two and eighty-six hundredths (42.86) per cent shall be 8306
distributed among the municipal corporations within the state in 8307
accordance with division (A)(2) of section 5735.27 of the Revised 8308
Code; thirty-seven and fourteen hundredths (37.14) per cent shall 8309
be distributed among the counties within the state in accordance 8310
with division (A)(3) of section 5735.27 of the Revised Code; and 8311
twenty (20) per cent shall be distributed among the townships 8312
within the state in accordance with division (A)(5) of section 8313
5735.27 of the Revised Code. 8314

Section 14. DEV DEPARTMENT OF DEVELOPMENT 8315

State Special Revenue Fund Group 8316
4W0 195-629 Roadwork Development \$ 12,699,900 \$ 12,699,900 8317
TOTAL SSR State Special Revenue 8318
Fund Group \$ 12,699,900 \$ 12,699,900 8319
TOTAL ALL BUDGET FUND GROUPS \$ 12,699,900 \$ 12,699,900 8320

ROADWORK DEVELOPMENT FUND 8321

The Roadwork Development Fund shall be used for road 8322
improvements associated with economic development opportunities 8323
that will retain or attract businesses for Ohio. "Road 8324
improvements" are improvements to public roadway facilities 8325
located on, or serving or capable of serving, a project site. 8326

The Department of Transportation, under the direction of the 8327
Department of Development, shall provide these funds in accordance 8328
with all guidelines and requirements established for Department of 8329
Development appropriation item 195-412, Business Development, 8330
including Controlling Board review and approval as well as the 8331
requirements for usage of gas tax revenue prescribed in Section 5a 8332
of Article XII, Ohio Constitution. Should the Department of 8333
Development require the assistance of the Department of 8334
Transportation to bring a project to completion, the Department of 8335

Transportation shall use the authority under Title LV of the 8336
Revised Code to provide such assistance and enter into contracts 8337
on behalf of the Department of Development. In addition, these 8338
funds may be used in conjunction with appropriation item 195-412, 8339
Business Development, or any other state funds appropriated for 8340
infrastructure improvements. 8341

The Director of Budget and Management, pursuant to a plan 8342
submitted by the Department of Development or as otherwise 8343
determined by the Director of Budget and Management, shall set a 8344
cash transfer schedule to meet the cash needs of the Department of 8345
Development's Roadwork Development Fund (Fund 4W0), less any other 8346
available cash. The director shall transfer to the Roadwork 8347
Development Fund from the Highway Operating Fund (Fund 002), 8348
established in section 5735.291 of the Revised Code, such amounts 8349
at such times as determined by the transfer schedule. 8350

TRANSPORTATION IMPROVEMENT DISTRICTS 8351

Of the foregoing appropriation item 195-629, Roadwork 8352
Development, \$250,000 in each fiscal year of the biennium shall be 8353
paid by the Director of Development to each of the transportation 8354
improvement districts of Butler, Hamilton, Medina, and Stark 8355
counties, as provided for in section 5540.151 of the Revised Code. 8356
The transportation improvement districts may use the payments for 8357
any purpose authorized under Chapter 5540. of the Revised Code, 8358
including administrative activities and the purchase of property 8359
and rights for the construction, maintenance, or operation of a 8360
project. These payments shall not be subject to the restrictions 8361
of appropriation item 195-629, Roadwork Development. 8362

Section 15. PWC PUBLIC WORKS COMMISSION 8363

Local Transportation Improvements Fund Group 8364
052 150-402 LTIP - Operating \$ 291,946 \$ 298,441 8365
052 150-701 Local Transportation \$ 67,500,000 \$ 67,500,000 8366

Improvement Program			
TOTAL 052 Local Transportation			8367
Improvements Fund Group	\$ 67,791,946	\$ 67,798,441	8368
Local Infrastructure Improvements Fund Group			8369
038 150-321 SCIP - Operating	\$ 884,239	\$ 906,324	8370
Expenses			
TOTAL LIF Local Infrastructure			8371
Improvements Fund Group	\$ 884,239	\$ 906,324	8372
TOTAL ALL BUDGET FUND GROUPS	\$ 68,676,185	\$ 68,704,765	8373

DISTRICT ADMINISTRATION COSTS 8374

The Director of the Public Works Commission is authorized to 8375
create a District Administration Costs Program from interest 8376
earnings of the Capital Improvements Fund and Local Transportation 8377
Improvement Program Fund proceeds. This program shall be used to 8378
provide for administration costs of the nineteen public works 8379
districts for the direct costs of district administration. 8380
Districts choosing to participate in this program shall only 8381
expend Capital Improvements Fund moneys for Capital Improvements 8382
Fund costs and Local Transportation Improvement Program Fund 8383
moneys for Local Transportation Improvement Program Fund costs. 8384
The account shall not exceed \$760,000 per fiscal year. Each public 8385
works district may be eligible for up to \$40,000 per fiscal year 8386
from its district allocation as provided in sections 164.08 and 8387
164.14 of the Revised Code. 8388

The director, by rule, shall define allowable and 8389
nonallowable costs for the purpose of the District Administration 8390
Costs Program. Nonallowable costs include indirect costs, elected 8391
official salaries and benefits, and project-specific costs. No 8392
district public works committee may participate in the District 8393
Administration Costs Program without the approval of those costs 8394
by the district public works committee pursuant to section 164.04 8395
of the Revised Code. 8396

REAPPROPRIATIONS	8397
All capital appropriations from the Local Transportation Improvement Program Fund (Fund 052) in Sub. H.B. 73 of the 124th General Assembly remaining unencumbered as of June 30, 2003, are reappropriated for use during the period July 1, 2003, through June 30, 2004, for the same purpose.	8398 8399 8400 8401 8402
Notwithstanding division (B) of section 127.14 of the Revised Code, all capital appropriations and reappropriations from the Local Transportation Improvement Program Fund (Fund 052) in this act remaining unencumbered as of June 30, 2004, are reappropriated for use during the period July 1, 2004, through June 30, 2005, for the same purpose, subject to the availability of revenue as determined by the Director of the Public Works Commission.	8403 8404 8405 8406 8407 8408 8409
Section 16. PROVISIONS OF LAW GENERALLY APPLICABLE TO APPROPRIATIONS	8410 8411
Law contained in the main operating appropriations act of the 125th General Assembly that is generally applicable to the appropriations made in the main operating appropriations act also is generally applicable to the appropriations made in this act.	8412 8413 8414 8415
Section 17. LEASE PAYMENTS TO OBA AND TREASURER	8416
Certain appropriations are in this act for the purpose of lease payments to the Ohio Building Authority or to the Treasurer of State pursuant to leases and agreements relating to bonds or notes issued by the Ohio Building Authority or the Treasurer of State pursuant to the Ohio Constitution and acts of the General Assembly. If it is determined that additional appropriations are necessary for this purpose, such amounts are hereby appropriated.	8417 8418 8419 8420 8421 8422 8423
Section 18. In accordance with the Department of Transportation's existing schedule for reconstruction of	8424 8425

Interstate Route 71, the Department shall add a third lane of 8426
travel in both the northbound and southbound lanes of Interstate 8427
Route 71, from one mile south of State Route 18 to the interchange 8428
with State Route 303. 8429

Section 19. Notwithstanding section 5511.01 of the Revised 8430
Code, the Director of Transportation shall designate the road 8431
known as Rockside/Snow Road within Cuyahoga County as a state 8432
highway. The Director also may designate any additional connecting 8433
roads necessary to incorporate Rockside/Snow Road as part of the 8434
state highway system. 8435

Section 20. Except as otherwise specifically provided in this 8436
act, the codified sections of law amended or enacted in this act, 8437
and the items of law of which the codified sections of law amended 8438
or enacted in this act are composed, are subject to the 8439
referendum. Therefore, under Ohio Constitution, Article II, 8440
Section 1c and section 1.471 of the Revised Code, the codified 8441
sections of law amended or enacted by this act, and the items of 8442
law of which the codified sections of law as amended or enacted by 8443
this act are composed, take effect on the ninety-first day after 8444
this act is filed with the Secretary of State. If, however, a 8445
referendum petition is filed against any such codified section of 8446
law as amended or enacted by this act, or against any item of law 8447
of which any such codified section of law as amended or enacted by 8448
this act is composed, the codified section of law as amended or 8449
enacted, or item of law, unless rejected at the referendum, takes 8450
effect at the earliest time permitted by law. 8451

Section 21. Sections 4501.21, 4503.50, 4503.51, 4503.55, 8452
4503.561, 4503.591, 4503.67, 4503.68, 4503.69, 4503.71, 4503.711, 8453
4503.72, 4503.73, 4503.75, 4503.86, 5502.39, 5531.10, 5735.27, 8454
5735.29, and 5735.291 of the Revised Code, as amended or enacted 8455

by this act, and the items of law of which such sections as 8456
amended or enacted by this act are composed, are not subject to 8457
the referendum. Therefore, under Ohio Constitution, Article II, 8458
Section 1d and section 1.471 of the Revised Code, such sections as 8459
amended or enacted by this act, and the items of law of which such 8460
sections as amended or enacted by this act are composed, go into 8461
immediate effect when this act becomes law. 8462

Section 22. The repeal by this act of sections 4501.20, 8463
4501.22, 4501.29, 4501.30, 4501.311, 4501.32, 4501.33, 4501.39, 8464
4501.40, 4501.41, 4501.61, 4501.71, and 4503.251 of the Revised 8465
Code is not subject to the referendum. Therefore, under Ohio 8466
Constitution, Article II, Section 1d and section 1.471 of the 8467
Revised Code, such repeals go into immediate effect when this act 8468
becomes law. 8469

Section 23. If the amendment or enactment in this act of a 8470
codified section of law is subject to the referendum, the 8471
corresponding indications in the amending, enacting, or existing 8472
repeal clauses commanding the amendment or enactment also are 8473
subject to the referendum, along with the amendment or enactment. 8474
If the amendment, enactment, or repeal by this act of a codified 8475
or uncodified section of law is not subject to the referendum, the 8476
corresponding indications in the amending, enacting, or repeal 8477
clauses commanding the amendment, enactment, or repeal also are 8478
not subject to the referendum, the same as the amendment, 8479
enactment, or repeal. 8480

Section 24. The items in the uncodified sections of law 8481
contained in this act that appropriate money for the current 8482
expenses of state government, earmark this class of 8483
appropriations, or depend for their implementation upon an 8484
appropriation for the current expenses of state government are not 8485

subject to the referendum. Therefore, under Ohio Constitution, 8486
Article II, Section 1d and section 1.471 of the Revised Code, 8487
these items go into immediate effect when this act becomes law. 8488

The items in the uncodified sections of law contained in this 8489
act that appropriate money other than for the current expenses of 8490
state government, earmark this class of appropriations, or do not 8491
depend for their implementation upon an appropriation for the 8492
current expenses of state government are subject to the 8493
referendum. Therefore, under Ohio Constitution, Article II, 8494
Section 1c and section 1.471 of the Revised Code, these items take 8495
effect on the ninety-first day after this act is filed with the 8496
Secretary of State. If, however, a referendum petition is filed 8497
against such an item, the item, unless rejected at the referendum, 8498
takes effect at the earliest time permitted by law. 8499

This section is not subject to the referendum. Therefore, 8500
under Ohio Constitution, Article II, Section 1d and section 1.471 8501
of the Revised Code, this section goes into immediate effect when 8502
this act becomes law. 8503

Section 25. Section 4503.10 of the Revised Code is presented 8504
in this act as a composite of the section as amended by Am. Sub. 8505
H.B. 94, S.B. 31, and Sub. S.B. 59, all of the 124th General 8506
Assembly. The General Assembly, applying the principle stated in 8507
division (B) of section 1.52 of the Revised Code that amendments 8508
are to be harmonized if reasonably capable of simultaneous 8509
operation, finds that the composite is the resulting version of 8510
the section in effect prior to the effective date of the section 8511
as presented in this act. 8512

Section 26. The version of section 4503.10 of the Revised 8513
Code that is scheduled to take effect January 1, 2004, is 8514
presented in this act as a composite of the section as amended by 8515

both Sub. S.B. 59 and Am. Sub. S.B. 123 of the 124th General 8516
Assembly. The General Assembly, applying the principle stated in 8517
division (B) of section 1.52 of the Revised Code that amendments 8518
are to be harmonized if reasonably capable of simultaneous 8519
operation, finds that the composite is the resulting version of 8520
the section in effect prior to the effective date of the section 8521
as presented in this act. 8522

Section 27. Section 4503.51 of the Revised Code is presented 8523
in this act as a composite of the section as amended by both Am. 8524
Sub. H.B. 210 and Am. Sub. H.B. 224 of the 122nd General Assembly. 8525
The General Assembly, applying the principle stated in division 8526
(B) of section 1.52 of the Revised Code that amendments are to be 8527
harmonized if reasonably capable of simultaneous operation, finds 8528
that the composite is the resulting version of the section in 8529
effect prior to the effective date of the section as presented in 8530
this act. 8531

Section 28. Section 4503.55 of the Revised Code is presented 8532
in this act as a composite of the section as amended by both Am. 8533
Sub. H.B. 210 and Am. Sub. H.B. 224 of the 122nd General Assembly. 8534
The General Assembly, applying the principle stated in division 8535
(B) of section 1.52 of the Revised Code that amendments are to be 8536
harmonized if reasonably capable of simultaneous operation, finds 8537
that the composite is the resulting version of the section in 8538
effect prior to the effective date of the section as presented in 8539
this act. 8540

Section 29. If any item of law that constitutes the whole or 8541
part of a codified or uncodified section of law contained in this 8542
act, or if any application of any item of law that constitutes the 8543
whole or part of a codified or uncodified section of law contained 8544
in this act, is held invalid, the invalidity does not affect other 8545
items of law or applications of items of law that can be given 8546

effect without the invalid item of law or application. To this	8547
end, the items of law of which the codified and uncodified	8548
sections contained in this act are composed, and their	8549
applications, are independent and severable.	8550