

As Introduced

**126th General Assembly
Regular Session
2005-2006**

H. B. No. 68

Representative T. Patton

—

A BILL

To amend sections 109.572, 4501.04, 4501.26, 4503.02, 1
4503.26, 4503.40, 4503.42, 4508.06, 4509.27, 2
4511.191, 4513.263, 4749.03, 4749.06, 4749.10, 3
4765.07, 4765.11, 5503.04, 5513.04, 5525.01, 4
5525.10, 5525.15, 5531.09, 5531.10, 5537.17, 5
5735.05, 5735.23, 5735.25, 5735.27, 5735.28, and 6
5735.29; to enact sections 4508.10 and 5531.11; 7
and to repeal sections 4501.12 and 4501.35 of the 8
Revised Code to make appropriations for programs 9
related to transportation and public safety for 10
the biennium beginning July 1, 2005, and ending 11
June 30, 2007, and to provide authorization and 12
conditions for the operation of those programs. 13

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

Section 101.01. That sections 109.572, 4501.04, 4501.26, 14
4503.02, 4503.26, 4503.40, 4503.42, 4508.06, 4509.27, 4511.191, 15
4513.263, 4749.03, 4749.06, 4749.10, 4765.07, 4765.11, 5503.04, 16
5513.04, 5525.01, 5525.10, 5525.15, 5531.09, 5531.10, 5537.17, 17
5735.05, 5735.23, 5735.25, 5735.27, 5735.28, and 5735.29 be 18
amended, and sections 4508.10 and 5531.11 of the Revised Code be 19
enacted to read as follows: 20

Sec. 109.572. (A)(1) Upon receipt of a request pursuant to 21
section 121.08, 2151.86, 3301.32, 3301.541, 3319.39, 5104.012, 22
5104.013, or 5153.111 of the Revised Code, a completed form 23
prescribed pursuant to division (C)(1) of this section, and a set 24
of fingerprint impressions obtained in the manner described in 25
division (C)(2) of this section, the superintendent of the bureau 26
of criminal identification and investigation shall conduct a 27
criminal records check in the manner described in division (B) of 28
this section to determine whether any information exists that 29
indicates that the person who is the subject of the request 30
previously has been convicted of or pleaded guilty to any of the 31
following: 32

(a) A violation of section 2903.01, 2903.02, 2903.03, 33
2903.04, 2903.11, 2903.12, 2903.13, 2903.16, 2903.21, 2903.34, 34
2905.01, 2905.02, 2905.05, 2907.02, 2907.03, 2907.04, 2907.05, 35
2907.06, 2907.07, 2907.08, 2907.09, 2907.21, 2907.22, 2907.23, 36
2907.25, 2907.31, 2907.32, 2907.321, 2907.322, 2907.323, 2911.01, 37
2911.02, 2911.11, 2911.12, 2919.12, 2919.22, 2919.24, 2919.25, 38
2923.12, 2923.13, 2923.161, 2925.02, 2925.03, 2925.04, 2925.05, 39
2925.06, or 3716.11 of the Revised Code, felonious sexual 40
penetration in violation of former section 2907.12 of the Revised 41
Code, a violation of section 2905.04 of the Revised Code as it 42
existed prior to July 1, 1996, a violation of section 2919.23 of 43
the Revised Code that would have been a violation of section 44
2905.04 of the Revised Code as it existed prior to July 1, 1996, 45
had the violation been committed prior to that date, or a 46
violation of section 2925.11 of the Revised Code that is not a 47
minor drug possession offense; 48

(b) A violation of an existing or former law of this state, 49
any other state, or the United States that is substantially 50
equivalent to any of the offenses listed in division (A)(1)(a) of 51
this section. 52

(2) On receipt of a request pursuant to section 5123.081 of 53
the Revised Code with respect to an applicant for employment in 54
any position with the department of mental retardation and 55
developmental disabilities, pursuant to section 5126.28 of the 56
Revised Code with respect to an applicant for employment in any 57
position with a county board of mental retardation and 58
developmental disabilities, or pursuant to section 5126.281 of the 59
Revised Code with respect to an applicant for employment in a 60
direct services position with an entity contracting with a county 61
board for employment, a completed form prescribed pursuant to 62
division (C)(1) of this section, and a set of fingerprint 63
impressions obtained in the manner described in division (C)(2) of 64
this section, the superintendent of the bureau of criminal 65
identification and investigation shall conduct a criminal records 66
check. The superintendent shall conduct the criminal records check 67
in the manner described in division (B) of this section to 68
determine whether any information exists that indicates that the 69
person who is the subject of the request has been convicted of or 70
pleaded guilty to any of the following: 71

(a) A violation of section 2903.01, 2903.02, 2903.03, 72
2903.04, 2903.11, 2903.12, 2903.13, 2903.16, 2903.21, 2903.34, 73
2903.341, 2905.01, 2905.02, 2905.04, 2905.05, 2907.02, 2907.03, 74
2907.04, 2907.05, 2907.06, 2907.07, 2907.08, 2907.09, 2907.12, 75
2907.21, 2907.22, 2907.23, 2907.25, 2907.31, 2907.32, 2907.321, 76
2907.322, 2907.323, 2911.01, 2911.02, 2911.11, 2911.12, 2919.12, 77
2919.22, 2919.24, 2919.25, 2923.12, 2923.13, 2923.161, 2925.02, 78
2925.03, or 3716.11 of the Revised Code; 79

(b) An existing or former municipal ordinance or law of this 80
state, any other state, or the United States that is substantially 81
equivalent to any of the offenses listed in division (A)(2)(a) of 82
this section. 83

(3) On receipt of a request pursuant to section 173.41, 84

3712.09, 3721.121, or 3722.151 of the Revised Code, a completed
form prescribed pursuant to division (C)(1) of this section, and a
set of fingerprint impressions obtained in the manner described in
division (C)(2) of this section, the superintendent of the bureau
of criminal identification and investigation shall conduct a
criminal records check with respect to any person who has applied
for employment in a position that involves providing direct care
to an older adult. The superintendent shall conduct the criminal
records check in the manner described in division (B) of this
section to determine whether any information exists that indicates
that the person who is the subject of the request previously has
been convicted of or pleaded guilty to any of the following:

(a) A violation of section 2903.01, 2903.02, 2903.03,
2903.04, 2903.11, 2903.12, 2903.13, 2903.16, 2903.21, 2903.34,
2905.01, 2905.02, 2905.11, 2905.12, 2907.02, 2907.03, 2907.05,
2907.06, 2907.07, 2907.08, 2907.09, 2907.12, 2907.25, 2907.31,
2907.32, 2907.321, 2907.322, 2907.323, 2911.01, 2911.02, 2911.11,
2911.12, 2911.13, 2913.02, 2913.03, 2913.04, 2913.11, 2913.21,
2913.31, 2913.40, 2913.43, 2913.47, 2913.51, 2919.25, 2921.36,
2923.12, 2923.13, 2923.161, 2925.02, 2925.03, 2925.11, 2925.13,
2925.22, 2925.23, or 3716.11 of the Revised Code;

(b) An existing or former law of this state, any other state,
or the United States that is substantially equivalent to any of
the offenses listed in division (A)(3)(a) of this section.

(4) On receipt of a request pursuant to section 3701.881 of
the Revised Code with respect to an applicant for employment with
a home health agency as a person responsible for the care,
custody, or control of a child, a completed form prescribed
pursuant to division (C)(1) of this section, and a set of
fingerprint impressions obtained in the manner described in
division (C)(2) of this section, the superintendent of the bureau
of criminal identification and investigation shall conduct a

criminal records check. The superintendent shall conduct the
criminal records check in the manner described in division (B) of
this section to determine whether any information exists that
indicates that the person who is the subject of the request
previously has been convicted of or pleaded guilty to any of the
following:

(a) A violation of section 2903.01, 2903.02, 2903.03,
2903.04, 2903.11, 2903.12, 2903.13, 2903.16, 2903.21, 2903.34,
2905.01, 2905.02, 2905.04, 2905.05, 2907.02, 2907.03, 2907.04,
2907.05, 2907.06, 2907.07, 2907.08, 2907.09, 2907.12, 2907.21,
2907.22, 2907.23, 2907.25, 2907.31, 2907.32, 2907.321, 2907.322,
2907.323, 2911.01, 2911.02, 2911.11, 2911.12, 2919.12, 2919.22,
2919.24, 2919.25, 2923.12, 2923.13, 2923.161, 2925.02, 2925.03,
2925.04, 2925.05, 2925.06, or 3716.11 of the Revised Code or a
violation of section 2925.11 of the Revised Code that is not a
minor drug possession offense;

(b) An existing or former law of this state, any other state,
or the United States that is substantially equivalent to any of
the offenses listed in division (A)(4)(a) of this section.

(5) On receipt of a request pursuant to section 5111.95 or
5111.96 of the Revised Code with respect to an applicant for
employment with a waiver agency participating in a department of
job and family services administered home and community-based
waiver program or an independent provider participating in a
department administered home and community-based waiver program in
a position that involves providing home and community-based waiver
services to consumers with disabilities, a completed form
prescribed pursuant to division (C)(1) of this section, and a set
of fingerprint impressions obtained in the manner described in
division (C)(2) of this section, the superintendent of the bureau
of criminal identification and investigation shall conduct a
criminal records check. The superintendent shall conduct the

criminal records check in the manner described in division (B) of 149
this section to determine whether any information exists that 150
indicates that the person who is the subject of the request 151
previously has been convicted of or pleaded guilty to any of the 152
following: 153

(a) A violation of section 2903.01, 2903.02, 2903.03, 154
2903.04, 2903.041, 2903.11, 2903.12, 2903.13, 2903.16, 2903.21, 155
2903.34, 2905.01, 2905.02, 2905.05, 2905.11, 2905.12, 2907.02, 156
2907.03, 2907.04, 2907.05, 2907.06, 2907.07, 2907.08, 2907.09, 157
2907.21, 2907.22, 2907.23, 2907.25, 2907.31, 2907.32, 2907.321, 158
2907.322, 2907.323, 2911.01, 2911.02, 2911.11, 2911.12, 2911.13, 159
2913.02, 2913.03, 2913.04, 2913.11, 2913.21, 2913.31, 2913.40, 160
2913.43, 2913.47, 2913.51, 2919.12, 2919.24, 2919.25, 2921.36, 161
2923.12, 2923.13, 2923.161, 2925.02, 2925.03, 2925.04, 2925.05, 162
2925.06, 2925.11, 2925.13, 2925.22, 2925.23, or 3716.11 of the 163
Revised Code, felonious sexual penetration in violation of former 164
section 2907.12 of the Revised Code, a violation of section 165
2905.04 of the Revised Code as it existed prior to July 1, 1996, a 166
violation of section 2919.23 of the Revised Code that would have 167
been a violation of section 2905.04 of the Revised Code as it 168
existed prior to July 1, 1996, had the violation been committed 169
prior to that date; 170

(b) An existing or former law of this state, any other state, 171
or the United States that is substantially equivalent to any of 172
the offenses listed in division (A)(5)(a) of this section. 173

(6) On receipt of a request pursuant to section 3701.881 of 174
the Revised Code with respect to an applicant for employment with 175
a home health agency in a position that involves providing direct 176
care to an older adult, a completed form prescribed pursuant to 177
division (C)(1) of this section, and a set of fingerprint 178
impressions obtained in the manner described in division (C)(2) of 179
this section, the superintendent of the bureau of criminal 180

identification and investigation shall conduct a criminal records check. The superintendent shall conduct the criminal records check in the manner described in division (B) of this section to determine whether any information exists that indicates that the person who is the subject of the request previously has been convicted of or pleaded guilty to any of the following:

(a) A violation of section 2903.01, 2903.02, 2903.03, 2903.04, 2903.11, 2903.12, 2903.13, 2903.16, 2903.21, 2903.34, 2905.01, 2905.02, 2905.11, 2905.12, 2907.02, 2907.03, 2907.05, 2907.06, 2907.07, 2907.08, 2907.09, 2907.12, 2907.25, 2907.31, 2907.32, 2907.321, 2907.322, 2907.323, 2911.01, 2911.02, 2911.11, 2911.12, 2911.13, 2913.02, 2913.03, 2913.04, 2913.11, 2913.21, 2913.31, 2913.40, 2913.43, 2913.47, 2913.51, 2919.25, 2921.36, 2923.12, 2923.13, 2923.161, 2925.02, 2925.03, 2925.11, 2925.13, 2925.22, 2925.23, or 3716.11 of the Revised Code;

(b) An existing or former law of this state, any other state, or the United States that is substantially equivalent to any of the offenses listed in division (A)(6)(a) of this section.

(7) When conducting a criminal records check upon a request pursuant to section 3319.39 of the Revised Code for an applicant who is a teacher, in addition to the determination made under division (A)(1) of this section, the superintendent shall determine whether any information exists that indicates that the person who is the subject of the request previously has been convicted of or pleaded guilty to any offense specified in section 3319.31 of the Revised Code.

(8) On a request pursuant to section 2151.86 of the Revised Code, a completed form prescribed pursuant to division (C)(1) of this section, and a set of fingerprint impressions obtained in the manner described in division (C)(2) of this section, the superintendent of the bureau of criminal identification and

investigation shall conduct a criminal records check in the manner described in division (B) of this section to determine whether any information exists that indicates that the person who is the subject of the request previously has been convicted of or pleaded guilty to any of the following:

(a) A violation of section 2903.01, 2903.02, 2903.03, 2903.04, 2903.11, 2903.12, 2903.13, 2903.16, 2903.21, 2903.34, 2905.01, 2905.02, 2905.05, 2907.02, 2907.03, 2907.04, 2907.05, 2907.06, 2907.07, 2907.08, 2907.09, 2907.21, 2907.22, 2907.23, 2907.25, 2907.31, 2907.32, 2907.321, 2907.322, 2907.323, 2909.02, 2909.03, 2911.01, 2911.02, 2911.11, 2911.12, 2919.12, 2919.22, 2919.24, 2919.25, 2923.12, 2923.13, 2923.161, 2925.02, 2925.03, 2925.04, 2925.05, 2925.06, or 3716.11 of the Revised Code, a violation of section 2905.04 of the Revised Code as it existed prior to July 1, 1996, a violation of section 2919.23 of the Revised Code that would have been a violation of section 2905.04 of the Revised Code as it existed prior to July 1, 1996, had the violation been committed prior to that date, a violation of section 2925.11 of the Revised Code that is not a minor drug possession offense, or felonious sexual penetration in violation of former section 2907.12 of the Revised Code;

(b) A violation of an existing or former law of this state, any other state, or the United States that is substantially equivalent to any of the offenses listed in division (A)(8)(a) of this section.

(9) On receipt of a request for a criminal records check from an individual pursuant to section 4749.03 or 4749.06 of the Revised Code, accompanied by a completed copy of the form prescribed in division (C)(1) of this section and a set of fingerprint impressions obtained in a manner described in division (C)(2) of this section, the superintendent of the bureau of criminal identification and investigation shall conduct a criminal

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records check in the manner described in division (B) of this 244
section to determine whether any information exists indicating 245
that the person who is the subject of the request has been 246
convicted of or pleaded guilty to a felony in this state or in any 247
other state. If the individual indicates that a firearm will be 248
carried in the course of business, the superintendent shall 249
require information from the federal bureau of investigation as 250
described in division (B)(2) of this section. The superintendent 251
shall report the findings of the criminal records check and any 252
information the federal bureau of investigation provides to the 253
director of public safety. 254

(10) Not later than thirty days after the date the 255
superintendent receives the request, completed form, and 256
fingerprint impressions, the superintendent shall send the person, 257
board, or entity that made the request any information, other than 258
information the dissemination of which is prohibited by federal 259
law, the superintendent determines exists with respect to the 260
person who is the subject of the request that indicates that the 261
person previously has been convicted of or pleaded guilty to any 262
offense listed or described in division (A)(1), (2), (3), (4), 263
(5), (6), (7), ~~or (8)~~, or (9) of this section, as appropriate. The 264
superintendent shall send the person, board, or entity that made 265
the request a copy of the list of offenses specified in division 266
(A)(1), (2), (3), (4), (5), (6), (7), ~~or (8)~~, or (9) of this 267
section, as appropriate. If the request was made under section 268
3701.881 of the Revised Code with regard to an applicant who may 269
be both responsible for the care, custody, or control of a child 270
and involved in providing direct care to an older adult, the 271
superintendent shall provide a list of the offenses specified in 272
divisions (A)(4) and (6) of this section. 273

(B) The superintendent shall conduct any criminal records 274
check requested under section 121.08, 173.41, 2151.86, 3301.32, 275

3301.541, 3319.39, 3701.881, 3712.09, 3721.121, 3722.151, 4749.03, 276
4749.06, 5104.012, 5104.013, 5111.95, 5111.96, 5123.081, 5126.28, 277
5126.281, or 5153.111 of the Revised Code as follows: 278

(1) The superintendent shall review or cause to be reviewed 279
any relevant information gathered and compiled by the bureau under 280
division (A) of section 109.57 of the Revised Code that relates to 281
the person who is the subject of the request, including any 282
relevant information contained in records that have been sealed 283
under section 2953.32 of the Revised Code; 284

(2) If the request received by the superintendent asks for 285
information from the federal bureau of investigation, the 286
superintendent shall request from the federal bureau of 287
investigation any information it has with respect to the person 288
who is the subject of the request and shall review or cause to be 289
reviewed any information the superintendent receives from that 290
bureau. 291

(3) The superintendent or the superintendent's designee may 292
request criminal history records from other states or the federal 293
government pursuant to the national crime prevention and privacy 294
compact set forth in section 109.571 of the Revised Code. 295

(C)(1) The superintendent shall prescribe a form to obtain 296
the information necessary to conduct a criminal records check from 297
any person for whom a criminal records check is required by 298
section 121.08, 173.41, 2151.86, 3301.32, 3301.541, 3319.39, 299
3701.881, 3712.09, 3721.121, 3722.151, 4749.03, 4749.06, 5104.012, 300
5104.013, 5111.95, 5111.96, 5123.081, 5126.28, 5126.281, or 301
5153.111 of the Revised Code. The form that the superintendent 302
prescribes pursuant to this division may be in a tangible format, 303
in an electronic format, or in both tangible and electronic 304
formats. 305

(2) The superintendent shall prescribe standard impression 306

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sheets to obtain the fingerprint impressions of any person for whom a criminal records check is required by section 121.08, 173.41, 2151.86, 3301.32, 3301.541, 3319.39, 3701.881, 3712.09, 3721.121, 3722.151, 4749.03, 4749.06, 5104.012, 5104.013, 5111.95, 5111.96, 5123.081, 5126.28, 5126.281, or 5153.111 of the Revised Code. Any person for whom a records check is required by any of those sections shall obtain the fingerprint impressions at a county sheriff's office, municipal police department, or any other entity with the ability to make fingerprint impressions on the standard impression sheets prescribed by the superintendent. The office, department, or entity may charge the person a reasonable fee for making the impressions. The standard impression sheets the superintendent prescribes pursuant to this division may be in a tangible format, in an electronic format, or in both tangible and electronic formats.

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(3) Subject to division (D) of this section, the superintendent shall prescribe and charge a reasonable fee for providing a criminal records check requested under section 121.08, 173.41, 2151.86, 3301.32, 3301.541, 3319.39, 3701.881, 3712.09, 3721.121, 3722.151, 4749.03, 4749.06, 5104.012, 5104.013, 5111.95, 5111.96, 5123.081, 5126.28, 5126.281, or 5153.111 of the Revised Code. The person making a criminal records request under section 121.08, 173.41, 2151.86, 3301.32, 3301.541, 3319.39, 3701.881, 3712.09, 3721.121, 3722.151, 4749.03, 4749.06, 5104.012, 5104.013, 5111.95, 5111.96, 5123.081, 5126.28, 5126.281, or 5153.111 of the Revised Code shall pay the fee prescribed pursuant to this division. A person making a request under section 3701.881 of the Revised Code for a criminal records check for an applicant who may be both responsible for the care, custody, or control of a child and involved in providing direct care to an older adult shall pay one fee for the request.

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(4) The superintendent of the bureau of criminal

identification and investigation may prescribe methods of 339
forwarding fingerprint impressions and information necessary to 340
conduct a criminal records check, which methods shall include, but 341
not be limited to, an electronic method. 342

(D) A determination whether any information exists that 343
indicates that a person previously has been convicted of or 344
pleaded guilty to any offense listed or described in division 345
(A)(1)(a) or (b), (A)(2)(a) or (b), (A)(3)(a) or (b), (A)(4)(a) or 346
(b), (A)(5)(a) or (b), (A)(6), (A)(7)(a) or (b), or (A)(8)(a) or 347
(b) of this section that is made by the superintendent with 348
respect to information considered in a criminal records check in 349
accordance with this section is valid for the person who is the 350
subject of the criminal records check for a period of one year 351
from the date upon which the superintendent makes the 352
determination. During the period in which the determination in 353
regard to a person is valid, if another request under this section 354
is made for a criminal records check for that person, the 355
superintendent shall provide the information that is the basis for 356
the superintendent's initial determination at a lower fee than the 357
fee prescribed for the initial criminal records check. 358

(E) As used in this section: 359

(1) "Criminal records check" means any criminal records check 360
conducted by the superintendent of the bureau of criminal 361
identification and investigation in accordance with division (B) 362
of this section. 363

(2) "Home and community-based waiver services" and "waiver 364
agency" have the same meanings as in section 5111.95 of the 365
Revised Code. 366

(3) "Independent provider" has the same meaning as in section 367
5111.96 of the Revised Code. 368

(4) "Minor drug possession offense" has the same meaning as 369

in section 2925.01 of the Revised Code. 370

(5) "Older adult" means a person age sixty or older. 371

Sec. 4501.04. All moneys paid into the auto registration 372
distribution fund under section 4501.03 of the Revised Code, 373
except moneys received under ~~sections~~ section 4504.09 of the 374
Revised Code and moneys received under section 4503.02 of the 375
Revised Code in accordance with section 4501.13 of the Revised 376
Code, and except moneys paid for costs of audits under section 377
4501.03 of the Revised Code, after receipt by the treasurer of 378
state of certifications from the commissioners of the sinking fund 379
certifying, as required by sections 5528.15 and 5528.35 of the 380
Revised Code, that there are sufficient moneys to the credit of 381
the highway improvement bond retirement fund created by section 382
5528.12 of the Revised Code to meet in full all payments of 383
interest, principal, and charges for the retirement of bonds and 384
other obligations issued pursuant to Section 2g of Article VIII, 385
Ohio Constitution, and sections 5528.10 and 5528.11 of the Revised 386
Code, due and payable during the current calendar year, and that 387
there are sufficient moneys to the credit of the highway 388
obligations bond retirement fund created by section 5528.32 of the 389
Revised Code to meet in full all payments of interest, principal, 390
and charges for the retirement of highway obligations issued 391
pursuant to Section 2i of Article VIII, Ohio Constitution, and 392
sections 5528.30 and 5528.31 of the Revised Code due and payable 393
during the current calendar year, shall be distributed as follows: 394

(A) Thirty-four per cent of all such moneys are for the use 395
of the municipal corporation or county which constitutes the 396
district of registration. The portion of such money due to the 397
municipal corporation shall be paid into its treasury forthwith 398
upon receipt by the county auditor, and shall be used to plan, 399
construct, reconstruct, repave, widen, maintain, repair, clear, 400

and clean public highways, roads, and streets; to maintain and
repair bridges and viaducts; to purchase, erect, and maintain
street and traffic signs and markers; to purchase, erect, and
maintain traffic lights and signals; to pay the principal,
interest, and charges on bonds and other obligations issued
pursuant to Chapter 133. of the Revised Code or incurred pursuant
to section 5531.09 of the Revised Code for the purpose of
acquiring or constructing roads, highways, bridges, or viaducts,
or acquiring or making other highway improvements for which the
municipal corporation may issue bonds; and to supplement revenue
already available for such purposes.

The county portion of such funds shall be retained in the
county treasury and shall be used for the planning, maintenance,
repair, construction, and repaving of public streets, and
maintaining and repairing bridges and viaducts; the payment of
principal, interest, and charges on bonds and other obligations
issued pursuant to Chapter 133. of the Revised Code or incurred
pursuant to section 5531.09 of the Revised Code for the purpose of
acquiring or constructing roads, highways, bridges, or viaducts or
acquiring or making other highway improvements for which the board
of county commissioners may issue bonds under such chapter; and
for no other purpose.

(B) Five per cent of all such moneys, together with interest
earned by the treasurer of state as provided in section 4501.03 of
the Revised Code, shall constitute a fund for the use of the
several counties for the purposes specified in division (C) of
this section. The moneys shall be divided equally among all the
counties in the state and shall be paid out by the registrar of
motor vehicles in equal proportions to the county auditor of each
county within the state.

(C) Forty-seven per cent of all such moneys shall be for the
use of the county in which the owner resides or in which the place

is located at which the established business or branch business in 433
connection with which the motor vehicle registered is used, for 434
the planning, construction, reconstruction, improvement, 435
maintenance, and repair of roads and highways; maintaining and 436
repairing bridges and viaducts; and the payment of principal, 437
interest, and charges on bonds and other obligations issued 438
pursuant to Chapter 133. of the Revised Code or incurred pursuant 439
to section 5531.09 of the Revised Code for the purpose of 440
acquiring or constructing roads, highways, bridges, or viaducts or 441
acquiring or making other highway improvements for which the board 442
of county commissioners may issue bonds under such chapter. 443

(D) Nine per cent of all such moneys shall be for the use of 444
the several counties for the purposes specified in division (C) of 445
this section and shall be distributed to the several counties in 446
the ratio which the total number of miles of county roads under 447
the jurisdiction of each board of county commissioners in each 448
county bears to the total number of miles of county roads in the 449
state, as determined by the director of transportation. Before 450
such distribution is made each board of county commissioners shall 451
certify in writing to the director the actual number of miles 452
under its statutory jurisdiction which are used by and maintained 453
for the public. 454

(E) Five per cent of all such moneys shall be for the use of 455
the several townships and shall be distributed to the several 456
townships in the ratio which the total number of miles of township 457
roads under the jurisdiction of each board of township trustees in 458
each township bears to the total number of miles of township roads 459
in the state, as determined by the director of transportation. 460
Before such distribution is made each board of township trustees 461
shall certify in writing to the director the actual number of 462
miles under its statutory jurisdiction which are used by and 463
maintained for the public. 464

Sec. 4501.26. The unidentified ~~motor vehicle~~ public safety 465
receipts fund is hereby created in the state treasury. The fund 466
shall consist of money received by the ~~bureau of motor vehicles~~ 467
department of public safety that is provisional in nature or for 468
which proper identification or disposition cannot immediately be 469
determined. Refunds and other disbursements from the fund shall be 470
made once proper identification and disposition is determined. All 471
investment earnings of the fund shall be credited to the fund. 472

Sec. 4503.02. An annual license tax is hereby levied upon the 473
operation of motor vehicles on the public roads or highways, for 474
the purpose of enforcing and paying the expense of administering 475
the law relative to the registration and operation of such 476
vehicles; planning, constructing, maintaining, and repairing 477
public roads, highways, and streets; maintaining and repairing 478
bridges and viaducts; paying the counties' proportion of the cost 479
and expenses of cooperating with the department of transportation 480
in the planning, improvement, and construction of state highways; 481
paying the counties' portion of the compensation, damages, cost, 482
and expenses of planning, constructing, reconstructing, improving, 483
maintaining, and repairing roads; paying the principal, interest, 484
and charges on county bonds and other obligations issued pursuant 485
to Chapter 133. of the Revised Code or incurred pursuant to 486
section 5531.09 of the Revised Code for highway improvements; for 487
the purpose of providing motorcycle safety and education 488
instruction; enabling municipal corporations to plan, construct, 489
reconstruct, repave, widen, maintain, repair, clear, and clean 490
public highways, roads, and streets; paying the principal, 491
interest, and other charges on municipal bonds and other 492
obligations issued pursuant to Chapter 133. of the Revised Code or 493
incurred pursuant to section 5531.09 of the Revised Code for 494
highway improvements; to maintain and repair bridges and viaducts; 495

to purchase, erect, and maintain street and traffic signs and 496
markers; to purchase, erect, and maintain traffic lights and 497
signals; to supplement revenue already available for such 498
purposes; to pay the interest, principal, and charges on bonds and 499
other obligations issued pursuant to Section 2i of Article VIII, 500
Ohio Constitution, and sections 5528.30 and 5528.31 of the Revised 501
Code. Such tax shall be at the rates specified in sections 4503.04 502
and 4503.042 of the Revised Code. Under section 4503.04 of the 503
Revised Code, the tax shall be paid to and collected by the 504
registrar of motor vehicles or deputy registrar at the time of 505
making application for registration. Under section 4503.042 of the 506
Revised Code, the tax shall be paid to and collected by the 507
registrar at the time and manner set forth by ~~him~~ the registrar by 508
rule. 509

Sec. 4503.26. As used in this section, "registration 510
information" means information in license plate applications on 511
file with the bureau of motor vehicles. 512

The director of public safety may advertise for and accept 513
sealed bids for the preparation of lists containing registration 514
information in such form as the director authorizes. Where the 515
expenditure is more than five hundred dollars, the director shall 516
give notice to bidders as provided in section 5513.01 of the 517
Revised Code as for purchases by the department of transportation. 518
The notice shall include the latest date, as determined by the 519
director, on which bids will be accepted and the date, also 520
determined by the director, on which bids will be opened by the 521
director at the central office of the department of public safety. 522
The contract to prepare the list shall be awarded to the lowest 523
responsive and responsible bidder, in accordance with section 524
9.312 of the Revised Code, provided there is compliance with the 525
specifications. Such contract shall not extend beyond twenty-four 526
consecutive registration periods as provided in section 4503.101 527

of the Revised Code. The successful bidder shall furnish without
charge a complete list to the bureau of motor vehicles, and shall
also furnish without charge to the county sheriffs or chiefs of
police in cities, at such times and in such manner as the director
determines necessary, lists of registration information for the
county in which they are situated. The registrar shall provide to
the successful bidder all necessary information for the
preparation of such lists.

The registrar may, upon application of any person and payment
of the proper fee, search the records of the bureau and make
reports thereof, and make photographic copies of the bureau
records and attestations thereof.

Fees therefor are as follows:

(A) For searches of the records and written reports thereof,
~~one dollar and fifty cents~~ two dollars for each name, number, or
fact searched or reported on;

(B) For photographic copies of records and attestations
thereof, under the signature and seal of the registrar, two
dollars a copy. Such copy is prima-facie evidence of the facts
therein stated, in any court.

The registrar shall receive these fees and deposit them into
the state treasury to the credit of the state bureau of motor
vehicles ~~safety~~ fund established in section 4501.25 of the Revised
Code.

Sec. 4503.40. The registrar of motor vehicles shall be
allowed a fee, not to exceed ten dollars, for each application
received by the registrar for special state reserved license plate
numbers and the issuing of such licenses, and validation stickers,
in the several series as the registrar may designate. The fee
shall be in addition to the license tax established by this

chapter and, where applicable, Chapter 4504. of the Revised Code. 558
Seven dollars and fifty cents of the fee shall be for the purpose 559
of compensating the bureau of motor vehicles for additional 560
services required in the issuing of such licenses, and the 561
remaining two dollars and fifty cents shall be ~~transmitted~~ 562
deposited by the registrar ~~to the treasurer of state for deposit~~ 563
~~in the highway operating~~ into the state treasury to the credit of 564
the state highway safety fund created by section ~~5735.291~~ 4501.06 565
of the Revised Code. The types of motor vehicles for which special 566
state reserved license plates may be issued in accordance with 567
this section shall include at least motorcycles, buses, passenger 568
cars, and noncommercial motor vehicles. 569

Sec. 4503.42. The registrar of motor vehicles shall be 570
allowed a fee of not to exceed thirty-five dollars, which shall be 571
in addition to the regular license fee for tags as prescribed 572
under section 4503.04 of the Revised Code and any tax levied under 573
section 4504.02 or 4504.06 of the Revised Code, for each 574
application received by the registrar for special reserved license 575
plate numbers containing more than three letters or numerals, and 576
the issuing of such licenses and validation stickers in the 577
several series as the registrar may designate. Five dollars of the 578
fee shall be for the purpose of compensating the bureau of motor 579
vehicles for additional services required in the issuing of such 580
licenses and validation stickers, and the remaining thirty dollars 581
shall be ~~transmitted~~ deposited by the registrar ~~to the treasurer~~ 582
~~of state for deposit in the highway operating~~ into the state 583
treasury to the credit of the state highway safety fund created by 584
section ~~5735.291~~ 4501.06 of the Revised Code. 585

This section does not apply to the issuance of reserved 586
license plates as authorized by sections 4503.14, 4503.15, and 587
4503.40 of the Revised Code. The types of motor vehicles for which 588
license plate numbers containing more than three letters or 589

numerals may be issued in accordance with this section shall 590
include at least buses, passenger cars, and noncommercial motor 591
vehicles. 592

Sec. 4508.06. (A) The director of public safety may refuse to 593
issue, or may suspend or revoke, a license or may impose a fine in 594
any case in which the director finds the applicant or licensee has 595
violated any of the provisions of this chapter, or any of the 596
~~regulations~~ rules adopted by the director, or has failed to pay a 597
fine imposed under this division. No person whose license has been 598
suspended or revoked under this section shall fail to return the 599
license to the director. 600

(B) Whoever ~~violates~~ fails to return a license that has been 601
suspended or revoked under division (A) of this section is guilty 602
of failing to return a suspended or revoked license, a minor 603
misdemeanor or, on a second or subsequent offense within two years 604
after the first offense, a misdemeanor of the fourth degree. 605

Sec. 4508.10. (A) A driver training school shall issue a 606
certificate of completion to each person who successfully 607
completes a course of instruction necessary to obtain or maintain 608
a driver's license. The department of public safety shall provide 609
each driver training school with the certificate of completion 610
forms. 611

(B) The fee for each driver's license certificate of 612
completion provided by the department to a driver training school 613
is eight dollars. The director of public safety shall deposit the 614
fees collected under this section into the state treasury to the 615
credit of the state highway safety fund created in section 4501.16 616
of the Revised Code. 617

(C) As used in this section, "driver's license" has the same 618
meaning as in section 4507.01 of the Revised Code. 619

Sec. 4509.27. There is hereby created in the state treasury 620
the security deposit fund. All security deposits that the 621
registrar of motor vehicles requires to be paid under section 622
4509.12 of the Revised Code and that the registrar receives shall 623
be deposited into the fund. Moneys in the fund shall be applied 624
only to the payment of a judgment for damages arising out of an 625
accident as provided in section 4509.28 of the Revised Code and to 626
the return of security deposits as provided in sections 4509.25 627
and 4509.29 of the Revised Code. All investment earnings ~~on the~~ 628
~~cash balance in~~ of the fund shall be credited to the state bureau 629
of motor vehicles fund created by section 4501.25 of the Revised 630
Code. 631

Sec. 4511.191. (A)(1) "Physical control" has the same meaning 632
as in section 4511.194 of the Revised Code. 633

(2) Any person who operates a vehicle, streetcar, or 634
trackless trolley upon a highway or any public or private property 635
used by the public for vehicular travel or parking within this 636
state or who is in physical control of a vehicle, streetcar, or 637
trackless trolley shall be deemed to have given consent to a 638
chemical test or tests of the person's whole blood, blood serum or 639
plasma, breath, or urine to determine the alcohol, drug, or 640
alcohol and drug content of the person's whole blood, blood serum 641
or plasma, breath, or urine if arrested for a violation of 642
division (A) or (B) of section 4511.19 of the Revised Code, 643
section 4511.194 of the Revised Code or a substantially equivalent 644
municipal ordinance, or a municipal OVI ordinance. 645

(3) The chemical test or tests under division (A)(2) of this 646
section shall be administered at the request of a law enforcement 647
officer having reasonable grounds to believe the person was 648
operating or in physical control of a vehicle, streetcar, or 649

trackless trolley in violation of a division, section, or ordinance identified in division (A)(2) of this section. The law enforcement agency by which the officer is employed shall designate which of the tests shall be administered.

(4) Any person who is dead or unconscious, or who otherwise is in a condition rendering the person incapable of refusal, shall be deemed to have consented as provided in division (A)(2) of this section, and the test or tests may be administered, subject to sections 313.12 to 313.16 of the Revised Code.

(B)(1) Upon receipt of the sworn report of a law enforcement officer who arrested a person for a violation of division (A) or (B) of section 4511.19 of the Revised Code, section 4511.194 of the Revised Code or a substantially equivalent municipal ordinance, or a municipal OVI ordinance that was completed and sent to the registrar and a court pursuant to section 4511.192 of the Revised Code in regard to a person who refused to take the designated chemical test, the registrar shall enter into the registrar's records the fact that the person's driver's or commercial driver's license or permit or nonresident operating privilege was suspended by the arresting officer under this division and that section and the period of the suspension, as determined under this section. The suspension shall be subject to appeal as provided in section 4511.197 of the Revised Code. The suspension shall be for whichever of the following periods applies:

(a) Except when division (B)(1)(b), (c), or (d) of this section applies and specifies a different class or length of suspension, the suspension shall be a class C suspension for the period of time specified in division (B)(3) of section 4510.02 of the Revised Code.

(b) If the arrested person, within six years of the date on

which the person refused the request to consent to the chemical 681
test, had refused one previous request to consent to a chemical 682
test, the suspension shall be a class B suspension imposed for the 683
period of time specified in division (B)(2) of section 4510.02 of 684
the Revised Code. 685

(c) If the arrested person, within six years of the date on 686
which the person refused the request to consent to the chemical 687
test, had refused two previous requests to consent to a chemical 688
test, the suspension shall be a class A suspension imposed for the 689
period of time specified in division (B)(1) of section 4510.02 of 690
the Revised Code. 691

(d) If the arrested person, within six years of the date on 692
which the person refused the request to consent to the chemical 693
test, had refused three or more previous requests to consent to a 694
chemical test, the suspension shall be for five years. 695

(2) The registrar shall terminate a suspension of the 696
driver's or commercial driver's license or permit of a resident or 697
of the operating privilege of a nonresident, or a denial of a 698
driver's or commercial driver's license or permit, imposed 699
pursuant to division (B)(1) of this section upon receipt of notice 700
that the person has entered a plea of guilty to, or that the 701
person has been convicted after entering a plea of no contest to, 702
operating a vehicle in violation of section 4511.19 of the Revised 703
Code or in violation of a municipal OVI ordinance, if the offense 704
for which the conviction is had or the plea is entered arose from 705
the same incident that led to the suspension or denial. 706

The registrar shall credit against any judicial suspension of 707
a person's driver's or commercial driver's license or permit or 708
nonresident operating privilege imposed pursuant to section 709
4511.19 of the Revised Code, or pursuant to section 4510.07 of the 710
Revised Code for a violation of a municipal OVI ordinance, any 711

time during which the person serves a related suspension imposed 712
pursuant to division (B)(1) of this section. 713

(C)(1) Upon receipt of the sworn report of the law 714
enforcement officer who arrested a person for a violation of 715
division (A) or (B) of section 4511.19 of the Revised Code or a 716
municipal OVI ordinance that was completed and sent to the 717
registrar and a court pursuant to section 4511.192 of the Revised 718
Code in regard to a person whose test results indicate that the 719
person's whole blood, blood serum or plasma, breath, or urine 720
contained at least the concentration of alcohol specified in 721
division (A)(1)(b), (c), (d), or (e) of section 4511.19 of the 722
Revised Code, the registrar shall enter into the registrar's 723
records the fact that the person's driver's or commercial driver's 724
license or permit or nonresident operating privilege was suspended 725
by the arresting officer under this division and section 4511.192 726
of the Revised Code and the period of the suspension, as 727
determined under divisions (F)(1) to (4) of this section. The 728
suspension shall be subject to appeal as provided in section 729
4511.197 of the Revised Code. The suspension described in this 730
division does not apply to, and shall not be imposed upon, a 731
person arrested for a violation of section 4511.194 of the Revised 732
Code or a substantially equivalent municipal ordinance who submits 733
to a designated chemical test. The suspension shall be for 734
whichever of the following periods applies: 735

(a) Except when division (C)(1)(b), (c), or (d) of this 736
section applies and specifies a different period, the suspension 737
shall be a class E suspension imposed for the period of time 738
specified in division (B)(5) of section 4510.02 of the Revised 739
Code. 740

(b) The suspension shall be a class C suspension for the 741
period of time specified in division (B)(3) of section 4510.02 of 742
the Revised Code if the person has been convicted of or pleaded 743

guilty to, within six years of the date the test was conducted, 744
one violation of division (A) or (B) of section 4511.19 of the 745
Revised Code or one other equivalent offense. 746

(c) If, within six years of the date the test was conducted, 747
the person has been convicted of or pleaded guilty to two 748
violations of a statute or ordinance described in division 749
(C)(1)(b) of this section, the suspension shall be a class B 750
suspension imposed for the period of time specified in division 751
(B)(2) of section 4510.02 of the Revised Code. 752

(d) If, within six years of the date the test was conducted, 753
the person has been convicted of or pleaded guilty to more than 754
two violations of a statute or ordinance described in division 755
(C)(1)(b) of this section, the suspension shall be a class A 756
suspension imposed for the period of time specified in division 757
(B)(1) of section 4510.02 of the Revised Code. 758

(2) The registrar shall terminate a suspension of the 759
driver's or commercial driver's license or permit of a resident or 760
of the operating privilege of a nonresident, or a denial of a 761
driver's or commercial driver's license or permit, imposed 762
pursuant to division (C)(1) of this section upon receipt of notice 763
that the person has entered a plea of guilty to, or that the 764
person has been convicted after entering a plea of no contest to, 765
operating a vehicle in violation of section 4511.19 of the Revised 766
Code or in violation of a municipal OVI ordinance, if the offense 767
for which the conviction is had or the plea is entered arose from 768
the same incident that led to the suspension or denial. 769

The registrar shall credit against any judicial suspension of 770
a person's driver's or commercial driver's license or permit or 771
nonresident operating privilege imposed pursuant to section 772
4511.19 of the Revised Code, or pursuant to section 4510.07 of the 773
Revised Code for a violation of a municipal OVI ordinance, any 774

time during which the person serves a related suspension imposed 775
pursuant to division (C)(1) of this section. 776

(D)(1) A suspension of a person's driver's or commercial 777
driver's license or permit or nonresident operating privilege 778
under this section for the time described in division (B) or (C) 779
of this section is effective immediately from the time at which 780
the arresting officer serves the notice of suspension upon the 781
arrested person. Any subsequent finding that the person is not 782
guilty of the charge that resulted in the person being requested 783
to take the chemical test or tests under division (A) of this 784
section does not affect the suspension. 785

(2) If a person is arrested for operating a vehicle, 786
streetcar, or trackless trolley in violation of division (A) or 787
(B) of section 4511.19 of the Revised Code or a municipal OVI 788
ordinance, or for being in physical control of a vehicle, 789
streetcar, or trackless trolley in violation of section 4511.194 790
of the Revised Code or a substantially equivalent municipal 791
ordinance, regardless of whether the person's driver's or 792
commercial driver's license or permit or nonresident operating 793
privilege is or is not suspended under division (B) or (C) of this 794
section or Chapter 4510. of the Revised Code, the person's initial 795
appearance on the charge resulting from the arrest shall be held 796
within five days of the person's arrest or the issuance of the 797
citation to the person, subject to any continuance granted by the 798
court pursuant to section 4511.197 of the Revised Code regarding 799
the issues specified in that division. 800

(E) When it finally has been determined under the procedures 801
of this section and sections 4511.192 ~~through~~ to 4511.197 of the 802
Revised Code that a nonresident's privilege to operate a vehicle 803
within this state has been suspended, the registrar shall give 804
information in writing of the action taken to the motor vehicle 805
administrator of the state of the person's residence and of any 806

state in which the person has a license. 807

(F) At the end of a suspension period under this section, 808
under section 4511.194, section 4511.196, or division (G) of 809
section 4511.19 of the Revised Code, or under section 4510.07 of 810
the Revised Code for a violation of a municipal OVI ordinance and 811
upon the request of the person whose driver's or commercial 812
driver's license or permit was suspended and who is not otherwise 813
subject to suspension, cancellation, or disqualification, the 814
registrar shall return the driver's or commercial driver's license 815
or permit to the person upon the occurrence of all of the 816
conditions specified in divisions (F)(1) and (2) of this section: 817

(1) A showing that the person has proof of financial 818
responsibility, a policy of liability insurance in effect that 819
meets the minimum standards set forth in section 4509.51 of the 820
Revised Code, or proof, to the satisfaction of the registrar, that 821
the person is able to respond in damages in an amount at least 822
equal to the minimum amounts specified in section 4509.51 of the 823
Revised Code. 824

(2) Subject to the limitation contained in division (F)(3) of 825
this section, payment by the person to the bureau of motor 826
vehicles of a license reinstatement fee of four hundred 827
twenty-five dollars, which fee shall be deposited in the state 828
treasury and credited as follows: 829

(a) One hundred twelve dollars and fifty cents shall be 830
credited to the statewide treatment and prevention fund created by 831
section 4301.30 of the Revised Code. The fund shall be used to pay 832
the costs of driver treatment and intervention programs operated 833
pursuant to sections 3793.02 and 3793.10 of the Revised Code. The 834
director of alcohol and drug addiction services shall determine 835
the share of the fund that is to be allocated to alcohol and drug 836
addiction programs authorized by section 3793.02 of the Revised 837
Code, and the share of the fund that is to be allocated to 838

drivers' intervention programs authorized by section 3793.10 of the Revised Code. 839
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(b) Seventy-five dollars shall be credited to the reparations fund created by section 2743.191 of the Revised Code. 841
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(c) Thirty-seven dollars and fifty cents shall be credited to the indigent drivers alcohol treatment fund, which is hereby established. Except as otherwise provided in division (F)(2)(c) of this section, moneys in the fund shall be distributed by the department of alcohol and drug addiction services to the county indigent drivers alcohol treatment funds, the county juvenile indigent drivers alcohol treatment funds, and the municipal indigent drivers alcohol treatment funds that are required to be established by counties and municipal corporations pursuant to this section, and shall be used only to pay the cost of an alcohol and drug addiction treatment program attended by an offender or juvenile traffic offender who is ordered to attend an alcohol and drug addiction treatment program by a county, juvenile, or municipal court judge and who is determined by the county, juvenile, or municipal court judge not to have the means to pay for the person's attendance at the program or to pay the costs specified in division (H)(4) of this section in accordance with that division. Moneys in the fund that are not distributed to a county indigent drivers alcohol treatment fund, a county juvenile indigent drivers alcohol treatment fund, or a municipal indigent drivers alcohol treatment fund under division (H) of this section because the director of alcohol and drug addiction services does not have the information necessary to identify the county or municipal corporation where the offender or juvenile offender was arrested may be transferred by the director of budget and management to the statewide treatment and prevention fund created by section 4301.30 of the Revised Code, upon certification of the amount by the director of alcohol and drug addiction services. 843
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(d) Seventy-five dollars shall be credited to the Ohio 871
rehabilitation services commission established by section 3304.12 872
of the Revised Code, to the services for rehabilitation fund, 873
which is hereby established. The fund shall be used to match 874
available federal matching funds where appropriate, and for any 875
other purpose or program of the commission to rehabilitate people 876
with disabilities to help them become employed and independent. 877

(e) Seventy-five dollars shall be deposited into the state 878
treasury and credited to the drug abuse resistance education 879
programs fund, which is hereby established, to be used by the 880
attorney general for the purposes specified in division ~~(L)~~(F)(4) 881
of this section. 882

(f) Thirty dollars shall be credited to the state bureau of 883
motor vehicles fund created by section 4501.25 of the Revised 884
Code. 885

(g) Twenty dollars shall be credited to the ~~trauma and~~ 886
emergency medical services ~~grants~~ fund created by section 4513.263 887
of the Revised Code. 888

(3) If a person's driver's or commercial driver's license or 889
permit is suspended under this section, under section 4511.196 or 890
division (G) of section 4511.19 of the Revised Code, under section 891
4510.07 of the Revised Code for a violation of a municipal OVI 892
ordinance or under any combination of the suspensions described in 893
division (F)(3) of this section, and if the suspensions arise from 894
a single incident or a single set of facts and circumstances, the 895
person is liable for payment of, and shall be required to pay to 896
the bureau, only one reinstatement fee of four hundred twenty-five 897
dollars. The reinstatement fee shall be distributed by the bureau 898
in accordance with division (F)(2) of this section. 899

(4) The attorney general shall use amounts in the drug abuse 900
resistance education programs fund to award grants to law 901

enforcement agencies to establish and implement drug abuse 902
resistance education programs in public schools. Grants awarded to 903
a law enforcement agency under this section shall be used by the 904
agency to pay for not more than fifty per cent of the amount of 905
the salaries of law enforcement officers who conduct drug abuse 906
resistance education programs in public schools. The attorney 907
general shall not use more than six per cent of the amounts the 908
attorney general's office receives under division (F)(2)(e) of 909
this section to pay the costs it incurs in administering the grant 910
program established by division (F)(2)(e) of this section and in 911
providing training and materials relating to drug abuse resistance 912
education programs. 913

The attorney general shall report to the governor and the 914
general assembly each fiscal year on the progress made in 915
establishing and implementing drug abuse resistance education 916
programs. These reports shall include an evaluation of the 917
effectiveness of these programs. 918

(G) Suspension of a commercial driver's license under 919
division (B) or (C) of this section shall be concurrent with any 920
period of disqualification under section 3123.611 or 4506.16 of 921
the Revised Code or any period of suspension under section 3123.58 922
of the Revised Code. No person who is disqualified for life from 923
holding a commercial driver's license under section 4506.16 of the 924
Revised Code shall be issued a driver's license under Chapter 925
4507. of the Revised Code during the period for which the 926
commercial driver's license was suspended under division (B) or 927
(C) of this section. No person whose commercial driver's license 928
is suspended under division (B) or (C) of this section shall be 929
issued a driver's license under Chapter 4507. of the Revised Code 930
during the period of the suspension. 931

(H)(1) Each county shall establish an indigent drivers 932
alcohol treatment fund, each county shall establish a juvenile 933

indigent drivers alcohol treatment fund, and each municipal 934
corporation in which there is a municipal court shall establish an 935
indigent drivers alcohol treatment fund. All revenue that the 936
general assembly appropriates to the indigent drivers alcohol 937
treatment fund for transfer to a county indigent drivers alcohol 938
treatment fund, a county juvenile indigent drivers alcohol 939
treatment fund, or a municipal indigent drivers alcohol treatment 940
fund, all portions of fees that are paid under division ~~(L)~~(F) of 941
this section and that are credited under that division to the 942
indigent drivers alcohol treatment fund in the state treasury for 943
a county indigent drivers alcohol treatment fund, a county 944
juvenile indigent drivers alcohol treatment fund, or a municipal 945
indigent drivers alcohol treatment fund, and all portions of fines 946
that are specified for deposit into a county or municipal indigent 947
drivers alcohol treatment fund by section 4511.193 of the Revised 948
Code shall be deposited into that county indigent drivers alcohol 949
treatment fund, county juvenile indigent drivers alcohol treatment 950
fund, or municipal indigent drivers alcohol treatment fund in 951
accordance with division (H)(2) of this section. Additionally, all 952
portions of fines that are paid for a violation of section 4511.19 953
of the Revised Code or of any prohibition contained in Chapter 954
4510. of the Revised Code, and that are required under section 955
4511.19 or any provision of Chapter 4510. of the Revised Code to 956
be deposited into a county indigent drivers alcohol treatment fund 957
or municipal indigent drivers alcohol treatment fund shall be 958
deposited into the appropriate fund in accordance with the 959
applicable division. 960

(2) That portion of the license reinstatement fee that is 961
paid under division (F) of this section and that is credited under 962
that division to the indigent drivers alcohol treatment fund shall 963
be deposited into a county indigent drivers alcohol treatment 964
fund, a county juvenile indigent drivers alcohol treatment fund, 965

or a municipal indigent drivers alcohol treatment fund as follows: 966

(a) If the suspension in question was imposed under this 967
section, that portion of the fee shall be deposited as follows: 968

(i) If the fee is paid by a person who was charged in a 969
county court with the violation that resulted in the suspension, 970
the portion shall be deposited into the county indigent drivers 971
alcohol treatment fund under the control of that court; 972

(ii) If the fee is paid by a person who was charged in a 973
juvenile court with the violation that resulted in the suspension, 974
the portion shall be deposited into the county juvenile indigent 975
drivers alcohol treatment fund established in the county served by 976
the court; 977

(iii) If the fee is paid by a person who was charged in a 978
municipal court with the violation that resulted in the 979
suspension, the portion shall be deposited into the municipal 980
indigent drivers alcohol treatment fund under the control of that 981
court. 982

(b) If the suspension in question was imposed under section 983
4511.19 of the Revised Code or under section 4510.07 of the 984
Revised Code for a violation of a municipal OVI ordinance, that 985
portion of the fee shall be deposited as follows: 986

(i) If the fee is paid by a person whose license or permit 987
was suspended by a county court, the portion shall be deposited 988
into the county indigent drivers alcohol treatment fund under the 989
control of that court; 990

(ii) If the fee is paid by a person whose license or permit 991
was suspended by a municipal court, the portion shall be deposited 992
into the municipal indigent drivers alcohol treatment fund under 993
the control of that court. 994

(3) Expenditures from a county indigent drivers alcohol 995

treatment fund, a county juvenile indigent drivers alcohol 996
treatment fund, or a municipal indigent drivers alcohol treatment 997
fund shall be made only upon the order of a county, juvenile, or 998
municipal court judge and only for payment of the cost of the 999
attendance at an alcohol and drug addiction treatment program of a 1000
person who is convicted of, or found to be a juvenile traffic 1001
offender by reason of, a violation of division (A) of section 1002
4511.19 of the Revised Code or a substantially similar municipal 1003
ordinance, who is ordered by the court to attend the alcohol and 1004
drug addiction treatment program, and who is determined by the 1005
court to be unable to pay the cost of attendance at the treatment 1006
program or for payment of the costs specified in division (H)(4) 1007
of this section in accordance with that division. The alcohol and 1008
drug addiction services board or the board of alcohol, drug 1009
addiction, and mental health services established pursuant to 1010
section 340.02 or 340.021 of the Revised Code and serving the 1011
alcohol, drug addiction, and mental health service district in 1012
which the court is located shall administer the indigent drivers 1013
alcohol treatment program of the court. When a court orders an 1014
offender or juvenile traffic offender to attend an alcohol and 1015
drug addiction treatment program, the board shall determine which 1016
program is suitable to meet the needs of the offender or juvenile 1017
traffic offender, and when a suitable program is located and space 1018
is available at the program, the offender or juvenile traffic 1019
offender shall attend the program designated by the board. A 1020
reasonable amount not to exceed five per cent of the amounts 1021
credited to and deposited into the county indigent drivers alcohol 1022
treatment fund, the county juvenile indigent drivers alcohol 1023
treatment fund, or the municipal indigent drivers alcohol 1024
treatment fund serving every court whose program is administered 1025
by that board shall be paid to the board to cover the costs it 1026
incurs in administering those indigent drivers alcohol treatment 1027
programs. 1028

(4) If a county, juvenile, or municipal court determines, in 1029
consultation with the alcohol and drug addiction services board or 1030
the board of alcohol, drug addiction, and mental health services 1031
established pursuant to section 340.02 or 340.021 of the Revised 1032
Code and serving the alcohol, drug addiction, and mental health 1033
district in which the court is located, that the funds in the 1034
county indigent drivers alcohol treatment fund, the county 1035
juvenile indigent drivers alcohol treatment fund, or the municipal 1036
indigent drivers alcohol treatment fund under the control of the 1037
court are more than sufficient to satisfy the purpose for which 1038
the fund was established, as specified in divisions (H)(1) to (3) 1039
of this section, the court may declare a surplus in the fund. If 1040
the court declares a surplus in the fund, the court may expend the 1041
amount of the surplus in the fund for alcohol and drug abuse 1042
assessment and treatment of persons who are charged in the court 1043
with committing a criminal offense or with being a delinquent 1044
child or juvenile traffic offender and in relation to whom both of 1045
the following apply: 1046

(a) The court determines that substance abuse was a 1047
contributing factor leading to the criminal or delinquent activity 1048
or the juvenile traffic offense with which the person is charged. 1049

(b) The court determines that the person is unable to pay the 1050
cost of the alcohol and drug abuse assessment and treatment for 1051
which the surplus money will be used. 1052

Sec. 4513.263. (A) As used in this section and in section 1053
4513.99 of the Revised Code: 1054

(1) "Automobile" means any commercial tractor, passenger car, 1055
commercial car, or truck that is required to be factory-equipped 1056
with an occupant restraining device for the operator or any 1057
passenger by regulations adopted by the United States secretary of 1058
transportation pursuant to the "National Traffic and Motor Vehicle 1059

Safety Act of 1966," 80 Stat. 719, 15 U.S.C.A. 1392.	1060
(2) "Occupant restraining device" means a seat safety belt,	1061
shoulder belt, harness, or other safety device for restraining a	1062
person who is an operator of or passenger in an automobile and	1063
that satisfies the minimum federal vehicle safety standards	1064
established by the United States department of transportation.	1065
(3) "Passenger" means any person in an automobile, other than	1066
its operator, who is occupying a seating position for which an	1067
occupant restraining device is provided.	1068
(4) "Commercial tractor," "passenger car," and "commercial	1069
car" have the same meanings as in section 4501.01 of the Revised	1070
Code.	1071
(5) "Vehicle" and "motor vehicle," as used in the definitions	1072
of the terms set forth in division (A)(4) of this section, have	1073
the same meanings as in section 4511.01 of the Revised Code.	1074
(6) "Tort action" means a civil action for damages for	1075
injury, death, or loss to person or property. "Tort action"	1076
includes a product liability claim, as defined in section 2307.71	1077
of the Revised Code, and an asbestos claim, as defined in section	1078
2307.91 of the Revised Code, but does not include a civil action	1079
for damages for breach of contract or another agreement between	1080
persons.	1081
(B) No person shall do any of the following:	1082
(1) Operate an automobile on any street or highway unless	1083
that person is wearing all of the available elements of a properly	1084
adjusted occupant restraining device, or operate a school bus that	1085
has an occupant restraining device installed for use in its	1086
operator's seat unless that person is wearing all of the available	1087
elements of the device, as properly adjusted;	1088
(2) Operate an automobile on any street or highway unless	1089

each passenger in the automobile who is subject to the requirement 1090
set forth in division (B)(3) of this section is wearing all of the 1091
available elements of a properly adjusted occupant restraining 1092
device; 1093

(3) Occupy, as a passenger, a seating position on the front 1094
seat of an automobile being operated on any street or highway 1095
unless that person is wearing all of the available elements of a 1096
properly adjusted occupant restraining device; 1097

(4) Operate a taxicab on any street or highway unless all 1098
factory-equipped occupant restraining devices in the taxicab are 1099
maintained in usable form. 1100

(C) Division (B)(3) of this section does not apply to a 1101
person who is required by section 4511.81 of the Revised Code to 1102
be secured in a child restraint device. Division (B)(1) of this 1103
section does not apply to a person who is an employee of the 1104
United States postal service or of a newspaper home delivery 1105
service, during any period in which the person is engaged in the 1106
operation of an automobile to deliver mail or newspapers to 1107
addressees. Divisions (B)(1) and (3) of this section do not apply 1108
to a person who has an affidavit signed by a physician licensed to 1109
practice in this state under Chapter 4731. of the Revised Code or 1110
a chiropractor licensed to practice in this state under Chapter 1111
4734. of the Revised Code that states that the person has a 1112
physical impairment that makes use of an occupant restraining 1113
device impossible or impractical. 1114

(D) Notwithstanding any provision of law to the contrary, no 1115
law enforcement officer shall cause an operator of an automobile 1116
being operated on any street or highway to stop the automobile for 1117
the sole purpose of determining whether a violation of division 1118
(B) of this section has been or is being committed or for the sole 1119
purpose of issuing a ticket, citation, or summons for a violation 1120

of that nature or causing the arrest of or commencing a 1121
prosecution of a person for a violation of that nature, and no law 1122
enforcement officer shall view the interior or visually inspect 1123
any automobile being operated on any street or highway for the 1124
sole purpose of determining whether a violation of that nature has 1125
been or is being committed. 1126

(E) All fines collected for violations of division (B) of 1127
this section, or for violations of any ordinance or resolution of 1128
a political subdivision that is substantively comparable to that 1129
division, shall be forwarded to the treasurer of state for deposit 1130
as follows: 1131

~~(1) Eight per cent shall be deposited into the seat belt 1132
education fund, which is hereby created in the state treasury, and 1133
shall be used by the department of public safety to establish a 1134
seat belt education program. 1135~~

~~(2) Eight per cent shall be deposited into the elementary 1136
school program fund, which is hereby created in the state 1137
treasury, and shall be used by the department of public safety to 1138
establish and administer elementary school programs that encourage 1139
seat safety belt use. 1140~~

~~(3) Two per cent shall be deposited into the Ohio medical 1141
transportation trust fund created by section 4766.05 of the 1142
Revised Code. 1143~~

~~(4) Twenty-eight~~ (2) Ninety-eight per cent shall be deposited 1144
into the ~~trauma and~~ emergency medical services fund, which is 1145
hereby created in the state treasury, and shall be used by the 1146
department of public safety for the administration of the division 1147
of emergency medical services and the state board of emergency 1148
medical services. 1149

~~(5) Fifty-four per cent shall be deposited into the trauma 1150
and emergency medical services grants fund, which is hereby 1151~~

~~created in the state treasury, and shall be used;~~ by the state
board of emergency medical services to make grants, in accordance
with section 4765.07 of the Revised Code and rules the board
adopts under section 4765.11 of the Revised Code; and by the
department of public safety to establish a seat belt education
program, which shall include elementary school programs that
encourage seat belt use.

(F)(1) Subject to division (F)(2) of this section, the
failure of a person to wear all of the available elements of a
properly adjusted occupant restraining device in violation of
division (B)(1) or (3) of this section or the failure of a person
to ensure that each minor who is a passenger of an automobile
being operated by that person is wearing all of the available
elements of a properly adjusted occupant restraining device in
violation of division (B)(2) of this section shall not be
considered or used by the trier of fact in a tort action as
evidence of negligence or contributory negligence. But, the trier
of fact may determine based on evidence admitted consistent with
the Ohio ~~rules~~ Rules of ~~evidence~~ Evidence that the failure
contributed to the harm alleged in the tort action and may
diminish a recovery of compensatory damages that represents
noneconomic loss, as defined in section 2307.011 of the Revised
Code, in a tort action that could have been recovered but for the
plaintiff's failure to wear all of the available elements of a
properly adjusted occupant restraining device. Evidence of that
failure shall not be used as a basis for a criminal prosecution of
the person other than a prosecution for a violation of this
section; and shall not be admissible as evidence in a criminal
action involving the person other than a prosecution for a
violation of this section.

(2) If, at the time of an accident involving a passenger car
equipped with occupant restraining devices, any occupant of the

passenger car who sustained injury or death was not wearing an 1184
available occupant restraining device, was not wearing all of the 1185
available elements of such a device, or was not wearing such a 1186
device as properly adjusted, then, consistent with the Rules of 1187
Evidence, the fact that the occupant was not wearing the available 1188
occupant restraining device, was not wearing all of the available 1189
elements of such a device, or was not wearing such a device as 1190
properly adjusted is admissible in evidence in relation to any 1191
claim for relief in a tort action to the extent that the claim for 1192
relief satisfies all of the following: 1193

(a) It seeks to recover damages for injury or death to the 1194
occupant. 1195

(b) The defendant in question is the manufacturer, designer, 1196
distributor, or seller of the passenger car. 1197

(c) The claim for relief against the defendant in question is 1198
that the injury or death sustained by the occupant was enhanced or 1199
aggravated by some design defect in the passenger car or that the 1200
passenger car was not crashworthy. 1201

(G)(1) Whoever violates division (B)(1) of this section shall 1202
be fined thirty dollars. 1203

(2) Whoever violates division (B)(3) of this section shall be 1204
fined twenty dollars. 1205

(3) Except as otherwise provided in this division, whoever 1206
violates division (B)(4) of this section is guilty of a minor 1207
misdemeanor. If the offender previously has been convicted of or 1208
pleaded guilty to a violation of division (B)(4) of this section, 1209
whoever violates division (B)(4) of this section is guilty of a 1210
misdemeanor of the third degree. 1211

Sec. 4749.03. (A)(1) Any individual, including a partner in a 1212
partnership, may be licensed as a private investigator under a 1213

class B license, or as a security guard provider under a class C 1214
license, or as a private investigator and a security guard 1215
provider under a class A license, if the individual meets all of 1216
the following requirements: 1217

(a) Has a good reputation for integrity, has not been 1218
convicted of a felony within the last twenty years or any offense 1219
involving moral turpitude, and has not been adjudicated 1220
incompetent for the purpose of holding the license, as provided in 1221
section 5122.301 of the Revised Code, without having been restored 1222
to legal capacity for that purpose. 1223

(b) Depending upon the class of license for which application 1224
is made, for a continuous period of at least two years immediately 1225
preceding application for a license, has been engaged in 1226
investigatory or security services work for a law enforcement or 1227
other public agency engaged in investigatory activities, or for a 1228
private investigator or security guard provider, or engaged in the 1229
practice of law, or has acquired equivalent experience as 1230
determined by rule of the director of public safety. 1231

(c) Demonstrates competency as a private investigator or 1232
security guard provider by passing an examination devised for this 1233
purpose by the director, except that any individually licensed 1234
person who qualifies a corporation for licensure shall not be 1235
required to be reexamined if the person qualifies the corporation 1236
in the same capacity that the person was individually licensed. 1237

(d) Submits evidence of comprehensive general liability 1238
insurance coverage, or other equivalent guarantee approved by the 1239
director in such form and in principal amounts satisfactory to the 1240
director, but not less than one hundred thousand dollars for each 1241
person and three hundred thousand dollars for each occurrence for 1242
bodily injury liability, and one hundred thousand dollars for 1243
property damage liability. 1244

(e) Pays the requisite examination and license fees. 1245

(2) A corporation may be licensed as a private investigator 1246
under a class B license, or as a security guard provider under a 1247
class C license, or as a private investigator and a security guard 1248
provider under a class A license, if an application for licensure 1249
is filed by an officer of the corporation and the officer, another 1250
officer, or the qualifying agent of the corporation satisfies the 1251
requirements of divisions (A)(1) and (F)(1) of this section. 1252
Officers and the statutory agent of a corporation shall be 1253
determined in accordance with Chapter 1701. of the Revised Code. 1254

(3) At least one partner in a partnership shall be licensed 1255
as a private investigator, or as a security guard provider, or as 1256
a private investigator and a security guard provider. Partners in 1257
a partnership shall be determined as provided for in Chapter 1775. 1258
of the Revised Code. 1259

(B) ~~Application~~ An application for a class A, B, or C license 1260
shall be ~~in writing, under oath, to~~ completed in the form the 1261
director prescribes. In the case of an individual, the application 1262
shall state the applicant's name, birth date, citizenship, 1263
physical description, current residence, residences for the 1264
preceding ten years, current employment, employment for the 1265
preceding seven years, experience qualifications, the location of 1266
each of the applicant's offices in this state, and any other 1267
information that is necessary in order for the director to comply 1268
with the requirements of this chapter. In the case of a 1269
corporation, the application shall state the name of the officer 1270
or qualifying agent filing the application; the state in which the 1271
corporation is incorporated and the date of incorporation; the 1272
states in which the corporation is authorized to transact 1273
business; the name of its qualifying agent; the name of the 1274
officer or qualifying agent of the corporation who satisfies the 1275
requirements of divisions (A)(1) and (F)(1) of this section and 1276

the birth date, citizenship, physical description, current 1277
residence, residences for the preceding ten years, current 1278
employment, employment for the preceding seven years, and 1279
experience qualifications of that officer or qualifying agent; and 1280
other information that the director requires. A corporation may 1281
specify in its application information relative to one or more 1282
individuals who satisfy the requirements of divisions (A)(1) and 1283
(F)(1) of this section. 1284

The application described in this division shall be 1285
accompanied by all of the following: 1286

(1) One recent full-face photograph of the applicant or, in 1287
the case of a corporation, of each officer or qualifying agent 1288
specified in the application as satisfying the requirements of 1289
divisions (A)(1) and (F)(1) of this section; 1290

~~(2) One complete set of the applicant's fingerprints or, in 1291
the case of a corporation, of the fingerprints of each officer or 1292
qualifying agent specified in the application as satisfying the 1293
requirements of divisions (A)(1) and (F)(1) of this section;~~ 1294

~~(3) Character references from at least five reputable 1295
citizens for the applicant or, in the case of a corporation, for 1296
each officer or qualifying agent specified in the application as 1297
satisfying the requirements of divisions (A)(1) and (F)(1) of this 1298
section, each of whom has known the applicant, officer, or 1299
qualifying agent for at least five years preceding the 1300
application, and none of whom are connected with the applicant, 1301
officer, or qualifying agent by blood or marriage;~~ 1302

~~(4)(3) An examination fee of twenty-five dollars for the 1303
applicant or, in the case of a corporation, for each officer or 1304
qualifying agent specified in the application as satisfying the 1305
requirements of divisions (A)(1) and (F)(1) of this section, and a 1306
license fee of two hundred fifty in the amount the director 1307~~

determines, not to exceed three hundred seventy-five dollars. The 1308
license fee shall be refunded if a license is not issued. 1309

~~(C) Upon receipt of the application and accompanying matter~~ 1310
~~described in division (B) of this section, the director shall~~ 1311
~~forward to the bureau of criminal identification and investigation~~ 1312
~~a request that it make an investigation of the applicant or, in~~ 1313
~~the case of a corporation, each officer or qualifying agent~~ 1314
~~specified in the application as satisfying the requirements of~~ 1315
~~divisions (A)(1) and (F)(1) of this section, to determine whether~~ 1316
~~the applicant, officer, or qualifying agent meets the requirements~~ 1317
~~of division (A)(1)(a) of this section. (1) Each individual~~ 1318
applying for a license and each individual specified by a 1319
corporation as an officer or qualifying agent in an application 1320
shall submit one complete set of fingerprints directly to the 1321
superintendent of the bureau of criminal identification and 1322
investigation for the purpose of conducting a criminal records 1323
check. The individual shall provide the fingerprints using a 1324
method the superintendent prescribes pursuant to division (C)(2) 1325
of section 109.572 of the Revised Code and fill out the form the 1326
superintendent prescribes pursuant to division (C)(1) of section 1327
109.572 of the Revised Code. An applicant who intends to carry a 1328
firearm as defined in section 2923.11 of the Revised Code in the 1329
course of business or employment shall so notify the 1330
superintendent. This notification is in addition to any other 1331
requirement related to carrying a firearm that applies to the 1332
applicant. The individual or corporation requesting the criminal 1333
records check shall pay the fee the superintendent prescribes. 1334

(2) The superintendent shall conduct the criminal records 1335
check as set forth in division (B) of section 109.572 of the 1336
Revised Code. If an applicant intends to carry a firearm in the 1337
course of business or employment, the superintendent shall make a 1338
request to the federal bureau of investigation for any information 1339

and review the information the bureau provides pursuant to 1340
division (B)(2) of section 109.572 of the Revised Code. The 1341
superintendent shall submit all results of the completed 1342
investigation to the director of public safety. 1343

(3) If the director determines that the applicant, officer, 1344
or qualifying agent meets the requirements of divisions (A)(1)(a), 1345
(b), and (d) of this section and that an officer or qualifying 1346
agent meets the requirement of division (F)(1) of this section, 1347
the director shall notify the applicant, officer, or agent of the 1348
time and place for the examination. If the director determines 1349
that an applicant does not meet the requirements of divisions 1350
(A)(1)(a), (b), and (d) of this section, the director shall notify 1351
the applicant that the applicant's application is refused and 1352
refund the license fee. If the director determines that none of 1353
the individuals specified in the application of a corporation as 1354
satisfying the requirements of divisions (A)(1) and (F)(1) of this 1355
section meet the requirements of divisions (A)(1)(a), (b), and (d) 1356
and (F)(1) of this section, the director shall notify the 1357
corporation that its application is refused and refund the license 1358
fee. ~~If the director requests an investigation of any applicant,~~ 1359
~~officer, or qualifying agent and if the bureau assesses the~~ 1360
director a fee for ~~the~~ any investigation, the director, in 1361
addition to any other fee assessed pursuant to this chapter, may 1362
assess the applicant, officer, or qualifying agent, as 1363
appropriate, a fee that is equal to the fee assessed by the 1364
bureau. 1365

(D) If upon application, investigation, and examination, the 1366
director finds that the applicant or, in the case of a 1367
corporation, any officer or qualifying agent specified in the 1368
application as satisfying the requirements of divisions (A)(1) and 1369
(F)(1) of this section, meets the applicable requirements, the 1370
director shall issue the applicant or the corporation a class A, 1371

B, or C license. The director also shall issue an identification
card to an applicant, but not an officer or qualifying agent of a
corporation, who meets the applicable requirements. The license
and identification card shall state the licensee's name, the
classification of the license, the location of the licensee's
principal place of business in this state, and the expiration date
of the license, and, in the case of a corporation, it also shall
state the name of each officer or qualifying agent who satisfied
the requirements of divisions (A)(1) and (F)(1) of this section.

Licenses expire on the first day of March following the date
of initial issue, and on the first day of March of each year
thereafter. ~~Renewals~~ Annual renewals shall be according to the
standard renewal procedures contained in Chapter 4745. of the
Revised Code, upon payment of a an annual renewal fee ~~of two~~
~~hundred fifty~~ the director determines, not to exceed two hundred
seventy-five dollars. No license shall be renewed if the licensee
or, in the case of a corporation, each officer or qualifying agent
who qualified the corporation for licensure no longer meets the
applicable requirements of this section. No license shall be
renewed unless the licensee provides evidence of workers'
compensation risk coverage and unemployment compensation insurance
coverage, other than for clerical employees and excepting sole
proprietors who are exempted therefrom, as provided for in
Chapters 4123. and 4141. of the Revised Code, respectively, as
well as the licensee's state tax identification number. No
reexamination shall be required for renewal of a current license.

For purposes of this chapter, a class A, B, or C license
issued to a corporation shall be considered as also having
licensed the individuals who qualified the corporation for
licensure, for as long as they are associated with the
corporation.

For purposes of this division, "sole proprietor" means an

individual licensed under this chapter who does not employ any 1404
other individual. 1405

(E) The director may issue a duplicate copy of a license 1406
issued under this section for the purpose of replacement of a 1407
lost, spoliated, or destroyed license, upon payment of a fee ~~fixed~~ 1408
~~by~~ the director determines, not exceeding twenty-five dollars. Any 1409
change in license classification requires new application and 1410
application fees. 1411

(F)(1) In order to qualify a corporation for a class A, B, or 1412
C license, an officer or qualifying agent may qualify another 1413
corporation for similar licensure, provided that the officer or 1414
qualifying agent is actively engaged in the business of both 1415
corporations. 1416

(2) Each officer or qualifying agent who qualifies a 1417
corporation for class A, B, or C licensure shall surrender any 1418
personal license of a similar nature that the officer or 1419
qualifying agent possesses. 1420

(3) Upon written notification to the director, completion of 1421
an application similar to that for original licensure, surrender 1422
of the corporation's current license, and payment of a twenty-five 1423
dollar fee, a corporation's class A, B, or C license may be 1424
transferred to another corporation. 1425

(4) Upon written notification to the director, completion of 1426
an application similar to that for an individual seeking class A, 1427
B, or C licensure, payment of a twenty-five dollar fee, and, if 1428
the individual was the only individual that qualified a 1429
corporation for licensure, surrender of the corporation's license, 1430
any officer or qualifying agent who qualified a corporation for 1431
licensure under this chapter may obtain a similar license in the 1432
individual's own name without reexamination. A request by an 1433
officer or qualifying agent for an individual license shall not 1434

affect a corporation's license unless the individual is the only
individual that qualified the corporation for licensure or all the
other individuals who qualified the corporation for licensure
submit such requests.

(G) If a corporation is for any reason no longer associated
with an individual who qualified it for licensure under this
chapter, an officer of the corporation shall notify the director
of that fact by certified mail, return receipt requested, within
ten days after the association terminates. If the notification is
so given, the individual was the only individual that qualified
the corporation for licensure, and the corporation submits the
name of another officer or qualifying agent to qualify the
corporation for the license within thirty days after the
association terminates, the corporation may continue to operate in
the business of private investigation, the business of security
services, or both businesses in this state under that license for
ninety days after the association terminates. If the officer or
qualifying agent whose name is submitted satisfies the
requirements of divisions (A)(1) and (F)(1) of this section, the
director shall issue a new license to the corporation within that
ninety-day period. The names of more than one individual may be
submitted.

Sec. 4749.06. (A) Each class A, B, or C licensee shall
register the licensee's investigator or security guard employees,
with the department of public safety, which shall maintain a
record of each licensee and registered employee and make it
available, upon request, to any law enforcement agency. The class
A, B, or C licensee shall file an application to register a new
employee no sooner than three days nor later than seven calendar
days after the date on which the employee is hired.

(B)(1) Each employee's registration application shall be

accompanied by ~~one complete set of the employee's fingerprints,~~ 1466
one recent photograph of the employee, the employee's physical 1467
description, and ~~an eighteen-dollar~~ the registration fee the 1468
director determines, not to exceed forty dollars. 1469

(2) ~~If the director of public safety requests the bureau of~~ 1470
~~criminal identification and investigation to conduct an~~ 1471
~~investigation of a licensee's employee and if the bureau assesses~~ 1472
~~the director a fee for the investigation, the director, in~~ 1473
~~addition to any other fee assessed pursuant to this chapter, may~~ 1474
~~assess the licensee a fee that is equal to the fee assessed by the~~ 1475
~~bureau. The employee shall submit one complete set of fingerprints~~ 1476
~~directly to the superintendent of the bureau of criminal~~ 1477
~~identification and investigation for the purpose of conducting a~~ 1478
~~criminal records check. The employee shall provide the~~ 1479
~~fingerprints using a method the superintendent prescribes pursuant~~ 1480
~~to division (C)(2) of section 109.572 of the Revised Code and fill~~ 1481
~~out the form the superintendent prescribes pursuant to division~~ 1482
~~(C)(1) of section 109.572 of the Revised Code. An employee who~~ 1483
~~intends to carry a firearm as defined in section 2923.11 of the~~ 1484
~~Revised Code in the course of business or employment shall so~~ 1485
~~notify the superintendent. This notification is in addition to any~~ 1486
~~other requirement related to carrying a firearm that applies to~~ 1487
~~the employee. The individual or corporation requesting the~~ 1488
~~criminal records check shall pay the fee the superintendent~~ 1489
~~prescribes.~~ 1490

The superintendent shall conduct the criminal records check 1491
as set forth in division (B) of section 109.572 of the Revised 1492
Code. If an employee intends to carry a firearm in the course of 1493
business or employment, pursuant to division (B)(2) of section 1494
109.572 of the Revised Code the superintendent shall make a 1495
request of the federal bureau of investigation for any information 1496
and review the information the bureau provides. The superintendent 1497

shall submit all results of the completed investigation to the 1498
director of public safety. 1499

(3) If, after investigation, the bureau finds that the 1500
employee has not been convicted of a felony within the last twenty 1501
years, the director shall issue to the employee an identification 1502
card bearing the license number and signature of the licensee, 1503
which in the case of a corporation shall be the signature of its 1504
president or its qualifying agent, and containing the employee's 1505
name, address, age, physical description, and right thumb print or 1506
other identifying mark as the director prescribes, a recent 1507
photograph of the employee, and the employee's signature. The 1508
director may issue a duplicate of a lost, spoliated, or destroyed 1509
identification card issued under this section, upon payment of a 1510
fee fixed by the director, not exceeding five dollars. 1511

(C) Except as provided in division (E) of this section, no 1512
class A, B, or C licensee shall permit an employee, other than an 1513
individual who qualified a corporation for licensure, to engage in 1514
the business of private investigation, the business of security 1515
services, or both businesses until the employee receives an 1516
identification card from the department, except that pending the 1517
issuance of an identification card, a class A, B, or C licensee 1518
may offer for hire security guard or investigator employees 1519
provided the licensee obtains a waiver from the person who 1520
receives, for hire, security guard or investigative services, 1521
acknowledging that the person is aware the employees have not 1522
completed their registration and agreeing to their employment. 1523

(D) If a class A, B, or C licensee, or a registered employee 1524
of a class A, B, or C licensee, intends to carry a firearm, as 1525
defined in section 2923.11 of the Revised Code, in the course of 1526
engaging in the business or employment, the licensee or registered 1527
employee shall satisfactorily complete a firearms basic training 1528
program that includes twenty hours of handgun training and five 1529

hours of training in the use of other firearms, if any other
firearm is to be used, or equivalency training, if authorized, or
shall be a former peace officer who previously had successfully
completed a firearms training course, shall receive a certificate
of satisfactory completion of that program or written evidence of
approval of the equivalency training, shall file an application
for registration, shall receive a firearm-bearer notation on the
licensee's or registered employee's identification card, and shall
annually requalify on a firearms range, all as described in
division (A) of section 4749.10 of the Revised Code. A private
investigator, security guard provider, or employee is authorized
to carry a firearm only in accordance with that division.

(E) This section does not apply to commissioned peace
officers, as defined in division (B) of section 2935.01 of the
Revised Code, working for, either as an employee or independent
contractor, a class A, B, or C licensee. For purposes of this
chapter, a commissioned peace officer is an employee exempt from
registration.

(F) The registration of an investigator or security guard
employee expires annually on the anniversary date of its initial
issuance. Annual renewals shall be according to the standard
renewal procedures contained in Chapter 4745. of the Revised Code
and upon payment of a renewal fee the director determines, not to
exceed thirty-five dollars. The director shall not renew the
registration of any investigator or security guard employee who no
longer meets the requirements of this section. No background check
is required for annual renewal, but an investigator or security
guard employee shall report any felony conviction to the employer
and the director of public safety as a condition of continued
registration.

Sec. 4749.10. (A) No class A, B, or C licensee and no

registered employee of a class A, B, or C licensee shall carry a
firearm, as defined in section 2923.11 of the Revised Code, in the
course of engaging in the business of private investigation, the
business of security services, or both businesses, unless all of
the following apply:

(1) The licensee or employee either has successfully
completed a basic firearm training program at a training school
approved by the Ohio peace officer training commission, which
program includes twenty hours of training in handgun use and, if
any firearm other than a handgun is to be used, five hours of
training in the use of other firearms, and has received a
certificate of satisfactory completion of that program from the
executive director of the commission; the licensee or employee
has, within three years prior to November 27, 1985, satisfactorily
completed firearms training that has been approved by the
commission as being equivalent to such a program and has received
written evidence of approval of that training from the executive
director of the commission; or the licensee or employee is a
former peace officer, as defined in section 109.71 of the Revised
Code, who previously had successfully completed a firearms
training course at a training school approved by the Ohio peace
officer training commission and has received a certificate or
other evidence of satisfactory completion of that course from the
executive director of the commission.

(2) The licensee or employee submits an application to the
director of public safety, on a form prescribed by the director,
in which the licensee or employee requests registration as a class
A, B, or C licensee or employee who may carry a firearm. The
application shall be accompanied by a copy of the certificate or
the written evidence or other evidence described in division
(A)(1) of this section, the identification card issued pursuant to
section 4749.03 or 4749.06 of the Revised Code if one has

previously been issued, a statement of the duties that will be performed while the licensee or employee is armed, and a fee of ~~ten~~ the director determines, not to exceed fifteen dollars. In the case of a registered employee, the statement shall be prepared by the employing class A, B, or C licensee.

(3) The licensee or employee receives a notation on the licensee's or employee's identification card that the licensee or employee is a firearm-bearer and carries the identification card whenever the licensee or employee carries a firearm in the course of engaging in the business of private investigation, the business of security services, or both businesses.

(4) At any time within the immediately preceding twelve-month period, the licensee or employee has requalified in firearms use on a firearms training range at a firearms requalification program certified by the Ohio peace officer training commission or on a firearms training range under the supervision of an instructor certified by the commission and has received a certificate of satisfactory requalification from the certified program or certified instructor, provided that this division does not apply to any licensee or employee prior to the expiration of eighteen months after the licensee's or employee's completion of the program described in division (A)(1) of this section. A certificate of satisfactory requalification is valid and remains in effect for twelve months from the date of the requalification.

(5) If division (A)(4) of this section applies to the licensee or employee, the licensee or employee carries the certificate of satisfactory requalification that then is in effect or any other evidence of requalification issued or provided by the director.

(B)(1) The director of public safety shall register an applicant under division (A) of this section who satisfies

divisions (A)(1) and (2) of this section, and place a notation on
the applicant's identification card indicating that the applicant
is a firearm-bearer and the date on which the applicant completed
the program described in division (A)(1) of this section.

(2) A firearms requalification training program or instructor
certified by the commission for the annual requalification of
class A, B, or C licensees or employees who are authorized to
carry a firearm under section 4749.10 of the Revised Code shall
award a certificate of satisfactory requalification to each class
A, B, or C licensee or registered employee of a class A, B, or C
licensee who satisfactorily requalifies in firearms training. The
certificate shall identify the licensee or employee and indicate
the date of the requalification. A licensee or employee who
receives such a certificate shall submit a copy of it to the
director of public safety. A licensee shall submit the copy of the
requalification certificate at the same time that the licensee
makes application for renewal of the licensee's class A, B, or C
license. The director shall keep a record of all copies of
requalification certificates the director receives under this
division and shall establish a procedure for the updating of
identification cards to provide evidence of compliance with the
annual requalification requirement. The procedure for the updating
of identification cards may provide for the issuance of a new card
containing the evidence, the entry of a new notation containing
the evidence on the existing card, the issuance of a separate card
or paper containing the evidence, or any other procedure
determined by the director to be reasonable. Each person who is
issued a requalification certificate under this division promptly
shall pay to the Ohio peace officer training commission
established by section 109.71 of the Revised Code a fee ~~of five~~
the director determines, not to exceed fifteen dollars, which fee
shall be transmitted to the treasurer of state for deposit in the

peace officer private security fund established by section 109.78 1656
of the Revised Code. 1657

(C) Nothing in this section prohibits a private investigator 1658
or a security guard provider from carrying a concealed handgun if 1659
the private investigator or security guard provider complies with 1660
sections 2923.124 to 2923.1213 of the Revised Code. 1661

Sec. 4765.07. (A) The state board of emergency medical 1662
services shall adopt rules under section 4765.11 of the Revised 1663
Code to establish and administer a grant program under which 1664
grants are distributed according to the following priorities: 1665

(1) First priority shall be given to emergency medical 1666
service organizations for the training of personnel, for the 1667
purchase of equipment and vehicles, and to improve the 1668
availability, accessibility, and quality of emergency medical 1669
services in this state. In this category, the board shall give 1670
priority to grants that fund training and equipping of emergency 1671
medical service personnel. 1672

(2) Second priority shall be given to entities that research 1673
the causes, nature, and effects of traumatic injuries, educate the 1674
public about injury prevention, and implement, test, and evaluate 1675
injury prevention strategies. 1676

(3) Third priority shall be given to entities that research, 1677
test, and evaluate procedures that promote the rehabilitation, 1678
retraining, and reemployment of adult or pediatric trauma victims 1679
and social service support mechanisms for adult or pediatric 1680
trauma victims and their families. 1681

(4) Fourth priority shall be given to entities that research, 1682
test, and evaluate medical procedures related to adult and 1683
pediatric trauma care. 1684

(B) The grant program shall be funded from the ~~trauma and~~ 1685

emergency medical services ~~grants~~ fund created by section 4513.263 1686
of the Revised Code. 1687

Sec. 4765.11. (A) The state board of emergency medical 1688
services shall adopt, and may amend and rescind, rules in 1689
accordance with Chapter 119. of the Revised Code and division (C) 1690
of this section that establish all of the following: 1691

(1) Procedures for its governance and the control of its 1692
actions and business affairs; 1693

(2) Standards for the performance of emergency medical 1694
services by first responders, emergency medical technicians-basic, 1695
emergency medical technicians-intermediate, and emergency medical 1696
technicians-paramedic; 1697

(3) Application fees for certificates of accreditation, 1698
certificates of approval, certificates to teach, and certificates 1699
to practice, which shall be deposited into the ~~trauma and~~ 1700
emergency medical services fund created in section 4513.263 of the 1701
Revised Code; 1702

(4) Criteria for determining when the application or renewal 1703
fee for a certificate to practice may be waived because an 1704
applicant cannot afford to pay the fee; 1705

(5) Procedures for issuance and renewal of certificates of 1706
accreditation, certificates of approval, certificates to teach, 1707
and certificates to practice, including any procedures necessary 1708
to ensure that adequate notice of renewal is provided in 1709
accordance with division (D) of section 4765.30 of the Revised 1710
Code; 1711

(6) Procedures for suspending or revoking certificates of 1712
accreditation, certificates of approval, certificates to teach, 1713
and certificates to practice; 1714

(7) Grounds for suspension or revocation of a certificate to 1715

practice issued under section 4765.30 of the Revised Code and for	1716
taking any other disciplinary action against a first responder,	1717
EMT-basic, EMT-I, or paramedic;	1718
(8) Procedures for taking disciplinary action against a first	1719
responder, EMT-basic, EMT-I, or paramedic;	1720
(9) Standards for certificates of accreditation and	1721
certificates of approval;	1722
(10) Qualifications for certificates to teach;	1723
(11) Requirements for a certificate to practice;	1724
(12) The curricula, number of hours of instruction and	1725
training, and instructional materials to be used in adult and	1726
pediatric emergency medical services training programs and adult	1727
and pediatric emergency medical services continuing education	1728
programs;	1729
(13) Procedures for conducting courses in recognizing	1730
symptoms of life-threatening allergic reactions and in calculating	1731
proper dosage levels and administering injections of epinephrine	1732
to adult and pediatric patients who suffer life-threatening	1733
allergic reactions;	1734
(14) Examinations for certificates to practice;	1735
(15) Procedures for administering examinations for	1736
certificates to practice;	1737
(16) Procedures for approving examinations that demonstrate	1738
competence to have a certificate to practice renewed without	1739
completing an emergency medical services continuing education	1740
program;	1741
(17) Procedures for granting extensions and exemptions of	1742
emergency medical services continuing education requirements;	1743
(18) Procedures for approving the additional emergency	1744

medical services first responders are authorized by division (C) 1745
of section 4765.35 of the Revised Code to perform, EMTs-basic are 1746
authorized by division (C) of section 4765.37 of the Revised Code 1747
to perform, EMTs-I are authorized by division (B)(5) of section 1748
4765.38 of the Revised Code to perform, and paramedics are 1749
authorized by division (B)(6) of section 4765.39 of the Revised 1750
Code to perform; 1751

(19) Standards and procedures for implementing the 1752
requirements of section 4765.06 of the Revised Code, including 1753
designations of the persons who are required to report information 1754
to the board and the types of information to be reported; 1755

(20) Procedures for administering the emergency medical 1756
services grant program established under section 4765.07 of the 1757
Revised Code; 1758

(21) Procedures consistent with Chapter 119. of the Revised 1759
Code for appealing decisions of the board; 1760

(22) Minimum qualifications and peer review and quality 1761
improvement requirements for persons who provide medical direction 1762
to emergency medical service personnel. 1763

(B) The board may adopt, and may amend and rescind, rules in 1764
accordance with Chapter 119. of the Revised Code and division (C) 1765
of this section that establish the following: 1766

(1) Specifications of information that may be collected under 1767
the trauma system registry and incidence reporting system created 1768
under section 4765.06 of the Revised Code; 1769

(2) Standards and procedures for implementing any of the 1770
recommendations made by any committees of the board or under 1771
section 4765.57 of the Revised Code; 1772

(3) Requirements that a person must meet to receive a 1773
certificate to practice as a first responder pursuant to division 1774

(A)(2) of section 4765.30 of the Revised Code; 1775

(4) Any other rules necessary to implement this chapter. 1776

(C) In developing and administering rules adopted under this 1777
chapter, the state board of emergency medical services shall 1778
consult with regional directors and regional physician advisory 1779
boards created by section 4765.05 of the Revised Code and 1780
emphasize the special needs of pediatric and geriatric patients. 1781

(D) Except as otherwise provided in this division, before 1782
adopting, amending, or rescinding any rule under this chapter, the 1783
board shall submit the proposed rule to the director of public 1784
safety for review. The director may review the proposed rule for 1785
not more than sixty days after the date it is submitted. If, 1786
within this sixty-day period, the director approves the proposed 1787
rule or does not notify the board that the rule is disapproved, 1788
the board may adopt, amend, or rescind the rule as proposed. If, 1789
within this sixty-day period, the director notifies the board that 1790
the proposed rule is disapproved, the board shall not adopt, 1791
amend, or rescind the rule as proposed unless at least twelve 1792
members of the board vote to adopt, amend, or rescind it. 1793

This division does not apply to an emergency rule adopted in 1794
accordance with section 119.03 of the Revised Code. 1795

Sec. 5503.04. Forty-five per cent of the fines collected from 1796
or moneys arising from bail forfeited by persons apprehended or 1797
arrested by state highway patrol troopers shall be paid into the 1798
state treasury to be credited to the general revenue fund, five 1799
per cent shall be paid into the state treasury to be credited to 1800
the ~~trauma and~~ emergency medical services ~~grants~~ fund created by 1801
division (E) of section 4513.263 of the Revised Code, and fifty 1802
per cent shall be paid into the treasury of the municipal 1803
corporation where the case is prosecuted, if in a mayor's court. 1804

If the prosecution is in a trial court outside a municipal corporation, or outside the territorial jurisdiction of a municipal court, the fifty per cent of the fines and moneys that is not paid into the state treasury shall be paid into the treasury of the county where the case is prosecuted. The fines and moneys paid into a county treasury and the fines and moneys paid into the treasury of a municipal corporation shall be deposited one-half to the same fund and expended in the same manner as is the revenue received from the registration of motor vehicles, and one-half to the general fund of such county or municipal corporation.

If the prosecution is in a municipal court, forty-five per cent of the fines and moneys shall be paid into the state treasury to be credited to the general revenue fund, five per cent shall be paid into the state treasury to be credited to the ~~trauma and~~ emergency medical services ~~grants~~ fund created by division (E) of section 4513.263 of the Revised Code, ten per cent shall be paid into the county treasury to be credited to the general fund of the county, and forty per cent shall be paid into the municipal treasury to be credited to the general fund of the municipal corporation. In the Auglaize county, Clermont county, Crawford county, Hocking county, Jackson county, Lawrence county, Madison county, Miami county, Ottawa county, Portage county, and Wayne county municipal courts, that portion of money otherwise paid into the municipal treasury shall be paid into the county treasury.

The trial court shall make remittance of the fines and moneys as prescribed in this section, and at the same time as the remittance is made of the state's portion to the state treasury, the trial court shall notify the superintendent of the state highway patrol of the case and the amount covered by the remittance.

This section does not apply to fines for violations of

division (B) of section 4513.263 of the Revised Code, or for
violations of any municipal ordinance that is substantively
comparable to that division, all of which shall be delivered to
the treasurer of state as provided in division (E) of section
4513.263 of the Revised Code.

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Sec. 5513.04. (A) Notwithstanding sections 125.12, 125.13,
and 125.14 of the Revised Code, the director of transportation,
~~after notice as provided in sections 5513.01 and 5513.02 of the~~
~~Revised Code with respect to purchase, may sell, transfer, or~~
~~otherwise dispose of any item of personal property that is not~~
~~needed by the department of transportation. The director may~~
~~exchange any such item, in the manner provided for in this~~
~~chapter, and pay the balance of the cost of such new item from~~
~~funds appropriated to the department. The director also may accept~~
~~a credit voucher or cash in an amount mutually agreed upon between~~
~~a vendor and the department. The director shall apply the amount~~
~~of any credit voucher to future purchases from that vendor and~~
~~shall deposit any cash into the state treasury to the credit of~~
~~the highway operating fund created in section 5735.291 of the~~
~~Revised Code.~~

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(B)(1) The director may sell or transfer any structure,
machinery, tools, equipment, parts, material, office furniture, or
supplies unfit for use or not needed by the department of
transportation. ~~The director may sell or transfer any item~~
~~specified in this division~~ to any agency of the state or a
political subdivision of the state without notice of the proposed
disposal and upon any mutually agreed upon terms. ~~The director may~~
~~exchange any such item, in the manner provided for in this~~
~~chapter, and pay the balance of the cost of such new item from any~~
~~funds appropriated to the department. The director also may accept~~
~~a credit voucher in an amount mutually agreed upon between a~~

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~~vendor and the department. The amount of the credit voucher shall~~ 1868
~~be applied to future purchases from that vendor.~~ 1869

~~(B) Notwithstanding sections 125.12, 125.13, and 125.14 of~~ 1870
~~the Revised Code, the director, after notice as provided in this~~ 1871
~~chapter with respect to purchase, may sell~~ 1872

(2) Before selling any passenger vehicle, van, truck, 1873
trailer, or other heavy equipment ~~unfit for use or not required by~~ 1874
~~the department. Prior to such sale, the director shall notify each~~ 1875
county, municipal corporation, township, and school district of 1876
the sale. The director shall similarly notify the board of 1877
trustees of any regional water and sewer district established 1878
under Chapter 6119. of the Revised Code, when the board has 1879
forwarded to the director the district's name and current business 1880
address. For the purposes of this division, the name and current 1881
business address of a regional water and sewer district shall be 1882
forwarded to the director once each year during any year in which 1883
the board wishes the notification to be given. The notice required 1884
by this division may be given by the most economical means 1885
~~considered to be effective, including, but not limited to, regular~~ 1886
~~mail, electronic mail, electronic bulletin board, and publication~~ 1887
~~in a periodical or newspaper.~~ If after seven days following 1888
mailing or other issuance of the director's notice, no county, 1889
municipal corporation, township, regional water and sewer 1890
district, educational service center, or school district has 1891
notified the director that it wishes to purchase any such vehicle 1892
or other heavy equipment, the director may proceed with the sale 1893
under division ~~(D)~~(C) of this section. ~~The director may exchange~~ 1894
~~such vehicles and other heavy equipment for new vehicles or other~~ 1895
~~heavy equipment, in the manner provided for in sections 5513.01 to~~ 1896
~~5513.04 of the Revised Code, and pay the balance of the cost of~~ 1897
~~such new vehicles or other heavy equipment from the funds~~ 1898
~~appropriated to the department. The director also may elect to~~ 1899

~~accept a credit voucher from a vendor in an amount mutually agreed to by the department and the vendor. The director shall apply the credit voucher to future purchases from that vendor.~~

~~In an emergency situation as determined by the discretion of the director, the director may transfer any ~~vehicles~~ vehicle or other heavy equipment that is unfit for use or not needed by the department to any agency of the state or political subdivision of the state without advertising for bids and upon mutually agreed ~~to~~ upon terms.~~

~~(C)(3)~~ The director may sell or otherwise dispose of any structure or structural materials salvaged on the state highway system that in the director's judgment are no longer needed by the department, or that, through wear or obsolescence, have become unfit for use. The director may transfer the structure or materials to counties, municipal corporations, school districts, or other ~~governmental~~ political subdivisions without advertising for bids and upon mutually agreed ~~to~~ upon terms. The director may transfer the structure or ~~structures~~ structural materials to a nonprofit corporation upon being furnished a copy of a contract between the nonprofit corporation and a county, municipal corporation, or other ~~governmental~~ political subdivision to which the structure is to be moved pursuant to which the nonprofit corporation must make the structure or ~~structures~~ structural materials available for rent or sale within a period of three months after becoming available for occupancy to an individual or family which has been displaced by governmental action or which occupies substandard housing as certified by such ~~governmental~~ political subdivision, without advertising for bids. Any such transfers shall be for such consideration as shall be determined by the director to be fair and reasonable, and shall be upon such terms and specifications with respect to performance and indemnity as shall be determined necessary by the director.

When, in carrying out an improvement that replaces any structure or structural materials, it is advantageous to dispose of the structure or structural materials by providing in the contract for the improvement that the structure or structural materials, or any part thereof, shall become the property of the contractor, the director may so proceed.

~~(D)(C)(1) Any item specified in division (A), (B), or (C) of this section that has an estimated market value greater than one thousand dollars and that has not been sold or transferred as provided in those divisions~~ division (B) of this section may be sold at a public sale, as determined by the director. The director may authorize such sale by the ~~district~~ deputy directors of transportation, and the proceedings of such sale shall be conducted in the same manner as provided for sales by the director. The director may establish a minimum price for any item to be sold and may establish any other terms, conditions, and manner for the sale of a particular item, which may be on any basis the director determines to be most advantageous to the department. The director may reject any offer or bid for an item and may remove any item from a sale if it develops that a public authority has a use for the item. In any notice of a sale, the director shall include a brief description of the item to be sold, the terms and conditions of the sale, and a statement of the time, place, and manner of the sale.

~~Before making any sale under division (D)(1) of this section~~ (2)(a) If, in the opinion of the director, any item to be sold has an estimated fair market value in excess of one thousand dollars, the director shall ~~give post~~ give post a notice of the sale ~~by posting,~~ for not less than ten days, ~~a written, typed, or printed invitation to bidders on a traditional or electronic bulletin board in the offices~~ on the official web site of the department. ~~The bulletin board shall be located in a place open to the public during normal~~

~~business hours~~ If the district where the property is located 1964
maintains a web site, notice of the sale also shall be posted on 1965
that web site. At least ten days before ~~bids are to be received~~ 1966
the sale, the director also shall publish one notice of the sale 1967
in a periodical or newspaper of general circulation in the region 1968
in which the items are located. ~~The invitation to bidders and the~~ 1969
~~published notice of the sale shall contain a brief description of~~ 1970
~~the items to be sold and a statement of the time and place where~~ 1971
~~bids will be received. The director may receive bids and make such~~ 1972
~~sale on any basis the director determines is most advantageous to~~ 1973
~~the department. A sale under division (D)(1) of this section shall~~ 1974
~~be made to the highest responsible bidder. If, after invitations~~ 1975
~~are issued, it develops that any public authority has use for any~~ 1976
~~of the items, the director may reject all bids and dispose of the~~ 1977
~~items as set out in this section.~~ 1978

~~(2)(b)~~ (b) If, in the opinion of the director, any item ~~specified~~ 1979
~~in division (A), (B), or (C) of this section~~ to be sold has an 1980
estimated fair market value of one thousand dollars or less, the 1981
director is not required to advertise the proposed sale except by 1982
notice posted on a ~~traditional or electronic bulletin board in one~~ 1983
~~or more offices~~ the official web site of the department. The 1984
~~bulletin board shall be located in a place open to the public~~ 1985
~~during normal business hours.~~ The notice shall be posted for at 1986
least five working days and ~~shall contain a brief description of~~ 1987
~~the items to be sold and a statement of the time and place where~~ 1988
~~bids will be received. The director may receive bids and make such~~ 1989
~~sale on any basis the director determines is most advantageous to~~ 1990
~~the department. Sale of any item using this method of advertising~~ 1991
~~shall be made to the highest responsible bidder. If it develops~~ 1992
~~that any public authority has use for any of the items, the~~ 1993
~~director may reject all bids and dispose of the items as set out~~ 1994
~~in this section.~~ 1995

~~(E)~~(D) Proceeds of any sale described in this section shall be paid into the state treasury to the credit of the ~~state~~ highway operating fund or any other fund of the department as determined by the director.

(E) Once each year, the state board of education shall provide the director with a current list of the addresses of all school districts and educational service centers in the state.

(F) As used in this section, ~~"school:~~

(1) "School district" means any city school district, local school district, exempted village school district, cooperative education school district, and joint vocational school district, as defined in Chapter 3311. of the Revised Code. ~~Once each year, the state board of education shall provide the director with a current list of the addresses of all school districts and educational service centers in the state.~~

(2) "Sale" means fixed price sale, live or internet auction, or any other type of sale determined by the director.

Sec. 5525.01. Before entering into a contract the director of transportation shall advertise for bids for two consecutive weeks in one newspaper of general circulation published in the county in which the improvement or part thereof is located, but if there is no such newspaper then in one newspaper having general circulation in an adjacent county. The director may advertise for bids in such other publications as the director considers advisable. Such notices shall state that plans and specifications for the improvement are on file in the office of the director and the district deputy director of the district in which the improvement or part thereof is located and the time within which bids therefor will be received.

Each bidder shall be required to file with the bidder's bid a

bid guaranty in the form of a certified check or cashier's check 2026
for an amount equal to five per cent of the bidder's bid, but in 2027
no event more than fifty thousand dollars, or a bid bond for ten 2028
per cent of the bidder's bid, payable to the director, which check 2029
or bond shall be forthwith returned to the bidder in case the 2030
contract is awarded to another bidder, or, in case of a successful 2031
bidder, when the bidder has entered into a contract and furnished 2032
the bonds required by section 5525.16 of the Revised Code. In the 2033
event the contract is awarded to a bidder, and the bidder fails or 2034
refuses to furnish the bonds as required by section 5525.16 of the 2035
Revised Code, the check or bid bond filed with the bidder's bid 2036
shall be forfeited as liquidated damages. No bidder shall be 2037
required either to file a signed contract with the bidder's bid, 2038
to enter into a contract, or to furnish the contract performance 2039
bond and the payment bond required by that section until the bids 2040
have been opened and the bidder has been notified by the director 2041
that the bidder is awarded the contract. 2042

The director shall permit a bidder to withdraw the bidder's 2043
bid from consideration, without forfeiture of the certified check 2044
or bid bond filed with the bid, providing a written request 2045
together with a sworn statement of the grounds for such withdrawal 2046
is delivered within forty-eight hours after the time established 2047
for the receipt of bids, and if the price bid was substantially 2048
lower than the other bids, providing the bid was submitted in good 2049
faith, and the reason for the price bid being substantially lower 2050
was a clerical mistake evident on the face of the bid, as opposed 2051
to a judgment mistake, and was actually due to an unintentional 2052
and substantial arithmetic error or an unintentional omission of a 2053
substantial quantity of work, labor, or material made directly in 2054
the compilation of the bid. In the event the director decides the 2055
conditions for withdrawal have not been met, the director may 2056
award the contract to such bidder. If such bidder does not then 2057

enter into a contract and furnish the contract bond as required by 2058
law, the director may declare forfeited the certified check or bid 2059
bond as liquidated damages and award the contract to the next 2060
higher bidder or reject the remaining bids and readvertise the 2061
project for bids. Such bidder may, within thirty days, appeal the 2062
decision of the director to the court of common pleas of Franklin 2063
county and the court may affirm or reverse the decision of the 2064
director and may order the director to refund the amount of the 2065
forfeiture. At the hearing before the common pleas court evidence 2066
may be introduced for and against the decision of the director. 2067
The decision of the common pleas court may be appealed as in other 2068
cases. 2069

The director shall require all bidders to furnish the 2070
director ~~under oath~~, upon such ~~printed~~ forms as the director may 2071
prescribe, detailed information with respect to all pending work 2072
of the bidder, whether with the department of transportation or 2073
otherwise, together with such other information as the director 2074
considers necessary. 2075

In the event a bidder fails to submit anything required to be 2076
submitted with the bid and then fails or refuses to so submit such 2077
at the request of the director, the failure or refusal constitutes 2078
grounds for the director, in the director's discretion, to declare 2079
as forfeited the bid guaranty submitted with the bid. 2080

The director may reject any or all bids. Except in regard to 2081
contracts for environmental remediation and specialty work for 2082
which there are no classes of work set out in the rules adopted by 2083
the director, if the director awards the contract, the director 2084
shall award it to the lowest competent and responsible bidder as 2085
defined by rules adopted by the director under section 5525.05 of 2086
the Revised Code, who is qualified to bid under sections 5525.02 2087
to 5525.09 of the Revised Code. In regard to contracts for 2088
environmental remediation and specialty work for which there are 2089

no classes of work set out in the rules adopted by the director, 2090
the director shall competitively bid the projects in accordance 2091
with this chapter and shall award the contracts to the lowest and 2092
best bidder. 2093

The award for all projects competitively let by the director 2094
under this section shall be made within ten days after the date on 2095
which the bids are opened, and the successful bidder shall enter 2096
into a contract and furnish a contract performance bond and a 2097
payment bond, as provided for in section 5525.16 of the Revised 2098
Code, within ten days after the bidder is notified that the bidder 2099
has been awarded the contract. 2100

The director may insert in any contract awarded under this 2101
chapter a clause providing for value engineering change proposals, 2102
under which a contractor who has been awarded a contract may 2103
propose a change in the plans and specifications of the project 2104
that saves the department time or money on the project without 2105
impairing any of the essential functions and characteristics of 2106
the project such as service life, reliability, economy of 2107
operation, ease of maintenance, safety, and necessary standardized 2108
features. If the director adopts the value engineering proposal, 2109
the savings from the proposal shall be divided between the 2110
department and the contractor according to guidelines established 2111
by the director, provided that the contractor shall receive at 2112
least fifty per cent of the savings from the proposal. The 2113
adoption of a value engineering proposal does not invalidate the 2114
award of the contract or require the director to rebid the 2115
project. 2116

Sec. 5525.10. ~~No~~ Except as provided in section 5525.15 of the 2117
Revised Code, no contract for any road improvement shall be 2118
awarded for a greater sum than the estimated cost thereof plus 2119
five per cent. The bids received for an improvement shall be 2120

opened at the time and place stated in the notice and the bids 2121
shall conform to such other requirements as the director of 2122
transportation prescribes. If no acceptable bid is made the 2123
director may readvertise the work at the original estimate or 2124
amend the estimate and again proceed to advertise for bids. The 2125
director may contract for the construction or improvement of 2126
bridges and culverts or the grading required in connection with an 2127
improvement and may defer making contracts for the remainder of 2128
said improvement until such grade has become stable and solid. 2129

Sec. 5525.15. The director of transportation may provide that 2130
the estimate of cost of any project to be constructed by the 2131
department by the taking of bids and awarding of contracts shall 2132
be confidential information and so remain until after all bids on 2133
the project have been received. The estimate then shall be 2134
publicly read prior to the opening of the bids of the subject. 2135

When the director exercises the authority conferred by this 2136
section, all information with respect to the total estimate of 2137
cost of the project to be built by contract and with respect to 2138
the estimate of cost of any particular item of work involved 2139
therein shall be kept and regarded by the director and all the 2140
director's subordinates as confidential, and shall not be revealed 2141
to any person not employed in the department, or by the United 2142
States department of transportation in the case of projects 2143
financed in whole or part by federal funds, until after the bids 2144
on the project have been opened and read. Section 5517.01 of the 2145
Revised Code with respect to the public inspection of estimates of 2146
cost prior to the opening of bids and with respect to filing 2147
estimates of cost in the office of the district deputy director of 2148
transportation does not apply when the authority conferred by this 2149
section is exercised. This section does not prohibit the 2150
department from furnishing estimates of cost to counties, 2151
municipal corporations, or other local political subdivisions or 2152

to railroad or railway companies proposing to pay any portion of 2153
the cost of an improvement. 2154

Section 5525.10 of the Revised Code, which provides that no 2155
contract for any improvement shall be awarded for a greater sum 2156
than the estimated cost thereof plus five per cent, does not apply 2157
in the case of any project with respect to which the authority 2158
conferred by this section is exercised. In cases in which the 2159
authority conferred by this section is exercised and in which the 2160
bid of the successful bidder exceeds the estimate, the director, 2161
before entering into a contract, shall determine that the bid of 2162
the successful bidder is fair and reasonable, and as long as the 2163
federal government imposes regulation on prices charged for 2164
construction service, shall require the successful bidder to 2165
certify that the bidder's bid does not exceed the maximum 2166
permitted by such federal regulation. 2167

Sec. 5531.09. (A) The state infrastructure bank shall consist 2168
of the highway and transit infrastructure bank fund, the aviation 2169
infrastructure bank fund, the rail infrastructure bank fund, and 2170
the infrastructure bank obligations fund, which are hereby created 2171
as funds of the state treasury, to be administered by the director 2172
of transportation and used for the purposes described in division 2173
(B) of this section. The highway and transit infrastructure bank 2174
fund, the aviation infrastructure bank fund, and the rail 2175
infrastructure bank fund shall consist of federal grants and 2176
awards or other assistance received by the state and eligible for 2177
deposit therein under applicable federal law, payments received by 2178
the department in connection with providing financial assistance 2179
for qualifying projects under division (B) of this section, and 2180
such other amounts as may be provided by law. The infrastructure 2181
bank obligations fund shall consist of such amounts of the 2182
proceeds of obligations issued under section 5531.10 of the 2183

Revised Code as the director of transportation determines with the 2184
advice of the director of budget and management; and such other 2185
amounts as may be provided by law. The director of budget and 2186
management, upon the request of the director of transportation, 2187
may transfer amounts between the funds created in this division, 2188
except the infrastructure bank obligations fund. The investment 2189
earnings of each fund created by this division shall be credited 2190
to such fund. 2191

(B) The director of transportation shall use the state 2192
infrastructure bank to encourage public and private investment in 2193
transportation facilities that contribute to the multi-modal and 2194
intermodal transportation capabilities of the state, develop a 2195
variety of financing techniques designed to expand the 2196
availability of funding resources and to reduce direct state 2197
costs, maximize private and local participation in financing 2198
projects, and improve the efficiency of the state transportation 2199
system by using and developing the particular advantages of each 2200
transportation mode to the fullest extent. In furtherance of these 2201
purposes, the director shall use the state infrastructure bank to 2202
provide financial assistance to public or private entities for 2203
qualified projects. Such assistance shall be in the form of loans, 2204
loan guarantees, letters of credit, leases, lease-purchase 2205
agreements, interest rate subsidies, debt service reserves, and 2206
such other forms as the director determines to be appropriate. All 2207
fees, charges, rates of interest, payment schedules, security for, 2208
and other terms and conditions relating to such assistance shall 2209
be determined by the director. The highway and transit 2210
infrastructure bank fund, the aviation infrastructure bank fund, 2211
and the rail infrastructure bank fund may be used to pay debt 2212
service on obligations whose proceeds have been deposited into the 2213
infrastructure bank obligations fund. 2214

(C) The director of transportation shall adopt rules 2215

establishing guidelines necessary for the implementation and 2216
exercise of the authority granted by this section, including rules 2217
for receiving, reviewing, evaluating, and selecting projects for 2218
which financial assistance may be approved. 2219

(D) As used in this section and in section 5531.10 of the 2220
Revised Code, "qualified project" means any public or private 2221
transportation project as determined by the director of 2222
transportation, including, without limitation, planning, 2223
environmental impact studies, engineering, construction, 2224
reconstruction, resurfacing, restoring, rehabilitation, or 2225
replacement of public or private transportation facilities within 2226
the state, studying the feasibility thereof, and the acquisition 2227
of real or personal property or interests therein; any highway, 2228
public transit, aviation, rail, or other transportation project 2229
eligible for financing or aid under any federal or state program; 2230
and any project involving the maintaining, repairing, improving, 2231
or construction of any public or private highway, road, street, 2232
parkway, public transit, aviation, or rail project, and any 2233
related rights-of-way, bridges, tunnels, railroad-highway 2234
crossings, drainage structures, signs, guardrails, or protective 2235
structures. 2236

(E) The general assembly finds that state infrastructure 2237
projects, as defined in division (A)(8) of section 5531.10 of the 2238
Revised Code, and the state infrastructure bank, will materially 2239
contribute to the economic revitalization of areas of the state 2240
and result in improving the economic welfare of all the people of 2241
the state. Accordingly, it is declared to be the public purpose of 2242
the state, through operations under sections 5531.09 and 5531.10 2243
of the Revised Code, and other applicable laws adopted pursuant to 2244
Section 13 of Article VIII, Ohio Constitution, and other authority 2245
vested in the general assembly, to assist in and facilitate the 2246
purposes set forth in division (B) of section 5531.10 of the 2247

Revised Code, and to assist and cooperate with any governmental 2248
agency in achieving such ~~purpose~~ purposes. 2249

Sec. 5531.10. (A) As used in this chapter: 2250

(1) "Bond proceedings" means the resolution, order, trust 2251
agreement, indenture, lease, lease-purchase agreements, and other 2252
agreements, amendments and supplements to the foregoing, or any 2253
one or more or combination thereof, authorizing or providing for 2254
the terms and conditions applicable to, or providing for the 2255
security or liquidity of, obligations issued pursuant to this 2256
section, and the provisions contained in such obligations. 2257

(2) "Bond service charges" means principal, including 2258
mandatory sinking fund requirements for retirement of obligations, 2259
and interest, and redemption premium, if any, required to be paid 2260
by the state on obligations. 2261

(3) "Bond service fund" means the applicable fund and 2262
accounts therein created for and pledged to the payment of bond 2263
service charges, which may be, or may be part of, the state 2264
infrastructure bank revenue bond service fund created by division 2265
(R) of this section including all moneys and investments, and 2266
earnings from investments, credited and to be credited thereto. 2267

(4) "Issuing authority" means the treasurer of state, or the 2268
officer who by law performs the functions of the treasurer of 2269
state. 2270

(5) "Obligations" means bonds, notes, or other evidence of 2271
obligation including interest coupons pertaining thereto, issued 2272
pursuant to this section. 2273

(6) "Pledged receipts" means moneys accruing to the state 2274
from the lease, lease-purchase, sale, or other disposition, or 2275
use, of qualified projects, and from the repayment, including 2276
interest, of loans made from proceeds received from the sale of 2277

obligations; accrued interest received from the sale of 2278
obligations; income from the investment of the special funds; any 2279
gifts, grants, donations, and pledges, and receipts therefrom, 2280
available for the payment of bond service charges; and any amounts 2281
in the state infrastructure bank pledged to the payment of such 2282
charges. If the amounts in the state infrastructure bank are 2283
insufficient for the payment of such charges, "pledged receipts" 2284
also means moneys that are apportioned by the United States 2285
secretary of transportation under United States Code, Title XXIII, 2286
as amended, or any successor legislation, or under any other 2287
federal law relating to aid for highways, and that are to be 2288
received as a grant by the state, to the extent the state is not 2289
prohibited by state or federal law from using such moneys and the 2290
moneys are pledged to the payment of such bond service charges. 2291

(7) "Special funds" or "funds" means, except where the 2292
context does not permit, the bond service fund, and any other 2293
funds, including reserve funds, created under the bond 2294
proceedings, and the state infrastructure bank revenue bond 2295
service fund created by division (R) of this section to the extent 2296
provided in the bond proceedings, including all moneys and 2297
investments, and earnings from investment, credited and to be 2298
credited thereto. 2299

(8) "State infrastructure project" means any public 2300
transportation project undertaken by the state, including, but not 2301
limited to, all components of any such project, as described in 2302
division (D) of section 5131.09 of the Revised Code. 2303

(B) The issuing authority, after giving written notice to the 2304
director of budget and management and upon the certification by 2305
the director of transportation to the issuing authority of the 2306
amount of moneys or additional moneys needed either for state 2307
infrastructure projects or to provide financial assistance for any 2308
of the purposes for which the state infrastructure bank may be 2309

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

(C) ~~The~~ Except as otherwise provided in this division, the
holders or owners of such obligations shall have no right to have
moneys raised by taxation by the state of Ohio obligated or
pledged, and moneys so raised shall not be obligated or pledged,
for the payment of bond service charges. The municipal

corporations and counties may pledge and obligate moneys received 2342
pursuant to sections 4501.04, 5709.42, 5709.79, 5735.23, 5735.27, 2343
and 5735.291 of the Revised Code to the payment of amounts payable 2344
by those municipal corporations and counties to the state 2345
infrastructure bank pursuant to section 5531.09 of the Revised 2346
Code, and the bond proceedings for obligations may provide that 2347
such payments shall constitute pledged receipts, provided such 2348
moneys are obligated, pledged, and paid only with respect to 2349
obligations issued exclusively for public transportation projects. 2350
The right of such holders and owners to the payment of bond 2351
service charges is limited to all or that portion of the pledged 2352
receipts and those special funds pledged thereto pursuant to the 2353
bond proceedings for such obligations in accordance with this 2354
section, and each such obligation shall bear on its face a 2355
statement to that effect. 2356

(D) Obligations shall be authorized by order of the issuing 2357
authority and the bond proceedings shall provide for the purpose 2358
thereof and the principal amount or amounts, and shall provide for 2359
or authorize the manner or agency for determining the principal 2360
maturity or maturities, not exceeding twenty-five years from the 2361
date of issuance, the interest rate or rates or the maximum 2362
interest rate, the date of the obligations and the dates of 2363
payment of interest thereon, their denomination, and the 2364
establishment within or without the state of a place or places of 2365
payment of bond service charges. Sections 9.98 to 9.983 of the 2366
Revised Code are applicable to obligations issued under this 2367
section. The purpose of such obligations may be stated in the bond 2368
proceedings in terms describing the general purpose or purposes to 2369
be served. The bond proceedings also shall provide, subject to the 2370
provisions of any other applicable bond proceedings, for the 2371
pledge of all, or such part as the issuing authority may 2372
determine, of the pledged receipts and the applicable special fund 2373
or funds to the payment of bond service charges, which pledges may 2374

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

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

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

(2) Other terms of the obligations;

(3) Limitations on the issuance of additional obligations;

(4) The terms of any trust agreement or indenture securing

the obligations or under which the same may be issued; 2406

(5) The deposit, investment, and application of special 2407
funds, and the safeguarding of moneys on hand or on deposit, 2408
without regard to Chapter 131. or 135. of the Revised Code, but 2409
subject to any special provisions of this section with respect to 2410
particular funds or moneys, provided that any bank or trust 2411
company which acts as depository of any moneys in the special 2412
funds may furnish such indemnifying bonds or may pledge such 2413
securities as required by the issuing authority; 2414

(6) Any or every provision of the bond proceedings being 2415
binding upon such officer, board, commission, authority, agency, 2416
department, or other person or body as may from time to time have 2417
the authority under law to take such actions as may be necessary 2418
to perform all or any part of the duty required by such provision; 2419

(7) Any provision that may be made in a trust agreement or 2420
indenture; 2421

(8) Any other or additional agreements with the holders of 2422
the obligations, or the trustee therefor, relating to the 2423
obligations or the security therefor, including the assignment of 2424
mortgages or other security relating to financial assistance for 2425
qualified projects under section 5531.09 of the Revised Code. 2426

(F) The obligations may have the great seal of the state or a 2427
facsimile thereof affixed thereto or printed thereon. The 2428
obligations and any coupons pertaining to obligations shall be 2429
signed or bear the facsimile signature of the issuing authority. 2430
Any obligations or coupons may be executed by the person who, on 2431
the date of execution, is the proper issuing authority although on 2432
the date of such bonds or coupons such person was not the issuing 2433
authority. In case the issuing authority whose signature or a 2434
facsimile of whose signature appears on any such obligation or 2435
coupon ceases to be the issuing authority before delivery thereof, 2436

such signature or facsimile nevertheless is valid and sufficient 2437
for all purposes as if the former issuing authority had remained 2438
the issuing authority until such delivery; and in case the seal to 2439
be affixed to obligations has been changed after a facsimile of 2440
the seal has been imprinted on such obligations, such facsimile 2441
seal shall continue to be sufficient as to such obligations and 2442
obligations issued in substitution or exchange therefor. 2443

(G) All obligations are negotiable instruments and securities 2444
under Chapter 1308. of the Revised Code, subject to the provisions 2445
of the bond proceedings as to registration. The obligations may be 2446
issued in coupon or in registered form, or both, as the issuing 2447
authority determines. Provision may be made for the registration 2448
of any obligations with coupons attached thereto as to principal 2449
alone or as to both principal and interest, their exchange for 2450
obligations so registered, and for the conversion or reconversion 2451
into obligations with coupons attached thereto of any obligations 2452
registered as to both principal and interest, and for reasonable 2453
charges for such registration, exchange, conversion, and 2454
reconversion. 2455

(H) Obligations may be sold at public sale or at private 2456
sale, as determined in the bond proceedings. 2457

(I) Pending preparation of definitive obligations, the 2458
issuing authority may issue interim receipts or certificates which 2459
shall be exchanged for such definitive obligations. 2460

(J) In the discretion of the issuing authority, obligations 2461
may be secured additionally by a trust agreement or indenture 2462
between the issuing authority and a corporate trustee which may be 2463
any trust company or bank having its principal place of business 2464
within the state. Any such agreement or indenture may contain the 2465
order authorizing the issuance of the obligations, any provisions 2466
that may be contained in any bond proceedings, and other 2467

provisions which are customary or appropriate in an agreement or indenture of such type, including, but not limited to: 2468
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(1) Maintenance of each pledge, trust agreement, indenture, or other instrument comprising part of the bond proceedings until the state has fully paid the bond service charges on the obligations secured thereby, or provision therefor has been made; 2470
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(2) In the event of default in any payments required to be made by the bond proceedings, or any other agreement of the issuing authority made as a part of the contract under which the obligations were issued, enforcement of such payments or agreement by mandamus, the appointment of a receiver, suit in equity, action at law, or any combination of the foregoing; 2474
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(3) The rights and remedies of the holders of obligations and of the trustee, and provisions for protecting and enforcing them, including limitations on the rights of individual holders of obligations; 2480
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(4) The replacement of any obligations that become mutilated or are destroyed, lost, or stolen; 2484
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(5) Such other provisions as the trustee and the issuing authority agree upon, including limitations, conditions, or qualifications relating to any of the foregoing. 2486
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(K) Any holder of obligations or a trustee under the bond proceedings, except to the extent that the holder's or trustee's rights are restricted by the bond proceedings, may by any suitable form of legal proceedings, protect and enforce any rights under the laws of this state or granted by such bond proceedings. Such rights include the right to compel the performance of all duties of the issuing authority and the director of transportation required by the bond proceedings or sections 5531.09 and 5531.10 of the Revised Code; to enjoin unlawful activities; and in the event of default with respect to the payment of any bond service 2489
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charges on any obligations or in the performance of any covenant 2499
or agreement on the part of the issuing authority or the director 2500
of transportation in the bond proceedings, to apply to a court 2501
having jurisdiction of the cause to appoint a receiver to receive 2502
and administer the pledged receipts and special funds, other than 2503
those in the custody of the treasurer of state, which are pledged 2504
to the payment of the bond service charges on such obligations or 2505
which are the subject of the covenant or agreement, with full 2506
power to pay, and to provide for payment of bond service charges 2507
on, such obligations, and with such powers, subject to the 2508
direction of the court, as are accorded receivers in general 2509
equity cases, excluding any power to pledge additional revenues or 2510
receipts or other income or moneys of the state or local 2511
governmental entities, or agencies thereof, to the payment of such 2512
principal and interest and excluding the power to take possession 2513
of, mortgage, or cause the sale or otherwise dispose of any 2514
project facilities. 2515

Each duty of the issuing authority and the issuing 2516
authority's officers and employees, and of each state or local 2517
governmental agency and its officers, members, or employees, 2518
undertaken pursuant to the bond proceedings or any loan, loan 2519
guarantee, lease, lease-purchase agreement, or other agreement 2520
made under authority of section 5531.09 of the Revised Code, and 2521
in every agreement by or with the issuing authority, is hereby 2522
established as a duty of the issuing authority, and of each such 2523
officer, member, or employee having authority to perform such 2524
duty, specifically enjoined by the law resulting from an office, 2525
trust, or station within the meaning of section 2731.01 of the 2526
Revised Code. 2527

The person who is at the time the issuing authority, or the 2528
issuing authority's officers or employees, are not liable in their 2529
personal capacities on any obligations issued by the issuing 2530

authority or any agreements of or with the issuing authority. 2531

(L) The issuing authority may authorize and issue obligations 2532
for the refunding, including funding and retirement, and advance 2533
refunding with or without payment or redemption prior to maturity, 2534
of any obligations previously issued by the issuing authority. 2535
Such obligations may be issued in amounts sufficient for payment 2536
of the principal amount of the prior obligations, any redemption 2537
premiums thereon, principal maturities of any such obligations 2538
maturing prior to the redemption of the remaining obligations on a 2539
parity therewith, interest accrued or to accrue to the maturity 2540
dates or dates of redemption of such obligations, and any expenses 2541
incurred or to be incurred in connection with such issuance and 2542
such refunding, funding, and retirement. Subject to the bond 2543
proceedings therefor, the portion of proceeds of the sale of 2544
obligations issued under this division to be applied to bond 2545
service charges on the prior obligations shall be credited to an 2546
appropriate account held by the trustee for such prior or new 2547
obligations or to the appropriate account in the bond service fund 2548
for such obligations. Obligations authorized under this division 2549
shall be deemed to be issued for those purposes for which such 2550
prior obligations were issued and are subject to the provisions of 2551
this section pertaining to other obligations, except as otherwise 2552
provided in this section. The last maturity of obligations 2553
authorized under this division shall not be later than twenty-five 2554
years from the date of issuance of the original securities issued 2555
for the original purpose. 2556

(M) The authority to issue obligations under this section 2557
includes authority to issue obligations in the form of bond 2558
anticipation notes and to renew the same from time to time by the 2559
issuance of new notes. The holders of such notes or interest 2560
coupons pertaining thereto shall have a right to be paid solely 2561
from the pledged receipts and special funds that may be pledged to 2562

the payment of the bonds anticipated, or from the proceeds of such
bonds or renewal notes, or both, as the issuing authority provides
in the order authorizing such notes. Such notes may be
additionally secured by covenants of the issuing authority to the
effect that the issuing authority and the state will do such or
all things necessary for the issuance of such bonds or renewal
notes in the appropriate amount, and apply the proceeds thereof to
the extent necessary, to make full payment of the principal of and
interest on such notes at the time or times contemplated, as
provided in such order. For such purpose, the issuing authority
may issue bonds or renewal notes in such principal amount and upon
such terms as may be necessary to provide funds to pay when
required the principal of and interest on such notes,
notwithstanding any limitations prescribed by or for purposes of
this section. Subject to this division, all provisions for and
references to obligations in this section are applicable to notes
authorized under this division.

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

(N) Obligations issued under this section are lawful
investments for banks, societies for savings, savings and loan
associations, deposit guarantee associations, trust companies,
trustees, fiduciaries, insurance companies, including domestic for
life and domestic not for life, trustees or other officers having
charge of sinking and bond retirement or other special funds of
political subdivisions and taxing districts of this state, the
commissioners of the sinking fund of the state, the administrator
of workers' compensation ~~in accordance with the investment policy
established by the workers' compensation oversight commission
pursuant to section 4121.12 of the Revised Code~~, the state

teachers retirement system, the public employees retirement 2595
system, the school employees retirement system, and the Ohio 2596
police and fire pension fund, notwithstanding any other provisions 2597
of the Revised Code or rules adopted pursuant thereto by any 2598
agency of the state with respect to investments by them, and are 2599
also acceptable as security for the deposit of public moneys. 2600

(O) Unless otherwise provided in any applicable bond 2601
proceedings, moneys to the credit of or in the special funds 2602
established by or pursuant to this section may be invested by or 2603
on behalf of the issuing authority only in notes, bonds, or other 2604
obligations of the United States, or of any agency or 2605
instrumentality of the United States, obligations guaranteed as to 2606
principal and interest by the United States, obligations of this 2607
state or any political subdivision of this state, and certificates 2608
of deposit of any national bank located in this state and any 2609
bank, as defined in section 1101.01 of the Revised Code, subject 2610
to inspection by the superintendent of financial institutions. If 2611
the law or the instrument creating a trust pursuant to division 2612
(J) of this section expressly permits investment in direct 2613
obligations of the United States or an agency of the United 2614
States, unless expressly prohibited by the instrument, such moneys 2615
also may be invested in no-front-end-load money market mutual 2616
funds consisting exclusively of obligations of the United States 2617
or an agency of the United States and in repurchase agreements, 2618
including those issued by the fiduciary itself, secured by 2619
obligations of the United States or an agency of the United 2620
States; and in collective investment funds as defined in division 2621
(A) of section 1111.01 of the Revised Code and consisting 2622
exclusively of any such securities. The income from such 2623
investments shall be credited to such funds as the issuing 2624
authority determines, and such investments may be sold at such 2625
times as the issuing authority determines or authorizes. 2626

(P) Provision may be made in the applicable bond proceedings 2627
for the establishment of separate accounts in the bond service 2628
fund and for the application of such accounts only to the 2629
specified bond service charges on obligations pertinent to such 2630
accounts and bond service fund and for other accounts therein 2631
within the general purposes of such fund. Unless otherwise 2632
provided in any applicable bond proceedings, moneys to the credit 2633
of or in the several special funds established pursuant to this 2634
section shall be disbursed on the order of the treasurer of state, 2635
provided that no such order is required for the payment from the 2636
bond service fund when due of bond service charges on obligations. 2637

(Q)(1) The issuing authority may pledge all, or such portion 2638
as the issuing authority determines, of the pledged receipts to 2639
the payment of bond service charges on obligations issued under 2640
this section, and for the establishment and maintenance of any 2641
reserves, as provided in the bond proceedings, and make other 2642
provisions therein with respect to pledged receipts as authorized 2643
by this chapter, which provisions are controlling notwithstanding 2644
any other provisions of law pertaining thereto. 2645

(2) An action taken under division (Q)(2) of this section 2646
does not limit the generality of division (Q)(1) of this section, 2647
and is subject to division (C) of this section and, if and to the 2648
extent otherwise applicable, Section 13 of Article VIII, Ohio 2649
Constitution. The bond proceedings may contain a covenant that, in 2650
the event the pledged receipts primarily pledged and required to 2651
be used for the payment of bond service charges on obligations 2652
issued under this section, and for the establishment and 2653
maintenance of any reserves, as provided in the bond proceedings, 2654
are insufficient to make any such payment in full when due, or to 2655
maintain any such reserve, the director of transportation shall so 2656
notify the governor, and shall determine to what extent, if any, 2657
the payment may be made or moneys may be restored to the reserves 2658

from lawfully available moneys previously appropriated for that 2659
purpose to the department of transportation. The covenant also may 2660
provide that if the payments are not made or the moneys are not 2661
immediately and fully restored to the reserves from such moneys, 2662
the director shall promptly submit to the governor and to the 2663
director of budget and management a written request for either or 2664
both of the following: 2665

(a) That the next biennial budget submitted by the governor 2666
to the general assembly include an amount to be appropriated from 2667
lawfully available moneys to the department for the purpose of and 2668
sufficient for the payment in full of bond service charges 2669
previously due and for the full replenishment of the reserves; 2670

(b) That the general assembly be requested to increase 2671
appropriations from lawfully available moneys for the department 2672
in the current biennium sufficient for the purpose of and for the 2673
payment in full of bond service charges previously due and to come 2674
due in the biennium and for the full replenishment of the 2675
reserves. 2676

The director of transportation shall include with such 2677
requests a recommendation that the payment of the bond service 2678
charges and the replenishment of the reserves be made in the 2679
interest of maximizing the benefits of the state infrastructure 2680
bank. Any such covenant shall not obligate or purport to obligate 2681
the state to pay the bond service charges on such bonds or notes 2682
or to deposit moneys in a reserve established for such payments 2683
other than from moneys that may be lawfully available and 2684
appropriated for that purpose during the then-current biennium. 2685

(R) There is hereby created the state infrastructure bank 2686
revenue bond service fund, which shall be in the custody of the 2687
treasurer of state but shall not be a part of the state treasury. 2688
All moneys received by or on account of the issuing authority or 2689

state agencies and required by the applicable bond proceedings, 2690
consistent with this section, to be deposited, transferred, or 2691
credited to the bond service fund, and all other moneys 2692
transferred or allocated to or received for the purposes of the 2693
fund, shall be deposited and credited to such fund and to any 2694
separate accounts therein, subject to applicable provisions of the 2695
bond proceedings, but without necessity for any act of 2696
appropriation. The state infrastructure bank revenue bond service 2697
fund is a trust fund and is hereby pledged to the payment of bond 2698
service charges to the extent provided in the applicable bond 2699
proceedings, and payment thereof from such fund shall be made or 2700
provided for by the treasurer of state in accordance with such 2701
bond proceedings without necessity for any act of appropriation. 2702

(S) The obligations issued pursuant to this section, the 2703
transfer thereof, and the income therefrom, including any profit 2704
made on the sale thereof, shall at all times be free from taxation 2705
within this state. 2706

Sec. 5531.11. Notwithstanding section 127.16 of the Revised 2707
Code, the director of transportation may enter into the following: 2708

(A) Agreements with the United States or any department or 2709
agency thereof, as provided in the "Intergovernmental Cooperation 2710
Act of 1968," 82 Stat. 1098, 31 U.S.C. 6501-6508, as amended, and 2711
any other federal cooperation act. Such an agreement may include 2712
provisions for advance payment by the department of transportation 2713
for labor and all other identifiable costs of providing services 2714
by the United States or any department or agency thereof as may be 2715
estimated by the United States or any department or agency 2716
thereof. 2717

(B) Project cooperation agreements with the United States 2718
department of the army for construction projects, as determined 2719
necessary by the director. Such an agreement may include 2720

provisions for advance payment by the department of transportation 2721
of the department of transportation's contribution or share of the 2722
total project costs and all other identifiable costs of the 2723
project as may be estimated by the United States department of the 2724
army. 2725

Sec. 5537.17. (A) Each turnpike project open to traffic shall 2726
be maintained and kept in good condition and repair by the Ohio 2727
turnpike commission. The Ohio turnpike system shall be policed and 2728
operated by a force of police, toll collectors, and other 2729
employees and agents that the commission employs or contracts for. 2730
2731

(B) All public or private property damaged or destroyed in 2732
carrying out the powers granted by this chapter shall be restored 2733
or repaired and placed in its original condition, as nearly as 2734
practicable, or adequate compensation or consideration made 2735
therefor out of moneys provided under this chapter. 2736

(C) All governmental agencies may lease, lend, grant, or 2737
convey to the commission at its request, upon terms that the 2738
proper authorities of the governmental agencies consider 2739
reasonable and fair and without the necessity for an 2740
advertisement, order of court, or other action or formality, other 2741
than the regular and formal action of the authorities concerned, 2742
any property that is necessary or convenient to the effectuation 2743
of the purposes of the commission, including public roads and 2744
other property already devoted to public use. 2745

(D) Each bridge constituting part of a turnpike project shall 2746
be inspected at least once each year by a professional engineer 2747
employed or retained by the commission. 2748

(E) On or before the first day of ~~April~~ July in each year, 2749
the commission shall make an annual report of its activities for 2750

the preceding calendar year to the governor and the general 2751
assembly. Each such report shall set forth a complete operating 2752
and financial statement covering the commission's operations 2753
during the year. The commission shall cause an audit of its books 2754
and accounts to be made at least once each year by certified 2755
public accountants, and the cost thereof may be treated as a part 2756
of the cost of operations of the commission. The auditor of state, 2757
at least once a year and without previous notice to the 2758
commission, shall audit the accounts and transactions of the 2759
commission. 2760

(F) The commission shall submit a copy of its annual audit by 2761
the auditor of state and its proposed annual budget for each 2762
calendar or fiscal year to the governor, the presiding officers of 2763
each house of the general assembly, the director of budget and 2764
management, and ~~the legislative budget office of the legislative~~ 2765
service commission no later than the first day of that calendar or 2766
fiscal year. 2767

Sec. 5735.05. (A) To provide revenue for maintaining the 2768
state highway system; to widen existing surfaces on such highways; 2769
to resurface such highways; to pay that portion of the 2770
construction cost of a highway project which a county, township, 2771
or municipal corporation normally would be required to pay, but 2772
which the director of transportation, pursuant to division (B) of 2773
section 5531.08 of the Revised Code, determines instead will be 2774
paid from moneys in the highway operating fund; to enable the 2775
counties of the state properly to plan, maintain, and repair their 2776
roads and to pay principal, interest, and charges on bonds and 2777
other obligations issued pursuant to Chapter 133. of the Revised 2778
Code or incurred pursuant to section 5531.09 of the Revised Code 2779
for highway improvements; to enable the municipal corporations to 2780
plan, construct, reconstruct, repave, widen, maintain, repair, 2781
clear, and clean public highways, roads, and streets, and to pay 2782

the principal, interest, and charges on bonds and other 2783
obligations issued pursuant to Chapter 133. of the Revised Code or 2784
incurred pursuant to section 5531.09 of the Revised Code for 2785
highway improvements; to enable the Ohio turnpike commission to 2786
construct, reconstruct, maintain, and repair turnpike projects; to 2787
maintain and repair bridges and viaducts; to purchase, erect, and 2788
maintain street and traffic signs and markers; to purchase, erect, 2789
and maintain traffic lights and signals; to pay the costs 2790
apportioned to the public under sections 4907.47 and 4907.471 of 2791
the Revised Code and to supplement revenue already available for 2792
such purposes; to pay the costs incurred by the public utilities 2793
commission in administering sections 4907.47 to 4907.476 of the 2794
Revised Code; to distribute equitably among those persons using 2795
the privilege of driving motor vehicles upon such highways and 2796
streets the cost of maintaining and repairing them; to pay the 2797
interest, principal, and charges on highway capital improvements 2798
bonds and other obligations issued pursuant to Section 2m of 2799
Article VIII, Ohio Constitution, and section 151.06 of the Revised 2800
Code; to pay the interest, principal, and charges on highway 2801
obligations issued pursuant to Section 2i of Article VIII, Ohio 2802
Constitution, and sections 5528.30 and 5528.31 of the Revised 2803
Code; to provide revenue for the purposes of sections 1547.71 to 2804
1547.78 of the Revised Code; and to pay the expenses of the 2805
department of taxation incident to the administration of the motor 2806
fuel laws, a motor fuel excise tax is hereby imposed on all motor 2807
fuel dealers upon receipt of motor fuel within this state at the 2808
rate of two cents plus the cents per gallon rate on each gallon so 2809
received, to be computed in the manner set forth in section 2810
5735.06 of the Revised Code; provided that no tax is hereby 2811
imposed upon the following transactions: 2812

(1) The sale of dyed diesel fuel by a licensed motor fuel 2813
dealer from a location other than a retail service station 2814
provided the licensed motor fuel dealer places on the face of the 2815

delivery document or invoice, or both if both are used, a 2816
conspicuous notice stating that the fuel is dyed and is not for 2817
taxable use, and that taxable use of that fuel is subject to a 2818
penalty. The tax commissioner, by rule, may provide that any 2819
notice conforming to rules or regulations issued by the United 2820
States department of the treasury or the Internal Revenue Service 2821
is sufficient notice for the purposes of division (A)(1) of this 2822
section. 2823

(2) The sale of K-1 kerosene to a retail service station, 2824
except when placed directly in the fuel supply tank of a motor 2825
vehicle. Such sale shall be rebuttably presumed to not be 2826
distributed or sold for use or used to generate power for the 2827
operation of motor vehicles upon the public highways or upon the 2828
waters within the boundaries of this state. 2829

(3) The sale of motor fuel by a licensed motor fuel dealer to 2830
another licensed motor fuel dealer; 2831

(4) The exportation of motor fuel by a licensed motor fuel 2832
dealer from this state to any other state or foreign country; 2833

(5) The sale of motor fuel to the United States government or 2834
any of its agencies, except such tax as is permitted by it, where 2835
such sale is evidenced by an exemption certificate, in a form 2836
approved by the tax commissioner, executed by the United States 2837
government or an agency thereof certifying that the motor fuel 2838
therein identified has been purchased for the exclusive use of the 2839
United States government or its agency; 2840

(6) The sale of motor fuel that is in the process of 2841
transportation in foreign or interstate commerce, except insofar 2842
as it may be taxable under the Constitution and statutes of the 2843
United States, and except as may be agreed upon in writing by the 2844
dealer and the commissioner; 2845

(7) The sale of motor fuel when sold exclusively for use in 2846

the operation of aircraft, where such sale is evidenced by an 2847
exemption certificate prescribed by the commissioner and executed 2848
by the purchaser certifying that the motor fuel purchased has been 2849
purchased for exclusive use in the operation of aircraft; 2850

(8) The sale for exportation of motor fuel by a licensed 2851
motor fuel dealer to a licensed exporter type A; 2852

(9) The sale for exportation of motor fuel by a licensed 2853
motor fuel dealer to a licensed exporter type B, provided that the 2854
destination state motor fuel tax has been paid or will be accrued 2855
and paid by the licensed motor fuel dealer. 2856

(10) The sale to a consumer of diesel fuel, by a motor fuel 2857
dealer for delivery from a bulk lot vehicle, for consumption in 2858
operating a vessel when the use of such fuel in a vessel would 2859
otherwise qualify for a refund under section 5735.14 of the 2860
Revised Code. 2861

Division (A)(1) of this section does not apply to the sale or 2862
distribution of dyed diesel fuel used to operate a motor vehicle 2863
on the public highways or upon water within the boundaries of this 2864
state by persons permitted under regulations of the United States 2865
department of the treasury or of the Internal Revenue Service to 2866
so use dyed diesel fuel. 2867

(B) The two cent motor fuel tax levied by this section is 2868
also for the purpose of paying the expenses of administering and 2869
enforcing the state law relating to the registration and operation 2870
of motor vehicles. 2871

(C) After the tax provided for by this section on the receipt 2872
of any motor fuel has been paid by the motor fuel dealer, the 2873
motor fuel may thereafter be used, sold, or resold by any person 2874
having lawful title to it, without incurring liability for such 2875
tax. 2876

If a licensed motor fuel dealer sells motor fuel received by 2877
the licensed motor fuel dealer to another licensed motor fuel 2878
dealer, the seller may deduct on the report required by section 2879
5735.06 of the Revised Code the number of gallons so sold for the 2880
month within which the motor fuel was sold or delivered. In this 2881
event the number of gallons is deemed to have been received by the 2882
purchaser, who shall report and pay the tax imposed thereon. 2883

Sec. 5735.23. (A) Out of receipts from the tax levied by 2884
section 5735.05 of the Revised Code, the treasurer of state shall 2885
place to the credit of the tax refund fund established by section 2886
5703.052 of the Revised Code amounts equal to the refunds 2887
certified by the tax commissioner pursuant to sections 5735.13, 2888
5735.14, 5735.141, 5735.142, and 5735.16 of the Revised Code. The 2889
treasurer of state shall then transfer the amount required by 2890
section 5735.051 of the Revised Code to the waterways safety fund, 2891
the amount required by section 4907.472 of the Revised Code to the 2892
grade crossing protection fund, and the amount required by section 2893
5735.053 of the Revised Code to the motor fuel tax administration 2894
fund. 2895

(B) Except as provided in division (D) of this section, each 2896
month the balance of the receipts from the tax levied by section 2897
5735.05 of the Revised Code shall be credited, after receipt by 2898
the treasurer of state of certification from the commissioners of 2899
the sinking fund, as required by section 5528.35 of the Revised 2900
Code, that there are sufficient moneys to the credit of the 2901
highway obligations bond retirement fund to meet in full all 2902
payments of interest, principal, and charges for the retirement of 2903
highway obligations issued pursuant to Section 2i of Article VIII, 2904
Ohio Constitution, and sections 5528.30 and 5528.31 of the Revised 2905
Code due and payable during the current calendar year, as follows: 2906

(1) To the state and local government highway distribution 2907

fund, which is hereby created in the state treasury, an amount 2908
that is the same percentage of the balance to be credited as that 2909
portion of the tax per gallon determined under division (B)(2)(a) 2910
of section 5735.06 of the Revised Code is of the total tax per 2911
gallon determined under divisions (B)(2)(a) and (b) of that 2912
section. 2913

(2) After making the distribution to the state and local 2914
government highway distribution fund, the remainder shall be 2915
credited as follows: 2916

(a) Thirty per cent to the gasoline excise tax fund for 2917
distribution pursuant to division (A)(1) of section 5735.27 of the 2918
Revised Code; 2919

(b) Twenty-five per cent to the gasoline excise tax fund for 2920
distribution pursuant to division (A)(3) of section 5735.27 of the 2921
Revised Code; 2922

(c) Except as provided in division (D) of this section, 2923
forty-five per cent to the highway operating fund for distribution 2924
pursuant to division (B)(1) of section 5735.27 of the Revised 2925
Code. 2926

(C) From the balance in the state and local government 2927
highway distribution fund on the last day of each month there 2928
shall be paid the following amounts: 2929

(1) To the local transportation improvement program fund 2930
created by section 164.14 of the Revised Code, an amount equal to 2931
a fraction of the balance in the state and local government 2932
highway distribution fund, the numerator of which fraction is one 2933
and the denominator of which fraction is that portion of the tax 2934
per gallon determined under division (B)(2)(a) of section 5735.06 2935
of the Revised Code; 2936

(2) An amount equal to five cents multiplied by the number of 2937

gallons of motor fuel sold at stations operated by the Ohio 2938
turnpike commission, such gallonage to be certified by the 2939
commission to the treasurer of state not later than the last day 2940
of the month following. The funds paid to the commission pursuant 2941
to this section shall be expended for the construction, 2942
reconstruction, maintenance, and repair of turnpike projects, 2943
except that the funds may not be expended for the construction of 2944
new interchanges. The funds also may be expended for the 2945
construction, reconstruction, maintenance, and repair of those 2946
portions of connecting public roads that serve existing 2947
interchanges and are determined by the commission and the director 2948
of transportation to be necessary for the safe merging of traffic 2949
between the turnpike and those public roads. 2950

The remainder of the balance shall be distributed as follows 2951
on the fifteenth day of the following month: 2952

(a) Ten and seven-tenths per cent shall be paid to municipal 2953
corporations for distribution pursuant to division (A)(1) of 2954
section 5735.27 of the Revised Code and may be used for any 2955
purpose for which payments received under that division may be 2956
used. ~~Beginning August 15, 2004~~ Through July 15, 2005, the sum of 2957
two hundred forty-eight thousand six hundred twenty-five dollars 2958
shall be monthly subtracted from the amount so computed and 2959
credited to the highway operating fund. Beginning August 15, 2005, 2960
the sum of seven hundred forty-five thousand eight hundred 2961
seventy-five dollars shall be monthly subtracted from the amount 2962
so computed and credited to the highway operating fund. 2963

(b) Five per cent shall be paid to townships for distribution 2964
pursuant to division (A)(5) of section 5735.27 of the Revised Code 2965
and may be used for any purpose for which payments received under 2966
that division may be used. ~~Beginning August 15, 2004~~ Through July 2967
15, 2005, the sum of eighty-seven thousand seven hundred fifty 2968
dollars shall be monthly subtracted from the amount so computed 2969

and credited to the highway operating fund. Beginning August 15, 2970
2005, the sum of two hundred sixty-three thousand two hundred 2971
fifty dollars shall be monthly subtracted from the amount so 2972
computed and credited to the highway operating fund. 2973

(c) Nine and three-tenths per cent shall be paid to counties 2974
for distribution pursuant to division (A)(3) of section 5735.27 of 2975
the Revised Code and may be used for any purpose for which 2976
payments received under that division may be used. ~~Beginning~~ 2977
~~August 15, 2004~~ Through July 15, 2005, the sum of two hundred 2978
forty-eight thousand six hundred twenty-five dollars shall be 2979
monthly subtracted from the amount so computed and credited to the 2980
highway operating fund. Beginning August 15, 2005, the sum of 2981
seven hundred forty-five thousand eight hundred seventy-five 2982
dollars shall be monthly subtracted from the amount so computed 2983
and credited to the highway operating fund. 2984

(d) Except as provided in division (D) of this section, the 2985
balance shall be transferred to the highway operating fund and 2986
used for the purposes set forth in division (B)(1) of section 2987
5735.27 of the Revised Code. 2988

(D) ~~Beginning on the first day of Monthly from~~ September to 2989
~~February of~~ each fiscal year, any an amount equal to one-sixth of 2990
the amount certified in July of that year by the treasurer of 2991
state pursuant to division (O) of section 151.01 of the Revised 2992
Code shall, from amounts required to be credited or transferred to 2993
the highway operating fund pursuant to division (B)(2)(c) or 2994
(C)(2)(d) of this section ~~shall,~~ be credited or transferred to the 2995
highway capital improvement bond service fund created in section 2996
151.06 of the Revised Code. If, in any of those months, the amount 2997
available to be credited or transferred to the bond service fund 2998
is less than one-sixth of the amount so certified, the shortfall 2999
shall be added to the amount due the next succeeding month. Any 3000
amount still due at the end of the six-month period shall be 3001

credited or transferred as the money becomes available, until such 3002
time as the office of budget and management receives certification 3003
from the treasurer of state or the treasurer of state's designee 3004
that sufficient money has been credited or transferred to the bond 3005
service fund to meet in full all payments of debt service and 3006
financing costs due during the fiscal year from that fund. 3007

Sec. 5735.25. To provide revenue for supplying the state's 3008
share of the cost of planning, constructing, widening, and 3009
reconstructing the state highways; for supplying the state's share 3010
of the cost of eliminating railway grade crossings upon such 3011
highways; to pay that portion of the construction cost of a 3012
highway project which a county, township, or municipal corporation 3013
normally would be required to pay, but which the director of 3014
transportation, pursuant to division (B) of section 5531.08 of the 3015
Revised Code, determines instead will be paid from moneys in the 3016
highway operating fund; to enable the counties and townships of 3017
the state to properly plan, construct, widen, reconstruct, and 3018
maintain their public highways, roads, and streets; to enable 3019
counties to pay principal, interest, and charges on bonds and 3020
other obligations issued pursuant to Chapter 133. of the Revised 3021
Code or incurred pursuant to section 5531.09 of the Revised Code 3022
for highway improvements; to enable municipal corporations to 3023
plan, construct, reconstruct, repave, widen, maintain, repair, 3024
clear, and clean public highways, roads, and streets; to enable 3025
municipal corporations to pay the principal, interest, and charges 3026
on bonds and other obligations issued pursuant to Chapter 133. of 3027
the Revised Code or incurred pursuant to section 5531.09 of the 3028
Revised Code for highway improvements; to maintain and repair 3029
bridges and viaducts; to purchase, erect, and maintain street and 3030
traffic signs and markers; to purchase, erect, and maintain 3031
traffic lights and signals; to pay the costs apportioned to the 3032
public under section 4907.47 of the Revised Code; to provide 3033

revenue for the purposes of sections 1547.71 to 1547.78 of the Revised Code and to supplement revenue already available for such purposes; to pay the expenses of the department of taxation incident to the administration of the motor fuel laws, to supplement revenue already available for such purposes, to pay the interest, principal, and charges on bonds and other obligations issued pursuant to Section 2g of Article VIII, Ohio Constitution, and sections 5528.10 and 5528.11 of the Revised Code; and to pay the interest, principal, and charges on highway obligations issued pursuant to Section 2i of Article VIII, Ohio Constitution, and sections 5528.30 and 5528.31 of the Revised Code, a motor fuel excise tax is hereby imposed on all motor fuel dealers upon their receipt of motor fuel within this state, at the rate of two cents per gallon on each gallon so received. This tax is subject to the specific exemptions set forth in this chapter of the Revised Code. It shall be reported, computed, paid, collected, administered, enforced, and refunded, and the failure properly and correctly to report and pay the tax shall be penalized, in exactly the same manner as is provided in this chapter. Such sections relating to motor fuel excise taxes are reenacted and incorporated as if specifically set forth in this section. The tax levied by this section shall be in addition to the tax imposed under this chapter.

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

(1) The amount credited pursuant to divisions (B)(2)(a) and (C)(2)(a) of section 5735.23 of the Revised Code shall be distributed among municipal corporations. The amount paid to each municipal corporation shall be that proportion of the amount to be so distributed that the number of motor vehicles registered within such municipal corporation bears to the total number of motor

vehicles registered within all the municipal corporations of this state during the preceding motor vehicle registration year. When a new village is incorporated, the registrar of motor vehicles shall determine from the applications on file in the bureau of motor vehicles the number of motor vehicles located within the territory comprising the village during the entire registration year in which such municipal corporation was incorporated. The registrar shall forthwith certify the number of motor vehicles so determined to the tax commissioner for use in distributing motor vehicle fuel tax funds to such village until such village is qualified to participate in the distribution of such funds pursuant to this division. The number of such motor vehicle registrations shall be determined by the official records of the bureau of motor vehicles. The amount received by each municipal corporation shall be used to plan, construct, reconstruct, repave, widen, maintain, repair, clear, and clean public highways, roads, and streets; to maintain and repair bridges and viaducts; to purchase, erect, and maintain street and traffic signs and markers; to pay the costs apportioned to the municipal corporation under section 4907.47 of the Revised Code; to purchase, erect, and maintain traffic lights and signals; to pay the principal, interest, and charges on bonds and other obligations issued pursuant to Chapter 133. of the Revised Code or incurred pursuant to section 5531.09 of the Revised Code for the purpose of acquiring or constructing roads, highways, bridges, or viaducts or acquiring or making other highway improvements for which the municipal corporation may issue bonds; and to supplement revenue already available for such purposes.

(2) The amount credited pursuant to division (B) of section 5735.26 of the Revised Code shall be distributed among the municipal corporations within the state, in the proportion which the number of motor vehicles registered within each municipal

corporation bears to the total number of motor vehicles registered 3098
within all the municipal corporations of the state during the 3099
preceding calendar year, as shown by the official records of the 3100
bureau of motor vehicles, and shall be expended by each municipal 3101
corporation to plan, construct, reconstruct, repave, widen, 3102
maintain, repair, clear, and clean public highways, roads and 3103
streets; to maintain and repair bridges and viaducts; to purchase, 3104
erect, and maintain street and traffic signs and markers; to 3105
purchase, erect, and maintain traffic lights and signals; to pay 3106
costs apportioned to the municipal corporation under section 3107
4907.47 of the Revised Code; to pay the principal, interest, and 3108
charges on bonds and other obligations issued pursuant to Chapter 3109
133. of the Revised Code or incurred pursuant to section 5531.09 3110
of the Revised Code for the purpose of acquiring or constructing 3111
roads, highways, bridges, or viaducts or acquiring or making other 3112
highway improvements for which the municipal corporation may issue 3113
bonds; and to supplement revenue already available for such 3114
purposes. 3115

(3) The amount credited pursuant to divisions (B)(2)(b) and 3116
(C)(2)(c) of section 5735.23 of the Revised Code shall be paid in 3117
equal proportions to the county treasurer of each county within 3118
the state and shall be used only for the purposes of planning, 3119
maintaining, and repairing the county system of public roads and 3120
highways within such county; the planning, construction, and 3121
repair of walks or paths along county roads in congested areas; 3122
the planning, construction, purchase, lease, and maintenance of 3123
suitable buildings for the housing and repair of county road 3124
machinery, housing of supplies, and housing of personnel 3125
associated with the machinery and supplies; the payment of costs 3126
apportioned to the county under section 4907.47 of the Revised 3127
Code; the payment of principal, interest, and charges on bonds and 3128
other obligations issued pursuant to Chapter 133. of the Revised 3129

Code or incurred pursuant to section 5531.09 of the Revised Code 3130
for the purpose of acquiring or constructing roads, highways, 3131
bridges, or viaducts or acquiring or making other highway 3132
improvements for which the board of county commissioners may issue 3133
bonds under that chapter; and the purchase, installation, and 3134
maintenance of traffic signal lights. 3135

(4) The amount credited pursuant to division (C) of section 3136
5735.26 of the Revised Code shall be paid in equal proportions to 3137
the county treasurer of each county for the purposes of planning, 3138
maintaining, constructing, widening, and reconstructing the county 3139
system of public roads and highways; paying principal, interest, 3140
and charges on bonds and other obligations issued pursuant to 3141
Chapter 133. of the Revised Code or incurred pursuant to section 3142
5531.09 of the Revised Code for the purpose of acquiring or 3143
constructing roads, highways, bridges, or viaducts or acquiring or 3144
making other highway improvements for which the board of county 3145
commissioners may issue bonds under such chapter; and paying costs 3146
apportioned to the county under section 4907.47 of the Revised 3147
Code. 3148

(5)(a) The amount credited pursuant to division (D) of 3149
section 5735.26 and division (C)(2)(b) of section 5735.23 of the 3150
Revised Code shall be divided in equal proportions among the 3151
townships within the state. 3152

(b) As used in division (A)(5)(b) of this section, the 3153
"formula amount" for any township is the amount that would be 3154
allocated to that township if fifty per cent of the amount 3155
credited to townships pursuant to section 5735.291 of the Revised 3156
Code were allocated among townships in the state proportionate to 3157
the number of lane miles within the boundaries of the respective 3158
townships, as determined annually by the department of 3159
transportation, and the other fifty per cent of the amount 3160
credited pursuant to section 5735.291 of the Revised Code were 3161

allocated among townships in the state proportionate to the number 3162
of motor vehicles registered within the respective townships, as 3163
determined annually by the records of the bureau of motor 3164
vehicles. 3165

Beginning on August 15, 2003, the tax levied by section 3166
5735.29 of the Revised Code shall be partially allocated to 3167
provide funding for townships. Each township shall receive the 3168
greater of the following two calculations: 3169

(i) The total statewide amount credited to townships under 3170
division (A) of section 5735.291 of the Revised Code divided by 3171
the number of townships in the state at the time of the 3172
calculation; 3173

(ii) Seventy per cent of the formula amount for that 3174
township. 3175

(c) The total difference between the amount of money credited 3176
to townships under division (A) of section 5735.291 of the Revised 3177
Code and the total amount of money required to make all the 3178
payments specified in division (A)(5)(b) of this section shall be 3179
deducted, in accordance with division (B) of section 5735.291 of 3180
the Revised Code, from the revenues resulting from the tax levied 3181
pursuant to section 5735.29 of the Revised Code prior to crediting 3182
portions of such revenues to counties, municipal corporations, and 3183
the highway operating fund. 3184

(d) All amounts credited pursuant to divisions (a) and (b) of 3185
this section shall be paid to the county treasurer of each county 3186
for the total amount payable to the townships within each of the 3187
counties. The county treasurer shall pay to each township within 3188
the county its proportional share of the funds, which shall be 3189
expended by each township for the sole purpose of planning, 3190
constructing, maintaining, widening, and reconstructing the public 3191
roads and highways within such township, and paying costs 3192

apportioned to the township under section 4907.47 of the Revised Code. 3193
3194

No part of the funds shall be used for any purpose except to 3195
pay in whole or part the contract price of any such work done by 3196
contract, or to pay the cost of labor in planning, constructing, 3197
widening, and reconstructing such roads and highways, and the cost 3198
of materials forming a part of the improvement; provided, that 3199
such funds may be used for the purchase of road machinery and 3200
equipment and for the planning, construction, and maintenance of 3201
suitable buildings for housing road machinery and equipment, and 3202
that all such improvement of roads shall be under supervision and 3203
direction of the county engineer as provided in section 5575.07 of 3204
the Revised Code. No obligation against such funds shall be 3205
incurred unless plans and specifications for such improvement, 3206
approved by the county engineer, are on file in the office of the 3207
township clerk, and all contracts for material and for work done 3208
by contract shall be approved by the county engineer before being 3209
signed by the board of township trustees. The board of township 3210
trustees of any township may pass a resolution permitting the 3211
board of county commissioners to expend such township's share of 3212
the funds, or any portion thereof, for the improvement of such 3213
roads within the township as may be designated in the resolution. 3214

All investment earnings of the fund shall be credited to the 3215
fund. 3216

(B) Amounts credited to the highway operating fund pursuant 3217
to divisions (B)(2)(c) and (C)(2)(d) of section 5735.23 and 3218
division (A) of section 5735.26 of the Revised Code shall be 3219
expended in the following manner: 3220

(1) The amount credited pursuant to divisions (B)(2)(c) and 3221
(C)(2)(d) of section 5735.23 of the Revised Code shall be 3222
apportioned to and expended by the department of transportation 3223

for the purposes of planning, maintaining, repairing, and keeping 3224
in passable condition for travel the roads and highways of the 3225
state required by law to be maintained by the department; paying 3226
the costs apportioned to the state under section 4907.47 of the 3227
Revised Code; paying that portion of the construction cost of a 3228
highway project which a county, township, or municipal corporation 3229
normally would be required to pay, but which the director of 3230
transportation, pursuant to division (B) of section 5531.08 of the 3231
Revised Code, determines instead will be paid from moneys in the 3232
highway operating fund; and paying the costs of the department of 3233
public safety in administering and enforcing the state law 3234
relating to the registration and operation of motor vehicles. 3235

(2) The amount credited pursuant to division (A) of section 3236
5735.26 of the Revised Code shall be used for paying the state's 3237
share of the cost of planning, constructing, widening, 3238
maintaining, and reconstructing the state highways; paying that 3239
portion of the construction cost of a highway project which a 3240
county, township, or municipal corporation normally would be 3241
required to pay, but which the director of transportation, 3242
pursuant to division (B) of section 5531.08 of the Revised Code, 3243
determines instead will be paid from moneys in the highway 3244
operating fund; and also for supplying the state's share of the 3245
cost of eliminating railway grade crossings upon such highways and 3246
costs apportioned to the state under section 4907.47 of the 3247
Revised Code. The director of transportation may expend portions 3248
of such amount upon extensions of state highways within municipal 3249
corporations or upon portions of state highways within municipal 3250
corporations, as is provided by law. 3251

Sec. 5735.28. Wherever a municipal corporation is on the line 3252
of the state highway system as designated by the director of 3253
transportation as an extension or continuance of the state highway 3254

system, seven and one-half per cent of the amount paid to any 3255
municipal corporation pursuant to sections 4501.04, 5735.23, and 3256
5735.27 of the Revised Code shall be used by it only to construct, 3257
reconstruct, repave, widen, maintain, and repair such highways, to 3258
purchase, erect, and maintain traffic lights and signals, and to 3259
erect and maintain street and traffic signs and markers on such 3260
highways, or to pay principal, interest, and charges on bonds and 3261
other obligations issued pursuant to Chapter 133. of the Revised 3262
Code or incurred pursuant to section 5531.09 of the Revised Code 3263
for such purposes. 3264

Sec. 5735.29. To provide revenue for supplying the state's 3265
share of the cost of constructing, widening, maintaining, and 3266
reconstructing the state highways; to maintain and repair bridges 3267
and viaducts; to purchase, erect, and maintain street and traffic 3268
signs and markers; to purchase, erect, and maintain traffic lights 3269
and signals; to pay the expense of administering and enforcing the 3270
state law relative to the registration and operation of motor 3271
vehicles; to make road improvements associated with retaining or 3272
attracting business for this state, to pay that portion of the 3273
construction cost of a highway project which a county, township, 3274
or municipal corporation normally would be required to pay, but 3275
which the director of transportation, pursuant to division (B) of 3276
section 5531.08 of the Revised Code, determines instead will be 3277
paid from moneys in the highway operating fund; to provide revenue 3278
for the purposes of sections 1547.71 to 1547.78 of the Revised 3279
Code; and to supplement revenue already available for such 3280
purposes, to pay the expenses of the department of taxation 3281
incident to the administration of the motor fuel laws, to 3282
supplement revenue already available for such purposes; and to pay 3283
the interest, principal, and charges on highway obligations issued 3284
pursuant to Section 2i of Article VIII, Ohio Constitution, and 3285
sections 5528.30 and 5528.31 of the Revised Code; to enable the 3286

counties and townships of the state to properly plan, construct, 3287
widen, reconstruct, and maintain their public highways, roads, and 3288
streets; to enable counties to pay principal, interest, and 3289
charges on bonds and other obligations issued pursuant to Chapter 3290
133. of the Revised Code or incurred pursuant to section 5531.09 3291
of the Revised Code for highway improvements; to enable municipal 3292
corporations to plan, construct, reconstruct, repave, widen, 3293
maintain, repair, clear, and clean public highways, roads, and 3294
streets; to enable municipal corporations to pay the principal, 3295
interest, and charges on bonds and other obligations issued 3296
pursuant to Chapter 133. of the Revised Code or incurred pursuant 3297
to section 5531.09 of the Revised Code for highway improvements; 3298
and to pay the costs apportioned to the public under section 3299
4907.47 of the Revised Code, a motor fuel excise tax is hereby 3300
imposed on all motor fuel dealers upon their receipt of motor fuel 3301
within the state at the rate of two cents on each gallon so 3302
received; provided, that effective July 1, 2003, the motor fuel 3303
excise tax imposed by this section shall be at the rate of four 3304
cents on each gallon so received; effective July 1, 2004, the 3305
motor fuel excise tax imposed by this section shall be at the rate 3306
of six cents on each gallon so received; and, subject to section 3307
5735.292 of the Revised Code, effective July 1, 2005, the motor 3308
fuel excise tax imposed by this section shall be at the rate of 3309
eight cents on each gallon so received. This tax is subject to the 3310
specific exemptions set forth in this chapter of the Revised Code. 3311
It shall be reported, computed, paid, collected, administered, 3312
enforced, and refunded, and the failure properly and correctly to 3313
report and pay the tax shall be penalized, in exactly the same 3314
manner as is provided in this chapter. Such sections relating to 3315
motor fuel excise taxes are reenacted and incorporated as if 3316
specifically set forth in this section. The tax levied by this 3317
section is in addition to any other taxes imposed under this 3318
chapter. 3319

No municipal corporation, county, or township shall expend 3320
any revenues received from the tax levied by this section for any 3321
purpose other than one of the specific highway-related purposes 3322
stated in this section. In addition, each municipal corporation, 3323
county, or township shall use at least ninety per cent of all 3324
revenues received from the tax levied by this section to 3325
supplement, rather than supplant, other local funds used for 3326
highway-related purposes. 3327

Section 101.02. That existing sections 109.572, 4501.04, 3328
4501.26, 4503.02, 4503.26, 4503.40, 4503.42, 4508.06, 4509.27, 3329
4511.191, 4513.263, 4749.03, 4749.06, 4749.10, 4765.07, 4765.11, 3330
5503.04, 5513.04, 5525.01, 5525.10, 5525.15, 5531.09, 5531.10, 3331
5537.17, 5735.05, 5735.23, 5735.25, 5735.27, 5735.28, and 5735.29 3332
of the Revised Code are hereby repealed. 3333

Section 105.01. That sections 4501.12 and 4501.35 of the 3334
Revised Code are hereby repealed. 3335

Section 200.01. Except as otherwise provided, all 3336
appropriation items in this act are hereby appropriated out of any 3337
moneys in the state treasury to the credit of the designated fund, 3338
which are not otherwise appropriated. For all appropriations made 3339
in this act, the amounts in the first column are for fiscal year 3340
2006 and the amounts in the second column are for fiscal year 3341
2007. 3342

Section 203.03. DOT DEPARTMENT OF TRANSPORTATION 3343

FUND	TITLE	FY 2006	FY 2007	
	Transportation Planning and Research			3344
	Highway Operating Fund Group			3345
002 771-411	Planning and Research	\$ 19,000,000	\$ 19,112,000	3346
	- State			3347

002 771-412	Planning and Research	\$	40,000,000	\$	40,000,000	3348
	- Federal					
	TOTAL HOF Highway Operating					3349
	Fund Group	\$	59,000,000	\$	59,112,000	3350
	TOTAL ALL BUDGET FUND GROUPS -					3351
	Transportation Planning					3352
	and Research	\$	59,000,000	\$	59,112,000	3353
	Highway Construction					3354
	Highway Operating Fund Group					3355
002 772-421	Highway Construction -	\$	591,240,305	\$	584,969,730	3356
	State					
002 772-422	Highway Construction -	\$	1,021,500,000	\$	1,131,500,000	3357
	Federal					
002 772-424	Highway Construction -	\$	62,500,000	\$	53,500,000	3358
	Other					
214 770-401	Infrastructure Debt	\$	80,182,400	\$	105,129,400	3359
	Service - Federal					
214 772-434	Infrastructure Lease	\$	12,537,100	\$	12,536,000	3360
	Payments - Federal					
212 772-426	Highway Infrastructure	\$	1,500,000	\$	2,000,000	3361
	Bank - Federal					
212 772-427	Highway Infrastructure	\$	9,353,400	\$	12,853,400	3362
	Bank - State					
212 772-429	Highway Infrastructure	\$	12,500,000	\$	12,500,000	3363
	Bank - Local					
212 772-430	Infrastructure Debt	\$	1,500,000	\$	1,500,000	3364
	Reserve Title 23-49					
213 772-432	Roadway Infrastructure	\$	7,000,000	\$	7,000,000	3365
	Bank - Local					
	TOTAL HOF Highway Operating					3366
	Fund Group	\$	1,799,813,205	\$	1,923,488,530	3367
	Highway Capital Improvement Fund Group					3368

042	772-723	Highway Construction -	\$	220,000,000	\$	150,000,000	3369
		Bonds					
		Infrastructure Bank Obligations Fund Group					3370
045	772-428	Highway Infrastructure	\$	180,000,000	\$	160,000,000	3371
		Bank - Bonds					
TOTAL	045	Infrastructure Bank					3372
		Obligations Fund Group	\$	180,000,000	\$	160,000,000	3373
TOTAL ALL BUDGET FUND GROUPS -							3374
Highway Construction			\$	2,199,813,205	\$	2,233,488,530	3375
		Highway Maintenance					3376
		Highway Operating Fund Group					3377
002	773-431	Highway Maintenance -	\$	386,527,582	\$	393,313,472	3378
		State					
TOTAL HOF Highway Operating							3379
Fund Group			\$	386,527,582	\$	393,313,472	3380
							3381
TOTAL ALL BUDGET FUND GROUPS -							3382
Highway Maintenance			\$	386,527,582	\$	393,313,472	3383
		Public Transportation					3384
		Highway Operating Fund Group					3385
002	775-452	Public Transportation	\$	30,000,000	\$	30,365,000	3386
		- Federal					
002	775-454	Public Transportation	\$	1,500,000	\$	1,500,000	3387
		- Other					
002	775-459	Elderly and Disabled	\$	4,595,000	\$	4,595,000	3388
		Special Equipment -					
		Federal					
212	775-408	Transit Infrastructure	\$	2,500,000	\$	2,500,000	3389
		Bank - Local					
213	775-460	Transit Infrastructure	\$	1,000,000	\$	1,000,000	3390
		Bank - Local					
TOTAL HOF Highway Operating							3391

Fund Group	\$	39,595,000	\$	39,960,000	3392
TOTAL ALL BUDGET FUND GROUPS -					3393
Public Transportation	\$	39,595,000	\$	39,960,000	3394
Rail Transportation					3395
Highway Operating Fund Group					3396
002 776-462 Grade Crossings -	\$	15,000,000	\$	15,000,000	3397
Federal					
TOTAL HOF Highway Operating					3398
Fund Group	\$	15,000,000	\$	15,000,000	3399
TOTAL ALL BUDGET FUND GROUPS -					3400
Rail Transportation	\$	15,000,000	\$	15,000,000	3401
Aviation					3402
Highway Operating Fund Group					3403
002 777-472 Airport Improvements -	\$	405,000	\$	405,000	3404
Federal					
002 777-475 Aviation	\$	4,007,600	\$	4,046,900	3405
Administration					
213 777-477 Aviation	\$	3,000,000	\$	3,000,000	3406
Infrastructure Bank -					
State					
213 777-478 Aviation	\$	7,000,000	\$	7,000,000	3407
Infrastructure Bank -					
Local					
TOTAL HOF Highway Operating					3408
Fund Group	\$	14,412,600	\$	14,451,900	3409
TOTAL ALL BUDGET FUND GROUPS -					3410
Aviation	\$	14,412,600	\$	14,451,900	3411
Administration					3412
Highway Operating Fund Group					3413
002 779-491 Administration - State	\$	119,624,513	\$	121,057,898	3414
TOTAL HOF Highway Operating					3415
Fund Group	\$	119,624,513	\$	121,057,898	3416

TOTAL ALL BUDGET FUND GROUPS -			3417
Administration	\$ 119,624,513	\$ 121,057,898	3418
Debt Service			3419
Highway Operating Fund Group			3420
002 770-003 Administration - State	\$ 13,074,500	\$ 10,923,100	3421
- Debt Service			
TOTAL HOF Highway Operating			3422
Fund Group	\$ 13,074,500	\$ 10,923,100	3423
TOTAL ALL BUDGET FUND GROUPS -			3424
Debt Service	\$ 13,074,500	\$ 10,923,100	3425
TOTAL Department of Transportation			3426
TOTAL HOF Highway Operating			3427
Fund Group	\$ 2,447,047,400	\$ 2,577,306,900	3428
TOTAL 042 Highway Capital			3429
Improvement Fund Group	\$ 220,000,000	\$ 150,000,000	3430
TOTAL 045 Infrastructure Bank			3431
Obligations Fund Group	\$ 180,000,000	\$ 160,000,000	3432
TOTAL ALL BUDGET FUND GROUPS	\$ 2,847,047,400	\$ 2,887,306,900	3433

Section 203.03.03. ISSUANCE OF BONDS 3435

The Treasurer of State, upon the request of the Director of 3436
Transportation, is authorized to issue and sell, in accordance 3437
with Section 2m of Article VIII, Ohio Constitution, and Chapter 3438
151. and particularly sections 151.01 and 151.06 of the Revised 3439
Code, obligations, including bonds and notes, of the State of Ohio 3440
in the aggregate amount of \$360,000,000 in addition to the 3441
original issuance of obligations heretofore authorized by prior 3442
acts of the General Assembly. 3443

The obligations shall be dated, issued, and sold from time to 3444
time in such amounts as may be necessary to provide sufficient 3445
moneys to the credit of the Highway Capital Improvement Fund (Fund 3446
042) created by section 5528.53 of the Revised Code to pay costs 3447

charged to the fund when due as estimated by the Director of 3448
Transportation, provided, however, that such obligations shall be 3449
issued and sold at such time or times so that not more than 3450
\$220,000,000 original principal amount of obligations, plus the 3451
principal amount of obligations that in prior fiscal years could 3452
have been, but were not, issued within the \$220,000,000 limit, may 3453
be issued in any fiscal year, and not more than \$1,200,000,000 3454
original principal amount of such obligations are outstanding at 3455
any one time. 3456

Section 203.03.04. MAINTENANCE INTERSTATE HIGHWAYS 3457

The Director of Transportation may remove snow and ice and 3458
maintain, repair, improve, or provide lighting upon interstate 3459
highways that are located within the boundaries of municipal 3460
corporations, adequate to meet the requirements of federal law. 3461
When agreed in writing by the Director of Transportation and the 3462
legislative authority of a municipal corporation and 3463
notwithstanding sections 125.01 and 125.11 of the Revised Code, 3464
the Department of Transportation may reimburse the municipal 3465
corporation for all or any part of the costs, as provided by such 3466
agreement, incurred by the municipal corporation in maintaining, 3467
repairing, lighting, and removing snow and ice from the interstate 3468
system. 3469

Section 203.03.06. TRANSFER OF FUND 002 APPROPRIATIONS: 3470
PLANNING AND RESEARCH, HIGHWAY CONSTRUCTION, HIGHWAY MAINTENANCE, 3471
RAIL, AVIATION, AND ADMINISTRATION 3472

The Director of Budget and Management may approve requests 3473
from the Department of Transportation for transfer of Fund 002 3474
appropriations for highway planning and research (appropriation 3475
items 771-411 and 771-412), highway construction (appropriation 3476
items 772-421, 772-422, and 772-424), highway maintenance 3477

(appropriation item 773-431), rail grade crossings (appropriation
item 776-462), aviation (appropriation item 777-475), and
administration (appropriation item 779-491). Transfers of
appropriations may be made upon the written request of the
Director of Transportation and with the approval of the Director
of Budget and Management. The transfers shall be reported to the
Controlling Board at the next regularly scheduled meeting of the
board.

This transfer authority is intended to provide for emergency
situations and flexibility to meet unforeseen conditions that
could arise during the budget period. It also is intended to allow
the department to optimize the use of available resources and
adjust to circumstances affecting the obligation and expenditure
of federal funds.

TRANSFER OF APPROPRIATIONS: FEDERAL HIGHWAY AND FEDERAL
TRANSIT

The Director of Budget and Management may approve written
requests from the Director of Transportation for the transfer of
appropriations between appropriation items 772-422, Highway
Construction - Federal, and 775-452, Public Transportation -
Federal, based upon transit capital projects meeting Federal
Highway Administration and Federal Transit Administration funding
guidelines. The transfers shall be reported to the Controlling
Board at its next regularly scheduled meeting.

TRANSFER OF APPROPRIATIONS: STATE INFRASTRUCTURE BANK

The Director of Budget and Management may approve requests
from the Department of Transportation for transfer of
appropriations and cash of the Infrastructure Bank funds created
in section 5531.09 of the Revised Code, including transfers
between fiscal years 2006 and 2007. The transfers shall be

reported to the Controlling Board at its next regularly scheduled 3508
meeting. However, the director may not make transfers out of debt 3509
service and lease payment appropriation items unless the director 3510
determines that the appropriated amounts exceed the actual and 3511
projected debt, rental, or lease payments. 3512

Should the appropriation and any reappropriations from prior 3513
years in appropriation item 770-401, Infrastructure Debt Service - 3514
Federal, and appropriation item 772-434, Infrastructure Lease 3515
Payments - Federal, exceed the actual and projected debt, rental, 3516
or lease payments for fiscal year 2006 or 2007, then prior to June 3517
30, 2007, the balance may be transferred to appropriation item 3518
772-422 upon the written request of the Director of Transportation 3519
and with the approval of the Director of Budget and Management. 3520
The transfer shall be reported to the Controlling Board at its 3521
next regularly scheduled meeting. 3522

The Director of Budget and Management may approve requests 3523
from the Department of Transportation for transfer of 3524
appropriations and cash from the Highway Operating Fund (Fund 002) 3525
to the Infrastructure Bank funds created in section 5531.09 of the 3526
Revised Code. The Director of Budget and Management may transfer 3527
from the Infrastructure Bank funds to the Highway Operating Fund 3528
up to the amounts originally transferred to the Infrastructure 3529
Bank funds under this section. However, the director may not make 3530
transfers between modes and transfers between different funding 3531
sources. The transfers shall be reported to the Controlling Board 3532
at its next regularly scheduled meeting. 3533

INCREASE APPROPRIATION AUTHORITY: STATE FUNDS 3534

In the event that receipts or unexpended balances credited to 3535
the Highway Operating Fund exceed the estimates upon which the 3536
appropriations have been made in this act, upon the request of the 3537
Director of Transportation, the Controlling Board may increase 3538

appropriation authority in the manner prescribed in section 131.35 3539
of the Revised Code. 3540

INCREASE APPROPRIATION AUTHORITY: FEDERAL AND LOCAL FUNDS 3541

In the event that receipts or unexpended balances credited to 3542
the Highway Operating Fund or apportionments or allocations made 3543
available from the federal and local government exceed the 3544
estimates upon which the appropriations have been made in this 3545
act, upon the request of the Director of Transportation, the 3546
Controlling Board may increase appropriation authority in the 3547
manner prescribed in section 131.35 of the Revised Code. 3548

REAPPROPRIATIONS 3549

All appropriations of the Highway Operating Fund (Fund 002), 3550
the Highway Capital Improvement Fund (Fund 042), and the 3551
Infrastructure Bank funds created in section 5531.09 of the 3552
Revised Code remaining unencumbered on June 30, 2005, are hereby 3553
reappropriated for the same purpose in fiscal year 2006. 3554

All appropriations of the Highway Operating Fund (Fund 002), 3555
the Highway Capital Improvement Fund (Fund 042), and the 3556
Infrastructure Bank funds created in section 5531.09 of the 3557
Revised Code remaining unencumbered on June 30, 2006, are hereby 3558
reappropriated for the same purpose in fiscal year 2007. 3559

Any balances of prior years' appropriations to the Highway 3560
Operating Fund (Fund 002), the Highway Capital Improvement Fund 3561
(Fund 042), and the Infrastructure Bank funds created in section 3562
5531.09 of the Revised Code that are unencumbered on June 30, 3563
2005, subject to the availability of revenue as determined by the 3564
Director of Transportation, are hereby reappropriated for the same 3565
purpose in fiscal year 2006 upon the request of the Director of 3566
Transportation and with the approval of the Director of Budget and 3567
Management. The reappropriations shall be reported to the 3568

Controlling Board.	3569
Any balances of prior years' appropriations to the Highway	3570
Operating Fund (Fund 002), the Highway Capital Improvement Fund	3571
(Fund 042), and the Infrastructure Bank funds created in section	3572
5531.09 of the Revised Code that are unencumbered on June 30,	3573
2006, subject to the availability of revenue as determined by the	3574
Director of Transportation, are hereby reappropriated for the same	3575
purpose in fiscal year 2007 upon the request of the Director of	3576
Transportation and with the approval of the Director of Budget and	3577
Management. The reappropriations shall be reported to the	3578
Controlling Board.	3579
Section 203.03.09. PUBLIC ACCESS ROADS FOR STATE FACILITIES	3580
Of the foregoing appropriation item 772-421, Highway	3581
Construction - State, \$4,517,500 shall be used each fiscal year	3582
during the fiscal year 2006-2007 biennium by the Department of	3583
Transportation for the construction, reconstruction, or	3584
maintenance of public access roads, including support features, to	3585
and within state facilities owned or operated by the Department of	3586
Natural Resources, as requested by the Director of Natural	3587
Resources.	3588
Notwithstanding section 5511.06 of the Revised Code, of the	3589
foregoing appropriation item 772-421, Highway Construction -	3590
State, \$2,228,000 in each fiscal year of the fiscal year 2006-2007	3591
biennium shall be used by the Department of Transportation for the	3592
construction, reconstruction, or maintenance of park drives or	3593
park roads within the boundaries of metropolitan parks.	3594
Included in the foregoing appropriation item 772-421, Highway	3595
Construction - State, the department may perform related road work	3596
on behalf of the Ohio Expositions Commission at the state	3597
fairgrounds, including reconstruction or maintenance of public	3598

access roads and support features, to and within fairground 3599
facilities as requested by the commission and approved by the 3600
Director of Transportation. 3601

LIQUIDATION OF UNFORESEEN LIABILITIES 3602

Any appropriation made to the Department of Transportation, 3603
Highway Operating Fund, not otherwise restricted by law, is 3604
available to liquidate unforeseen liabilities arising from 3605
contractual agreements of prior years when the prior year 3606
encumbrance is insufficient. 3607

Section 203.03.12. RENTAL PAYMENTS - OBA 3608

The foregoing appropriation item 770-003, Administration - 3609
State - Debt Service, shall be used to pay rent to the Ohio 3610
Building Authority for various capital facilities to be 3611
constructed, reconstructed, or rehabilitated for the use of the 3612
Department of Transportation, including the department's plant and 3613
facilities at its central office, field districts, and county and 3614
outpost locations. The rental payments shall be made from revenues 3615
received from the motor vehicle fuel tax. The amounts of any bonds 3616
and notes to finance such capital facilities shall be at the 3617
request of the Director of Transportation. Notwithstanding section 3618
152.24 of the Revised Code, the Ohio Building Authority may, with 3619
approval of the Office of Budget and Management, lease capital 3620
facilities to the Department of Transportation. 3621

The Director of Transportation shall hold title to any land 3622
purchased and any resulting structures that are attributable to 3623
appropriation item 770-003. Notwithstanding section 152.18 of the 3624
Revised Code, the Director of Transportation shall administer any 3625
purchase of land and any contract for construction, 3626
reconstruction, and rehabilitation of facilities as a result of 3627
this appropriation. 3628

Should the appropriation and any reappropriations from prior 3629
years in appropriation item 770-003 exceed the rental payments for 3630
fiscal year 2006 or 2007, then prior to June 30, 2007, the balance 3631
may be transferred to appropriation item 772-421, 773-431, or 3632
779-491 upon the written request of the Director of Transportation 3633
and with the approval of the Director of Budget and Management. 3634
The transfer shall be reported to the Controlling Board at its 3635
next regularly scheduled meeting. 3636

Section 203.03.15. PUBLIC TRANSPORTATION HIGHWAY PURPOSE 3637
GRANTS 3638

The Director of Transportation may use revenues from the 3639
state motor vehicle fuel tax to match approved federal grants 3640
awarded to the Department of Transportation, regional transit 3641
authorities, or eligible public transportation systems, for public 3642
transportation highway purposes, or to support local or state 3643
funded projects for public transportation highway purposes. Public 3644
transportation highway purposes include: the construction or 3645
repair of high-occupancy vehicle traffic lanes, the acquisition or 3646
construction of park-and-ride facilities, the acquisition or 3647
construction of public transportation vehicle loops, the 3648
construction or repair of bridges used by public transportation 3649
vehicles or that are the responsibility of a regional transit 3650
authority or other public transportation system, or other similar 3651
construction that is designated as an eligible public 3652
transportation highway purpose. Motor vehicle fuel tax revenues 3653
may not be used for operating assistance or for the purchase of 3654
vehicles, equipment, or maintenance facilities. 3655

Section 203.06. DHS DEPARTMENT OF PUBLIC SAFETY 3656
Highway Safety Information and Education 3657
State Highway Safety Fund Group 3658

036	761-321	Operating Expense - Information and Education	\$	4,136,747	\$	4,307,198	3659
036	761-402	Traffic Safety Match	\$	277,137	\$	277,137	3660
831	761-610	Information and Education - Federal	\$	468,982	\$	468,982	3661
832	761-612	Traffic Safety-Federal	\$	16,577,565	\$	16,577,565	3662
846	761-625	Motorcycle Safety Education	\$	2,299,204	\$	2,391,172	3663
TOTAL HSF State Highway Safety							3664
Fund Group			\$	23,759,635	\$	24,022,054	3665
Agency Fund Group							3666
5J9	761-678	Federal Salvage/GSA	\$	100,000	\$	100,000	3667
TOTAL AGY Agency			\$	100,000	\$	100,000	3668
TOTAL ALL BUDGET FUND GROUPS -							3669
Highway Safety Information							3670
and Education			\$	23,859,635	\$	24,122,054	3671

FEDERAL HIGHWAY SAFETY PROGRAM MATCH 3672

The foregoing appropriation item 761-402, Traffic Safety 3673
 Match, shall be used to provide the nonfederal portion of the 3674
 federal Highway Safety Program. Upon request by the Director of 3675
 Public Safety and approval by the Director of Budget and 3676
 Management, appropriation item 761-402 shall be used to transfer 3677
 cash from the Highway Safety Fund to the Traffic Safety - Federal 3678
 Fund (Fund 832) at the beginning of each fiscal year on an 3679
 intrastate transfer voucher. 3680

FILM PRODUCTION REIMBURSEMENT FUND 3681

On July 1, 2005, or as soon as possible thereafter, the 3682
 Director of Budget and Management shall transfer the cash balance 3683
 in the Film Production Reimbursement Fund (Fund 847) to the 3684
 Highway Safety Fund (Fund 036) created in section 4501.06 of the 3685
 Revised Code. Upon completion of the transfer, notwithstanding any 3686

other provision of law to the contrary, the Film Production Reimbursement Fund (Fund 847) is abolished. 3687
3688

Section 203.06.03. BUREAU OF MOTOR VEHICLES 3689

State Special Revenue Fund Group 3690

539 762-614 Motor Vehicle Dealers \$ 239,902 \$ 239,902 3691
Board

TOTAL SSR State Special Revenue 3692

Fund Group \$ 239,902 \$ 239,902 3693

State Highway Safety Fund Group 3694

4W4 762-321 Operating Expense-BMV \$ 77,257,480 \$ 73,702,629 3695

4W4 762-410 Registrations \$ 32,480,610 \$ 32,480,610 3696
Supplement

5V1 762-682 License Plate \$ 2,388,568 \$ 2,388,568 3697
Contributions

83R 762-639 Local Immobilization \$ 850,000 \$ 850,000 3698
Reimbursement

835 762-616 Financial \$ 6,551,535 \$ 6,551,535 3699
Responsibility
Compliance

849 762-627 Automated Title \$ 12,818,675 \$ 13,146,218 3700
Processing Board

TOTAL HSF State Highway Safety 3701

Fund Group \$ 132,346,868 \$ 129,119,560 3702

TOTAL ALL BUDGET FUND GROUPS - 3703

Bureau of Motor Vehicles \$ 132,586,770 \$ 129,359,462 3704

MOTOR VEHICLE REGISTRATION 3705

The Registrar of Motor Vehicles may deposit revenues to meet 3706

the cash needs of the State Bureau of Motor Vehicles Fund (Fund 3707

4W4) established in section 4501.25 of the Revised Code, obtained 3708

under sections 4503.02 and 4504.02 of the Revised Code, less all 3709

other available cash. Revenue deposited pursuant to this section 3710
shall support, in part, appropriations for operating expenses and 3711
defray the cost of manufacturing and distributing license plates 3712
and license plate stickers and enforcing the law relative to the 3713
operation and registration of motor vehicles. Notwithstanding 3714
section 4501.03 of the Revised Code, the revenues shall be paid 3715
into the State Bureau of Motor Vehicles Fund before any revenues 3716
obtained pursuant to sections 4503.02 and 4504.02 of the Revised 3717
Code are paid into any other fund. The deposit of revenues to meet 3718
the aforementioned cash needs shall be in approximate equal 3719
amounts on a monthly basis or as otherwise determined by the 3720
Director of Budget and Management pursuant to a plan submitted by 3721
the Registrar of Motor Vehicles. 3722

CAPITAL PROJECTS 3723

The Registrar of Motor Vehicles may transfer cash from the 3724
State Bureau of Motor Vehicles Fund (Fund 4W4) to the State 3725
Highway Safety Fund (Fund 036) to meet its obligations for capital 3726
projects CIR-047, Department of Public Safety Office Building, 3727
CIR-049, Warehouse Facility, and CAP-070, Canton One Stop Shop. 3728

TRANSFER OF INTEREST FROM FUND R52, SECURITY DEPOSIT FUND 3729

On July 1, 2005, or as soon as possible thereafter, the 3730
Director of Budget and Management shall transfer all interest 3731
credited to the Security Deposit Fund (Fund R52) since the fund 3732
was created to the Bureau of Motor Vehicles Fund (Fund 4W4) for 3733
the purpose of offsetting operating expenses related to motor 3734
vehicle registration. 3735

Section 203.06.06. ENFORCEMENT 3736

State Highway Safety Fund Group 3737
036 764-033 Minor Capital Projects \$ 1,250,000 \$ 1,250,000 3738
036 764-321 Operating Expense - \$ 229,293,561 \$ 237,364,988 3739

	Highway Patrol				
036 764-605	Motor Carrier	\$	2,643,022	\$	2,670,911
	Enforcement Expenses				3740
5AY 764-688	Traffic Safety	\$	3,082,962	\$	1,999,437
	Operating				3741
83C 764-630	Contraband,	\$	622,894	\$	622,894
	Forfeiture, Other				3742
83F 764-657	Law Enforcement	\$	7,324,524	\$	7,544,260
	Automated Data System				3743
83G 764-633	OMVI Fines	\$	820,927	\$	820,927
831 764-610	Patrol - Federal	\$	2,430,950	\$	2,455,484
831 764-659	Transportation	\$	4,880,671	\$	5,027,091
	Enforcement - Federal				3746
837 764-602	Turnpike Policing	\$	9,942,621	\$	10,240,900
838 764-606	Patrol Reimbursement	\$	222,108	\$	222,108
840 764-607	State Fair Security	\$	1,496,283	\$	1,496,283
840 764-617	Security and	\$	8,145,192	\$	8,145,192
	Investigations				3750
840 764-626	State Fairgrounds	\$	788,375	\$	788,375
	Police Force				3751
841 764-603	Salvage and Exchange -	\$	1,305,954	\$	1,339,399
	Highway Patrol				3752
TOTAL HSF	State Highway Safety				3753
Fund Group		\$	274,250,044	\$	281,988,249
					3754
	General Services Fund Group				3755
4S2 764-660	MARCS Maintenance	\$	252,432	\$	262,186
TOTAL GSF	General Services				3756
Fund Group		\$	252,432	\$	262,186
					3757
TOTAL ALL BUDGET FUND GROUPS -					3758
Enforcement		\$	274,502,476	\$	282,250,435
					3759
	COLLECTIVE BARGAINING INCREASES				3760
	Notwithstanding division (D) of section 127.14 and division				3761
					3762

(B) of section 131.35 of the Revised Code, except for the General Revenue Fund, the Controlling Board may, upon the request of either the Director of Budget and Management, or the Department of Public Safety with the approval of the Director of Budget and Management, increase appropriations for any fund, as necessary for the Department of Public Safety, to assist in paying the costs of increases in employee compensation that have occurred pursuant to collective bargaining agreements under Chapter 4117. of the Revised Code and, for exempt employees, under section 124.152 of the Revised Code.

Section 203.06.09. EMERGENCY MEDICAL SERVICES

State Highway Safety Fund Group					3774
83M 765-624 Operating Expenses -	\$	9,354,361	\$	9,354,361	3775
EMS					
831 765-610 EMS/Federal	\$	582,007	\$	582,007	3776
TOTAL HSF State Highway Safety Fund Group	\$	9,936,368	\$	9,936,368	3778
TOTAL ALL BUDGET FUND GROUPS -					3779
Emergency Medical Services	\$	9,936,368	\$	9,936,368	3780

EMERGENCY MEDICAL SERVICES FUND

On July 1, 2005, or as soon as possible thereafter, the Director of Budget and Management shall cancel any existing encumbrances against appropriation items 761-611, Elementary School Seat Belt Program, 761-613, Seat Belt Education Program, and 765-637, EMS Grants, and re-establish them against appropriation item 765-624, Operating Expenses - EMS. The Director shall also transfer any remaining cash balances from Fund 83N, Seat Belt Education Fund, Fund 83P, Trauma and Emergency Medical Services Grant Fund, and Fund 844, Elementary School Program Fund, to Fund 83M, Emergency Medical Services Fund.

Section 203.06.12. INVESTIGATIVE UNIT				3792
State Highway Safety Fund Group				3793
831 767-610 Liquor Enforcement - Federal	\$	514,184	\$ 514,184	3794
831 769-610 Food Stamp Trafficking Enforcement - Federal	\$	992,920	\$ 1,032,135	3795
TOTAL HSF State Highway Safety Fund Group	\$	1,507,104	\$ 1,546,319	3796
Liquor Control Fund Group				3798
043 767-321 Liquor Enforcement - Operations	\$	10,120,365	\$ 10,423,976	3799
TOTAL LCF Liquor Control Fund Group	\$	10,120,365	\$ 10,423,976	3800
State Special Revenue Fund Group				3802
622 767-615 Investigative Contraband and Forfeiture	\$	404,111	\$ 404,111	3803
850 767-628 Investigative Unit Salvage	\$	120,000	\$ 120,000	3804
TOTAL SSR State Special Revenue Fund Group	\$	524,111	\$ 524,111	3805
TOTAL ALL BUDGET FUND GROUPS - Special Enforcement	\$	12,151,580	\$ 12,494,406	3806
LEASE RENTAL PAYMENTS FOR CAP-076, INVESTIGATIVE UNIT MARCS EQUIPMENT				3807
The Director of Public Safety, using intrastate transfer vouchers, shall make cash transfers to the State Highway Safety Fund (Fund 036) from other funds to reimburse the State Highway Safety Fund for the share of lease rental payments to the Ohio Building Authority that are associated with appropriation item				3808
				3809
				3810
				3811
				3812
				3813
				3814
				3815

CAP-076, Investigative Unit MARCS Equipment.				3816
Section 203.06.15. EMERGENCY MANAGEMENT				3817
Federal Special Revenue Fund Group				3818
3N5 763-644 U.S. DOE Agreement	\$	275,000	\$ 275,000	3819
329 763-645 Federal Mitigation Program	\$	303,504	\$ 303,504	3820
337 763-609 Federal Disaster Relief	\$	27,269,140	\$ 27,280,000	3821
339 763-647 Emergency Management Assistance and Training	\$	129,622,000	\$ 129,622,000	3822
TOTAL FED Federal Special Revenue Fund Group	\$	157,469,644	\$ 157,480,504	3823
State Special Revenue Fund Group				3825
4V3 763-662 EMA Service and Reimbursement	\$	696,446	\$ 696,446	3826
657 763-652 Utility Radiological Safety	\$	1,260,000	\$ 1,260,000	3827
681 763-653 SARA Title III HAZMAT Planning	\$	271,510	\$ 271,510	3828
TOTAL SSR State Special Revenue Fund Group	\$	2,227,956	\$ 2,227,956	3829
TOTAL ALL BUDGET FUND GROUPS - Emergency Management	\$	159,697,600	\$ 159,708,460	3831
FEDERAL MITIGATION PROGRAM				3832
The fund created by the Controlling Board known as the Disaster Relief Fund is now the Federal Mitigation Program Fund, and shall be used to plan and mitigate against future disaster costs.				3833
STATE DISASTER RELIEF				3838

The appropriation item 763-601, State Disaster Relief, may accept transfers of cash and appropriations from Controlling Board appropriation items to reimburse eligible local governments and private nonprofit organizations for costs related to disasters that have been declared by local governments or the Governor. The Ohio Emergency Management Agency shall publish and make available an application packet outlining eligible items and application procedures for entities requesting state disaster relief.

Individuals may be eligible for reimbursement of costs related to disasters that have been declared by the Governor and the Small Business Administration. The funding in appropriation item 763-601, State Disaster Relief, shall be used in accordance with the principles of the federal Individual and Family Grant Program, which provides grants to households that have been affected by a disaster to replace basic living items. The Ohio Emergency Management Agency shall publish and make available an application procedure for individuals requesting assistance under the state Individual Assistance Program.

SARA TITLE III HAZMAT PLANNING

The SARA Title III HAZMAT Planning Fund (Fund 681) is entitled to receive grant funds from the Emergency Response Commission to implement the Emergency Management Agency's responsibilities under Chapter 3750. of the Revised Code.

Section 203.06.18. ADMINISTRATION

State Highway Safety Fund Group				3863
036 766-321 Operating Expense -	\$	4,461,836	\$ 4,461,836	3864
Administration				
830 761-603 Salvage and Exchange -	\$	22,070	\$ 22,070	3865
Administration				
TOTAL HSF State Highway Safety				3866

Fund Group	\$	4,483,906	\$	4,483,906	3867
General Services Fund Group					3868
4S3 766-661 Hilltop Utility	\$	500,000	\$	500,000	3869
Reimbursement					
TOTAL GSF General Services					3870
Fund Group	\$	500,000	\$	500,000	3871
TOTAL ALL BUDGET FUND GROUPS -					3872
Administration	\$	4,983,906	\$	4,983,906	3873

Section 203.06.21. DEBT SERVICE 3875

State Highway Safety Fund Group					3876
036 761-401 Lease Rental Payments	\$	13,387,100	\$	14,407,000	3877
TOTAL HSF State Highway Safety					3878
Fund Group	\$	13,387,100	\$	14,407,000	3879
TOTAL ALL BUDGET FUND GROUPS -					3880
Debt Service	\$	13,387,100	\$	14,407,000	3881

OBA BOND AUTHORITY/LEASE RENTAL PAYMENTS 3882

The foregoing appropriation item 761-401, Lease Rental 3883
 Payments, shall be used for payments to the Ohio Building 3884
 Authority for the period July 1, 2005, to June 30, 2007, under the 3885
 primary leases and agreements for buildings made under Chapter 3886
 152. of the Revised Code that are pledged for bond service charges 3887
 on related obligations issued under Chapter 152. of the Revised 3888
 Code. Notwithstanding section 152.24 of the Revised Code, the Ohio 3889
 Building Authority may, with approval of the Director of Budget 3890
 and Management, lease capital facilities to the Department of 3891
 Public Safety. 3892

HILLTOP TRANSFER 3893

The Director of Public Safety shall determine, per an 3894
 agreement with the Director of Transportation, the share of each 3895
 debt service payment made out of appropriation item 761-401, Lease 3896

Rental Payments, that relates to the Department of 3897
Transportation's portion of the Hilltop Building Project, and 3898
shall certify to the Director of Budget and Management the amounts 3899
of this share. The Director of Budget and Management shall 3900
transfer the amounts of such shares from the Highway Operating 3901
Fund (Fund 002) to the Highway Safety Fund (Fund 036). 3902

Section 203.06.24. REVENUE DISTRIBUTION 3903

Holding Account Redistribution Fund Group 3904
R24 762-619 Unidentified Public \$ 1,885,000 \$ 1,885,000 3905
Safety Receipts
R52 762-623 Security Deposits \$ 250,000 \$ 250,000 3906
TOTAL 090 Holding Account 3907
Redistribution Fund Group \$ 2,135,000 \$ 2,135,000 3908
TOTAL ALL BUDGET FUND GROUPS - 3909
Revenue Distribution \$ 2,135,000 \$ 2,135,000 3910

TRANSFER OF CASH BALANCE FROM FUND R27, HIGHWAY PATROL FEE 3911
REFUND FUND 3912

On July 1, 2005, or as soon as possible thereafter, the 3913
Director of Budget and Management shall transfer the cash balance 3914
in the Highway Patrol Fee Refund Fund (Fund R27) created in former 3915
section 4501.12 of the Revised Code to the Unidentified Public 3916
Safety Receipts Fund (Fund R24). 3917

TOTAL Department of Public Safety 3918
TOTAL HSF State Highway Safety 3919
Fund Group \$ 459,671,025 \$ 465,503,456 3920
TOTAL SSR State Special Revenue 3921
Fund Group \$ 2,295,523 \$ 1,106,807 3922
TOTAL LCF Liquor Control 3923
Fund Group \$ 10,120,365 \$ 10,423,976 3924
TOTAL GSF General Services 3925
Fund Group \$ 1,448,878 \$ 1,458,632 3926

TOTAL FED Federal Revenue Special				3927	
Fund Group	\$	157,469,644	\$	157,480,504	3928
TOTAL AGY Agency Fund Group	\$	100,000	\$	100,000	3929
TOTAL 090 Holding Account				3930	
Redistribution					
Fund Group	\$	2,135,000	\$	2,135,000	3931
TOTAL ALL BUDGET FUND GROUPS	\$	632,051,719	\$	638,208,375	3932

Section 203.06.27. CASH BALANCE FUND REVIEW 3934

Not later than the first day of April in each fiscal year of 3935
the biennium, the Director of Budget and Management shall review 3936
the cash balances for each fund, except the State Highway Safety 3937
Fund (Fund 036) and the Bureau of Motor Vehicles Fund (Fund 4W4), 3938
in the State Highway Safety Fund Group, and shall recommend to the 3939
Controlling Board an amount to be transferred to the credit of the 3940
State Highway Safety Fund or the Bureau of Motor Vehicles Fund, as 3941
appropriate. 3942

SCHEDULE OF TRANSFERS TO THE STATE HIGHWAY SAFETY FUND 3943

The Director of Budget and Management, under a plan submitted 3944
by the Department of Public Safety or as otherwise determined by 3945
the Director, shall set a cash transfer schedule totaling 3946
\$57,181,700 in fiscal year 2006 and \$38,502,400 in fiscal year 3947
2007 from the Highway Operating Fund, created in section 5735.291 3948
of the Revised Code, to the State Highway Safety Fund, created in 3949
section 4501.06 of the Revised Code. The director shall transfer 3950
the cash at such times as is determined by the transfer schedule. 3951

MONTHLY TRANSFERS TO GASOLINE EXCISE TAX FUND 3952

The Director of Budget and Management shall transfer cash in 3953
equal monthly increments totaling \$133,424,000 in fiscal year 2006 3954
and in equal monthly increments totaling \$154,009,400 in fiscal 3955
year 2007 from the Highway Operating Fund, created in section 3956

5735.291 of the Revised Code, to the Gasoline Excise Tax Fund 3957
created in division (A) of section 5735.27 of the Revised Code. 3958
The monthly amounts transferred under this section shall be 3959
distributed as follows: 42.86 per cent shall be distributed among 3960
the municipal corporations within the state under division (A)(2) 3961
of section 5735.27 of the Revised Code; 37.14 per cent shall be 3962
distributed among the counties within the state under division 3963
(A)(3) of section 5735.27 of the Revised Code; and 20 per cent 3964
shall be distributed among the townships within the state under 3965
division (A)(5)(b) of section 5735.27 of the Revised Code. 3966

Section 203.09. DEV DEPARTMENT OF DEVELOPMENT 3967

Highway Operating Fund Group 3968
4W0 195-629 Roadwork Development \$ 12,699,900 \$ 12,699,900 3969
TOTAL HOF Highway Operating 3970
Fund Group \$ 12,699,900 \$ 12,699,900 3971
TOTAL ALL BUDGET FUND GROUPS \$ 12,699,900 \$ 12,699,900 3972

ROADWORK DEVELOPMENT FUND 3973

The Roadwork Development Fund shall be used for road 3974
improvements associated with economic development opportunities 3975
that will retain or attract businesses for Ohio. "Road 3976
improvements" are improvements to public roadway facilities 3977
located on, or serving or capable of serving, a project site. 3978

The Department of Transportation, under the direction of the 3979
Department of Development, shall provide these funds in accordance 3980
with all guidelines and requirements established for Department of 3981
Development appropriation item 195-412, Business Development, 3982
including Controlling Board review and approval as well as the 3983
requirements for usage of gas tax revenue prescribed in Section 5a 3984
of Article XII, Ohio Constitution. Should the Department of 3985
Development require the assistance of the Department of 3986

Transportation to bring a project to completion, the Department of 3987
 Transportation shall use its authority under Title LV of the 3988
 Revised Code to provide such assistance and enter into contracts 3989
 on behalf of the Department of Development. In addition, these 3990
 funds may be used in conjunction with appropriation item 195-412, 3991
 Business Development, or any other state funds appropriated for 3992
 infrastructure improvements. 3993

The Director of Budget and Management, pursuant to a plan 3994
 submitted by the Department of Development or as otherwise 3995
 determined by the Director of Budget and Management, shall set a 3996
 cash transfer schedule to meet the cash needs of the Department of 3997
 Development's Roadwork Development Fund (Fund 4W0), less any other 3998
 available cash. The director shall transfer to the Roadwork 3999
 Development Fund from the Highway Operating Fund (Fund 002), 4000
 established in section 5735.291 of the Revised Code, such amounts 4001
 at such times as determined by the transfer schedule. 4002

Section 203.12. PWC PUBLIC WORKS COMMISSION 4003

Local Transportation Improvements Fund Group 4004

052 150-402 LTIP - Operating	\$	294,245	\$	306,509	4005
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052 150-701 Local Transportation	\$	66,000,000	\$	66,000,000	4006
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Improvement Program

TOTAL 052 Local Transportation 4007

Improvements Fund Group	\$	66,294,245	\$	66,306,509	4008
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Local Infrastructure Improvements Fund Group 4009

038 150-321 SCIP - Operating	\$	891,324	\$	919,397	4010
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Expenses

TOTAL LIF Local Infrastructure 4011

Improvements Fund Group	\$	891,324	\$	919,397	4012
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TOTAL ALL BUDGET FUND GROUPS	\$	67,185,569	\$	67,225,906	4013
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DISTRICT ADMINISTRATION COSTS 4014

The Director of the Public Works Commission is authorized to 4015
create a District Administration Costs Program from interest 4016
earnings of the Capital Improvements Fund and Local Transportation 4017
Improvement Program Fund proceeds. The program shall be used to 4018
provide for the direct costs of district administration of the 4019
nineteen public works districts. Districts choosing to participate 4020
in the program shall only expend Capital Improvements Fund moneys 4021
for Capital Improvements Fund costs and Local Transportation 4022
Improvement Program Fund moneys for Local Transportation 4023
Improvement Program Fund costs. The account shall not exceed 4024
\$760,000 per fiscal year. Each public works district may be 4025
eligible for up to \$40,000 per fiscal year from its district 4026
allocation as provided in sections 164.08 and 164.14 of the 4027
Revised Code. 4028

The director, by rule, shall define allowable and 4029
nonallowable costs for the purpose of the District Administration 4030
Costs Program. Nonallowable costs include indirect costs, elected 4031
official salaries and benefits, and project-specific costs. No 4032
district public works committee may participate in the District 4033
Administration Costs Program without the approval of those costs 4034
by the district public works committee under section 164.04 of the 4035
Revised Code. 4036

REAPPROPRIATIONS 4037

All capital appropriations from the Local Transportation 4038
Improvement Program Fund (Fund 052) in Am. Sub. H.B. 87 of the 4039
125th General Assembly remaining unencumbered as of June 30, 2005, 4040
are reappropriated for use during the period July 1, 2005, through 4041
June 30, 2006, for the same purpose. 4042

Notwithstanding division (B) of section 127.14 of the Revised 4043
Code, all capital appropriations and reappropriations from the 4044
Local Transportation Improvement Program Fund (Fund 052) in this 4045

act remaining unencumbered as of June 30, 2006, are reappropriated 4046
for use during the period July 1, 2006, through June 30, 2007, for 4047
the same purposes, subject to the availability of revenue as 4048
determined by the Director of the Public Works Commission. 4049

Section 303.03. PROVISIONS OF LAW GENERALLY APPLICABLE TO 4050
APPROPRIATIONS 4051

Law contained in the main operating appropriations act of the 4052
126th General Assembly that is generally applicable to the 4053
appropriations made in the main operating appropriations act also 4054
is generally applicable to the appropriations made in this act. 4055

Section 303.06. LEASE PAYMENTS TO OBA AND TREASURER 4056

Certain appropriations are in this act for the purpose of 4057
lease payments to the Ohio Building Authority or to the Treasurer 4058
of State under leases and agreements relating to bonds or notes 4059
issued by the Ohio Building Authority or the Treasurer of State 4060
under the Ohio Constitution and acts of the General Assembly. If 4061
it is determined that additional appropriations are necessary for 4062
this purpose, such amounts are hereby appropriated. 4063

Section 606.03. If any item of law that constitutes the whole 4064
or part of a codified or uncodified section of law contained in 4065
this act, or if any application of any item of law that 4066
constitutes the whole or part of a codified or uncodified section 4067
of law contained in this act, is held invalid, the invalidity does 4068
not affect other items of law or applications of items of law that 4069
can be given effect without the invalid item of law or 4070
application. To this end, the items of law of which the codified 4071
and uncodified sections contained in this act are composed, and 4072
their applications, are independent and severable. 4073

Section 612.03. Except as otherwise specifically provided in 4074
this act, the codified sections of law amended or enacted in this 4075
act, and the items of law of which the codified sections of law 4076
amended or enacted in this act are composed, are subject to the 4077
referendum. Therefore, under Ohio Constitution, Article II, 4078
Section 1c and section 1.471 of the Revised Code, the codified 4079
sections of law amended or enacted by this act, and the items of 4080
law of which the codified sections of law as amended or enacted by 4081
this act are composed, take effect on the ninety-first day after 4082
this act is filed with the Secretary of State. If, however, a 4083
referendum petition is filed against any such codified section of 4084
law as amended or enacted by this act, or against any item of law 4085
of which any such codified section of law as amended or enacted by 4086
this act is composed, the codified section of law as amended or 4087
enacted, or item of law, unless rejected at the referendum, takes 4088
effect at the earliest time permitted by law. 4089

Section 612.06. Sections 4511.191, 4765.07, 4765.11, and 4090
5503.04 of the Revised Code, as amended or enacted by this act, 4091
and the items of law of which such sections as amended or enacted 4092
by this act are composed, are not subject to the referendum. 4093
Therefore, under Ohio Constitution, Article II, Section 1d and 4094
section 1.471 of the Revised Code, such sections as amended or 4095
enacted by this act, and the items of law of which such sections 4096
as amended or enacted by this act are composed, go into immediate 4097
effect when this act becomes law. 4098

Section 612.09. Sections 109.572, 4501.26, 4503.26, 4503.40, 4099
4503.42, 4508.06, 4508.10, 4509.27, 4749.03, 4749.06, and 4749.10 4100
of the Revised Code, as amended or enacted by this act, and the 4101
items of law of which such sections as amended or enacted by this 4102
act are composed, are not subject to the referendum. Therefore, 4103

under Ohio Constitution, Article II, Section 1d and section 1.471 4104
of the Revised Code, such sections as amended or enacted by this 4105
act, and the items of law of which such sections as amended or 4106
enacted by this act are composed, are entitled to go into 4107
immediate effect when this act becomes law. However, those 4108
sections as amended by this act, and the items of law which those 4109
sections as amended by this act are composed, take effect on July 4110
1, 2005. 4111

Section 612.12. The repeal by this act of sections 4501.12 4112
and 4501.35 of the Revised Code is not subject to the referendum. 4113
Therefore, under Ohio Constitution, Article II, Section 1d and 4114
section 1.471 of the Revised Code, such repeals are entitled to go 4115
into immediate effect when this act becomes law. However, those 4116
sections as repealed by this act, and the items of law which those 4117
sections as repealed by this act are composed, go into effect on 4118
July 1, 2005. 4119

Section 612.15. (A) Except as otherwise provided in division 4120
(B) of this section, the amendments by this act to section 4121
4513.263 of the Revised Code are not subject to the referendum. 4122
Therefore, under Ohio Constitution, Article II, Section 1d and 4123
section 1.471 of the Revised Code, the amendments go into 4124
immediate effect when this act becomes law. 4125

(B) The amendment by this act to division (D) of section 4126
4513.263 of the Revised Code is not subject to the referendum. 4127
Therefore, under Ohio Constitution, Article II, Section 1d and 4128
section 1.471 of the Revised Code, the amendment, and the items of 4129
law it contains, is entitled to go into immediate effect when this 4130
act becomes law. However, division (D) as amended by this act, and 4131
the items of law which that division as amended by this act are 4132
composed, take effect on July 1, 2005. 4133

Section 612.18. If the amendment or enactment in this act of 4134
a codified section of law is subject to the referendum, the 4135
corresponding indications in the amending, enacting, or existing 4136
repeal clauses commanding the amendment or enactment also are 4137
subject to the referendum, along with the amendment or enactment. 4138
If the amendment, enactment, or repeal by this act of a codified 4139
or uncodified section of law is not subject to the referendum, the 4140
corresponding indications in the amending, enacting, or repeal 4141
clauses commanding the amendment, enactment, or repeal also are 4142
not subject to the referendum, the same as the amendment, 4143
enactment, or repeal. 4144

Section 615.03. The items in the uncodified sections of law 4145
contained in this act that appropriate money for the current 4146
expenses of state government, earmark this class of 4147
appropriations, or depend for their implementation upon an 4148
appropriation for the current expenses of state government are not 4149
subject to the referendum. Therefore, under Ohio Constitution, 4150
Article II, Section 1d and section 1.471 of the Revised Code, 4151
these items go into immediate effect when this act becomes law. 4152

The items in the uncodified sections of law contained in this 4153
act that appropriate money other than for the current expenses of 4154
state government, earmark this class of appropriations, or do not 4155
depend for their implementation upon an appropriation for the 4156
current expenses of state government are subject to the 4157
referendum. Therefore, under Ohio Constitution, Article II, 4158
Section 1c and section 1.471 of the Revised Code, these items take 4159
effect on the ninety-first day after this act is filed with the 4160
Secretary of State. If, however, a referendum petition is filed 4161
against such an item, the item, unless rejected at the referendum, 4162
takes effect at the earliest time permitted by law. 4163

This section is not subject to the referendum. Therefore, 4164
under Ohio Constitution, Article II, Section 1d and section 1.471 4165
of the Revised Code, this section goes into immediate effect when 4166
this act becomes law. 4167

Section 618.03. Section 109.572 of the Revised Code is 4168
presented in this act as a composite of the section as amended by 4169
Am. Sub. H.B. 117, Am. Sub. H.B. 306, Am. Sub. S.B. 53, and Am. 4170
S.B. 178, all of the 125th General Assembly. The General Assembly, 4171
applying the principle stated in division (B) of section 1.52 of 4172
the Revised Code that amendments are to be harmonized if 4173
reasonably capable of simultaneous operation, finds that the 4174
composite is the resulting version of the section in effect prior 4175
to the effective date of the section as presented in this act. 4176