

As Passed by the House

125th General Assembly
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2003-2004

Am. Sub. H. B. No. 87

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Representatives?Buehrer, Setzer?

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, 4503.86,	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
and to amend Section 25 of Am. Sub. H.B. 524 of	18
the 124th General Assembly, to make appropriations	19
for programs related to transportation and public	20
safety for the biennium beginning July 1, 2003,	21
and ending June 30, 2005, to provide authorization	22
and conditions for the operation of those	23
programs, and to amend the versions of sections	24
1547.11, 4503.10, 4503.11, 4503.182, 4503.19,	25

4503.21, 4511.19, 4513.111, and 4549.10 of the 26
Revised Code that are scheduled to take effect 27
January 1, 2004. 28

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

Section 1. That sections 723.52, 723.53, 1547.11, 3704.14, 29
3704.143, 4501.10, 4503.10, 4503.101, 4503.103, 4503.11, 4503.173, 30
4503.181, 4503.182, 4503.19, 4503.21, 4503.23, 4503.50, 4503.51, 31
4503.55, 4503.561, 4503.591, 4503.67, 4503.68, 4503.69, 4503.71, 32
4503.711, 4503.72, 4503.73, 4503.75, 4505.09, 4506.08, 4507.23, 33
4511.04, 4511.19, 4511.191, 4511.197, 4513.111, 4513.52, 4513.53, 34
4549.10, 5501.20, 5501.34, 5501.45, 5502.02, 5517.011, 5517.02, 35
5525.20, 5531.10, 5543.19, 5575.01, 5735.27, 5735.29, and 5735.291 36
be amended and sections 117.16, 4501.061, 4501.21, 4501.42, 37
4501.43, 4503.105, 4503.106, 4503.192, 4503.86, 5502.39, and 38
5543.22 of the Revised Code be enacted to read as follows: 39

Sec. 117.16. (A) The auditor of state shall do all of the 40
following: 41

(1) Develop a force account project assessment form that each 42
public office that undertakes force account projects shall use to 43
estimate or report the cost of a force account project. The form 44
shall include costs for employee salaries and benefits, any other 45
labor costs, materials, freight, fuel, hauling, overhead expense, 46
workers' compensation premiums, and all other items of cost and 47
expense, including a reasonable allowance for the use of all tools 48
and equipment used on or in connection with such work and for the 49
depreciation on the tools and equipment. 50

(2) Make the form available to public offices by any 51
cost-effective, convenient method accessible to the auditor of 52
state and the public offices; 53

(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. 54
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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. 59
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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: 65
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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; 72
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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; 76
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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. 79
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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 82
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two years of finding a first violation, the auditor, in addition
to any other action authorized by this chapter, shall notify the
political subdivision that, for a period of two years from the
date of the notification, the force account limits for the
subdivision are reduced in accordance with division (C)(1)(a),
(b), or (c) of this section.

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

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

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

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

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

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

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officers may proceed by force account. 115

Where the total estimated cost of any such work exceeds ~~ten~~ 116
thirty thousand dollars, the proper officers of the municipal 117
corporation shall be required to invite and receive competitive 118
bids for furnishing all the labor, materials, and equipment and 119
doing the work, after newspaper advertisement as provided by law, 120
~~and to.~~ The officers shall consider and may reject such bids 121
~~before ordering.~~ If the bids are rejected, the officers may order 122
the work done by force account or direct labor. When such bids are 123
received, considered, and rejected, and the work done by force 124
account or direct labor, such work shall be performed in 125
compliance with the plans and specifications upon which the bids 126
were based. It shall be unlawful to divide a street or connecting 127
streets into separate sections for the purpose of defeating this 128
section and section 723.53 of the Revised Code. 129

"Street," as used in such sections, includes portions of 130
connecting streets on which the same or similar construction, 131
reconstruction, widening, resurfacing, or repair is planned or 132
projected. 133

Sec. 723.53. Where the proper officers of any municipal 134
corporation construct, reconstruct, widen, resurface, or repair a 135
street or other public way by force account or direct labor, and 136
the estimated cost of the work as defined in section 723.52 of the 137
Revised Code exceeds ~~ten~~ thirty thousand dollars, such municipal 138
authorities shall cause to be kept by the engineer of the 139
municipal corporation, or other officer or employee of the 140
municipal corporation in charge of such work, a complete and 141
accurate account, in detail, of the cost of doing the work. The 142
account shall include labor, materials, freight, fuel, hauling, 143
overhead expense, workers' compensation premiums, and all other 144
items of cost and expense, including a reasonable allowance for 145

the use of all tools and equipment used on or in connection with 146
such work and for the depreciation on the tools and equipment. The 147
engineer or other officer or employee shall keep such account, and 148
within ninety days after the completion of any such work ~~he~~ shall 149
prepare a detailed and itemized statement of such cost and file 150
the statement with the officer or board vested with authority to 151
direct the doing of the work in question. Such officer or board 152
shall thereupon examine the statement, correct it if necessary, 153
and file it in ~~his or its~~ the office of the officer or board. Such 154
statement shall be kept on file for not less than two years and 155
shall be open to public inspection. 156

This section and section 723.52 of the Revised Code do not 157
apply to any municipal corporations having a charter form of 158
government. 159

Sec. 1547.11. (A) No person shall operate or be in physical 160
control of any vessel underway or shall manipulate any water skis, 161
aquaplane, or similar device on the waters in this state if any of 162
the following applies: 163

(1) The person is under the influence of alcohol or a drug of 164
abuse, or the combined influence of alcohol and a drug of abuse~~+~~. 165

(2) The person has a concentration of ~~ten-hundredths~~ 166
eight-hundredths of one per cent or more by weight of alcohol in 167
the person's blood~~+~~. 168

(3) The person has a concentration of ~~fourteen-hundredths~~ 169
eleven-hundredths of one gram or more by weight of alcohol per one 170
hundred milliliters of the person's urine~~+~~. 171

(4) The person has a concentration of ~~ten-hundredths~~ 172
eight-hundredths of one gram or more by weight of alcohol per two 173
hundred ten liters of the person's breath. 174

(B) No person under twenty-one years of age shall operate or 175

be in physical control of any vessel underway or shall manipulate 176
any water skis, aquaplane, or similar device on the waters in this 177
state if any of the following applies: 178

(1) The person has a concentration of at least two-hundredths 179
of one per cent, but less than ~~ten-hundredths~~ eight-hundredths of 180
one per cent by weight of alcohol in the person's blood~~+~~. 181

(2) The person has a concentration of at least twenty-eight 182
one-thousandths of one gram, but less than ~~fourteen-hundredths~~ 183
eleven-hundredths of one gram by weight of alcohol per one hundred 184
milliliters of the person's urine~~+~~. 185

(3) The person has a concentration of at least two-hundredths 186
of one gram, but less than ~~ten-hundredths~~ eight-hundredths of one 187
gram by weight of alcohol per two hundred ten liters of the 188
person's breath. 189

(C) In any proceeding arising out of one incident, a person 190
may be charged with a violation of division (A)(1) and a violation 191
of division (B)(1), (2), or (3) of this section, but the person 192
shall not be convicted of more than one violation of those 193
divisions. 194

(D) In any criminal prosecution or juvenile court proceeding 195
for a violation of this section or of an ordinance of any 196
municipal corporation relating to operating a vessel or using any 197
water skis, aquaplane, or similar device while under the influence 198
of alcohol or a drug of abuse, the court may admit evidence on the 199
concentration of alcohol or a drug of abuse in the defendant's 200
blood, urine, or breath at the time of the alleged violation as 201
shown by chemical analysis of the defendant's blood, urine, or 202
breath taken within two hours of the time of the alleged 203
violation. 204

When a person submits to a blood test, only a physician, 205
registered nurse, or qualified technician or chemist shall 206

withdraw blood for the purpose of determining its alcohol or drug 207
of abuse content. This limitation does not apply to the taking of 208
breath or urine specimens. A physician, registered nurse, or 209
qualified technician or chemist may refuse to withdraw blood for 210
the purpose of determining its alcohol or drug of abuse content if 211
in the opinion of the physician, nurse, ~~or~~ technician, or chemist, 212
the physical welfare of the person would be endangered by the 213
withdrawing of blood. 214

The blood, urine, or breath shall be analyzed in accordance 215
with methods approved by the director of health by an individual 216
possessing a valid permit issued by the director pursuant to 217
section 3701.143 of the Revised Code. 218

If there was at the time the blood, urine, or breath was 219
taken a concentration of less than ~~ten-hundredths~~ eight-hundredths 220
of one per cent by weight of alcohol in the defendant's blood, 221
less than ~~fourteen-hundredths~~ eleven-hundredths of one gram by 222
weight of alcohol per one hundred ~~milliliters~~ milliliters of the 223
defendant's urine, or less than ~~ten-hundredths~~ eight-hundredths of 224
one gram by weight of alcohol per two hundred ten liters of the 225
defendant's breath, that fact may be considered with other 226
competent evidence in determining the guilt or innocence of the 227
defendant. 228

Upon the request of the person who was tested, the results of 229
the test shall be made available to the person or the person's 230
attorney or agent immediately upon the completion of the test 231
analysis. 232

The person tested may have a physician, registered nurse, or 233
qualified technician or chemist of the person's own choosing 234
administer a chemical test or tests in addition to any 235
administered at the direction of a law enforcement officer, and 236
shall be so advised. The failure or inability to obtain an 237
additional test by a person shall not preclude the admission of 238

evidence relating to the test or tests taken at the direction of a 239
law enforcement officer. 240

A physician, registered nurse, or qualified technician or 241
chemist who withdraws blood from a person pursuant to this 242
section, and a hospital, first-aid station, or clinic at which 243
blood is withdrawn from a person pursuant to this section, is 244
immune from criminal liability, and from civil liability that is 245
based upon a claim of assault and battery or based upon any other 246
claim that is not in the nature of a claim of malpractice, for any 247
act performed in withdrawing blood from the person. 248

(E) For the purposes of this section, "operate" means that a 249
vessel is being used on the waters in this state when the vessel 250
is not securely affixed to a dock or to shore or to any permanent 251
structure to which the vessel has the right to affix or that a 252
vessel is not anchored in a designated anchorage area or boat 253
camping area that is established by the United States coast guard, 254
this state, or a political subdivision and in which the vessel has 255
the right to anchor. 256

Sec. 3704.14. (A) As used in this section: 257

(1) "Basic motor vehicle inspection and maintenance program" 258
or "basic program" means a motor vehicle inspection and 259
maintenance program that complies with the requirements governing 260
motor vehicle inspection and maintenance programs under the "Clean 261
Air Act Amendments" and that is not an enhanced motor vehicle 262
inspection and maintenance program. 263

(2) "Clean Air Act Amendments" means the "Clean Air Act 264
Amendments of 1990," 91 Stat. 685, 42 U.S.C.A. 7401, as amended, 265
and regulations adopted under it. 266

(3) "Contractor" means any person who has entered into a 267
contract under division (D) of this section. 268

(4) "District of registration" means the district of registration of a motor vehicle as determined under section 4503.10 of the Revised Code.	269 270 271
(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."	272 273 274 275 276
(6) "Licensee" means any person licensed under division (C) of this section.	277 278
(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.	279 280 281 282
(8) "Motor vehicle" and "vehicle" have the same meanings as in section 4501.01 of the Revised Code.	283 284
(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"	285 286 287 288 289 290 291 292 293 294 295 296 297 298 299

also includes the cumulative amount of the annual adjustments to 300
each of the amounts specified in this division made by the 301
director pursuant to regulations adopted under section 302
502(b)(3)(B)(v) of the "Clean Air Act Amendments." "Waiver limit" 303
does not include the cost of any repairs performed on a vehicle 304
for the purpose of restoring the vehicle in accordance with the 305
findings of the visual anti-tampering portion of a motor vehicle 306
emissions inspection conducted under this section. 307

(B) The director of environmental protection shall implement 308
and supervise a motor vehicle inspection and maintenance program 309
in any county classified as moderate, serious, severe, or extreme 310
nonattainment for carbon monoxide or ozone in accordance with the 311
"Clean Air Act Amendments." The director shall implement and 312
supervise a basic or an enhanced motor vehicle inspection and 313
maintenance program in a county that is within an area classified 314
as nonattainment for carbon monoxide or ozone when such a program 315
is included in the air quality maintenance plan or contingency 316
plan for the nonattainment area that includes the county and that 317
is submitted to the United States environmental protection agency 318
by the director as required under section 175A of the "Clean Air 319
Act Amendments" as part of a request for redesignation of the 320
nonattainment area as attainment for carbon monoxide or ozone 321
under section 107(d) of that act, and the director determines that 322
the conditions requiring implementation of such a program and set 323
forth in either such plan have been met. The director shall 324
implement and supervise the enhanced program in any county as 325
required under section 3704.142 of the Revised Code. The director 326
may terminate the program in any county that is subject to this 327
section in accordance with division (K)(2) of this section. The 328
director shall adopt, and may amend or rescind, rules to 329
facilitate the implementation, supervision, administration, 330
operation, and enforcement of the program, including, without 331
limitation, rules providing for all of the following: 332

(1) The form of all inspection certificates, distribution of 333
inspection certificates to reinspection stations licensed under 334
division (C) of this section, and form and distribution of any 335
other papers or documents necessary or convenient to the program. 336
The rules shall include, without limitation, the requirement that 337
all inspection certificates bear a statement that reads: "This 338
automobile inspection is the result of requirements under the 339
Clean Air Act Amendments enacted by the United States Congress. 340
Any questions or comments you may have about this program may be 341
directed to your United States senator in care of the United 342
States Senate, The Capitol, Washington, D.C. 20510 or to your 343
United States representative in care of ~~The~~ the United States 344
House of Representatives, The Capitol, Washington, D.C. 20515." 345

(2) The replacement of lost or stolen certificates, papers, 346
or documents; 347

(3) Inspection procedures and standards to be used in motor 348
vehicle emissions inspections conducted under this section, 349
including, without limitation, a requirement that the inspections 350
test for carbon monoxide and hydrocarbons at idle or loaded mode 351
conditions; a requirement that the inspections test opacity for 352
particulates for diesel fueled vehicles; standards establishing 353
maximum allowable emissions of those pollutants, for both gasoline 354
fueled and diesel fueled vehicles, for each model year of motor 355
vehicles inspected; a requirement that beginning with the 1994 356
model year, the inspections utilize the on-board diagnostic 357
computer links mandated by the "Clean Air Act Amendments"; 358
requirements governing the computerized exhaust analyzer system to 359
be used by any contractor conducting inspections and any licensees 360
conducting reinspections; tampering parameter inspection 361
procedures and standards to be used in the visual anti-tampering 362
portion of an inspection conducted under this section; 363
requirements governing the engine tune-up that shall be performed 364

on any motor vehicle that fails an inspection conducted under this 365
section, including, without limitation, requirements that specific 366
items be checked and repaired, replaced, or adjusted as necessary 367
to restore the motor vehicle to proper working order or 368
specifications; tailpipe emissions improvement requirements 369
specified by percentage; a waiver repair verification system; and 370
any other necessary waiver procedures for motor vehicles that fail 371
an inspection under this section; 372

(4) A system for the maintenance and reporting of inspection 373
and reinspection station data and records; 374

(5) The manner of identifying exempt vehicles; 375

(6) Inspection, and supervision thereof, of fleets and 376
governmental vehicles under divisions (G) and (H) of this section; 377

(7) Establishment of specifications for an identification 378
sign that reinspection stations licensed under division (C) of 379
this section shall display in a conspicuous manner; 380

(8) The issuance of motor vehicle inspection certificates 381
only to reinspection stations licensed under division (C) of this 382
section that continue to comply with this section; 383

(9) The surveillance of reinspection stations licensed under 384
division (C) of this section and of inspection stations operated 385
by any contractor hired to conduct inspections under this section 386
to ensure that quality testing and this section and rules adopted 387
under it are being adhered to throughout the inspection and 388
reinspection process; 389

(10) The information to be included in applications for 390
licenses filed under division (C) of this section and the 391
procedure for filing those applications; 392

(11) The establishment of a referee inspection system by the 393
director to resolve disagreements between owners of motor vehicles 394

and inspection and reinspection stations regarding inspection and 395
reinspection results, including, without limitation, procedures 396
for the collection of an inspection fee that a referee inspection 397
station may charge for any motor vehicle inspection conducted by 398
it. The fee shall not exceed the amount of the inspection or 399
reinspection fee paid by the owner of the motor vehicle 400
established under division (D)(7) of this section for the original 401
inspection or a reinspection of the motor vehicle under this 402
section. 403

(12) The locations of computerized, high-volume, 404
contractor-operated motor vehicle inspection stations conducting 405
inspections for the purposes of this section. The rules shall 406
require both of the following: 407

(a) In urban metropolitan statistical areas and consolidated 408
metropolitan statistical areas, as defined by the bureau of the 409
census in the United States department of commerce, eighty per 410
cent of the population that is subject to this section be no more 411
than five miles from an inspection station and one hundred per 412
cent of that population be no more than ten miles from an 413
inspection station; 414

(b) In rural areas, as defined by the bureau of the census in 415
the United States department of commerce, one hundred per cent of 416
the population that is subject to this section be no more than 417
fifteen miles from an inspection station. 418

(13) A requirement that contractor-operated inspection 419
stations conducting inspections under this section be in operation 420
for at least forty-five hours per week, which shall include, 421
without limitation, operating hours in the evening and on 422
Saturdays; 423

(14) A requirement that any contractor hired to conduct 424
inspections under this section not allow vehicle waiting time to 425

exceed an average of fifteen minutes and the establishment of 426
minimum performance penalties for failure to comply with that 427
requirement; 428

(15) An adequate queuing area, as determined by the director, 429
at each contractor-operated inspection station conducting 430
inspections under this section. The rules adopted under division 431
(B)(15) of this section shall not arbitrarily discriminate against 432
any person who can reasonably be expected to submit a proposal 433
under this section for any contract provided for in division (D) 434
of this section. 435

(16) Conditions for the suspension and revocation of licenses 436
and inspector certifications issued under this section; 437

(17) The commencement date of the basic motor vehicle 438
inspection and maintenance program established under this section 439
shall be July 1, 1994, in all affected counties classified as 440
moderate nonattainment for carbon monoxide or ozone under the 441
"Clean Air Act Amendments" on ~~the effective date of this amendment~~ 442
September 27, 1993, other than Cuyahoga county. The commencement 443
date of the enhanced program in a county so classified as moderate 444
nonattainment for carbon monoxide or ozone on ~~the effective date~~ 445
~~of this amendment~~ September 27, 1993, for which the implementation 446
and supervision of the enhanced program was requested under 447
section 3704.142 of the Revised Code shall be January 1, 1995. The 448
commencement date of the program in any other affected counties, 449
other than Cuyahoga county, shall be the date established by the 450
director. 451

(18) A requirement that reinspections under the enhanced 452
motor vehicle inspection and maintenance program be conducted only 453
by a contractor hired to conduct inspections under this section; 454

(19) A requirement that each inspection station operated by a 455
contractor, each licensed reinspection station, and each referee 456

inspection station, prominently display in a location that is 457
readily visible to persons whose motor vehicles are being tested 458
pursuant to this section a sign that contains the same language 459
that is required to be printed on inspection certificates under 460
division (B)(1) of this section; 461

(20) Procedures that are necessary for the inspection of 462
motor vehicles that are registered biennially under division 463
(A)(1)(b) of section 4503.103 of the Revised Code. 464

(C)(1) The director of environmental protection shall issue 465
licenses for reinspection stations for the purposes of the basic 466
motor vehicle inspection and maintenance program established under 467
this section for two-year periods, except that for the initial 468
license period for any station, the director may issue the license 469
for a period not to exceed five years. The director may include 470
terms and conditions as part of any license issued to ensure 471
compliance with this section and rules adopted under it. 472

The director may issue a license for each reinspection 473
station for which an application is filed that complies with this 474
section and rules adopted under it. Each application shall include 475
both of the following: 476

(a) A nonrefundable fee of one hundred dollars for each 477
initial license or a nonrefundable fee of fifty dollars for 478
renewal of any license; 479

(b) A demonstration that the reinspection station will comply 480
with this section and the director's rules adopted under it. 481

(2) Each licensee shall conduct reinspections as required by 482
the director's rules. The licensee shall provide an inspection 483
certificate for vehicles that pass a reinspection under this 484
section. 485

(3) A licensee shall charge the fee under the basic program 486
that is established under division (D)(7) of this section for any 487

reinspection performed by the licensee under this section. 488

(4) A licensee may charge each person for services. However, 489
fees for reinspection shall be separately stated from any other 490
charge to the person. 491

(5) No licensee shall require as a condition of performing a 492
reinspection that any needed repairs or adjustments to a vehicle 493
be done by the licensee. 494

(6) A licensee shall maintain and make available for 495
inspection by the director or the director's authorized 496
representative accurate records as required by rules adopted under 497
this section. 498

(7) The director shall credit the moneys the director 499
receives under division (C) of this section to the motor vehicle 500
inspection and maintenance fund created in division (I) of this 501
section. 502

(D)(1) The initial motor vehicle inspections conducted under 503
the basic motor vehicle inspection and maintenance program, and 504
all inspections and reinspections conducted under the enhanced 505
program, required under this section shall be conducted by one or 506
more private contractors. The director of administrative services 507
shall issue and award contracts pursuant to a request for proposal 508
process. In doing so, the director shall consider factors in the 509
interest of consumers, including at least consumer price, service 510
quality, service delivery time, and convenience. The director 511
shall use the director's best efforts to secure as many proposals 512
as possible for each contract to be entered into under division 513
(D) of this section, which shall include the division of the state 514
into independent zones for the purpose of submission of the 515
proposals and awarding of the contracts. Each such zone shall 516
consist of a consolidated metropolitan statistical area or, if 517
such an area does not exist, of a metropolitan statistical area, 518

as defined by the bureau of the census ~~of~~ in the United States 519
department of commerce. 520

Contracts awarded under division (D) of this section are 521
subject to section 153.012 of the Revised Code. For the purpose of 522
that section, the operation of the motor vehicle inspection and 523
maintenance program is hereby deemed to be a public improvement. 524

The director shall not enter into a contract for the purposes 525
of this section with any person holding a current, valid contract 526
to act as a deputy registrar under section 4503.03 of the Revised 527
Code. 528

A contractor shall be paid from moneys generated by the 529
applicable inspection fee established by the director of 530
environmental protection under division (D)(7) of this section. No 531
general revenue funds shall be used to pay any contractor. A 532
contractor shall assume, or in accordance with a lease required 533
under division (E) of this section shall provide for the 534
assumption of, all initial capital investment costs of the motor 535
vehicle inspection and maintenance program established under this 536
section with regard to the initial inspections and reinspections 537
required to be conducted by a contractor under this section and 538
shall amortize, or in accordance with such a lease shall provide 539
for the amortization of, those costs over the period of the 540
initial contract. 541

(2) The director of administrative services shall require 542
each potential contractor to include as a part of the potential 543
contractor's proposal detailed information concerning, without 544
limitation, all of the following: 545

(a) The financial condition of the potential contractor; 546

(b) Any specialized experience and technical competence of 547
the potential contractor in connection with the type of services 548
required for the program; 549

(c) The potential contractor's past record of performance 550
with other government agencies or public entities and with private 551
industry, including, without limitation, such matters as the 552
ability to meet schedules and the names of persons who will serve 553
as references concerning the quality of the potential contractor's 554
work; 555

(d) The capacity of the potential contractor to perform the 556
work within the specified time limitations; 557

(e) The potential contractor's proposed method and equipment 558
to accomplish the work required; 559

(f) The person from whom the potential contractor proposes to 560
lease real property, including land, buildings, and other 561
structures, necessary for the operation of the program as required 562
in division (E) of this section, including information concerning 563
at least all of the following: 564

(i) Any specialized experience and technical competence of 565
the person; 566

(ii) The person's past record of performance with other 567
government agencies or public entities and with private industry, 568
including the ability to meet schedules; 569

(iii) Names of individuals who will serve as references 570
concerning the quality of the person's work; 571

(iv) The capacity of the person to perform the work within 572
the specified time limitations. 573

(g) The potential contractor's proposed schedule for leasing 574
of inspection sites, equipping of facilities, training of 575
personnel, and implementation of a public education program. 576

Each potential contractor shall include with the potential 577
contractor's proposal a signed statement from the person 578
identified under division (D)(2)(f) of this section indicating 579

that the person understands the applicable requirements 580
established under this section and rules adopted under it and 581
intends to comply with those requirements. 582

(3) The director of administrative services shall require a 583
performance bond of not less than one million dollars. Each 584
proposal shall be accompanied by a letter of commitment from a 585
bonding company stating that if the proposal is accepted, the 586
bonding company will issue such a bond. 587

(4)(a) The director of administrative services shall review 588
all information submitted with proposals under division (D)(2) of 589
this section for compliance with proposal specifications. The 590
director may require any potential contractor to supplement the 591
potential contractor's proposal with oral commentary for 592
clarification of the proposal document and to determine the 593
qualifications of the potential contractor. Any clarification of 594
information included in the proposal also shall be in writing. The 595
director shall reject the proposal of any potential contractor 596
whom the director determines to be unqualified. 597

(b) Although the director may require clarification of 598
information submitted with a proposal in accordance with division 599
(D)(4)(a) of this section, the director shall not change the 600
proposal specifications for a contract following the issuance of 601
the request for proposals for that contract. 602

(5)(a) The director of administrative services ~~shall award~~ 603
has awarded an initial contract for a period of operation of not 604
more than ten years. ~~Except as otherwise provided in division~~ 605
~~(D)(5)(b) of this section, a contract may be renewed for periods~~ 606
~~of not more than five years each, by mutual agreement of the~~ 607
~~director and the contractor. Any contract awarded under division~~ 608
~~(D)(5)(a) of this section is subject to the approval of the~~ 609
~~controlling board.~~ 610

~~(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 643
division (C) of this section; 644

(c) A provision allowing reasonable compensation, as 645
determined by the director of environmental protection, as 646
liquidated damages to the contractor if the motor vehicle 647
inspection and maintenance program established under this section 648
is terminated by law or its operation is discontinued during the 649
term of a contract or renewal, including, without limitation, 650
reasonable compensation for the unamortized costs of the 651
buildings, improvements, equipment, parts, tools, services, 652
supplies, and materials used by the contractor in the operation of 653
the program and the value of the remaining term of the contract to 654
the contractor. If a dispute arises as to the amount of the 655
compensation to be paid, it shall be submitted to and determined 656
by the court of claims under Chapter 2743. of the Revised Code. 657
The contractor shall remit any compensation so received for the 658
unamortized costs of the buildings and improvements to the person 659
with whom the contractor has entered into a lease in accordance 660
with division (E) of this section. 661

(d) A provision specifying that the forms for inspection 662
certificates are to be furnished by the contractor to the director 663
of environmental protection and that they shall conform to the 664
standards established by the director of environmental protection 665
in rules adopted under division (B)(1) of this section. The 666
director of environmental protection shall distribute the 667
inspection certificates to reinspection stations licensed under 668
division (C) of this section as needed. 669

(e) A provision allowing the director to require the 670
contractor to upgrade testing equipment in response to 671
improvements in technology and to negotiate reasonable 672
compensation for that upgrading. 673

(7) The director of environmental protection shall establish 674

inspection and reinspection fees to be paid by owners of motor 675
vehicles inspected under this section, provided that an owner 676
shall pay the inspection fee for the initial, annual, or biennial 677
inspection, as appropriate, only if the owner's vehicle passes 678
that inspection. The fees shall be sufficient to provide the 679
contractor's compensation identified in any contract entered into 680
under division (D) of this section plus the costs of the 681
environmental protection agency in implementing and administering 682
the motor vehicle inspection and maintenance program established 683
in this section. The inspection and reinspection fees shall not 684
differ in amount and shall not exceed ten dollars and fifty cents 685
under the basic motor vehicle inspection and maintenance program 686
or twenty-five dollars under the enhanced program. The director, 687
during the term of a contract or renewal, may increase the 688
inspection and reinspection fees if the director determines that 689
it is necessary to cover costs of the program, including increased 690
costs resulting from any upgrading of testing equipment pursuant 691
to division (D)(6)(e) of this section, or to prevent a possible 692
breach of contract, but shall not increase the fees above ten 693
dollars and fifty cents under the basic program or twenty-five 694
dollars under the enhanced program. 695

(8) The contractor shall do both of the following: 696

(a) Collect the fees established under division (D)(7) of 697
this section and forward to the director of environmental 698
protection the portion due the environmental protection agency; 699

(b) Maintain and make available for inspection by the 700
director of environmental protection, the auditor of state, or 701
their authorized representatives accurate records concerning the 702
collection of the fees. For the purposes of division (D)(8)(b) of 703
this section, record-keeping and accounting practices shall be 704
approved by the director. Failure to maintain or falsification of 705
fee collection records is grounds for breach of contract. 706

(9) The director of environmental protection shall credit the 707
moneys the director receives under division (D)(8)(a) of this 708
section to the motor vehicle inspection and maintenance fund 709
created in division (I) of this section. 710

(10) A contractor shall maintain and make available for 711
inspection by the director of environmental protection or the 712
director's authorized representative accurate records as required 713
by rules adopted under this section. 714

(11) If a contractor fails to perform an obligation imposed 715
by the contract entered into under division (D) of this section, 716
the director of environmental protection shall request the 717
attorney general to bring a civil action to recover the amount of 718
the bond executed under division (D)(3) of this section as well as 719
other appropriate relief. The director shall deposit any moneys 720
recovered in such a civil action in the motor vehicle inspection 721
and maintenance fund created in division (I) of this section. 722

(12) The director of environmental protection shall compile 723
and periodically revise lists of reinspection stations licensed 724
under division (C) of this section and located within individual 725
areas that are subject to the basic motor vehicle inspection and 726
maintenance program under this section. Each such list also shall 727
contain the locations of inspection stations operated by a 728
contractor within the applicable area. A contractor shall provide 729
the appropriate list to any owner whose motor vehicle fails the 730
initial inspection required under this section. 731

(13) The director of environmental protection shall compile 732
and periodically revise lists of inspection stations operated by a 733
contractor located within individual areas subject to the enhanced 734
motor vehicle inspection and maintenance program under this 735
section. A contractor shall provide the appropriate list to any 736
owner whose motor vehicle fails the initial inspection required 737

under this section. 738

(14) No owners, officers, or employees of a contractor 739
submitting a proposal or awarded a contract under division (D) of 740
this section shall have a principal interest in the person 741
identified by the contractor under division (D)(2)(f) of this 742
section or in any reinspection station licensed under division (C) 743
of this section. 744

(15) The department of administrative services may issue to 745
the environmental protection agency a release and permit under 746
section 125.06 of the Revised Code pursuant to which that agency 747
may issue and award a contract or contracts under division (D) of 748
this section. If a release and permit is issued, any reference to 749
the director of administrative services under divisions (D) and 750
(E) of this section is deemed to be a reference to the director of 751
environmental protection. 752

(E)(1) Notwithstanding section 3704.01 of the Revised Code, 753
as used in division (E) of this section, "person" has the same 754
meaning as in section 1.59 of the Revised Code. 755

(2) In order to fulfill the requirements of this section and 756
to comply with the "Clean Air Act Amendments," any contractor that 757
is awarded one or more contracts under division (D) of this 758
section shall enter into one or more assignable and renewable 759
leases with another person for the rental and use of real 760
property, including land, buildings, and other structures. 761

(3) The director of administrative services shall require a 762
contractor to make assignments of all leases under which the 763
contractor is lessee for real property to another contractor 764
awarded a contract under division (D) of this section. The 765
director shall require any contractor that is awarded a subsequent 766
contract under that division to renew the lease into which the 767
contractor entered under division (E)(2) of this section, or, if a 768

different contractor is awarded such a subsequent contract, the 769
director shall require that contractor to enter into a lease with 770
the person who was the lessor of the previous contractor. 771

(F)(1)(a) Except as otherwise provided in this section and 772
rules adopted under it, the owner of any self-propelled motor 773
vehicle the district of registration of which is or is located in 774
a county that is subject to this section shall have the vehicle 775
inspected annually, within three hundred sixty-five days prior to 776
the registration deadline established pursuant to rules adopted 777
under section 4503.101 of the Revised Code, by a contractor in 778
accordance with rules adopted under division (B)(3) of this 779
section if that county is subject to the basic motor vehicle 780
inspection and maintenance program pursuant to rules adopted under 781
that division or shall have the vehicle so inspected biennially 782
within three hundred sixty-five days prior to the registration 783
deadline so established if that county is subject to the enhanced 784
program pursuant to those rules. If the district of registration 785
of the motor vehicle is or is located in a county that is subject 786
to the enhanced program pursuant to rules adopted under division 787
(B)(3) of this section, the owner of the motor vehicle shall have 788
it inspected and, if necessary, reinspected only in a county that 789
is subject to the enhanced program under those rules. Any motor 790
vehicle that fails the inspection shall be reinspected in 791
accordance with rules adopted under that division. If the owner's 792
vehicle passes the inspection or any reinspection, the owner, at 793
the time of the inspection or reinspection, shall pay the 794
applicable fee established under division (D)(7) of this section. 795

~~An~~ 796

An owner of a motor vehicle the district of registration of 797
which is or is located in a county that is subject to the basic 798
program under this section and for which a multi-year registration 799
is in effect under division (A)(1)(a) of section 4503.103 of the 800

Revised Code or rules adopted under it, in each of the years 801
intervening between the year of the issuance of that registration 802
and its expiration, shall have the vehicle inspected annually 803
within the three hundred sixty-five days prior to the anniversary 804
of the registration deadline applicable in the year in which the 805
multi-year registration was issued. An owner of a motor vehicle 806
the district of registration of which is or is located in a county 807
that is subject to the enhanced program under this section for 808
which a multi-year registration is in effect under division 809
(A)(1)(a) of section 4503.103 of the Revised Code or rules adopted 810
under it, biennially during the years intervening between the year 811
of issuance of that registration and its expiration, shall have 812
the vehicle inspected within three hundred sixty-five days prior 813
to each of the biennial anniversaries of the registration deadline 814
applicable in the year in which the multi-year registration was 815
issued. ~~An~~ 816

An owner of a motor vehicle the district of registration of 817
which is or is located in a county that is subject to a basic or 818
enhanced program under this section who has voluntarily chosen to 819
register the vehicle biennially in accordance with division 820
(A)(1)(b) of section 4503.103 of the Revised Code shall have the 821
vehicle inspected annually or biennially, as applicable, in 822
accordance with rules adopted under this section. 823

An owner who registers a motor vehicle after the registration 824
deadline for the vehicle has passed in a year in which the vehicle 825
is required to be inspected under division (F)(1)(a) of this 826
section may have the vehicle inspected at any time between the 827
registration deadline and the actual registration date. 828

Division (F)(1) of this section does not require the 829
inspection of a motor vehicle upon transfer of ownership or 830
possession. 831

Except as otherwise provided in division (F)(3) or (4) of 832

this section, proof that an inspection certificate was issued for 833
a motor vehicle during the previous twelve months shall be 834
provided before the registrar of motor vehicles may issue license 835
plates for that vehicle under section 4503.40 or 4503.42 of the 836
Revised Code. 837

The owner of any motor vehicle that is required to be 838
inspected under this section, but that is leased to another person 839
may require the lessee to have the vehicle inspected and obtain 840
the inspection certificate on behalf of the owner. 841

(b) If a vehicle required to be inspected passes the 842
inspection, the contractor shall give the owner an inspection 843
certificate for the vehicle. 844

(c) The contractor shall include as part of the inspection 845
required under this section a visual anti-tampering inspection 846
that meets the requirements established by rules adopted under 847
division (B)(3) of this section. If the visual anti-tampering 848
inspection indicates that any emission control device has been 849
removed, modified, or impaired, the owner shall have performed on 850
the vehicle whatever repairs are necessary to pass the visual 851
anti-tampering inspection and to restore the vehicle to its proper 852
condition, including, without limitation, the restoration of any 853
emission control device that was removed, modified, or impaired. 854
If the district of registration of the vehicle is or is located in 855
a county that is subject to the basic motor vehicle inspection and 856
maintenance program under this section, the owner then shall take 857
the vehicle to a contractor or a licensee. If the district of 858
registration of the vehicle is or is located in a county that is 859
subject to the enhanced program under this section, the owner then 860
shall take the vehicle to a contractor. If the contractor or 861
licensee determines that the vehicle has been restored to its 862
proper condition and the vehicle then passes the tailpipe 863
emissions inspection required under this section, the contractor 864

or licensee shall give the owner an inspection certificate for the 865
vehicle. 866

(d) Except as otherwise provided in division (F)(1)(f) of 867
this section, if a vehicle required to be inspected under this 868
section fails the inspection, and the contractor's visual 869
anti-tampering inspection conducted under division (F)(1)(c) of 870
this section does not reveal any removal, modification, or 871
impairment of an emission control device or, if the original 872
visual anti-tampering inspection revealed such a removal, 873
modification, or impairment, the vehicle again fails the tailpipe 874
emissions inspection after the owner has performed all necessary 875
repairs to restore the vehicle to its proper condition, the owner 876
shall have the cost of repairs necessary to pass the tailpipe 877
emissions inspection estimated by a repair facility, which cost 878
shall include the cost of an engine tune-up. If the cost of the 879
repairs that are necessary for the vehicle to pass the tailpipe 880
emissions inspection do not exceed the waiver limit for that 881
vehicle, the owner shall have the repairs performed on the 882
vehicle. The owner then shall have the vehicle reinspected by a 883
contractor or licensee. 884

If the vehicle passes the reinspection, the contractor or 885
licensee shall give the owner an inspection certificate for the 886
vehicle. If the vehicle fails the reinspection, and the cost of 887
the repairs already performed on the vehicle is less than the 888
applicable waiver limit, the owner shall have additional repairs 889
performed on the vehicle in order to enable it to pass another 890
reinspection. If, after repairs costing at least the applicable 891
waiver limit have been performed on the vehicle under division 892
(F)(1)(d) of this section, the vehicle fails the reinspection, but 893
the reinspection indicates an improvement in tailpipe emissions of 894
the pollutant concerning which the vehicle initially failed the 895
inspection as specified in rules adopted under division (B)(3) of 896

this section and if, following the repairs, no emission levels 897
increase above the standard established by rules adopted under 898
that division for any pollutant concerning which the vehicle did 899
not initially fail, the contractor shall give the owner an 900
inspection certificate for the vehicle that includes a waiver 901
indicating that the vehicle did not pass the required inspection, 902
but that the owner had repairs costing at least the applicable 903
waiver limit performed on the vehicle. 904

For the purposes of divisions (F)(1)(d) to (f) of this 905
section, only a contractor may do either of the following: 906

(i) Issue inspection certificates that include waivers; 907

(ii) Notwithstanding any provision of those divisions, 908
conduct reinspections of vehicles the district of registration of 909
which is or is located in a county that is subject to the enhanced 910
program under this section. 911

(e) Except as otherwise provided in division (F)(1)(f) of 912
this section, if the cost of the repairs that are necessary for 913
the vehicle to pass the tailpipe emissions inspection is estimated 914
to be more than the applicable waiver limit, the owner need not 915
have all of those repairs performed on the vehicle, but shall have 916
an engine tune-up performed on the vehicle that meets the 917
standards established by rules adopted under division (B)(3) of 918
this section as well as any other necessary repairs the cost of 919
which, together with the cost of the engine tune-up, equals at 920
least the applicable waiver limit. Upon the owner's presentation 921
of original repair receipts attesting that repairs costing at 922
least the applicable waiver limit, including, without limitation, 923
the engine tune-up required under division (F)(1)(e) of this 924
section, have been performed on the vehicle, the contractor or 925
licensee shall reinspect the vehicle to determine the 926
effectiveness of the required engine tune-up. If the reinspection 927
indicates an improvement in tailpipe emissions of the pollutant 928

concerning which the vehicle initially failed the inspection as 929
specified in rules adopted under division (B)(3) of this section 930
and if, following the engine tune-up, no emission levels increase 931
above the standard established by rules adopted under that 932
division for any pollutant concerning which the vehicle did not 933
initially fail, the contractor shall give the owner an inspection 934
certificate for the vehicle that includes a waiver indicating that 935
the vehicle did not pass the required inspection, but that the 936
owner complied with all requirements governing waivers. 937

(f) If a vehicle required to be inspected under this section 938
fails the inspection, and the contractor's visual anti-tampering 939
inspection conducted under division (F)(1)(c) of this section does 940
not reveal any removal, modification, or impairment of an emission 941
control device or, if the original visual anti-tampering 942
inspection revealed such a removal, modification, or impairment, 943
the vehicle again fails the tailpipe emissions inspection after 944
the owner has performed all necessary repairs to restore the 945
vehicle to its proper condition, the owner may perform the repairs 946
necessary for the vehicle to pass the tailpipe emissions 947
inspection. The owner shall keep a detailed record of the costs 948
incurred in performing those repairs. After performing repairs on 949
the vehicle costing not more than the applicable waiver limit, the 950
owner shall have the vehicle reinspected by the contractor or a 951
licensee. 952

If the vehicle passes the reinspection, the contractor or 953
licensee shall give the owner an inspection certificate for the 954
vehicle. If the vehicle fails the reinspection and the documented 955
cost of the repairs performed by the owner is less than the 956
applicable waiver limit, the owner shall have the cost of repairs 957
necessary to pass the tailpipe emissions inspection estimated by a 958
repair facility. The estimate shall include, without limitation, 959
the cost of an engine tune-up that meets the standards established 960

by rules adopted under division (B)(3) of this section. If the 961
cost of the engine tune-up, together with the documented cost of 962
the repairs performed by the owner, does not exceed the applicable 963
waiver limit, the owner shall have the engine tune-up performed on 964
the vehicle as well as any other necessary repairs the cost of 965
which, together with that documented cost and the cost of the 966
engine tune-up, equals at least the applicable waiver limit. 967

If the documented cost of repairs performed by the owner and 968
the estimated cost of an engine tune-up that meets the standards 969
established in rules adopted under division (B)(3) of this section 970
exceed the applicable waiver limit, the owner shall have 971
additional repairs performed on the vehicle by a repair facility 972
in order to enable it to pass another reinspection or until a 973
minimum expenditure equal to the applicable waiver limit is met, 974
whichever occurs first. 975

If, after repairs costing at least the applicable waiver 976
limit have been performed on the vehicle under division (F)(1)(f) 977
of this section, the vehicle fails the tailpipe reinspection, but 978
the reinspection indicates an improvement in the tailpipe 979
emissions of the pollutant concerning which the vehicle initially 980
failed the inspection as specified in rules adopted under division 981
(B)(3) of this section and if, following the repairs, no emission 982
levels increase above the standard established by rules adopted 983
under that division for any pollutant concerning which the vehicle 984
did not initially fail, the contractor shall give the owner an 985
inspection certificate for the vehicle that includes a waiver 986
indicating that the vehicle did not pass the required inspection, 987
but that the owner performed or had performed on the vehicle 988
repairs costing at least the applicable waiver limit. 989

(g) If a motor vehicle that is required to be inspected under 990
this section is covered by a valid and unexpired emission 991
performance warranty as provided under section 207(b) of the 992

Clean Air Act Amendments, the owner shall have any repairs 993
necessary for the vehicle to pass that inspection performed on the 994
vehicle under that warranty. Such a vehicle is not eligible for a 995
waiver under division (F)(1)(d), (e), or (f) of this section. 996

(2) An owner or lessee of a motor vehicle required to be 997
inspected under this section and applicable rules adopted under it 998
shall present an inspection certificate issued for that vehicle by 999
a contractor or a licensee under this section when registering the 1000
vehicle under Chapter 4503. of the Revised Code. 1001

(3) The following motor vehicles are exempt from the 1002
inspection requirements of this section and applicable rules 1003
adopted under it: 1004

(a) Vehicles over twenty-five years old, as determined by 1005
model year, on the date on which proof of an annual inspection 1006
otherwise would be required to be submitted with an application 1007
for registration of the vehicles under this section and Chapter 1008
4503. of the Revised Code; 1009

(b) Vehicles registered to military personnel assigned to 1010
military reservations outside this state, the district of 1011
registration of which is or is located in any county that is 1012
subject to this section; 1013

(c) Passenger cars and noncommercial motor vehicles, as 1014
defined in section 4501.01 of the Revised Code, that weigh over 1015
ten thousand pounds gross vehicle weight; 1016

(d) Commercial cars, as defined in section 4501.01 of the 1017
Revised Code, having a taxable gross vehicle weight of more than 1018
ten thousand pounds as provided in section 4503.042 of the Revised 1019
Code; 1020

(e) Historical vehicles registered under section 4503.181 of 1021
the Revised Code; 1022

(f) Licensed collector's vehicles as defined in section	1023
4501.01 of the Revised Code;	1024
(g) Parade and exhibition vehicles registered under section	1025
4503.18 of the Revised Code;	1026
(h) Motorcycles as defined in section 4511.01 of the Revised	1027
Code;	1028
(i) Electrically powered and alternatively fueled vehicles,	1029
including at least those that are equipped to operate using	1030
primarily one hundred per cent propane, butane, hydrogen, alcohol,	1031
or natural gas as fuel;	1032
(j) Recreational vehicles as defined in section 4501.01 of	1033
the Revised Code.	1034
(4) A motor vehicle, the legal title to which has never been	1035
transferred by a manufacturer, distributor, or dealer to an	1036
ultimate purchaser as defined in section 4517.01 of the Revised	1037
Code, is exempt from the inspection requirements of this section	1038
and rules adopted under it for a period of one year <u>five years</u>	1039
commencing on the date when the first certificate of title to the	1040
vehicle was issued on behalf of the ultimate purchaser under	1041
Chapter 4503. of the Revised Code if the district of registration	1042
of the vehicle is or is located in a county that is subject to the	1043
basic motor vehicle inspection and maintenance program under this	1044
section and rules adopted under it or is exempt from those	1045
inspection requirements for a period of two years commencing on	1046
the date when the first certificate of title to the vehicle was	1047
issued on behalf of the ultimate purchaser under that chapter if	1048
the district of registration of the vehicle is or is located in a	1049
county that is subject to the enhanced program under this section	1050
and rules adopted under it. <u>A motor vehicle that is exempt from</u>	1051
<u>the motor vehicle inspection and maintenance program for a period</u>	1052
<u>of five years under division (F)(4) of this section remains exempt</u>	1053

during that five-year period regardless of whether legal title to 1054
the motor vehicle is transferred during that period. 1055

(5) The director shall notify, by mail, the owners of all 1056
motor vehicles, the district of registration of which is or is 1057
located in any county that is subject to this section, of the 1058
applicable requirements established under this section. 1059

(G) The owner of a fleet of twenty-five or more vehicles 1060
required to be inspected under this section, instead of having the 1061
owner's motor vehicles inspected by a contractor or reinspected by 1062
a contractor or a licensee, may conduct self-inspection of those 1063
vehicles in accordance with rules adopted by the director of 1064
environmental protection under this section. The rules shall 1065
establish, without limitation, requirements governing inspections 1066
and reinspections conducted by any such owner, any inspection 1067
stations owned and operated by any such owner for that purpose, 1068
and inspection equipment used for that purpose; an annual 1069
reporting requirement to assist the director in determining 1070
compliance with this division; and the method of and procedures 1071
for payment of a fee that shall not exceed three dollars for each 1072
vehicle that is included in the self-inspection program. 1073

(H) The federal government, the state, any political 1074
subdivision, and any agency or instrumentality of those entities, 1075
in accordance with rules adopted by the director of environmental 1076
protection under this section, shall have inspected by a 1077
contractor or reinspected by a contractor or a licensee or shall 1078
self-inspect any motor vehicles that they own and operate in any 1079
county that is subject to this section. The director shall adopt 1080
rules under this section for the purposes of this division. The 1081
rules shall establish, without limitation, an annual reporting 1082
requirement to assist the director in determining compliance with 1083
this division. The director may issue a notice of violation to a 1084
governmental entity that the director finds has violated any 1085

specific prohibition or has failed to comply with any affirmative 1086
requirement of this section or any rule adopted under it. The 1087
notice of violation shall set forth the specific violation or 1088
failure to comply allegedly committed by the governmental entity 1089
and shall be accompanied by an order requiring the governmental 1090
entity to pay to the director the appropriate civil penalty 1091
prescribed in this division. A governmental entity that receives a 1092
notice of violation and order under this division for a violation 1093
or failure to comply is liable for a civil penalty of two hundred 1094
fifty dollars. The director may request the attorney general to 1095
take appropriate action to effect compliance. Notwithstanding 1096
division (A) of this section, as used in this division, "motor 1097
vehicle" has the same meaning as in section 4511.01 of the Revised 1098
Code. 1099

(I) There is hereby created in the state treasury the motor 1100
vehicle inspection and maintenance fund, which shall consist of 1101
moneys received by the director under this section and section 1102
3704.17 of the Revised Code. The director shall use moneys in the 1103
fund solely for administration, supervision, and enforcement of 1104
the program established under this section and rules adopted under 1105
it and public education concerning the program. 1106

(J) The director periodically shall review the information 1107
submitted to the director by licensed reinspection stations 1108
pursuant to rules adopted under division (C)(6) of this section, 1109
information submitted to the director by any contractor under 1110
division (D)(10) of this section, annual reports submitted by 1111
motor vehicle fleet owners under division (G) of this section and 1112
rules adopted under that division, and the list of motor vehicles 1113
for which multi-year registrations are in effect provided to the 1114
director under division (I)(2)(b) of section 4503.10 of the 1115
Revised Code, as necessary to determine whether owners of motor 1116
vehicles who have obtained multi-year registrations under section 1117

4503.103 of the Revised Code or rules adopted under it have 1118
complied with the requirement of division (F)(1)(a) of this 1119
section to have their vehicles inspected and obtain inspection 1120
certificates for them annually or biennially, whichever is 1121
applicable. If the director finds from that information that, in a 1122
year intervening between the years of issuance and expiration of a 1123
multi-year registration in which an owner is required to have a 1124
vehicle inspected and obtain an inspection certificate for it 1125
under that division, the owner has not done so within the 1126
applicable three hundred sixty-five day period, the director 1127
immediately shall send written notice of that fact to the 1128
registrar of motor vehicles. Upon receipt of information submitted 1129
pursuant to rules adopted under division (C)(6) of this section, 1130
information submitted under division (D)(10) of this section, or 1131
the annual report of a fleet owner submitted pursuant to rules 1132
adopted under division (G) of this section indicating that an 1133
owner who was the subject of an earlier notice to the registrar 1134
under this division has had the vehicle named in the notice 1135
inspected and has obtained an inspection certificate for it in 1136
compliance with division (F)(1)(a) of this section, the director 1137
immediately shall send written notice of that fact to the 1138
registrar. 1139

(K)(1)(a) If a redesignation request demonstrating compliance 1140
with the national ambient air quality standard for carbon monoxide 1141
or ozone in a county designated as nonattainment for carbon 1142
monoxide or ozone and demonstrating that operation of a motor 1143
vehicle inspection and maintenance program is not necessary for 1144
attainment and maintenance of those standards in that county has 1145
been submitted to and is pending before the United States 1146
environmental protection agency under the "Clean Air Act 1147
Amendments," and if no release and permit has been issued to the 1148
environmental protection agency under division (D)~~(14)~~(15) of this 1149
section and section 125.06 of the Revised Code, the director of 1150

environmental protection may submit a written request to the 1151
director of administrative services to indefinitely delay the 1152
issuance of a request for proposals or the award of a contract 1153
under division (D) of this section for the operation of a motor 1154
vehicle inspection and maintenance program in that county or, if 1155
such a request for proposals has been issued under that division, 1156
to withdraw it. Upon receipt of such a written request from the 1157
director of environmental protection, the director of 1158
administrative services shall take the requested actions. 1159

(b) If a release and permit has been issued to the 1160
environmental protection agency under division (D)~~(14)~~(15) of this 1161
section and section 125.06 of the Revised Code, the director of 1162
environmental protection may indefinitely delay the issuance of a 1163
request for proposals and award of a contract under division (D) 1164
of this section for the operation of a motor vehicle inspection 1165
and maintenance program or may withdraw any such request that has 1166
been issued under that division in connection with a county for 1167
which a redesignation request making the demonstrations described 1168
in division (K)(1)(a) of this section has been submitted to and is 1169
pending before the United States environmental protection agency 1170
under the "Clean Air Act Amendments." 1171

(c) If no release and permit has been issued to the 1172
environmental protection agency under division (D)~~(14)~~(15) of this 1173
section and section 125.06 of the Revised Code, the director of 1174
environmental protection may submit a written request to the 1175
director of administrative services to proceed with the issuance 1176
of a request for proposals and the award of a contract for the 1177
operation of a motor vehicle inspection and maintenance program 1178
under division (D) of this section in a county for which a 1179
redesignation request described in division (K)(1)(a) of this 1180
section was submitted to the United States environmental 1181
protection agency or, if such a release and permit has been issued 1182

to the environmental protection agency, the director of 1183
environmental protection may proceed with the issuance of such a 1184
request under either of the following circumstances: 1185

(i) Upon disapproval of the redesignation request by the 1186
United States environmental protection agency; 1187

(ii) Upon approval of the redesignation request by the United 1188
States environmental protection agency if the director of 1189
environmental protection determines that operation of a motor 1190
vehicle inspection and maintenance program in the county is 1191
necessary to protect and maintain compliance with the national 1192
ambient air quality standard for carbon monoxide or ozone in the 1193
county. 1194

If no such release and permit has been issued to the 1195
environmental protection agency, the director of administrative 1196
services, upon receipt of a written request from the director of 1197
environmental protection under division (K)(1)(c) of this section, 1198
shall take the requested actions. 1199

(2) If at any time air quality monitoring data in any county 1200
where a motor vehicle inspection and maintenance program is 1201
required under this section and rules adopted under it demonstrate 1202
that that county has attained and maintained compliance for three 1203
consecutive years with the national ambient air quality standard 1204
for carbon monoxide or ozone under the "Clean Air Act Amendments," 1205
the director, at the earliest possible date, shall prepare and 1206
submit to the administrator of the United States environmental 1207
protection agency a demonstration that such attainment has been so 1208
achieved and maintained in that county. If the administrator 1209
approves the director's submittal as demonstrating that compliance 1210
with the national ambient air quality standard for carbon monoxide 1211
or ozone under that act has been achieved and maintained in the 1212
county and if the director determines that continued operation of 1213
a motor vehicle inspection and maintenance program in the county 1214

is not necessary to protect and maintain compliance with the 1215
national ambient air quality standard for carbon monoxide or 1216
ozone, the director may rescind the rules adopted under division 1217
(B) of this section requiring implementation and operation of the 1218
program in that county. A rescission shall take effect in such a 1219
county on the date of the expiration of the contract or renewal 1220
thereof provided for in division (D) of this section that next 1221
succeeds the administrator's approval of the demonstration in that 1222
county. 1223

(L) There is hereby created the motor vehicle inspection and 1224
maintenance program legislative oversight committee, which shall 1225
be comprised of six members. The speaker of the house of 1226
representatives shall appoint three members of the house of 1227
representatives to the committee, not more than two of whom shall 1228
be from any one political party, and the president of the senate 1229
shall appoint three members of the senate to the committee, not 1230
more than two of whom shall be from any one political party. Each 1231
member shall serve at the pleasure of the member's appointing 1232
authority. During the first year of any legislative session, the 1233
~~chairman~~ chairperson of the committee shall be a member from the 1234
house of representatives and the ~~vice-chairman~~ vice-chairperson 1235
shall be a member from the senate, as designated by their 1236
appointing authorities. During the second year of any legislative 1237
session, the ~~chairman~~ chairperson shall be a member from the 1238
senate and the ~~vice-chairman~~ vice-chairperson shall be a member 1239
from the house of representatives, as designated by their 1240
appointing authorities. 1241

The committee shall monitor the motor vehicle inspection and 1242
maintenance program established under this section and, in doing 1243
so, shall work in complete cooperation with the Ohio environmental 1244
protection agency and the United States environmental protection 1245
agency. The former agency shall provide to the committee any data, 1246

reports, and other information and materials requested by the 1247
committee. 1248

The director shall notify the committee whenever the program 1249
established under this section is required to be implemented in a 1250
county because of a change in that county's nonattainment 1251
classification under the "Clean Air Act Amendments" or if an 1252
enhanced program is required to be implemented in a county under 1253
section 3704.142 of the Revised Code. 1254

If at any time the program established under this section is 1255
terminated, the committee shall cease to exist on the date of 1256
termination. 1257

(M) Implementation of the motor vehicle inspection and 1258
maintenance program established under this section is an essential 1259
state function mandated by the "Clean Air Act Amendments." The 1260
director or the director's authorized representative may perform 1261
essential governmental duties that are necessary to implement the 1262
program properly within any county that is subject to this 1263
section, including at least the placement of directional traffic 1264
signs to assist citizens in finding inspection stations. The 1265
director or the director's authorized representative need not 1266
comply with any applicable ordinances or resolutions of any 1267
political subdivisions if that compliance would prevent the 1268
director or the director's authorized representative from 1269
performing any such essential governmental duties. 1270

Sec. 3704.143. (A) As used in this section, "contract" means 1271
a contract entered into by the state under section 3704.14 of the 1272
Revised Code with a private contractor for the purpose of 1273
conducting emissions inspections under a motor vehicle inspection 1274
and maintenance program. 1275

(B) Notwithstanding division (D)(5) of section 3704.14 of the 1276
Revised Code, the director of administrative services or the 1277

director of environmental protection, as applicable, shall not 1278
renew any contract that is in existence on ~~the effective date of~~ 1279
~~this section~~ September 5, 2001. Further, the director of 1280
administrative services or the director of environmental 1281
protection, as applicable, shall not enter into a new contract 1282
upon the expiration or termination of any contract that is in 1283
existence on ~~the effective date of this section~~ September 5, 2001, 1284
or enter into any new contract for the implementation of a motor 1285
vehicle inspection and maintenance program in a county in which 1286
such a program is not operating on that date. 1287

(C) Notwithstanding section 3704.14 of the Revised Code or 1288
any other section of the Revised Code that requires emissions 1289
inspections to be conducted or proof of such inspections to be 1290
provided, upon the expiration or termination of all contracts that 1291
are in existence on ~~the effective date of this section~~ September 1292
5, 2001, the director of environmental protection shall terminate 1293
all motor vehicle inspection and maintenance programs in this 1294
state and shall not implement a new motor vehicle inspection and 1295
maintenance program unless this section is repealed and such a 1296
program is authorized by the general assembly. 1297

Sec. 4501.061. There is hereby created in the state treasury 1298
the state highway patrol fund. Moneys in the fund shall be used 1299
solely to defray the costs of the state highway patrol in 1300
enforcing and administering the motor vehicle and traffic laws of 1301
the state. Fees collected under division (E) of section 4503.042, 1302
division (C)(1) of section 4503.10, division (A)(3) of section 1303
4505.09, division (B) of section 4506.08, and division (G) of 1304
section 4507.23 of the Revised Code shall be deposited in the 1305
fund. 1306

Sec. 4501.10. (A) Except as provided in ~~division~~ divisions 1307
(B) and (C) of this section, money received by the department of 1308

public safety from the sale of motor vehicles and related 1309
equipment pursuant to section 125.13 of the Revised Code shall be 1310
transferred to the highway safety salvage and exchange 1311
administration fund or highway safety salvage and exchange highway 1312
patrol fund, as appropriate. Such funds are hereby created in the 1313
state treasury. The money shall be used only to purchase 1314
replacement motor vehicles and related equipment. All investment 1315
earnings of these funds shall be credited to the funds, 1316
respectively. 1317

(B) Money received by the department of public safety from 1318
the sale of motor vehicles and related equipment of the bureau of 1319
motor vehicles pursuant to section 125.13 of the Revised Code 1320
shall be transferred to the state bureau of motor vehicles fund 1321
created by section 4501.25 of the Revised Code. 1322

(C) Money received by the department of public safety 1323
investigative unit established under section 5502.13 of the 1324
Revised Code from the sale of motor vehicles and other equipment 1325
pursuant to section 125.13 of the Revised Code shall be deposited 1326
into the public safety investigative unit salvage and exchange 1327
fund, which is hereby created in the state treasury. The money in 1328
the fund shall be used only to purchase replacement motor vehicles 1329
and other equipment for that unit. 1330

Sec. 4501.21. (A) There is hereby created in the state 1331
treasury the license plate contribution fund. The fund shall 1332
consist of all contributions paid by motor vehicle registrants and 1333
collected by the registrar of motor vehicles pursuant to sections 1334
4503.50, 4503.51, 4503.55, 4503.561, 4503.591, 4503.67, 4503.68, 1335
4503.69, 4503.71, 4503.711, 4503.72, 4503.73, and 4503.75 of the 1336
Revised Code. 1337

(B) The registrar shall disburse the contributions the 1338

registrar collects in the fund as follows:

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(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.

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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.

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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.

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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

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writing of the name, address, and account to which payments are to 1370
be made under division (B)(4) of this section. 1371

(5) The registrar shall pay to a sports commission created 1372
pursuant to section 4501.32 of the Revised Code each contribution 1373
the registrar receives under section 4503.591 of the Revised Code 1374
that an applicant pays to obtain license plates that bear the logo 1375
of a professional sports team located in the county of that sports 1376
commission and that is participating in the license plate program 1377
established by section 4501.32 of the Revised Code, irrespective 1378
of the county of residence of an applicant. 1379

(6) The registrar shall pay the contributions the registrar 1380
receives pursuant to section 4503.67 of the Revised Code to the 1381
Dan Beard council of the boy scouts of America. The council shall 1382
distribute all contributions in an equitable manner throughout the 1383
state to regional councils of the boy scouts. 1384

(7) The registrar shall pay the contributions the registrar 1385
receives pursuant to section 4503.68 of the Revised Code to the 1386
great river council of the girl scouts of the United States of 1387
America. The council shall distribute all contributions in an 1388
equitable manner throughout the state to regional councils of the 1389
girl scouts. 1390

(8) The registrar shall pay the contributions the registrar 1391
receives pursuant to section 4503.69 of the Revised Code to the 1392
Dan Beard council of the boy scouts of America. The council shall 1393
distribute all contributions in an equitable manner throughout the 1394
state to regional councils of the boy scouts. 1395

(9) The registrar shall pay the contributions the registrar 1396
receives pursuant to section 4503.71 of the Revised Code to the 1397
fraternal order of police of Ohio, incorporated, which shall 1398
deposit the fees into its general account to be used for purposes 1399
of the fraternal order of police of Ohio, incorporated. 1400

(10) The registrar shall pay the contributions the registrar receives pursuant to section 4503.711 of the Revised Code to the fraternal order of police of Ohio, incorporated, which shall deposit the contributions into an account that it creates to be used for the purpose of advancing and protecting the law enforcement profession, promoting improved law enforcement methods, and teaching respect for law and order. 1401
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(11) The registrar shall pay the contributions the registrar receives pursuant to section 4503.72 of the Revised Code to the organization known on the effective date of this section as the Ohio CASA/GAL association, a private, nonprofit corporation organized under Chapter 1702. of the Revised Code. The Ohio CASA/GAL association shall use these contributions to pay the expenses it incurs in administering a program to secure the proper representation in the courts of this state of abused, neglected, and dependent children, and for the training and supervision of persons participating in that program. 1408
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(12) The registrar shall pay the contributions the registrar receives pursuant to section 4503.73 of the Revised Code to Wright B. Flyer, incorporated, which shall deposit the contributions into its general account to be used for purposes of Wright B. Flyer, incorporated. 1418
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(13) The registrar shall pay the contributions the registrar receives pursuant to section 4503.75 of the Revised Code to the rotary foundation, located on the effective date of this section in Evanston, Illinois, to be placed in a fund known as the permanent fund and used to endow educational and humanitarian programs of the rotary foundation. 1423
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(C) All investment earnings of the license plate contribution fund shall be credited to the fund. Not later than the first day of May of every year, the registrar shall distribute to each 1429
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entity described in divisions (B)(1) to (13) of this section the 1432
investment income the fund earned the previous calendar year. The 1433
amount of such a distribution paid to an entity shall be 1434
proportionate to the amount of money the entity received from the 1435
fund during the previous calendar year. 1436

Sec. 4501.42. There is hereby created in the state treasury 1437
the American red cross fund. The fund shall consist of the 1438
contributions that are paid to the registrar of motor vehicles by 1439
applicants who choose to make a voluntary contribution to the fund 1440
under section 4503.105 of the Revised Code. 1441

From the moneys deposited in the fund, the treasurer of state 1442
first shall reimburse the bureau of motor vehicles for its 1443
administrative costs incurred in performing its duties under 1444
section 4503.105 of the the Revised Code. The treasurer then shall 1445
pay the moneys remaining in the fund to the greater Cleveland 1446
chapter of the American red cross in its capacity as the 1447
coordinating chapter for all American red cross chapters in this 1448
state. The greater Cleveland chapter of the American red cross 1449
shall deposit the contributions into a segregated account to be 1450
used for disaster services and other purposes of the American red 1451
cross in this state as directed by that organization's state 1452
service council. 1453

All investment earnings of the fund shall be credited to the 1454
fund. 1455

Sec. 4501.43. There is hereby created the juvenile diabetes 1456
research trust fund in the custody of the state treasurer. The 1457
fund shall consist of voluntary contributions that are paid to the 1458
registrar of motor vehicles or a deputy registrar by applicants 1459
for motor vehicle registration or registration renewal who choose 1460
to make a voluntary contribution to the fund under section 1461

4503.106 of the Revised Code. 1462

From the moneys deposited in the fund, the treasurer of state 1463
first shall reimburse the bureau of motor vehicles for its 1464
administrative costs incurred in performing its duties under 1465
section 4503.106 of the Revised Code. On the first day of each 1466
January, April, July, and October, the treasurer then shall pay 1467
all money in the fund to the juvenile diabetes research foundation 1468
international. 1469

All investment earnings of the fund shall be credited to it. 1470

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

which shall be prescribed by the registrar, for registration for 1492
the following registration year, which shall begin on the first 1493
day of January of every calendar year and end on the thirty-first 1494
day of December in the same year. Applications for registration 1495
and registration renewal notices shall be filed at the times 1496
established by the registrar pursuant to section 4503.101 of the 1497
Revised Code. A motor vehicle owner also may elect to apply for or 1498
renew a motor vehicle registration by electronic means using 1499
electronic signature in accordance with rules adopted by the 1500
registrar. Except as provided in division (J) of this section, 1501
applications for registration shall be made on blanks furnished by 1502
the registrar for that purpose, containing the following 1503
information: 1504

(1) A brief description of the motor vehicle to be 1505
registered, including the name of the manufacturer, the factory 1506
number of the vehicle, the year's model, and, in the case of 1507
commercial cars, the gross weight of the vehicle fully equipped 1508
computed in the manner prescribed in section 4503.08 of the 1509
Revised Code; 1510

(2) The name and residence address of the owner, and the 1511
township and municipal corporation in which the owner resides; 1512

(3) The district of registration, which shall be determined 1513
as follows: 1514

(a) In case the motor vehicle to be registered is used for 1515
hire or principally in connection with any established business or 1516
branch business, conducted at a particular place, the district of 1517
registration is the municipal corporation in which that place is 1518
located or, if not located in any municipal corporation, the 1519
county and township in which that place is located. 1520

(b) In case the vehicle is not so used, the district of 1521
registration is the municipal corporation or county in which the 1522

owner resides at the time of making the application. 1523

(4) Whether the motor vehicle is a new or used motor vehicle; 1524

(5) The date of purchase of the motor vehicle; 1525

(6) Whether the fees required to be paid for the registration 1526
or transfer of the motor vehicle, during the preceding 1527
registration year and during the preceding period of the current 1528
registration year, have been paid. Each application for 1529
registration shall be signed by the owner, either manually or by 1530
electronic signature, or pursuant to obtaining a limited power of 1531
attorney authorized by the registrar for registration, or other 1532
document authorizing such signature. If the owner elects to apply 1533
for or renew the motor vehicle registration with the registrar by 1534
electronic means, the owner's manual signature is not required. 1535

(7) The owner's social security number, if assigned, or, 1536
where a motor vehicle to be registered is used for hire or 1537
principally in connection with any established business, the 1538
owner's federal taxpayer identification number. The bureau of 1539
motor vehicles shall retain in its records all social security 1540
numbers provided under this section, but the bureau shall not 1541
place social security numbers on motor vehicle certificates of 1542
registration. 1543

(B) Each time an applicant first registers a motor vehicle in 1544
the applicant's name, the applicant shall present for inspection a 1545
physical certificate of title or a memorandum certificate showing 1546
title to the motor vehicle to be registered in the name of the 1547
applicant if a physical certificate of title or memorandum 1548
certificate has been issued by a clerk of a court of common pleas. 1549
If, under sections 4505.021, 4505.06, and 4505.08 of the Revised 1550
Code, a clerk instead has issued an electronic certificate of 1551
title for the applicant's motor vehicle, that certificate may be 1552
presented for inspection at the time of first registration in a 1553

manner prescribed by rules adopted by the registrar. When a motor 1554
vehicle inspection and maintenance program is in effect under 1555
section 3704.14 of the Revised Code and rules adopted under it, 1556
each application for registration for a vehicle required to be 1557
inspected under that section and those rules shall be accompanied 1558
by an inspection certificate for the motor vehicle issued in 1559
accordance with that section. The application shall be refused if 1560
any of the following applies: 1561

(1) The application is not in proper form. 1562

(2) The application is prohibited from being accepted by 1563
division (D) of section 2935.27, division (A) of section 2937.221, 1564
division (A) of section 4503.13, division (B) of section 4507.168, 1565
or division (B)(1) of section 4521.10 of the Revised Code. 1566

(3) A certificate of title or memorandum certificate of title 1567
does not accompany the application or, in the case of an 1568
electronic certificate of title, is not presented in a manner 1569
prescribed by the registrar's rules. 1570

(4) All registration and transfer fees for the motor vehicle, 1571
for the preceding year or the preceding period of the current 1572
registration year, have not been paid. 1573

(5) The owner or lessee does not have an inspection 1574
certificate for the motor vehicle as provided in section 3704.14 1575
of the Revised Code, and rules adopted under it, if that section 1576
is applicable. 1577

This section does not require the payment of license or 1578
registration taxes on a motor vehicle for any preceding year, or 1579
for any preceding period of a year, if the motor vehicle was not 1580
taxable for that preceding year or period under sections 4503.02, 1581
4503.04, 4503.11, 4503.12, and 4503.16 or Chapter 4504. of the 1582
Revised Code. When a certificate of registration is issued upon 1583
the first registration of a motor vehicle by or on behalf of the 1584

owner, the official issuing the certificate shall indicate the 1585
issuance with a stamp on the certificate of title or memorandum 1586
certificate or, in the case of an electronic certificate of title, 1587
an electronic stamp or other notation as specified in rules 1588
adopted by the registrar, and with a stamp on the inspection 1589
certificate for the motor vehicle, if any. The official also shall 1590
indicate, by a stamp or by other means the registrar prescribes, 1591
on the registration certificate issued upon the first registration 1592
of a motor vehicle by or on behalf of the owner the odometer 1593
reading of the motor vehicle as shown in the odometer statement 1594
included in or attached to the certificate of title. Upon each 1595
subsequent registration of the motor vehicle by or on behalf of 1596
the same owner, the official also shall so indicate the odometer 1597
reading of the motor vehicle as shown on the immediately preceding 1598
certificate of registration. 1599

The registrar shall include in the permanent registration 1600
record of any vehicle required to be inspected under section 1601
3704.14 of the Revised Code the inspection certificate number from 1602
the inspection certificate that is presented at the time of 1603
registration of the vehicle as required under this division. 1604

(C)(1) Commencing October 1, 2003, the registrar and each 1605
deputy registrar shall collect an additional fee of eight dollars 1606
for each application for registration and registration renewal 1607
received. The additional fee is for the purpose of defraying the 1608
costs associated with the administration and enforcement of the 1609
motor vehicle and traffic laws of Ohio by the state highway 1610
patrol. Each deputy registrar shall transmit the fees collected 1611
under division (C)(1) of this section in the time and manner 1612
provided in this section. The registrar shall deposit all moneys 1613
received under division (C)(1) of this section into the state 1614
highway patrol fund established in section 4501.061 of the Revised 1615
Code. 1616

(2) In addition, a charge of twenty-five cents shall be made 1617
for each reflectorized safety license plate issued, and a single 1618
charge of twenty-five cents shall be made for each county 1619
identification sticker or each set of county identification 1620
stickers issued, as the case may be, to cover the cost of 1621
producing the license plates and stickers, including material, 1622
manufacturing, and administrative costs. Those fees shall be in 1623
addition to the license tax. If the total cost of producing the 1624
plates is less than twenty-five cents per plate, or if the total 1625
cost of producing the stickers is less than twenty-five cents per 1626
sticker or per set issued, any excess moneys accruing from the 1627
fees shall be distributed in the same manner as provided by 1628
section 4501.04 of the Revised Code for the distribution of 1629
license tax moneys. If the total cost of producing the plates 1630
exceeds twenty-five cents per plate, or if the total cost of 1631
producing the stickers exceeds twenty-five cents per sticker or 1632
per set issued, the difference shall be paid from the license tax 1633
moneys collected pursuant to section 4503.02 of the Revised Code. 1634

(D) Each deputy registrar shall be allowed a fee of two 1635
dollars and seventy-five cents commencing on July 1, 2001, three 1636
dollars and twenty-five cents commencing on January 1, 2003, and 1637
three dollars and fifty cents commencing on January 1, 2004, for 1638
each application for registration and registration renewal notice 1639
the deputy registrar receives, which shall be for the purpose of 1640
compensating the deputy registrar for the deputy registrar's 1641
services, and such office and rental expenses, as may be necessary 1642
for the proper discharge of the deputy registrar's duties in the 1643
receiving of applications and renewal notices and the issuing of 1644
registrations. 1645

(E) Upon the certification of the registrar, the county 1646
sheriff or local police officials shall recover license plates 1647
erroneously or fraudulently issued. 1648

(F) Each deputy registrar, upon receipt of any application 1649
for registration or registration renewal notice, together with the 1650
license fee and any local motor vehicle license tax levied 1651
pursuant to Chapter 4504. of the Revised Code, shall transmit that 1652
fee and tax, if any, in the manner provided in this section, 1653
together with the original and duplicate copy of the application, 1654
to the registrar. The registrar, subject to the approval of the 1655
director of public safety, may deposit the funds collected by 1656
those deputies in a local bank or depository to the credit of the 1657
"state of Ohio, bureau of motor vehicles." Where a local bank or 1658
depository has been designated by the registrar, each deputy 1659
registrar shall deposit all moneys collected by the deputy 1660
registrar into that bank or depository not more than one business 1661
day after their collection and shall make reports to the registrar 1662
of the amounts so deposited, together with any other information, 1663
some of which may be prescribed by the treasurer of state, as the 1664
registrar may require and as prescribed by the registrar by rule. 1665
The registrar, within three days after receipt of notification of 1666
the deposit of funds by a deputy registrar in a local bank or 1667
depository, shall draw on that account in favor of the treasurer 1668
of state. The registrar, subject to the approval of the director 1669
and the treasurer of state, may make reasonable rules necessary 1670
for the prompt transmittal of fees and for safeguarding the 1671
interests of the state and of counties, townships, municipal 1672
corporations, and transportation improvement districts levying 1673
local motor vehicle license taxes. The registrar may pay service 1674
charges usually collected by banks and depositories for such 1675
service. If deputy registrars are located in communities where 1676
banking facilities are not available, they shall transmit the fees 1677
forthwith, by money order or otherwise, as the registrar, by rule 1678
approved by the director and the treasurer of state, may 1679
prescribe. The registrar may pay the usual and customary fees for 1680
such service. 1681

(G) This section does not prevent any person from making an application for a motor vehicle license directly to the registrar by mail, by electronic means, or in person at any of the registrar's offices, upon payment of a service fee of two dollars and seventy-five cents commencing on July 1, 2001, three dollars and twenty-five cents commencing on January 1, 2003, and three dollars and fifty cents commencing on January 1, 2004, for each application.

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

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

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

(b) Upon request, the registrar shall provide the director of environmental protection, or any person that has been awarded a contract under division (D) of section 3704.14 of the Revised Code, an on-line computer data link to registration information for all passenger cars, noncommercial motor vehicles, and commercial cars that are subject to that section. The registrar also shall provide to the director of environmental protection a magnetic data tape containing registration information regarding passenger cars, noncommercial motor vehicles, and commercial cars for which a multi-year registration is in effect under section 4503.103 of the Revised Code or rules adopted under it, including, without limitation, the date of issuance of the multi-year registration, the registration deadline established under rules adopted under section 4503.101 of the Revised Code that was applicable in the year in which the multi-year registration was issued, and the registration deadline for renewal of the multi-year registration.

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

(1) A uniform mileage schedule;

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

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

Sec. 4503.101. (A) The registrar of motor vehicles shall adopt rules to establish a system of motor vehicle registration

based upon the type of vehicle to be registered, the type of 1744
ownership of the vehicle, the class of license plate to be issued, 1745
and any other factor the registrar determines to be relevant. 1746
Except for commercial cars, buses, trailers, and semitrailers 1747
taxed under section 4503.042 of the Revised Code; except for 1748
rental vehicles owned by motor vehicle renting dealers; and except 1749
as otherwise provided by rule, motor vehicles owned by an 1750
individual shall be registered based upon the motor vehicle 1751
owner's date of birth. Beginning with the ~~1989~~ 2004 registration 1752
year, the registrar shall assign motor vehicles to the 1753
registration periods established by rules adopted under this 1754
section. 1755

(B) The registrar shall adopt rules to permit motor vehicle 1756
owners residing together at one address to select the date of 1757
birth of any one of the owners as the date to register any or all 1758
of the vehicles at that residence address, as shown in the records 1759
of the bureau of motor vehicles. 1760

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

registration periods. The registration taxes to be charged shall 1776
be determined by the registrar on the basis of the annual tax 1777
otherwise due on the motor vehicle, prorated in accordance with 1778
the number of months for which the motor vehicle is registered, 1779
except that the fee established by division (E) of section 1780
4503.042 or division (C)(1) of section 4503.10 of the Revised 1781
Code, as applicable, shall be collected in full for each renewal 1782
that occurs during the transition period and shall not be 1783
prorated. 1784

(D) The registrar shall adopt rules to permit any person who 1785
owns ~~twenty two~~ or more motor vehicles to ~~select any single date~~ 1786
~~as the date~~ request the registrar to permit the owner to separate 1787
the owner's fleet into up to four divisions for assignment to 1788
separate dates upon which to register the vehicles, provided that 1789
the registrar may disapprove any ~~selected date~~ such request 1790
whenever ~~he~~ the registrar has reason to believe that an uneven 1791
distribution of registrations throughout the calendar year has 1792
developed or is likely to develop. ~~If the registrar disapproves a~~ 1793
~~date, the motor vehicle owner shall select an alternate date for~~ 1794
~~registration. Upon agreement of the motor vehicle owner, the~~ 1795
~~registrar may require the motor vehicle owner to register the~~ 1796
~~vehicles on a specific date designated by the registrar.~~ 1797

~~(D)~~(E) Every owner or lessee of a motor vehicle ~~and every~~ 1798
~~chauffeur~~ holding a certificate of registration shall notify the 1799
registrar ~~in writing~~ of any change of ~~his residence~~ the owner's or 1800
lessee's correct address within ten days after the change occurs. 1801
The notification shall be in writing on a form provided by the 1802
registrar or by electronic means approved by the registrar and 1803
shall include the full name, date of birth if applicable, license 1804
number, county of residence or place of business, social security 1805
account number of an individual or federal tax identification 1806
number of a business, and new address ~~of the person~~. 1807

(F) As used in this section, "motor vehicle renting dealer" 1808
has the same meaning as in section 4549.65 of the Revised Code. 1809

Sec. 4503.103. (A)(1)(a) The registrar of motor vehicles may 1810
adopt rules to permit any person or lessee, other than a person 1811
receiving an apportioned license plate under the international 1812
registration plan, who owns or leases ten or more motor vehicles 1813
used principally in connection with any established business to 1814
file a written application for registration for no more than five 1815
succeeding registration years. The rules adopted by the registrar 1816
may designate the classes of motor vehicles that are eligible for 1817
such registration. At the time of application, all annual taxes 1818
and fees shall be paid for each year for which the person is 1819
registering. ~~No person applying for a multi-year registration is~~ 1820
~~entitled to a refund of any taxes or fees paid.~~ 1821

(b) The registrar ~~may~~ shall adopt rules to permit any person, 1822
other than a person receiving an apportioned license plate under 1823
the international registration plan, who owns a motor vehicle to 1824
file an application for registration for the next two succeeding 1825
registration years. At the time of application, the person shall 1826
pay the annual taxes and fees for each registration year, 1827
calculated in accordance with division (C) of section 4503.11 of 1828
the Revised Code. A person who is registering a vehicle under 1829
division (A)(1)(b) of this section shall pay both of the 1830
following, for each year of registration: 1831

(i) A deputy registrar service fee as described in division 1832
(D) of section 4503.10 of the Revised Code or a bureau of motor 1833
vehicles service fee as described in division (G) of that section, 1834
as applicable; 1835

(ii) The additional fee established under division (C)(1) of 1836
section 4503.10 of the Revised Code. 1837

(2) No person applying for a multi-year registration under 1838
division (A)(1) of this section is entitled to a refund of any 1839
taxes or fees paid. 1840

(3) The registrar shall not issue to any applicant who has 1841
been issued a final, nonappealable order under division (B) of 1842
this section a multi-year registration or renewal thereof under 1843
this division or rules adopted under it for any motor vehicle that 1844
is required to be inspected under section 3704.14 of the Revised 1845
Code the district of registration of which, as determined under 1846
section 4503.10 of the Revised Code, is or is located in the 1847
county named in the order. 1848

(B) Upon receipt from the director of environmental 1849
protection of a notice issued under division (J) of section 1850
3704.14 of the Revised Code indicating that an owner of a motor 1851
vehicle that is required to be inspected under that section who 1852
obtained a multi-year registration for the vehicle under division 1853
(A) of this section or rules adopted under that division has not 1854
obtained an inspection certificate for the vehicle in accordance 1855
with that section in a year intervening between the years of 1856
issuance and expiration of the multi-year registration in which 1857
the owner is required to have the vehicle inspected and obtain an 1858
inspection certificate for it under division (F)(1)(a) of that 1859
section, the registrar in accordance with Chapter 119. of the 1860
Revised Code shall issue an order to the owner impounding the 1861
certificate of registration and identification license plates for 1862
the vehicle. The order also shall prohibit the owner from 1863
obtaining or renewing a multi-year registration for any vehicle 1864
that is required to be inspected under that section, the district 1865
of registration of which is or is located in the same county as 1866
the county named in the order during the number of years after 1867
expiration of the current multi-year registration that equals the 1868
number of years for which the current multi-year registration was 1869

issued. 1870

An order issued under this division shall require the owner 1871
to surrender to the registrar the certificate of registration and 1872
license plates for the vehicle named in the order within five days 1873
after its issuance. If the owner fails to do so within that time, 1874
the registrar shall certify that fact to the county sheriff or 1875
local police officials who shall recover the certificate of 1876
registration and license plates for the vehicle. 1877

(C) Upon the occurrence of either of the following 1878
circumstances, the registrar in accordance with Chapter 119. of 1879
the Revised Code shall issue to the owner a modified order 1880
rescinding the provisions of the order issued under division (B) 1881
of this section impounding the certificate of registration and 1882
license plates for the vehicle named in that original order: 1883

(1) Receipt from the director of environmental protection of 1884
a subsequent notice under division (J) of section 3704.14 of the 1885
Revised Code that the owner has obtained the inspection 1886
certificate for the vehicle as required under division (F)(1)(a) 1887
of that section; 1888

(2) Presentation to the registrar by the owner of the 1889
required inspection certificate for the vehicle. 1890

(D) The owner of a motor vehicle for which the certificate of 1891
registration and license plates have been impounded pursuant to an 1892
order issued under division (B) of this section, upon issuance of 1893
a modified order under division (C) of this section, may apply to 1894
the registrar for their return. A fee of two dollars and fifty 1895
cents shall be charged for the return of the certificate of 1896
registration and license plates for each vehicle named in the 1897
application. 1898

Sec. 4503.105. In addition to the fees collected under 1899

sections 4503.10 and 4503.102 of the Revised Code, the registrar of motor vehicles or deputy registrar shall ask each person applying for or renewing a motor vehicle registration whether the person wishes to make a one-dollar voluntary contribution to the American red cross fund created in section 4501.42 of the Revised Code. Every application for registration or renewal notice shall include an option for the owner of the motor vehicle to make a one-dollar voluntary contribution to the American red cross fund created in that section.

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

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

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

Sec. 4503.11. (A) Except as provided by sections 4503.103, 4503.173, 4503.41, 4503.43, and 4503.46 of the Revised Code, no person who is the owner or chauffeur of a motor vehicle operated

or driven upon the public roads or highways shall fail to file 1930
annually the application for registration or to pay the tax 1931
therefor. 1932

(B) Except as provided by sections 4503.12 and 4503.16 of the 1933
Revised Code, the taxes payable on all applications made under 1934
sections 4503.10 and 4503.102 of the Revised Code shall be the sum 1935
of the tax due under division (B)(1)(a) or (b) of this section 1936
plus the tax due under division (B)(2)(a) or (b) of this section: 1937

(1)(a) If the application is made before the second month of 1938
the current registration period to which the motor vehicle is 1939
assigned as provided in section 4503.101 of the Revised Code, the 1940
tax due is the full amount of the tax provided in section 4503.04 1941
of the Revised Code; 1942

(b) If the application is made during or after the second 1943
month of the current registration period to which the motor 1944
vehicle is assigned as provided in section 4503.101 of the Revised 1945
Code, and prior to the beginning of the next such registration 1946
period, the amount of the tax provided in section 4503.04 of the 1947
Revised Code shall be reduced by one-twelfth of the amount of such 1948
tax, rounded upward to the nearest cent, multiplied by the number 1949
of full months that have elapsed in the current registration 1950
period. The resulting amount shall be rounded upward to the next 1951
highest dollar and shall be the amount of tax due. 1952

(2)(a) If the application is made before the sixth month of 1953
the current registration period to which the motor vehicle is 1954
assigned as provided in section 4503.101 of the Revised Code, the 1955
amount of tax due is the full amount of local motor vehicle 1956
license taxes levied under Chapter 4504. of the Revised Code; 1957

(b) If the application is made during or after the sixth 1958
month of the current registration period to which the motor 1959
vehicle is assigned as provided in section 4503.101 of the Revised 1960

Code and prior to the beginning of the next such registration 1961
period, the amount of tax due is one-half of the amount of local 1962
motor vehicle license taxes levied under Chapter 4504. of the 1963
Revised Code. 1964

(C) The taxes payable on all applications made under division 1965
(A)(1)(b) of section 4503.103 of the Revised Code shall be the sum 1966
of the tax due under division (B)(1)(a) or (b) of this section 1967
plus the tax due under division (B)(2)(a) or (b) of this section 1968
for the first year plus the full amount of the tax provided in 1969
section 4503.04 of the Revised Code and the full amount of local 1970
motor vehicle license taxes levied under Chapter 4504. of the 1971
Revised Code for the second year. 1972

Sec. 4503.173. (A) As used in this section: 1973

(1) "Boat trailer" means any trailer designed and used for 1974
the transportation of no more than one watercraft. 1975

(2) "Watercraft" means any of the following when used or 1976
capable of being used for transportation on the water: 1977

(a) A boat operated by machinery either permanently or 1978
temporarily affixed; 1979

(b) A sailboat other than a sailboard; 1980

(c) An inflatable, manually propelled boat having a hull 1981
identification number assigned by and meeting the requirements of 1982
the United States coast guard; 1983

(d) A canoe or rowboat. 1984

(3) "Disabled veteran" means a person who falls into any of 1985
the following categories: 1986

(a) Has been determined by the United States veterans 1987
administration to be permanently and totally disabled, receives a 1988
pension or compensation from the veterans administration, and 1989

received an honorable discharge from the armed forces of the 1990
United States; 1991

(b) Because of a service-connected disability, has been or is 1992
awarded funds for the purchase of a motor vehicle under the 1993
"Disabled Veterans' and Servicemen's Automobile Assistance Act of 1994
1970," 84 Stat. 1998, 38 U.S.C. 1901, and amendments thereto; 1995

(c) Has a service-connected disability rated at one hundred 1996
per cent by the veterans' administration. 1997

(4) "Prisoner of war" means any regularly appointed, 1998
enrolled, enlisted, or inducted member of the military forces of 1999
the United States who was captured, separated, and incarcerated by 2000
an enemy of the United States at any time, and any regularly 2001
appointed, enrolled, or enlisted member of the military forces of 2002
Great Britain, France, the Union of Soviet Socialist Republics, 2003
Australia, Belgium, Brazil, Canada, China, Denmark, Greece, the 2004
Netherlands, New Zealand, Norway, Poland, South Africa, or 2005
Yugoslavia who was a citizen of the United States at the time of 2006
the appointment, enrollment, or enlistment, and was captured, 2007
separated, and incarcerated by an enemy of this country during 2008
World War II. 2009

(B) Any owner of a boat trailer who is a disabled veteran, 2010
congressional medal of honor awardee, or prisoner of war may apply 2011
to the registrar of motor vehicles for the registration of the 2012
boat trailer without the payment of any registration tax and 2013
service fee as required by sections 4503.02, 4503.10, 4503.102, 2014
and 4503.12 of the Revised Code and without the payment of any 2015
applicable county, township, or municipal motor vehicle license 2016
tax levied under Chapter 4504. of the Revised Code. The 2017
application shall be accompanied by such evidence of disability or 2018
by such documentary evidence in support of a congressional medal 2019
of honor as the registrar requires by rule. The application for a 2020
registration by any person who has been a prisoner of war shall be 2021

accompanied by written evidence in the form of a record of 2022
separation, a letter from one of the armed forces of the United 2023
States or other country as listed in division (A)(4) of this 2024
section, or other evidence as the registrar may require by rule, 2025
that the person was a prisoner of war and was honorably discharged 2026
or is presently residing in this state on active duty with one of 2027
the branches of the armed forces of the United States, or was a 2028
prisoner of war and was honorably discharged or received an 2029
equivalent discharge or release from one of the armed forces of a 2030
country listed in division (A)(4) of this section. 2031

~~(C) Annually by the fifteenth day of January, the registrar 2032
of motor vehicles shall determine the amount of taxes and fees 2033
exempted from payment under division (B) of this section and 2034
certify the amount to the director of budget and management for 2035
reimbursement. The director shall thereupon transfer the amount 2036
certified from the general revenue fund to the auto registration 2037
distribution fund and the state highway safety fund in the same 2038
proportions as would be the case if the boat trailer registrations 2039
were not exempted from the payment of taxes and fees under 2040
division (B) of this section. Amounts transferred to the auto 2041
registration distribution fund under this division shall be 2042
distributed in the manner provided by section 4501.03 of the 2043
Revised Code. 2044~~

Sec. 4503.181. (A) As used in this section, "historical motor 2045
vehicle" means any motor vehicle that is more than twenty-five 2046
years old and that is owned solely as a collector's item and for 2047
participation in club activities, exhibitions, tours, parades, and 2048
similar uses, but in no event is used for general transportation. 2049
2050

(B) In lieu of the annual license tax levied in sections 2051
4503.02 and 4503.04 of the Revised Code, a license fee of ten 2052

dollars is levied on the operation of an historical motor vehicle. 2053

(C) A person who owns an historical motor vehicle and applies 2054
for a license ~~plates~~ plate under this section shall execute an 2055
affidavit that the vehicle for which ~~plates~~ are the plate is 2056
requested is owned and operated solely for the purposes enumerated 2057
in division (A) of this section, and also setting forth in the 2058
affidavit that the vehicle has been inspected and found safe to 2059
operate on the public roads and highways in the state. A person 2060
who owns an historical motor vehicle and desires to display a 2061
model year license ~~plates~~ plate on the vehicle as permitted by 2062
this section shall execute at the time of registration an 2063
affidavit setting forth that the model year license ~~plates~~ plate 2064
the person desires to display on the person's historical motor 2065
vehicle ~~are~~ is a legible and serviceable license ~~plates~~ plate that 2066
originally ~~were~~ was issued by this state. No registration issued 2067
pursuant to this section need specify the weight of the vehicle. 2068

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

at all times the vehicle is operated on the public roads and 2085
highways in this state. 2086

Notwithstanding section 4503.21 of the Revised Code, the 2087
owner of an historical motor vehicle that was manufactured for 2088
military purposes and that is registered under this section may 2089
display the assigned registration number of the vehicle by 2090
painting the number on the front and rear of the vehicle. The 2091
number shall be painted, in accordance with the size and style 2092
specifications established for numerals and letters shown on 2093
license plates in section 4503.22 of the Revised Code, in a color 2094
that contrasts clearly with the color of the vehicle, and shall be 2095
legible and visible at all times. Upon application for 2096
registration under this section and payment of the license fee 2097
prescribed in division (B) of this section, the owner of such an 2098
historical motor vehicle shall be issued an historical vehicle 2099
license ~~plates~~ plate. The registration certificate and ~~at least~~ 2100
~~one such~~ the license plate shall be kept in the vehicle at all 2101
times the vehicle is operated on the public roads and highways in 2102
this state. If ownership of such a vehicle is transferred, the 2103
transferor shall surrender the historical vehicle license ~~plates~~ 2104
plate or transfer ~~them~~ it to another historical motor vehicle the 2105
transferor owns, and remove or obliterate the registration numbers 2106
painted on the vehicle. 2107

(E) Historical vehicle and model year license plates are 2108
valid without renewal as long as the vehicle for which they were 2109
issued or procured is in existence. ~~Historical~~ An historical 2110
vehicle ~~plates are~~ plate is issued for the owner's use only for 2111
such vehicle unless later transferred to another historical motor 2112
vehicle owned by that person. In order to effect such a transfer, 2113
the owner of the historical motor vehicle that originally 2114
displayed the historical vehicle ~~plates~~ plate shall comply with 2115
division (C) of this section. In the event of a transfer of title, 2116

the transferor shall surrender the historical vehicle license 2117
~~plates~~ plate or transfer ~~them~~ it to another historical motor 2118
vehicle owned by the transferor, but a model year license ~~plates~~ 2119
plate may be retained by the transferor. The registrar may revoke 2120
license plates issued under this section, for cause shown and 2121
after hearing, for failure of the applicant to comply with this 2122
section. Upon revocation, an historical vehicle license ~~plates~~ 2123
plate shall be surrendered; a model year license ~~plates~~ plate may 2124
be retained, but no longer ~~are~~ is valid for display on the 2125
vehicle. 2126

(F) The owner of an historical motor vehicle bearing an 2127
historical vehicle license ~~plates~~ plate may replace ~~them~~ it with a 2128
model year license ~~plates~~ plate by surrendering the historical 2129
vehicle license ~~plates~~ plate and motor vehicle certificate of 2130
registration to the registrar. The owner, at the time of 2131
registration, shall execute an affidavit setting forth that the 2132
model year ~~plates~~ are plate is a legible and serviceable license 2133
~~plates~~ plate that originally ~~were~~ was issued by this state. Such 2134
an owner is required to pay the license fee prescribed by division 2135
(B) of this section, but the owner is not required to have the 2136
historical motor vehicle reinspected under division (C) of this 2137
section. 2138

A person who owns an historical motor vehicle bearing a model 2139
year license ~~plates~~ plate may replace ~~them~~ it with an historical 2140
vehicle license ~~plates~~ plate by surrendering the motor vehicle 2141
certificate of registration and applying for issuance of an 2142
historical vehicle license ~~plates~~ plate. Such a person is required 2143
to pay the license fee prescribed by division (B) of this section, 2144
but the person is not required to have the historical motor 2145
vehicle reinspected under division (C) of this section. 2146

Sec. 4503.182. (A) A purchaser of a motor vehicle, upon 2147

application and proof of purchase of the vehicle, may be issued a 2148
temporary license placard or windshield sticker for the motor 2149
vehicle. 2150

The purchaser of a vehicle applying for a temporary license 2151
placard or windshield sticker under this section shall execute an 2152
affidavit stating that the purchaser has not been issued 2153
previously during the current registration year a license plate 2154
that could legally be transferred to the vehicle. 2155

Placards or windshield stickers shall be issued only for the 2156
applicant's use of the vehicle to enable the applicant to legally 2157
operate the motor vehicle while proper title, license plates, and 2158
a certificate of registration are being obtained, and shall be 2159
displayed on no other motor vehicle. 2160

Placards or windshield stickers issued under this section are 2161
valid for a period of thirty days from date of issuance and are 2162
not transferable or renewable. 2163

The fee for the placards or windshield stickers is two 2164
dollars plus a deputy registrar service fee of two dollars and 2165
seventy-five cents commencing on July 1, 2001, three dollars and 2166
twenty-five cents commencing on January 1, 2003, and three dollars 2167
and fifty cents commencing on January 1, 2004, for each placard 2168
issued by a deputy registrar. 2169

(B) The registrar of motor vehicles may issue to a motorized 2170
bicycle dealer or a licensed motor vehicle dealer temporary 2171
license placards to be issued to purchasers for use on vehicles 2172
sold by the dealer, in accordance with rules prescribed by the 2173
registrar. The dealer shall notify the registrar, within 2174
forty-eight hours, of the issuance of a placard by electronic 2175
means via computer equipment purchased and maintained by the 2176
dealer or in any other manner prescribed by the registrar. 2177

The fee for each placard issued by the registrar to a licensed motor vehicle dealer is two dollars if the dealer notifies the registrar of the issuance of the placards by electronic means via computer equipment. The fee for each placard issued by the registrar to a licensed motor vehicle dealer is two dollars plus a fee of two dollars and seventy-five cents commencing on July 1, 2001, three dollars and twenty-five cents commencing on January 1, 2003, and three dollars and fifty cents commencing on January 1, 2004, if the dealer notifies the registrar of the issuance of the placards in a manner other than by electronic means.

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 2210
fund established in section 4501.061 of the Revised Code. 2211

(E) The registrar shall adopt rules, in accordance with 2212
division (B) of section 111.15 of the Revised Code, to specify the 2213
procedures for reporting the information from applications for 2214
temporary license placards and windshield stickers and for 2215
providing the information from these applications to law 2216
enforcement agencies. 2217

~~(E)~~(F) Temporary license placards issued under this section 2218
shall bear a distinctive combination of seven letters, numerals, 2219
or letters and numerals, and shall incorporate a security feature 2220
that, to the greatest degree possible, prevents tampering with any 2221
of the information that is entered upon a placard when it is 2222
issued. 2223

~~(F)~~(G) As used in this section, "motorized bicycle dealer" 2224
means any person engaged in the business of selling at retail, 2225
displaying, offering for sale, or dealing in motorized bicycles 2226
who is not subject to section 4503.09 of the Revised Code. 2227

Sec. 4503.19. Upon the filing of an application for 2228
registration and the payment of the tax for registration, the 2229
registrar of motor vehicles or a deputy registrar shall determine 2230
whether the owner previously has been issued a license plates 2231
plate for the motor vehicle described in the application. If no 2232
license ~~plates~~ plate previously ~~have~~ has been issued to the owner 2233
for that motor vehicle, the registrar or deputy registrar shall 2234
assign to the motor vehicle a distinctive number and issue and 2235
deliver to the owner in the manner that the registrar may select a 2236
certificate of registration, in the form that the registrar shall 2237
prescribe, and, ~~except as otherwise provided in this section, two~~ 2238
a license plates, duplicates of each other, plate and a validation 2239
sticker, or a validation sticker alone, to be attached to the 2240

~~number plates~~ license plate as provided in section 4503.191 of the 2241
Revised Code. The registrar or deputy registrar also shall charge 2242
the owner any fees required under division (C) of section 4503.10 2243
of the Revised Code. ~~Trailers, manufactured homes, mobile homes,~~ 2244
~~semitrailers, the manufacturer thereof, the dealer, or in transit~~ 2245
~~companies therein, shall be issued one license plate only and one~~ 2246
~~validation sticker, or a validation sticker alone, and the~~ The 2247
license plate and validation sticker shall be displayed ~~only~~ on 2248
the rear of ~~such vehicles.~~ A the vehicle except that a commercial 2249
tractor ~~that does not receive an apportioned license plate under~~ 2250
~~the international registration plan shall be issued two~~ display 2251
the license plates plate and one validation sticker, ~~and the~~ 2252
~~validation sticker shall be displayed~~ on the front of the 2253
commercial tractor. ~~An apportioned vehicle receiving an~~ 2254
~~apportioned license plate under the international registration~~ 2255
~~plan shall be issued one license plate only and one validation~~ 2256
~~sticker, or a validation sticker alone; the license plate shall be~~ 2257
~~displayed only on the front of a semitractor and on the rear of~~ 2258
~~all other vehicles.~~ School buses shall not be issued a license 2259
~~plates~~ plate but shall bear identifying numbers in the manner 2260
prescribed by section 4511.764 of the Revised Code. The 2261
certificate of registration and license ~~plates~~ plate and 2262
validation ~~stickers~~ sticker, or validation ~~stickers~~ sticker alone, 2263
shall be issued and delivered to the owner in person or by mail. 2264
Chauffeured limousines shall be issued a license ~~plates~~ plate, a 2265
validation sticker, and a livery sticker as provided in section 2266
4503.24 of the Revised Code. In the event of the loss, mutilation, 2267
or destruction of any certificate of registration, or of any 2268
license ~~plates~~ plate or validation ~~stickers~~ sticker, or if the 2269
owner chooses to replace the license ~~plates~~ plate previously 2270
issued for a motor vehicle, or if the registration certificate and 2271
license ~~plates~~ plate have been impounded as provided by division 2272

(F)(1) of section 4507.02 and division (A)(4) of section 4507.16 2273
of the Revised Code, the owner of a motor vehicle, or manufacturer 2274
or dealer, may obtain from the registrar, or from a deputy 2275
registrar if authorized by the registrar, a duplicate thereof or a 2276
new license ~~plates~~ plate bearing a different number, if the 2277
registrar considers it advisable, upon filing an application 2278
prescribed by the registrar, and upon paying a fee of one dollar 2279
for such certificate of registration, or a fee of ~~two dollars~~ for 2280
~~each set of two license plates, or~~ one dollar for each ~~single~~ 2281
license plate or validation sticker. In addition, each applicant 2282
for a replacement certificate of registration, license plate, or 2283
validation sticker shall pay the fees provided in divisions (C) 2284
and (D) of section 4503.10 of the Revised Code. 2285

Additionally, the registrar and each deputy registrar who 2286
either issues a license ~~plates~~ plate and a validation sticker for 2287
use on any vehicle other than a commercial tractor, semitrailer, 2288
or apportioned vehicle, or who issues a validation sticker alone 2289
for use on such a vehicle and the owner has changed the owner's 2290
county of residence since the owner last was issued county 2291
identification stickers, also shall issue and deliver to the owner 2292
~~either one or two a~~ county identification ~~stickers, as appropriate~~ 2293
sticker, which shall be attached to the license ~~plates~~ plate in a 2294
manner prescribed by the director of public safety. The county 2295
identification ~~stickers~~ sticker shall identify prominently by name 2296
or number the county in which the owner of the vehicle resides at 2297
the time of registration. 2298

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

be a reference to the single license plate and validation sticker 2304
required by section 4503.19 of the Revised Code. 2305

Sec. 4503.21. No person who is the owner or operator of a 2306
motor vehicle shall fail to display in plain view on the ~~front and~~ 2307
rear of the motor vehicle the distinctive number and registration 2308
mark, including any county identification sticker and any 2309
validation sticker issued under sections 4503.19 and 4503.191 of 2310
the Revised Code, furnished by the director of public safety, 2311
~~except that a manufacturer of motor vehicles or dealer therein,~~ 2312
~~the holder of an in transit permit, and the owner or operator of a~~ 2313
~~motoreycle, motorized bicyele, manufactured home, mobile home,~~ 2314
~~trailer, or semitrailer shall display on the rear only. A motor~~ 2315
~~vehicle that is issued two license plates shall display the~~ 2316
~~validation sticker only on the rear license plate, except that a~~ 2317
commercial tractor ~~that does not receive an apportioned license~~ 2318
~~plate under the international registration plan shall display the~~ 2319
license plate and validation sticker on the front of the 2320
commercial tractor. ~~An apportioned vehicle receiving an~~ 2321
~~apportioned license plate under the international registration~~ 2322
~~plan shall display the license plate only on the front of a~~ 2323
~~commercial tractor and on the rear of all other vehicles. All The~~ 2324
license plates plate shall be securely fastened so as not to 2325
swing, ~~and.~~ No person shall not be covered by cover the face of 2326
the license plate with any material ~~that~~ whatsoever, regardless of 2327
whether the material obstructs ~~their~~ its visibility. 2328

No person to whom a temporary license placard or windshield 2329
sticker has been issued for the use of a motor vehicle under 2330
section 4503.182 of the Revised Code, and no operator of that 2331
motor vehicle, shall fail to display the temporary license placard 2332
in plain view from the rear of the vehicle either in the rear 2333
window or on an external rear surface of the motor vehicle, or 2334

fail to display the windshield sticker in plain view on the rear 2335
window of the motor vehicle. No temporary license placard or 2336
windshield sticker shall be covered by any material that obstructs 2337
its visibility. 2338

Sec. 4503.23. No motor vehicle designed to carry passengers, 2339
owned or leased by the state, or any of its departments, bureaus, 2340
commissions, or institutions supported in whole or in part by 2341
funds provided by the state, shall be operated or driven by any 2342
person unless it has displayed, in a prominent position on ~~both~~ 2343
the ~~front and rear~~ of the vehicle, ~~identification plates~~ a license 2344
plate, which shall be the same size, shape, and treated for 2345
increased visibility in the same manner as those issued by the 2346
registrar of motor vehicles for private vehicles. ~~Such~~ 2347
~~identification plates~~ The license plate shall be attached to the 2348
vehicle in the same manner as provided by statute for the 2349
illumination and attachment of a license plates plate on private 2350
vehicles. The registrar shall designate the colors of the license 2351
~~tags which~~ plate that shall be used on state-owned cars; ~~such the~~ 2352
colors shall be other than those used on privately owned motor 2353
vehicles, and shall apply only to license plates used on state 2354
owned motor vehicles. ~~Said plates~~ The plate shall bear a special 2355
serial number, and the words "Ohio State Car." 2356

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

registrar shall issue to the applicant the appropriate vehicle 2366
registration and a set of future farmers of America license plates 2367
with a validation sticker or a validation sticker alone when 2368
required by section 4503.191 of the Revised Code. 2369

In addition to the letters and numbers ordinarily inscribed 2370
on the license plates, future farmers of America license plates 2371
shall be inscribed with identifying words or markings representing 2372
the future farmers of America and approved by the registrar. 2373
Future farmers of America license plates shall bear county 2374
identification stickers that identify the county of registration 2375
by name or number. 2376

(B) The future farmers of America license plates and 2377
validation sticker shall be issued upon receipt of a contribution 2378
as provided in division (C) of this section and upon payment of 2379
the regular license tax as prescribed under section 4503.04 of the 2380
Revised Code, a fee of ten dollars for the purpose of compensating 2381
the bureau of motor vehicles for additional services required in 2382
the issuing of the future farmers of America license plates, any 2383
applicable motor vehicle tax levied under Chapter 4504. of the 2384
Revised Code, and compliance with all other applicable laws 2385
relating to the registration of motor vehicles. If the application 2386
for future farmers of America license plates is combined with a 2387
request for a special reserved license plate under section 4503.40 2388
or 4503.42 of the Revised Code, the license plate and validation 2389
sticker shall be issued upon payment of the contribution, fees, 2390
and taxes referred to or established in this division and the 2391
additional fee prescribed under section 4503.40 or 4503.42 of the 2392
Revised Code. 2393

(C) For each application for registration and registration 2394
renewal the registrar receives under this section, the registrar 2395
shall collect a contribution of fifteen dollars. The registrar 2396

shall transmit this contribution to the treasurer of state for 2397
deposit in the ~~future farmers of America~~ license plate 2398
contribution fund created in section ~~4501.40~~ 4501.21 of the 2399
Revised Code. 2400

The registrar shall deposit the additional fee of ten dollars 2401
specified in division (B) of this section that the applicant for 2402
registration pays for the purpose of compensating the bureau for 2403
the additional services required in the issuing of the applicant's 2404
future farmers of America license plates in the state bureau of 2405
motor vehicles fund created in section 4501.25 of the Revised 2406
Code. 2407

Sec. 4503.51. (A) The owner or lessee of any passenger car, 2408
noncommercial motor vehicle, recreational vehicle, or vehicle of a 2409
class approved by the registrar of motor vehicles may voluntarily 2410
choose to submit an application to the registrar for registration 2411
of such motor vehicle and for issuance of collegiate license 2412
plates. The request for a collegiate license plate may be combined 2413
with a request for a special reserved license plate under section 2414
4503.40 or 4503.42 of the Revised Code. 2415

Upon receipt of the completed application for registration of 2416
a vehicle in accordance with any rules adopted under this section 2417
and upon compliance with division (B) of this section, the 2418
registrar shall issue to the applicant appropriate vehicle 2419
registration and a set of collegiate license plates with a 2420
validation sticker, or a validation sticker alone when required by 2421
section 4503.191 of the Revised Code. 2422

In addition to the letters and numbers ordinarily inscribed 2423
thereon, collegiate license plates shall be inscribed with the 2424
name of a university or college that is participating with the 2425
registrar in the issuance of collegiate license plates, or any 2426
other identifying marking or design selected by such a university 2427

or college and approved by the registrar. Collegiate license 2428
plates shall bear county identification stickers that identify the 2429
county of registration by name or number. 2430

(B) The collegiate license plates and validation sticker 2431
shall be issued upon receipt of a contribution as provided in 2432
division (C) of this section and payment of the regular license 2433
fees as prescribed under section 4503.04 of the Revised Code, any 2434
applicable motor vehicle tax levied under Chapter 4504. of the 2435
Revised Code, a fee not to exceed ten dollars for the purpose of 2436
compensating the bureau of motor vehicles for additional services 2437
required in the issuing of collegiate license plates, and 2438
compliance with all other applicable laws relating to the 2439
registration of motor vehicles, including presentation of any 2440
inspection certificate required to be obtained for the motor 2441
vehicle under section 3704.14 of the Revised Code. If the 2442
application for a collegiate license plate is combined with a 2443
request for a special reserved license plate under section 4503.40 2444
or 4503.42 of the Revised Code, the license plate and validation 2445
sticker shall be issued upon payment of the contribution, fees, 2446
and taxes referred to in this division, the additional fee 2447
prescribed under section 4503.40 or 4503.42 of the Revised Code, 2448
and compliance with all other laws relating to the registration of 2449
motor vehicles, including presentation of any inspection 2450
certificate required to be obtained for the motor vehicle under 2451
section 3704.14 of the Revised Code. 2452

(C) The registrar shall collect a contribution of twenty-five 2453
dollars for each application for registration and registration 2454
renewal notice under this section. 2455

The registrar shall transmit this contribution to the 2456
treasurer of state for deposit into the ~~collegiate~~ license plate 2457
contribution fund created by section ~~4501.20~~ 4501.21 of the 2458
Revised Code. The additional fee not to exceed ten dollars that 2459

the applicant for registration voluntarily pays for the purpose of 2460
compensating the bureau for the additional services required in 2461
the issuing of the applicant's collegiate license plates shall be 2462
transmitted into the state treasury to the credit of the state 2463
bureau of motor vehicles fund created in section 4501.25 of the 2464
Revised Code. 2465

(D) The registrar, in accordance with Chapter 119. of the 2466
Revised Code, shall adopt rules necessary for the efficient 2467
administration of the collegiate license plate program. 2468

(E) As used in this section, "university or college" means a 2469
state university or college or a private university or college 2470
located in this state that possesses a certificate of 2471
authorization issued by the Ohio board of regents pursuant to 2472
Chapter 1713. of the Revised Code. "University or college" also 2473
includes community colleges created pursuant to Chapter 3354. of 2474
the Revised Code, university branches created pursuant to Chapter 2475
3355. of the Revised Code, technical colleges created pursuant to 2476
Chapter 3357. of the Revised Code, and state community colleges 2477
created pursuant to Chapter 3358. of the Revised Code. 2478

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

sticker alone when required by section 4503.191 of the Revised Code. 2491
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In addition to the letters and numbers ordinarily inscribed thereon, pro football hall of fame license plates shall be inscribed with identifying words or markings designed by the pro football hall of fame and approved by the registrar. Pro football hall of fame plates shall bear county identification stickers that identify the county of registration by name or number. 2493
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(B) The pro football hall of fame 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 fees as prescribed under section 4503.04 of the Revised Code, a fee not to exceed ten dollars for the purpose of compensating the bureau of motor vehicles for additional services required in the issuing of the pro football hall of fame 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 pro football hall of fame 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 contained in this division and the additional fee prescribed under section 4503.40 or 4503.42 of the Revised Code. 2499
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(C) For each application for registration and registration renewal 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 ~~pro football hall of fame~~ license plate contribution fund created in section ~~4501.22~~ 4501.21 of the Revised Code. 2516
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The registrar shall deposit the additional fee not to exceed 2522
ten dollars specified in division (B) of this section that the 2523
applicant for registration voluntarily pays for the purpose of 2524
compensating the bureau for the additional services required in 2525
the issuing of the applicant's pro football hall of fame license 2526
plates in the state bureau of motor vehicles fund created in 2527
section 4501.25 of the Revised Code. 2528

Sec. 4503.561. (A) The owner or lessee of any passenger car, 2529
noncommercial motor vehicle, recreational vehicle, or other 2530
vehicle of a class approved by the registrar of motor vehicles may 2531
apply to the registrar for the registration of the vehicle and 2532
issuance of ducks unlimited license plates. The application for 2533
ducks unlimited license plates may be combined with a request for 2534
a special reserved license plate under section 4503.40 or 4503.42 2535
of the Revised Code. Upon receipt of the completed application and 2536
compliance with division (B) of this section, the registrar shall 2537
issue to the applicant the appropriate vehicle registration and a 2538
set of ducks unlimited license plates with a validation sticker or 2539
a validation sticker alone when required by section 4503.191 of 2540
the Revised Code. 2541

In addition to the letters and numbers ordinarily inscribed 2542
on the license plates, ducks unlimited license plates shall be 2543
inscribed with identifying words or markings representing ducks 2544
unlimited, inc., and approved by the registrar. Ducks unlimited 2545
license plates shall bear county identification stickers that 2546
identify the county of registration by name or number. 2547

(B) The ducks unlimited license plates and validation sticker 2548
shall be issued upon receipt of a contribution as provided in 2549
division (C) of this section and upon payment of the regular 2550
license tax as prescribed under section 4503.04 of the Revised 2551
Code, a fee of ten dollars for the purpose of compensating the 2552

bureau of motor vehicles for additional services required in the 2553
issuing of the ducks unlimited license plates, any applicable 2554
motor vehicle tax levied under Chapter 4504. of the Revised Code, 2555
and compliance with all other applicable laws relating to the 2556
registration of motor vehicles. If the application for ducks 2557
unlimited license plates is combined with a request for a special 2558
reserved license plate under section 4503.40 or 4503.42 of the 2559
Revised Code, the license plate and validation sticker shall be 2560
issued upon payment of the contribution, fees, and taxes referred 2561
to or established in this division and the additional fee 2562
prescribed under section 4503.40 or 4503.42 of the Revised Code. 2563

(C) For each application for registration and registration 2564
renewal the registrar receives under this section, the registrar 2565
shall collect a contribution of fifteen dollars. The registrar 2566
shall transmit this contribution to the treasurer of state for 2567
deposit in the ~~ducks unlimited~~ license plate contribution fund 2568
created in section ~~4501.33~~ 4501.21 of the Revised Code. 2569

The registrar shall deposit the additional fee of ten dollars 2570
specified in division (B) of this section that the applicant for 2571
registration pays for the purpose of compensating the bureau for 2572
the additional services required in the issuing of the applicant's 2573
ducks unlimited license plates in the state bureau of motor 2574
vehicles fund created in section 4501.25 of the Revised Code. 2575

Sec. 4503.591. (A) If a professional sports team located in 2576
this state desires to have its logo appear on license plates 2577
issued by this state, it shall enter into a contract with the 2578
sports commission to permit such display, as permitted in 2579
divisions (D), (E), and (F) of this section ~~4501.32 of the Revised~~ 2580
~~Code~~. The owner or lessee of any passenger car, noncommercial 2581
motor vehicle, recreational vehicle, or other vehicle of a class 2582
approved by the registrar of motor vehicles may apply to the 2583

registrar for the registration of the vehicle and issuance of 2584
license plates bearing the logo of a professional sports team that 2585
has entered into such a contract. The application shall designate 2586
the sports team whose logo the owner or lessee desires to appear 2587
on the license plates. Failure to designate a participating 2588
professional sports team shall result in rejection by the 2589
registrar of the registration application. An application made 2590
under this section may be combined with a request for a special 2591
reserved license plate under section 4503.40 or 4503.42 of the 2592
Revised Code. Upon receipt of the completed application and 2593
compliance by the applicant with divisions (B) and (C) of this 2594
section, the registrar shall issue to the applicant the 2595
appropriate vehicle registration and a set of license plates 2596
bearing the logo of the professional sports team the owner 2597
designated in the application and a validation sticker, or a 2598
validation sticker alone when required by section 4503.191 of the 2599
Revised Code. 2600

In addition to the letters and numbers ordinarily inscribed 2601
thereon, professional sports team license plates shall bear the 2602
logo of a participating professional sports team, and shall 2603
display county identification stickers that identify the county of 2604
registration by name or number. 2605

(B) The professional sports team license plates and 2606
validation sticker, or validation sticker alone, as the case may 2607
be, shall be issued upon payment of the regular license tax as 2608
prescribed under section 4503.04 of the Revised Code, any 2609
applicable motor vehicle license tax levied under Chapter 4504. of 2610
the Revised Code, a fee of ten dollars for the purpose of 2611
compensating the bureau of motor vehicles for additional services 2612
required in the issuing of professional sports team license 2613
plates, and compliance with all other applicable laws relating to 2614
the registration of motor vehicles. If the application for a 2615

professional sports team license plate is combined with a request 2616
for a special reserved license plate under section 4503.40 or 2617
4503.42 of the Revised Code, the license plates and validation 2618
sticker, or validation sticker alone, shall be issued upon payment 2619
of the regular license tax as prescribed under section 4503.04 of 2620
the Revised Code, any applicable motor vehicle tax levied under 2621
Chapter 4504. of the Revised Code, a fee of ten dollars for the 2622
purpose of compensating the bureau of motor vehicles for 2623
additional services required in the issuing of professional sports 2624
team license plates, the additional fee prescribed under section 2625
4503.40 or 4503.42 of the Revised Code, and compliance with all 2626
other applicable laws relating to the registration of motor 2627
vehicles. 2628

(C) For each application for registration and registration 2629
renewal notice the registrar receives under this section, the 2630
registrar shall collect a contribution of twenty-five dollars. The 2631
registrar shall transmit this contribution to the treasurer of 2632
state for deposit into the ~~state treasury for distribution as~~ 2633
~~described in~~ license plate contribution fund created by section 2634
~~4501.32~~ 4501.21 of the Revised Code. 2635

The registrar shall transmit the additional fee of ten 2636
dollars paid to compensate the bureau for the additional services 2637
required in the issuing of professional sports team license plates 2638
to the treasurer of state for deposit into the state treasury to 2639
the credit of the state bureau of motor vehicles fund created by 2640
section 4501.25 of the Revised Code. 2641

(D) If a professional sports team located in this state 2642
desires to have its logo appear on license plates issued by this 2643
state, it shall inform the largest convention and visitors' bureau 2644
of the county in which the professional sports team is located of 2645
that desire. That convention and visitors' bureau shall create a 2646
sports commission to operate in that county to receive the 2647

contributions that are paid by applicants who choose to be issued 2648
license plates bearing the logo of that professional sports team 2649
for display on their motor vehicles. The sports commission shall 2650
negotiate with the professional sports team to permit the display 2651
of the team's logo on license plates issued by this state, enter 2652
into the contract with the team to permit such display, and pay to 2653
the team any licensing or rights fee that must be paid in 2654
connection with the issuance of the license plates. Upon execution 2655
of the contract, the sports commission shall provide a copy of it 2656
to the registrar of motor vehicles, along with any other 2657
documentation the registrar may require. Upon receipt of the 2658
contract and any required additional documentation, and when the 2659
numerical requirement contained in division (A) of section 4503.78 2660
of the Revised Code has been met relative to that particular 2661
professional sports team, the registrar shall take the measures 2662
necessary to issue license plates bearing the logo of that team. 2663

(E) A sports commission shall expend the money it receives 2664
pursuant to section 4501.21 of the Revised Code to attract amateur 2665
regional, national, and international sporting events to the 2666
municipal corporation, county, or township in which it is located, 2667
and it may sponsor such events. Prior to attracting or sponsoring 2668
such events, the sports commission shall perform an economic 2669
analysis to determine whether the proposed event will have a 2670
positive economic effect on the greater area in which the event 2671
will be held. A sports commission shall not expend any money it 2672
receives under that section to attract or sponsor an amateur 2673
regional, national, or international sporting event if its 2674
economic analysis does not result in a finding that the proposed 2675
event will have a positive economic effect on the greater area in 2676
which the event will be held. 2677

A sports commission that receives money pursuant to that 2678
section, in addition to any other duties imposed on it by law and 2679

notwithstanding the scope of those duties, also shall encourage
the economic development of this state through the promotion of
tourism within all areas of this state. A sports commission that
receives ten thousand dollars or more during any calendar year
shall submit a written report to the director of development, on
or before the first day of October of the next succeeding year,
detailing its efforts and expenditures in the promotion of tourism
during the calendar year in which it received the ten thousand
dollars or more.

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As used in this division, "promotion of tourism" means the
encouragement through advertising, educational and informational
means, and public relations, both within the state and outside of
it, of travel by persons away from their homes for pleasure,
personal reasons, or other purposes, except to work, to this state
or to the region in which the sports commission is located.

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(F) For purposes of this section:

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

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

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Such a commission shall consist of twenty-one members. Seven
members shall be appointed by the mayor of the largest city to be
served by the commission. Seven members shall be appointed by the
board of county commissioners of the county to be served by the

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commission. Seven members shall be appointed by the largest 2711
convention and visitors' bureau in the area to be served by the 2712
commission. A sports commission may provide all services related 2713
to attracting, promoting, or sponsoring such events, including, 2714
but not limited to, the booking of athletes and teams, scheduling, 2715
and hiring or contracting for staff, ushers, managers, and other 2716
persons whose functions are directly related to the sports and 2717
athletic events the commission attracts, promotes, or sponsors. 2718

Sec. 4503.67. (A) If the national organization of the boy 2719
scouts of America desires to have its logo appear on license 2720
plates issued by this state, a representative of the Dan Beard 2721
council shall enter into a contract with the registrar of motor 2722
vehicles as provided in division (D) of this section 4501.41 of 2723
the Revised Code. The owner or lessee of any passenger car, 2724
noncommercial motor vehicle, recreational vehicle, or other 2725
vehicle of a class approved by the registrar may apply to the 2726
registrar for the registration of the vehicle and issuance of 2727
license plates bearing the logo of the boy scouts of America if 2728
the council representative has entered into such a contract. An 2729
application made under this section may be combined with a request 2730
for a special reserved license plate under section 4503.40 or 2731
4503.42 of the Revised Code. Upon receipt of the completed 2732
application and compliance by the applicant with divisions (B) and 2733
(C) of this section, the registrar shall issue to the applicant 2734
the appropriate vehicle registration and a set of license plates 2735
bearing the logo of the boy scouts of America and a validation 2736
sticker, or a validation sticker alone when required by section 2737
4503.191 of the Revised Code. 2738

In addition to the letters and numbers ordinarily inscribed 2739
thereon, the plates shall display county identification stickers 2740
that identify the county of registration by name or number. 2741

(B) The boy 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 boy scouts license plates, and compliance with all other applicable laws relating to the registration of motor vehicles. If the application for a boy 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 4501.41 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 boy 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 2774
section 4501.25 of the Revised Code. 2775

(D) If the national organization of the boy scouts of America 2776
desires to have its logo appear on license plates issued by this 2777
state, a representative of the Dan Beard council shall contract 2778
with the registrar to permit the display of the logo on license 2779
plates issued by this state. Upon execution of the contract, the 2780
council shall provide a copy of it to the registrar, along with 2781
any other documentation the registrar may require. Upon receiving 2782
the contract and any required additional documentation, and when 2783
the numerical requirement contained in division (A) of section 2784
4503.78 of the Revised Code has been met relative to the boy 2785
scouts of America, the registrar shall take the measures necessary 2786
to issue license plates bearing the logo of the boy scouts of 2787
America. 2788

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

license plates bearing the logo of the girl scouts of the United States of America and a validation sticker, or a validation sticker alone when required by section 4503.191 of the Revised Code.

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

(B) The girl 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 girl scouts license plates, and compliance with all other applicable laws relating to the registration of motor vehicles. If the application for a girl 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 2837
state for deposit into the ~~state treasury for distribution as~~ 2838
~~described in license plate contribution fund created by~~ section 2839
~~4501.61~~ 4501.21 of the Revised Code. 2840

The registrar shall transmit the additional fee of ten 2841
dollars paid to compensate the bureau for the additional services 2842
required in the issuing of girl scouts license plates to the 2843
treasurer of state for deposit into the state treasury to the 2844
credit of the state bureau of motor vehicles fund created by 2845
section 4501.25 of the Revised Code. 2846

(D) If the national organization of the girl scouts of the 2847
United States of America desires to have its logo appear on 2848
license plates issued by this state, a representative from the 2849
Great River council shall contract with the registrar to permit 2850
the display of the logo on license plates issued by this state. 2851
Upon execution of the contract, the council shall provide a copy 2852
of it to the registrar, along with any other documentation the 2853
registrar may require. Upon receiving the contract and any 2854
required additional documentation, and when the numerical 2855
requirement contained in division (A) of section 4503.78 of the 2856
Revised Code has been met relative to the girl scouts of the 2857
United States of America, the registrar shall take the measures 2858
necessary to issue license plates bearing the logo of the girl 2859
scouts of the United States of America. 2860

Sec. 4503.69. (A) If the national organization of the eagle 2861
scouts desires to have its logo appear on license plates issued by 2862
this state, a representative of the Dan Beard council shall enter 2863
into a contract with the registrar of motor vehicles as provided 2864
in division (D) of this section ~~4501.71~~ of the Revised Code. The 2865
owner or lessee of any passenger car, noncommercial motor vehicle, 2866
recreational vehicle, or other vehicle of a class approved by the 2867

registrar may apply to the registrar for the registration of the 2868
vehicle and issuance of license plates bearing the logo of the 2869
eagle scouts if the council representative has entered into such a 2870
contract on behalf of the eagle scouts. An application made under 2871
this section may be combined with a request for a special reserved 2872
license plate under section 4503.40 or 4503.42 of the Revised 2873
Code. Upon receipt of the completed application and compliance by 2874
the applicant with divisions (B) and (C) of this section, the 2875
registrar shall issue to the applicant the appropriate vehicle 2876
registration and a set of license plates bearing the logo of the 2877
eagle scouts and a validation sticker, or a validation sticker 2878
alone when required by section 4503.191 of the Revised Code. 2879

In addition to the letters and numbers ordinarily inscribed 2880
thereon, the plates shall display county identification stickers 2881
that identify the county of registration by name or number. 2882

(B) The eagle scouts logo license plates and validation 2883
sticker, or validation sticker alone, as the case may be, shall be 2884
issued upon payment of the regular license tax as prescribed under 2885
section 4503.04 of the Revised Code, any applicable motor vehicle 2886
license tax levied under Chapter 4504. of the Revised Code, a fee 2887
of ten dollars for the purpose of compensating the bureau of motor 2888
vehicles for additional services required in the issuing of eagle 2889
scouts license plates, and compliance with all other applicable 2890
laws relating to the registration of motor vehicles. If the 2891
application for an eagle scouts license plate is combined with a 2892
request for a special reserved license plate under section 4503.40 2893
or 4503.42 of the Revised Code, the license plates and validation 2894
sticker, or validation sticker alone, shall be issued upon payment 2895
of the regular license tax as prescribed under section 4503.04 of 2896
the Revised Code, any applicable motor vehicle tax levied under 2897
Chapter 4504. of the Revised Code, a fee of ten dollars for the 2898
purpose of compensating the bureau of motor vehicles for 2899

additional services required in the issuing of the plates, the 2900
additional fee prescribed under section 4503.40 or 4503.42 of the 2901
Revised Code, and compliance with all other applicable laws 2902
relating to the registration of motor vehicles. 2903

(C) For each application for registration and registration 2904
renewal notice the registrar receives under this section, the 2905
registrar shall collect a contribution of fifteen dollars. The 2906
registrar shall transmit this contribution to the treasurer of 2907
state for deposit into the ~~state treasury for distribution as~~ 2908
~~described in license plate contribution fund created by~~ section 2909
~~4501.71~~ 4501.21 of the Revised Code. 2910

The registrar shall transmit the additional fee of ten 2911
dollars paid to compensate the bureau for the additional services 2912
required in the issuing of eagle scouts license plates to the 2913
treasurer of state for deposit into the state treasury to the 2914
credit of the state bureau of motor vehicles fund created by 2915
section 4501.25 of the Revised Code. 2916

(D) If the national organization of the eagle scouts desires 2917
to have its logo appear on license plates issued by this state, a 2918
representative from the Dan Beard council shall contract with the 2919
registrar to permit the display of the logo on license plates 2920
issued by this state. Upon execution of the contract, the council 2921
shall provide a copy of it to the registrar, along with any other 2922
documentation the registrar may require. Upon receiving the 2923
contract and any required additional documentation, and when the 2924
numerical requirement contained in division (A) of section 4503.78 2925
of the Revised Code has been met relative to the eagle scouts, the 2926
registrar shall take the measures necessary to issue license 2927
plates bearing the logo of the eagle scouts. 2928

Sec. 4503.71. (A) The owner or lessee of any passenger car, 2929
noncommercial motor vehicle, recreational vehicle, or other 2930

vehicle of a class approved by the registrar of motor vehicles who 2931
also is a member in good standing of the fraternal order of police 2932
may apply to the registrar for the registration of the vehicle and 2933
issuance of fraternal order of police license plates. The 2934
application for fraternal order of police license plates may be 2935
combined with a request for a special reserved license plate under 2936
section 4503.40 or 4503.42 of the Revised Code. Upon receipt of 2937
the completed application, presentation by the applicant of the 2938
required evidence that the applicant is a member in good standing 2939
of the fraternal order of police, and compliance by the applicant 2940
with this section, the registrar shall issue to the applicant the 2941
appropriate vehicle registration and a set of fraternal order of 2942
police license plates with a validation sticker or a validation 2943
sticker alone when required by section 4503.191 of the Revised 2944
Code. 2945

In addition to the letters and numbers ordinarily inscribed 2946
thereon, fraternal order of police license plates shall be 2947
inscribed with identifying words and a symbol or logo designed by 2948
the fraternal order of police of Ohio, incorporated, and approved 2949
by the registrar. Fraternal order of police license plates shall 2950
bear county identification stickers that identify the county of 2951
registration by name or number. 2952

Fraternal order of police license plates and validation 2953
stickers shall be issued upon payment of the regular license fee 2954
required by section 4503.04 of the Revised Code, payment of any 2955
local motor vehicle license tax levied under Chapter 4504. of the 2956
Revised Code, payment of a fee of ten dollars, and compliance with 2957
all other applicable laws relating to the registration of motor 2958
vehicles. If the application for fraternal order of police license 2959
plates is combined with a request for a special reserved license 2960
plate under section 4503.40 or 4503.42 of the Revised Code, the 2961
license plates and validation sticker shall be issued upon payment 2962

of the fees and taxes contained in this section and the additional 2963
fee prescribed under section 4503.40 or 4503.42 of the Revised 2964
Code. The fee of ten dollars shall be for the purpose of 2965
compensating the bureau of motor vehicles for additional services 2966
required in the issuing of fraternal order of police license 2967
plates, and shall be transmitted by the registrar to the treasurer 2968
of state for deposit into the state treasury to the credit of the 2969
state bureau of motor vehicles fund created by section 4501.25 of 2970
the Revised Code. 2971

(B) For each application for registration and registration 2972
renewal the registrar receives under this section, the registrar 2973
shall collect an additional fee of two dollars. The registrar 2974
shall transmit this additional fee to the treasurer of state for 2975
deposit in the ~~fraternal order of police~~ license plate 2976
contribution fund created in section ~~4501.311~~ 4501.21 of the 2977
Revised Code. 2978

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

validation sticker or a validation sticker alone when required by 2995
section 4503.191 of the Revised Code. 2996

In addition to the letters and numbers ordinarily inscribed 2997
thereon, fraternal order of police associate license plates shall 2998
be inscribed with identifying words or markings designed by the 2999
fraternal order of police of Ohio, inc., and approved by the 3000
registrar. Fraternal order of police associate plates shall bear 3001
county identification stickers that identify the county of 3002
registration by name and number. 3003

(B) The registrar shall issue a set of fraternal order of 3004
police associate license plates with a validation sticker or a 3005
validation sticker alone upon receipt of a contribution as 3006
provided in division (C) of this section and upon payment of the 3007
regular license fees prescribed under section 4503.04 of the 3008
Revised Code, an additional fee of ten dollars for the purpose of 3009
compensating the bureau of motor vehicles for additional services 3010
required in the issuing of the fraternal order of police associate 3011
license plates, any applicable motor vehicle tax levied under 3012
Chapter 4504. of the Revised Code, and compliance with all other 3013
applicable laws relating to the registration of motor vehicles. If 3014
the application for fraternal order of police associate license 3015
plates is combined with a request for a special reserved license 3016
plate under section 4503.40 or 4503.42 of the Revised Code, the 3017
license plate and validation sticker shall be issued upon payment 3018
of the contribution, fees, and taxes contained in this division 3019
and the additional fee prescribed under section 4503.40 or 4503.42 3020
of the Revised Code. 3021

(C) For each application for registration and registration 3022
renewal the registrar receives under this section, the registrar 3023
shall collect a contribution of fifteen dollars. The registrar 3024
shall transmit this contribution to the treasurer of state for 3025

deposit in the ~~fraternal order of police associate~~ license plate 3026
contribution fund created in section ~~4501.25~~ 4501.21 of the 3027
Revised Code. 3028

The registrar shall transmit the additional fee of ten 3029
dollars specified in division (B) of this section to the treasurer 3030
of state for deposit into the state treasury to the credit of the 3031
state bureau of motor vehicles fund created by section 4501.25 of 3032
the Revised Code. 3033

Sec. 4503.72. (A) The owner or lessee of any passenger car, 3034
noncommercial motor vehicle, recreational vehicle, or other 3035
vehicle of a class approved by the registrar of motor vehicles may 3036
apply to the registrar for the registration of the vehicle and 3037
issuance of Ohio court-appointed special advocate/guardian ad 3038
litem license plates. The application for Ohio court-appointed 3039
special advocate/guardian ad litem license plates may be combined 3040
with a request for a special reserved license plate under section 3041
4503.40 or 4503.42 of the Revised Code. Upon receipt of the 3042
completed application and compliance with division (B) of this 3043
section, the registrar shall issue to the applicant the 3044
appropriate vehicle registration and a set of Ohio court-appointed 3045
special advocate/guardian ad litem license plates with a 3046
validation sticker or a validation sticker alone when required by 3047
section 4503.191 of the Revised Code. 3048

In addition to the letters and numbers ordinarily inscribed 3049
thereon, Ohio court-appointed special advocate/guardian ad litem 3050
license plates shall be inscribed with identifying words or 3051
markings designed by the board of directors of the Ohio CASA/GAL 3052
association and approved by the registrar. Ohio court-appointed 3053
special advocate/guardian ad litem license plates shall bear 3054
county identification stickers that identify the county of 3055
registration by name or number. 3056

(B) The Ohio court-appointed special advocate/guardian ad litem 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 Ohio court-appointed special advocate/guardian ad litem 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 Ohio court-appointed special advocate/guardian ad litem 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 contained 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 in an amount not to exceed forty dollars as determined by the board of directors of the Ohio CASA/GAL association. The registrar shall transmit this contribution to the treasurer of state for deposit in the ~~Ohio court-appointed special advocate/guardian ad litem~~ license plate contribution fund created in section ~~4501.20~~ 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 voluntarily pays for the purpose of compensating the bureau for the additional services required in the issuing of the applicant's Ohio court-appointed special advocate/guardian ad

litem license plates in the state bureau of motor vehicles fund 3089
created in section 4501.25 of the Revised Code. 3090

Sec. 4503.73. (A) The owner or lessee of any passenger car, 3091
noncommercial motor vehicle, motor home, or other vehicle of a 3092
class approved by the registrar of motor vehicles may apply to the 3093
registrar for the registration of the vehicle and issuance of "the 3094
leader in flight" license plates. The application for "the leader 3095
in flight" license plates may be combined with a request for a 3096
special reserved license plate under section 4503.40 or 4503.42 of 3097
the Revised Code. Upon receipt of the completed application and 3098
compliance with division (B) of this section, the registrar shall 3099
issue to the applicant the appropriate vehicle registration and a 3100
set of "the leader in flight" license plates with a validation 3101
sticker or a validation sticker alone when required by section 3102
4503.191 of the Revised Code. 3103

In addition to the letters and numbers ordinarily inscribed 3104
thereon, "the leader in flight" license plates shall be inscribed 3105
with the words "the leader in flight" and illustrations of a space 3106
shuttle in a vertical position and the Wright "B" airplane. "The 3107
leader in flight" license plates shall bear county identification 3108
stickers that identify the county of registration by name or 3109
number. 3110

(B) "The leader in flight" license plates and validation 3111
sticker shall be issued upon receipt of a contribution as provided 3112
in division (C) of this section and payment of the regular license 3113
tax as prescribed under section 4503.04 of the Revised Code, a fee 3114
of ten dollars for the purpose of compensating the bureau of motor 3115
vehicles for additional services required in the issuing of "the 3116
leader in flight" license plates, any applicable motor vehicle tax 3117
levied under Chapter 4504. of the Revised Code, and compliance 3118
with all other applicable laws relating to the registration of 3119

motor vehicles. If the application for "the leader in flight" 3120
license plates is combined with a request for a special reserved 3121
license plate under section 4503.40 or 4503.42 of the Revised 3122
Code, the license plate and validation sticker shall be issued 3123
upon payment of the fees and taxes referred to or established in 3124
this division and the additional fee prescribed under section 3125
4503.40 or 4503.42 of the Revised Code. 3126

(C) For each application for registration and registration 3127
renewal received under this section, the registrar shall collect a 3128
contribution of fifteen dollars. The registrar shall transmit this 3129
contribution to the treasurer of state for deposit in the ~~leader~~ 3130
~~in-flight~~ license plate contribution fund created in section 3131
~~4501.39~~ 4501.21 of the Revised Code. 3132

The registrar shall deposit the additional fee of ten dollars 3133
specified in division (B) of this section that the applicant for 3134
registration voluntarily pays for the purpose of compensating the 3135
bureau for the additional services required in the issuing of the 3136
applicant's "the leader in flight" license plates in the state 3137
bureau of motor vehicles fund created in section 4501.25 of the 3138
Revised Code. 3139

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

registrar shall issue to the applicant the appropriate vehicle 3151
registration and a set of rotary international license plates with 3152
a validation sticker or a validation sticker alone when required 3153
by section 4503.191 of the Revised Code. 3154

In addition to the letters and numbers ordinarily inscribed 3155
thereon, rotary international license plates shall be inscribed 3156
with identifying words or markings representing the international 3157
rotary and approved by the registrar. Rotary international license 3158
plates shall bear county identification stickers that identify the 3159
county of registration by name or number. 3160

(B) The rotary international license plates and validation 3161
sticker shall be issued upon receipt of a contribution as provided 3162
in division (C) of this section and upon payment of the regular 3163
license tax as prescribed under section 4503.04 of the Revised 3164
Code, a fee of ten dollars for the purpose of compensating the 3165
bureau of motor vehicles for additional services required in the 3166
issuing of the rotary international license plates, any applicable 3167
motor vehicle tax levied under Chapter 4504. of the Revised Code, 3168
and compliance with all other applicable laws relating to the 3169
registration of motor vehicles. If the application for rotary 3170
international license plates is combined with a request for a 3171
special reserved license plate under section 4503.40 or 4503.42 of 3172
the Revised Code, the license plate and validation sticker shall 3173
be issued upon payment of the contribution, fees, and taxes 3174
contained in this division and the additional fee prescribed under 3175
section 4503.40 or 4503.42 of the Revised Code. 3176

(C) For each application for registration and registration 3177
renewal the registrar receives under this section, the registrar 3178
shall collect a contribution of fifteen dollars. The registrar 3179
shall transmit this contribution to the treasurer of state for 3180
deposit in the ~~rotary international~~ license plate contribution 3181

fund created in section ~~4501.29~~ 4501.21 of the Revised Code. 3182

The registrar shall deposit the additional fee of ten dollars 3183
specified in division (B) of this section that the applicant for 3184
registration voluntarily pays for the purpose of compensating the 3185
bureau for the additional services required in the issuing of the 3186
applicant's rotary international license plates in the state 3187
bureau of motor vehicles fund created in section 4501.25 of the 3188
Revised Code. 3189

Sec. 4503.86. (A) As used in this section, "motor vehicle 3190
renting dealer" has the same meaning as in section 4549.65 of the 3191
Revised Code. 3192

(B) On and after July 1, 2003, for the purpose of offsetting 3193
contract related costs incurred by the state as a result of 3194
amendments to the motor vehicle inspection and maintenance 3195
program, a tax of fifty cents per day is levied on each 3196
transaction by which a motor vehicle is rented from a motor 3197
vehicle renting dealer. The tax shall be paid by the person 3198
renting the vehicle and applies to each day or portion of a day 3199
for which the vehicle is rented. 3200

(C) The motor vehicle renting dealer shall collect the tax 3201
levied under this section from the person renting the motor 3202
vehicle. The dealer shall remit all taxes collected to the 3203
treasurer of state pursuant to procedures prescribed by the tax 3204
commissioner under division (D) of this section. 3205

(D) The tax commissioner shall prescribe forms and procedures 3206
governing the payment, collection, and remission of the tax levied 3207
under this section. 3208

(E) No person shall fail to comply with the procedures 3209
prescribed by the tax commissioner under division (D) of this 3210
section. 3211

(F) Whoever violates division (E) of this section shall be 3212
fined not less than one hundred nor more than one thousand 3213
dollars. 3214

Sec. 4505.09. (A)(1) The clerk of a court of common pleas 3215
shall charge a fee of five dollars for each certificate of title 3216
that is not applied for within thirty days after the assignment or 3217
delivery of the motor vehicle described in it. The fees shall be 3218
retained by the clerk. 3219

(2) In addition to ~~those fees~~ any fee charged under division 3220
(A)(1) of this section, the clerk shall charge a fee of five 3221
dollars for each certificate of title, duplicate certificate of 3222
title, memorandum certificate of title, authorization to print a 3223
non-negotiable evidence of ownership described in division (G) of 3224
section 4505.08 of the Revised Code, non-negotiable evidence of 3225
ownership printed by the clerk under division (H) of that section, 3226
and notation of any lien on a certificate of title. The clerk 3227
shall retain two dollars and twenty-five cents of the fee charged 3228
for each certificate of title, four dollars and seventy-five cents 3229
of the fee charged for each duplicate certificate of title, all of 3230
the fees charged for each memorandum certificate, authorization to 3231
print a non-negotiable evidence of ownership, or non-negotiable 3232
evidence of ownership printed by the clerk, and four dollars and 3233
twenty-five cents of the fee charged for each notation of a lien. 3234

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

which the registrar is notified of a lien or cancellation of a 3243
lien. 3244

(3) In addition to the fees charged under divisions (A)(1) 3245
and (2) of this section, commencing on October 1, 2003, the clerk 3246
shall charge a fee of eight dollars for each certificate of title, 3247
duplicate certificate of title, and notation of any lien on a 3248
certificate of title. The additional fee is for the purpose of 3249
defraying the costs associated with the administration and 3250
enforcement of the motor vehicle and traffic laws of Ohio by the 3251
state highway patrol. The clerk shall pay these fees to the 3252
registrar by monthly returns, which shall be forwarded to the 3253
registrar not later than the fifth day of the month next 3254
succeeding that in which the title is issued or that in which the 3255
registrar is notified of a lien or cancellation of a lien. The 3256
registrar shall deposit all moneys received under division (A)(3) 3257
of this section into the state highway patrol fund established in 3258
section 4501.061 of the Revised Code. The fee established under 3259
division (A)(3) of this section does not apply to a motor vehicle 3260
dealer licensed under Chapter 4517. of the Revised Code who is 3261
obtaining a certificate of title, duplicate certificate of title, 3262
or notation of any lien on a certificate of title in the name of 3263
the dealer for purposes of selling or reselling the motor vehicle. 3264

(B)(1) The Of the amounts received under division (A)(2) of 3265
this section, the registrar shall pay twenty-five cents of the 3266
amount received for each certificate of title and all of the 3267
amounts received for each notation of any lien and each duplicate 3268
certificate of title into the state bureau of motor vehicles fund 3269
established in section 4501.25 of the Revised Code. 3270

(2) Fifty cents of the amount received under division (A)(2) 3271
of this section for each certificate of title shall be paid by the 3272
registrar as follows: 3273

(a) Four cents shall be paid into the state treasury to the 3274

credit of the motor vehicle dealers board fund, which is hereby 3275
created. All investment earnings of the fund shall be credited to 3276
the fund. The moneys in the motor vehicle dealers board fund shall 3277
be used by the motor vehicle dealers board created under section 3278
4517.30 of the Revised Code, together with other moneys 3279
appropriated to it, in the exercise of its powers and the 3280
performance of its duties under Chapter 4517. of the Revised Code, 3281
except that the director of budget and management may transfer 3282
excess money from the motor vehicle dealers board fund to the 3283
bureau of motor vehicles fund if the registrar determines that the 3284
amount of money in the motor vehicle dealers board fund, together 3285
with other moneys appropriated to the board, exceeds the amount 3286
required for the exercise of its powers and the performance of its 3287
duties under Chapter 4517. of the Revised Code and requests the 3288
director to make the transfer. 3289

(b) Twenty-one cents shall be paid into the general revenue 3290
fund. 3291

(c) Twenty-five cents shall be paid into the state treasury 3292
to the credit of the motor vehicle sales audit fund, which is 3293
hereby created. The moneys in the fund shall be used by the tax 3294
commissioner together with other funds available to the 3295
commissioner to conduct a continuing investigation of sales and 3296
use tax returns filed for motor vehicles in order to determine if 3297
sales and use tax liability has been satisfied. The commissioner 3298
shall refer cases of apparent violations of section 2921.13 of the 3299
Revised Code made in connection with the titling or sale of a 3300
motor vehicle and cases of any other apparent violations of the 3301
sales or use tax law to the appropriate county prosecutor whenever 3302
the commissioner considers it advisable. 3303

(3) Two dollars of the amount received by the registrar under 3304
division (A)(2) of this section for each certificate of title 3305
shall be paid into the state treasury to the credit of the 3306

automated title processing fund, which is hereby created and which 3307
shall consist of moneys collected under division (B)(3) of this 3308
section and under sections 1548.10 and 4519.59 of the Revised 3309
Code. All investment earnings of the fund shall be credited to the 3310
fund. The moneys in the fund shall be used as follows: 3311

(a) Except for moneys collected under section 1548.10 of the 3312
Revised Code and as provided in division (B)(3)(c) of this 3313
section, moneys collected under division (B)(3) of this section 3314
shall be used to implement and maintain an automated title 3315
processing system for the issuance of motor vehicle, off-highway 3316
motorcycle, and all-purpose vehicle certificates of title in the 3317
offices of the clerks of the courts of common pleas. 3318

(b) Moneys collected under section 1548.10 of the Revised 3319
Code shall be used to issue marine certificates of title in the 3320
offices of the clerks of the courts of common pleas as provided in 3321
Chapter 1548. of the Revised Code. 3322

(c) Moneys collected under division (B)(3) of this section 3323
shall be used in accordance with section 4505.25 of the Revised 3324
Code to implement Sub. S.B. 59 of the 124th general assembly. 3325

(C)(1) The automated title processing board is hereby created 3326
consisting of the registrar or the registrar's representative, a 3327
person selected by the registrar, the president of the Ohio clerks 3328
of court association or the president's representative, and two 3329
clerks of courts of common pleas appointed by the governor. The 3330
director of budget and management or the director's designee, the 3331
chief of the division of watercraft in the department of natural 3332
resources or the chief's designee, and the tax commissioner or the 3333
commissioner's designee shall be nonvoting members of the board. 3334

(2) The automated title processing board shall determine each 3335
of the following: 3336

(a) The automated title processing equipment and certificates 3337

of title requirements for each county; 3338

(b) The payment of expenses that may be incurred by the 3339
counties in implementing an automated title processing system; 3340

(c) The repayment to the counties for existing title 3341
processing equipment. 3342

(3) The registrar shall purchase, lease, or otherwise acquire 3343
any automated title processing equipment and certificates of title 3344
that the board determines are necessary from moneys in the 3345
automated title processing fund established by division (B)(3) of 3346
this section. Each county issuing more than one hundred thousand 3347
certificates of title annually, with the approval of the registrar 3348
and in accordance with the registrar's requirements, may purchase 3349
and maintain an automated title processing system for the issuance 3350
of motor vehicle titles, certificates of title for off-highway 3351
motorcycles and all-purpose vehicles, and certificates of title 3352
for watercraft and outboard motors with the cost of the system 3353
paid for from the automated processing title fund. 3354

(D) All counties shall conform to the requirements of the 3355
registrar regarding the operation of their automated title 3356
processing system for motor vehicle titles, certificates of title 3357
for off-highway motorcycles and all-purpose vehicles, and 3358
certificates of title for watercraft and outboard motors. 3359

Sec. 4506.08. (A) Each application for a commercial driver's 3360
license temporary instruction permit shall be accompanied by a fee 3361
of ten dollars; except as provided in division (B) of this 3362
section, each application for a commercial driver's license, 3363
restricted commercial driver's license, or renewal of such a 3364
license shall be accompanied by a fee of twenty-five dollars; and 3365
each application for a duplicate commercial driver's license shall 3366
be accompanied by a fee of ten dollars. In addition, the registrar 3367
of motor vehicles or deputy registrar may collect and retain an 3368

additional fee of no more than two dollars and seventy-five cents 3369
commencing on July 1, 2001, three dollars and twenty-five cents 3370
commencing on January 1, 2003, and three dollars and fifty cents 3371
commencing on January 1, 2004, for each application for a 3372
commercial driver's license temporary instruction permit, 3373
commercial driver's license, renewal of a commercial driver's 3374
license, or duplicate commercial driver's license received by the 3375
registrar or deputy. No fee shall be charged for the annual 3376
issuance of a waiver for farm-related service industries pursuant 3377
to section 4506.24 of the Revised Code. 3378

Each deputy registrar shall transmit the fees collected to 3379
the registrar at the time and in the manner prescribed by the 3380
registrar by rule. The registrar shall pay the fees into the state 3381
highway safety fund established in section 4501.06 of the Revised 3382
Code. 3383

(B) In addition to the fees imposed under division (A) of 3384
this section, the registrar of motor vehicles or deputy registrar 3385
shall collect a fee of ten dollars commencing on October 1, 2003, 3386
for each application for a commercial driver's license temporary 3387
instruction permit, commercial driver's license, renewal of a 3388
commercial driver's license, or duplicate commercial driver's 3389
license received by the registrar or deputy. The additional fee is 3390
for the purpose of defraying the costs associated with the 3391
administration and enforcement of the motor vehicle and traffic 3392
laws of Ohio by the state highway patrol. Each deputy registrar 3393
shall transmit the fees collected under division (B) of this 3394
section in the time and manner prescribed by the registrar. The 3395
registrar shall deposit all moneys received under division (B) of 3396
this section into the state highway patrol fund established in 3397
section 4501.061 of the Revised Code. 3398

(C) Information regarding the driving record of any person 3399

holding a commercial driver's license issued by this state shall 3400
be furnished by the registrar, upon request and payment of a fee 3401
of three dollars, to the employer or prospective employer of such 3402
a person and to any insurer. 3403

Sec. 4507.23. (A) Except as provided in division ~~(H)~~(I) of 3404
this section, each application for a temporary instruction permit 3405
and examination shall be accompanied by a fee of four dollars. 3406

(B) Except as provided in division ~~(H)~~(I) of this section, 3407
each application for a driver's license made by a person who 3408
previously held such a license and whose license has expired not 3409
more than two years prior to the date of application, and who is 3410
required under this chapter to give an actual demonstration of the 3411
person's ability to drive, shall be accompanied by a fee of three 3412
dollars in addition to any other fees. 3413

(C) Except as provided in divisions (E) and ~~(H)~~(I) of this 3414
section, each application for a driver's license, or motorcycle 3415
operator's endorsement, or renewal of a driver's license shall be 3416
accompanied by a fee of six dollars. Except as provided in 3417
division ~~(H)~~(I) of this section, each application for a duplicate 3418
driver's license shall be accompanied by a fee of two dollars and 3419
fifty cents. The duplicate driver's licenses issued under this 3420
section shall be distributed by the deputy registrar in accordance 3421
with rules adopted by the registrar of motor vehicles. 3422

(D) Except as provided in division ~~(H)~~(I) of this section, 3423
each application for a motorized bicycle license or duplicate 3424
thereof shall be accompanied by a fee of two dollars and fifty 3425
cents. 3426

(E) Except as provided in division ~~(H)~~(I) of this section, 3427
each application for a driver's license or renewal of a driver's 3428
license that will be issued to a person who is less than 3429
twenty-one years of age shall be accompanied by whichever of the 3430

following fees is applicable: 3431

(1) If the person is sixteen years of age or older, but less 3432
than seventeen years of age, a fee of seven dollars and 3433
twenty-five cents; 3434

(2) If the person is seventeen years of age or older, but 3435
less than eighteen years of age, a fee of six dollars; 3436

(3) If the person is eighteen years of age or older, but less 3437
than nineteen years of age, a fee of four dollars and seventy-five 3438
cents; 3439

(4) If the person is nineteen years of age or older, but less 3440
than twenty years of age, a fee of three dollars and fifty cents; 3441

(5) If the person is twenty years of age or older, but less 3442
than twenty-one years of age, a fee of two dollars and twenty-five 3443
cents. 3444

(F) Neither the registrar nor any deputy registrar shall 3445
charge a fee in excess of one dollar and fifty cents for 3446
laminating a driver's license, motorized bicycle license, or 3447
temporary instruction permit identification cards as required by 3448
sections 4507.13 and 4511.521 of the Revised Code. A deputy 3449
registrar laminating a driver's license, motorized bicycle 3450
license, or temporary instruction permit identification cards 3451
shall retain the entire amount of the fee charged for lamination, 3452
less the actual cost to the registrar of the laminating materials 3453
used for that lamination, as specified in the contract executed by 3454
the bureau for the laminating materials and laminating equipment. 3455
The deputy registrar shall forward the amount of the cost of the 3456
laminating materials to the registrar for deposit as provided in 3457
this section. 3458

(G) Except as provided in division (I) of this section, 3459
commencing on October 1, 2003, each transaction described in 3460
divisions (A), (B), (C), (D), and (E) of this section shall be 3461

accompanied by an additional fee of ten dollars. The additional 3462
fee is for the purpose of defraying the costs associated with the 3463
administration and enforcement of the motor vehicle and traffic 3464
laws of Ohio by the state highway patrol. 3465

(H) At the time and in the manner provided by section 4503.10 3466
of the Revised Code, the deputy registrar shall transmit the fees 3467
collected under divisions (A), (B), (C), (D), and (E), ~~and~~ those 3468
portions of the fees specified in and collected under division 3469
(F), and the additional fee under division (G) of this section to 3470
the registrar. The registrar shall pay two dollars and fifty cents 3471
of each fee collected under divisions (A), (B), (C), (D), and 3472
(E)(1) to (4) of this section, and the entire fee collected under 3473
division (E)(5) of this section, into the state highway safety 3474
fund established in section 4501.06 of the Revised Code, and such 3475
fees shall be used for the sole purpose of supporting driver 3476
licensing activities. The registrar also shall pay the entire fee 3477
collected under division (G) of this section into the state 3478
highway patrol fund created in section 4501.061 of the Revised 3479
Code. The remaining fees collected by the registrar under this 3480
section shall be paid into the state bureau of motor vehicles fund 3481
established in section 4501.25 of the Revised Code. 3482

~~(H)~~(I) A disabled veteran who has a service-connected 3483
disability rated at one hundred per cent by the veterans' 3484
administration may apply to the registrar or a deputy registrar 3485
for the issuance to that veteran, without the payment of any fee 3486
prescribed in this section, of any of the following items: 3487

- (1) A temporary instruction permit and examination; 3488
- (2) A new, renewal, or duplicate driver's or commercial 3489
driver's license; 3490
- (3) A motorcycle operator's endorsement; 3491
- (4) A motorized bicycle license or duplicate thereof; 3492

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

If the driver's license, motorized bicycle license, or temporary instruction permit identification card of a disabled veteran described in division ~~(H)~~(I) of this section is laminated by a deputy registrar who is acting as a deputy registrar pursuant to a contract with the registrar that is in effect on October 14, 1997, the disabled veteran shall be required to pay the deputy registrar the lamination fee provided in division (F) of this section. If the driver's license, motorized bicycle license, or temporary instruction permit identification card of such a disabled veteran is laminated by a deputy registrar who is acting as a deputy registrar pursuant to a contract with the registrar that is executed after October 14, 1997, the disabled veteran is not required to pay the deputy registrar the lamination fee provided in division (F) of this section.

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

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

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

when traveling to or from such work. 3524

~~(B) The drivers driver of snow plows, traffic line strippers,~~ 3525
~~road sweepers, mowing machines, tar distributing vehicles, and~~ 3526
~~other vehicles utilized in snow and ice removal or road surface a~~ 3527
~~highway maintenance vehicle owned by this state or any political~~ 3528
~~subdivision of this state, while the driver is engaged in work the~~ 3529
~~performance of official duties upon a street or highway, provided~~ 3530
~~such vehicles are the highway maintenance vehicle is~~ equipped with 3531
flashing lights and such other markings as are required by law, 3532
and such lights are in operation when the ~~vehicles~~ driver and 3533
vehicle are so engaged, shall be exempt from criminal prosecution 3534
for violations of sections 4511.22, 4511.25, 4511.26, 4511.27, 3535
4511.28, 4511.30, 4511.31, 4511.33, 4511.35, ~~and 4511.66, 4513.02,~~ 3536
~~and 5577.01 to 5577.09~~ of the Revised Code. ~~Such exemption shall~~ 3537
~~not apply to such drivers when their vehicles are not so engaged.~~ 3538
This 3539

(C)(1) This section shall does not exempt a driver of such 3540
~~equipment a highway maintenance vehicle~~ from civil liability 3541
arising from ~~the a~~ violation of ~~sections~~ section 4511.22, 4511.25, 3542
4511.26, 4511.27, 4511.28, 4511.30, 4511.31, 4511.33, 4511.35, ~~and~~ 3543
4511.66, or 4513.02 or sections 5577.01 to 5577.09 of the Revised 3544
Code. 3545

(2) This section does not exempt the driver of a vehicle that 3546
is engaged in the transport of highway maintenance equipment from 3547
criminal liability for a violation of sections 5577.01 to 5577.09 3548
of the Revised Code. 3549

(D) As used in this section, "highway maintenance vehicle" 3550
means a vehicle used in snow and ice removal or road surface 3551
maintenance, including a snow plow, traffic line striper, road 3552
sweeper, mowing machine, asphalt distributing vehicle, or other 3553
such vehicle designed for use in specific highway maintenance 3554

activities. 3555

Sec. 4511.19. (A) No person shall operate any vehicle, 3556
streetcar, or trackless trolley within this state, if any of the 3557
following apply: 3558

(1) The person is under the influence of alcohol, a drug of 3559
abuse, or alcohol and a drug of abuse~~+~~. 3560

(2) The person has a concentration of ~~ten-hundredths~~ 3561
eight-hundredths of one per cent or more but less than 3562
seventeen-hundredths of one per cent by weight of alcohol in the 3563
person's blood~~+~~. 3564

(3) The person has a concentration of ~~ten-hundredths~~ 3565
eight-hundredths of one gram or more but less than 3566
seventeen-hundredths of one gram by weight of alcohol per two 3567
hundred ten liters of the person's breath~~+~~. 3568

(4) The person has a concentration of ~~fourteen-hundredths~~ 3569
eleven-hundredths of one gram or more but less than two hundred 3570
thirty-eight-thousandths of one gram by weight of alcohol per one 3571
hundred milliliters of the person's urine~~+~~. 3572

(5) The person has a concentration of seventeen-hundredths of 3573
one per cent or more by weight of alcohol in the person's blood~~+~~. 3574

(6) The person has a concentration of seventeen-hundredths of 3575
one gram or more by weight of alcohol per two hundred ten liters 3576
of the person's breath~~+~~. 3577

(7) The person has a concentration of two hundred 3578
thirty-eight-thousandths of one gram or more by weight of alcohol 3579
per one hundred milliliters of the person's urine. 3580

(B) No person under twenty-one years of age shall operate any 3581
vehicle, streetcar, or trackless trolley within this state, if any 3582
of the following apply: 3583

(1) The person has a concentration of at least two-hundredths 3584
of one per cent but less than ~~ten-hundredths~~ eight-hundredths of 3585
one per cent by weight of alcohol in the person's blood~~+~~. 3586

(2) The person has a concentration of at least two-hundredths 3587
of one gram but less than ~~ten-hundredths~~ eight-hundredths of one 3588
gram by weight of alcohol per two hundred ten liters of the 3589
person's breath~~+~~. 3590

(3) The person has a concentration of at least twenty-eight 3591
one-thousandths of one gram but less than ~~fourteen-hundredths~~ 3592
eleven-hundredths of one gram by weight of alcohol per one hundred 3593
milliliters of the person's urine. 3594

(C) In any proceeding arising out of one incident, a person 3595
may be charged with a violation of division (A)(1) and a violation 3596
of division (B)(1), (2), or (3) of this section, but the person 3597
may not be convicted of more than one violation of these 3598
divisions. 3599

(D)(1) In any criminal prosecution or juvenile court 3600
proceeding for a violation of this section, of a municipal 3601
ordinance relating to operating a vehicle while under the 3602
influence of alcohol, a drug of abuse, or alcohol and a drug of 3603
abuse, or of a municipal ordinance relating to operating a vehicle 3604
with a prohibited concentration of alcohol in the blood, breath, 3605
or urine, the court may admit evidence on the concentration of 3606
alcohol, drugs of abuse, or alcohol and drugs of abuse in the 3607
defendant's blood, breath, urine, or other bodily substance at the 3608
time of the alleged violation as shown by chemical analysis of the 3609
defendant's blood, urine, breath, or other bodily substance 3610
withdrawn within two hours of the time of the alleged violation. 3611

When a person submits to a blood test at the request of a 3612
police officer under section 4511.191 of the Revised Code, only a 3613
physician, a registered nurse, or a qualified technician or 3614

chemist shall withdraw blood for the purpose of determining its 3615
alcohol, drug, or alcohol and drug content. This limitation does 3616
not apply to the taking of breath or urine specimens. A physician, 3617
a registered nurse, or a qualified technician or chemist may 3618
refuse to withdraw blood for the purpose of determining the 3619
alcohol, drug, or alcohol and drug content of the blood, if in the 3620
opinion of the physician, nurse, technician, or chemist the 3621
physical welfare of the person would be endangered by the 3622
withdrawing of blood. 3623

Such bodily substance shall be analyzed in accordance with 3624
methods approved by the director of health by an individual 3625
possessing a valid permit issued by the director of health 3626
pursuant to section 3701.143 of the Revised Code. 3627

(2) In a criminal prosecution or juvenile court proceeding 3628
for a violation of division (A) of this section, of a municipal 3629
ordinance relating to operating a vehicle while under the 3630
influence of alcohol, a drug of abuse, or alcohol and a drug of 3631
abuse, or of a municipal ordinance substantially equivalent to 3632
division (A) of this section relating to operating a vehicle with 3633
a prohibited concentration of alcohol in the blood, breath, or 3634
urine, if there was at the time the bodily substance was withdrawn 3635
a concentration of less than ~~ten-hundredths~~ eight-hundredths of 3636
one per cent by weight of alcohol in the defendant's blood, less 3637
than ~~ten-hundredths~~ eight-hundredths of one gram by weight of 3638
alcohol per two hundred ten liters of the defendant's breath, or 3639
less than ~~fourteen-hundredths~~ eleven-hundredths of one gram by 3640
weight of alcohol per one hundred milliliters of the defendant's 3641
urine, ~~such that~~ that fact may be considered with other competent 3642
evidence in determining the guilt or innocence of the defendant. 3643
This division does not limit or affect a criminal prosecution or 3644
juvenile court proceeding for a violation of division (B) of this 3645
section or of a municipal ordinance substantially equivalent to 3646

division (B) of this section relating to operating a vehicle with 3647
a prohibited concentration of alcohol in the blood, breath, or 3648
urine. 3649

(3) Upon the request of the person who was tested, the 3650
results of the chemical test shall be made available to the person 3651
or the person's attorney or agent immediately upon the completion 3652
of the chemical test analysis. 3653

The person tested may have a physician, a registered nurse, 3654
or a qualified technician or chemist of the person's own choosing 3655
administer a chemical test or tests in addition to any 3656
administered at the request of a police officer, and shall be so 3657
advised. The failure or inability to obtain an additional chemical 3658
test by a person shall not preclude the admission of evidence 3659
relating to the chemical test or tests taken at the request of a 3660
police officer. 3661

(4) Any physician, registered nurse, or qualified technician 3662
or chemist who withdraws blood from a person pursuant to this 3663
section, and any hospital, first-aid station, or clinic at which 3664
blood is withdrawn from a person pursuant to this section, is 3665
immune from criminal liability, and from civil liability that is 3666
based upon a claim of assault and battery or based upon any other 3667
claim that is not in the nature of a claim of malpractice, for any 3668
act performed in withdrawing blood from the person. 3669

Sec. 4511.191. (A) Any person who operates a vehicle upon a 3670
highway or any public or private property used by the public for 3671
vehicular travel or parking within this state shall be deemed to 3672
have given consent to a chemical test or tests of the person's 3673
blood, breath, or urine for the purpose of determining the 3674
alcohol, drug, or alcohol and drug content of the person's blood, 3675
breath, or urine if arrested for operating a vehicle while under 3676
the influence of alcohol, a drug of abuse, or alcohol and a drug 3677

of abuse or for operating a vehicle with a prohibited 3678
concentration of alcohol in the blood, breath, or urine. The 3679
chemical test or tests shall be administered at the request of a 3680
police officer having reasonable grounds to believe the person to 3681
have been operating a vehicle upon a highway or any public or 3682
private property used by the public for vehicular travel or 3683
parking in this state while under the influence of alcohol, a drug 3684
of abuse, or alcohol and a drug of abuse or with a prohibited 3685
concentration of alcohol in the blood, breath, or urine. The law 3686
enforcement agency by which the officer is employed shall 3687
designate which of the tests shall be administered. 3688

(B) Any person who is dead or unconscious, or who is 3689
otherwise in a condition rendering the person incapable of 3690
refusal, shall be deemed not to have withdrawn consent as provided 3691
by division (A) of this section and the test or tests may be 3692
administered, subject to sections 313.12 to 313.16 of the Revised 3693
Code. 3694

(C)(1) Any person under arrest for operating a vehicle while 3695
under the influence of alcohol, a drug of abuse, or alcohol and a 3696
drug of abuse or for operating a vehicle with a prohibited 3697
concentration of alcohol in the blood, breath, or urine shall be 3698
advised at a police station, or at a hospital, first-aid station, 3699
or clinic to which the person has been taken for first-aid or 3700
medical treatment, of both of the following: 3701

(a) The consequences, as specified in division (E) of this 3702
section, of the person's refusal to submit upon request to a 3703
chemical test designated by the law enforcement agency as provided 3704
in division (A) of this section; 3705

(b) The consequences, as specified in division (F) of this 3706
section, of the person's submission to the designated chemical 3707
test if the person is found to have a prohibited concentration of 3708

alcohol in the blood, breath, or urine. 3709

(2)(a) The advice given pursuant to division (C)(1) of this 3710
section shall be in a written form containing the information 3711
described in division (C)(2)(b) of this section and shall be read 3712
to the person. The form shall contain a statement that the form 3713
was shown to the person under arrest and read to the person in the 3714
presence of the arresting officer and either another police 3715
officer, a civilian police employee, or an employee of a hospital, 3716
first-aid station, or clinic, if any, to which the person has been 3717
taken for first-aid or medical treatment. The witnesses shall 3718
certify to this fact by signing the form. 3719

(b) The form required by division (C)(2)(a) of this section 3720
shall read as follows: 3721

"You now are under arrest for operating a vehicle while under 3722
the influence of alcohol, a drug of abuse, or both alcohol and a 3723
drug of abuse and will be requested by a police officer to submit 3724
to a chemical test to determine the concentration of alcohol, 3725
drugs of abuse, or alcohol and drugs of abuse in your blood, 3726
breath, or urine. 3727

If you refuse to submit to the requested test or if you 3728
submit to the requested test and are found to have a prohibited 3729
concentration of alcohol in your blood, breath, or urine, your 3730
driver's or commercial driver's license or permit or nonresident 3731
operating privilege immediately will be suspended for the period 3732
of time specified by law by the officer, on behalf of the 3733
registrar of motor vehicles. You may appeal this suspension at 3734
your initial appearance before the court that hears the charges 3735
against you resulting from the arrest, and your initial appearance 3736
will be conducted no later than five days after the arrest. This 3737
suspension is independent of the penalties for the offense, and 3738
you may be subject to other penalties upon conviction." 3739

(D)(1) If a person under arrest as described in division 3740
(C)(1) of this section is not asked by a police officer to submit 3741
to a chemical test designated as provided in division (A) of this 3742
section, the arresting officer shall seize the Ohio or 3743
out-of-state driver's or commercial driver's license or permit of 3744
the person and immediately forward the seized license or permit to 3745
the court in which the arrested person is to appear on the charge 3746
for which the person was arrested. If the arrested person does not 3747
have the person's driver's or commercial driver's license or 3748
permit on the person's self or in the person's vehicle, the 3749
arresting officer shall order the arrested person to surrender it 3750
to the law enforcement agency that employs the officer within 3751
twenty-four hours after the arrest, and, upon the surrender, the 3752
officer's employing agency immediately shall forward the license 3753
or permit to the court in which the arrested person is to appear 3754
on the charge for which the person was arrested. Upon receipt of 3755
the license or permit, the court shall retain it pending the 3756
initial appearance of the arrested person and any action taken 3757
under section 4511.196 of the Revised Code. 3758

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

~~fourteen-hundredths~~ eleven-hundredths of one gram or more by 3772
weight of alcohol per one hundred milliliters of the person's 3773
urine at the time of the alleged offense, the arresting officer 3774
shall do all of the following: 3775

(a) On behalf of the registrar, serve a notice of suspension 3776
upon the person that advises the person that, independent of any 3777
penalties or sanctions imposed upon the person pursuant to any 3778
other section of the Revised Code or any other municipal 3779
ordinance, the person's driver's or commercial driver's license or 3780
permit or nonresident operating privilege is suspended, that the 3781
suspension takes effect immediately, that the suspension will last 3782
at least until the person's initial appearance on the charge that 3783
will be held within five days after the date of the person's 3784
arrest or the issuance of a citation to the person, and that the 3785
person may appeal the suspension at the initial appearance; seize 3786
the Ohio or out-of-state driver's or commercial driver's license 3787
or permit of the person; and immediately forward the seized 3788
license or permit to the registrar. If the arrested person does 3789
not have the person's driver's or commercial driver's license or 3790
permit on the person's self or in the person's vehicle, the 3791
arresting officer shall order the person to surrender it to the 3792
law enforcement agency that employs the officer within twenty-four 3793
hours after the service of the notice of suspension, and, upon the 3794
surrender, the officer's employing agency immediately shall 3795
forward the license or permit to the registrar. 3796

(b) Verify the current residence of the person and, if it 3797
differs from that on the person's driver's or commercial driver's 3798
license or permit, notify the registrar of the change; 3799

(c) In addition to forwarding the arrested person's driver's 3800
or commercial driver's license or permit to the registrar, send to 3801
the registrar, within forty-eight hours after the arrest of the 3802
person, a sworn report that includes all of the following 3803

statements: 3804

(i) That the officer had reasonable grounds to believe that, 3805
at the time of the arrest, the arrested person was operating a 3806
vehicle upon a highway or public or private property used by the 3807
public for vehicular travel or parking within this state while 3808
under the influence of alcohol, a drug of abuse, or alcohol and a 3809
drug of abuse or with a prohibited concentration of alcohol in the 3810
blood, breath, or urine; 3811

(ii) That the person was arrested and charged with operating 3812
a vehicle while under the influence of alcohol, a drug of abuse, 3813
or alcohol and a drug of abuse or with operating a vehicle with a 3814
prohibited concentration of alcohol in the blood, breath, or 3815
urine; 3816

(iii) That the officer asked the person to take the 3817
designated chemical test, advised the person of the consequences 3818
of submitting to the chemical test or refusing to take the 3819
chemical test, and gave the person the form described in division 3820
(C)(2) of this section; 3821

(iv) That the person refused to submit to the chemical test 3822
or that the person submitted to the chemical test and the test 3823
results indicate that the person's blood contained a concentration 3824
of ~~ten-hundredths~~ eight-hundredths of one per cent or more by 3825
weight of alcohol, the person's breath contained a concentration 3826
of ~~ten-hundredths~~ eight-hundredths of one gram or more by weight 3827
of alcohol per two hundred ten liters of the person's breath, or 3828
the person's urine contained a concentration of 3829
~~fourteen-hundredths~~ eleven-hundredths of one gram or more by 3830
weight of alcohol per one hundred milliliters of the person's 3831
urine at the time of the alleged offense; 3832

(v) That the officer served a notice of suspension upon the 3833
person as described in division (D)(1)(a) of this section. 3834

(2) The sworn report of an arresting officer completed under 3835
division (D)(1)(c) of this section shall be given by the officer 3836
to the arrested person at the time of the arrest or sent to the 3837
person by regular first class mail by the registrar as soon 3838
thereafter as possible, but no later than fourteen days after 3839
receipt of the report. An arresting officer may give an unsworn 3840
report to the arrested person at the time of the arrest provided 3841
the report is complete when given to the arrested person and 3842
subsequently is sworn to by the arresting officer. As soon as 3843
possible, but no later than forty-eight hours after the arrest of 3844
the person, the arresting officer shall send a copy of the sworn 3845
report to the court in which the arrested person is to appear on 3846
the charge for which the person was arrested. 3847

(3) The sworn report of an arresting officer completed and 3848
sent to the registrar and the court under divisions (D)(1)(c) and 3849
(D)(2) of this section is prima-facie proof of the information and 3850
statements that it contains and shall be admitted and considered 3851
as prima-facie proof of the information and statements that it 3852
contains in any appeal under division (H) of this section relative 3853
to any suspension of a person's driver's or commercial driver's 3854
license or permit or nonresident operating privilege that results 3855
from the arrest covered by the report. 3856

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

provided in this section and shall be for whichever of the 3867
following periods applies: 3868

(a) If the arrested person, within five years of the date on 3869
which the person refused the request to consent to the chemical 3870
test, had not refused a previous request to consent to a chemical 3871
test of the person's blood, breath, or urine to determine its 3872
alcohol content, the period of suspension shall be one year. If 3873
the person is a resident without a license or permit to operate a 3874
vehicle within this state, the registrar shall deny to the person 3875
the issuance of a driver's or commercial driver's license or 3876
permit for a period of one year after the date of the alleged 3877
violation. 3878

(b) If the arrested person, within five years of the date on 3879
which the person refused the request to consent to the chemical 3880
test, had refused one previous request to consent to a chemical 3881
test of the person's blood, breath, or urine to determine its 3882
alcohol content, the period of suspension or denial shall be two 3883
years. 3884

(c) If the arrested person, within five years of the date on 3885
which the person refused the request to consent to the chemical 3886
test, had refused two previous requests to consent to a chemical 3887
test of the person's blood, breath, or urine to determine its 3888
alcohol content, the period of suspension or denial shall be three 3889
years. 3890

(d) If the arrested person, within five years of the date on 3891
which the person refused the request to consent to the chemical 3892
test, had refused three or more previous requests to consent to a 3893
chemical test of the person's blood, breath, or urine to determine 3894
its alcohol content, the period of suspension or denial shall be 3895
five years. 3896

(2) The suspension or denial imposed under division (E)(1) of 3897

this section shall continue for the entire one-year, two-year, 3898
three-year, or five-year period, subject to appeal as provided in 3899
this section and subject to termination as provided in division 3900
(K) of this section. 3901

(F) Upon receipt of the sworn report of an arresting officer 3902
completed and sent to the registrar and a court pursuant to 3903
divisions (D)(1)(c) and (D)(2) of this section in regard to a 3904
person whose test results indicate that the person's blood 3905
contained a concentration of ~~ten-hundredths~~ eight-hundredths of 3906
one per cent or more by weight of alcohol, the person's breath 3907
contained a concentration of ~~ten-hundredths~~ eight-hundredths of 3908
one gram or more by weight of alcohol per two hundred ten liters 3909
of the person's breath, or the person's urine contained a 3910
concentration of ~~fourteen-hundredths~~ eleven-hundredths of one gram 3911
or more by weight of alcohol per one hundred milliliters of the 3912
person's urine at the time of the alleged offense, the registrar 3913
shall enter into the registrar's records the fact that the 3914
person's driver's or commercial driver's license or permit or 3915
nonresident operating privilege was suspended by the arresting 3916
officer under division (D)(1)(a) of this section and the period of 3917
the suspension, as determined under divisions (F)(1) to (4) of 3918
this section. The suspension shall be subject to appeal as 3919
provided in this section and shall be for whichever of the 3920
following periods that applies: 3921

(1) Except when division (F)(2), (3), or (4) of this section 3922
applies and specifies a different period of suspension or denial, 3923
the period of the suspension or denial shall be ninety days. 3924

(2) The period of suspension or denial shall be one year if 3925
the person has been convicted, within six years of the date the 3926
test was conducted, of a violation of one of the following: 3927

(a) Division (A) or (B) of section 4511.19 of the Revised 3928
Code; 3929

(b) A municipal ordinance relating to operating a vehicle 3930
while under the influence of alcohol, a drug of abuse, or alcohol 3931
and a drug of abuse; 3932

(c) A municipal ordinance relating to operating a vehicle 3933
with a prohibited concentration of alcohol in the blood, breath, 3934
or urine; 3935

(d) Section 2903.04 of the Revised Code in a case in which 3936
the offender was subject to the sanctions described in division 3937
(D) of that section; 3938

(e) Division (A)(1) of section 2903.06 or division (A)(1) of 3939
section 2903.08 of the Revised Code or a municipal ordinance that 3940
is substantially similar to either of those divisions; 3941

(f) Division (A)(2), (3), or (4) of section 2903.06, division 3942
(A)(2) of section 2903.08, or former section 2903.07 of the 3943
Revised Code, or a municipal ordinance that is substantially 3944
similar to any of those divisions or that former section, in a 3945
case in which the jury or judge found that at the time of the 3946
commission of the offense the offender was under the influence of 3947
alcohol, a drug of abuse, or alcohol and a drug of abuse; 3948

(g) A statute of the United States or of any other state or a 3949
municipal ordinance of a municipal corporation located in any 3950
other state that is substantially similar to division (A) or (B) 3951
of section 4511.19 of the Revised Code. 3952

(3) If the person has been convicted, within six years of the 3953
date the test was conducted, of two violations of a statute or 3954
ordinance described in division (F)(2) of this section, the period 3955
of the suspension or denial shall be two years. 3956

(4) If the person has been convicted, within six years of the 3957
date the test was conducted, of more than two violations of a 3958
statute or ordinance described in division (F)(2) of this section, 3959

the period of the suspension or denial shall be three years. 3960

(G)(1) A suspension of a person's driver's or commercial 3961
driver's license or permit or nonresident operating privilege 3962
under division (D)(1)(a) of this section for the period of time 3963
described in division (E) or (F) of this section is effective 3964
immediately from the time at which the arresting officer serves 3965
the notice of suspension upon the arrested person. Any subsequent 3966
finding that the person is not guilty of the charge that resulted 3967
in the person being requested to take, or in the person taking, 3968
the chemical test or tests under division (A) of this section 3969
affects the suspension only as described in division (H)(2) of 3970
this section. 3971

(2) If a person is arrested for operating a vehicle while 3972
under the influence of alcohol, a drug of abuse, or alcohol and a 3973
drug of abuse or for operating a vehicle with a prohibited 3974
concentration of alcohol in the blood, breath, or urine and 3975
regardless of whether the person's driver's or commercial driver's 3976
license or permit or nonresident operating privilege is or is not 3977
suspended under division (E) or (F) of this section, the person's 3978
initial appearance on the charge resulting from the arrest shall 3979
be held within five days of the person's arrest or the issuance of 3980
the citation to the person, subject to any continuance granted by 3981
the court pursuant to division (H)(1) of this section regarding 3982
the issues specified in that division. 3983

(H)(1) If a person is arrested for operating a vehicle while 3984
under the influence of alcohol, a drug of abuse, or alcohol and a 3985
drug of abuse or for operating a vehicle with a prohibited 3986
concentration of alcohol in the blood, breath, or urine and if the 3987
person's driver's or commercial driver's license or permit or 3988
nonresident operating privilege is suspended under division (E) or 3989
(F) of this section, the person may appeal the suspension at the 3990
person's initial appearance on the charge resulting from the 3991

arrest in the court in which the person will appear on that 3992
charge. If the person appeals the suspension at the person's 3993
initial appearance, the appeal does not stay the operation of the 3994
suspension. Subject to division (H)(2) of this section, no court 3995
has jurisdiction to grant a stay of a suspension imposed under 3996
division (E) or (F) of this section, and any order issued by any 3997
court that purports to grant a stay of any suspension imposed 3998
under either of those divisions shall not be given administrative 3999
effect. 4000

If the person appeals the suspension at the person's initial 4001
appearance, either the person or the registrar may request a 4002
continuance of the appeal. Either the person or the registrar 4003
shall make the request for a continuance of the appeal at the same 4004
time as the making of the appeal. If either the person or the 4005
registrar requests a continuance of the appeal, the court may 4006
grant the continuance. The court also may continue the appeal on 4007
its own motion. The granting of a continuance applies only to the 4008
conduct of the appeal of the suspension and does not extend the 4009
time within which the initial appearance must be conducted, and 4010
the court shall proceed with all other aspects of the initial 4011
appearance in accordance with its normal procedures. Neither the 4012
request for nor the granting of a continuance stays the operation 4013
of the suspension that is the subject of the appeal. 4014

If the person appeals the suspension at the person's initial 4015
appearance, the scope of the appeal is limited to determining 4016
whether one or more of the following conditions have not been met: 4017

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

breath, or urine and whether the arrested person was in fact 4024
placed under arrest; 4025

(b) Whether the law enforcement officer requested the 4026
arrested person to submit to the chemical test designated pursuant 4027
to division (A) of this section; 4028

(c) Whether the arresting officer informed the arrested 4029
person of the consequences of refusing to be tested or of 4030
submitting to the test; 4031

(d) Whichever of the following is applicable: 4032

(i) Whether the arrested person refused to submit to the 4033
chemical test requested by the officer; 4034

(ii) Whether the chemical test results indicate that the 4035
arrested person's blood contained a concentration of 4036
~~ten-hundredths~~ eight-hundredths of one per cent or more by weight 4037
of alcohol, the person's breath contained a concentration of 4038
~~ten-hundredths~~ eight-hundredths of one gram or more by weight of 4039
alcohol per two hundred ten liters of the person's breath, or the 4040
person's urine contained a concentration of ~~fourteen-hundredths~~ 4041
eleven-hundredths of one gram or more by weight of alcohol per one 4042
hundred milliliters of the person's urine at the time of the 4043
alleged offense. 4044

(2) If the person appeals the suspension at the initial 4045
appearance, the judge or referee of the court or the mayor of the 4046
mayor's court shall determine whether one or more of the 4047
conditions specified in divisions (H)(1)(a) to (d) of this section 4048
have not been met. The person who appeals the suspension has the 4049
burden of proving, by a preponderance of the evidence, that one or 4050
more of the specified conditions has not been met. If during the 4051
appeal at the initial appearance the judge or referee of the court 4052
or the mayor of the mayor's court determines that all of those 4053
conditions have been met, the judge, referee, or mayor shall 4054

uphold the suspension, shall continue the suspension, and shall 4055
notify the registrar of the decision on a form approved by the 4056
registrar. Except as otherwise provided in division (H)(2) of this 4057
section, if the suspension is upheld or if the person does not 4058
appeal the suspension at the person's initial appearance under 4059
division (H)(1) of this section, the suspension shall continue 4060
until the complaint alleging the violation for which the person 4061
was arrested and in relation to which the suspension was imposed 4062
is adjudicated on the merits by the judge or referee of the trial 4063
court or by the mayor of the mayor's court. If the suspension was 4064
imposed under division (E) of this section and it is continued 4065
under this division, any subsequent finding that the person is not 4066
guilty of the charge that resulted in the person being requested 4067
to take the chemical test or tests under division (A) of this 4068
section does not terminate or otherwise affect the suspension. If 4069
the suspension was imposed under division (F) of this section and 4070
it is continued under this division, the suspension shall 4071
terminate if, for any reason, the person subsequently is found not 4072
guilty of the charge that resulted in the person taking the 4073
chemical test or tests under division (A) of this section. 4074

If, during the appeal at the initial appearance, the judge or 4075
referee of the trial court or the mayor of the mayor's court 4076
determines that one or more of the conditions specified in 4077
divisions (H)(1)(a) to (d) of this section have not been met, the 4078
judge, referee, or mayor shall terminate the suspension, subject 4079
to the imposition of a new suspension under division (B) of 4080
section 4511.196 of the Revised Code; shall notify the registrar 4081
of the decision on a form approved by the registrar; and, except 4082
as provided in division (B) of section 4511.196 of the Revised 4083
Code, shall order the registrar to return the driver's or 4084
commercial driver's license or permit to the person or to take 4085
such measures as may be necessary, if the license or permit was 4086
destroyed under section 4507.55 of the Revised Code, to permit the 4087

person to obtain a replacement driver's or commercial driver's 4088
license or permit from the registrar or a deputy registrar in 4089
accordance with that section. The court also shall issue to the 4090
person a court order, valid for not more than ten days from the 4091
date of issuance, granting the person operating privileges for 4092
that period of time. 4093

If the person appeals the suspension at the initial 4094
appearance, the registrar shall be represented by the prosecuting 4095
attorney of the county in which the arrest occurred if the initial 4096
appearance is conducted in a juvenile court or county court, 4097
except that if the arrest occurred within a city or village within 4098
the jurisdiction of the county court in which the appeal is 4099
conducted, the city director of law or village solicitor of that 4100
city or village shall represent the registrar. If the appeal is 4101
conducted in a municipal court, the registrar shall be represented 4102
as provided in section 1901.34 of the Revised Code. If the appeal 4103
is conducted in a mayor's court, the registrar shall be 4104
represented by the city director of law, village solicitor, or 4105
other chief legal officer of the municipal corporation that 4106
operates that mayor's court. 4107

(I)(1)(a) A person is not entitled to request, and a court 4108
shall not grant to the person, occupational driving privileges 4109
under division (I)(1) of this section if a person's driver's or 4110
commercial driver's license or permit or nonresident operating 4111
privilege has been suspended pursuant to division (E) of this 4112
section, and the person, within the preceding seven years, has 4113
refused three previous requests to consent to a chemical test of 4114
the person's blood, breath, or urine to determine its alcohol 4115
content or has been convicted of or pleaded guilty to three or 4116
more violations of one or more of the following: 4117

(i) Division (A) or (B) of section 4511.19 of the Revised 4118
Code; 4119

(ii) A municipal ordinance relating to operating a vehicle 4120
while under the influence of alcohol, a drug of abuse, or alcohol 4121
and a drug of abuse; 4122

(iii) A municipal ordinance relating to operating a vehicle 4123
with a prohibited concentration of alcohol in the blood, breath, 4124
or urine; 4125

(iv) Section 2903.04 of the Revised Code in a case in which 4126
the person was subject to the sanctions described in division (D) 4127
of that section; 4128

(v) Division (A)(1) of section 2903.06 or division (A)(1) of 4129
section 2903.08 of the Revised Code or a municipal ordinance that 4130
is substantially similar to either of those divisions; 4131

(vi) Division (A)(2), (3), or (4) of section 2903.06, 4132
division (A)(2) of section 2903.08, or former section 2903.07 of 4133
the Revised Code, or a municipal ordinance that is substantially 4134
similar to any of those divisions or that former section, in a 4135
case in which the jury or judge found that the person was under 4136
the influence of alcohol, a drug of abuse, or alcohol and a drug 4137
of abuse; 4138

(vii) A statute of the United States or of any other state or 4139
a municipal ordinance of a municipal corporation located in any 4140
other state that is substantially similar to division (A) or (B) 4141
of section 4511.19 of the Revised Code. 4142

(b) Any other person who is not described in division 4143
(I)(1)(a) of this section and whose driver's or commercial 4144
driver's license or nonresident operating privilege has been 4145
suspended pursuant to division (E) of this section may file a 4146
petition requesting occupational driving privileges in the common 4147
pleas court, municipal court, county court, mayor's court, or, if 4148
the person is a minor, juvenile court with jurisdiction over the 4149
related criminal or delinquency case. The petition may be filed at 4150

any time subsequent to the date on which the notice of suspension 4151
is served upon the arrested person. The person shall pay the costs 4152
of the proceeding, notify the registrar of the filing of the 4153
petition, and send the registrar a copy of the petition. 4154

In the proceedings, the registrar shall be represented by the 4155
prosecuting attorney of the county in which the arrest occurred if 4156
the petition is filed in the juvenile court, county court, or 4157
common pleas court, except that, if the arrest occurred within a 4158
city or village within the jurisdiction of the county court in 4159
which the petition is filed, the city director of law or village 4160
solicitor of that city or village shall represent the registrar. 4161
If the petition is filed in the municipal court, the registrar 4162
shall be represented as provided in section 1901.34 of the Revised 4163
Code. If the petition is filed in a mayor's court, the registrar 4164
shall be represented by the city director of law, village 4165
solicitor, or other chief legal officer of the municipal 4166
corporation that operates the mayor's court. 4167

The court, if it finds reasonable cause to believe that 4168
suspension would seriously affect the person's ability to continue 4169
in the person's employment, may grant the person occupational 4170
driving privileges during the period of suspension imposed 4171
pursuant to division (E) of this section, subject to the 4172
limitations contained in this division and division (I)(2) of this 4173
section. The court may grant the occupational driving privileges, 4174
subject to the limitations contained in this division and division 4175
(I)(2) of this section, regardless of whether the person appeals 4176
the suspension at the person's initial appearance under division 4177
(H)(1) of this section or appeals the decision of the court made 4178
pursuant to the appeal conducted at the initial appearance, and, 4179
if the person has appealed the suspension or decision, regardless 4180
of whether the matter at issue has been heard or decided by the 4181
court. The court shall not grant occupational driving privileges 4182

for employment as a driver of commercial motor vehicles to any 4183
person who is disqualified from operating a commercial motor 4184
vehicle under section 3123.611 or 4506.16 of the Revised Code or 4185
whose commercial driver's license or commercial driver's temporary 4186
instruction permit has been suspended under section 3123.58 of the 4187
Revised Code. 4188

(2)(a) In granting occupational driving privileges under 4189
division (I)(1) of this section, the court may impose any 4190
condition it considers reasonable and necessary to limit the use 4191
of a vehicle by the person. The court shall deliver to the person 4192
a permit card, in a form to be prescribed by the court, setting 4193
forth the time, place, and other conditions limiting the 4194
defendant's use of a vehicle. The grant of occupational driving 4195
privileges shall be conditioned upon the person's having the 4196
permit in the person's possession at all times during which the 4197
person is operating a vehicle. 4198

A person granted occupational driving privileges who operates 4199
a vehicle for other than occupational purposes, in violation of 4200
any condition imposed by the court, or without having the permit 4201
in the person's possession, is guilty of a violation of section 4202
4507.02 of the Revised Code. 4203

(b) The court may not grant a person occupational driving 4204
privileges under division (I)(1) of this section when prohibited 4205
by a limitation contained in that division or during any of the 4206
following periods of time: 4207

(i) The first thirty days of suspension imposed upon a person 4208
who, within five years of the date on which the person refused the 4209
request to consent to a chemical test of the person's blood, 4210
breath, or urine to determine its alcohol content and for which 4211
refusal the suspension was imposed, had not refused a previous 4212
request to consent to a chemical test of the person's blood, 4213
breath, or urine to determine its alcohol content; 4214

(ii) The first ninety days of suspension imposed upon a 4215
person who, within five years of the date on which the person 4216
refused the request to consent to a chemical test of the person's 4217
blood, breath, or urine to determine its alcohol content and for 4218
which refusal the suspension was imposed, had refused one previous 4219
request to consent to a chemical test of the person's blood, 4220
breath, or urine to determine its alcohol content; 4221

(iii) The first year of suspension imposed upon a person who, 4222
within five years of the date on which the person refused the 4223
request to consent to a chemical test of the person's blood, 4224
breath, or urine to determine its alcohol content and for which 4225
refusal the suspension was imposed, had refused two previous 4226
requests to consent to a chemical test of the person's blood, 4227
breath, or urine to determine its alcohol content; 4228

(iv) The first three years of suspension imposed upon a 4229
person who, within five years of the date on which the person 4230
refused the request to consent to a chemical test of the person's 4231
blood, breath, or urine to determine its alcohol content and for 4232
which refusal the suspension was imposed, had refused three or 4233
more previous requests to consent to a chemical test of the 4234
person's blood, breath, or urine to determine its alcohol content. 4235

(3) The court shall give information in writing of any action 4236
taken under this section to the registrar. 4237

(4) If a person's driver's or commercial driver's license or 4238
permit or nonresident operating privilege has been suspended 4239
pursuant to division (F) of this section, and the person, within 4240
the preceding seven years, has been convicted of or pleaded guilty 4241
to three or more violations of division (A) or (B) of section 4242
4511.19 of the Revised Code, a municipal ordinance relating to 4243
operating a vehicle while under the influence of alcohol, a drug 4244
of abuse, or alcohol and a drug of abuse, a municipal ordinance 4245

relating to operating a vehicle with a prohibited concentration of 4246
alcohol in the blood, breath, or urine, section 2903.04 of the 4247
Revised Code in a case in which the person was subject to the 4248
sanctions described in division (D) of that section, or section 4249
2903.06, ~~2903.07~~, or 2903.08 or former section 2903.07 of the 4250
Revised Code or a municipal ordinance that is substantially 4251
similar to former section 2903.07 of the Revised Code in a case in 4252
which the jury or judge found that the person was under the 4253
influence of alcohol, a drug of abuse, or alcohol and a drug of 4254
abuse, or a statute of the United States or of any other state or 4255
a municipal ordinance of a municipal corporation located in any 4256
other state that is substantially similar to division (A) or (B) 4257
of section 4511.19 of the Revised Code, the person is not entitled 4258
to request, and the court shall not grant to the person, 4259
occupational driving privileges under this division. Any other 4260
person whose driver's or commercial driver's license or 4261
nonresident operating privilege has been suspended pursuant to 4262
division (F) of this section may file in the court specified in 4263
division (I)(1)(b) of this section a petition requesting 4264
occupational driving privileges in accordance with section 4507.16 4265
of the Revised Code. The petition may be filed at any time 4266
subsequent to the date on which the arresting officer serves the 4267
notice of suspension upon the arrested person. Upon the making of 4268
the request, occupational driving privileges may be granted in 4269
accordance with section 4507.16 of the Revised Code. The court may 4270
grant the occupational driving privileges, subject to the 4271
limitations contained in section 4507.16 of the Revised Code, 4272
regardless of whether the person appeals the suspension at the 4273
person's initial appearance under division (H)(1) of this section 4274
or appeals the decision of the court made pursuant to the appeal 4275
conducted at the initial appearance, and, if the person has 4276
appealed the suspension or decision, regardless of whether the 4277
matter at issue has been heard or decided by the court. 4278

(J) When it finally has been determined under the procedures 4279
of this section that a nonresident's privilege to operate a 4280
vehicle within this state has been suspended, the registrar shall 4281
give information in writing of the action taken to the motor 4282
vehicle administrator of the state of the person's residence and 4283
of any state in which the person has a license. 4284

(K) A suspension of the driver's or commercial driver's 4285
license or permit of a resident, a suspension of the operating 4286
privilege of a nonresident, or a denial of a driver's or 4287
commercial driver's license or permit pursuant to division (E) or 4288
(F) of this section shall be terminated by the registrar upon 4289
receipt of notice of the person's entering a plea of guilty to, or 4290
of the person's conviction of, operating a vehicle while under the 4291
influence of alcohol, a drug of abuse, or alcohol and a drug of 4292
abuse or with a prohibited concentration of alcohol in the blood, 4293
breath, or urine, if the offense for which the plea is entered or 4294
that resulted in the conviction arose from the same incident that 4295
led to the suspension or denial. 4296

The registrar shall credit against any judicial suspension of 4297
a person's driver's or commercial driver's license or permit or 4298
nonresident operating privilege imposed pursuant to division (B) 4299
or (E) of section 4507.16 of the Revised Code any time during 4300
which the person serves a related suspension imposed pursuant to 4301
division (E) or (F) of this section. 4302

(L) At the end of a suspension period under this section, 4303
section 4511.196, or division (B) of section 4507.16 of the 4304
Revised Code and upon the request of the person whose driver's or 4305
commercial driver's license or permit was suspended and who is not 4306
otherwise subject to suspension, revocation, or disqualification, 4307
the registrar shall return the driver's or commercial driver's 4308
license or permit to the person upon the person's compliance with 4309
all of the conditions specified in divisions (L)(1) and (2) of 4310

this section: 4311

(1) A showing by the person that the person has proof of 4312
financial responsibility, a policy of liability insurance in 4313
effect that meets the minimum standards set forth in section 4314
4509.51 of the Revised Code, or proof, to the satisfaction of the 4315
registrar, that the person is able to respond in damages in an 4316
amount at least equal to the minimum amounts specified in section 4317
4509.51 of the Revised Code. 4318

(2) Subject to the limitation contained in division (L)(3) of 4319
this section, payment by the person of a license reinstatement fee 4320
of four hundred twenty-five dollars to the bureau of motor 4321
vehicles, which fee shall be deposited in the state treasury and 4322
credited as follows: 4323

(a) One hundred twelve dollars and fifty cents shall be 4324
credited to the statewide treatment and prevention fund created by 4325
section 4301.30 of the Revised Code. The fund shall be used to pay 4326
the costs of driver treatment and intervention programs operated 4327
pursuant to sections 3793.02 and 3793.10 of the Revised Code. The 4328
director of alcohol and drug addiction services shall determine 4329
the share of the fund that is to be allocated to alcohol and drug 4330
addiction programs authorized by section 3793.02 of the Revised 4331
Code, and the share of the fund that is to be allocated to 4332
drivers' intervention programs authorized by section 3793.10 of 4333
the Revised Code. 4334

(b) Seventy-five dollars shall be credited to the reparations 4335
fund created by section 2743.191 of the Revised Code. 4336

(c) Thirty-seven dollars and fifty cents shall be credited to 4337
the indigent drivers alcohol treatment fund, which is hereby 4338
established. Except as otherwise provided in division (L)(2)(c) of 4339
this section, moneys in the fund shall be distributed by the 4340
department of alcohol and drug addiction services to the county 4341

indigent drivers alcohol treatment funds, the county juvenile 4342
indigent drivers alcohol treatment funds, and the municipal 4343
indigent drivers alcohol treatment funds that are required to be 4344
established by counties and municipal corporations pursuant to 4345
division (N) of this section, and shall be used only to pay the 4346
cost of an alcohol and drug addiction treatment program attended 4347
by an offender or juvenile traffic offender who is ordered to 4348
attend an alcohol and drug addiction treatment program by a 4349
county, juvenile, or municipal court judge and who is determined 4350
by the county, juvenile, or municipal court judge not to have the 4351
means to pay for attendance at the program or to pay the costs 4352
specified in division (N)(4) of this section in accordance with 4353
that division. Moneys in the fund that are not distributed to a 4354
county indigent drivers alcohol treatment fund, a county juvenile 4355
indigent drivers alcohol treatment fund, or a municipal indigent 4356
drivers alcohol treatment fund under division (N) of this section 4357
because the director of alcohol and drug addiction services does 4358
not have the information necessary to identify the county or 4359
municipal corporation where the offender or juvenile offender was 4360
arrested may be transferred by the director of budget and 4361
management to the statewide treatment and prevention fund created 4362
by section 4301.30 of the Revised Code, upon certification of the 4363
amount by the director of alcohol and drug addiction services. 4364

(d) Seventy-five dollars shall be credited to the Ohio 4365
rehabilitation services commission established by section 3304.12 4366
of the Revised Code, to the services for rehabilitation fund, 4367
which is hereby established. The fund shall be used to match 4368
available federal matching funds where appropriate, and for any 4369
other purpose or program of the commission to rehabilitate people 4370
with disabilities to help them become employed and independent. 4371

(e) Seventy-five dollars shall be deposited into the state 4372
treasury and credited to the drug abuse resistance education 4373

programs fund, which is hereby established, to be used by the 4374
attorney general for the purposes specified in division (L)(4) of 4375
this section. 4376

(f) Thirty dollars shall be credited to the state bureau of 4377
motor vehicles fund created by section 4501.25 of the Revised 4378
Code. 4379

(g) Twenty dollars shall be credited to the trauma and 4380
emergency medical services grants fund created by section 4513.263 4381
of the Revised Code. 4382

(3) If a person's driver's or commercial driver's license or 4383
permit is suspended under division (E) or (F) of this section, 4384
section 4511.196, or division (B) of section 4507.16 of the 4385
Revised Code, or any combination of the suspensions described in 4386
division (L)(3) of this section, and if the suspensions arise from 4387
a single incident or a single set of facts and circumstances, the 4388
person is liable for payment of, and shall be required to pay to 4389
the bureau, only one reinstatement fee of four hundred five 4390
dollars. The reinstatement fee shall be distributed by the bureau 4391
in accordance with division (L)(2) of this section. 4392

(4) The attorney general shall use amounts in the drug abuse 4393
resistance education programs fund to award grants to law 4394
enforcement agencies to establish and implement drug abuse 4395
resistance education programs in public schools. Grants awarded to 4396
a law enforcement agency under division (L)~~(2)~~~~(e)~~(4) of this 4397
section shall be used by the agency to pay for not more than fifty 4398
per cent of the amount of the salaries of law enforcement officers 4399
who conduct drug abuse resistance education programs in public 4400
schools. The attorney general shall not use more than six per cent 4401
of the amounts the attorney general's office receives under 4402
division (L)(2)(e) of this section to pay the costs it incurs in 4403
administering the grant program established by division 4404
(L)~~(2)~~~~(e)~~(4) of this section and in providing training and 4405

materials relating to drug abuse resistance education programs. 4406

The attorney general shall report to the governor and the 4407
general assembly each fiscal year on the progress made in 4408
establishing and implementing drug abuse resistance education 4409
programs. These reports shall include an evaluation of the 4410
effectiveness of these programs. 4411

(M) Suspension of a commercial driver's license under 4412
division (E) or (F) of this section shall be concurrent with any 4413
period of disqualification under section 3123.611 or 4506.16 of 4414
the Revised Code or any period of suspension under section 3123.58 4415
of the Revised Code. No person who is disqualified for life from 4416
holding a commercial driver's license under section 4506.16 of the 4417
Revised Code shall be issued a driver's license under Chapter 4418
4507. of the Revised Code during the period for which the 4419
commercial driver's license was suspended under division (E) or 4420
(F) of this section, and no person whose commercial driver's 4421
license is suspended under division (E) or (F) of this section 4422
shall be issued a driver's license under that chapter during the 4423
period of the suspension. 4424

(N)(1) Each county shall establish an indigent drivers 4425
alcohol treatment fund, each county shall establish a juvenile 4426
indigent drivers alcohol treatment fund, and each municipal 4427
corporation in which there is a municipal court shall establish an 4428
indigent drivers alcohol treatment fund. All revenue that the 4429
general assembly appropriates to the indigent drivers alcohol 4430
treatment fund for transfer to a county indigent drivers alcohol 4431
treatment fund, a county juvenile indigent drivers alcohol 4432
treatment fund, or a municipal indigent drivers alcohol treatment 4433
fund, all portions of fees that are paid under division (L) of 4434
this section and that are credited under that division to the 4435
indigent drivers alcohol treatment fund in the state treasury for 4436
a county indigent drivers alcohol treatment fund, a county 4437

juvenile indigent drivers alcohol treatment fund, or a municipal 4438
indigent drivers alcohol treatment fund, and all portions of fines 4439
that are specified for deposit into a county or municipal indigent 4440
drivers alcohol treatment fund by section 4511.193 of the Revised 4441
Code shall be deposited into that county indigent drivers alcohol 4442
treatment fund, county juvenile indigent drivers alcohol treatment 4443
fund, or municipal indigent drivers alcohol treatment fund in 4444
accordance with division (N)(2) of this section. Additionally, all 4445
portions of fines that are paid for a violation of section 4511.19 4446
of the Revised Code or division (B)(2) of section 4507.02 of the 4447
Revised Code, and that are required under division (A)(1), (2), 4448
(5), or (6) of section 4511.99 or division (B)(5) of section 4449
4507.99 of the Revised Code to be deposited into a county indigent 4450
drivers alcohol treatment fund or municipal indigent drivers 4451
alcohol treatment fund shall be deposited into the appropriate 4452
fund in accordance with the applicable division. 4453

(2) That portion of the license reinstatement fee that is 4454
paid under division (L) of this section and that is credited under 4455
that division to the indigent drivers alcohol treatment fund shall 4456
be deposited into a county indigent drivers alcohol treatment 4457
fund, a county juvenile indigent drivers alcohol treatment fund, 4458
or a municipal indigent drivers alcohol treatment fund as follows: 4459

(a) If the suspension in question was imposed under this 4460
section, that portion of the fee shall be deposited as follows: 4461

(i) If the fee is paid by a person who was charged in a 4462
county court with the violation that resulted in the suspension, 4463
the portion shall be deposited into the county indigent drivers 4464
alcohol treatment fund under the control of that court; 4465

(ii) If the fee is paid by a person who was charged in a 4466
juvenile court with the violation that resulted in the suspension, 4467
the portion shall be deposited into the county juvenile indigent 4468
drivers alcohol treatment fund established in the county served by 4469

the court; 4470

(iii) If the fee is paid by a person who was charged in a 4471
municipal court with the violation that resulted in the 4472
suspension, the portion shall be deposited into the municipal 4473
indigent drivers alcohol treatment fund under the control of that 4474
court. 4475

(b) If the suspension in question was imposed under division 4476
(B) of section 4507.16 of the Revised Code, that portion of the 4477
fee shall be deposited as follows: 4478

(i) If the fee is paid by a person whose license or permit 4479
was suspended by a county court, the portion shall be deposited 4480
into the county indigent drivers alcohol treatment fund under the 4481
control of that court; 4482

(ii) If the fee is paid by a person whose license or permit 4483
was suspended by a municipal court, the portion shall be deposited 4484
into the municipal indigent drivers alcohol treatment fund under 4485
the control of that court. 4486

(3) Expenditures from a county indigent drivers alcohol 4487
treatment fund, a county juvenile indigent drivers alcohol 4488
treatment fund, or a municipal indigent drivers alcohol treatment 4489
fund shall be made only upon the order of a county, juvenile, or 4490
municipal court judge and only for payment of the cost of the 4491
attendance at an alcohol and drug addiction treatment program of a 4492
person who is convicted of, or found to be a juvenile traffic 4493
offender by reason of, a violation of division (A) of section 4494
4511.19 of the Revised Code or a substantially similar municipal 4495
ordinance, who is ordered by the court to attend the alcohol and 4496
drug addiction treatment program, and who is determined by the 4497
court to be unable to pay the cost of attendance at the treatment 4498
program or for payment of the costs specified in division (N)(4) 4499
of this section in accordance with that division. The alcohol and 4500

drug addiction services board or the board of alcohol, drug 4501
addiction, and mental health services established pursuant to 4502
section 340.02 or 340.021 of the Revised Code and serving the 4503
alcohol, drug addiction, and mental health service district in 4504
which the court is located shall administer the indigent drivers 4505
alcohol treatment program of the court. When a court orders an 4506
offender or juvenile traffic offender to attend an alcohol and 4507
drug addiction treatment program, the board shall determine which 4508
program is suitable to meet the needs of the offender or juvenile 4509
traffic offender, and when a suitable program is located and space 4510
is available at the program, the offender or juvenile traffic 4511
offender shall attend the program designated by the board. A 4512
reasonable amount not to exceed five per cent of the amounts 4513
credited to and deposited into the county indigent drivers alcohol 4514
treatment fund, the county juvenile indigent drivers alcohol 4515
treatment fund, or the municipal indigent drivers alcohol 4516
treatment fund serving every court whose program is administered 4517
by that board shall be paid to the board to cover the costs it 4518
incurs in administering those indigent drivers alcohol treatment 4519
programs. 4520

(4) If a county, juvenile, or municipal court determines, in 4521
consultation with the alcohol and drug addiction services board or 4522
the board of alcohol, drug addiction, and mental health services 4523
established pursuant to section 340.02 or 340.021 of the Revised 4524
Code and serving the alcohol, drug addiction, and mental health 4525
district in which the court is located, that the funds in the 4526
county indigent drivers alcohol treatment fund, the county 4527
juvenile indigent drivers alcohol treatment fund, or the municipal 4528
indigent drivers alcohol treatment fund under the control of the 4529
court are more than sufficient to satisfy the purpose for which 4530
the fund was established, as specified in divisions (N)(1) to (3) 4531
of this section, the court may declare a surplus in the fund. If 4532
the court declares a surplus in the fund, the court may expend the 4533

amount of the surplus in the fund for alcohol and drug abuse 4534
assessment and treatment of persons who are charged in the court 4535
with committing a criminal offense or with being a delinquent 4536
child or juvenile traffic offender and in relation to whom both of 4537
the following apply: 4538

(a) The court determines that substance abuse was a 4539
contributing factor leading to the criminal or delinquent activity 4540
or the juvenile traffic offense with which the person is charged. 4541

(b) The court determines that the person is unable to pay the 4542
cost of the alcohol and drug abuse assessment and treatment for 4543
which the surplus money will be used. 4544

Sec. 4511.197. (A) If a person is arrested for operating a 4545
vehicle, streetcar, or trackless trolley in violation of division 4546
(A) or (B) of section 4511.19 of the Revised Code or a municipal 4547
OVI ordinance or for being in physical control of a vehicle, 4548
streetcar, or trackless trolley in violation of section 4511.194 4549
of the Revised Code and if the person's driver's or commercial 4550
driver's license or permit or nonresident operating privilege is 4551
suspended under section 4511.191 of the Revised Code, the person 4552
may appeal the suspension at the person's initial appearance on 4553
the charge resulting from the arrest or within the period ending 4554
thirty days after the person's initial appearance on that charge, 4555
in the court in which the person will appear on that charge. If 4556
the person appeals the suspension, the appeal itself does not stay 4557
the operation of the suspension. If the person appeals the 4558
suspension, either the person or the registrar of motor vehicles 4559
may request a continuance of the appeal, and the court may grant 4560
the continuance. The court also may continue the appeal on its own 4561
motion. Neither the request for, nor the granting of, a 4562
continuance stays the suspension that is the subject of the 4563
appeal, unless the court specifically grants a stay. 4564

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

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

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

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

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

(4) Whichever of the following is applicable:

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

(b) Whether the arrest was for a violation of division (A) or (B) of section 4511.19 of the Revised Code or a municipal OVI ordinance and, if it was, whether the chemical test results indicate that the arrested person's whole blood contained a concentration of ~~ten-hundredths~~ eight-hundredths of one per cent or more by weight of alcohol, the person's blood serum or plasma

contained a concentration of ~~twelve-hundredths~~ 4595
ninety-six-thousandths of one per cent or more by weight of 4596
alcohol, the person's breath contained a concentration of 4597
~~ten-hundredths~~ eight-hundredths of one gram or more by weight of 4598
alcohol per two hundred ten liters of the person's breath, or the 4599
person's urine contained a concentration of ~~fourteen-hundredths~~ 4600
eleven-hundredths of one gram or more by weight of alcohol per one 4601
hundred milliliters of the person's urine at the time of the 4602
alleged offense. 4603

(D) A person who appeals a suspension under division (A) of 4604
this section has the burden of proving, by a preponderance of the 4605
evidence, that one or more of the conditions specified in division 4606
(C) of this section has not been met. If, during the appeal, the 4607
judge or magistrate of the court or the mayor of the mayor's court 4608
determines that all of those conditions have been met, the judge, 4609
magistrate, or mayor shall uphold the suspension, continue the 4610
suspension, and notify the registrar of motor vehicles of the 4611
decision on a form approved by the registrar. 4612

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

section 4511.191 of the Revised Code in relation to an alleged 4627
misdemeanor violation of division (A) or (B) of section 4511.19 of 4628
the Revised Code or of a municipal OVI ordinance and it is 4629
continued under this section, the suspension shall terminate if, 4630
for any reason, the person subsequently is found not guilty of the 4631
charge that resulted in the person taking the chemical test or 4632
tests. 4633

If, during the appeal, the judge or magistrate of the trial 4634
court or the mayor of the mayor's court determines that one or 4635
more of the conditions specified in division (C) of this section 4636
have not been met, the judge, magistrate, or mayor shall terminate 4637
the suspension, subject to the imposition of a new suspension 4638
under division (B) of section 4511.196 of the Revised Code; shall 4639
notify the registrar of motor vehicles of the decision on a form 4640
approved by the registrar; and, except as provided in division (B) 4641
of section 4511.196 of the Revised Code, shall order the registrar 4642
to return the driver's or commercial driver's license or permit to 4643
the person or to take any other measures that may be necessary, if 4644
the license or permit was destroyed under section 4510.53 of the 4645
Revised Code, to permit the person to obtain a replacement 4646
driver's or commercial driver's license or permit from the 4647
registrar or a deputy registrar in accordance with that section. 4648
The court also shall issue to the person a court order, valid for 4649
not more than ten days from the date of issuance, granting the 4650
person operating privileges for that period. 4651

(E) Any person whose driver's or commercial driver's license 4652
or permit or nonresident operating privilege has been suspended 4653
pursuant to section 4511.191 of the Revised Code may file a 4654
petition requesting limited driving privileges in the common pleas 4655
court, municipal court, county court, mayor's court, or juvenile 4656
court with jurisdiction over the related criminal or delinquency 4657
case. The petition may be filed at any time subsequent to the date 4658

on which the arresting law enforcement officer serves the notice 4659
of suspension upon the arrested person but no later than thirty 4660
days after the arrested person's initial appearance or 4661
arraignment. Upon the making of the request, limited driving 4662
privileges may be granted under sections 4510.021 and 4510.13 of 4663
the Revised Code, regardless of whether the person appeals the 4664
suspension under this section or appeals the decision of the court 4665
on the appeal, and, if the person has so appealed the suspension 4666
or decision, regardless of whether the matter has been heard or 4667
decided by the court. The person shall pay the costs of the 4668
proceeding, notify the registrar of the filing of the petition, 4669
and send the registrar a copy of the petition. 4670

The court may not grant the person limited driving privileges 4671
when prohibited by section 4510.13 or 4511.191 of the Revised 4672
Code. 4673

(F) Any person whose driver's or commercial driver's license 4674
or permit has been suspended under section 4511.19 of the Revised 4675
Code or under section 4510.07 of the Revised Code for a conviction 4676
of a municipal OVI offense and who desires to retain the license 4677
or permit during the pendency of an appeal, at the time sentence 4678
is pronounced, shall notify the court of record or mayor's court 4679
that suspended the license or permit of the person's intention to 4680
appeal. If the person so notifies the court, the court, mayor, or 4681
clerk of the court shall retain the license or permit until the 4682
appeal is perfected, and, if execution of sentence is stayed, the 4683
license or permit shall be returned to the person to be held by 4684
the person during the pendency of the appeal. If the appeal is not 4685
perfected or is dismissed or terminated in an affirmance of the 4686
conviction, then the license or permit shall be taken up by the 4687
court, mayor, or clerk, at the time of putting the sentence into 4688
execution, and the court shall proceed in the same manner as if no 4689
appeal was taken. 4690

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

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

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

Sec. 4513.111. (A)(1) Every multi-wheel agricultural tractor whose model year was 2001 or earlier, when being operated or traveling on a street or highway at the times specified in section 4513.03 of the Revised Code, at a minimum shall be equipped with and display reflectors and illuminated amber lamps so that the extreme left and right projections of the tractor are indicated by

flashing lamps displaying amber light, visible to the front and 4722
the rear, by amber reflectors, all visible to the front, and by 4723
red reflectors, all visible to the rear. 4724

(2) The lamps displaying amber light need not flash 4725
simultaneously and need not flash in conjunction with any 4726
directional signals of the tractor. 4727

(3) The lamps and reflectors required by division (A)(1) of 4728
this section and their placement shall meet standards and 4729
specifications contained in rules adopted by the director of 4730
public safety in accordance with Chapter 119. of the Revised Code. 4731
The rules governing the amber lamps, amber reflectors, and red 4732
reflectors and their placement shall correlate with and, as far as 4733
possible, conform with paragraphs 4.1.4.1, 4.1.7.1, and 4.1.7.2 4734
respectively of the American society of agricultural engineers 4735
standard ANSI/ASAE S279.10 OCT98, lighting and marking of 4736
agricultural equipment on highways. 4737

(B) Every unit of farm machinery whose model year was 2002 or 4738
later, when being operated or traveling on a street or highway at 4739
the times specified in section 4513.03 of the Revised Code, shall 4740
be equipped with and display markings and illuminated lamps that 4741
meet or exceed the lighting, illumination, and marking standards 4742
and specifications that are applicable to that type of farm 4743
machinery for the unit's model year specified in the American 4744
society of agricultural engineers standard ANSI/ASAE ~~S279.10 OCT98~~ 4745
S279.11 APR01, lighting and marking of agricultural equipment on 4746
highways, or any subsequent revisions of that standard. 4747

(C) The lights and reflectors required by division (A) of 4748
this section are in addition to the slow-moving vehicle emblem and 4749
lights required or permitted by section 4513.11 or 4513.17 of the 4750
Revised Code to be displayed on farm machinery being operated or 4751
traveling on a street or highway. 4752

(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 4783
registrar upon application for registration of the bus. 4784

Sec. 4513.53. (A) The superintendent of the state highway 4785
patrol, with approval of the director of public safety, may 4786
appoint and maintain necessary staff to carry out the inspection 4787
of buses. 4788

(B) The superintendent of the state highway patrol shall 4789
adopt a distinctive annual safety inspection decal bearing the 4790
date of inspection. The state highway patrol may remove any decal 4791
from a bus that fails any inspection. 4792

(C) Fees collected by the state highway patrol shall be paid 4793
into the state treasury to the credit of the general revenue fund. 4794
Annually by the first day of June, the director of public safety 4795
shall determine the amount of fees collected under section 4513.52 4796
of the Revised Code and shall certify the amount to the director 4797
of budget and management for reimbursement. The director of budget 4798
and management then may transfer cash up to the amount certified 4799
from the general revenue fund to the state highway safety fund. 4800

Sec. 4549.10. No person shall operate or cause to be operated 4801
upon a public road or highway a motor vehicle of a manufacturer or 4802
dealer unless such vehicle carries and displays ~~two placards~~ a 4803
placard, except as provided in section 4503.21 of the Revised Code 4804
issued by the director of public safety, bearing the registration 4805
number of its manufacturer or dealer. 4806

Sec. 5501.20. (A) As used in this section: 4807

(1) "Career professional service" means that part of the 4808
competitive classified service that consists of employees of the 4809
department of transportation who, regardless of job 4810
classification, meet both of the following qualifications: 4811

(a) They are supervisors, professional employees who are not 4812
in a collective bargaining unit, confidential employees, or 4813
management level employees, all as defined in section 4117.01 of 4814
the Revised Code. 4815

(b) They exercise authority that is not merely routine or 4816
clerical in nature and report only to a higher level unclassified 4817
employee or employee in the career professional service. 4818

(2) "Demoted" means that an employee is placed in a position 4819
where the employee's wage rate equals, or is not more than twenty 4820
per cent less than, the employee's wage rate immediately prior to 4821
demotion or where the employee's job responsibilities are reduced, 4822
or both. 4823

(3) "Employee in the career professional service with 4824
restoration rights" means an employee in the career professional 4825
service who has been in the classified civil service for at least 4826
two years and who has a cumulative total of at least ten years of 4827
continuous service with the department of transportation. 4828

(B) Not later than the first day of July of each odd-numbered 4829
year, the director of transportation shall adopt a rule in 4830
accordance with section 111.15 of the Revised Code that 4831
establishes a business plan for the department of transportation 4832
that states the department's mission, business objectives, and 4833
strategies and that establishes a procedure by which employees in 4834
the career professional service will be held accountable for their 4835
performance. The director shall adopt a rule that establishes a 4836
business plan for the department only once in each two years. 4837
Within sixty days after the effective date of a rule that 4838
establishes a business plan for the department, the director shall 4839
adopt a rule in accordance with section 111.15 of the Revised Code 4840
that identifies specific positions within the department of 4841
transportation that are included in the career professional 4842

service. The director may amend the rule that identifies the 4843
specific positions included in the career professional service 4844
whenever the director determines necessary. Any rule adopted under 4845
this division is subject to review and invalidation by the joint 4846
committee on agency rule review as provided in division (D) of 4847
section 111.15 of the Revised Code. The director shall provide a 4848
copy of any rule adopted under this division to the director of 4849
budget and management. 4850

Except as otherwise provided in this section, an employee in 4851
the career professional service is subject to the provisions of 4852
Chapter 124. of the Revised Code that govern employees in the 4853
classified civil service. 4854

(C) After an employee is appointed to a position in the 4855
career professional service, the employee's direct supervisor 4856
shall provide the employee appointed to that position with a 4857
written performance action plan that describes the department's 4858
expectations for that employee in fulfilling the mission, business 4859
objectives, and strategies stated in the department's business 4860
plan. No sooner than four months after being appointed to a 4861
position in the career professional service, an employee appointed 4862
to that position shall receive a written performance review based 4863
on the employee's fulfillment of the mission, business objectives, 4864
and strategies stated in the department's business plan. After the 4865
initial performance review, the employee shall receive a written 4866
performance review at least once each year or as often as the 4867
director considers necessary. The department shall give an 4868
employee whose performance is unsatisfactory an opportunity to 4869
improve performance for a period of at least six months, by means 4870
of a written corrective action plan, before the department takes 4871
any disciplinary action under this section or section 124.34 of 4872
the Revised Code. The department shall base its performance review 4873
forms on its business plan. 4874

(D) An employee in the career professional service may be 4875
suspended, demoted, or removed because of performance that hinders 4876
or restricts the fulfillment of the department's business plan or 4877
for disciplinary reasons under section 124.34 or 124.57 of the 4878
Revised Code. An employee in the career professional service may 4879
appeal only the employee's removal to the state personnel board of 4880
review. An employee in the career professional service may appeal 4881
a demotion or a suspension of more than three days pursuant to 4882
rules the director adopts in accordance with section 111.15 of the 4883
Revised Code. 4884

(E) An employee in the career professional service with 4885
restoration rights has restoration rights if demoted because of 4886
performance that hinders or restricts fulfillment of the mission, 4887
business objectives, or strategies stated in the department's 4888
business plan, but not if involuntarily demoted or removed for any 4889
of the reasons described in section 124.34 or for a violation of 4890
section 124.57 of the Revised Code. The director shall demote an 4891
employee who has restoration rights of that nature to a position 4892
in the classified service that in the director's judgment is 4893
similar in nature to the position the employee held immediately 4894
prior to being appointed to the position in the career 4895
professional service. The director shall assign to an employee who 4896
is demoted to a position in the classified service as provided in 4897
this division a wage rate that equals, or that is not more than 4898
twenty per cent less than, the wage rate assigned to the employee 4899
in the career professional service immediately prior to the 4900
employee's demotion. 4901

~~(F) This section establishes a pilot program for employees in 4902
the career professional service of the department of 4903
transportation. At the end of each fiscal biennium that this 4904
program is in effect, the director of transportation shall prepare 4905
a report describing and evaluating the operation of the program 4906~~

~~and forward a copy of the report to the governor, director of
administrative services, speaker of the house of representatives,
and president of the senate.~~

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

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

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

(C) If real property no longer required for highway purposes
is appraised or reappraised as having a current fair market value

of twenty thousand dollars or less, the director may sell the real 4938
property to the sole abutting owner through a private sale at a 4939
price not less than the appraised value. If there is more than one 4940
abutting owner, the director may invite all of the abutting owners 4941
to submit sealed bids and may sell the real property to the 4942
highest bidder at not less than its appraised value. 4943

(D) If real property no longer required for highway purposes 4944
is appraised or reappraised as having a fair market value of two 4945
thousand dollars or less, and no sale has been effected after an 4946
effort to sell to the abutting owner or owners, the director may 4947
advertise the sale of ~~such~~ the real property in accordance with 4948
division (B) of this section. The director may sell the land at 4949
public auction to the highest bidder without regard to its 4950
appraised value, but the director may reject all bids that are 4951
less than the full appraised value of the real property. 4952

(E) The department shall pay all expenses incurred in the 4953
sale of a parcel of real property out of the proceeds of the sale 4954
and shall deposit the balance of the proceeds in the highway fund 4955
used to acquire that parcel of real property. 4956

(F) Upon a determination that real property previously 4957
acquired within a highway improvement project corridor no longer 4958
is needed for highway purposes, the director may offer the 4959
unneeded property to another landowner located within that 4960
project's corridor as full or partial consideration for other real 4961
property to be acquired from the landowner. If the landowner 4962
accepts the offer, the director shall convey the unneeded property 4963
directly to the landowner at the full fair market value determined 4964
by the department by appraisal. The director shall credit the 4965
value of the unneeded property against the acquisition price of 4966
the property being acquired by the department, and the landowner 4967
shall pay the department the difference if the value of the 4968
unneeded property exceeds the acquisition price of the property 4969

being acquired. 4970

(G) Conveyances of real property under this section shall be 4971
by a deed executed by the governor, ~~shall bear~~ bearing the great 4972
seal of the state ~~of Ohio~~, and ~~shall be~~ in the form ~~as~~ prescribed 4973
by the attorney general. ~~Section~~ The requirements of section 4974
5301.13 of the Revised Code, ~~relating to the sale~~ for conveyances 4975
~~of public lands, shall~~ that are contrary to the requirements of 4976
this section do not apply to conveyances made ~~pursuant to~~ under 4977
this section. The director shall keep a record of all ~~such~~ 4978
conveyances of real property made under this section. This section 4979
applies to all real property acquired by the department, 4980
regardless of how or from whom the property was acquired. 4981

Sec. 5501.45. (A) The director of transportation may convey 4982
or transfer the fee simple estate or any lesser estate or interest 4983
in, or permit the use of, for ~~such~~ a period as the director shall 4984
determine, any lands owned by the state and acquired or used for 4985
the state highway system or for highways or in connection with 4986
highways or as incidental to the acquisition of land for highways, 4987
provided that the director determines, after consulting with the 4988
director of natural resources, that the property or interest 4989
conveyed or made subject to a permit to use is not needed by the 4990
state for highway or recreation purposes. ~~Such~~ The conveyance, 4991
transfer, or permit to use may be to the grantee or permittee or 4992
to the grantee or permittee and the grantee's or its successors 4993
and assigns and shall be of such portion of such lands as the 4994
director shall determine, which shall be described in the deed, 4995
transfer, or other instrument or conveyance and in any permit to 4996
use, and may include or be limited to areas or space on, above, or 4997
below the surface, and also may include the grant of easements or 4998
other interests in any such lands for use by the grantee for 4999
buildings or structures or for other uses and purposes, and for 5000
the support of buildings or structures constructed or to be 5001

constructed on or in the lands or areas or space conveyed or made 5002
subject to a permit to use. 5003

(B) Whenever, pursuant to this section, separate units of 5004
property are created in any lands, each unit shall for all 5005
purposes constitute real property ~~and~~, shall be deemed real estate 5006
within the meaning of all provisions of the Revised Code, and 5007
shall be deemed to be a separate parcel for all purposes of 5008
taxation and assessment of real property, ~~and no.~~ No other unit or 5009
other part of ~~such~~ the lands shall be charged with the payment of 5010
~~such~~ the taxes and assessments. 5011

(C) With respect to any portion of the state highway system 5012
not owned in fee simple by the state, the director may permit the 5013
use of any portion thereof in perpetuity or for ~~such~~ a period of 5014
time ~~as~~ the director shall specify, including areas or space on, 5015
above, or beneath the surface, together with rights for the 5016
support of buildings or structures constructed or to be 5017
constructed thereon or therein, provided that the director 5018
determines that the portion made subject to a right to use is not 5019
needed by the state for highway purposes. 5020

(D) The director shall require, as either a condition 5021
precedent or a condition subsequent to any conveyance, transfer, 5022
~~or grant~~ or permit to use, that the plans and specifications for 5023
all such buildings or structures and the contemplated use thereof, 5024
be approved by the director as not interfering with the use of the 5025
state highway system and not unduly endangering the public. The 5026
director may require such indemnity agreements in favor of the 5027
director and the public as shall be lawful and as shall be deemed 5028
necessary by the director. The director shall not unreasonably 5029
withhold approval of such plans, specifications, and contemplated 5030
use. 5031

(E)(1) All ~~such~~ conveyances, transfers, grants, or permits to 5032

use that are made under this section to state institutions, 5033
agencies, commissions, or instrumentalities, to political 5034
subdivisions, ~~or to~~ taxing districts of the state, ~~and to~~ 5035
institutions receiving financial assistance from the state, or to 5036
the federal government shall be upon ~~such the~~ consideration ~~as~~ 5037
~~shall be determined by~~ the director determines to be fair and 5038
reasonable, without competitive bidding, ~~and sections 5301.13 and~~ 5039
~~5515.01 of the Revised Code, relating to the sale or use of public~~ 5040
~~lands shall not apply to conveyances, grants, transfers, or~~ 5041
~~permits to use made pursuant to this division. An~~ A conveyance, 5042
transfer, or grant shall be by deed or, if a statutory dedication 5043
of public roads is included, by plat; shall be executed by the 5044
director; and shall be in the form prescribed by the attorney 5045
general. 5046

(2) An institution receiving financial assistance from the 5047
state shall provide the director with acceptable documentary 5048
evidence of the state loan, grant, or other state financial 5049
assistance. 5050

~~(2)~~(3) Any provision of section 5301.13 of the Revised Code 5051
that is contrary to a provision of this division does not apply to 5052
a conveyance, transfer, or grant made under this section. 5053

(4) The director shall keep a record of all conveyances, 5054
transfers, grants, or permits to use made under this section. 5055

(5) As used in this division, "institution receiving 5056
financial assistance from the state" includes any public or 5057
private organization, especially one of a charitable, civic, or 5058
educational character, in receipt of a state loan, grant, or other 5059
type of state financial assistance. 5060

(F) Except as provided in division (E) of this section, all 5061
conveyances, transfers, grants, or permits to use that are made to 5062
private persons, firms, or corporations shall be conducted in 5063

accordance with the procedure set forth in section 5501.311 or 5064
5501.34 of the Revised Code, as applicable. 5065

(G) In any case where the director has acquired or acquires, 5066
for the state highway system, easements in or permits to use areas 5067
or space on, above, or below the surface, the director may 5068
extinguish them in whole or in part or subordinate them to uses by 5069
others, provided that the director determines that the easements 5070
or permit to use so extinguished or subordinated are not needed by 5071
the state for highway purposes. The director shall make any 5072
extinguishments to the current underlying fee owner of record at 5073
no cost. 5074

(H) No conveyance, transfer, easement, lease, permit, or 5075
other instrument executed pursuant to the authorization given by 5076
this section shall prejudice any right, title, or interest in any 5077
lands affected thereby which at the date thereof existed in any 5078
person, firm, or corporation, other than the state and other than 5079
members of the general public having no specific rights in ~~said~~ 5080
those lands, unless the right, title, or interest was expressly 5081
subject to the right of the state to make ~~such the~~ conveyance or 5082
transfer, grant ~~such the~~ right, or execute ~~such the~~ instrument, 5083
and unless the state by ~~such that~~ instrument expressly exercises 5084
~~such that~~ right, nor shall any public utility be required to move 5085
or relocate any of its facilities that may be located in or on the 5086
areas described in ~~any such the~~ conveyance, transfer, easement, 5087
lease, permit, or other instrument. 5088

Sec. 5502.02. All expenditures for the ~~operation~~ 5089
administration and maintenance of enforcement of motor vehicle and 5090
traffic laws by the department of public safety shall be paid out 5091
of moneys derived from fees, excises, or license taxes relating to 5092
registration, operation, or use of vehicles on public highways or 5093
to fuels used for propelling such vehicles as provided in Section 5094

5a of Article XII, Ohio Constitution. 5095

Sec. 5502.39. There is hereby created in the state treasury 5096
the emergency management agency service and reimbursement fund. 5097
The fund shall consist of money collected under sections 5502.21 5098
to 5502.38 of the Revised Code. All money in the fund shall be 5099
used to pay the costs of administering programs of the emergency 5100
management agency. 5101

Sec. 5517.011. (A)(1) Notwithstanding section 5517.01 of the 5102
Revised Code, the director of transportation may establish a pilot 5103
program to expedite the sale and construction of no more than six 5104
special projects by combining the design and construction elements 5105
of a highway or bridge project into a single contract. The 5106
director shall prepare and distribute a scope of work document 5107
upon which the bidders shall base their bids. Except in regard to 5108
those requirements relating to providing plans, the director shall 5109
award contracts under this section in accordance with section 5110
5525.01 Chapter 5525. of the Revised Code. 5111

~~(2) On or before December 31, 2002, the director shall~~ 5112
~~prepare and submit to the general assembly a report evaluating the~~ 5113
~~experience of the department of transportation with each project~~ 5114
~~under this division and contract under division (B) of this~~ 5115
~~section, including whether the department realized any cost or~~ 5116
~~time savings. Regarding those projects and contracts, the report~~ 5117
~~shall include a discussion of the number and cost of change~~ 5118
~~orders, the quality of work performed, the number of bids~~ 5119
~~received, the impact on minority and female contract~~ 5120
~~participation, and other issues the director considers~~ 5121
~~appropriate. The director also may make recommendations regarding~~ 5122
~~the continuation of the program, including the need for any~~ 5123
~~changes.~~ 5124

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

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

~~(1) When the director determines to award a single contract
for a design build project under this division through the receipt
of bids, except for those requirements relating to providing
plans, the director shall award contracts in accordance with
Chapter 5525. of the Revised Code. When the director determines to
award a single contract for a design build project under this
division through the receipt of technical proposals, the director
shall advertise and select the design build team using a
value based selection process combining technical qualifications
and competitive bidding elements.~~

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

~~(3)(a) If the director elects to utilize a value based
selection process for design build projects through the receipt of
technical proposals, the director shall restrict usage of this~~

~~method to no more than eighty five million dollars and no more
than two projects, whose per project estimate must exceed twenty
million dollars. The director shall prepare conceptual documents
for review by interested parties, accept letters of interest, and
select the three most qualified design build teams to submit a
technical proposal.~~

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

~~(b) After the director selects the three finalists, the
finalists shall prepare both a technical proposal and a price
proposal. The technical proposal shall state the finalist's
qualifications and experience, including prior performance by the
design build team on similar projects, the identity of the members
of each team, and a detailed project approach and schedule. The
technical proposal also may include innovative design and
construction techniques, aesthetics, environmental protection, a
maintenance of traffic plan, and the type and duration of warranty
coverage. The finalists shall submit the price proposal separately
as requested by the director.~~

~~The director first shall review the submitted technical
proposals and ascribe a numerical score to each proposal. The
technical numerical scores shall be equated to a percentage
adjustment to be applied to the finalists' price proposals, using
a predetermined schedule of adjustment made known to the finalists
at the time of advertising. In no case shall the technical
proposal rating exceed twenty five per cent of the value based~~

~~technical and price selection criteria. The director shall reserve
the right to consider a technical proposal as being nonresponsive,
thereby eliminating that finalist from further consideration.~~

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

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

Sec. 5517.02. (A) Before undertaking the construction,
improvement, maintenance, or repair of a state highway, or a
bridge or culvert thereon, or the installation, maintenance, or
repair of a traffic control signal on a state highway, the
director of transportation shall make an estimate of the cost of
the work, ~~which estimate shall include labor, material, freight,
fuel, use of equipment, and all other items of cost and expense~~
using the force account project assessment form developed by the
auditor of state under section 117.16 of the Revised Code. In
constructing, improving, maintaining, and repairing state
highways, and the bridges and culverts thereon, and in installing,
maintaining, and repairing traffic control signals on state

highways, the director, except as provided in division (B) of this 5219
section, shall proceed by contract let to the lowest competent and 5220
responsible bidder, after advertisement as provided in section 5221
5525.01 of the Revised Code. 5222

~~The above provision relating to the performance of work by~~ 5223
~~contract applies to all construction and reconstruction, except in~~ 5224
~~the case of a bridge or culvert, or the installation of a traffic~~ 5225
~~control signal, estimated to cost not more than twenty thousand~~ 5226
~~dollars.~~ (B)(1) Where the work contemplated is the construction of 5227
a bridge or culvert, or the installation of a traffic control 5228
signal, estimated to cost not more than ~~twenty~~ fifty thousand 5229
dollars, the director may proceed by employing labor, purchasing 5230
materials, and furnishing equipment. 5231

(2) The director may also proceed with maintenance or repair 5232
work by employing labor, purchasing materials, and furnishing 5233
equipment, provided the total estimated cost of the completed 5234
operation, or series of connected operations, does not exceed ~~ten~~ 5235
twenty-five thousand dollars per mile of highway, exclusive of 5236
structures and traffic control signals, or ~~twenty~~ fifty thousand 5237
dollars for any single structure or traffic control signal. ~~The~~ 5238

(3) ~~The~~ director may proceed by furnishing equipment, 5239
purchasing materials, and employing labor in the erection of 5240
temporary bridges or the making of temporary repairs to a highway 5241
or bridge rendered necessary by flood, landslide, or other 5242
extraordinary emergency. If the director determines ~~that he is~~ 5243
~~unable~~ inability to complete such emergency work by force account, 5244
~~then he~~ the director may contract for any part of the work, with 5245
or without advertising for bids, as ~~he~~ the director considers for 5246
the best interest of the department of transportation. 5247

Sec. 5525.20. (A) Subject to division (B) of this section, 5248

the director of transportation may include incentive and 5249
disincentive provisions in contracts ~~he~~ the director executes for 5250
projects or portions or phases of projects that involve any of the 5251
following: 5252

(1) A major bridge out of service; 5253

(2) A lengthy detour; 5254

(3) Excessive disruption to traffic; 5255

(4) A significant impact on public safety; 5256

(5) A link that completes a segment of a highway. 5257

(B) No such provisions shall be included in any particular 5258
contract without the prior consent of the municipal corporation, 5259
or, if outside a municipal corporation and off the state highway 5260
system, the prior consent of the board of county commissioners of 5261
the county, in which the bridge, detour, disruption, impact, or 5262
link will be located or occur. 5263

(C) If the director decides to include incentive and 5264
disincentive provisions in such contracts, ~~he~~ the director shall 5265
make those provisions part of the bid proposal issued by ~~him~~ the 5266
director pursuant to this chapter and shall also adopt rules, in 5267
accordance with Chapter 119. of the Revised Code, governing the 5268
formulation and use of those provisions. The rules shall be 5269
equivalent in scope, content, and coverage to the regulations the 5270
federal highway administrator issues concerning the use of such 5271
provisions in state contracts. 5272

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

also may elect to compensate the contractor in the form of a lump 5279
sum incentive for completing critical work ahead of schedule. 5280

Sec. 5531.10. (A) As used in this chapter: 5281

(1) "Bond proceedings" means the resolution, order, trust 5282
agreement, indenture, lease, lease-purchase agreements, and other 5283
agreements, amendments and supplements to the foregoing, or any 5284
one or more or combination thereof, authorizing or providing for 5285
the terms and conditions applicable to, or providing for the 5286
security or liquidity of, obligations issued pursuant to this 5287
section, and the provisions contained in such obligations. 5288

(2) "Bond service charges" means principal, including 5289
mandatory sinking fund requirements for retirement of obligations, 5290
and interest, and redemption premium, if any, required to be paid 5291
by the state on obligations. 5292

(3) "Bond service fund" means the applicable fund and 5293
accounts therein created for and pledged to the payment of bond 5294
service charges, which may be, or may be part of, the state 5295
infrastructure bank revenue bond service fund created by division 5296
(R) of this section including all moneys and investments, and 5297
earnings from investments, credited and to be credited thereto. 5298

(4) "Issuing authority" means the treasurer of state, or the 5299
officer who by law performs the functions of the treasurer of 5300
state. 5301

(5) "Obligations" means bonds, notes, or other evidence of 5302
obligation including interest coupons pertaining thereto, issued 5303
pursuant to this section. 5304

(6) "Pledged receipts" means moneys accruing to the state 5305
from the lease, lease-purchase, sale, or other disposition, or 5306
use, of qualified projects, and from the repayment, including 5307
interest, of loans made from proceeds received from the sale of 5308

obligations; accrued interest received from the sale of 5309
obligations; income from the investment of the special funds; any 5310
gifts, grants, donations, and pledges, and receipts therefrom, 5311
available for the payment of bond service charges; and any amounts 5312
in the state infrastructure bank pledged to the payment of such 5313
charges. If the amounts in the state infrastructure bank are 5314
insufficient for the payment of such charges, "pledged receipts" 5315
also means moneys that are apportioned by the United States 5316
secretary of transportation under United States Code, Title XXIII, 5317
as amended, or any successor legislation, or under any other 5318
federal law relating to aid for highways, and that are to be 5319
received as a grant by the state, to the extent the state is not 5320
prohibited by state or federal law from using such moneys and the 5321
moneys are pledged to the payment of such bond service charges. 5322

(7) "Special funds" or "funds" means, except where the 5323
context does not permit, the bond service fund, and any other 5324
funds, including reserve funds, created under the bond 5325
proceedings, and the state infrastructure bank revenue bond 5326
service fund created by division (R) of this section to the extent 5327
provided in the bond proceedings, including all moneys and 5328
investments, and earnings from investment, credited and to be 5329
credited thereto. 5330

(8) "State infrastructure project" means any public 5331
transportation project undertaken by the state, including, but not 5332
limited to, all components of any such project, as described in 5333
division (D) of section 5131.09 of the Revised Code. 5334

(B) The issuing authority, after giving written notice to the 5335
director of budget and management and upon the certification by 5336
the director of transportation to the issuing authority of the 5337
amount of moneys or additional moneys needed either for state 5338
infrastructure projects or to provide financial assistance for any 5339
of the purposes for which the state infrastructure bank may be 5340

used under section 5531.09 of the Revised Code, or needed for 5341
capitalized interest, funding reserves, and paying costs and 5342
expenses incurred in connection with the issuance, carrying, 5343
securing, paying, redeeming, or retirement of the obligations or 5344
any obligations refunded thereby, including payment of costs and 5345
expenses relating to letters of credit, lines of credit, 5346
insurance, put agreements, standby purchase agreements, indexing, 5347
marketing, remarketing and administrative arrangements, interest 5348
swap or hedging agreements, and any other credit enhancement, 5349
liquidity, remarketing, renewal, or refunding arrangements, all of 5350
which are authorized by this section, shall issue obligations of 5351
the state under this section in the required amount. The proceeds 5352
of such obligations, except for the portion to be deposited in 5353
special funds, including reserve funds, as may be provided in the 5354
bond proceedings, shall as provided in the bond proceedings be 5355
credited to the infrastructure bank obligations fund of the state 5356
infrastructure bank created by section 5531.09 of the Revised 5357
Code. The issuing authority may appoint trustees, paying agents, 5358
transfer agents, and authenticating agents, and may retain the 5359
services of financial advisors, accounting experts, and attorneys, 5360
and retain or contract for the services of marketing, remarketing, 5361
indexing, and administrative agents, other consultants, and 5362
independent contractors, including printing services, as are 5363
necessary in the issuing authority's judgment to carry out this 5364
section. The costs of such services are payable from funds of the 5365
state infrastructure bank. 5366

(C) The holders or owners of such obligations shall have no 5367
right to have moneys raised by taxation by the state of Ohio 5368
obligated or pledged, and moneys so raised shall not be obligated 5369
or pledged, for the payment of bond service charges. The right of 5370
such holders and owners to the payment of bond service charges is 5371
limited to all or that portion of the pledged receipts and those 5372
special funds pledged thereto pursuant to the bond proceedings for 5373

such obligations in accordance with this section, and each such 5374
obligation shall bear on its face a statement to that effect. 5375

(D) Obligations shall be authorized by order of the issuing 5376
authority and the bond proceedings shall provide for the purpose 5377
thereof and the principal amount or amounts, and shall provide for 5378
or authorize the manner or agency for determining the principal 5379
maturity or maturities, not exceeding twenty-five years from the 5380
date of issuance, the interest rate or rates or the maximum 5381
interest rate, the date of the obligations and the dates of 5382
payment of interest thereon, their denomination, and the 5383
establishment within or without the state of a place or places of 5384
payment of bond service charges. Sections 9.98 to 9.983 of the 5385
Revised Code are applicable to obligations issued under this 5386
section. The purpose of such obligations may be stated in the bond 5387
proceedings in terms describing the general purpose or purposes to 5388
be served. The bond proceedings also shall provide, subject to the 5389
provisions of any other applicable bond proceedings, for the 5390
pledge of all, or such part as the issuing authority may 5391
determine, of the pledged receipts and the applicable special fund 5392
or funds to the payment of bond service charges, which pledges may 5393
be made either prior or subordinate to other expenses, claims, or 5394
payments, and may be made to secure the obligations on a parity 5395
with obligations theretofore or thereafter issued, if and to the 5396
extent provided in the bond proceedings. The pledged receipts and 5397
special funds so pledged and thereafter received by the state 5398
immediately are subject to the lien of such pledge without any 5399
physical delivery thereof or further act, and the lien of any such 5400
pledges is valid and binding against all parties having claims of 5401
any kind against the state or any governmental agency of the 5402
state, irrespective of whether such parties have notice thereof, 5403
and shall create a perfected security interest for all purposes of 5404
Chapter 1309. of the Revised Code, without the necessity for 5405
separation or delivery of funds or for the filing or recording of 5406

the bond proceedings by which such pledge is created or any 5407
certificate, statement, or other document with respect thereto; 5408
and the pledge of such pledged receipts and special funds is 5409
effective and the money therefrom and thereof may be applied to 5410
the purposes for which pledged without necessity for any act of 5411
appropriation. Every pledge, and every covenant and agreement made 5412
with respect thereto, made in the bond proceedings may therein be 5413
extended to the benefit of the owners and holders of obligations 5414
authorized by this section, and to any trustee therefor, for the 5415
further security of the payment of the bond service charges. 5416

(E) The bond proceedings may contain additional provisions as 5417
to: 5418

(1) The redemption of obligations prior to maturity at the 5419
option of the issuing authority at such price or prices and under 5420
such terms and conditions as are provided in the bond proceedings; 5421

(2) Other terms of the obligations; 5422

(3) Limitations on the issuance of additional obligations; 5423

(4) The terms of any trust agreement or indenture securing 5424
the obligations or under which the same may be issued; 5425

(5) The deposit, investment, and application of special 5426
funds, and the safeguarding of moneys on hand or on deposit, 5427
without regard to Chapter 131. or 135. of the Revised Code, but 5428
subject to any special provisions of this section with respect to 5429
particular funds or moneys, provided that any bank or trust 5430
company which acts as depository of any moneys in the special 5431
funds may furnish such indemnifying bonds or may pledge such 5432
securities as required by the issuing authority; 5433

(6) Any or every provision of the bond proceedings being 5434
binding upon such officer, board, commission, authority, agency, 5435
department, or other person or body as may from time to time have 5436
the authority under law to take such actions as may be necessary 5437

to perform all or any part of the duty required by such provision; 5438

(7) Any provision that may be made in a trust agreement or 5439
indenture; 5440

(8) Any other or additional agreements with the holders of 5441
the obligations, or the trustee therefor, relating to the 5442
obligations or the security therefor, including the assignment of 5443
mortgages or other security relating to financial assistance for 5444
qualified projects under section 5531.09 of the Revised Code. 5445

(F) The obligations may have the great seal of the state or a 5446
facsimile thereof affixed thereto or printed thereon. The 5447
obligations and any coupons pertaining to obligations shall be 5448
signed or bear the facsimile signature of the issuing authority. 5449
Any obligations or coupons may be executed by the person who, on 5450
the date of execution, is the proper issuing authority although on 5451
the date of such bonds or coupons such person was not the issuing 5452
authority. In case the issuing authority whose signature or a 5453
facsimile of whose signature appears on any such obligation or 5454
coupon ceases to be the issuing authority before delivery thereof, 5455
such signature or facsimile nevertheless is valid and sufficient 5456
for all purposes as if the former issuing authority had remained 5457
the issuing authority until such delivery; and in case the seal to 5458
be affixed to obligations has been changed after a facsimile of 5459
the seal has been imprinted on such obligations, such facsimile 5460
seal shall continue to be sufficient as to such obligations and 5461
obligations issued in substitution or exchange therefor. 5462

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

obligations so registered, and for the conversion or reconversion 5470
into obligations with coupons attached thereto of any obligations 5471
registered as to both principal and interest, and for reasonable 5472
charges for such registration, exchange, conversion, and 5473
reconversion. 5474

(H) Obligations may be sold at public sale or at private 5475
sale, as determined in the bond proceedings. 5476

(I) Pending preparation of definitive obligations, the 5477
issuing authority may issue interim receipts or certificates which 5478
shall be exchanged for such definitive obligations. 5479

(J) In the discretion of the issuing authority, obligations 5480
may be secured additionally by a trust agreement or indenture 5481
between the issuing authority and a corporate trustee which may be 5482
any trust company or bank having its principal place of business 5483
within the state. Any such agreement or indenture may contain the 5484
order authorizing the issuance of the obligations, any provisions 5485
that may be contained in any bond proceedings, and other 5486
provisions which are customary or appropriate in an agreement or 5487
indenture of such type, including, but not limited to: 5488

(1) Maintenance of each pledge, trust agreement, indenture, 5489
or other instrument comprising part of the bond proceedings until 5490
the state has fully paid the bond service charges on the 5491
obligations secured thereby, or provision therefor has been made; 5492

(2) In the event of default in any payments required to be 5493
made by the bond proceedings, or any other agreement of the 5494
issuing authority made as a part of the contract under which the 5495
obligations were issued, enforcement of such payments or agreement 5496
by mandamus, the appointment of a receiver, suit in equity, action 5497
at law, or any combination of the foregoing; 5498

(3) The rights and remedies of the holders of obligations and 5499
of the trustee, and provisions for protecting and enforcing them, 5500

including limitations on the rights of individual holders of 5501
obligations; 5502

(4) The replacement of any obligations that become mutilated 5503
or are destroyed, lost, or stolen; 5504

(5) Such other provisions as the trustee and the issuing 5505
authority agree upon, including limitations, conditions, or 5506
qualifications relating to any of the foregoing. 5507

(K) Any holder of obligations or a trustee under the bond 5508
proceedings, except to the extent that the holder's or trustee's 5509
rights are restricted by the bond proceedings, may by any suitable 5510
form of legal proceedings, protect and enforce any rights under 5511
the laws of this state or granted by such bond proceedings. Such 5512
rights include the right to compel the performance of all duties 5513
of the issuing authority and the director of transportation 5514
required by the bond proceedings or sections 5531.09 and 5531.10 5515
of the Revised Code; to enjoin unlawful activities; and in the 5516
event of default with respect to the payment of any bond service 5517
charges on any obligations or in the performance of any covenant 5518
or agreement on the part of the issuing authority or the director 5519
of transportation in the bond proceedings, to apply to a court 5520
having jurisdiction of the cause to appoint a receiver to receive 5521
and administer the pledged receipts and special funds, other than 5522
those in the custody of the treasurer of state, which are pledged 5523
to the payment of the bond service charges on such obligations or 5524
which are the subject of the covenant or agreement, with full 5525
power to pay, and to provide for payment of bond service charges 5526
on, such obligations, and with such powers, subject to the 5527
direction of the court, as are accorded receivers in general 5528
equity cases, excluding any power to pledge additional revenues or 5529
receipts or other income or moneys of the state or local 5530
governmental entities, or agencies thereof, to the payment of such 5531
principal and interest and excluding the power to take possession 5532

of, mortgage, or cause the sale or otherwise dispose of any 5533
project facilities. 5534

Each duty of the issuing authority and the issuing 5535
authority's officers and employees, and of each state or local 5536
governmental agency and its officers, members, or employees, 5537
undertaken pursuant to the bond proceedings or any loan, loan 5538
guarantee, lease, lease-purchase agreement, or other agreement 5539
made under authority of section 5531.09 of the Revised Code, and 5540
in every agreement by or with the issuing authority, is hereby 5541
established as a duty of the issuing authority, and of each such 5542
officer, member, or employee having authority to perform such 5543
duty, specifically enjoined by the law resulting from an office, 5544
trust, or station within the meaning of section 2731.01 of the 5545
Revised Code. 5546

The person who is at the time the issuing authority, or the 5547
issuing authority's officers or employees, are not liable in their 5548
personal capacities on any obligations issued by the issuing 5549
authority or any agreements of or with the issuing authority. 5550

(L) The issuing authority may authorize and issue obligations 5551
for the refunding, including funding and retirement, and advance 5552
refunding with or without payment or redemption prior to maturity, 5553
of any obligations previously issued by the issuing authority. 5554
Such obligations may be issued in amounts sufficient for payment 5555
of the principal amount of the prior obligations, any redemption 5556
premiums thereon, principal maturities of any such obligations 5557
maturing prior to the redemption of the remaining obligations on a 5558
parity therewith, interest accrued or to accrue to the maturity 5559
dates or dates of redemption of such obligations, and any expenses 5560
incurred or to be incurred in connection with such issuance and 5561
such refunding, funding, and retirement. Subject to the bond 5562
proceedings therefor, the portion of proceeds of the sale of 5563
obligations issued under this division to be applied to bond 5564

service charges on the prior obligations shall be credited to an 5565
appropriate account held by the trustee for such prior or new 5566
obligations or to the appropriate account in the bond service fund 5567
for such obligations. Obligations authorized under this division 5568
shall be deemed to be issued for those purposes for which such 5569
prior obligations were issued and are subject to the provisions of 5570
this section pertaining to other obligations, except as otherwise 5571
provided in this section. The last maturity of obligations 5572
authorized under this division shall not be later than twenty-five 5573
years from the date of issuance of the original securities issued 5574
for the original purpose. 5575

(M) The authority to issue obligations under this section 5576
includes authority to issue obligations in the form of bond 5577
anticipation notes and to renew the same from time to time by the 5578
issuance of new notes. The holders of such notes or interest 5579
coupons pertaining thereto shall have a right to be paid solely 5580
from the pledged receipts and special funds that may be pledged to 5581
the payment of the bonds anticipated, or from the proceeds of such 5582
bonds or renewal notes, or both, as the issuing authority provides 5583
in the order authorizing such notes. Such notes may be 5584
additionally secured by covenants of the issuing authority to the 5585
effect that the issuing authority and the state will do such or 5586
all things necessary for the issuance of such bonds or renewal 5587
notes in the appropriate amount, and apply the proceeds thereof to 5588
the extent necessary, to make full payment of the principal of and 5589
interest on such notes at the time or times contemplated, as 5590
provided in such order. For such purpose, the issuing authority 5591
may issue bonds or renewal notes in such principal amount and upon 5592
such terms as may be necessary to provide funds to pay when 5593
required the principal of and interest on such notes, 5594
notwithstanding any limitations prescribed by or for purposes of 5595
this section. Subject to this division, all provisions for and 5596
references to obligations in this section are applicable to notes 5597

authorized under this division. 5598

The issuing authority in the bond proceedings authorizing the 5599
issuance of bond anticipation notes shall set forth for such bonds 5600
an estimated interest rate and a schedule of principal payments 5601
for such bonds and the annual maturity dates thereof. 5602

(N) Obligations issued under this section are lawful 5603
investments for banks, societies for savings, savings and loan 5604
associations, deposit guarantee associations, trust companies, 5605
trustees, fiduciaries, insurance companies, including domestic for 5606
life and domestic not for life, trustees or other officers having 5607
charge of sinking and bond retirement or other special funds of 5608
political subdivisions and taxing districts of this state, the 5609
commissioners of the sinking fund of the state, the administrator 5610
of workers' compensation in accordance with the investment policy 5611
established by the workers' compensation oversight commission 5612
pursuant to section 4121.12 of the Revised Code, the state 5613
teachers retirement system, the public employees retirement 5614
system, the school employees retirement system, and the Ohio 5615
police and fire pension fund, notwithstanding any other provisions 5616
of the Revised Code or rules adopted pursuant thereto by any 5617
agency of the state with respect to investments by them, and are 5618
also acceptable as security for the deposit of public moneys. 5619

(O) Unless otherwise provided in any applicable bond 5620
proceedings, moneys to the credit of or in the special funds 5621
established by or pursuant to this section may be invested by or 5622
on behalf of the issuing authority only in notes, bonds, or other 5623
obligations of the United States, or of any agency or 5624
instrumentality of the United States, obligations guaranteed as to 5625
principal and interest by the United States, obligations of this 5626
state or any political subdivision of this state, and certificates 5627
of deposit of any national bank located in this state and any 5628
bank, as defined in section 1101.01 of the Revised Code, subject 5629

to inspection by the superintendent of financial institutions. If 5630
the law or the instrument creating a trust pursuant to division 5631
(J) of this section expressly permits investment in direct 5632
obligations of the United States or an agency of the United 5633
States, unless expressly prohibited by the instrument, such moneys 5634
also may be invested in no-front-end-load money market mutual 5635
funds consisting exclusively of obligations of the United States 5636
or an agency of the United States and in repurchase agreements, 5637
including those issued by the fiduciary itself, secured by 5638
obligations of the United States or an agency of the United 5639
States; and in collective investment funds as defined in division 5640
(A) of section 1111.01 of the Revised Code and consisting 5641
exclusively of any such securities. The income from such 5642
investments shall be credited to such funds as the issuing 5643
authority determines, and such investments may be sold at such 5644
times as the issuing authority determines or authorizes. 5645

(P) Provision may be made in the applicable bond proceedings 5646
for the establishment of separate accounts in the bond service 5647
fund and for the application of such accounts only to the 5648
specified bond service charges on obligations pertinent to such 5649
accounts and bond service fund and for other accounts therein 5650
within the general purposes of such fund. Unless otherwise 5651
provided in any applicable bond proceedings, moneys to the credit 5652
of or in the several special funds established pursuant to this 5653
section shall be disbursed on the order of the treasurer of state, 5654
provided that no such order is required for the payment from the 5655
bond service fund when due of bond service charges on obligations. 5656

(Q)(1) The issuing authority may pledge all, or such portion 5657
as the issuing authority determines, of the pledged receipts to 5658
the payment of bond service charges on obligations issued under 5659
this section, and for the establishment and maintenance of any 5660
reserves, as provided in the bond proceedings, and make other 5661

provisions therein with respect to pledged receipts as authorized 5662
by this chapter, which provisions are controlling notwithstanding 5663
any other provisions of law pertaining thereto. 5664

(2) An action taken under division (Q)(2) of this section 5665
does not limit the generality of division (Q)(1) of this section, 5666
and is subject to division (C) of this section and, if and to the 5667
extent otherwise applicable, Section 13 of Article VIII, Ohio 5668
Constitution. The bond proceedings may contain a covenant that, in 5669
the event the pledged receipts primarily pledged and required to 5670
be used for the payment of bond service charges on obligations 5671
issued under this section, and for the establishment and 5672
maintenance of any reserves, as provided in the bond proceedings, 5673
are insufficient to make any such payment in full when due, or to 5674
maintain any such reserve, the director of transportation shall so 5675
notify the governor, and shall determine to what extent, if any, 5676
the payment may be made or moneys may be restored to the reserves 5677
from lawfully available moneys previously appropriated for that 5678
purpose to the department of transportation. The covenant also may 5679
provide that if the payments are not made or the moneys are not 5680
immediately and fully restored to the reserves from such moneys, 5681
the director shall promptly submit to the governor and to the 5682
director of budget and management a written request for either or 5683
both of the following: 5684

(a) That the next biennial budget submitted by the governor 5685
to the general assembly include an amount to be appropriated from 5686
lawfully available moneys to the department for the purpose of and 5687
sufficient for the payment in full of bond service charges 5688
previously due and for the full replenishment of the reserves; 5689

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

due in the biennium and for the full replenishment of the 5694
reserves. 5695

The director of transportation shall include with such 5696
requests a recommendation that the payment of the bond service 5697
charges and the replenishment of the reserves be made in the 5698
interest of maximizing the benefits of the state infrastructure 5699
bank. Any such covenant shall not obligate or purport to obligate 5700
the state to pay the bond service charges on such bonds or notes 5701
or to deposit moneys in a reserve established for such payments 5702
other than from moneys that may be lawfully available and 5703
appropriated for that purpose during the then-current biennium. 5704

(R) There is hereby created the state infrastructure bank 5705
revenue bond service fund, which shall be in the custody of the 5706
treasurer of state but shall not be a part of the state treasury. 5707
All moneys received by or on account of the issuing authority or 5708
state agencies and required by the applicable bond proceedings, 5709
consistent with this section, to be deposited, transferred, or 5710
credited to the bond service fund, and all other moneys 5711
transferred or allocated to or received for the purposes of the 5712
fund, shall be deposited and credited to such fund and to any 5713
separate accounts therein, subject to applicable provisions of the 5714
bond proceedings, but without necessity for any act of 5715
appropriation. The state infrastructure bank revenue bond service 5716
fund is a trust fund and is hereby pledged to the payment of bond 5717
service charges to the extent provided in the applicable bond 5718
proceedings, and payment thereof from such fund shall be made or 5719
provided for by the treasurer of state in accordance with such 5720
bond proceedings without necessity for any act of appropriation. 5721

(S) The obligations issued pursuant to this section, the 5722
transfer thereof, and the income therefrom, including any profit 5723
made on the sale thereof, shall at all times be free from taxation 5724
within this state. 5725

Sec. 5543.19. (A) The county engineer may, when authorized by 5726
the board of county commissioners and not required by this section 5727
or other law to use competitive bidding, employ such laborers and 5728
vehicles, use such county employees and property, lease such 5729
implements and tools, and purchase such materials as are necessary 5730
in the construction, reconstruction, improvement, maintenance, or 5731
repair of roads by force account. 5732

In determining whether ~~he may undertake~~ construction or 5733
reconstruction, including widening and resurfacing, of roads may 5734
be undertaken by force account, the county engineer shall first 5735
cause to be made an estimate of the cost of such work, ~~which~~ 5736
~~estimate shall include labor, material, freight, fuel, hauling,~~ 5737
~~use of machinery and equipment, and all other items of cost~~ using 5738
the force account project assessment form developed by the auditor 5739
of state under section 117.16 of the Revised Code. When the total 5740
estimated cost of the work exceeds ~~ten~~ thirty thousand dollars per 5741
mile, the county commissioners shall invite and receive 5742
competitive bids for furnishing all the labor, materials, and 5743
equipment necessary to complete the work in accordance with 5744
sections 307.86 to 307.92, ~~inclusive,~~ of the Revised Code. 5745

(B) The county engineer may, when authorized by the board of 5746
county commissioners and not required by this section or other law 5747
to use competitive bidding, employ such laborers and vehicles, use 5748
such county employees and property, lease such implements and 5749
tools, and purchase such materials as are necessary in the 5750
construction, reconstruction, improvement, maintenance, or repair 5751
of bridges and culverts by force account. 5752

In determining whether ~~he may undertake~~ such construction, 5753
reconstruction, improvement, maintenance, or repair of bridges or 5754
culverts may be undertaken by force account, the county engineer 5755
shall first cause to be made an estimate of the cost of such work, 5756

~~which estimate shall include labor, material, freight, fuel,~~ 5757
~~hauling, use of machinery and equipment, and all other items of~~ 5758
~~cost~~ using the force account project assessment form. When the 5759
total estimated cost of the work exceeds ~~forty one hundred~~ 5760
thousand dollars, the board of county commissioners shall invite 5761
and receive competitive bids for furnishing all the labor, 5762
materials, and equipment necessary to complete the work, in 5763
accordance with sections 307.86 to 307.92, ~~inclusive,~~ of the 5764
Revised Code. The county engineer shall obtain the approval 5765
required by section 5543.02 of the Revised Code. 5766

(C) "Force account," as used in this section means that the 5767
county engineer will act as contractor, using labor employed by 5768
~~him~~ the engineer using material and equipment either owned by the 5769
county or leased or purchased in compliance with sections 307.86 5770
to 307.92, ~~inclusive,~~ of the Revised Code and excludes 5771
subcontracting any part of such work unless done pursuant to 5772
sections 307.86 to 307.92, ~~inclusive,~~ of the Revised Code. 5773

The term "competitive bids" as used in this section requires 5774
competition for the whole contract and in regard to its component 5775
parts, including labor and materials. Neither plans nor 5776
specifications shall be drawn to favor any manufacturer or bidder 5777
unless required by the public interest. 5778

Sec. 5543.22. Notwithstanding sections 153.65 to 153.71 of 5779
the Revised Code, a county engineer may combine the design and 5780
construction elements of a bridge, highway, or safety project into 5781
a single contract, but only if the cost of the project as bid does 5782
not exceed one million five hundred thousand dollars. 5783

When required to use competitive bidding, the county engineer 5784
shall award a design-build contract in accordance with sections 5785
307.86 to 307.92 of the Revised Code. In lieu of the requirement 5786
for plans, the county engineer shall prepare and distribute a 5787

scope of work document upon which bidders shall base their bids. 5788

A county engineer may request the director of transportation 5789
to review and comment on the scope of work document or the 5790
construction plans for conformance with state and federal 5791
requirements. If so requested, the director shall review and 5792
comment on the document or plans. 5793

Sec. 5575.01. In the maintenance and repair of roads the 5794
board of township trustees may proceed either by contract or force 5795
account, provided the board has first caused the county engineer 5796
to complete the force account assessment form developed by the 5797
auditor of state under section 117.16 of the Revised Code. Except 5798
as otherwise provided in sections 505.08 and 505.101 of the 5799
Revised Code, when the board proceeds by contract the contract 5800
shall, if the amount involved exceeds ~~fifteen~~ forty-five thousand 5801
dollars, be let by the board to the lowest responsible bidder 5802
after advertisement for bids once, not later than two weeks prior 5803
to the date fixed for the letting of such contract, in a newspaper 5804
published in the county and of general circulation within the 5805
township, but if there is no such paper published in the county, 5806
then in one having general circulation in the township. If the 5807
amount involved is ~~fifteen~~ forty-five thousand dollars or less ~~the~~ 5808
a contract may be let without competitive bidding or the work may 5809
be done by force account. Such contract shall be performed under 5810
the supervision of a member of the board or the township road 5811
superintendent. 5812

Before undertaking the construction or reconstruction of a 5813
township road, the board shall cause to be made by the county 5814
engineer an estimate of the cost of such work, which estimate 5815
shall include labor, material, freight, fuel, hauling, use of 5816
machinery and equipment, and all other items of cost. If the board 5817
finds it in the best interest of the public, it may, in lieu of 5818

constructing the road by contract, proceed to construct the road 5819
by force account. Except as otherwise provided under sections 5820
505.08 and 505.101 of the Revised Code, where the total estimate 5821
cost of the work exceeds ~~five~~ fifteen thousand dollars per mile, 5822
the board shall invite and receive competitive bids for furnishing 5823
all the labor, materials, and equipment and doing the work, as 5824
provided in section 5575.02 of the Revised Code, and shall 5825
consider and reject them before ordering the work done by force 5826
account. When such bids are received, considered, and rejected, 5827
and the work done by force account, such work shall be performed 5828
in compliance with the plans and specifications upon which the 5829
bids were based. 5830

All force account work shall be done under the direction of a 5831
member of the board or the superintendent. 5832

Sec. 5735.27. (A) There is hereby created in the state 5833
treasury the gasoline excise tax fund, which shall be distributed 5834
in the following manner: 5835

(1) The amount credited pursuant to divisions (B)(2)(a) and 5836
(C)(2)(a) of section 5735.23 of the Revised Code shall be 5837
distributed among municipal corporations. The amount paid to each 5838
municipal corporation shall be that proportion of the amount to be 5839
so distributed that the number of motor vehicles registered within 5840
such municipal corporation bears to the total number of motor 5841
vehicles registered within all the municipal corporations of this 5842
state during the preceding motor vehicle registration year. When a 5843
new village is incorporated, the registrar of motor vehicles shall 5844
determine from the applications on file in the bureau of motor 5845
vehicles the number of motor vehicles located within the territory 5846
comprising the village during the entire registration year in 5847
which such municipal corporation was incorporated. The registrar 5848
shall forthwith certify the number of motor vehicles so determined 5849

to the tax commissioner for use in distributing motor vehicle fuel 5850
tax funds to such village until such village is qualified to 5851
participate in the distribution of such funds pursuant to this 5852
division. The number of such motor vehicle registrations shall be 5853
determined by the official records of the bureau of motor 5854
vehicles. The amount received by each municipal corporation shall 5855
be used to plan, construct, reconstruct, repave, widen, maintain, 5856
repair, clear, and clean public highways, roads, and streets; to 5857
maintain and repair bridges and viaducts; to purchase, erect, and 5858
maintain street and traffic signs and markers; to pay the costs 5859
apportioned to the municipal corporation under section 4907.47 of 5860
the Revised Code; to purchase, erect, and maintain traffic lights 5861
and signals; to pay the principal, interest, and charges on bonds 5862
and other obligations issued pursuant to Chapter 133. of the 5863
Revised Code for the purpose of acquiring or constructing roads, 5864
highways, bridges, or viaducts or acquiring or making other 5865
highway improvements for which the municipal corporation may issue 5866
bonds; and to supplement revenue already available for such 5867
purposes. 5868

(2) The amount credited pursuant to division (B) of section 5869
5735.26 of the Revised Code shall be distributed among the 5870
municipal corporations within the state, in the proportion which 5871
the number of motor vehicles registered within each municipal 5872
corporation bears to the total number of motor vehicles registered 5873
within all the municipal corporations of the state during the 5874
preceding calendar year, as shown by the official records of the 5875
bureau of motor vehicles, and shall be expended by each municipal 5876
corporation to plan, construct, reconstruct, repave, widen, 5877
maintain, repair, clear, and clean public highways, roads and 5878
streets; to maintain and repair bridges and viaducts; to purchase, 5879
erect, and maintain street and traffic signs and markers; to 5880
purchase, erect, and maintain traffic lights and signals; to pay 5881
costs apportioned to the municipal corporation under section 5882

4907.47 of the Revised Code; to pay the principal, interest, and 5883
charges on bonds and other obligations issued pursuant to Chapter 5884
133. of the Revised Code for the purpose of acquiring or 5885
constructing roads, highways, bridges, or viaducts or acquiring or 5886
making other highway improvements for which the municipal 5887
corporation may issue bonds; and to supplement revenue already 5888
available for such purposes. 5889

(3) The amount credited pursuant to divisions (B)(2)(b) and 5890
(C)(2)(c) of section 5735.23 of the Revised Code shall be paid in 5891
equal proportions to the county treasurer of each county within 5892
the state and shall be used only for the purposes of planning, 5893
maintaining, and repairing the county system of public roads and 5894
highways within such county; the planning, construction, and 5895
repair of walks or paths along county roads in congested areas; 5896
the planning, construction, purchase, lease, and maintenance of 5897
suitable buildings for the housing and repair of county road 5898
machinery, housing of supplies, and housing of personnel 5899
associated with the machinery and supplies; the payment of costs 5900
apportioned to the county under section 4907.47 of the Revised 5901
Code; the payment of principal, interest, and charges on bonds and 5902
other obligations issued pursuant to Chapter 133. of the Revised 5903
Code for the purpose of acquiring or constructing roads, highways, 5904
bridges, or viaducts or acquiring or making other highway 5905
improvements for which the board of county commissioners may issue 5906
bonds under that chapter; and the purchase, installation, and 5907
maintenance of traffic signal lights. 5908

(4) The amount credited pursuant to division (C) of section 5909
5735.26 of the Revised Code shall be paid in equal proportions to 5910
the county treasurer of each county for the purposes of planning, 5911
maintaining, constructing, widening, and reconstructing the county 5912
system of public roads and highways; paying principal, interest, 5913
and charges on bonds and other obligations issued pursuant to 5914

Chapter 133. of the Revised Code for the purpose of acquiring or 5915
constructing roads, highways, bridges, or viaducts or acquiring or 5916
making other highway improvements for which the board of county 5917
commissioners may issue bonds under such chapter; and paying costs 5918
apportioned to the county under section 4907.47 of the Revised 5919
Code. 5920

(5)(a) The amount credited pursuant to division (D) of 5921
section 5735.26 and division (C)(2)(b) of section 5735.23 of the 5922
Revised Code shall be divided in equal proportions among the 5923
townships within the state ~~and~~. 5924

(b) As used in division (A)(5)(b) of this section, the 5925
"formula amount" for any township is the amount that would be 5926
allocated to that township if fifty per cent of the amount 5927
credited to townships pursuant to section 5735.291 of the Revised 5928
Code were allocated among townships in the state proportionate to 5929
the number of lane miles within the boundaries of the respective 5930
townships and the other fifty per cent of the amount credited 5931
pursuant to section 5735.291 of the Revised Code were allocated 5932
among townships in the state proportionate to the number of motor 5933
vehicles registered within the respective townships. 5934

The amount credited to townships pursuant to section 5735.291 5935
of the Revised Code shall be allocated among townships as follows: 5936

(i) In the year beginning August 15, 2003, each township 5937
shall receive the greater of \$14,718 or seventy per cent of the 5938
formula amount for that township. 5939

(ii) In the year beginning August 15, 2004, each township 5940
shall receive the greater of \$29,436 or seventy per cent of the 5941
formula amount for that township. 5942

(iii) In the year beginning August 15, 2005 each township 5943
shall receive the greater of \$44,155 or seventy per cent of the 5944
formula amount for that township. 5945

(c) All amounts credited pursuant to divisions (a) and (b) of 5946
this section shall be paid to the county treasurer of each county 5947
for the total amount payable to the townships within each of the 5948
counties. The county treasurer shall pay to each township within 5949
the county its ~~equal~~ proportional share of the funds, which shall 5950
be expended by each township for the sole purpose of planning, 5951
constructing, maintaining, widening, and reconstructing the public 5952
roads and highways within such township, and paying costs 5953
apportioned to the township under section 4907.47 of the Revised 5954
Code. 5955

No part of the funds shall be used for any purpose except to 5956
pay in whole or part the contract price of any such work done by 5957
contract, or to pay the cost of labor in planning, constructing, 5958
widening, and reconstructing such roads and highways, and the cost 5959
of materials forming a part of the improvement; provided, that 5960
such funds may be used for the purchase of road machinery and 5961
equipment and for the planning, construction, and maintenance of 5962
suitable buildings for housing road machinery and equipment, and 5963
that all such improvement of roads shall be under supervision and 5964
direction of the county engineer as provided in section 5575.07 of 5965
the Revised Code. No obligation against such funds shall be 5966
incurred unless plans and specifications for such improvement, 5967
approved by the county engineer, are on file in the office of the 5968
township clerk, and all contracts for material and for work done 5969
by contract shall be approved by the county engineer before being 5970
signed by the board of township trustees. The board of township 5971
trustees of any township may pass a resolution permitting the 5972
board of county commissioners to expend such township's share of 5973
the funds, or any portion thereof, for the improvement of such 5974
roads within the township as may be designated in the resolution. 5975

All investment earnings of the fund shall be credited to the 5976
fund. 5977

(B) Amounts credited to the highway operating fund pursuant 5978
to divisions (B)(2)(c) and (C)(2)(d) of section 5735.23 and 5979
division (A) of section 5735.26 of the Revised Code shall be 5980
expended in the following manner: 5981

(1) The amount credited pursuant to divisions (B)(2)(c) and 5982
(C)(2)(d) of section 5735.23 of the Revised Code shall be 5983
apportioned to and expended by the department of transportation 5984
for the purposes of planning, maintaining, repairing, and keeping 5985
in passable condition for travel the roads and highways of the 5986
state required by law to be maintained by the department; paying 5987
the costs apportioned to the state under section 4907.47 of the 5988
Revised Code; paying that portion of the construction cost of a 5989
highway project which a county, township, or municipal corporation 5990
normally would be required to pay, but which the director of 5991
transportation, pursuant to division (B) of section 5531.08 of the 5992
Revised Code, determines instead will be paid from moneys in the 5993
highway operating fund; and paying the costs of the department of 5994
public safety in administering and enforcing the state law 5995
relating to the registration and operation of motor vehicles. 5996

(2) The amount credited pursuant to division (A) of section 5997
5735.26 of the Revised Code shall be used for paying the state's 5998
share of the cost of planning, constructing, widening, 5999
maintaining, and reconstructing the state highways; paying that 6000
portion of the construction cost of a highway project which a 6001
county, township, or municipal corporation normally would be 6002
required to pay, but which the director of transportation, 6003
pursuant to division (B) of section 5531.08 of the Revised Code, 6004
determines instead will be paid from moneys in the highway 6005
operating fund; and also for supplying the state's share of the 6006
cost of eliminating railway grade crossings upon such highways and 6007
costs apportioned to the state under section 4907.47 of the 6008
Revised Code. The director of transportation may expend portions 6009

of such amount upon extensions of state highways within municipal 6010
corporations or upon portions of state highways within municipal 6011
corporations, as is provided by law. 6012

Sec. 5735.29. To provide revenue for supplying the state's 6013
share of the cost of constructing, widening, maintaining, and 6014
reconstructing the state highways; to maintain and repair bridges 6015
and viaducts; to purchase, erect, and maintain street and traffic 6016
signs and markers; to purchase, erect, and maintain traffic lights 6017
and signals; to pay the expense of administering and enforcing the 6018
state law relative to the registration and operation of motor 6019
vehicles; to make road improvements associated with retaining or 6020
attracting business for this state, to pay that portion of the 6021
construction cost of a highway project which a county, township, 6022
or municipal corporation normally would be required to pay, but 6023
which the director of transportation, pursuant to division (B) of 6024
section 5531.08 of the Revised Code, determines instead will be 6025
paid from moneys in the highway operating fund; to provide revenue 6026
for the purposes of sections 1547.71 to 1547.78 of the Revised 6027
Code; and to supplement revenue already available for such 6028
purposes, to pay the expenses of the department of taxation 6029
incident to the administration of the motor fuel laws, to 6030
supplement revenue already available for such purposes; and to pay 6031
the interest, principal, and charges on highway obligations issued 6032
pursuant to Section 2i of Article VIII, Ohio Constitution, and 6033
sections 5528.30 and 5528.31 of the Revised Code; to enable the 6034
counties and townships of the state to properly plan, construct, 6035
widen, reconstruct, and maintain their public highways, roads, and 6036
streets; to enable counties to pay principal, interest, and 6037
charges on bonds and other obligations issued pursuant to Chapter 6038
133. of the Revised Code for highway improvements; to enable 6039
municipal corporations to plan, construct, reconstruct, repave, 6040
widen, maintain, repair, clear, and clean public highways, roads, 6041

and streets; to enable municipal corporations to pay the 6042
principal, interest, and charges on bonds and other obligations 6043
issued pursuant to Chapter 133. of the Revised Code for highway 6044
improvements; and to pay the costs apportioned to the public under 6045
section 4907.47 of the Revised Code, a motor fuel excise tax is 6046
hereby imposed on all motor fuel dealers upon their receipt of 6047
motor fuel within the state at the rate of two cents on each 6048
gallon so received; provided, that effective July 1, 2003, the 6049
motor fuel excise tax imposed by this section shall be at the rate 6050
of four cents on each gallon so received; effective July 1, 2004, 6051
the motor fuel excise tax imposed by this section shall be at the 6052
rate of six cents on each gallon so received; and effective July 6053
1, 2005, the motor fuel excise tax imposed by this section shall 6054
be at the rate of eight cents on each gallon so received. This tax 6055
is subject to the specific exemptions set forth in this chapter of 6056
the Revised Code. It shall be reported, computed, paid, collected, 6057
administered, enforced, and refunded, and the failure properly and 6058
correctly to report and pay the tax shall be penalized, in exactly 6059
the same manner as is provided in this chapter. Such sections 6060
relating to motor fuel excise taxes are reenacted and incorporated 6061
as if specifically set forth in this section. The tax levied by 6062
this section is in addition to any other taxes imposed under this 6063
chapter. 6064

Sec. 5735.291. (A) The treasurer of state shall place to the 6065
credit of the tax refund fund created by section 5703.052 of the 6066
Revised Code, out of receipts from the tax levied by section 6067
5735.29 of the Revised Code, amounts equal to the refunds 6068
certified by the tax commissioner pursuant to sections 5735.142 6069
and 5735.29 of the Revised Code. The refunds provided for by 6070
sections 5735.142 and 5735.29 of the Revised Code shall be paid 6071
from such fund. The treasurer of state shall transfer the amount 6072

required by section 5735.051 of the Revised Code to the waterways 6073
safety fund. The specified portion of the balance of taxes 6074
collected under section 5735.29 of the Revised Code after the 6075
credits to the tax refund fund, and after the transfer to the 6076
waterways safety fund, shall be credited to the gasoline excise 6077
tax fund. Subject to division (B) of this section, forty-two and 6078
eighty-six hundredths per cent of the specified portion shall be 6079
distributed among the municipal corporations within the state in 6080
accordance with division (A)(2) of section 5735.27 of the Revised 6081
Code, thirty-seven and fourteen hundredths per cent of the 6082
specified portion shall be distributed among the counties within 6083
the state in accordance with division (A)(3) of section 5735.27 of 6084
the Revised Code, and twenty per cent of the specified portion 6085
shall be distributed among the townships within the state in 6086
accordance with division (A)(5) of section 5735.27 of the Revised 6087
Code. Subject to division (B) of this section, the remainder of 6088
the tax levied by section 5735.29 of the Revised Code after 6089
receipt by the treasurer of state of certifications from the 6090
commissioners of the sinking fund certifying, as required by 6091
sections 5528.15 and 5528.35 of the Revised Code, there are 6092
sufficient moneys to the credit of the highway improvement bond 6093
retirement fund created by section 5528.12 of the Revised Code to 6094
meet in full all payments of interest, principal, and charges for 6095
the retirement of bonds and other obligations issued pursuant to 6096
Section 2g of Article VIII, Ohio Constitution, and sections 6097
5528.10 and 5528.11 of the Revised Code due and payable during the 6098
current calendar year, and that there are sufficient moneys to the 6099
credit of the highway obligations bond retirement fund created by 6100
section 5528.32 of the Revised Code to meet in full all payments 6101
of interest, principal, and charges for the retirement of highway 6102
obligations issued pursuant to Section 2i of Article VIII, Ohio 6103
Constitution, and sections 5528.30 and 5528.31 of the Revised Code 6104

due and payable during the current calendar year, shall be 6105
credited to the highway operating fund, which is hereby created in 6106
the state treasury and shall be used solely for the purposes 6107
enumerated in section 5735.29 of the Revised Code. All investment 6108
earnings of the fund shall be credited to the fund. 6109

(B)(1)(a) Effective August 15, 2003, prior to the 6110
distribution from the gasoline excise tax fund to municipal 6111
corporations of the forty-two and eighty-six hundredths per cent 6112
of the specified portion as provided in division (A) of this 6113
section, four hundred sixty thousand dollars from that forty-two 6114
and eighty-six hundredths per cent shall be credited to townships 6115
and distributed pursuant to division (A)(5)(b) of section 5735.27 6116
of the Revised Code. 6117

(b) Effective August 15, 2003, prior to the distribution from 6118
the gasoline excise tax fund to counties of the thirty-seven and 6119
fourteen hundredths per cent of the specified portion as provided 6120
in division (A) of this section, four hundred sixty thousand 6121
dollars from that thirty-seven and fourteen hundredths per cent 6122
shall be credited to townships pursuant to division (A)(5)(b) of 6123
section 5735.27 of the Revised Code. 6124

(c) Effective August 15, 2003, prior to crediting any revenue 6125
resulting from the tax levied by section 5735.29 of the Revised 6126
Code to the highway operating fund, the treasurer shall credit one 6127
million five hundred thousand dollars to townships for 6128
distribution pursuant to division (A)(5)(b) of section 5735.27 of 6129
the Revised Code. 6130

(2)(a) Effective August 15, 2004, prior to the distribution 6131
from the gasoline excise tax fund to municipal corporations of the 6132
forty-two and eighty-six hundredths per cent of the specified 6133
portion as provided in division (A) of this section, nine hundred 6134
twenty thousand dollars from that forty-two and eighty-six 6135

hundredths per cent shall be credited to townships pursuant to 6136
division (A)(5)(b) of section 5735.27 of the Revised Code. 6137

(b) Effective August 15, 2004, prior to the distribution from 6138
the gasoline excise tax fund to counties of the thirty-seven and 6139
fourteen hundredths per cent of the specified portion as provided 6140
in division (A) of this section, nine hundred twenty thousand 6141
dollars from that thirty-seven and fourteen hundredths per cent 6142
shall be credited to townships pursuant to division (A)(5)(b) of 6143
section 5735.27 of the Revised Code. 6144

(c) Effective August 15, 2004, prior to crediting any revenue 6145
resulting from the tax levied by section 5735.29 of the Revised 6146
Code to the highway operating fund, the treasurer shall credit 6147
three million dollars to townships for distribution pursuant to 6148
division (A)(5)(b) of section 5735.27 of the Revised Code. 6149

(3)(a) Effective August 15, 2005, prior to the distribution 6150
from the gasoline excise tax fund to municipal corporations of the 6151
forty-two and eighty-six hundredths per cent of the specified 6152
portion as provided in division (A) of this section, one million 6153
three hundred eighty thousand dollars from that forty-two and 6154
eighty-six hundredths per cent shall be credited to townships 6155
pursuant to division (A)(5)(b) of section 5735.27 of the Revised 6156
Code. 6157

(b) Effective August 15, 2005, prior to the distribution from 6158
the gasoline excise tax fund to counties of the thirty-seven and 6159
fourteen hundredths per cent of the specified portion as provided 6160
in division (A) of this section, one million three hundred eighty 6161
thousand dollars from that thirty-seven and fourteen hundredths 6162
per cent shall be credited to townships in accordance with 6163
division (A)(5)(b) of section 5735.27 of the Revised Code. 6164

(c) Effective August 15, 2005, prior to crediting any revenue 6165
resulting from the tax levied by section 5735.29 of the Revised 6166

Code to the highway operating fund, the treasurer shall credit 6167
four million five hundred thousand dollars to townships for 6168
distribution pursuant to division (A)(5)(b) of section 5735.27 of 6169
the Revised Code. 6170

(C) As used in this section, "specified portion" means all of 6171
the following: 6172

(1) Until August 15, 2003, none of the taxes collected under 6173
section 5735.29 of the Revised Code; 6174

(2) Effective August 15, 2003, one-eighth of the balance of 6175
taxes collected under section 5735.29 of the Revised Code, after 6176
the credits to the tax refund fund and after the transfer to the 6177
waterways safety fund; 6178

(3) Effective August 15, 2004, one-sixth of the balance of 6179
taxes described in division (B)(2) of this section; 6180

(4) Effective August 15, 2005, three-sixteenths of the 6181
balance of taxes described in division (B)(2) of this section. 6182

Section 2. That existing sections 723.52, 723.53, 1547.11, 6183
3704.14, 3704.143, 4501.10, 4503.10, 4503.101, 4503.103, 4503.11, 6184
4503.173, 4503.181, 4503.182, 4503.19, 4503.21, 4503.23, 4503.50, 6185
4503.51, 4503.55, 4503.561, 4503.591, 4503.67, 4503.68, 4503.69, 6186
4503.71, 4503.711, 4503.72, 4503.73, 4503.75, 4505.09, 4506.08, 6187
4507.23, 4511.04, 4511.19, 4511.191, 4511.197, 4513.111, 4513.52, 6188
4513.53, 4549.10, 5501.20, 5501.34, 5501.45, 5502.02, 5517.011, 6189
5517.02, 5525.20, 5531.10, 5543.19, 5575.01, 5735.27, 5735.29, and 6190
5735.291, and sections 4501.20, 4501.22, 4501.29, 4501.30, 6191
4501.311, 4501.32, 4501.33, 4501.39, 4501.40, 4501.41, 4501.61, 6192
4501.71, and 4503.251 of the Revised Code are hereby repealed. 6193

Section 3. Section 4511.197 of the Revised Code, as amended 6194
by this act, shall take effect January 1, 2004. 6195

Section 4. That the versions of sections 1547.11, 4503.10, 6196
4503.11, 4503.182, 4503.19, 4503.21, 4511.19, 4513.111, and 6197
4549.10 of the Revised Code that are scheduled to take effect 6198
January 1, 2004, be amended to read as follows: 6199

Sec. 1547.11. (A) No person shall operate or be in physical 6200
control of any vessel underway or shall manipulate any water skis, 6201
aquaplane, or similar device on the waters in this state if, at 6202
the time of the operation, control, or manipulation, any of the 6203
following applies: 6204

(1) The person is under the influence of alcohol, a drug of 6205
abuse, or a combination of them. 6206

(2) The person has a concentration of ~~ten-hundredths~~ 6207
eight-hundredths of one per cent or more by weight of alcohol per 6208
unit volume in the person's whole blood. 6209

(3) The person has a concentration of ~~twelve-hundredths~~ 6210
ninety-six-thousandths of one per cent or more by weight per unit 6211
volume of alcohol in the person's blood serum or plasma. 6212

(4) The person has a concentration of ~~fourteen-hundredths~~ 6213
eleven-hundredths of one gram or more by weight of alcohol per one 6214
hundred milliliters of the person's urine. 6215

(5) The person has a concentration of ~~ten-hundredths~~ 6216
eight-hundredths of one gram or more by weight of alcohol per two 6217
hundred ten liters of the person's breath. 6218

(B) No person under twenty-one years of age shall operate or 6219
be in physical control of any vessel underway or shall manipulate 6220
any water skis, aquaplane, or similar device on the waters in this 6221
state if, at the time of the operation, control, or manipulation, 6222
any of the following applies: 6223

(1) The person has a concentration of at least two-hundredths 6224

of one per cent, but less than ~~ten-hundredths~~ eight-hundredths of 6225
one per cent by weight per unit volume of alcohol in the person's 6226
whole blood. 6227

(2) The person has a concentration of at least 6228
three-hundredths of one per cent but less than ~~twelve-hundredths~~ 6229
ninety-six-thousandths of one per cent by weight per unit volume 6230
of alcohol in the person's blood serum or plasma. 6231

(3) The person has a concentration of at least twenty-eight 6232
one-thousandths of one gram, but less than ~~fourteen-hundredths~~ 6233
eleven-hundredths of one gram by weight of alcohol per one hundred 6234
milliliters of the person's urine. 6235

(4) The person has a concentration of at least two-hundredths 6236
of one gram, but less than ~~ten-hundredths~~ eight-hundredths of one 6237
gram by weight of alcohol per two hundred ten liters of the 6238
person's breath. 6239

(C) In any proceeding arising out of one incident, a person 6240
may be charged with a violation of division (A)(1) and a violation 6241
of division (B)(1), (2), (3), or (4) of this section, but the 6242
person shall not be convicted of more than one violation of those 6243
divisions. 6244

(D)(1) In any criminal prosecution or juvenile court 6245
proceeding for a violation of this section or for an equivalent 6246
violation, the court may admit evidence on the concentration of 6247
alcohol, drugs of abuse, or a combination of them in the 6248
defendant's or child's whole blood, blood serum or plasma, urine, 6249
or breath at the time of the alleged violation as shown by 6250
chemical analysis of the substance withdrawn, or specimen taken 6251
within two hours of the time of the alleged violation. 6252

When a person submits to a blood test, only a physician, a 6253
registered nurse, or a qualified technician, chemist, or 6254
phlebotomist shall withdraw blood for the purpose of determining 6255

the alcohol, drug, or alcohol and drug content of the whole blood, 6256
blood serum, or blood plasma. This limitation does not apply to 6257
the taking of breath or urine specimens. A person authorized to 6258
withdraw blood under this division may refuse to withdraw blood 6259
under this division if, in that person's opinion, the physical 6260
welfare of the defendant or child would be endangered by 6261
withdrawing blood. 6262

The whole blood, blood serum or plasma, urine, or breath 6263
shall be analyzed in accordance with methods approved by the 6264
director of health by an individual possessing a valid permit 6265
issued by the director pursuant to section 3701.143 of the Revised 6266
Code. 6267

(2) In a criminal prosecution or juvenile court proceeding 6268
for a violation of division (A) of this section or for a violation 6269
of a prohibition that is substantially equivalent to division (A) 6270
of this section, if there was at the time the whole blood, blood 6271
serum or plasma, urine, or breath was taken a concentration of 6272
less than the applicable concentration of alcohol specified for a 6273
violation of division (A)(2), (3), (4), or (5) of this section, 6274
that fact may be considered with other competent evidence in 6275
determining the guilt or innocence of the defendant or in making 6276
an adjudication for the child. This division does not limit or 6277
affect a criminal prosecution or juvenile court proceeding for a 6278
violation of division (B) of this section or for a violation of a 6279
prohibition that is substantially equivalent to that division. 6280

(3) Upon the request of the person who was tested, the 6281
results of the chemical test shall be made available to the person 6282
or the person's attorney immediately upon completion of the test 6283
analysis. 6284

The person tested may have a physician, a registered nurse, 6285
or a qualified technician, chemist, or phlebotomist of the 6286
person's own choosing administer a chemical test or tests in 6287

addition to any administered at the direction of a law enforcement 6288
officer, and shall be so advised. The failure or inability to 6289
obtain an additional test by a person shall not preclude the 6290
admission of evidence relating to the test or tests taken at the 6291
direction of a law enforcement officer. 6292

(E)(1) Subject to division (E)(3) of this section, in any 6293
criminal prosecution or juvenile court proceeding for a violation 6294
of this section or for an equivalent violation, the court shall 6295
admit as prima-facie evidence a laboratory report from any 6296
forensic laboratory certified by the department of health that 6297
contains an analysis of the whole blood, blood serum or plasma, 6298
breath, urine, or other bodily substance tested and that contains 6299
all of the information specified in this division. The laboratory 6300
report shall contain all of the following: 6301

(a) The signature, under oath, of any person who performed 6302
the analysis; 6303

(b) Any findings as to the identity and quantity of alcohol, 6304
a drug of abuse, or a combination of them that was found; 6305

(c) A copy of a notarized statement by the laboratory 6306
director or a designee of the director that contains the name of 6307
each certified analyst or test performer involved with the report, 6308
the analyst's or test performer's employment relationship with the 6309
laboratory that issued the report, and a notation that performing 6310
an analysis of the type involved is part of the analyst's or test 6311
performer's regular duties; 6312

(d) An outline of the analyst's or test performer's 6313
education, training, and experience in performing the type of 6314
analysis involved and a certification that the laboratory 6315
satisfies appropriate quality control standards in general and, in 6316
this particular analysis, under rules of the department of health. 6317

(2) Notwithstanding any other provision of law regarding the 6318

admission of evidence, a report of the type described in division 6319
(E)(1) of this section is not admissible against the defendant or 6320
child to whom it pertains in any proceeding, other than a 6321
preliminary hearing or a grand jury proceeding, unless the 6322
prosecutor has served a copy of the report on the defendant's or 6323
child's attorney or, if the defendant or child has no attorney, on 6324
the defendant or child. 6325

(3) A report of the type described in division (E)(1) of this 6326
section shall not be prima-facie evidence of the contents, 6327
identity, or amount of any substance if, within seven days after 6328
the defendant or child to whom the report pertains or the 6329
defendant's or child's attorney receives a copy of the report, the 6330
defendant or child or the defendant's or child's attorney demands 6331
the testimony of the person who signed the report. The judge in 6332
the case may extend the seven-day time limit in the interest of 6333
justice. 6334

(F) Except as otherwise provided in this division, any 6335
physician, registered nurse, or qualified technician, chemist, or 6336
phlebotomist who withdraws blood from a person pursuant to this 6337
section, and a hospital, first-aid station, or clinic at which 6338
blood is withdrawn from a person pursuant to this section, is 6339
immune from criminal and civil liability based upon a claim of 6340
assault and battery or any other claim that is not a claim of 6341
malpractice, for any act performed in withdrawing blood from the 6342
person. The immunity provided in this division is not available to 6343
a person who withdraws blood if the person engages in willful or 6344
wanton misconduct. 6345

(G) As used in this section and section 1547.111 of the 6346
Revised Code: 6347

(1) "Equivalent violation" means a violation of a municipal 6348
ordinance, law of another state, or law of the United States that 6349
is substantially equivalent to division (A) or (B) of this 6350

section. 6351

(2) "Operate" means that a vessel is being used on the waters 6352
in this state when the vessel is not securely affixed to a dock or 6353
to shore or to any permanent structure to which the vessel has the 6354
right to affix or that a vessel is not anchored in a designated 6355
anchorage area or boat camping area that is established by the 6356
United States coast guard, this state, or a political subdivision 6357
and in which the vessel has the right to anchor. 6358

Sec. 4503.10. (A) The owner of every snowmobile, off-highway 6359
motorcycle, and all-purpose vehicle required to be registered 6360
under section 4519.02 of the Revised Code shall file an 6361
application for registration under section 4519.03 of the Revised 6362
Code. The owner of a motor vehicle, other than a snowmobile, 6363
off-highway motorcycle, or all-purpose vehicle, that is not 6364
designed and constructed by the manufacturer for operation on a 6365
street or highway may not register it under this chapter except 6366
upon certification of inspection pursuant to section 4513.02 of 6367
the Revised Code by the sheriff, or the chief of police of the 6368
municipal corporation or township, with jurisdiction over the 6369
political subdivision in which the owner of the motor vehicle 6370
resides. Except as provided in section 4503.103 of the Revised 6371
Code, every owner of every other motor vehicle not previously 6372
described in this section and every person mentioned as owner in 6373
the last certificate of title of a motor vehicle that is operated 6374
or driven upon the public roads or highways shall cause to be 6375
filed each year, by mail or otherwise, in the office of the 6376
registrar of motor vehicles or a deputy registrar, a written or 6377
electronic application or a preprinted registration renewal notice 6378
issued under section 4503.102 of the Revised Code, the form of 6379
which shall be prescribed by the registrar, for registration for 6380
the following registration year, which shall begin on the first 6381
day of January of every calendar year and end on the thirty-first 6382

day of December in the same year. Applications for registration 6383
and registration renewal notices shall be filed at the times 6384
established by the registrar pursuant to section 4503.101 of the 6385
Revised Code. A motor vehicle owner also may elect to apply for or 6386
renew a motor vehicle registration by electronic means using 6387
electronic signature in accordance with rules adopted by the 6388
registrar. Except as provided in division (J) of this section, 6389
applications for registration shall be made on blanks furnished by 6390
the registrar for that purpose, containing the following 6391
information: 6392

(1) A brief description of the motor vehicle to be 6393
registered, including the name of the manufacturer, the factory 6394
number of the vehicle, the year's model, and, in the case of 6395
commercial cars, the gross weight of the vehicle fully equipped 6396
computed in the manner prescribed in section 4503.08 of the 6397
Revised Code; 6398

(2) The name and residence address of the owner, and the 6399
township and municipal corporation in which the owner resides; 6400

(3) The district of registration, which shall be determined 6401
as follows: 6402

(a) In case the motor vehicle to be registered is used for 6403
hire or principally in connection with any established business or 6404
branch business, conducted at a particular place, the district of 6405
registration is the municipal corporation in which that place is 6406
located or, if not located in any municipal corporation, the 6407
county and township in which that place is located. 6408

(b) In case the vehicle is not so used, the district of 6409
registration is the municipal corporation or county in which the 6410
owner resides at the time of making the application. 6411

(4) Whether the motor vehicle is a new or used motor vehicle; 6412

(5) The date of purchase of the motor vehicle; 6413

(6) Whether the fees required to be paid for the registration 6414
or transfer of the motor vehicle, during the preceding 6415
registration year and during the preceding period of the current 6416
registration year, have been paid. Each application for 6417
registration shall be signed by the owner, either manually or by 6418
electronic signature, or pursuant to obtaining a limited power of 6419
attorney authorized by the registrar for registration, or other 6420
document authorizing such signature. If the owner elects to apply 6421
for or renew the motor vehicle registration with the registrar by 6422
electronic means, the owner's manual signature is not required. 6423

(7) The owner's social security number, if assigned, or, 6424
where a motor vehicle to be registered is used for hire or 6425
principally in connection with any established business, the 6426
owner's federal taxpayer identification number. The bureau of 6427
motor vehicles shall retain in its records all social security 6428
numbers provided under this section, but the bureau shall not 6429
place social security numbers on motor vehicle certificates of 6430
registration. 6431

(B) Each time an applicant first registers a motor vehicle in 6432
the applicant's name, the applicant shall present for inspection a 6433
physical certificate of title or memorandum certificate showing 6434
title to the motor vehicle to be registered in the name of the 6435
applicant if a physical certificate of title or memorandum 6436
certificate has been issued by a clerk of a court of common pleas. 6437
If, under sections 4505.021, 4505.06, and 4505.08 of the Revised 6438
Code, a clerk instead has issued an electronic certificate of 6439
title for the applicant's motor vehicle, that certificate may be 6440
presented for inspection at the time of first registration in a 6441
manner prescribed by rules adopted by the registrar. When a motor 6442
vehicle inspection and maintenance program is in effect under 6443
section 3704.14 of the Revised Code and rules adopted under it, 6444

each application for registration for a vehicle required to be 6445
inspected under that section and those rules shall be accompanied 6446
by an inspection certificate for the motor vehicle issued in 6447
accordance with that section. The application shall be refused if 6448
any of the following applies: 6449

(1) The application is not in proper form. 6450

(2) The application is prohibited from being accepted by 6451
division (D) of section 2935.27, division (A) of section 2937.221, 6452
division (A) of section 4503.13, division (B) of section 4510.22, 6453
or division (B)(1) of section 4521.10 of the Revised Code. 6454

(3) A certificate of title or memorandum certificate of title 6455
does not accompany the application or, in the case of an 6456
electronic certificate of title, is not presented in a manner 6457
prescribed by the registrar's rules. 6458

(4) All registration and transfer fees for the motor vehicle, 6459
for the preceding year or the preceding period of the current 6460
registration year, have not been paid. 6461

(5) The owner or lessee does not have an inspection 6462
certificate for the motor vehicle as provided in section 3704.14 6463
of the Revised Code, and rules adopted under it, if that section 6464
is applicable. 6465

This section does not require the payment of license or 6466
registration taxes on a motor vehicle for any preceding year, or 6467
for any preceding period of a year, if the motor vehicle was not 6468
taxable for that preceding year or period under sections 4503.02, 6469
4503.04, 4503.11, 4503.12, and 4503.16 or Chapter 4504. of the 6470
Revised Code. When a certificate of registration is issued upon 6471
the first registration of a motor vehicle by or on behalf of the 6472
owner, the official issuing the certificate shall indicate the 6473
issuance with a stamp on the certificate of title or memorandum 6474
certificate or, in the case of an electronic certificate of title, 6475

an electronic stamp or other notation as specified in rules 6476
adopted by the registrar, and with a stamp on the inspection 6477
certificate for the motor vehicle, if any. The official also shall 6478
indicate, by a stamp or by other means the registrar prescribes, 6479
on the registration certificate issued upon the first registration 6480
of a motor vehicle by or on behalf of the owner the odometer 6481
reading of the motor vehicle as shown in the odometer statement 6482
included in or attached to the certificate of title. Upon each 6483
subsequent registration of the motor vehicle by or on behalf of 6484
the same owner, the official also shall so indicate the odometer 6485
reading of the motor vehicle as shown on the immediately preceding 6486
certificate of registration. 6487

The registrar shall include in the permanent registration 6488
record of any vehicle required to be inspected under section 6489
3704.14 of the Revised Code the inspection certificate number from 6490
the inspection certificate that is presented at the time of 6491
registration of the vehicle as required under this division. 6492

(C)(1) Commencing October 1, 2003, the registrar and each 6493
deputy registrar shall collect an additional fee of eight dollars 6494
for each application for registration and registration renewal 6495
received. The additional fee is for the purpose of defraying the 6496
costs associated with the administration and enforcement of the 6497
motor vehicle and traffic laws of Ohio by the state highway 6498
patrol. Each deputy registrar shall transmit the fees collected 6499
under division (C)(1) of this section in the time and manner 6500
provided in this section. The registrar shall deposit all moneys 6501
received under division (C)(1) of this section into the state 6502
highway patrol fund established in section 4501.061 of the Revised 6503
Code. 6504

(2) In addition, a charge of twenty-five cents shall be made 6505
for each reflectorized safety license plate issued, and a single 6506
charge of twenty-five cents shall be made for each county 6507

identification sticker or each set of county identification 6508
stickers issued, as the case may be, to cover the cost of 6509
producing the license plates and stickers, including material, 6510
manufacturing, and administrative costs. Those fees shall be in 6511
addition to the license tax. If the total cost of producing the 6512
plates is less than twenty-five cents per plate, or if the total 6513
cost of producing the stickers is less than twenty-five cents per 6514
sticker or per set issued, any excess moneys accruing from the 6515
fees shall be distributed in the same manner as provided by 6516
section 4501.04 of the Revised Code for the distribution of 6517
license tax moneys. If the total cost of producing the plates 6518
exceeds twenty-five cents per plate, or if the total cost of 6519
producing the stickers exceeds twenty-five cents per sticker or 6520
per set issued, the difference shall be paid from the license tax 6521
moneys collected pursuant to section 4503.02 of the Revised Code. 6522

(D) Each deputy registrar shall be allowed a fee of two 6523
dollars and seventy-five cents commencing on July 1, 2001, three 6524
dollars and twenty-five cents commencing on January 1, 2003, and 6525
three dollars and fifty cents commencing on January 1, 2004, for 6526
each application for registration and registration renewal notice 6527
the deputy registrar receives, which shall be for the purpose of 6528
compensating the deputy registrar for the deputy registrar's 6529
services, and such office and rental expenses, as may be necessary 6530
for the proper discharge of the deputy registrar's duties in the 6531
receiving of applications and renewal notices and the issuing of 6532
registrations. 6533

(E) Upon the certification of the registrar, the county 6534
sheriff or local police officials shall recover license plates 6535
erroneously or fraudulently issued. 6536

(F) Each deputy registrar, upon receipt of any application 6537
for registration or registration renewal notice, together with the 6538
license fee and any local motor vehicle license tax levied 6539

pursuant to Chapter 4504. of the Revised Code, shall transmit that 6540
fee and tax, if any, in the manner provided in this section, 6541
together with the original and duplicate copy of the application, 6542
to the registrar. The registrar, subject to the approval of the 6543
director of public safety, may deposit the funds collected by 6544
those deputies in a local bank or depository to the credit of the 6545
"state of Ohio, bureau of motor vehicles." Where a local bank or 6546
depository has been designated by the registrar, each deputy 6547
registrar shall deposit all moneys collected by the deputy 6548
registrar into that bank or depository not more than one business 6549
day after their collection and shall make reports to the registrar 6550
of the amounts so deposited, together with any other information, 6551
some of which may be prescribed by the treasurer of state, as the 6552
registrar may require and as prescribed by the registrar by rule. 6553
The registrar, within three days after receipt of notification of 6554
the deposit of funds by a deputy registrar in a local bank or 6555
depository, shall draw on that account in favor of the treasurer 6556
of state. The registrar, subject to the approval of the director 6557
and the treasurer of state, may make reasonable rules necessary 6558
for the prompt transmittal of fees and for safeguarding the 6559
interests of the state and of counties, townships, municipal 6560
corporations, and transportation improvement districts levying 6561
local motor vehicle license taxes. The registrar may pay service 6562
charges usually collected by banks and depositories for such 6563
service. If deputy registrars are located in communities where 6564
banking facilities are not available, they shall transmit the fees 6565
forthwith, by money order or otherwise, as the registrar, by rule 6566
approved by the director and the treasurer of state, may 6567
prescribe. The registrar may pay the usual and customary fees for 6568
such service. 6569

(G) This section does not prevent any person from making an 6570
application for a motor vehicle license directly to the registrar 6571
by mail, by electronic means, or in person at any of the 6572

registrar's offices, upon payment of a service fee of two dollars 6573
and seventy-five cents commencing on July 1, 2001, three dollars 6574
and twenty-five cents commencing on January 1, 2003, and three 6575
dollars and fifty cents commencing on January 1, 2004, for each 6576
application. 6577

(H) No person shall make a false statement as to the district 6578
of registration in an application required by division (A) of this 6579
section. Violation of this division is falsification under section 6580
2921.13 of the Revised Code and punishable as specified in that 6581
section. 6582

(I)(1) Where applicable, the requirements of division (B) of 6583
this section relating to the presentation of an inspection 6584
certificate issued under section 3704.14 of the Revised Code and 6585
rules adopted under it for a motor vehicle, the refusal of a 6586
license for failure to present an inspection certificate, and the 6587
stamping of the inspection certificate by the official issuing the 6588
certificate of registration apply to the registration of and 6589
issuance of license plates for a motor vehicle under sections 6590
4503.102, 4503.12, 4503.14, 4503.15, 4503.16, 4503.171, 4503.172, 6591
4503.19, 4503.40, 4503.41, 4503.42, 4503.43, 4503.44, 4503.46, 6592
4503.47, and 4503.51 of the Revised Code. 6593

(2)(a) The registrar shall adopt rules ensuring that each 6594
owner registering a motor vehicle in a county where a motor 6595
vehicle inspection and maintenance program is in effect under 6596
section 3704.14 of the Revised Code and rules adopted under it 6597
receives information about the requirements established in that 6598
section and those rules and about the need in those counties to 6599
present an inspection certificate with an application for 6600
registration or preregistration. 6601

(b) Upon request, the registrar shall provide the director of 6602
environmental protection, or any person that has been awarded a 6603
contract under division (D) of section 3704.14 of the Revised 6604

Code, an on-line computer data link to registration information 6605
for all passenger cars, noncommercial motor vehicles, and 6606
commercial cars that are subject to that section. The registrar 6607
also shall provide to the director of environmental protection a 6608
magnetic data tape containing registration information regarding 6609
passenger cars, noncommercial motor vehicles, and commercial cars 6610
for which a multi-year registration is in effect under section 6611
4503.103 of the Revised Code or rules adopted under it, including, 6612
without limitation, the date of issuance of the multi-year 6613
registration, the registration deadline established under rules 6614
adopted under section 4503.101 of the Revised Code that was 6615
applicable in the year in which the multi-year registration was 6616
issued, and the registration deadline for renewal of the 6617
multi-year registration. 6618

(J) Application for registration under the international 6619
registration plan, as set forth in sections 4503.60 to 4503.66 of 6620
the Revised Code, shall be made to the registrar on forms 6621
furnished by the registrar. In accordance with international 6622
registration plan guidelines and pursuant to rules adopted by the 6623
registrar, the forms shall include the following: 6624

(1) A uniform mileage schedule; 6625

(2) The gross vehicle weight of the vehicle or combined gross 6626
vehicle weight of the combination vehicle as declared by the 6627
registrant; 6628

(3) Any other information the registrar requires by rule. 6629

Sec. 4503.11. (A) Except as provided by sections 4503.103, 6630
4503.173, 4503.41, 4503.43, and 4503.46 of the Revised Code, no 6631
person who is the owner or chauffeur of a motor vehicle operated 6632
or driven upon the public roads or highways shall fail to file 6633
annually the application for registration or to pay the tax 6634
therefor. 6635

(B) Except as provided by sections 4503.12 and 4503.16 of the Revised Code, the taxes payable on all applications made under sections 4503.10 and 4503.102 of the Revised Code shall be the sum of the tax due under division (B)(1)(a) or (b) of this section plus the tax due under division (B)(2)(a) or (b) of this section:

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

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

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

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

Revised Code. 6667

(C) The taxes payable on all applications made under division (A)(1)(b) of section 4503.103 of the Revised Code shall be the sum of the tax due under division (B)(1)(a) or (b) of this section plus the tax due under division (B)(2)(a) or (b) of this section for the first year plus the full amount of the tax provided in section 4503.04 of the Revised Code and the full amount of local motor vehicle license taxes levied under Chapter 4504. of the Revised Code for the second year. 6668
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(D) Whoever violates this section is guilty of a misdemeanor of the fourth degree. 6676
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Sec. 4503.182. (A) A purchaser of a motor vehicle, upon application and proof of purchase of the vehicle, may be issued a temporary license placard or windshield sticker for the motor vehicle. 6678
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The purchaser of a vehicle applying for a temporary license placard or windshield sticker under this section shall execute an affidavit stating that the purchaser has not been issued previously during the current registration year a license plate that could legally be transferred to the vehicle. 6682
6683
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Placards or windshield stickers shall be issued only for the applicant's use of the vehicle to enable the applicant to legally operate the motor vehicle while proper title, license plates, and a certificate of registration are being obtained, and shall be displayed on no other motor vehicle. 6687
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Placards or windshield stickers issued under this section are valid for a period of thirty days from date of issuance and are not transferable or renewable. 6692
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The fee for the placards or windshield stickers is two dollars plus a deputy registrar service fee of two dollars and 6695
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seventy-five cents commencing on July 1, 2001, three dollars and 6697
twenty-five cents commencing on January 1, 2003, and three dollars 6698
and fifty cents commencing on January 1, 2004, for each placard 6699
issued by a deputy registrar. 6700

(B) The registrar of motor vehicles may issue to a motorized 6701
bicycle dealer or a licensed motor vehicle dealer temporary 6702
license placards to be issued to purchasers for use on vehicles 6703
sold by the dealer, in accordance with rules prescribed by the 6704
registrar. The dealer shall notify the registrar, within 6705
forty-eight hours, of the issuance of a placard by electronic 6706
means via computer equipment purchased and maintained by the 6707
dealer or in any other manner prescribed by the registrar. 6708

The fee for each placard issued by the registrar to a 6709
licensed motor vehicle dealer is two dollars if the dealer 6710
notifies the registrar of the issuance of the placards by 6711
electronic means via computer equipment. The fee for each placard 6712
issued by the registrar to a licensed motor vehicle dealer is two 6713
dollars plus a fee of two dollars and seventy-five cents 6714
commencing on July 1, 2001, three dollars and twenty-five cents 6715
commencing on January 1, 2003, and three dollars and fifty cents 6716
commencing on January 1, 2004, if the dealer notifies the 6717
registrar of the issuance of the placards in a manner other than 6718
by electronic means. 6719

When a licensed motor vehicle dealer issues a placard to the 6720
purchaser of a vehicle, the dealer shall collect and retain a fee 6721
of two dollars plus a service fee of three dollars and twenty-five 6722
cents commencing on January 1, 2003, and three dollars and fifty 6723
cents commencing on January 1, 2004. 6724

(C) The registrar of motor vehicles, at the registrar's 6725
discretion, may issue a temporary license placard. Such a placard 6726
may be issued in the case of extreme hardship encountered by a 6727
citizen from this state or another state who has attempted to 6728

comply with all registration laws, but for extreme circumstances 6729
is unable to properly register the citizen's vehicle. 6730

(D) In addition to the fees charged under divisions (A) and 6731
(B) of this section, commencing on October 1, 2003, the registrar 6732
and each deputy registrar shall collect a fee of five dollars for 6733
each temporary license placard issued. The additional fee is for 6734
the purpose of defraying the costs associated with the 6735
administration and enforcement of the motor vehicle and traffic 6736
laws of Ohio by the state highway patrol. Each deputy registrar 6737
shall transmit the fees collected under this division in the same 6738
manner as provided for transmission of fees collected under 6739
division (A) of this section. The registrar shall deposit all 6740
moneys received under this division into the state highway patrol 6741
fund established in section 4501.061 of the Revised Code. 6742

(E) The registrar shall adopt rules, in accordance with 6743
division (B) of section 111.15 of the Revised Code, to specify the 6744
procedures for reporting the information from applications for 6745
temporary license placards and windshield stickers and for 6746
providing the information from these applications to law 6747
enforcement agencies. 6748

~~(E)~~(F) Temporary license placards issued under this section 6749
shall bear a distinctive combination of seven letters, numerals, 6750
or letters and numerals, and shall incorporate a security feature 6751
that, to the greatest degree possible, prevents tampering with any 6752
of the information that is entered upon a placard when it is 6753
issued. 6754

~~(F)~~(G) Whoever violates division (A) of this section is 6755
guilty of a misdemeanor of the fourth degree. Whoever violates 6756
division (B) of this section is guilty of a misdemeanor of the 6757
first degree. 6758

~~(G)~~(H) As used in this section, "motorized bicycle dealer" 6759

means any person engaged in the business of selling at retail, 6760
displaying, offering for sale, or dealing in motorized bicycles 6761
who is not subject to section 4503.09 of the Revised Code. 6762

Sec. 4503.19. (A) Upon the filing of an application for 6763
registration and the payment of the tax for registration, the 6764
registrar of motor vehicles or a deputy registrar shall determine 6765
whether the owner previously has been issued a license plates 6766
plate for the motor vehicle described in the application. If no 6767
license ~~plates~~ plate previously ~~have~~ has been issued to the owner 6768
for that motor vehicle, the registrar or deputy registrar shall 6769
assign to the motor vehicle a distinctive number and issue and 6770
deliver to the owner in the manner that the registrar may select a 6771
certificate of registration, in the form that the registrar shall 6772
prescribe, and, ~~except as otherwise provided in this section, two~~ 6773
a license plates, duplicates of each other, plate and a validation 6774
sticker, or a validation sticker alone, to be attached to the 6775
~~number plates~~ license plate as provided in section 4503.191 of the 6776
Revised Code. The registrar or deputy registrar also shall charge 6777
the owner any fees required under division (C) of section 4503.10 6778
of the Revised Code. ~~Trailers, manufactured homes, mobile homes,~~ 6779
~~semitrailers, the manufacturer thereof, the dealer, or in transit~~ 6780
~~companies therein, shall be issued one license plate only and one~~ 6781
~~validation sticker, or a validation sticker alone, and the~~ The 6782
license plate and validation sticker shall be displayed ~~only~~ on 6783
the rear of ~~such vehicles. A~~ the vehicle, except that a commercial 6784
tractor ~~that does not receive an apportioned license plate under~~ 6785
~~the international registration plan shall be issued two~~ display 6786
the license ~~plates~~ plate and ~~one~~ validation sticker, ~~and the~~ 6787
~~validation sticker shall be displayed~~ on the front of the 6788
commercial tractor. ~~An apportioned vehicle receiving an~~ 6789
~~apportioned license plate under the international registration~~ 6790
~~plan shall be issued one license plate only and one validation~~ 6791

~~sticker, or a validation sticker alone; the license plate shall be~~ 6792
~~displayed only on the front of a semitractor and on the rear of~~ 6793
~~all other vehicles.~~ School buses shall not be issued a license 6794
~~plates~~ plate but shall bear identifying numbers in the manner 6795
prescribed by section 4511.764 of the Revised Code. The 6796
certificate of registration and license ~~plates~~ plate and 6797
validation ~~stickers~~ sticker, or validation ~~stickers~~ sticker alone, 6798
shall be issued and delivered to the owner in person or by mail. 6799
Chauffeured limousines shall be issued a license ~~plates~~ plate, a 6800
validation sticker, and a livery sticker as provided in section 6801
4503.24 of the Revised Code. In the event of the loss, mutilation, 6802
or destruction of any certificate of registration, or of any 6803
license ~~plates~~ plate or validation ~~stickers~~ sticker, or if the 6804
owner chooses to replace the license ~~plates~~ plate previously 6805
issued for a motor vehicle, or if the registration certificate and 6806
license ~~plates~~ plate have been impounded as provided by division 6807
(B)(1) of section 4507.02 and section 4507.16 of the Revised Code, 6808
the owner of a motor vehicle, or manufacturer or dealer, may 6809
obtain from the registrar, or from a deputy registrar if 6810
authorized by the registrar, a duplicate thereof or a new license 6811
~~plates~~ plate bearing a different number, if the registrar 6812
considers it advisable, upon filing an application prescribed by 6813
the registrar, and upon paying a fee of one dollar for such 6814
certificate of registration, or a fee of ~~two dollars for each set~~ 6815
~~of two license plates, or~~ one dollar for each ~~single~~ license plate 6816
or validation sticker. In addition, each applicant for a 6817
replacement certificate of registration, license plate, or 6818
validation sticker shall pay the fees provided in divisions (C) 6819
and (D) of section 4503.10 of the Revised Code. 6820

Additionally, the registrar and each deputy registrar who 6821
either issues a license ~~plates~~ plate and a validation sticker for 6822
use on any vehicle other than a commercial tractor, semitrailer, 6823

or apportioned vehicle, or who issues a validation sticker alone 6824
for use on such a vehicle and the owner has changed the owner's 6825
county of residence since the owner last was issued county 6826
identification stickers, also shall issue and deliver to the owner 6827
~~either one or two~~ a county identification ~~stickers~~, as appropriate 6828
sticker, which shall be attached to the license ~~plates~~ plate in a 6829
manner prescribed by the director of public safety. The county 6830
identification ~~stickers~~ sticker shall identify prominently by name 6831
or number the county in which the owner of the vehicle resides at 6832
the time of registration. 6833

(B) Whoever violates this section is guilty of a minor 6834
misdemeanor. 6835

Sec. 4503.21. (A) No person who is the owner or operator of a 6836
motor vehicle shall fail to display in plain view on the ~~front and~~ 6837
rear of the motor vehicle the distinctive number and registration 6838
mark, including any county identification sticker and any 6839
validation sticker issued under sections 4503.19 and 4503.191 of 6840
the Revised Code, furnished by the director of public safety, 6841
~~except that a manufacturer of motor vehicles or dealer therein,~~ 6842
~~the holder of an in transit permit, and the owner or operator of a~~ 6843
~~motorcycle, motorized bicycle, manufactured home, mobile home,~~ 6844
~~trailer, or semitrailer shall display on the rear only. A motor~~ 6845
~~vehicle that is issued two license plates shall display the~~ 6846
~~validation sticker only on the rear license plate, except that a~~ 6847
commercial tractor ~~that does not receive an apportioned license~~ 6848
~~plate under the international registration plan shall display the~~ 6849
license plate and validation sticker on the front of the 6850
commercial tractor. ~~An apportioned vehicle receiving an~~ 6851
~~apportioned license plate under the international registration~~ 6852
~~plan shall display the license plate only on the front of a~~ 6853
~~commercial tractor and on the rear of all other vehicles. All~~ The 6854
license ~~plates~~ plate shall be securely fastened so as not to 6855

~~and. No person shall not be covered by~~ cover the face of the 6856
license plate with any material that whatsoever, regardless of 6857
whether the material obstructs ~~their~~ its visibility. 6858

No person to whom a temporary license placard or windshield 6859
sticker has been issued for the use of a motor vehicle under 6860
section 4503.182 of the Revised Code, and no operator of that 6861
motor vehicle, shall fail to display the temporary license placard 6862
in plain view from the rear of the vehicle either in the rear 6863
window or on an external rear surface of the motor vehicle, or 6864
fail to display the windshield sticker in plain view on the rear 6865
window of the motor vehicle. No temporary license placard or 6866
windshield sticker shall be covered by any material that obstructs 6867
its visibility. 6868

(B) Whoever violates this section is guilty of a minor 6869
misdemeanor. 6870

Sec. 4511.19. (A) No person shall operate any vehicle, 6871
streetcar, or trackless trolley within this state, if, at the time 6872
of the operation, any of the following apply: 6873

(1) The person is under the influence of alcohol, a drug of 6874
abuse, or a combination of them~~+~~. 6875

(2) The person has a concentration of ~~ten-hundredths~~ 6876
eight-hundredths of one per cent or more but less than 6877
seventeen-hundredths of one per cent by weight per unit volume of 6878
alcohol in the person's whole blood~~+~~. 6879

(3) The person has a concentration of ~~twelve-hundredths~~ 6880
ninety-six-thousandths of one per cent or more but less than two 6881
hundred four-thousandths of one per cent by weight per unit volume 6882
of alcohol in the person's blood serum or plasma~~+~~. 6883

(4) The person has a concentration of ~~ten-hundredths~~ 6884
eight-hundredths of one gram or more but less than 6885

seventeen-hundredths of one gram by weight of alcohol per two 6886
hundred ten liters of the person's breath~~+~~. 6887

(5) The person has a concentration of ~~fourteen-hundredths~~ 6888
eleven-hundredths of one gram or more but less than two hundred 6889
thirty-eight-thousandths of one gram by weight of alcohol per one 6890
hundred milliliters of the person's urine~~+~~. 6891

(6) The person has a concentration of seventeen-hundredths of 6892
one per cent or more by weight per unit volume of alcohol in the 6893
person's whole blood~~+~~. 6894

(7) The person has a concentration of two hundred 6895
four-thousandths of one per cent or more by weight per unit volume 6896
of alcohol in the person's blood serum or plasma~~+~~. 6897

(8) The person has a concentration of seventeen-hundredths of 6898
one gram or more by weight of alcohol per two hundred ten liters 6899
of the person's breath~~+~~. 6900

(9) The person has a concentration of two hundred 6901
thirty-eight-thousandths of one gram or more by weight of alcohol 6902
per one hundred milliliters of the person's urine. 6903

(B) No person under twenty-one years of age shall operate any 6904
vehicle, streetcar, or trackless trolley within this state, if, at 6905
the time of the operation, any of the following apply: 6906

(1) The person has a concentration of at least two-hundredths 6907
of one per cent but less than ~~ten-hundredths~~ eight-hundredths of 6908
one per cent by weight per unit volume of alcohol in the person's 6909
whole blood~~+~~. 6910

(2) The person has a concentration of at least 6911
three-hundredths of one per cent but less than ~~twelve-hundredths~~ 6912
ninety-six-thousandths of one per cent by weight per unit volume 6913
of alcohol in the person's blood serum or plasma~~+~~. 6914

(3) The person has a concentration of at least two-hundredths 6915

of one gram but less than ~~ten-hundredths~~ eight-hundredths of one 6916
gram by weight of alcohol per two hundred ten liters of the 6917
person's breath. 6918

(4) The person has a concentration of at least twenty-eight 6919
one-thousandths of one gram but less than ~~fourteen-hundredths~~ 6920
eleven-hundredths of one gram by weight of alcohol per one hundred 6921
milliliters of the person's urine. 6922

(C) In any proceeding arising out of one incident, a person 6923
may be charged with a violation of division (A)(1) and a violation 6924
of division (B)(1), (2), or (3) of this section, but the person 6925
may not be convicted of more than one violation of these 6926
divisions. 6927

(D)(1) In any criminal prosecution or juvenile court 6928
proceeding for a violation of this section or for an equivalent 6929
offense, the court may admit evidence on the concentration of 6930
alcohol, drugs of abuse, or a combination of them in the 6931
defendant's whole blood, blood serum or plasma, breath, urine, or 6932
other bodily substance at the time of the alleged violation as 6933
shown by chemical analysis of the substance withdrawn within two 6934
hours of the time of the alleged violation. 6935

When a person submits to a blood test at the request of a law 6936
enforcement officer under section 4511.191 of the Revised Code, 6937
only a physician, a registered nurse, or a qualified technician, 6938
chemist, or phlebotomist shall withdraw blood for the purpose of 6939
determining the alcohol, drug, or alcohol and drug content of the 6940
whole blood, blood serum, or blood plasma. This limitation does 6941
not apply to the taking of breath or urine specimens. A person 6942
authorized to withdraw blood under this division may refuse to 6943
withdraw blood under this division, if in that person's opinion, 6944
the physical welfare of the person would be endangered by the 6945
withdrawing of blood. 6946

The bodily substance withdrawn shall be analyzed in 6947
accordance with methods approved by the director of health by an 6948
individual possessing a valid permit issued by the director 6949
pursuant to section 3701.143 of the Revised Code. 6950

(2) In a criminal prosecution or juvenile court proceeding 6951
for a violation of division (A) of this section or for an 6952
equivalent offense, if there was at the time the bodily substance 6953
was withdrawn a concentration of less than the applicable 6954
concentration of alcohol specified in divisions (A)(2), (3), (4), 6955
and (5) of this section, that fact may be considered with other 6956
competent evidence in determining the guilt or innocence of the 6957
defendant. This division does not limit or affect a criminal 6958
prosecution or juvenile court proceeding for a violation of 6959
division (B) of this section or for an equivalent offense that is 6960
substantially equivalent to that division. 6961

(3) Upon the request of the person who was tested, the 6962
results of the chemical test shall be made available to the person 6963
or the person's attorney, immediately upon the completion of the 6964
chemical test analysis. 6965

The person tested may have a physician, a registered nurse, 6966
or a qualified technician, chemist, or phlebotomist of the 6967
person's own choosing administer a chemical test or tests, at the 6968
person's expense, in addition to any administered at the request 6969
of a law enforcement officer. The form to be read to the person to 6970
be tested, as required under section 4511.192 of the Revised Code, 6971
shall state that the person may have an independent test performed 6972
at the person's expense. The failure or inability to obtain an 6973
additional chemical test by a person shall not preclude the 6974
admission of evidence relating to the chemical test or tests taken 6975
at the request of a law enforcement officer. 6976

(E)(1) Subject to division (E)(3) of this section, in any 6977

criminal prosecution or juvenile court proceeding for a violation 6978
of division (A)(2), (3), (4), (5), (6), (7), (8), or (9) or 6979
(B)(1), (2), (3), or (4) of this section or for an equivalent 6980
offense that is substantially equivalent to any of those 6981
divisions, a laboratory report from any forensic laboratory 6982
certified by the department of health that contains an analysis of 6983
the whole blood, blood serum or plasma, breath, urine, or other 6984
bodily substance tested and that contains all of the information 6985
specified in this division shall be admitted as prima-facie 6986
evidence of the information and statements that the report 6987
contains. The laboratory report shall contain all of the 6988
following: 6989

(a) The signature, under oath, of any person who performed 6990
the analysis; 6991

(b) Any findings as to the identity and quantity of alcohol, 6992
a drug of abuse, or a combination of them that was found; 6993

(c) A copy of a notarized statement by the laboratory 6994
director or a designee of the director that contains the name of 6995
each certified analyst or test performer involved with the report, 6996
the analyst's or test performer's employment relationship with the 6997
laboratory that issued the report, and a notation that performing 6998
an analysis of the type involved is part of the analyst's or test 6999
performer's regular duties; 7000

(d) An outline of the analyst's or test performer's 7001
education, training, and experience in performing the type of 7002
analysis involved and a certification that the laboratory 7003
satisfies appropriate quality control standards in general and, in 7004
this particular analysis, under rules of the department of health. 7005

(2) Notwithstanding any other provision of law regarding the 7006
admission of evidence, a report of the type described in division 7007
(E)(1) of this section is not admissible against the defendant to 7008

whom it pertains in any proceeding, other than a preliminary 7009
hearing or a grand jury proceeding, unless the prosecutor has 7010
served a copy of the report on the defendant's attorney or, if the 7011
defendant has no attorney, on the defendant. 7012

(3) A report of the type described in division (E)(1) of this 7013
section shall not be prima-facie evidence of the contents, 7014
identity, or amount of any substance if, within seven days after 7015
the defendant to whom the report pertains or the defendant's 7016
attorney receives a copy of the report, the defendant or the 7017
defendant's attorney demands the testimony of the person who 7018
signed the report. The judge in the case may extend the seven-day 7019
time limit in the interest of justice. 7020

(F) Except as otherwise provided in this division, any 7021
physician, registered nurse, or qualified technician, chemist, or 7022
phlebotomist who withdraws blood from a person pursuant to this 7023
section, and any hospital, first-aid station, or clinic at which 7024
blood is withdrawn from a person pursuant to this section, is 7025
immune from criminal liability and civil liability based upon a 7026
claim of assault and battery or any other claim that is not a 7027
claim of malpractice, for any act performed in withdrawing blood 7028
from the person. The immunity provided in this division is not 7029
available to a person who withdraws blood if the person engages in 7030
willful or wanton misconduct. 7031

(G)(1) Whoever violates any provision of divisions (A)(1) to 7032
(9) of this section is guilty of operating a vehicle under the 7033
influence of alcohol, a drug of abuse, or a combination of them. 7034
The court shall sentence the offender under Chapter 2929. of the 7035
Revised Code, except as otherwise authorized or required by 7036
divisions (G)(1)(a) to (e) of this section: 7037

(a) Except as otherwise provided in division (G)(1)(b), (c), 7038
(d), or (e) of this section, the offender is guilty of a 7039
misdemeanor of the first degree, and the court shall sentence the 7040

offender to all of the following: 7041

(i) If the sentence is being imposed for a violation of 7042
division (A)(1), (2), (3), (4), or (5) of this section, a 7043
mandatory jail term of three consecutive days. As used in this 7044
division, three consecutive days means seventy-two consecutive 7045
hours. The court may sentence an offender to both an intervention 7046
program and a jail term. The court may impose a jail term in 7047
addition to the three-day mandatory jail term or intervention 7048
program. However, in no case shall the cumulative jail term 7049
imposed for the offense exceed six months. 7050

The court may suspend the execution of the three-day jail 7051
term under this division if the court, in lieu of that suspended 7052
term, places the offender on probation and requires the offender 7053
to attend, for three consecutive days, a drivers' intervention 7054
program certified under section 3793.10 of the Revised Code. The 7055
court also may suspend the execution of any part of the three-day 7056
jail term under this division if it places the offender on 7057
probation for part of the three days, requires the offender to 7058
attend for the suspended part of the term a drivers' intervention 7059
program so certified, and sentences the offender to a jail term 7060
equal to the remainder of the three consecutive days that the 7061
offender does not spend attending the program. The court may 7062
require the offender, as a condition of probation and in addition 7063
to the required attendance at a drivers' intervention program, to 7064
attend and satisfactorily complete any treatment or education 7065
programs that comply with the minimum standards adopted pursuant 7066
to Chapter 3793. of the Revised Code by the director of alcohol 7067
and drug addiction services that the operators of the drivers' 7068
intervention program determine that the offender should attend and 7069
to report periodically to the court on the offender's progress in 7070
the programs. The court also may impose on the offender any other 7071
conditions of probation that it considers necessary. 7072

(ii) If the sentence is being imposed for a violation of 7073
division (A)(6), (7), (8), or (9) of this section, except as 7074
otherwise provided in this division, a mandatory jail term of at 7075
least three consecutive days and a requirement that the offender 7076
attend, for three consecutive days, a drivers' intervention 7077
program that is certified pursuant to section 3793.10 of the 7078
Revised Code. As used in this division, three consecutive days 7079
means seventy-two consecutive hours. If the court determines that 7080
the offender is not conducive to treatment in a drivers' 7081
intervention program, if the offender refuses to attend a drivers' 7082
intervention program, or if the jail at which the offender is to 7083
serve the jail term imposed can provide a driver's intervention 7084
program, the court shall sentence the offender to a mandatory jail 7085
term of at least six consecutive days. 7086

The court may require the offender, as a condition of 7087
probation, to attend and satisfactorily complete any treatment or 7088
education programs that comply with the minimum standards adopted 7089
pursuant to Chapter 3793. of the Revised Code by the director of 7090
alcohol and drug addiction services, in addition to the required 7091
attendance at drivers' intervention program, that the operators of 7092
the drivers' intervention program determine that the offender 7093
should attend and to report periodically to the court on the 7094
offender's progress in the programs. The court also may impose any 7095
other conditions of probation on the offender that it considers 7096
necessary. 7097

(iii) In all cases, a fine of not less than two hundred fifty 7098
and not more than one thousand dollars; 7099

(iv) In all cases, a class five license suspension of the 7100
offender's driver's or commercial driver's license or permit or 7101
nonresident operating privilege from the range specified in 7102
division (A)(5) of section 4510.02 of the Revised Code. The court 7103
may grant limited driving privileges relative to the suspension 7104

under sections 4510.021 and 4510.13 of the Revised Code. 7105

(b) Except as otherwise provided in division (G)(1)(e) of 7106
this section, an offender who, within six years of the offense, 7107
previously has been convicted of or pleaded guilty to one 7108
violation of division (A) or (B) of this section or one other 7109
equivalent offense is guilty of a misdemeanor of the first degree. 7110
The court shall sentence the offender to all of the following: 7111

(i) If the sentence is being imposed for a violation of 7112
division (A)(1), (2), (3), (4), or (5) of this section, a 7113
mandatory jail term of ten consecutive days. The court shall 7114
impose the ten-day mandatory jail term under this division unless, 7115
subject to division (G)(3) of this section, it instead imposes a 7116
sentence under that division consisting of both a jail term and a 7117
term of electronically monitored house arrest. The court may 7118
impose a jail term in addition to the ten-day mandatory jail term. 7119
The cumulative jail term imposed for the offense shall not exceed 7120
six months. 7121

In addition to the jail term or the term of electronically 7122
monitored house arrest and jail term, the court may require the 7123
offender to attend a drivers' intervention program that is 7124
certified pursuant to section 3793.10 of the Revised Code. If the 7125
operator of the program determines that the offender is alcohol 7126
dependent, the program shall notify the court, and, subject to 7127
division (I) of this section, the court shall order the offender 7128
to obtain treatment through an alcohol and drug addiction program 7129
authorized by section 3793.02 of the Revised Code. 7130

(ii) If the sentence is being imposed for a violation of 7131
division (A)(6), (7), (8), or (9) of this section, except as 7132
otherwise provided in this division, a mandatory jail term of 7133
twenty consecutive days. The court shall impose the twenty-day 7134
mandatory jail term under this division unless, subject to 7135
division (G)(3) of this section, it instead imposes a sentence 7136

under that division consisting of both a jail term and a term of 7137
electronically monitored house arrest. The court may impose a jail 7138
term in addition to the twenty-day mandatory jail term. The 7139
cumulative jail term imposed for the offense shall not exceed six 7140
months. 7141

In addition to the jail term or the term of electronically 7142
monitored house arrest and jail term, the court may require the 7143
offender to attend a driver's intervention program that is 7144
certified pursuant to section 3793.10 of the Revised Code. If the 7145
operator of the program determines that the offender is alcohol 7146
dependent, the program shall notify the court, and, subject to 7147
division (I) of this section, the court shall order the offender 7148
to obtain treatment through an alcohol and drug addiction program 7149
authorized by section 3793.02 of the Revised Code. 7150

(iii) In all cases, notwithstanding the fines set forth in 7151
Chapter 2929. of the Revised Code, a fine of not less than three 7152
hundred fifty and not more than one thousand five hundred dollars; 7153

(iv) In all cases, a class four license suspension of the 7154
offender's driver's license, commercial driver's license, 7155
temporary instruction permit, probationary license, or nonresident 7156
operating privilege from the range specified in division (A)(4) of 7157
section 4510.02 of the Revised Code. The court may grant limited 7158
driving privileges relative to the suspension under sections 7159
4510.021 and 4510.13 of the Revised Code. 7160

(v) In all cases, if the vehicle is registered in the 7161
offender's name, immobilization of the vehicle involved in the 7162
offense for ninety days in accordance with section 4503.233 of the 7163
Revised Code and impoundment of the license plates of that vehicle 7164
for ninety days. 7165

(c) Except as otherwise provided in division (G)(1)(e) of 7166
this section, an offender who, within six years of the offense, 7167

previously has been convicted of or pleaded guilty to two 7168
violations of division (A) or (B) of this section or other 7169
equivalent offenses is guilty of a misdemeanor. The court shall 7170
sentence the offender to all of the following: 7171

(i) If the sentence is being imposed for a violation of 7172
division (A)(1), (2), (3), (4), or (5) of this section, a 7173
mandatory jail term of thirty consecutive days. The court shall 7174
impose the thirty-day mandatory jail term under this division 7175
unless, subject to division (G)(3) of this section, it instead 7176
imposes a sentence under that division consisting of both a jail 7177
term and a term of electronically monitored house arrest. The 7178
court may impose a jail term in addition to the thirty-day 7179
mandatory jail term. Notwithstanding the terms of imprisonment set 7180
forth in Chapter 2929. of the Revised Code, the additional jail 7181
term shall not exceed one year, and the cumulative jail term 7182
imposed for the offense shall not exceed one year. 7183

(ii) If the sentence is being imposed for a violation of 7184
division (A)(6), (7), (8), or (9) of this section, a mandatory 7185
jail term of sixty consecutive days. The court shall impose the 7186
sixty-day mandatory jail term under this division unless, subject 7187
to division (G)(3) of this section, it instead imposes a sentence 7188
under that division consisting of both a jail term and a term of 7189
electronically monitored house arrest. The court may impose a jail 7190
term in addition to the sixty-day mandatory jail term. 7191
Notwithstanding the terms of imprisonment set forth in Chapter 7192
2929. of the Revised Code, the additional jail term shall not 7193
exceed one year, and the cumulative jail term imposed for the 7194
offense shall not exceed one year. 7195

(iii) In all cases, notwithstanding the fines set forth in 7196
Chapter 2929. of the Revised Code, a fine of not less than five 7197
hundred fifty and not more than two thousand five hundred dollars; 7198

(iv) In all cases, a class three license suspension of the 7199

offender's driver's license, commercial driver's license, 7200
temporary instruction permit, probationary license, or nonresident 7201
operating privilege from the range specified in division (A)(3) of 7202
section 4510.02 of the Revised Code. The court may grant limited 7203
driving privileges relative to the suspension under sections 7204
4510.021 and 4510.13 of the Revised Code. 7205

(v) In all cases, if the vehicle is registered in the 7206
offender's name, criminal forfeiture of the vehicle involved in 7207
the offense in accordance with section 4503.234 of the Revised 7208
Code. Division (G)(6) of this section applies regarding any 7209
vehicle that is subject to an order of criminal forfeiture under 7210
this division. 7211

(vi) In all cases, participation in an alcohol and drug 7212
addiction program authorized by section 3793.02 of the Revised 7213
Code, subject to division (I) of this section. 7214

(d) Except as otherwise provided in division (G)(1)(e) of 7215
this section, an offender who, within six years of the offense, 7216
previously has been convicted of or pleaded guilty to three or 7217
more violations of division (A) or (B) of this section or other 7218
equivalent offenses is guilty of a felony of the fourth degree. 7219
The court shall sentence the offender to all of the following: 7220

(i) If the sentence is being imposed for a violation of 7221
division (A)(1), (2), (3), (4), or (5) of this section, in the 7222
discretion of the court, either a mandatory term of local 7223
incarceration of sixty consecutive days in accordance with 7224
division (G)(1) of section 2929.13 of the Revised Code or a 7225
mandatory prison term of sixty consecutive days of imprisonment in 7226
accordance with division (G)(2) of that section. If the court 7227
imposes a mandatory term of local incarceration, it may impose a 7228
jail term in addition to the sixty-day mandatory term, the 7229
cumulative total of the mandatory term and the jail term for the 7230
offense shall not exceed one year, and no prison term is 7231

authorized for the offense. If the court imposes a mandatory 7232
prison term, notwithstanding division (A)(4) of section 2929.14 of 7233
the Revised Code, it also may sentence the offender to a definite 7234
prison term that shall be not less than six months and not more 7235
than thirty months, the prison terms shall be imposed as described 7236
in division (G)(2) of section 2929.13 of the Revised Code, and no 7237
term of local incarceration, community residential sanction, or 7238
nonresidential sanction is authorized for the offense. 7239

(ii) If the sentence is being imposed for a violation of 7240
division (A)(6), (7), (8), or (9) of this section, in the 7241
discretion of the court, either a mandatory term of local 7242
incarceration of one hundred twenty consecutive days in accordance 7243
with division (G)(1) of section 2929.13 of the Revised Code or a 7244
mandatory prison term of one hundred twenty consecutive days in 7245
accordance with division (G)(2) of that section. If the court 7246
imposes a mandatory term of local incarceration, it may impose a 7247
jail term in addition to the one hundred twenty-day mandatory 7248
term, the cumulative total of the mandatory term and the jail term 7249
for the offense shall not exceed one year, and no prison term is 7250
authorized for the offense. If the court imposes a mandatory 7251
prison term, notwithstanding division (A)(4) of section 2929.14 of 7252
the Revised Code, it also may sentence the offender to a definite 7253
prison term that shall be not less than six months and not more 7254
than thirty months, the prison terms shall be imposed as described 7255
in division (G)(2) of section 2929.13 of the Revised Code, and no 7256
term of local incarceration, community residential sanction, or 7257
nonresidential sanction is authorized for the offense. 7258

(iii) In all cases, notwithstanding section 2929.18 of the 7259
Revised Code, a fine of not less than eight hundred nor more than 7260
ten thousand dollars; 7261

(iv) In all cases, a class two license suspension of the 7262
offender's driver's license, commercial driver's license, 7263

temporary instruction permit, probationary license, or nonresident 7264
operating privilege from the range specified in division (A)(2) of 7265
section 4510.02 of the Revised Code. The court may grant limited 7266
driving privileges relative to the suspension under sections 7267
4510.021 and 4510.13 of the Revised Code. 7268

(v) In all cases, if the vehicle is registered in the 7269
offender's name, criminal forfeiture of the vehicle involved in 7270
the offense in accordance with section 4503.234 of the Revised 7271
Code. Division (G)(6) of this section applies regarding any 7272
vehicle that is subject to an order of criminal forfeiture under 7273
this division. 7274

(vi) In all cases, participation in an alcohol and drug 7275
addiction program authorized by section 3793.02 of the Revised 7276
Code, subject to division (I) of this section. 7277

(vii) In all cases, if the court sentences the offender to a 7278
mandatory term of local incarceration, in addition to the 7279
mandatory term, the court, pursuant to section 2929.17 of the 7280
Revised Code, may impose a term of electronically monitored house 7281
arrest. The term shall not commence until after the offender has 7282
served the mandatory term of local incarceration. 7283

(e) An offender who previously has been convicted of or 7284
pleaded guilty to a violation of division (A) of this section that 7285
was a felony, regardless of when the violation and the conviction 7286
or guilty plea occurred, is guilty of a felony of the third 7287
degree. The court shall sentence the offender to all of the 7288
following: 7289

(i) If the offender is being sentenced for a violation of 7290
division (A)(1), (2), (3), (4), or (5) of this section, a 7291
mandatory prison term of sixty consecutive days in accordance with 7292
division (G)(2) of section 2929.13 of the Revised Code. The court 7293
may impose a prison term in addition to the sixty-day mandatory 7294

prison term. The cumulative total of the mandatory prison term and 7295
the additional prison term for the offense shall not exceed five 7296
years. No term of local incarceration, community residential 7297
sanction, or nonresidential sanction is authorized for the 7298
offense. 7299

(ii) If the sentence is being imposed for a violation of 7300
division (A)(6), (7), (8), or (9) of this section, a mandatory 7301
prison term of one hundred twenty consecutive days in accordance 7302
with division (G)(2) of section 2929.13 of the Revised Code. The 7303
court may impose a prison term in addition to the one hundred 7304
twenty-day mandatory prison term. The cumulative total of the 7305
mandatory prison term and the additional prison term for the 7306
offense shall not exceed five years. No term of local 7307
incarceration, community residential sanction, or nonresidential 7308
sanction is authorized for the offense. 7309

(iii) In all cases, notwithstanding section 2929.18 of the 7310
Revised Code, a fine of not less than eight hundred nor more than 7311
ten thousand dollars; 7312

(iv) In all cases, a class two license suspension of the 7313
offender's driver's license, commercial driver's license, 7314
temporary instruction permit, probationary license, or nonresident 7315
operating privilege from the range specified in division (A)(2) of 7316
section 4510.02 of the Revised Code. The court may grant limited 7317
driving privileges relative to the suspension under sections 7318
4510.021 and 4510.13 of the Revised Code. 7319

(v) In all cases, if the vehicle is registered in the 7320
offender's name, criminal forfeiture of the vehicle involved in 7321
the offense in accordance with section 4503.234 of the Revised 7322
Code. Division (G)(6) of this section applies regarding any 7323
vehicle that is subject to an order of criminal forfeiture under 7324
this division. 7325

(vi) In all cases, participation in an alcohol and drug addiction program authorized by section 3793.02 of the Revised Code, subject to division (I) of this section.

(2) An offender who is convicted of or pleads guilty to a violation of division (A) of this section and who subsequently seeks reinstatement of the driver's or occupational driver's license or permit or nonresident operating privilege suspended under this section as a result of the conviction or guilty plea shall pay a reinstatement fee as provided in division (F)(2) of section 4511.191 of the Revised Code.

(3) If an offender is sentenced to a jail term under division (G)(1)(b)(i) or (ii) or (G)(1)(c)(i) or (ii) of this section and if, within sixty days of sentencing of the offender, the court issues a written finding on the record that, due to the unavailability of space at the jail where the offender is required to serve the term, the offender will not be able to begin serving that term within the sixty-day period following the date of sentencing, the court may impose an alternative sentence under this division that includes a term of electronically monitored house arrest, as defined in section 2929.23 of the Revised Code.

As an alternative to a mandatory jail term of ten consecutive days required by division (G)(1)(b)(i) of this section, the court, under this division, may sentence the offender to five consecutive days in jail and not less than eighteen consecutive days of electronically monitored house arrest. The cumulative total of the five consecutive days in jail and the period of electronically monitored house arrest shall not exceed six months. The five consecutive days in jail do not have to be served prior to or consecutively to the period of house arrest.

As an alternative to the mandatory jail term of twenty consecutive days required by division (G)(1)(b)(ii) of this

section, the court, under this division, may sentence the offender 7357
to ten consecutive days in jail and not less than thirty-six 7358
consecutive days of electronically monitored house arrest. The 7359
cumulative total of the ten consecutive days in jail and the 7360
period of electronically monitored house arrest shall not exceed 7361
six months. The ten consecutive days in jail do not have to be 7362
served prior to or consecutively to the period of house arrest. 7363

As an alternative to a mandatory jail term of thirty 7364
consecutive days required by division (G)(1)(c)(i) of this 7365
section, the court, under this division, may sentence the offender 7366
to fifteen consecutive days in jail and not less than fifty-five 7367
consecutive days of electronically monitored house arrest. The 7368
cumulative total of the fifteen consecutive days in jail and the 7369
period of electronically monitored house arrest shall not exceed 7370
one year. The fifteen consecutive days in jail do not have to be 7371
served prior to or consecutively to the period of house arrest. 7372

As an alternative to the mandatory jail term of sixty 7373
consecutive days required by division (G)(1)(c)(ii) of this 7374
section, the court, under this division, may sentence the offender 7375
to thirty consecutive days in jail and not less than one hundred 7376
ten consecutive days of electronically monitored house arrest. The 7377
cumulative total of the thirty consecutive days in jail and the 7378
period of electronically monitored house arrest shall not exceed 7379
one year. The thirty consecutive days in jail do not have to be 7380
served prior to or consecutively to the period of house arrest. 7381

(4) If an offender's driver's or occupational driver's 7382
license or permit or nonresident operating privilege is suspended 7383
under division (G) of this section and if section 4510.13 of the 7384
Revised Code permits the court to grant limited driving 7385
privileges, the court may grant the limited driving privileges 7386
only if the court imposes as one of the conditions of the 7387
privileges that the offender must display on the vehicle that is 7388

driven subject to the privileges restricted license plates that 7389
are issued under section 4503.231 of the Revised Code, except as 7390
provided in division (B) of that section. 7391

(5) Fines imposed under this section for a violation of 7392
division (A) of this section shall be distributed as follows: 7393

(a) Twenty-five dollars of the fine imposed under division 7394
(G)(1)(a)(iii), thirty-five dollars of the fine imposed under 7395
division (G)(1)(b)(iii), one hundred twenty-three dollars of the 7396
fine imposed under division (G)(1)(c)(iii), and two hundred ten 7397
dollars of the fine imposed under division (G)(1)(d)(iii) or 7398
(e)(iii) of this section shall be paid to an enforcement and 7399
education fund established by the legislative authority of the law 7400
enforcement agency in this state that primarily was responsible 7401
for the arrest of the offender, as determined by the court that 7402
imposes the fine. The agency shall use this share to pay only 7403
those costs it incurs in enforcing this section or a municipal OVI 7404
ordinance and in informing the public of the laws governing the 7405
operation of a vehicle while under the influence of alcohol, the 7406
dangers of the operation of a vehicle under the influence of 7407
alcohol, and other information relating to the operation of a 7408
vehicle under the influence of alcohol and the consumption of 7409
alcoholic beverages. 7410

(b) Fifty dollars of the fine imposed under division 7411
(G)(1)(a)(iii) of this section shall be paid to the political 7412
subdivision that pays the cost of housing the offender during the 7413
offender's term of incarceration. If the offender is being 7414
sentenced for a violation of division (A)(1), (2), (3), (4), or 7415
(5) of this section and was confined as a result of the offense 7416
prior to being sentenced for the offense but is not sentenced to a 7417
term of incarceration, the fifty dollars shall be paid to the 7418
political subdivision that paid the cost of housing the offender 7419
during that period of confinement. The political subdivision shall 7420

use the share under this division to pay or reimburse 7421
incarceration or treatment costs it incurs in housing or providing 7422
drug and alcohol treatment to persons who violate this section or 7423
a municipal OVI ordinance, costs of any immobilizing or disabling 7424
device used on the offender's vehicle, and costs of electronic 7425
house arrest equipment needed for persons who violate this 7426
section. 7427

(c) Twenty-five dollars of the fine imposed under division 7428
(G)(1)(a)(iii) and fifty dollars of the fine imposed under 7429
division (G)(1)(b)(iii) of this section shall be deposited into 7430
the county or municipal indigent drivers' alcohol treatment fund 7431
under the control of that court, as created by the county or 7432
municipal corporation under division (N) of section 4511.191 of 7433
the Revised Code. 7434

(d) One hundred fifteen dollars of the fine imposed under 7435
division (G)(1)(b)(iii), two hundred seventy-seven dollars of the 7436
fine imposed under division (G)(1)(c)(iii), and four hundred forty 7437
dollars of the fine imposed under division (G)(1)(d)(iii) or 7438
(e)(iii) of this section shall be paid to the political 7439
subdivision that pays the cost of housing the offender during the 7440
offender's term of incarceration. The political subdivision shall 7441
use this share to pay or reimburse incarceration or treatment 7442
costs it incurs in housing or providing drug and alcohol treatment 7443
to persons who violate this section or a municipal OVI ordinance, 7444
costs for any immobilizing or disabling device used on the 7445
offender's vehicle, and costs of electronic house arrest equipment 7446
needed for persons who violate this section. 7447

(e) The balance of the fine imposed under division 7448
(G)(1)(a)(iii), (b)(iii), (c)(iii), (d)(iii), or (e)(iii) of this 7449
section shall be disbursed as otherwise provided by law. 7450

(6) If title to a motor vehicle that is subject to an order 7451
of criminal forfeiture under division (G)(1)(c), (d), or (e) of 7452

this section is assigned or transferred and division (B)(2) or (3) 7453
of section 4503.234 of the Revised Code applies, in addition to or 7454
independent of any other penalty established by law, the court may 7455
fine the offender the value of the vehicle as determined by 7456
publications of the national auto dealers association. The 7457
proceeds of any fine so imposed shall be distributed in accordance 7458
with division (C)(2) of that section. 7459

(H) Whoever violates division (B) of this section is guilty 7460
of operating a vehicle after underage alcohol consumption and 7461
shall be punished as follows: 7462

(1) Except as otherwise provided in division (H)(2) of this 7463
section, the offender is guilty of a misdemeanor of the fourth 7464
degree. In addition to any other sanction imposed for the offense, 7465
the court shall impose a class six suspension of the offender's 7466
driver's license, commercial driver's license, temporary 7467
instruction permit, probationary license, or nonresident operating 7468
privilege from the range specified in division (A)(6) of section 7469
4510.02 of the Revised Code. 7470

(2) If, within one year of the offense, the offender 7471
previously has been convicted of or pleaded guilty to one or more 7472
violations of division (A) or (B) of this section or other 7473
equivalent offense offenses, the offender is guilty of a 7474
misdemeanor of the third degree. In addition to any other sanction 7475
imposed for the offense, the court shall impose a class four 7476
suspension of the offender's driver's license, commercial driver's 7477
license, temporary instruction permit, probationary license, or 7478
nonresident operating privilege from the range specified in 7479
division (A)(4) of section 4510.02 of the Revised Code. 7480

(I)(1) No court shall sentence an offender to an alcohol 7481
treatment program under this section unless the treatment program 7482
complies with the minimum standards for alcohol treatment programs 7483
adopted under Chapter 3793. of the Revised Code by the director of 7484

alcohol and drug addiction services. 7485

(2) An offender who stays in a drivers' intervention program 7486
or in an alcohol treatment program under an order issued under 7487
this section shall pay the cost of the stay in the program. 7488
However, if the court determines that an offender who stays in an 7489
alcohol treatment program under an order issued under this section 7490
is unable to pay the cost of the stay in the program, the court 7491
may order that the cost be paid from the court's indigent drivers' 7492
alcohol treatment fund. 7493

(J) If a person whose driver's or commercial driver's license 7494
or permit or nonresident operating privilege is suspended under 7495
this section files an appeal regarding any aspect of the person's 7496
trial or sentence, the appeal itself does not stay the operation 7497
of the suspension. 7498

(K) All terms defined in sections 4510.01 of the Revised Code 7499
apply to this section. If the meaning of a term defined in section 7500
4510.01 of the Revised Code conflicts with the meaning of the same 7501
term as defined in section 4501.01 or 4511.01 of the Revised Code, 7502
the term as defined in section 4510.01 of the Revised Code applies 7503
to this section. 7504

(L)(1) The Ohio Traffic Rules in effect on ~~the effective date~~ 7505
~~of this amendment~~ January 1, 2004, as adopted by the supreme court 7506
under authority of section 2937.46 of the Revised Code, do not 7507
apply to felony violations of this section. Subject to division 7508
(L)(2) of this section, the Rules of Criminal Procedure apply to 7509
felony violations of this section. 7510

(2) If, on or after ~~the effective date of this amendment~~ 7511
January 1, 2004, the supreme court modifies the Ohio Traffic Rules 7512
to provide procedures to govern felony violations of this section, 7513
the modified rules shall apply to felony violations of this 7514
section. 7515

Sec. 4513.111. (A)(1) Every multi-wheel agricultural tractor 7516
whose model year was 2001 or earlier, when being operated or 7517
traveling on a street or highway at the times specified in section 7518
4513.03 of the Revised Code, at a minimum shall be equipped with 7519
and display reflectors and illuminated amber lamps so that the 7520
extreme left and right projections of the tractor are indicated by 7521
flashing lamps displaying amber light, visible to the front and 7522
the rear, by amber reflectors, all visible to the front, and by 7523
red reflectors, all visible to the rear. 7524

(2) The lamps displaying amber light need not flash 7525
simultaneously and need not flash in conjunction with any 7526
directional signals of the tractor. 7527

(3) The lamps and reflectors required by division (A)(1) of 7528
this section and their placement shall meet standards and 7529
specifications contained in rules adopted by the director of 7530
public safety in accordance with Chapter 119. of the Revised Code. 7531
The rules governing the amber lamps, amber reflectors, and red 7532
reflectors and their placement shall correlate with and, as far as 7533
possible, conform with paragraphs 4.1.4.1, 4.1.7.1, and 4.1.7.2 7534
respectively of the American society of agricultural engineers 7535
standard ANSI/ASAE S279.10 OCT98, lighting and marking of 7536
agricultural equipment on highways. 7537

(B) Every unit of farm machinery whose model year was 2002 or 7538
later, when being operated or traveling on a street or highway at 7539
the times specified in section 4513.03 of the Revised Code, shall 7540
be equipped with and display markings and illuminated lamps that 7541
meet or exceed the lighting, illumination, and marking standards 7542
and specifications that are applicable to that type of farm 7543
machinery for the unit's model year specified in the American 7544
society of agricultural engineers standard ANSI/ASAE ~~S279.10 OCT98~~ 7545
S279.11 APR01, lighting and marking of agricultural equipment on 7546

highways, or any subsequent revisions of that standard. 7547

(C) The lights and reflectors required by division (A) of 7548
this section are in addition to the slow-moving vehicle emblem and 7549
lights required or permitted by section 4513.11 or 4513.17 of the 7550
Revised Code to be displayed on farm machinery being operated or 7551
traveling on a street or highway. 7552

(D) No person shall operate any unit of farm machinery on a 7553
street or highway or cause any unit of farm machinery to travel on 7554
a street or highway in violation of division (A) or (B) of this 7555
section. 7556

(E) Whoever violates this section shall be punished as 7557
provided in section 4513.99 of the Revised Code. 7558

Sec. 4549.10. (A) No person shall operate or cause to be 7559
operated upon a public road or highway a motor vehicle of a 7560
manufacturer or dealer unless the vehicle carries and displays ~~two~~ 7561
~~placards~~ a placard, except as provided in section 4503.21 of the 7562
Revised Code, issued by the director of public safety that ~~bear~~ 7563
bears the registration number of its manufacturer or dealer. 7564

(B) Whoever violates division (A) of this section is guilty 7565
of illegal operation of a manufacturer's or dealer's motor 7566
vehicle, a minor misdemeanor on a first offense and a misdemeanor 7567
of the fourth degree on each subsequent offense. 7568

Section 5. That the existing versions of sections 1547.11, 7569
4503.10, 4503.11, 4503.182, 4503.19, 4503.21, 4511.19, 4513.111, 7570
and 4549.10 of the Revised Code that are scheduled to take effect 7571
January 1, 2004, are hereby repealed. 7572

Section 6. Sections 4 and 5 of this act take effect January 7573
1, 2004. 7574

Section 7. The amendment of section 4511.191 of the Revised Code by this act does not supersede the earlier amendment with delayed effective date of that section by Am. Sub. S.B. 123 of the 124th General Assembly.

Section 8. Upon the approval of the Legislative Service Commission, the staff of the Legislative Service Commission, beginning in January, 2006, shall conduct a study of force account limits established by this act for the Department of Transportation, counties, townships, and municipal corporations.

The study shall consider the number of force account projects completed by the Department of Transportation and the political subdivisions and shall assess the use of taxpayer funds for those projects. The study shall discuss any measurable effects on economic development that may relate to specific force account projects. The study also shall address findings of the Auditor of State under section 117.16 of the Revised Code, including whether the Department of Transportation or political subdivisions were found to have violated the force account limits and whether any political subdivisions were subject to reduced force account limits as a result of the audits.

If approved by the Commission, the staff shall submit a report on the study to the General Assembly not later than January 1, 2007.

Section 9. From July 1, 2003, through June 30, 2005, three or fewer steel coils are deemed to be a nondivisible load for purposes of special permits issued under section 4513.34 of the Revised Code, provided that the maximum overall gross vehicle weight of the vehicle and load shall not exceed ninety-two thousand pounds.

Section 10. Except as otherwise provided, all appropriation 7604
items in this act are hereby appropriated out of any moneys in the 7605
state treasury to the credit of the designated fund, which are not 7606
otherwise appropriated. For all appropriations made in this act, 7607
the amounts in the first column are for fiscal year 2004 and the 7608
amounts in the second column are for fiscal year 2005. 7609

Section 11. DOT DEPARTMENT OF TRANSPORTATION				7610
FUND	TITLE	FY 2004	FY 2005	7611
	Transportation Planning and Research			7612
	Highway Operating Fund Group			7613
002 771-411	Planning and Research	\$ 14,548,950	\$ 15,070,100	7614
	- State			
002 771-412	Planning and Research	\$ 35,193,300	\$ 35,644,900	7615
	- Federal			
	TOTAL HOF Highway Operating			7616
	Fund Group	\$ 49,742,250	\$ 50,715,000	7617
	TOTAL ALL BUDGET FUND GROUPS -			7618
	Transportation Planning			7619
	and Research	\$ 49,742,250	\$ 50,715,000	7620
	Highway Construction			7621
	Highway Operating Fund Group			7622
002 772-421	Highway Construction -	\$ 486,222,430	\$ 446,847,300	7623
	State			
002 772-422	Highway Construction -	\$ 762,964,700	\$ 766,001,700	7624
	Federal			
002 772-424	Highway Construction -	\$ 70,000,000	\$ 51,000,000	7625
	Other			
212 770-005	Infrastructure Debt	\$ 72,064,200	\$ 78,696,100	7626
	Service - Federal			
212 772-423	Infrastructure Lease	\$ 12,537,800	\$ 12,537,300	7627

		Payments - Federal				
212	772-426	Highway Infrastructure	\$	2,740,000	\$	2,620,000 7628
		Bank - Federal				
212	772-427	Highway Infrastructure	\$	11,000,000	\$	11,000,000 7629
		Bank - State				
		TOTAL HOF Highway Operating				7630
		Fund Group	\$	1,417,529,130	\$	1,368,702,400 7631
		Highway Capital Improvement Fund Group				7632
042	772-723	Highway Construction -	\$	220,000,000	\$	220,000,000 7633
		Bonds				
		TOTAL 042 Highway Capital				7634
		Improvement Fund Group	\$	220,000,000	\$	220,000,000 7635
		Infrastructure Bank Obligations				7636
		Fund Group				
045	772-428	Highway Infrastructure	\$	40,000,000	\$	40,000,000 7637
		Bank - Bonds				
		TOTAL 045 Infrastructure Bank				7638
		Obligations Fund Group	\$	40,000,000	\$	40,000,000 7639
		TOTAL ALL BUDGET FUND GROUPS -				7640
		Highway Construction	\$	1,679,029,130	\$	1,631,702,400 7641
		Highway Maintenance				7642
		Highway Operating Fund Group				7643
002	773-431	Highway Maintenance -	\$	394,605,100	\$	413,082,600 7644
		State				
		TOTAL HOF Highway Operating				7645
		Fund Group	\$	394,605,100	\$	413,082,600 7646
		TOTAL ALL BUDGET FUND GROUPS -				7647
		Highway Maintenance	\$	394,605,100	\$	413,082,600 7648
		Public Transportation				7649
		Highway Operating Fund Group				7650
002	775-452	Public Transportation	\$	27,000,000	\$	27,000,000 7651
		- Federal				

002 775-454	Public Transportation	\$	1,500,000	\$	1,500,000	7652
	- Other					
002 775-459	Elderly and Disabled	\$	4,230,000	\$	4,230,000	7653
	Special Equipment -					
	Federal					
TOTAL HOF Highway Operating						7654
Fund Group		\$	32,730,000	\$	32,730,000	7655
TOTAL ALL BUDGET FUND GROUPS -						7656
Public Transportation		\$	32,730,000	\$	32,730,000	7657
	Rail Transportation					7658
Highway Operating Fund Group						7659
002 776-462	Grade Crossings -	\$	15,000,000	\$	15,000,000	7660
	Federal					
TOTAL HOF Highway Operating						7661
Fund Group		\$	15,000,000	\$	15,000,000	7662
State Special Revenue Fund Group						7663
4A3 776-665	Railroad Crossing	\$	1,000,000	\$	0	7664
	Safety Devices					
TOTAL SSR State Special Revenue		\$	1,000,000	\$	0	7665
Fund Group						
TOTAL ALL BUDGET FUND GROUPS -						7666
Rail Transportation		\$	16,000,000	\$	15,000,000	7667
	Aviation					7668
Highway Operating Fund Group						7669
002 777-472	Airport Improvements -	\$	405,000	\$	405,000	7670
	Federal					
002 777-475	Aviation	\$	4,064,700	\$	4,139,000	7671
	Administration					
TOTAL HOF Highway Operating						7672
Fund Group		\$	4,469,700	\$	4,544,000	7673
TOTAL ALL BUDGET FUND GROUPS -						7674
Aviation		\$	4,469,700	\$	4,544,000	7675

				Administration	7676
				State Special Revenue Fund Group	7677
4T5	770-609	Administration	\$ 5,000	\$ 5,000	7678
				Memorial Fund	
		TOTAL SSR State Special Revenue			7679
		Fund Group	\$ 5,000	\$ 5,000	7680
				Highway Operating Fund Group	7681
002	779-491	Administration - State	\$ 116,449,900	\$ 121,986,500	7682
		TOTAL HOF Highway Operating			7683
		Fund Group	\$ 116,449,900	\$ 121,986,500	7684
		TOTAL ALL BUDGET FUND GROUPS -			7685
		Administration	\$ 116,454,900	\$ 121,991,500	7686
				Debt Service	7687
				Highway Operating Fund Group	7688
002	770-003	Administration - State	\$ 13,802,600	\$ 13,395,900	7689
		- Debt Service			
		TOTAL HOF Highway Operating			7690
		Fund Group	\$ 13,802,600	\$ 13,395,900	7691
		TOTAL ALL BUDGET FUND GROUPS -			7692
		Debt Service	\$ 13,802,600	\$ 13,395,900	7693
		TOTAL Department of Transportation			7694
		TOTAL HOF Highway Operating			7695
		Fund Group	\$ 2,044,328,680	\$ 2,020,156,400	7696
		TOTAL 042 Highway Capital			7697
		Improvement Fund Group	\$ 220,000,000	\$ 220,000,000	7698
		TOTAL 045 Infrastructure Bank			7699
		Obligations Fund Group	\$ 40,000,000	\$ 40,000,000	7700
		TOTAL SSR State Special Revenue			7701
		Fund Group	\$ 1,005,000	\$ 5,000	7702
		TOTAL ALL BUDGET FUND GROUPS	\$ 2,305,333,680	\$ 2,280,161,400	7703
		Section 11.01. ISSUANCE OF BONDS			7705

The Treasurer of State, upon the request of the Director of Transportation, is authorized to issue and sell, in accordance with Section 2m of Article VIII, Ohio Constitution, and Chapter 151. and particularly sections 151.01 and 151.06 of the Revised Code, obligations, including bonds and notes, of the State of Ohio in the aggregate amount of \$420,000,000 in addition to the original issuance of obligations heretofore authorized by prior acts of the General Assembly.

The obligations shall be dated, issued, and sold from time to time in such amounts as may be necessary to provide sufficient moneys to the credit of the Highway Capital Improvement Fund (Fund 042) created by section 5528.53 of the Revised Code to pay costs charged to the fund when due as estimated by the Director of Transportation, provided, however, that such obligations shall be issued and sold at such time or times so that not more than \$220,000,000 original principal amount of obligations, plus the principal amount of obligations that in prior fiscal years could have been, but were not, issued within the \$220,000,000 limit, may be issued in any fiscal year, and not more than \$1,200,000,000 original principal amount of such obligations are outstanding at any one time.

Section 11.02. MAINTENANCE INTERSTATE HIGHWAYS

The Director of Transportation may remove snow and ice and maintain, repair, improve, or provide lighting upon interstate highways that are located within the boundaries of municipal corporations, adequate to meet the requirements of federal law. When agreed in writing by the Director of Transportation and the legislative authority of a municipal corporation and notwithstanding sections 125.01 and 125.11 of the Revised Code, the Department of Transportation may reimburse the municipal corporation for all or any part of the costs, as provided by such

agreement, incurred by the municipal corporation in maintaining, 7737
repairing, lighting, and removing snow and ice from the interstate 7738
system. 7739

Section 11.03. TRANSFER OF FUND 002 APPROPRIATIONS - PLANNING 7740
AND RESEARCH, HIGHWAY CONSTRUCTION, HIGHWAY MAINTENANCE, RAIL, 7741
AVIATION, AND ADMINISTRATION 7742

The Director of Budget and Management may approve requests 7743
from the Department of Transportation for transfer of Fund 002 7744
appropriations for highway planning and research (appropriation 7745
items 771-411 and 771-412), highway construction (appropriation 7746
items 772-421, 772-422, and 772-424), highway maintenance 7747
(appropriation item 773-431), rail grade crossings (appropriation 7748
item 776-462), aviation (appropriation item 777-475), and 7749
administration (appropriation item 779-491). Transfers of 7750
appropriations may be made upon the written request of the 7751
Director of Transportation and with the approval of the Director 7752
of Budget and Management. Such transfers shall be reported to the 7753
Controlling Board at the next regularly scheduled meeting of the 7754
board. 7755

This transfer authority is intended to provide for emergency 7756
situations and flexibility to meet unforeseen conditions that 7757
could arise during the budget period. It also is intended to allow 7758
the department to optimize the use of available resources and 7759
adjust to circumstances affecting the obligation and expenditure 7760
of federal funds. 7761

TRANSFER OF APPROPRIATIONS - FEDERAL HIGHWAY AND FEDERAL 7762
TRANSIT 7763

The Director of Budget and Management may approve requests 7764
from the Department of Transportation for the transfer of 7765
appropriations between appropriation items 772-422, Highway 7766

Construction - Federal, and 775-452, Public Transportation - 7767
Federal, based upon transit capital projects meeting Federal 7768
Highway Administration and Federal Transit Administration funding 7769
guidelines. Transfers between these appropriation items may be 7770
made upon the written request of the Director of Transportation 7771
and with the approval of the Director of Budget and Management. 7772
Such transfers shall be reported to the Controlling Board at its 7773
next regularly scheduled meeting. 7774

TRANSFER OF APPROPRIATIONS - STATE INFRASTRUCTURE BANK 7775

The Director of Budget and Management may approve requests 7776
from the Department of Transportation for transfer of 7777
appropriations and cash of the Infrastructure Bank funds created 7778
in section 5531.09 of the Revised Code, including transfers 7779
between fiscal years 2004 and 2005. Such transfers shall be 7780
reported to the Controlling Board at its next regularly scheduled 7781
meeting. However, the director may not make transfers out of debt 7782
service and lease payment appropriation items unless the director 7783
determines that the appropriated amounts exceed the actual and 7784
projected debt, rental, or lease payments. 7785

Should the appropriation and any reappropriations from prior 7786
years in appropriation item 770-005 and appropriation item 772-423 7787
exceed the actual and projected debt, rental, or lease payments 7788
for fiscal year 2004 or 2005, then prior to June 30, 2005, the 7789
balance may be transferred to appropriation item 772-422. Such 7790
transfer may be made upon the written request of the Director of 7791
Transportation and with the approval of the Director of Budget and 7792
Management. Transfers shall be reported to the Controlling Board 7793
at its next regularly scheduled meeting. 7794

The Director of Budget and Management may approve requests 7795
from the Department of Transportation for transfer of 7796
appropriations and cash from the Highway Operating Fund (Fund 002) 7797

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 Infrastructure Bank funds created in section 5531.09 of the Revised Code remaining unencumbered on June 30, 2003, are hereby reappropriated for the same purpose in fiscal year 2004.

All appropriations of the Highway Operating Fund (Fund 002)

and the Highway Capital Improvement Fund (Fund 042), and the
Infrastructure Bank funds created in section 5531.09 of the
Revised Code remaining unencumbered on June 30, 2004, are hereby
reappropriated for the same purpose in fiscal year 2005.

Any balances of prior years' appropriations to the Highway
Operating Fund (Fund 002), the Highway Capital Improvement Fund
(Fund 042), and the Infrastructure Bank funds created in section
5531.09 of the Revised Code that are unencumbered on June 30,
2003, subject to the availability of revenue as determined by the
Director of Transportation, are hereby reappropriated for the same
purpose in fiscal year 2004 upon the request of the Director of
Transportation and with the approval of the Director of Budget and
Management. Such reappropriations shall be reported to the
Controlling Board.

Any balances of prior years' appropriations to the Highway
Operating Fund (Fund 002), the Highway Capital Improvement Fund
(Fund 042), and the Infrastructure Bank funds created in section
5531.09 of the Revised Code that are unencumbered on June 30,
2004, subject to the availability of revenue as determined by the
Director of Transportation, are hereby reappropriated for the same
purpose in fiscal year 2005 upon the request of the Director of
Transportation and with the approval of the Director of Budget and
Management. Such reappropriations shall be reported to the
Controlling Board.

Section 11.04. PUBLIC ACCESS ROADS FOR STATE FACILITIES

Of the foregoing appropriation item 772-421, Highway
Construction - State, \$3,145,500 is to be used each fiscal year
during the 2003-2005 biennium by the Department of Transportation
for the construction, reconstruction, or maintenance of public
access roads, including support features, to and within state

facilities owned or operated by the Department of Natural Resources, as requested by the Director of Natural Resources.

Notwithstanding section 5511.06 of the Revised Code, of the foregoing appropriation item 772-421, Highway Construction - State, \$2,228,000 in each fiscal year of the 2003-2005 biennium shall be used by the Department of Transportation for the construction, reconstruction, or maintenance of park drives or park roads within the boundaries of metropolitan parks.

Included in the foregoing appropriation item 772-421, Highway Construction - State, the department may perform related road work on behalf of the Ohio Expositions Commission at the state fairgrounds, including reconstruction or maintenance of public access roads, including support features, to and within the facilities as requested by the commission and approved by the Director of Transportation.

LIQUIDATION OF UNFORESEEN LIABILITIES

Any appropriation made to the Department of Transportation, Highway Operating Fund, not otherwise restricted by law, is available to liquidate unforeseen liabilities arising from contractual agreements of prior years when the prior year encumbrance is insufficient.

RUMBLE STRIPS AT RAILROAD CROSSINGS

Of the foregoing appropriation item 776-665, Railroad Crossing Safety Devices, \$1,000,000 in fiscal year 2004 shall be used by the Department of Transportation to fund competitive grants to political subdivisions for the cost of putting rumble strips at active railroad crossings without gates or lights. The maximum amount of a competitive grant is \$50,000 for any single crossing. Each political subdivision with jurisdiction over a crossing may apply to the Department for a competitive grant for the costs of putting rumble strips at crossings. Those political

subdivisions awarded grants shall install the rumble strips by 7889
December 1, 2004. 7890

If rumble strips are not appropriate for a crossing, the 7891
Department may allow the political subdivision which is awarded 7892
the grant to use the funding for a safety device or technology 7893
more appropriate for the crossing. 7894

The Department shall notify each political subdivision with 7895
jurisdiction over a crossing of the requirements of this section 7896
that funding is available for rumble strips at crossings and for 7897
other rail crossing safety improvements. The Department also shall 7898
notify associations representing political subdivisions of the 7899
availability of the funding. 7900

The Department shall spend no more than five per cent of the 7901
appropriation item on Department administrative expenses. 7902

The Department shall issue a report on or before June 30, 7903
2005, describing the activities carried out by the Department to 7904
comply with the provisions of this section. The report shall 7905
include the number of crossings at which rumble strip installation 7906
was completed, the cost of each installation to date, the number 7907
of active crossings without gates or lights that still do not have 7908
rumble strips, and a geographic breakdown of where the crossings 7909
are that have and have not yet received rumble strips. 7910

All appropriations in Fund 4A3, appropriation item 776-665, 7911
Railroad Crossing Safety Devices, remaining unencumbered on June 7912
30, 2004, are hereby reappropriated for the same purpose in fiscal 7913
year 2005. The Department shall report all such appropriations to 7914
the Controlling Board. 7915

Section 11.05. RENTAL PAYMENTS - OBA 7916

The foregoing appropriation item 770-003, Administration - 7917
State - Debt Service, shall be used to pay rent to the Ohio 7918

Building Authority for various capital facilities to be 7919
constructed, reconstructed, or rehabilitated for the use of the 7920
Department of Transportation, including the department's plant and 7921
facilities at its central office, field districts, and county and 7922
outpost locations. The rental payments shall be made from revenues 7923
received from the motor vehicle fuel tax. The amounts of any bonds 7924
and notes to finance such capital facilities shall be at the 7925
request of the Director of Transportation. Notwithstanding section 7926
152.24 of the Revised Code, the Ohio Building Authority may, with 7927
approval of the Office of Budget and Management, lease capital 7928
facilities to the Department of Transportation. 7929

The Director of Transportation shall hold title to any land 7930
purchased and any resulting structures that are attributable to 7931
appropriation item 770-003. Notwithstanding section 152.18 of the 7932
Revised Code, the Director of Transportation shall administer any 7933
purchase of land and any contract for construction, 7934
reconstruction, and rehabilitation of facilities as a result of 7935
this appropriation. 7936

Should the appropriation and any reappropriations from prior 7937
years in appropriation item 770-003 exceed the rental payments for 7938
fiscal year 2004 or 2005, then prior to June 30, 2005, the balance 7939
may be transferred to appropriation item 772-421, 773-431, or 7940
779-491. Such transfer may be made upon the written request of the 7941
Director of Transportation and with the approval of the Director 7942
of Budget and Management. Transfers shall be reported to the 7943
Controlling Board at its next regularly scheduled meeting. 7944

Section 11.06. PUBLIC TRANSPORTATION HIGHWAY PURPOSE GRANTS 7945

The Director of Transportation may use revenues from the 7946
state motor vehicle fuel tax to match approved federal grants 7947
awarded to the Department of Transportation, regional transit 7948
authorities, or eligible public transportation systems, for public 7949

transportation highway purposes, or to support local or state 7950
funded projects for public transportation highway purposes. Public 7951
transportation highway purposes include: the construction or 7952
repair of high-occupancy vehicle traffic lanes, the acquisition or 7953
construction of park-and-ride facilities, the acquisition or 7954
construction of public transportation vehicle loops, the 7955
construction or repair of bridges used by public transportation 7956
vehicles or that are the responsibility of a regional transit 7957
authority or other public transportation system, or other similar 7958
construction that is designated as an eligible public 7959
transportation highway purpose. Motor vehicle fuel tax revenues 7960
may not be used for operating assistance or for the purchase of 7961
vehicles, equipment, or maintenance facilities. 7962

Section 12. PAVEMENT-SELECTION PROCESS ANALYSIS 7963

The Ohio Department of Transportation shall contract with a 7964
neutral third-party entity to conduct an analysis of the 7965
Department's pavement-selection process including but not limited 7966
to life cycle cost analysis; user delay; constructability and 7967
environment factors. The entity shall be an individual or an 7968
academic, research, or professional association with an expertise 7969
in pavement-selection processes. The entity shall have no 7970
financial interest in any pavement-selection decisions and shall 7971
not be a research center for concrete or asphalt pavement. The 7972
analysis shall compare and contrast the Department's 7973
pavement-selection process with those of other states and with 7974
model selection processes as described by the American Association 7975
of State Highway and Transportation Officials and the Federal 7976
Highway Administration. 7977

The Department shall convene an advisory panel of interested 7978
parties to assist it in the selection of the neutral third-party 7979
entity and to prepare the scope of the study. The entity shall 7980

allow a comment period before issuing its final report. The report 7981
shall be concluded by October 31, 2003. 7982

The Department shall make the changes to its 7983
pavement-selection process based on the recommendations included 7984
in the neutral third-party entity's report. 7985

Section 13. DHS DEPARTMENT OF PUBLIC SAFETY 7986

Highway Safety Information and Education 7987

State Highway Safety Fund Group 7988

036 761-321 Operating Expense - \$ 2,900,702 \$ 3,030,054 7989
Information and
Education

036 761-402 Traffic Safety Match \$ 277,137 \$ 277,137 7990

831 761-610 Information and \$ 468,982 \$ 468,982 7991
Education - Federal

83N 761-611 Elementary School Seat \$ 447,895 \$ 447,895 7992
Belt Program

832 761-612 Traffic Safety-Federal \$ 16,577,565 \$ 16,577,565 7993

844 761-613 Seat Belt Education \$ 463,760 \$ 482,095 7994
Program

846 761-625 Motorcycle Safety \$ 1,780,507 \$ 1,827,868 7995
Education

847 761-622 Film Production \$ 22,000 \$ 22,000 7996
Reimbursement

TOTAL HSF State Highway Safety 7997

Fund Group \$ 22,938,548 \$ 23,133,596 7998

Agency Fund Group 7999

5J9 761-678 Federal Salvage/GSA \$ 100,000 \$ 100,000 8000

TOTAL AGY Agency \$ 100,000 \$ 100,000 8001

TOTAL ALL BUDGET FUND GROUPS - 8002

Highway Safety Information 8003

and Education \$ 23,038,548 \$ 23,233,596 8004

FEDERAL HIGHWAY SAFETY PROGRAM MATCH				8005
The foregoing appropriation item 761-402, Traffic Safety				8006
Match, shall be used to provide the nonfederal portion of the				8007
federal Highway Safety Program. Upon request by the Director of				8008
Public Safety and approval by the Director of Budget and				8009
Management, appropriation item 761-402 shall be used to transfer				8010
cash from the Highway Safety Fund to the Traffic Safety - Federal				8011
Fund (Fund 832) at the beginning of each fiscal year on an				8012
intrastate transfer voucher.				8013
Section 13.01. BUREAU OF MOTOR VEHICLES				8014
State Special Revenue Fund Group				8015
539 762-614 Motor Vehicle Dealers	\$	239,902	\$ 239,902	8016
Board				
TOTAL SSR State Special Revenue				8017
Fund Group	\$	239,902	\$ 239,902	8018
State Highway Safety Fund Group				8019
4W4 762-321 Operating Expense-BMV	\$	73,385,912	\$ 70,152,893	8020
4W4 762-410 Registrations	\$	34,588,363	\$ 32,480,610	8021
Supplement				
5V1 762-682 License Plate	\$	2,388,568	\$ 2,388,568	8022
Contributions				
83R 762-639 Local Immobilization	\$	850,000	\$ 850,000	8023
Reimbursement				
835 762-616 Financial	\$	6,303,125	\$ 6,551,535	8024
Responsibility				
Compliance				
849 762-627 Automated Title	\$	16,800,620	\$ 26,076,349	8025
Processing Board				
TOTAL HSF State Highway Safety				8026
Fund Group	\$	134,316,588	\$ 138,499,955	8027
TOTAL ALL BUDGET FUND GROUPS -				8028

Flight Funds to the License Plate Contribution Fund (Fund 5V1). 8060
The spending authority to honor encumbrances established in the 8061
prior fiscal year is hereby appropriated. 8062

Section 13.02. ENFORCEMENT 8063

State Highway Safety Fund Group 8064

036 764-033 Minor Capital Projects \$ 1,775,667 \$ 1,779,664 8065

036 764-321 Operating Expense - \$ 208,447,118 \$ 217,516,933 8066
Highway Patrol

036 764-605 Motor Carrier \$ 2,544,319 \$ 2,603,697 8067
Enforcement Expenses

83C 764-630 Contraband, \$ 622,894 \$ 622,894 8068
Forfeiture, Other

83F 764-657 Law Enforcement \$ 6,425,009 \$ 7,111,198 8069
Automated Data System

83G 764-633 OMVI Fines \$ 820,927 \$ 820,927 8070

831 764-610 Patrol - Federal \$ 2,371,659 \$ 2,407,585 8071

831 764-659 Transportation \$ 4,635,684 \$ 4,738,515 8072
Enforcement - Federal

837 764-602 Turnpike Policing \$ 9,648,265 \$ 9,653,030 8073

838 764-606 Patrol Reimbursement \$ 222,108 \$ 222,108 8074

840 764-607 State Fair Security \$ 1,462,774 \$ 1,496,283 8075

840 764-617 Security and \$ 8,653,390 \$ 8,145,192 8076
Investigations

840 764-626 State Fairgrounds \$ 788,375 \$ 788,375 8077
Police Force

841 764-603 Salvage and Exchange - \$ 1,274,101 \$ 1,274,101 8078
Highway Patrol

TOTAL HSF State Highway Safety 8079

Fund Group \$ 249,692,290 \$ 259,180,502 8080

General Services Fund Group 8081

4S2 764-660 MARCS Maintenance \$ 232,154 \$ 237,210 8082

TOTAL GSF General Services				8083
Fund Group	\$	232,154	\$ 237,210	8084
TOTAL ALL BUDGET FUND GROUPS -				8085
Enforcement	\$	249,924,444	\$ 259,417,712	8086
COLLECTIVE BARGAINING INCREASES				8087
Notwithstanding division (D) of section 127.14 and division				8088
(B) of section 131.35 of the Revised Code, except for the General				8089
Revenue Fund, the Controlling Board may, upon the request of				8090
either the Director of Budget and Management, or the Department of				8091
Public Safety with the approval of the Director of Budget and				8092
Management, increase appropriations for any fund, as necessary for				8093
the Department of Public Safety, to assist in paying the costs of				8094
increases in employee compensation that have occurred pursuant to				8095
collective bargaining agreements under Chapter 4117. of the				8096
Revised Code and, for exempt employees, under section 124.152 of				8097
the Revised Code.				8098
Section 13.03. EMERGENCY MEDICAL SERVICES				8099
State Highway Safety Fund Group				8100
83M 765-624 Operating Expenses -	\$	2,519,883	\$ 2,587,627	8101
EMS				
83P 765-637 EMS Grants	\$	5,836,744	\$ 5,836,744	8102
831 765-610 EMS/Federal	\$	582,007	\$ 582,007	8103
TOTAL HSF State Highway Safety				8104
Fund Group	\$	8,938,634	\$ 9,006,378	8105
TOTAL ALL BUDGET FUND GROUPS -				8106
Emergency Medical Services	\$	8,938,634	\$ 9,006,378	8107
Section 13.04. INVESTIGATIVE UNIT				8109
State Highway Safety Fund Group				8110
831 767-610 Liquor Enforcement -	\$	514,184	\$ 514,184	8111
Federal				

831 769-610 Food Stamp Trafficking	\$	817,177	\$	817,177	8112
Enforcement - Federal					
TOTAL HSF State Highway Safety					8113
Fund Group	\$	1,331,361	\$	1,331,361	8114
Liquor Control Fund Group					8115
043 767-321 Liquor Enforcement -	\$	9,644,288	\$	9,825,597	8116
Operations					
TOTAL LCF Liquor Control Fund					8117
Group	\$	9,644,288	\$	9,825,597	8118
State Special Revenue Fund Group					8119
622 767-615 Investigative	\$	404,111	\$	404,111	8120
Contraband and Forfeiture					
850 767-628 Investigative Unit	\$	120,000	\$	120,000	8121
Salvage					
TOTAL SSR State Special Revenue					8122
Fund Group	\$	524,111	\$	524,111	8123
TOTAL ALL BUDGET FUND GROUPS -					8124
Special Enforcement	\$	11,499,760	\$	11,681,069	8125
LEASE RENTAL PAYMENTS FOR CAP-076, INVESTIGATIVE UNIT MARCS					
EQUIPMENT					8126
The Director of Public Safety, using intrastate transfer					
vouchers, shall make cash transfers to the State Highway Safety					8128
Fund (Fund 036) from other funds to reimburse the State Highway					8129
Safety Fund for the share of lease rental payments to the Ohio					8130
Building Authority that are associated with appropriation item					8131
CAP-076, Investigative Unit MARCS Equipment.					8132
Section 13.05. EMERGENCY MANAGEMENT					
Federal Special Revenue Fund Group					8134
3N5 763-644 U.S. DOE Agreement	\$	266,000	\$	275,000	8135

329	763-645	Individual/Family Grant - Fed	\$	303,504	\$	303,504	8137
337	763-609	Federal Disaster Relief	\$	5,000,000	\$	3,000,000	8138
339	763-647	Emergency Management Assistance and Training	\$	129,622,000	\$	129,622,000	8139
TOTAL FED Federal Special							8140
Revenue Fund Group			\$	135,191,504	\$	133,200,504	8141
General Services Fund Group							8142
4V3	763-662	EMA Service and Reimbursement	\$	696,446	\$	696,446	8143
533	763-601	State Disaster Relief	\$	7,500,000	\$	7,500,000	8144
TOTAL GSF General Services							8145
Fund Group			\$	8,196,446	\$	8,196,446	8146
State Special Revenue Fund Group							8147
657	763-652	Utility Radiological Safety	\$	1,200,000	\$	1,260,000	8148
681	763-653	SARA Title III HAZMAT Planning	\$	264,510	\$	271,510	8149
TOTAL SSR State Special Revenue							8150
Fund Group			\$	1,464,510	\$	1,531,510	8151
TOTAL ALL BUDGET FUND GROUPS -							8152
Emergency Management			\$	144,852,460	\$	142,928,460	8153
EMERGENCY MANAGEMENT ASSISTANCE AND TRAINING							8154
Of the foregoing appropriation item 763-647, Emergency							8155
Management Assistance and Training, a minimum of 85 per cent of							8156
the federal grant moneys received shall be distributed to local							8157
governments for the purposes of acquiring homeland security							8158
equipment, training for essential first responders, and enhancing							8159
local government capabilities to plan, coordinate, and exercise							8160
emergency operation plans regarding weapons of mass destruction							8161

and other antiterrorism events. The remainder of the moneys shall 8162
be used by the Emergency Management Agency. If federal grant 8163
guidelines for the moneys received by this appropriation item 8164
require the amount of moneys to be used by the Emergency 8165
Management Agency or other state agencies for the purposes of 8166
homeland security to be higher than 15 per cent, or if federal 8167
grant guidelines prohibit use of the moneys for the aforementioned 8168
purposes, the Emergency Management Agency may alter the 8169
aforementioned local government portion of the moneys, with 8170
approval of the Controlling Board. 8171

Prior to the release of moneys from appropriation item 8172
763-647, Emergency Management Assistance and Training, the 8173
Controlling Board shall approve the use and distribution of the 8174
moneys. 8175

SARA TITLE III HAZMAT PLANNING 8176

The SARA Title III HAZMAT Planning Fund (Fund 681) shall 8177
receive grant funds from the Emergency Response Commission to 8178
implement the Emergency Management Agency's responsibilities under 8179
Chapter 3750. of the Revised Code. 8180

STATE DISASTER RELIEF 8181

The foregoing appropriation item 763-601, State Disaster 8182
Relief, may accept transfers of cash and appropriations from 8183
Controlling Board appropriation items to reimburse eligible local 8184
governments and private nonprofit organizations for costs related 8185
to disasters that have been declared by local governments or the 8186
Governor. The Ohio Emergency Management Agency shall publish and 8187
make available an application packet outlining eligible items and 8188
application procedures for entities requesting state disaster 8189
relief. 8190

Individuals may be eligible for reimbursement of costs 8191
related to disasters that have been declared by the Governor and 8192

the Small Business Administration. The funding in appropriation 8193
item 763-601, State Disaster Relief, shall be used in accordance 8194
with the principles of the federal Individual and Family Grant 8195
Program, which provides grants to households that have been 8196
affected by a disaster to replace basic living items. The Ohio 8197
Emergency Management Agency shall publish and make available an 8198
application procedure for individuals requesting assistance under 8199
the state Individual Assistance Program. 8200

EMA SERVICE AND REIMBURSEMENT FUND 8201

On July 1, 2003, or as soon as possible thereafter, the 8202
Director of Budget and Management shall transfer the cash balances 8203
in the EMA Utility Payment Fund (Fund 4Y0) and the Salvage and 8204
Exchange-EMA Fund (Fund 4Y1) to the EMA Service and Reimbursement 8205
Fund (Fund 4V3), created in section 5502.39 of the Revised Code. 8206
Upon the completion of the transfer, notwithstanding any other 8207
provision of law to the contrary, the EMA Utility Payment Fund 8208
(Fund 4Y0) and the Salvage and Exchange-EMA Fund (Fund 4Y1) are 8209
abolished. The director shall cancel any existing encumbrances 8210
against appropriation items 763-654, EMA Utility Payment, and 8211
763-655, Salvage and Exchange-EMA, and reestablish them against 8212
appropriation item 763-662, EMA Service and Reimbursement. The 8213
amounts of the reestablished encumbrances are hereby appropriated. 8214

Section 13.06. ADMINISTRATION 8215

State Highway Safety Fund Group 8216

036 766-321 Operating Expense - \$ 4,346,226 \$ 4,461,836 8217

Administration

830 761-603 Salvage and Exchange - \$ 22,070 \$ 22,070 8218

Administration

TOTAL HSF State Highway Safety 8219

Fund Group \$ 4,368,296 \$ 4,483,906 8220

General Services Fund Group 8221

4S3 766-661 Hilltop Utility	\$	500,000	\$	500,000	8222
Reimbursement					
TOTAL GSF General Services					8223
Fund Group	\$	500,000	\$	500,000	8224
TOTAL ALL BUDGET FUND GROUPS -					8225
Administration	\$	4,868,296	\$	4,983,906	8226

Section 13.07. DEBT SERVICE 8228

State Highway Safety Fund Group					8229
036 761-401 Lease Rental Payments	\$	11,676,700	\$	13,663,200	8230
TOTAL HSF State Highway Safety					8231
Fund Group	\$	11,676,700	\$	13,663,200	8232
TOTAL ALL BUDGET FUND GROUPS -					8233
Debt Service	\$	11,676,700	\$	13,663,200	8234

OBA BOND AUTHORITY/LEASE RENTAL PAYMENTS 8235

The foregoing appropriation item 761-401, Lease Rental 8236
Payments, shall be used for payments to the Ohio Building 8237
Authority for the period July 1, 2003, to June 30, 2005, pursuant 8238
to the primary leases and agreements for buildings made under 8239
Chapter 152. of the Revised Code that are pledged for bond service 8240
charges on related obligations issued pursuant to Chapter 152. of 8241
the Revised Code. Notwithstanding section 152.24 of the Revised 8242
Code, the Ohio Building Authority may, with approval of the 8243
Director of Budget and Management, lease capital facilities to the 8244
Department of Public Safety. 8245

HILLTOP TRANSFER 8246

The Director of Public Safety shall determine, per an 8247
agreement with the Director of Transportation, the share of each 8248
debt service payment made out of appropriation item 761-401, Lease 8249
Rental Payments, that relates to the Department of 8250
Transportation's portion of the Hilltop Building Project, and 8251

shall certify to the Director of Budget and Management the amounts 8252
of this share. The Director of Budget and Management shall 8253
transfer such shares from the Highway Operating Fund (Fund 002) to 8254
the Highway Safety Fund (Fund 036). 8255

Section 13.08. REVENUE DISTRIBUTION 8256

Holding Account Redistribution Fund Group 8257

R24 762-619 Unidentified Motor \$ 1,850,000 \$ 1,850,000 8258

Vehicle Receipts

R27 764-608 Patrol Fee Refunds \$ 35,000 \$ 35,000 8259

R52 762-623 Security Deposits \$ 250,000 \$ 250,000 8260

TOTAL 090 Holding Account 8261

Redistribution Fund Group \$ 2,135,000 \$ 2,135,000 8262

TOTAL ALL BUDGET FUND GROUPS - 8263

Revenue Distribution \$ 2,135,000 \$ 2,135,000 8264

TOTAL Department of Public Safety 8265

TOTAL HSF State Highway Safety 8266

Fund Group \$ 433,262,417 \$ 449,298,898 8267

TOTAL SSR State Special Revenue 8268

Fund Group \$ 2,228,523 \$ 2,295,523 8269

TOTAL LCF Liquor Control 8270

Fund Group \$ 9,644,288 \$ 9,825,597 8271

TOTAL GSF General Services 8272

Fund Group \$ 8,928,600 \$ 8,933,656 8273

TOTAL FED Federal Revenue Special 8274

Fund Group \$ 135,191,504 \$ 133,200,504 8275

TOTAL AGY Agency Fund Group \$ 100,000 \$ 100,000 8276

TOTAL 090 Holding Account 8277

Redistribution

Fund Group \$ 2,135,000 \$ 2,135,000 8278

TOTAL ALL BUDGET FUND GROUPS \$ 591,490,332 \$ 605,789,178 8279

Section 13.09. CASH BALANCE FUND REVIEW 8281

Not later than the first day of April in each fiscal year of 8282
the biennium, the Director of Budget and Management shall review 8283
the cash balances for each fund, except the State Highway Safety 8284
Fund (Fund 036) and the Bureau of Motor Vehicles Fund (Fund 4W4) 8285
in the State Highway Safety Fund Group, and shall recommend to the 8286
Controlling Board an amount to be transferred to the credit of the 8287
State Highway Safety Fund, or the Bureau of Motor Vehicles Fund, 8288
as appropriate. 8289

SCHEDULE OF TRANSFERS TO THE STATE HIGHWAY SAFETY FUND 8290

The Director of Budget and Management, pursuant to a plan 8291
submitted by the Department of Public Safety or as otherwise 8292
determined by the Director, shall set a cash transfer schedule 8293
totaling \$140,137,500 in fiscal year 2004 and \$94,359,250 in 8294
fiscal year 2005 from the Highway Operating Fund, established in 8295
section 5735.291 of the Revised Code, to the State Highway Safety 8296
Fund, established in section 4501.06 of the Revised Code. The 8297
director shall transfer the cash at such times as is determined by 8298
the transfer schedule. 8299

MONTHLY TRANSFERS TO GASOLINE EXCISE TAX FUND 8300

The Director of Budget and Management shall transfer cash in 8301
equal monthly increments totaling \$46,712,500 in fiscal year 2004 8302
and \$94,359,250 in fiscal year 2005 from the Highway Operating 8303
Fund, established in section 5735.291 of the Revised Code, to the 8304
Gasoline Excise Tax Fund established in division (A) of section 8305
5735.27 of the Revised Code. The monthly amounts transferred 8306
pursuant to this section shall be distributed as follows: 8307
forty-two and eighty-six hundredths (42.86) per cent shall be 8308
distributed among the municipal corporations within the state in 8309
accordance with division (A)(2) of section 5735.27 of the Revised 8310
Code; thirty-seven and fourteen hundredths (37.14) per cent shall 8311
be distributed among the counties within the state in accordance 8312

with division (A)(3) of section 5735.27 of the Revised Code; and 8313
twenty (20) per cent shall be distributed among the townships 8314
within the state in accordance with division (A)(5) of section 8315
5735.27 of the Revised Code. 8316

Section 14. DEV DEPARTMENT OF DEVELOPMENT 8317

State Special Revenue Fund Group 8318

4W0 195-629 Roadwork Development \$ 12,699,900 \$ 12,699,900 8319

TOTAL SSR State Special Revenue 8320

Fund Group \$ 12,699,900 \$ 12,699,900 8321

TOTAL ALL BUDGET FUND GROUPS \$ 12,699,900 \$ 12,699,900 8322

ROADWORK DEVELOPMENT FUND 8323

The Roadwork Development Fund shall be used for road 8324
improvements associated with economic development opportunities 8325
that will retain or attract businesses for Ohio. "Road 8326
improvements" are improvements to public roadway facilities 8327
located on, or serving or capable of serving, a project site. 8328

The Department of Transportation, under the direction of the 8329
Department of Development, shall provide these funds in accordance 8330
with all guidelines and requirements established for Department of 8331
Development appropriation item 195-412, Business Development, 8332
including Controlling Board review and approval as well as the 8333
requirements for usage of gas tax revenue prescribed in Section 5a 8334
of Article XII, Ohio Constitution. Should the Department of 8335
Development require the assistance of the Department of 8336
Transportation to bring a project to completion, the Department of 8337
Transportation shall use the authority under Title LV of the 8338
Revised Code to provide such assistance and enter into contracts 8339
on behalf of the Department of Development. In addition, these 8340
funds may be used in conjunction with appropriation item 195-412, 8341
Business Development, or any other state funds appropriated for 8342
infrastructure improvements. 8343

The Director of Budget and Management, pursuant to a plan 8344
submitted by the Department of Development or as otherwise 8345
determined by the Director of Budget and Management, shall set a 8346
cash transfer schedule to meet the cash needs of the Department of 8347
Development's Roadwork Development Fund (Fund 4W0), less any other 8348
available cash. The director shall transfer to the Roadwork 8349
Development Fund from the Highway Operating Fund (Fund 002), 8350
established in section 5735.291 of the Revised Code, such amounts 8351
at such times as determined by the transfer schedule. 8352

TRANSPORTATION IMPROVEMENT DISTRICTS 8353

Of the foregoing appropriation item 195-629, Roadwork 8354
Development, \$250,000 in each fiscal year of the biennium shall be 8355
paid by the Director of Development to each of the transportation 8356
improvement districts of Butler, Hamilton, Medina, and Stark 8357
counties, as provided for in section 5540.151 of the Revised Code. 8358
The transportation improvement districts may use the payments for 8359
any purpose authorized under Chapter 5540. of the Revised Code, 8360
including administrative activities and the purchase of property 8361
and rights for the construction, maintenance, or operation of a 8362
project. These payments shall not be subject to the restrictions 8363
of appropriation item 195-629, Roadwork Development. 8364

Section 15. PWC PUBLIC WORKS COMMISSION 8365

Local Transportation Improvements Fund Group 8366

052 150-402 LTIP - Operating \$ 291,946 \$ 298,441 8367

052 150-701 Local Transportation \$ 67,500,000 \$ 67,500,000 8368

Improvement Program

TOTAL 052 Local Transportation 8369

Improvements Fund Group \$ 67,791,946 \$ 67,798,441 8370

Local Infrastructure Improvements Fund Group 8371

038 150-321 SCIP - Operating \$ 884,239 \$ 906,324 8372

Expenses

TOTAL LIF Local Infrastructure				8373	
Improvements Fund Group	\$	884,239	\$	906,324	8374
TOTAL ALL BUDGET FUND GROUPS	\$	68,676,185	\$	68,704,765	8375

DISTRICT ADMINISTRATION COSTS 8376

The Director of the Public Works Commission is authorized to 8377
create a District Administration Costs Program from interest 8378
earnings of the Capital Improvements Fund and Local Transportation 8379
Improvement Program Fund proceeds. This program shall be used to 8380
provide for administration costs of the nineteen public works 8381
districts for the direct costs of district administration. 8382
Districts choosing to participate in this program shall only 8383
expend Capital Improvements Fund moneys for Capital Improvements 8384
Fund costs and Local Transportation Improvement Program Fund 8385
moneys for Local Transportation Improvement Program Fund costs. 8386
The account shall not exceed \$760,000 per fiscal year. Each public 8387
works district may be eligible for up to \$40,000 per fiscal year 8388
from its district allocation as provided in sections 164.08 and 8389
164.14 of the Revised Code. 8390

The director, by rule, shall define allowable and 8391
nonallowable costs for the purpose of the District Administration 8392
Costs Program. Nonallowable costs include indirect costs, elected 8393
official salaries and benefits, and project-specific costs. No 8394
district public works committee may participate in the District 8395
Administration Costs Program without the approval of those costs 8396
by the district public works committee pursuant to section 164.04 8397
of the Revised Code. 8398

REAPPROPRIATIONS 8399

All capital appropriations from the Local Transportation 8400
Improvement Program Fund (Fund 052) in Sub. H.B. 73 of the 124th 8401
General Assembly remaining unencumbered as of June 30, 2003, are 8402

reappropriated for use during the period July 1, 2003, through 8403
June 30, 2004, for the same purpose. 8404

Notwithstanding division (B) of section 127.14 of the Revised 8405
Code, all capital appropriations and reappropriations from the 8406
Local Transportation Improvement Program Fund (Fund 052) in this 8407
act remaining unencumbered as of June 30, 2004, are reappropriated 8408
for use during the period July 1, 2004, through June 30, 2005, for 8409
the same purpose, subject to the availability of revenue as 8410
determined by the Director of the Public Works Commission. 8411

Section 16. That Section 25 of Am. Sub. H.B. 524 of the 124th 8412
General Assembly be amended to read as follows: 8413

Sec. 25. All items set forth in this section are hereby 8414
appropriated out of any moneys in the state treasury to the credit 8415
of the Parks and Recreation Improvement Fund (Fund 035) and 8416
derived from the proceeds of obligations heretofore authorized to 8417
pay costs of capital facilities, as defined in section 154.01 of 8418
the Revised Code, for parks and recreation. 8419

Reappropriations

DNR DEPARTMENT OF NATURAL RESOURCES			8420
CAP-005	Cowan Lake State Park	\$ 51,964	8421
CAP-011	Findley State Park	\$ 22,856	8422
CAP-012	Land Acquisition	\$ 586,825	8423
CAP-016	Hueston Woods State Park	\$ 4,467	8424
CAP-017	Indian Lake State Park	\$ 5,288	8425
CAP-019	Lake Hope State Park	\$ 500	8426
CAP-025	Punderson State Park	\$ 7,763	8427
CAP-026	Pymatuning State Park	\$ 80,000	8428
CAP-051	Buck Creek State Park	\$ 3,050	8429
CAP-064	Geneva State Park	\$ 750	8430
CAP-069	Hocking Hills State Park	\$ 400	8431
CAP-113	East Harbor State Park Shoreline	\$ 850,000	8432

	Stabilization			
CAP-162	Shawnee State Park	\$	750	8433
CAP-205	Deer Creek State Park	\$	18,800	8434
CAP-234	State Parks Campgrounds, Lodges, and Cabins	\$	12,564,460	8435
CAP-331	Park Boating Facilities	\$	1,061,800	8436
CAP-390	State Park Maintenance Facility	\$	488,801	8437
	Development			
CAP-701	Buckeye Lake Dam Rehabilitation	\$	1,033,254	8438
CAP-702	Upgrade Underground Storage Tanks	\$	1,933,783	8439
CAP-703	Cap Abandoned Water Wells	\$	250,000	8440
CAP-718	Grand Lake St. Mary's State Park	\$	157,532	8441
CAP-719	Indian Lake State Park	\$	11,945	8442
CAP-727	Riverfront Improvements	\$	1,000,000	8443
CAP-744	Multi-Agency Radio Communication	\$	425,000	8444
	Equipment			
CAP-748	Local Parks Projects	\$	1,572,000	8445
CAP-787	Scioto Riverfront Improvements	\$	7,750,000	8446
CAP-789	Great Miami Riverfront Improvements	\$	2,000,000	8447
CAP-821	State Park Dredging and Shoreline	\$	300,000	8448
	Protection			
CAP-827	Cuyahoga Valley Scenic Railroad	\$	3,716,666	8449
CAP-836	State Parks Renovation/Upgrading	\$	350	8450
CAP-876	Statewide Trails Program	\$	1,272,680	8451
CAP-910	Scioto Peninsula Property Acquisition	\$	4,750,000	8452
CAP-927	Mohican State Park	\$	50,571	8453
CAP-928	Handicapped Accessibility	\$	498,089	8454
CAP-929	Hazardous Waste/Asbestos Abatement	\$	785,978	8455
CAP-931	Wastewater/Water Systems Upgrade	\$	3,507,391	8456
	Total Department of Natural Resources	\$	46,703,443	8457
	Total Parks and Recreation Improvement Fund	\$	46,703,443	8458
	LOCAL PARKS PROJECTS			8459

The following projects shall be funded from the foregoing 8460
reappropriation item CAP-748, Local Parks Projects: \$500,000 for 8461
Erie Metro Parks Land Acquisition; \$40,000 for Grove City Fryer 8462
Park Improvements; \$12,500 for ~~Big Prairie/Lakeville~~ Berlin 8463
Township Park Improvements; \$25,000 for Holmes County Park 8464
Improvements; \$25,000 for Stockport Village Park Improvements; 8465
\$50,000 for Silver Park Improvements, \$6,500 for Crossroads Park 8466
Improvements; \$38,000 for Wauseon Park Land Acquisition; \$150,000 8467
for Black Swamp Land Acquisition; \$75,000 for the Walbridge Parks 8468
Improvements; and \$100,000 by the West Creek Preservation 8469
Committee for a West Creek Watershed Project. 8470

SCIOTO RIVERFRONT IMPROVEMENTS 8471

Of the foregoing reappropriation item CAP-787, Scioto 8472
Riverfront Improvements, \$7,750,000 shall be used for Spring and 8473
Long Park. 8474

STATEWIDE TRAILS PROGRAM 8475

Of the foregoing reappropriation item CAP-876, Statewide 8476
Trails Program, \$50,000 shall be used for the Lake to River 8477
Greenway Bike Path in Trumbull County. 8478

FEDERAL REIMBURSEMENT 8479

All reimbursements received from the federal government for 8480
any expenditures made pursuant to this section shall be deposited 8481
in the state treasury to the credit of the Parks and Recreation 8482
Improvement Fund. 8483

Section 17. That existing Section 25 of Am. Sub. H.B. 524 of 8484
the 124th General Assembly is hereby repealed. 8485

Section 18. PROVISIONS OF LAW GENERALLY APPLICABLE TO 8486
APPROPRIATIONS 8487

Law contained in the main operating appropriations act of the 8488

125th General Assembly that is generally applicable to the 8489
appropriations made in the main operating appropriations act also 8490
is generally applicable to the appropriations made in this act. 8491

Section 19. LEASE PAYMENTS TO OBA AND TREASURER 8492

Certain appropriations are in this act for the purpose of 8493
lease payments to the Ohio Building Authority or to the Treasurer 8494
of State pursuant to leases and agreements relating to bonds or 8495
notes issued by the Ohio Building Authority or the Treasurer of 8496
State pursuant to the Ohio Constitution and acts of the General 8497
Assembly. If it is determined that additional appropriations are 8498
necessary for this purpose, such amounts are hereby appropriated. 8499

Section 20. In accordance with the Department of 8500
Transportation's existing schedule for reconstruction of 8501
Interstate Route 71, the Department shall add a third lane of 8502
travel in both the northbound and southbound lanes of Interstate 8503
Route 71, from one mile south of State Route 18 to the interchange 8504
with State Route 303. 8505

Section 21. Notwithstanding section 5511.01 of the Revised 8506
Code, the Director of Transportation shall designate the road 8507
known as Rockside/Snow Road within Cuyahoga County as a state 8508
highway. The Director also may designate any additional connecting 8509
roads necessary to incorporate Rockside/Snow Road as part of the 8510
state highway system. 8511

Section 22. Except as otherwise specifically provided in this 8512
act, the codified sections of law amended or enacted in this act, 8513
and the items of law of which the codified sections of law amended 8514
or enacted in this act are composed, are subject to the 8515
referendum. Therefore, under Ohio Constitution, Article II, 8516
Section 1c and section 1.471 of the Revised Code, the codified 8517

sections of law amended or enacted by this act, and the items of 8518
law of which the codified sections of law as amended or enacted by 8519
this act are composed, take effect on the ninety-first day after 8520
this act is filed with the Secretary of State. If, however, a 8521
referendum petition is filed against any such codified section of 8522
law as amended or enacted by this act, or against any item of law 8523
of which any such codified section of law as amended or enacted by 8524
this act is composed, the codified section of law as amended or 8525
enacted, or item of law, unless rejected at the referendum, takes 8526
effect at the earliest time permitted by law. 8527

Section 23. Sections 4501.21, 4503.50, 4503.51, 4503.55, 8528
4503.561, 4503.591, 4503.67, 4503.68, 4503.69, 4503.71, 4503.711, 8529
4503.72, 4503.73, 4503.75, 4503.86, 5502.39, 5531.10, 5735.27, 8530
5735.29, and 5735.291 of the Revised Code, as amended or enacted 8531
by this act, and the items of law of which such sections as 8532
amended or enacted by this act are composed, are not subject to 8533
the referendum. Therefore, under Ohio Constitution, Article II, 8534
Section 1d and section 1.471 of the Revised Code, such sections as 8535
amended or enacted by this act, and the items of law of which such 8536
sections as amended or enacted by this act are composed, go into 8537
immediate effect when this act becomes law. 8538

Section 24. The repeal by this act of sections 4501.20, 8539
4501.22, 4501.29, 4501.30, 4501.311, 4501.32, 4501.33, 4501.39, 8540
4501.40, 4501.41, 4501.61, 4501.71, and 4503.251 of the Revised 8541
Code is not subject to the referendum. Therefore, under Ohio 8542
Constitution, Article II, Section 1d and section 1.471 of the 8543
Revised Code, such repeals go into immediate effect when this act 8544
becomes law. 8545

Section 25. If the amendment or enactment in this act of a 8546
codified section of law is subject to the referendum, the 8547

corresponding indications in the amending, enacting, or existing 8548
repeal clauses commanding the amendment or enactment also are 8549
subject to the referendum, along with the amendment or enactment. 8550
If the amendment, enactment, or repeal by this act of a codified 8551
or uncodified section of law is not subject to the referendum, the 8552
corresponding indications in the amending, enacting, or repeal 8553
clauses commanding the amendment, enactment, or repeal also are 8554
not subject to the referendum, the same as the amendment, 8555
enactment, or repeal. 8556

Section 26. The items in the uncodified sections of law 8557
contained in this act that appropriate money for the current 8558
expenses of state government, earmark this class of 8559
appropriations, or depend for their implementation upon an 8560
appropriation for the current expenses of state government are not 8561
subject to the referendum. Therefore, under Ohio Constitution, 8562
Article II, Section 1d and section 1.471 of the Revised Code, 8563
these items go into immediate effect when this act becomes law. 8564

The items in the uncodified sections of law contained in this 8565
act that appropriate money other than for the current expenses of 8566
state government, earmark this class of appropriations, or do not 8567
depend for their implementation upon an appropriation for the 8568
current expenses of state government are subject to the 8569
referendum. Therefore, under Ohio Constitution, Article II, 8570
Section 1c and section 1.471 of the Revised Code, these items take 8571
effect on the ninety-first day after this act is filed with the 8572
Secretary of State. If, however, a referendum petition is filed 8573
against such an item, the item, unless rejected at the referendum, 8574
takes effect at the earliest time permitted by law. 8575

This section is not subject to the referendum. Therefore, 8576
under Ohio Constitution, Article II, Section 1d and section 1.471 8577
of the Revised Code, this section goes into immediate effect when 8578

this act becomes law. 8579

Section 27. Section 4503.10 of the Revised Code is presented 8580
in Section 1 of this act as a composite of the section as amended 8581
by Am. Sub. H.B. 94, S.B. 31, and Sub. S.B. 59, all of the 124th 8582
General Assembly. The General Assembly, applying the principle 8583
stated in division (B) of section 1.52 of the Revised Code that 8584
amendments are to be harmonized if reasonably capable of 8585
simultaneous operation, finds that the composite is the resulting 8586
version of the section in effect prior to the effective date of 8587
the section as presented in Section 1 of this act. 8588

Section 28. The version of section 4503.10 of the Revised 8589
Code that is scheduled to take effect January 1, 2004, is 8590
presented in this act as a composite of the section as amended by 8591
both Sub. S.B. 59 and Am. Sub. S.B. 123 of the 124th General 8592
Assembly. The General Assembly, applying the principle stated in 8593
division (B) of section 1.52 of the Revised Code that amendments 8594
are to be harmonized if reasonably capable of simultaneous 8595
operation, finds that the composite is the resulting version of 8596
the section in effect prior to the effective date of the section 8597
as presented in this act. 8598

Section 29. Section 4503.51 of the Revised Code is presented 8599
in this act as a composite of the section as amended by both Am. 8600
Sub. H.B. 210 and Am. Sub. H.B. 224 of the 122nd General Assembly. 8601
The General Assembly, applying the principle stated in division 8602
(B) of section 1.52 of the Revised Code that amendments are to be 8603
harmonized if reasonably capable of simultaneous operation, finds 8604
that the composite is the resulting version of the section in 8605
effect prior to the effective date of the section as presented in 8606
this act. 8607

Section 30. Section 4503.55 of the Revised Code is presented 8608
in this act as a composite of the section as amended by both Am. 8609
Sub. H.B. 210 and Am. Sub. H.B. 224 of the 122nd General Assembly. 8610
The General Assembly, applying the principle stated in division 8611
(B) of section 1.52 of the Revised Code that amendments are to be 8612
harmonized if reasonably capable of simultaneous operation, finds 8613
that the composite is the resulting version of the section in 8614
effect prior to the effective date of the section as presented in 8615
this act. 8616

Section 31. If any item of law that constitutes the whole or 8617
part of a codified or uncodified section of law contained in this 8618
act, or if any application of any item of law that constitutes the 8619
whole or part of a codified or uncodified section of law contained 8620
in this act, is held invalid, the invalidity does not affect other 8621
items of law or applications of items of law that can be given 8622
effect without the invalid item of law or application. To this 8623
end, the items of law of which the codified and uncodified 8624
sections contained in this act are composed, and their 8625
applications, are independent and severable. 8626