

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

**127th General Assembly
Regular Session
2007-2008**

Sub. H. B. No. 67

**Representatives Patton, Webster, Hottinger, Evans, Flowers, Schlichter,
Strahorn**

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A B I L L

To amend sections 737.04, 737.041, 3314.091, 3327.10, 1
3705.242, 4503.10, 4503.44, 4505.09, 4511.101, 2
4511.21, 4519.59, 4561.18, 5501.31, 5501.49, 3
5502.03, 5502.62, 5516.01, 5537.16, 5577.05, 4
5591.02, 5735.05, 5751.032, and 5751.20; to enact 5
sections 121.51, 4511.092, 5502.67, 5531.11, 6
5537.31, and 5537.32 of the Revised Code; and to 7
amend Sections 235.20.20, 235.30.70, and 237.10 of 8
Am. Sub. H.B. 699 of the 126th General Assembly to 9
make appropriations for, and to prescribe terms 10
and conditions pertaining to, transportation and 11
public safety purposes. 12

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

Section 101.01. That sections 737.04, 737.041, 3314.091, 13
3327.10, 3705.242, 4503.10, 4503.44, 4505.09, 4511.101, 4511.21, 14
4519.59, 4561.18, 5501.31, 5501.49, 5502.03, 5502.62, 5516.01, 15
5537.16, 5577.05, 5591.02, 5735.05, 5751.032, and 5751.20 be 16
amended and sections 121.51, 4511.092, 5502.67, 5531.11, 5537.31, 17
and 5537.32 of the Revised Code be enacted to read as follows: 18

Sec. 121.51. There is hereby created in the office of the 19

inspector general the position of deputy inspector general for the 20
department of transportation. The inspector general shall hire the 21
deputy inspector general, and the deputy inspector general shall 22
serve at the pleasure of the inspector general. A person employed 23
as the deputy inspector general shall have the same qualifications 24
as those specified in section 121.49 of the Revised Code for the 25
inspector general. The inspector general shall provide 26
professional and clerical assistance to the deputy inspector 27
general. The inspector general shall certify to the director of 28
budget and management the costs incurred by the deputy inspector 29
general, including the salaries of the deputy inspector general 30
and the employees assisting the deputy inspector general. The 31
director of budget and management shall transfer the amount 32
certified from the appropriation made to the department of 33
transportation from which expenditures for general administrative 34
purposes, as distinguished from specific infrastructure projects, 35
are made. 36

The deputy inspector general shall investigate all claims or 37
cases of criminal violations, abuse of office, or misconduct on 38
the part of officers or employees of the department and shall 39
conduct a program of random review of the processing of contracts 40
associated with building and maintaining the state's 41
infrastructure. The random review program shall be designed by the 42
inspector general. The program shall be confidential and may be 43
altered by the inspector general at any time. The deputy inspector 44
general has the same powers and duties regarding matters 45
concerning the department as those specified in sections 121.42, 46
121.43, and 121.45 of the Revised Code for the inspector general. 47
Complaints may be filed with the deputy inspector general in the 48
same manner as prescribed for complaints filed with the inspector 49
general under section 121.46 of the Revised Code. All 50
investigations conducted and reports issued by the deputy 51

inspector general are subject to section 121.44 of the Revised 52
Code. 53

All officers and employees of the department shall cooperate 54
with and provide assistance to the deputy inspector general in the 55
performance of any investigation conducted by the deputy inspector 56
general. In particular, those persons shall make their premises, 57
equipment, personnel, books, records, and papers readily available 58
to the deputy inspector general. In the course of an 59
investigation, the deputy inspector general may question any 60
officers or employees of the department and any person transacting 61
business with the department and may inspect and copy any books, 62
records, or papers in the possession of the department, taking 63
care to preserve the confidentiality of information contained in 64
responses to questions or the books, records, or papers that are 65
made confidential by law. In performing any investigation, the 66
deputy inspector general shall avoid interfering with the ongoing 67
operations of the department, except insofar as is reasonably 68
necessary to complete the investigation successfully. 69

The deputy inspector general shall deliver to the director of 70
transportation and the governor any case for which remedial action 71
is necessary. The deputy inspector general shall maintain a public 72
record of its activities to the extent permitted under this 73
section, ensuring that the rights of the parties involved in each 74
case are protected and, once every six months, shall report to the 75
governor, the general assembly, and the director of transportation 76
the deputy inspector general's findings and the corrective actions 77
subsequently taken in cases considered by the deputy inspector 78
general. 79

No person shall disclose any information that is designated 80
as confidential in accordance with section 121.44 of the Revised 81
Code or any confidential information that is acquired in the 82
course of an investigation conducted under this section to any 83

person who is not legally entitled to disclosure of that 84
information. 85

Sec. 737.04. The legislative authority of any municipal 86
corporation, in order to obtain police protection or to obtain 87
additional police protection, or to allow its police officers to 88
work in multijurisdictional drug, gang, or career criminal task 89
forces, may enter into contracts with one or more municipal 90
corporations, townships, township police districts, or county 91
sheriffs in this state, with one or more park districts created 92
pursuant to section 511.18 or 1545.01 of the Revised Code, with 93
one or more port authorities, or with a contiguous municipal 94
corporation in an adjoining state, upon any terms that are agreed 95
upon, for services of police departments or the use of police 96
equipment or for the interchange of services of police departments 97
or police equipment within the several territories of the 98
contracting subdivisions. 99

Chapter 2744. of the Revised Code, insofar as it applies to 100
the operation of police departments, shall apply to the 101
contracting political subdivisions and to the police department 102
members when they are rendering service outside their own 103
subdivisions pursuant to the contracts. 104

Police department members acting outside the subdivision in 105
which they are employed, pursuant to a contract entered into under 106
this section, shall be entitled to participate in any indemnity 107
fund established by their employer to the same extent as while 108
acting within the employing subdivision. Those members shall be 109
entitled to all the rights and benefits of Chapter 4123. of the 110
Revised Code, to the same extent as while performing service 111
within the subdivision. 112

The contracts may provide for: 113

(A) A fixed annual charge to be paid at the times agreed upon 114

and stipulated in the contract;	115
(B) Compensation based upon:	116
(1) A stipulated price for each call or emergency;	117
(2) The number of members or pieces of equipment employed;	118
(3) The elapsed time of service required in each call or emergency.	119 120
(C) Compensation for loss or damage to equipment while engaged in rendering police services outside the limits of the subdivision owning and furnishing the equipment;	121 122 123
(D) Reimbursement of the subdivision in which the police department members are employed for any indemnity award or premium contribution assessed against the employing subdivision for workers' compensation benefits for injuries or death of its police department members occurring while engaged in rendering police services pursuant to the contract.	124 125 126 127 128 129
Sec. 737.041. The police department of any municipal corporation may provide police protection to any county, municipal corporation, township, or township police district of this state, to a park district created pursuant to section 511.18 or 1545.01 of the Revised Code, <u>to a port authority</u> , to any multijurisdictional drug, gang, or career criminal task force, or to a governmental entity of an adjoining state without a contract to provide police protection, upon the approval, by resolution, of the legislative authority of the municipal corporation in which the department is located and upon authorization by an officer or employee of the police department providing the police protection who is designated by title of office or position, pursuant to the resolution of the legislative authority of the municipal corporation, to give the authorization.	130 131 132 133 134 135 136 137 138 139 140 141 142 143
Chapter 2744. of the Revised Code, insofar as it applies to	144

the operation of police departments, shall apply to any municipal 145
corporation and to members of its police department when the 146
members are rendering police services pursuant to this section 147
outside the municipal corporation by which they are employed. 148

Police department members acting, as provided in this 149
section, outside the municipal corporation by which they are 150
employed shall be entitled to participate in any pension or 151
indemnity fund established by their employer to the same extent as 152
while acting within the municipal corporation by which they are 153
employed. Those members shall be entitled to all the rights and 154
benefits of Chapter 4123. of the Revised Code to the same extent 155
as while performing services within the municipal corporation by 156
which they are employed. 157

Sec. 3314.091. (A) A school district is not required to 158
provide transportation for any native student enrolled in a 159
community school if the district board of education has entered 160
into an agreement with the community school's governing authority 161
that designates the community school as responsible for providing 162
or arranging for the transportation of the district's native 163
students to and from the community school. For any such agreement 164
to be effective, it must be certified by the superintendent of 165
public instruction as having met all of the following 166
requirements: 167

(1) It is submitted to the department of education by a 168
deadline which shall be established by the department. 169

(2) ~~It~~ In accordance with divisions (C)(1) and (2) of this 170
section, it specifies qualifications, such as residing a minimum 171
distance from the school, for students to have their 172
transportation provided or arranged. 173

(3) The transportation provided by the community school is 174
subject to all provisions of the Revised Code and all rules 175

adopted under the Revised Code pertaining to pupil transportation. 176

(4) The sponsor of the community school also has signed the 177
agreement. 178

(B) A school district is not required to provide 179
transportation for any native student enrolled in a community 180
school if the governing authority of the community school, by a 181
date prescribed by the department, submits written notification to 182
the district board of education stating that the governing 183
authority is accepting responsibility for providing or arranging 184
for the transportation of the district's native students to and 185
from the community school. A governing authority's acceptance of 186
responsibility under this division shall cover an entire school 187
year, and shall remain in effect for subsequent school years 188
unless the governing authority submits written notification to the 189
district board that the governing authority is relinquishing the 190
responsibility. However, a governing authority shall not 191
relinquish responsibility for transportation before the end of a 192
school year, and shall submit the notice relinquishing 193
responsibility by a date prescribed by the department to allow the 194
school district reasonable time to prepare transportation for its 195
native students enrolled in the school. 196

(C)(1) A community school governing authority that enters 197
into an agreement ~~to provide transportation~~ under division (A) of 198
this section, or that accepts responsibility under division (B) of 199
this section, shall provide or arrange transportation free of any 200
charge for each of its enrolled students ~~eligible for 201~~
~~transportation as specified in~~ who is required to be transported 202
under section 3327.01 of the Revised Code or who would otherwise 203
be transported by the school district under the district's 204
transportation policy. The governing authority shall provide or 205
arrange transportation in a manner that is comparable to the 206
transportation that the district provides or arranges for its 207

native students of the same grade level and distance from school 208
who are enrolled in the district's schools. 209

(2) The governing authority may provide or arrange 210
transportation for any other enrolled student who is not eligible 211
for transportation in accordance with division (C)(1) of this 212
section and may charge a fee for such service up to the actual 213
cost of the service. 214

~~(2)~~(3) Notwithstanding anything to the contrary in division 215
~~(B)~~(C)(1) or (2) of this section, a community school governing 216
authority shall provide or arrange transportation free of any 217
charge for any disabled student enrolled in the school for whom 218
the student's individualized education program developed under 219
Chapter 3323. of the Revised Code specifies transportation. 220

~~(C)~~(D)(1) If a school district board and a community school 221
governing authority elect to enter into an agreement under 222
division (A) of this section, the department of education ~~annually~~ 223
shall ~~pay~~ make payments to the community school ~~the amount~~ 224
~~specified in division (C)(2) of this section for each of the~~ 225
~~enrolled students for whom the school's governing authority~~ 226
~~provides or arranges transportation to and from school. The~~ 227
according to the terms of the agreement for each student actually 228
transported under division (C)(1) of this section. If a community 229
school governing authority accepts transportation responsibility 230
under division (B) of this section, the department shall make 231
payments to the community school for each student actually 232
transported under division (C)(1) of this section, calculated in 233
accordance with division (D) of section 3317.022 of the Revised 234
Code and any rules of the state board of education implementing 235
that division, and that otherwise would be paid to the school 236
district in which the student is entitled to attend school under 237
section 3313.64 or 3313.65 of the Revised Code. 238

(2) The department shall deduct the payment under division 239

(D)(1) of this section from the state payment under Chapter 3317. 240
and, if necessary, sections 321.14 and 323.156 of the Revised Code 241
that is otherwise paid to the school district in which the student 242
enrolled in the community school resides. The department shall 243
include the number of the district's native students for whom 244
payment is made to a community school under ~~this~~ division (D)(1) 245
of this section in the calculation of the district's 246
transportation payment under division (D) of section 3317.022 of 247
the Revised Code. 248

(3) A community school shall be paid under ~~this~~ division 249
(D)(1) of this section only for students who are eligible as 250
specified in section 3327.01 of the Revised Code ~~or who are~~ 251
~~disabled and whose individualized education program requires~~ 252
~~transportation and division (C)(1) of this section,~~ and whose 253
transportation to and from school is actually provided ~~or, who~~ 254
actually utilized transportation arranged, or for whom a payment 255
in lieu of transportation is made by the community school's 256
governing authority. To qualify for the payments, the community 257
school shall report to the department, in the form and manner 258
required by the department, data on the number of students 259
transported or whose transportation is arranged, the number of 260
miles traveled, cost to transport, and any other information 261
requested by the department. 262

(4) A community school shall use payments received under this 263
~~division~~ section solely to pay the costs of providing or arranging 264
for the transportation of students who are eligible as specified 265
in section 3327.01 of the Revised Code ~~or who are disabled and~~ 266
~~whose individualized education program requires transportation and~~ 267
division (C)(1) of this section, which may include payments to a 268
parent, guardian, or other person in charge of a child in lieu of 269
transportation. 270

~~(2) The payment to a community school governing authority~~ 271

~~under this section for eligible students shall be made according 272
to the terms of the agreement entered into under this section. 273~~

~~(D)(E) Except when arranged through payment to a parent, 274
guardian, or person in charge of a child, transportation provided 275
or arranged for by a community school pursuant to an agreement 276
under this section is subject to all provisions of the Revised 277
Code, and all rules adopted under the Revised Code, pertaining to 278
the construction, design, equipment, and operation of school buses 279
and other vehicles transporting students to and from school. The 280
drivers and mechanics of the vehicles are subject to all 281
provisions of the Revised Code, and all rules adopted under the 282
Revised Code, pertaining to drivers and mechanics of such 283
vehicles. The community school also shall comply with sections 284
3313.201, 3327.09, and 3327.10 and of the Revised Code, division 285
(B) of section 3327.16 of the Revised Code and, subject to 286
division (C)(1) of this section, sections 3327.01 and 3327.02 of 287
the Revised Code, as if it were a school district. ~~For purposes of~~ 288
~~complying with section 3327.10 of the Revised Code, the~~ 289
~~educational service center that serves the county in which the~~ 290
~~community school is located shall be the certifying agency, unless~~ 291
~~the agreement designates the school district as the certifying~~ 292
~~agency. 293~~~~

Sec. 3327.10. (A) No person shall be employed as driver of a 294
school bus or motor van, owned and operated by any school district 295
or educational service center or privately owned and operated 296
under contract with any school district or service center in this 297
state, who has not received a certificate from the educational 298
service center governing board in case such person is employed by 299
a service center or by a local school district under the 300
supervision of the service center governing board, or by the 301
superintendent of schools, in case such person is employed by the 302
board of a city or exempted village school district, certifying 303

that such person is at least eighteen years of age and is of good moral character and is qualified physically and otherwise for such position. The service center governing board or the superintendent, as the case may be, shall provide for an annual physical examination that conforms with rules adopted by the state board of education of each driver to ascertain the driver's physical fitness for such employment. Any certificate may be revoked by the authority granting the same on proof that the holder has been guilty of failing to comply with division (D)(1) of this section, or upon a conviction or a guilty plea for a violation, or any other action, that results in a loss or suspension of driving rights. Failure to comply with such division may be cause for disciplinary action or termination of employment under division (C) of section 3319.081, or section 124.34 of the Revised Code.

(B) No person shall be employed as driver of a school bus or motor van not subject to the rules of the department of education pursuant to division (A) of this section who has not received a certificate from the school administrator or contractor certifying that such person is at least eighteen years of age, is of good moral character, and is qualified physically and otherwise for such position. Each driver shall have an annual physical examination which conforms to the state highway patrol rules, ascertaining the driver's physical fitness for such employment. The examination shall be performed by one of the following:

(1) A person licensed under Chapter 4731. of the Revised Code or by another state to practice medicine and surgery or osteopathic medicine and surgery;

(2) A physician assistant;

(3) A certified nurse practitioner;

(4) A clinical nurse specialist;

(5) A certified nurse-midwife.	335
Any written documentation of the physical examination shall	336
be completed by the individual who performed the examination.	337
Any certificate may be revoked by the authority granting the	338
same on proof that the holder has been guilty of failing to comply	339
with division (D)(2) of this section.	340
(C) Any person who drives a school bus or motor van must give	341
satisfactory and sufficient bond except a driver who is an	342
employee of a school district and who drives a bus or motor van	343
owned by the school district.	344
(D) No person employed as driver of a school bus or motor van	345
under this section who is convicted of a traffic violation or who	346
has had the person's commercial driver's license suspended shall	347
drive a school bus or motor van until the person has filed a	348
written notice of the conviction or suspension, as follows:	349
(1) If the person is employed under division (A) of this	350
section, the person shall file the notice with the superintendent,	351
or a person designated by the superintendent, of the school	352
district for which the person drives a school bus or motor van as	353
an employee or drives a privately owned and operated school bus or	354
motor van under contract.	355
(2) If employed under division (B) of this section, the	356
person shall file the notice with the employing school	357
administrator or contractor, or a person designated by the	358
administrator or contractor.	359
(E) In addition to resulting in possible revocation of a	360
certificate as authorized by divisions (A) and (B) of this	361
section, violation of division (D) of this section is a minor	362
misdemeanor.	363
<u>(F)(1) Not later than thirty days after the effective date of</u>	364

this amendment, each owner of a school bus or motor van shall 365
obtain from the bureau of motor vehicles the driving record for at 366
least the prior seven-year period of each person who is employed 367
or otherwise authorized to drive the school bus or motor van. An 368
owner of a school bus or motor van shall not permit a person to 369
operate the school bus or motor van for the first time before the 370
owner has obtained from the bureau the person's driving record for 371
at least the prior seven-year period. Each year after obtaining a 372
person's seven-year driving record, the owner of a school bus or 373
motor van shall obtain from the bureau the person's driving record 374
for at least the prior year if the person remains employed or 375
otherwise authorized to drive the school bus or motor van. An 376
owner of a school bus or motor van shall not permit a person to 377
resume operating a school bus or motor van, after an interruption 378
of one year or longer, before the owner has obtained from the 379
bureau the person's driving record for at least the period since 380
the owner last obtained the person's driving record or, if the 381
owner had never obtained a seven-year driving record for the 382
person, for at least the prior seven-year period. 383

(2) The owner of a school bus or motor van shall not permit a 384
person to operate the school bus or motor van for seven years 385
after the date of a violation for which six points are assessed 386
under section 4510.036 of the Revised Code. 387

(3) Divisions (F)(1) and (2) of this section supersede only 388
the requirements of paragraphs (B)(3) and (F)(2) of rule 389
3301-83-06 of the Administrative Code, as that rule exists on the 390
effective date of this amendment, that school bus drivers have no 391
six-point convictions during the prior twenty-four months. All 392
other rules adopted by the state board of education prescribing 393
qualifications of drivers of school buses and other student 394
transportation, including the requirement of those paragraphs that 395
drivers not have been assessed eight points within the previous 396

twenty-four months, remain in effect until amended or rescinded by 397
the state board. 398

(G) A person, school district, educational service center, 399
community school, nonpublic school, or other public or nonpublic 400
entity that owns a school bus or motor van, or that contracts with 401
another entity to operate a school bus or motor van, may impose 402
more stringent restrictions on drivers than those prescribed in 403
this section, in any other section of the Revised Code, and in 404
rules adopted by the state board. 405

Sec. 3705.242. (A)(1) The director of health, a person 406
authorized by the director, a local commissioner of health, or a 407
local registrar of vital statistics shall charge and collect a fee 408
of one dollar and fifty cents for each certified copy of a birth 409
record, each certification of birth, and each copy of a death 410
record. The fee is in addition to the fee imposed by section 411
3705.24 or any other section of the Revised Code. A local 412
commissioner of health or local registrar of vital statistics may 413
retain an amount of each additional fee collected, not to exceed 414
three per cent of the amount of the additional fee, to be used for 415
costs directly related to the collection of the fee and the 416
forwarding of the fee to the treasurer of state. The additional 417
fees collected, but not retained, under division (A)(1) of this 418
section shall be forwarded to the treasurer of state not later 419
than thirty days following the end of each quarter. 420

(2) On the filing of a divorce decree under section 3105.10 421
or a decree of dissolution under section 3105.65 of the Revised 422
Code, a court of common pleas shall charge and collect a fee of 423
five dollars and fifty cents. The fee is in addition to any other 424
court costs or fees. The county clerk of courts may retain an 425
amount of each additional fee collected, not to exceed three per 426
cent of the amount of the additional fee, to be used for costs 427

directly related to the collection of the fee and the forwarding 428
of the fee to the treasurer of state. The additional fees 429
collected, but not retained, under division (A)(2) of this section 430
shall be forwarded to the treasurer of state not later than twenty 431
days following the end of each month. 432

(B) The treasurer of state shall deposit the fees forwarded 433
under this section in the state treasury to the credit of the 434
family violence prevention fund, which is hereby created. A person 435
or government entity that fails to forward the fees in a timely 436
manner, as determined by the treasurer of state, shall forward to 437
the treasurer of state, in addition to the fees, a penalty equal 438
to ten per cent of the fees. 439

The treasurer of state shall invest the moneys in the fund. 440
All earnings resulting from investment of the fund shall be 441
credited to the fund, except that actual administration costs 442
incurred by the treasurer of state in administering the fund may 443
be deducted from the earnings resulting from investments. The 444
amount that may be deducted shall not exceed three per cent of the 445
total amount of fees credited to the fund in each fiscal year. The 446
balance of the investment earnings shall be credited to the fund. 447

(C) The director of public safety shall use money credited to 448
the fund to provide grants to family violence shelters in Ohio and 449
to operate the division of criminal justice services. 450

Sec. 4503.10. (A) The owner of every snowmobile, off-highway 451
motorcycle, and all-purpose vehicle required to be registered 452
under section 4519.02 of the Revised Code shall file an 453
application for registration under section 4519.03 of the Revised 454
Code. The owner of a motor vehicle, other than a snowmobile, 455
off-highway motorcycle, or all-purpose vehicle, that is not 456
designed and constructed by the manufacturer for operation on a 457
street or highway may not register it under this chapter except 458

upon certification of inspection pursuant to section 4513.02 of 459
the Revised Code by the sheriff, or the chief of police of the 460
municipal corporation or township, with jurisdiction over the 461
political subdivision in which the owner of the motor vehicle 462
resides. Except as provided in section 4503.103 of the Revised 463
Code, every owner of every other motor vehicle not previously 464
described in this section and every person mentioned as owner in 465
the last certificate of title of a motor vehicle that is operated 466
or driven upon the public roads or highways shall cause to be 467
filed each year, by mail or otherwise, in the office of the 468
registrar of motor vehicles or a deputy registrar, a written or 469
electronic application or a preprinted registration renewal notice 470
issued under section 4503.102 of the Revised Code, the form of 471
which shall be prescribed by the registrar, for registration for 472
the following registration year, which shall begin on the first 473
day of January of every calendar year and end on the thirty-first 474
day of December in the same year. Applications for registration 475
and registration renewal notices shall be filed at the times 476
established by the registrar pursuant to section 4503.101 of the 477
Revised Code. A motor vehicle owner also may elect to apply for or 478
renew a motor vehicle registration by electronic means using 479
electronic signature in accordance with rules adopted by the 480
registrar. Except as provided in division (J) of this section, 481
applications for registration shall be made on blanks furnished by 482
the registrar for that purpose, containing the following 483
information: 484

(1) A brief description of the motor vehicle to be 485
registered, including the year, make, model, and vehicle 486
identification number, and, in the case of commercial cars, the 487
gross weight of the vehicle fully equipped computed in the manner 488
prescribed in section 4503.08 of the Revised Code; 489

(2) The name and residence address of the owner, and the 490

township and municipal corporation in which the owner resides; 491

(3) The district of registration, which shall be determined 492
as follows: 493

(a) In case the motor vehicle to be registered is used for 494
hire or principally in connection with any established business or 495
branch business, conducted at a particular place, the district of 496
registration is the municipal corporation in which that place is 497
located or, if not located in any municipal corporation, the 498
county and township in which that place is located. 499

(b) In case the vehicle is not so used, the district of 500
registration is the municipal corporation or county in which the 501
owner resides at the time of making the application. 502

(4) Whether the motor vehicle is a new or used motor vehicle; 503

(5) The date of purchase of the motor vehicle; 504

(6) Whether the fees required to be paid for the registration 505
or transfer of the motor vehicle, during the preceding 506
registration year and during the preceding period of the current 507
registration year, have been paid. Each application for 508
registration shall be signed by the owner, either manually or by 509
electronic signature, or pursuant to obtaining a limited power of 510
attorney authorized by the registrar for registration, or other 511
document authorizing such signature. If the owner elects to apply 512
for or renew the motor vehicle registration with the registrar by 513
electronic means, the owner's manual signature is not required. 514

(7) The owner's social security number, ~~if assigned~~ driver's 515
license number, or state identification number, or, where a motor 516
vehicle to be registered is used for hire or principally in 517
connection with any established business, the owner's federal 518
taxpayer identification number. The bureau of motor vehicles shall 519
retain in its records all social security numbers provided under 520
this section, but the bureau shall not place social security 521

numbers on motor vehicle certificates of registration. 522

(B) Except as otherwise provided in this division, each time 523
an applicant first registers a motor vehicle in the applicant's 524
name, the applicant shall present for inspection a physical 525
certificate of title or memorandum certificate showing title to 526
the motor vehicle to be registered in the name of the applicant if 527
a physical certificate of title or memorandum certificate has been 528
issued by a clerk of a court of common pleas. If, under sections 529
4505.021, 4505.06, and 4505.08 of the Revised Code, a clerk 530
instead has issued an electronic certificate of title for the 531
applicant's motor vehicle, that certificate may be presented for 532
inspection at the time of first registration in a manner 533
prescribed by rules adopted by the registrar. An applicant is not 534
required to present a certificate of title to an electronic motor 535
vehicle dealer acting as a limited authority deputy registrar in 536
accordance with rules adopted by the registrar. When a motor 537
vehicle inspection and maintenance program is in effect under 538
section 3704.14 of the Revised Code and rules adopted under it, 539
each application for registration for a vehicle required to be 540
inspected under that section and those rules shall be accompanied 541
by an inspection certificate for the motor vehicle issued in 542
accordance with that section. The application shall be refused if 543
any of the following applies: 544

(1) The application is not in proper form. 545

(2) The application is prohibited from being accepted by 546
division (D) of section 2935.27, division (A) of section 2937.221, 547
division (A) of section 4503.13, division (B) of section 4510.22, 548
or division (B)(1) of section 4521.10 of the Revised Code. 549

(3) A certificate of title or memorandum certificate of title 550
is required but does not accompany the application or, in the case 551
of an electronic certificate of title, is required but is not 552
presented in a manner prescribed by the registrar's rules. 553

(4) All registration and transfer fees for the motor vehicle, 554
for the preceding year or the preceding period of the current 555
registration year, have not been paid. 556

(5) The owner or lessee does not have an inspection 557
certificate for the motor vehicle as provided in section 3704.14 558
of the Revised Code, and rules adopted under it, if that section 559
is applicable. 560

This section does not require the payment of license or 561
registration taxes on a motor vehicle for any preceding year, or 562
for any preceding period of a year, if the motor vehicle was not 563
taxable for that preceding year or period under sections 4503.02, 564
4503.04, 4503.11, 4503.12, and 4503.16 or Chapter 4504. of the 565
Revised Code. When a certificate of registration is issued upon 566
the first registration of a motor vehicle by or on behalf of the 567
owner, the official issuing the certificate shall indicate the 568
issuance with a stamp on the certificate of title or memorandum 569
certificate or, in the case of an electronic certificate of title, 570
an electronic stamp or other notation as specified in rules 571
adopted by the registrar, and with a stamp on the inspection 572
certificate for the motor vehicle, if any. The official also shall 573
indicate, by a stamp or by other means the registrar prescribes, 574
on the registration certificate issued upon the first registration 575
of a motor vehicle by or on behalf of the owner the odometer 576
reading of the motor vehicle as shown in the odometer statement 577
included in or attached to the certificate of title. Upon each 578
subsequent registration of the motor vehicle by or on behalf of 579
the same owner, the official also shall so indicate the odometer 580
reading of the motor vehicle as shown on the immediately preceding 581
certificate of registration. 582

The registrar shall include in the permanent registration 583
record of any vehicle required to be inspected under section 584
3704.14 of the Revised Code the inspection certificate number from 585

the inspection certificate that is presented at the time of 586
registration of the vehicle as required under this division. 587

(C)(1) Commencing with each registration renewal with an 588
expiration date on or after October 1, 2003, and for each initial 589
application for registration received on and after that date, the 590
registrar and each deputy registrar shall collect an additional 591
fee of eleven dollars for each application for registration and 592
registration renewal received. The additional fee is for the 593
purpose of defraying the department of public safety's costs 594
associated with the administration and enforcement of the motor 595
vehicle and traffic laws of Ohio. Each deputy registrar shall 596
transmit the fees collected under division (C)(1) of this section 597
in the time and manner provided in this section. The registrar 598
shall deposit all moneys received under division (C)(1) of this 599
section into the state highway safety fund established in section 600
4501.06 of the Revised Code. 601

(2) In addition, a charge of twenty-five cents shall be made 602
for each reflectorized safety license plate issued, and a single 603
charge of twenty-five cents shall be made for each county 604
identification sticker or each set of county identification 605
stickers issued, as the case may be, to cover the cost of 606
producing the license plates and stickers, including material, 607
manufacturing, and administrative costs. Those fees shall be in 608
addition to the license tax. If the total cost of producing the 609
plates is less than twenty-five cents per plate, or if the total 610
cost of producing the stickers is less than twenty-five cents per 611
sticker or per set issued, any excess moneys accruing from the 612
fees shall be distributed in the same manner as provided by 613
section 4501.04 of the Revised Code for the distribution of 614
license tax moneys. If the total cost of producing the plates 615
exceeds twenty-five cents per plate, or if the total cost of 616
producing the stickers exceeds twenty-five cents per sticker or 617

per set issued, the difference shall be paid from the license tax 618
moneys collected pursuant to section 4503.02 of the Revised Code. 619

(D) Each deputy registrar shall be allowed a fee of two 620
dollars and seventy-five cents commencing on July 1, 2001, three 621
dollars and twenty-five cents commencing on January 1, 2003, and 622
three dollars and fifty cents commencing on January 1, 2004, for 623
each application for registration and registration renewal notice 624
the deputy registrar receives, which shall be for the purpose of 625
compensating the deputy registrar for the deputy registrar's 626
services, and such office and rental expenses, as may be necessary 627
for the proper discharge of the deputy registrar's duties in the 628
receiving of applications and renewal notices and the issuing of 629
registrations. 630

(E) Upon the certification of the registrar, the county 631
sheriff or local police officials shall recover license plates 632
erroneously or fraudulently issued. 633

(F) Each deputy registrar, upon receipt of any application 634
for registration or registration renewal notice, together with the 635
license fee and any local motor vehicle license tax levied 636
pursuant to Chapter 4504. of the Revised Code, shall transmit that 637
fee and tax, if any, in the manner provided in this section, 638
together with the original and duplicate copy of the application, 639
to the registrar. The registrar, subject to the approval of the 640
director of public safety, may deposit the funds collected by 641
those deputies in a local bank or depository to the credit of the 642
"state of Ohio, bureau of motor vehicles." Where a local bank or 643
depository has been designated by the registrar, each deputy 644
registrar shall deposit all moneys collected by the deputy 645
registrar into that bank or depository not more than one business 646
day after their collection and shall make reports to the registrar 647
of the amounts so deposited, together with any other information, 648
some of which may be prescribed by the treasurer of state, as the 649

registrar may require and as prescribed by the registrar by rule. 650
The registrar, within three days after receipt of notification of 651
the deposit of funds by a deputy registrar in a local bank or 652
depository, shall draw on that account in favor of the treasurer 653
of state. The registrar, subject to the approval of the director 654
and the treasurer of state, may make reasonable rules necessary 655
for the prompt transmittal of fees and for safeguarding the 656
interests of the state and of counties, townships, municipal 657
corporations, and transportation improvement districts levying 658
local motor vehicle license taxes. The registrar may pay service 659
charges usually collected by banks and depositories for such 660
service. If deputy registrars are located in communities where 661
banking facilities are not available, they shall transmit the fees 662
forthwith, by money order or otherwise, as the registrar, by rule 663
approved by the director and the treasurer of state, may 664
prescribe. The registrar may pay the usual and customary fees for 665
such service. 666

(G) This section does not prevent any person from making an 667
application for a motor vehicle license directly to the registrar 668
by mail, by electronic means, or in person at any of the 669
registrar's offices, upon payment of a service fee of two dollars 670
and seventy-five cents commencing on July 1, 2001, three dollars 671
and twenty-five cents commencing on January 1, 2003, and three 672
dollars and fifty cents commencing on January 1, 2004, for each 673
application. 674

(H) No person shall make a false statement as to the district 675
of registration in an application required by division (A) of this 676
section. Violation of this division is falsification under section 677
2921.13 of the Revised Code and punishable as specified in that 678
section. 679

(I)(1) Where applicable, the requirements of division (B) of 680
this section relating to the presentation of an inspection 681

certificate issued under section 3704.14 of the Revised Code and 682
rules adopted under it for a motor vehicle, the refusal of a 683
license for failure to present an inspection certificate, and the 684
stamping of the inspection certificate by the official issuing the 685
certificate of registration apply to the registration of and 686
issuance of license plates for a motor vehicle under sections 687
4503.102, 4503.12, 4503.14, 4503.15, 4503.16, 4503.171, 4503.172, 688
4503.19, 4503.40, 4503.41, 4503.42, 4503.43, 4503.44, 4503.46, 689
4503.47, and 4503.51 of the Revised Code. 690

(2)(a) The registrar shall adopt rules ensuring that each 691
owner registering a motor vehicle in a county where a motor 692
vehicle inspection and maintenance program is in effect under 693
section 3704.14 of the Revised Code and rules adopted under it 694
receives information about the requirements established in that 695
section and those rules and about the need in those counties to 696
present an inspection certificate with an application for 697
registration or preregistration. 698

(b) Upon request, the registrar shall provide the director of 699
environmental protection, or any person that has been awarded a 700
contract under division (D) of section 3704.14 of the Revised 701
Code, an on-line computer data link to registration information 702
for all passenger cars, noncommercial motor vehicles, and 703
commercial cars that are subject to that section. The registrar 704
also shall provide to the director of environmental protection a 705
magnetic data tape containing registration information regarding 706
passenger cars, noncommercial motor vehicles, and commercial cars 707
for which a multi-year registration is in effect under section 708
4503.103 of the Revised Code or rules adopted under it, including, 709
without limitation, the date of issuance of the multi-year 710
registration, the registration deadline established under rules 711
adopted under section 4503.101 of the Revised Code that was 712
applicable in the year in which the multi-year registration was 713

issued, and the registration deadline for renewal of the 714
multi-year registration. 715

(J) Application for registration under the international 716
registration plan, as set forth in sections 4503.60 to 4503.66 of 717
the Revised Code, shall be made to the registrar on forms 718
furnished by the registrar. In accordance with international 719
registration plan guidelines and pursuant to rules adopted by the 720
registrar, the forms shall include the following: 721

(1) A uniform mileage schedule; 722

(2) The gross vehicle weight of the vehicle or combined gross 723
vehicle weight of the combination vehicle as declared by the 724
registrant; 725

(3) Any other information the registrar requires by rule. 726

Sec. 4503.44. (A) As used in this section and in section 727
4511.69 of the Revised Code: 728

(1) "Person with a disability that limits or impairs the 729
ability to walk" means any person who, as determined by a 730
physician or chiropractor, meets any of the following criteria: 731

(a) Cannot walk two hundred feet without stopping to rest; 732

(b) Cannot walk without the use of, or assistance from, a 733
brace, cane, crutch, another person, prosthetic device, 734
wheelchair, or other assistive device; 735

(c) Is restricted by a lung disease to such an extent that 736
the person's forced (respiratory) expiratory volume for one 737
second, when measured by spirometry, is less than one liter, or 738
the arterial oxygen tension is less than sixty millimeters of 739
mercury on room air at rest; 740

(d) Uses portable oxygen; 741

(e) Has a cardiac condition to the extent that the person's 742

functional limitations are classified in severity as class III or 743
class IV according to standards set by the American heart 744
association; 745

(f) Is severely limited in the ability to walk due to an 746
arthritic, neurological, or orthopedic condition; 747

(g) Is blind. 748

(2) "Organization" means any private organization or 749
corporation, or any governmental board, agency, department, 750
division, or office, that, as part of its business or program, 751
transports persons with disabilities that limit or impair the 752
ability to walk on a regular basis in a motor vehicle that has not 753
been altered for the purpose of providing it with special 754
equipment for use by handicapped persons. This definition does not 755
apply to division (J) of this section. 756

(3) "Physician" means a person licensed to practice medicine 757
or surgery or osteopathic medicine and surgery under Chapter 4731. 758
of the Revised Code. 759

(4) "Chiropractor" means a person licensed to practice 760
chiropractic under Chapter 4734. of the Revised Code. 761

(B) Any organization or person with a disability that limits 762
or impairs the ability to walk may apply to the registrar of motor 763
vehicles for a removable windshield placard or, if the person owns 764
or leases a motor vehicle, the person may apply for the 765
registration of any motor vehicle the person owns or leases. In 766
addition to one or more sets of license plates or one placard, a 767
person with a disability that limits or impairs the ability to 768
walk is entitled to one additional placard, but only if the person 769
applies separately for the additional placard, states the reasons 770
why the additional placard is needed, and the registrar, in the 771
registrar's discretion, determines that good and justifiable cause 772
exists to approve the request for the additional placard. When a 773

motor vehicle has been altered for the purpose of providing it 774
with special equipment for a person with a disability that limits 775
or impairs the ability to walk, but is owned or leased by someone 776
other than such a person, the owner or lessee may apply to the 777
registrar or a deputy registrar for registration under this 778
section. The application for registration of a motor vehicle owned 779
or leased by a person with a disability that limits or impairs the 780
ability to walk shall be accompanied by a signed statement from 781
the applicant's personal physician or chiropractor certifying that 782
the applicant meets at least one of the criteria contained in 783
division (A)(1) of this section and that the disability is 784
expected to continue for more than six consecutive months. The 785
application for a removable windshield placard made by a person 786
with a disability that limits or impairs the ability to walk shall 787
be accompanied by a prescription from the applicant's personal 788
physician or chiropractor prescribing such a placard for the 789
applicant, provided that the applicant meets at least one of the 790
criteria contained in division (A)(1) of this section. The 791
physician or chiropractor shall state on the prescription the 792
length of time the physician or chiropractor expects the applicant 793
to have the disability that limits or impairs the applicant's 794
ability to walk. The application for a removable windshield 795
placard made by an organization shall be accompanied by such 796
documentary evidence of regular transport of persons with 797
disabilities that limit or impair the ability to walk by the 798
organization as the registrar may require by rule and shall be 799
completed in accordance with procedures that the registrar may 800
require by rule. The application for registration of a motor 801
vehicle that has been altered for the purpose of providing it with 802
special equipment for a person with a disability that limits or 803
impairs the ability to walk but is owned by someone other than 804
such a person shall be accompanied by such documentary evidence of 805
vehicle alterations as the registrar may require by rule. 806

(C) When an organization, a person with a disability that 807
limits or impairs the ability to walk, or a person who does not 808
have a disability that limits or impairs the ability to walk but 809
owns a motor vehicle that has been altered for the purpose of 810
providing it with special equipment for a person with a disability 811
that limits or impairs the ability to walk first submits an 812
application for registration of a motor vehicle under this section 813
and every fifth year thereafter, the organization or person shall 814
submit a signed statement from the applicant's personal physician 815
or chiropractor, a completed application, and any required 816
documentary evidence of vehicle alterations as provided in 817
division (B) of this section, and also a power of attorney from 818
the owner of the motor vehicle if the applicant leases the 819
vehicle. Upon submission of these items, the registrar or deputy 820
registrar shall issue to the applicant appropriate vehicle 821
registration and a set of license plates and validation stickers, 822
or validation stickers alone when required by section 4503.191 of 823
the Revised Code. In addition to the letters and numbers 824
ordinarily inscribed thereon, the license plates shall be 825
imprinted with the international symbol of access. The license 826
plates and validation stickers shall be issued upon payment of the 827
regular license fee as prescribed under section 4503.04 of the 828
Revised Code and any motor vehicle tax levied under Chapter 4504. 829
of the Revised Code, and the payment of a service fee equal to the 830
amount specified in division (D) or (G) of section 4503.10 of the 831
Revised Code. 832

(D)(1) Upon receipt of a completed and signed application for 833
a removable windshield placard, a prescription as described in 834
division (B) of this section, documentary evidence of regular 835
transport of persons with disabilities that limit or impair the 836
ability to walk, if required, and payment of a service fee equal 837
to the amount specified in division (D) or (G) of section 4503.10 838
of the Revised Code, the registrar or deputy registrar shall issue 839

to the applicant a removable windshield placard, which shall bear 840
the date of expiration on both sides of the placard and shall be 841
valid until expired, revoked, or surrendered. Any removable 842
windshield placard that is issued to a person with a disability 843
that limits or impairs the ability to walk or to a person who owns 844
a motor vehicle that has been altered for the purpose of providing 845
it with special equipment for a person with a disability that 846
limits or impairs the ability to walk shall bear the name of the 847
person with the disability. Every removable windshield placard 848
expires as described in division (D)(2) of this section, but in no 849
case shall a removable windshield placard be valid for a period of 850
less than sixty days. Removable windshield placards shall be 851
renewable upon application as provided in division (B) of this 852
section, and a service fee equal to the amount specified in 853
division (D) or (G) of section 4503.10 of the Revised Code shall 854
be charged for the renewal of a removable windshield placard. The 855
registrar shall provide the application form and shall determine 856
the information to be included thereon. The registrar also shall 857
determine the form and size of the removable windshield placard, 858
the material of which it is to be made, and any other information 859
to be included thereon, and shall adopt rules relating to the 860
issuance, expiration, revocation, surrender, and proper display of 861
such placards. Any placard issued after October 14, 1999, shall be 862
manufactured in a manner that allows the expiration date of the 863
placard to be indicated on it through the punching, drilling, 864
boring, or creation by any other means of holes in the placard. 865

(2) At the time a removable windshield placard is issued to a 866
person with a disability that limits or impairs the ability to 867
walk, the registrar or deputy registrar shall enter into the 868
records of the bureau of motor vehicles the last date on which the 869
person will have that disability, as indicated on the accompanying 870
prescription. Not less than thirty days prior to that date and all 871
removable windshield placard renewal dates, the bureau shall send 872

a renewal notice to that person at the person's last known address 873
as shown in the records of the bureau, informing the person that 874
the person's removable windshield placard will expire on the 875
indicated date not to exceed five years from the date of issuance, 876
and that the person is required to renew the placard by submitting 877
to the registrar or a deputy registrar another prescription, as 878
described in division (B) of this section, and by complying with 879
the renewal provisions prescribed in division (D)(1) of this 880
section. If such a prescription is not received by the registrar 881
or a deputy registrar by that date, the placard issued to that 882
person expires and no longer is valid, and this fact shall be 883
recorded in the records of the bureau. 884

(3) At least once every year, on a date determined by the 885
registrar, the bureau shall examine the records of the office of 886
vital statistics, located within the department of health, that 887
pertain to deceased persons, and also the bureau's records of all 888
persons who have been issued removable windshield placards and 889
temporary removable windshield placards. If the records of the 890
office of vital statistics indicate that a person to whom a 891
removable windshield placard or temporary removable windshield 892
placard has been issued is deceased, the bureau shall cancel that 893
placard, and note the cancellation in its records. 894

The office of vital statistics shall make available to the 895
bureau all information necessary to enable the bureau to comply 896
with division (D)(3) of this section. 897

(4) Nothing in this section shall be construed to require a 898
person or organization to apply for a removable windshield placard 899
or special license plates if the parking card or special license 900
plates issued to the person or organization under prior law have 901
not expired or been surrendered or revoked. 902

(E)(1)(a) Any person with a disability that limits or impairs 903
the ability to walk may apply to the registrar or a deputy 904

registrar for a temporary removable windshield placard. The 905
application for a temporary removable windshield placard shall be 906
accompanied by a prescription from the applicant's personal 907
physician or chiropractor prescribing such a placard for the 908
applicant, provided that the applicant meets at least one of the 909
criteria contained in division (A)(1) of this section and that the 910
disability is expected to continue for six consecutive months or 911
less. The physician or chiropractor shall state on the 912
prescription the length of time the physician or chiropractor 913
expects the applicant to have the disability that limits or 914
impairs the applicant's ability to walk, which cannot exceed six 915
months from the date of the prescription. Upon receipt of an 916
application for a temporary removable windshield placard, 917
presentation of the prescription from the applicant's personal 918
physician or chiropractor, and payment of a service fee equal to 919
the amount specified in division (D) or (G) of section 4503.10 of 920
the Revised Code, the registrar or deputy registrar shall issue to 921
the applicant a temporary removable windshield placard. 922

(b) Any active-duty member of the armed forces of the United 923
States, including the reserve components of the armed forces and 924
the national guard, who has an illness or injury that limits or 925
impairs the ability to walk may apply to the registrar or a deputy 926
registrar for a temporary removable windshield placard. With the 927
application, the person shall present evidence of the person's 928
active-duty status and the illness or injury. Evidence of the 929
illness or injury may include a current department of defense 930
convalescent leave statement, any department of defense document 931
indicating that the person currently has an ill or injured 932
casualty status or has limited duties, or a prescription from any 933
physician or chiropractor prescribing the placard for the 934
applicant. Upon receipt of the application and the necessary 935
evidence, the registrar or deputy registrar shall issue the 936
applicant the temporary removable windshield placard without the 937

payment of any service fee. 938

(2) The temporary removable windshield placard shall be of 939
the same size and form as the removable windshield placard, shall 940
be printed in white on a red-colored background, and shall bear 941
the word "temporary" in letters of such size as the registrar 942
shall prescribe. A temporary removable windshield placard also 943
shall bear the date of expiration on the front and back of the 944
placard, and shall be valid until expired, surrendered, or 945
revoked, but in no case shall such a placard be valid for a period 946
of less than sixty days. Any temporary removable windshield 947
placard that is issued to a person with a disability that limits 948
or impairs the ability to walk shall bear the name of the person 949
with the disability. The registrar shall provide the application 950
form and shall determine the information to be included on it, 951
provided that the registrar shall not require a physician or 952
chiropractor's prescription or certification for a person applying 953
under division (E)(1)(b) of this section. The registrar also shall 954
determine the material of which the temporary removable windshield 955
placard is to be made and any other information to be included on 956
the placard and shall adopt rules relating to the issuance, 957
expiration, surrender, revocation, and proper display of those 958
placards. Any temporary removable windshield placard issued after 959
October 14, 1999, shall be manufactured in a manner that allows 960
for the expiration date of the placard to be indicated on it 961
through the punching, drilling, boring, or creation by any other 962
means of holes in the placard. 963

(F) If an applicant for a removable windshield placard is a 964
veteran of the armed forces of the United States whose disability, 965
as defined in division (A)(1) of this section, is 966
service-connected, the registrar or deputy registrar, upon receipt 967
of the application, presentation of a signed statement from the 968
applicant's personal physician or chiropractor certifying the 969

applicant's disability, and presentation of such documentary 970
evidence from the department of veterans affairs that the 971
disability of the applicant meets at least one of the criteria 972
identified in division (A)(1) of this section and is 973
service-connected as the registrar may require by rule, but 974
without the payment of any service fee, shall issue the applicant 975
a removable windshield placard that is valid until expired, 976
surrendered, or revoked. 977

(G) Upon a conviction of a violation of division (I), (J), or 978
(K) of this section, the court shall report the conviction, and 979
send the placard or parking card, if available, to the registrar, 980
who thereupon shall revoke the privilege of using the placard or 981
parking card and send notice in writing to the placardholder or 982
cardholder at that holder's last known address as shown in the 983
records of the bureau, and the placardholder or cardholder shall 984
return the placard or card if not previously surrendered to the 985
court, to the registrar within ten days following mailing of the 986
notice. 987

Whenever a person to whom a removable windshield placard or 988
parking card has been issued moves to another state, the person 989
shall surrender the placard or card to the registrar; and whenever 990
an organization to which a placard or card has been issued changes 991
its place of operation to another state, the organization shall 992
surrender the placard or card to the registrar. 993

(H) Subject to division (F) of section 4511.69 of the Revised 994
Code, the operator of a motor vehicle displaying a removable 995
windshield placard, temporary removable windshield placard, 996
parking card, or the special license plates authorized by this 997
section is entitled to park the motor vehicle in any special 998
parking location reserved for persons with disabilities that limit 999
or impair the ability to walk, also known as handicapped parking 1000
spaces or disability parking spaces. 1001

(I) No person or organization that is not eligible under 1002
division (B) or (E) of this section shall willfully and falsely 1003
represent that the person or organization is so eligible. 1004

No person or organization shall display license plates issued 1005
under this section unless the license plates have been issued for 1006
the vehicle on which they are displayed and are valid. 1007

(J) No person or organization to which a removable windshield 1008
placard or temporary removable windshield placard is issued shall 1009
do either of the following: 1010

(1) Display or permit the display of the placard on any motor 1011
vehicle when having reasonable cause to believe the motor vehicle 1012
is being used in connection with an activity that does not include 1013
providing transportation for persons with disabilities that limit 1014
or impair the ability to walk; 1015

(2) Refuse to return or surrender the placard, when required. 1016

(K)(1) No person or organization to which a parking card is 1017
issued shall do either of the following: 1018

(a) Display or permit the display of the parking card on any 1019
motor vehicle when having reasonable cause to believe the motor 1020
vehicle is being used in connection with an activity that does not 1021
include providing transportation for a handicapped person; 1022

(b) Refuse to return or surrender the parking card, when 1023
required. 1024

(2) As used in division (K) of this section: 1025

(a) "Handicapped person" means any person who has lost the 1026
use of one or both legs or one or both arms, who is blind, deaf, 1027
or so severely handicapped as to be unable to move about without 1028
the aid of crutches or a wheelchair, or whose mobility is 1029
restricted by a permanent cardiovascular, pulmonary, or other 1030
handicapping condition. 1031

(b) "Organization" means any private organization or corporation, or any governmental board, agency, department, division, or office, that, as part of its business or program, transports handicapped persons on a regular basis in a motor vehicle that has not been altered for the purposes of providing it with special equipment for use by handicapped persons.

(L) If a removable windshield placard, temporary removable windshield placard, or parking card is lost, destroyed, or mutilated, the placardholder or cardholder may obtain a duplicate by doing both of the following:

(1) Furnishing suitable proof of the loss, destruction, or mutilation to the registrar;

(2) Paying a service fee equal to the amount specified in division (D) or (G) of section 4503.10 of the Revised Code.

Any placardholder or cardholder who loses a placard or card and, after obtaining a duplicate, finds the original, immediately shall surrender the original placard or card to the registrar.

(M) The registrar shall pay all fees received under this section for the issuance of removable windshield placards or temporary removable windshield placards or duplicate removable windshield placards or cards into the state treasury to the credit of the state bureau of motor vehicles fund created in section 4501.25 of the Revised Code.

(N) For purposes of enforcing this section, every peace officer is deemed to be an agent of the registrar. Any peace officer or any authorized employee of the bureau of motor vehicles who, in the performance of duties authorized by law, becomes aware of a person whose placard or parking card has been revoked pursuant to this section, may confiscate that placard or parking card and return it to the registrar. The registrar shall prescribe any forms used by law enforcement agencies in administering this

section. 1063

No peace officer, law enforcement agency employing a peace officer, or political subdivision or governmental agency employing a peace officer, and no employee of the bureau is liable in a civil action for damages or loss to persons arising out of the performance of any duty required or authorized by this section. As used in this division, "peace officer" has the same meaning as in division (B) of section 2935.01 of the Revised Code. 1064
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(O) All applications for registration of motor vehicles, removable windshield placards, and temporary removable windshield placards issued under this section, all renewal notices for such items, and all other publications issued by the bureau that relate to this section shall set forth the criminal penalties that may be imposed upon a person who violates any provision relating to special license plates issued under this section, the parking of vehicles displaying such license plates, and the issuance, procurement, use, and display of removable windshield placards and temporary removable windshield placards issued under this section. 1071
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(P) Whoever violates this section is guilty of a misdemeanor of the fourth degree. 1081
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Sec. 4505.09. (A) The clerk of a court of common pleas shall charge a fee of five dollars for each certificate of title that is not applied for within thirty days after the later of the assignment or delivery of the motor vehicle described in it. The fees shall be retained by the clerk. 1083
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In addition to those fees, the clerk shall charge a fee of five dollars for each certificate of title, duplicate certificate of title, memorandum certificate of title, authorization to print a non-negotiable evidence of ownership described in division (G) of section 4505.08 of the Revised Code, non-negotiable evidence of ownership printed by the clerk under division (H) of that section, 1088
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and notation of any lien on a certificate of title. The clerk 1094
shall retain two dollars and twenty-five cents of the fee charged 1095
for each certificate of title, four dollars and seventy-five cents 1096
of the fee charged for each duplicate certificate of title, all of 1097
the fees charged for each memorandum certificate, authorization to 1098
print a non-negotiable evidence of ownership, or non-negotiable 1099
evidence of ownership printed by the clerk, and four dollars and 1100
twenty-five cents of the fee charged for each notation of a lien. 1101

The remaining two dollars and seventy-five cents charged for 1102
the certificate of title, the remaining twenty-five cents charged 1103
for the duplicate certificate of title, and the remaining 1104
seventy-five cents charged for the notation of any lien on a 1105
certificate of title shall be paid to the registrar of motor 1106
vehicles by monthly returns, which shall be forwarded to the 1107
registrar not later than the fifth day of the month next 1108
succeeding that in which the certificate is issued or that in 1109
which the registrar is notified of a lien or cancellation of a 1110
lien. 1111

(B)(1) The registrar shall pay twenty-five cents of the 1112
amount received for each certificate of title and all of the 1113
amounts received for each notation of any lien and each duplicate 1114
certificate of title into the state bureau of motor vehicles fund 1115
established in section 4501.25 of the Revised Code. 1116

(2) Fifty cents of the amount received for each certificate 1117
of title shall be paid by the registrar as follows: 1118

(a) Four cents shall be paid into the state treasury to the 1119
credit of the motor vehicle dealers board fund, which is hereby 1120
created. All investment earnings of the fund shall be credited to 1121
the fund. The moneys in the motor vehicle dealers board fund shall 1122
be used by the motor vehicle dealers board created under section 1123
4517.30 of the Revised Code, together with other moneys 1124
appropriated to it, in the exercise of its powers and the 1125

performance of its duties under Chapter 4517. of the Revised Code, 1126
except that the director of budget and management may transfer 1127
excess money from the motor vehicle dealers board fund to the 1128
bureau of motor vehicles fund if the registrar determines that the 1129
amount of money in the motor vehicle dealers board fund, together 1130
with other moneys appropriated to the board, exceeds the amount 1131
required for the exercise of its powers and the performance of its 1132
duties under Chapter 4517. of the Revised Code and requests the 1133
director to make the transfer. 1134

(b) Twenty-one cents shall be paid into the ~~general revenue~~ 1135
highway operating fund. 1136

(c) Twenty-five cents shall be paid into the state treasury 1137
to the credit of the motor vehicle sales audit fund, which is 1138
hereby created. The moneys in the fund shall be used by the tax 1139
commissioner together with other funds available to the 1140
commissioner to conduct a continuing investigation of sales and 1141
use tax returns filed for motor vehicles in order to determine if 1142
sales and use tax liability has been satisfied. The commissioner 1143
shall refer cases of apparent violations of section 2921.13 of the 1144
Revised Code made in connection with the titling or sale of a 1145
motor vehicle and cases of any other apparent violations of the 1146
sales or use tax law to the appropriate county prosecutor whenever 1147
the commissioner considers it advisable. 1148

(3) Two dollars of the amount received by the registrar for 1149
each certificate of title shall be paid into the state treasury to 1150
the credit of the automated title processing fund, which is hereby 1151
created and which shall consist of moneys collected under division 1152
(B)(3) of this section and under sections 1548.10 and 4519.59 of 1153
the Revised Code. All investment earnings of the fund shall be 1154
credited to the fund. The moneys in the fund shall be used as 1155
follows: 1156

(a) Except for moneys collected under section 1548.10 of the 1157

Revised Code and as provided in division (B)(3)(c) of this 1158
section, moneys collected under division (B)(3) of this section 1159
shall be used to implement and maintain an automated title 1160
processing system for the issuance of motor vehicle, off-highway 1161
motorcycle, and all-purpose vehicle certificates of title in the 1162
offices of the clerks of the courts of common pleas. 1163

(b) Moneys collected under section 1548.10 of the Revised 1164
Code shall be used to issue marine certificates of title in the 1165
offices of the clerks of the courts of common pleas as provided in 1166
Chapter 1548. of the Revised Code. 1167

(c) Moneys collected under division (B)(3) of this section 1168
shall be used in accordance with section 4505.25 of the Revised 1169
Code to implement Sub. S.B. 59 of the 124th general assembly. 1170

(C)(1) The automated title processing board is hereby created 1171
consisting of the registrar or the registrar's representative, a 1172
person selected by the registrar, the president of the Ohio clerks 1173
of court association or the president's representative, and two 1174
clerks of courts of common pleas appointed by the governor. The 1175
director of budget and management or the director's designee, the 1176
chief of the division of watercraft in the department of natural 1177
resources or the chief's designee, and the tax commissioner or the 1178
commissioner's designee shall be nonvoting members of the board. 1179
The purpose of the board is to facilitate the operation and 1180
maintenance of an automated title processing system and approve 1181
the procurement of automated title processing system equipment. 1182
Voting members of the board, excluding the registrar or the 1183
registrar's representative, shall serve without compensation, but 1184
shall be reimbursed for travel and other necessary expenses 1185
incurred in the conduct of their official duties. The registrar or 1186
the registrar's representative shall receive neither compensation 1187
nor reimbursement as a board member. 1188

(2) The automated title processing board shall determine each 1189

of the following:	1190
(a) The automated title processing equipment and certificates of title requirements for each county;	1191 1192
(b) The payment of expenses that may be incurred by the counties in implementing an automated title processing system;	1193 1194
(c) The repayment to the counties for existing title processing equipment.	1195 1196
(3) The registrar shall purchase, lease, or otherwise acquire any automated title processing equipment and certificates of title that the board determines are necessary from moneys in the automated title processing fund established by division (B)(3) of this section.	1197 1198 1199 1200 1201
(D) All counties shall conform to the requirements of the registrar regarding the operation of their automated title processing system for motor vehicle titles, certificates of title for off-highway motorcycles and all-purpose vehicles, and certificates of title for watercraft and outboard motors.	1202 1203 1204 1205 1206
<u>Sec. 4511.092. (A) As used in this section:</u>	1207
<u>(1) "Motor vehicle leasing dealer" has the same meaning as in section 4517.01 of the Revised Code.</u>	1208 1209
<u>(2) "Motor vehicle renting dealer" has the same meaning as in section 4549.65 of the Revised Code.</u>	1210 1211
<u>(3) "Ticket" means any traffic ticket, citation, summons, or other notice of liability issued in response to an alleged traffic law violation detected by a traffic law photo-monitoring device.</u>	1212 1213 1214
<u>(4) "Traffic law photo-monitoring device" means an electronic system consisting of a photographic, video, or electronic camera and a means of sensing the presence of a motor vehicle that automatically produces photographs, videotape, or digital images</u>	1215 1216 1217 1218

of the vehicle or its license plate. 1219

(B) A motor vehicle leasing dealer or motor vehicle renting 1220
dealer who receives a ticket for an alleged traffic law violation 1221
detected by a traffic law photo-monitoring device is not liable 1222
for a ticket issued for a vehicle that was in the care, custody, 1223
or control of a lessee or renter at the time of the alleged 1224
violation. A dealer who receives a ticket for such a violation 1225
shall notify whoever issued the ticket of the vehicle lessee's or 1226
renter's name and address. In no case shall the dealer pay such a 1227
ticket and then attempt to collect a fee or assess the lessee or 1228
renter a charge for any payment of such a ticket made on behalf of 1229
the lessee or renter. 1230

Sec. 4511.101. (A) The director of transportation, in 1231
accordance with 23 U.S.C.A. 109(d), 131(f), and 315, as amended, 1232
shall establish a program for the placement of business logos for 1233
identification purposes on state directional signs within the 1234
rights-of-way of divided, multi-lane, limited access highways in 1235
both rural and urban areas. The director shall adopt rules in 1236
accordance with Chapter 119. of the Revised Code to implement the 1237
program. 1238

(B)(1) All direct and indirect costs of the business logo 1239
sign program established pursuant to this section shall be fully 1240
paid by the businesses applying for participation in the program 1241
other than qualified attractions approved by the director under 1242
division (B)(2) of this section. At any interchange where a 1243
business logo sign is erected, such costs shall be divided equally 1244
among the participating businesses other than approved qualified 1245
attractions. The direct and indirect costs of the program shall 1246
include, but not be limited to, the cost of capital, directional 1247
signs, blanks, posts, logos, installation, repair, engineering, 1248
design, insurance, removal, replacement, and administration. 1249

Nothing in this chapter shall be construed to prohibit the 1250
director from establishing such a program. 1251

(2) The director may approve the participation of a 1252
charitable organization operating a qualified attraction in the 1253
business logo sign program if the director determines that 1254
promotion or protection of the qualified attraction serves a 1255
legitimate state interest. The director may approve such 1256
participation at no cost or at a nominal fee. 1257

(C) The director, in accordance with rules adopted pursuant 1258
~~to Chapter 119. of the Revised Code~~ under division (A) of this 1259
section, may contract with any private person to operate, 1260
maintain, and market the business logo sign program. The rules 1261
shall describe the terms of the contract, and shall allow for a 1262
reasonable profit to be earned by the successful applicant. In 1263
awarding the contract, the director shall consider the skill, 1264
expertise, prior experience, and other qualifications of each 1265
applicant. 1266

(D) As used in this section, ~~"urban:~~ 1267

(1) "Charitable organization" has the same meaning as in 1268
section 1716.01 of the Revised Code. 1269

(2) "Qualified attraction" includes natural wonders, and 1270
artistic, scenic, and historical attractions. 1271

(3) "Urban area" means an area having a population of fifty 1272
thousand or more according to the most recent federal census and 1273
designated as such on urban maps prepared by the department. 1274

(E) Neither the department nor the director shall do either 1275
of the following: 1276

(1) Limit the right of any person to erect, maintain, repair, 1277
remove, or utilize any off-premises or on-premises advertising 1278
device; 1279

(2) Make participation in the business logo sign program 1280
conditional upon a business agreeing to limit, discontinue, 1281
withdraw, modify, alter, or change any advertising or sign. 1282

(F) The program shall permit the business logo signs of a 1283
seller of motor vehicle fuel to include on the seller's signs a 1284
marking or symbol indicating that the seller sells one or more 1285
types of alternative fuel so long as the seller in fact sells that 1286
fuel. 1287

As used in this division, "alternative fuel" has the same 1288
meaning as in section 125.831 of the Revised Code. 1289

Sec. 4511.21. (A) No person shall operate a motor vehicle, 1290
trackless trolley, or streetcar at a speed greater or less than is 1291
reasonable or proper, having due regard to the traffic, surface, 1292
and width of the street or highway and any other conditions, and 1293
no person shall drive any motor vehicle, trackless trolley, or 1294
streetcar in and upon any street or highway at a greater speed 1295
than will permit the person to bring it to a stop within the 1296
assured clear distance ahead. 1297

(B) It is prima-facie lawful, in the absence of a lower limit 1298
declared pursuant to this section by the director of 1299
transportation or local authorities, for the operator of a motor 1300
vehicle, trackless trolley, or streetcar to operate the same at a 1301
speed not exceeding the following: 1302

(1)(a) Twenty miles per hour in school zones during school 1303
recess and while children are going to or leaving school during 1304
the opening or closing hours, and when twenty miles per hour 1305
school speed limit signs are erected; except that, on 1306
controlled-access highways and expressways, if the right-of-way 1307
line fence has been erected without pedestrian opening, the speed 1308
shall be governed by division (B)(4) of this section and on 1309
freeways, if the right-of-way line fence has been erected without 1310

pedestrian opening, the speed shall be governed by divisions 1311
(B)(9) and (10) of this section. The end of every school zone may 1312
be marked by a sign indicating the end of the zone. Nothing in 1313
this section or in the manual and specifications for a uniform 1314
system of traffic control devices shall be construed to require 1315
school zones to be indicated by signs equipped with flashing or 1316
other lights, or giving other special notice of the hours in which 1317
the school zone speed limit is in effect. 1318

(b) As used in this section and in section 4511.212 of the 1319
Revised Code, "school" means any school chartered under section 1320
3301.16 of the Revised Code and any nonchartered school that 1321
during the preceding year filed with the department of education 1322
in compliance with rule 3301-35-08 of the Ohio Administrative 1323
Code, a copy of the school's report for the parents of the 1324
school's pupils certifying that the school meets Ohio minimum 1325
standards for nonchartered, nontax-supported schools and presents 1326
evidence of this filing to the jurisdiction from which it is 1327
requesting the establishment of a school zone. "School" also 1328
includes a special elementary school that in writing requests the 1329
county engineer of the county in which the special elementary 1330
school is located to create a school zone at the location of that 1331
school. Upon receipt of such a written request, the county 1332
engineer shall create a school zone at that location by erecting 1333
the appropriate signs. 1334

(c) As used in this section, "school zone" means that portion 1335
of a street or highway passing a school fronting upon the street 1336
or highway that is encompassed by projecting the school property 1337
lines to the fronting street or highway, and also includes that 1338
portion of a state highway. Upon request from local authorities 1339
for streets and highways under their jurisdiction and that portion 1340
of a state highway under the jurisdiction of the director of 1341
transportation or a request from a county engineer in the case of 1342

a school zone for a special elementary school, the director may 1343
extend the traditional school zone boundaries. The distances in 1344
divisions (B)(1)(c)(i), (ii), and (iii) of this section shall not 1345
exceed three hundred feet per approach per direction and are 1346
bounded by whichever of the following distances or combinations 1347
thereof the director approves as most appropriate: 1348

(i) The distance encompassed by projecting the school 1349
building lines normal to the fronting highway and extending a 1350
distance of three hundred feet on each approach direction; 1351

(ii) The distance encompassed by projecting the school 1352
property lines intersecting the fronting highway and extending a 1353
distance of three hundred feet on each approach direction; 1354

(iii) The distance encompassed by the special marking of the 1355
pavement for a principal school pupil crosswalk plus a distance of 1356
three hundred feet on each approach direction of the highway. 1357

Nothing in this section shall be construed to invalidate the 1358
director's initial action on August 9, 1976, establishing all 1359
school zones at the traditional school zone boundaries defined by 1360
projecting school property lines, except when those boundaries are 1361
extended as provided in divisions (B)(1)(a) and (c) of this 1362
section. 1363

(d) As used in this division, "crosswalk" has the meaning 1364
given that term in division (LL)(2) of section 4511.01 of the 1365
Revised Code. 1366

The director may, upon request by resolution of the 1367
legislative authority of a municipal corporation, the board of 1368
trustees of a township, or a county board of mental retardation 1369
and developmental disabilities created pursuant to Chapter 5126. 1370
of the Revised Code, and upon submission by the municipal 1371
corporation, township, or county board of such engineering, 1372
traffic, and other information as the director considers 1373

necessary, designate a school zone on any portion of a state route 1374
lying within the municipal corporation, lying within the 1375
unincorporated territory of the township, or lying adjacent to the 1376
property of a school that is operated by such county board, that 1377
includes a crosswalk customarily used by children going to or 1378
leaving a school during recess and opening and closing hours, 1379
whenever the distance, as measured in a straight line, from the 1380
school property line nearest the crosswalk to the nearest point of 1381
the crosswalk is no more than one thousand three hundred twenty 1382
feet. Such a school zone shall include the distance encompassed by 1383
the crosswalk and extending three hundred feet on each approach 1384
direction of the state route. 1385

(e) As used in this section, "special elementary school" 1386
means a school that meets all of the following criteria: 1387

(i) It is not chartered and does not receive tax revenue from 1388
any source. 1389

(ii) It does not educate children beyond the eighth grade. 1390

(iii) It is located outside the limits of a municipal 1391
corporation. 1392

(iv) A majority of the total number of students enrolled at 1393
the school are not related by blood. 1394

(v) The principal or other person in charge of the special 1395
elementary school annually sends a report to the superintendent of 1396
the school district in which the special elementary school is 1397
located indicating the total number of students enrolled at the 1398
school, but otherwise the principal or other person in charge does 1399
not report any other information or data to the superintendent. 1400

(2) Twenty-five miles per hour in all other portions of a 1401
municipal corporation, except on state routes outside business 1402
districts, through highways outside business districts, and 1403
alleys; 1404

(3) Thirty-five miles per hour on all state routes or through highways within municipal corporations outside business districts, except as provided in divisions (B)(4) and (6) of this section;	1405 1406 1407
(4) Fifty miles per hour on controlled-access highways and expressways within municipal corporations;	1408 1409
(5) Fifty-five miles per hour on highways outside municipal corporations, other than highways within island jurisdictions as provided in division (B)(8) of this section and freeways as provided in division (B)(13) of this section;	1410 1411 1412 1413
(6) Fifty miles per hour on state routes within municipal corporations outside urban districts unless a lower prima-facie speed is established as further provided in this section;	1414 1415 1416
(7) Fifteen miles per hour on all alleys within the municipal corporation;	1417 1418
(8) Thirty-five miles per hour on highways outside municipal corporations that are within an island jurisdiction;	1419 1420
(9) Fifty-five miles per hour at all times on freeways with paved shoulders inside municipal corporations, other than freeways as provided in division (B)(13) of this section;	1421 1422 1423
(10) Fifty-five miles per hour at all times on freeways outside municipal corporations, other than freeways as provided in division (B)(13) of this section;	1424 1425 1426
(11) Fifty-five miles per hour at all times on all portions of freeways that are part of the interstate system and on all portions of freeways that are not part of the interstate system, but are built to the standards and specifications that are applicable to freeways that are part of the interstate system for operators of any motor vehicle weighing in excess of eight thousand pounds empty weight and any noncommercial bus;	1427 1428 1429 1430 1431 1432 1433
(12) Fifty-five miles per hour for operators of any motor	1434

vehicle weighing eight thousand pounds or less empty weight and 1435
any commercial bus at all times on all portions of freeways that 1436
are part of the interstate system and that had such a speed limit 1437
established prior to October 1, 1995, and freeways that are not 1438
part of the interstate system, but are built to the standards and 1439
specifications that are applicable to freeways that are part of 1440
the interstate system and that had such a speed limit established 1441
prior to October 1, 1995, unless a higher speed limit is 1442
established under division (L) of this section; 1443

(13) Sixty-five miles per hour for operators of any motor 1444
vehicle weighing eight thousand pounds or less empty weight and 1445
any commercial bus at all times on all portions of the following: 1446

(a) Freeways that are part of the interstate system and that 1447
had such a speed limit established prior to October 1, 1995, and 1448
freeways that are not part of the interstate system, but are built 1449
to the standards and specifications that are applicable to 1450
freeways that are part of the interstate system and that had such 1451
a speed limit established prior to October 1, 1995; 1452

(b) Freeways that are part of the interstate system and 1453
freeways that are not part of the interstate system but are built 1454
to the standards and specifications that are applicable to 1455
freeways that are part of the interstate system, and that had such 1456
a speed limit established under division (L) of this section; 1457

(c) Rural, divided, multi-lane highways that are designated 1458
as part of the national highway system under the "National Highway 1459
System Designation Act of 1995," 109 Stat. 568, 23 U.S.C.A. 103, 1460
and that had such a speed limit established under division (M) of 1461
this section. 1462

(C) It is prima-facie unlawful for any person to exceed any 1463
of the speed limitations in divisions (B)(1)(a), (2), (3), (4), 1464
(6), (7), and (8) of this section, or any declared pursuant to 1465

this section by the director or local authorities and it is 1466
unlawful for any person to exceed any of the speed limitations in 1467
division (D) of this section. No person shall be convicted of more 1468
than one violation of this section for the same conduct, although 1469
violations of more than one provision of this section may be 1470
charged in the alternative in a single affidavit. 1471

(D) No person shall operate a motor vehicle, trackless 1472
trolley, or streetcar upon a street or highway as follows: 1473

(1) At a speed exceeding fifty-five miles per hour, except 1474
upon a freeway as provided in division (B)(13) of this section; 1475

(2) At a speed exceeding sixty-five miles per hour upon a 1476
freeway as provided in division (B)(13) of this section except as 1477
otherwise provided in division (D)(3) of this section; 1478

(3) If a motor vehicle weighing in excess of eight thousand 1479
pounds empty weight or a noncommercial bus as prescribed in 1480
division (B)(11) of this section, at a speed exceeding fifty-five 1481
miles per hour upon a freeway as provided in that division; 1482

(4) At a speed exceeding the posted speed limit upon a 1483
freeway for which the director has determined and declared a speed 1484
limit of not more than sixty-five miles per hour pursuant to 1485
division (L)(2) or (M) of this section; 1486

(5) At a speed exceeding sixty-five miles per hour upon a 1487
freeway for which such a speed limit has been established through 1488
the operation of division (L)(3) of this section; 1489

(6) At a speed exceeding the posted speed limit upon a 1490
freeway for which the director has determined and declared a speed 1491
limit pursuant to division (I)(2) of this section. 1492

(E) In every charge of violation of this section the 1493
affidavit and warrant shall specify the time, place, and speed at 1494
which the defendant is alleged to have driven, and in charges made 1495

in reliance upon division (C) of this section also the speed which 1496
division (B)(1)(a), (2), (3), (4), (6), (7), or (8) of, or a limit 1497
declared pursuant to, this section declares is prima-facie lawful 1498
at the time and place of such alleged violation, except that in 1499
affidavits where a person is alleged to have driven at a greater 1500
speed than will permit the person to bring the vehicle to a stop 1501
within the assured clear distance ahead the affidavit and warrant 1502
need not specify the speed at which the defendant is alleged to 1503
have driven. 1504

(F) When a speed in excess of both a prima-facie limitation 1505
and a limitation in division (D)(1), (2), (3), (4), (5), or (6) of 1506
this section is alleged, the defendant shall be charged in a 1507
single affidavit, alleging a single act, with a violation 1508
indicated of both division (B)(1)(a), (2), (3), (4), (6), (7), or 1509
(8) of this section, or of a limit declared pursuant to this 1510
section by the director or local authorities, and of the 1511
limitation in division (D)(1), (2), (3), (4), (5), or (6) of this 1512
section. If the court finds a violation of division (B)(1)(a), 1513
(2), (3), (4), (6), (7), or (8) of, or a limit declared pursuant 1514
to, this section has occurred, it shall enter a judgment of 1515
conviction under such division and dismiss the charge under 1516
division (D)(1), (2), (3), (4), (5), or (6) of this section. If it 1517
finds no violation of division (B)(1)(a), (2), (3), (4), (6), (7), 1518
or (8) of, or a limit declared pursuant to, this section, it shall 1519
then consider whether the evidence supports a conviction under 1520
division (D)(1), (2), (3), (4), (5), or (6) of this section. 1521

(G) Points shall be assessed for violation of a limitation 1522
under division (D) of this section in accordance with section 1523
4510.036 of the Revised Code. 1524

(H) Whenever the director determines upon the basis of a 1525
geometric and traffic characteristic study that any speed limit 1526
set forth in divisions (B)(1)(a) to (D) of this section is greater 1527

or less than is reasonable or safe under the conditions found to exist at any portion of a street or highway under the jurisdiction of the director, the director shall determine and declare a reasonable and safe prima-facie speed limit, which shall be effective when appropriate signs giving notice of it are erected at the location.

(I)(1) Except as provided in divisions (I)(2) and (K) of this section, whenever local authorities determine upon the basis of an engineering and traffic investigation that the speed permitted by divisions (B)(1)(a) to (D) of this section, on any part of a highway under their jurisdiction, is greater than is reasonable and safe under the conditions found to exist at such location, the local authorities may by resolution request the director to determine and declare a reasonable and safe prima-facie speed limit. Upon receipt of such request the director may determine and declare a reasonable and safe prima-facie speed limit at such location, and if the director does so, then such declared speed limit shall become effective only when appropriate signs giving notice thereof are erected at such location by the local authorities. The director may withdraw the declaration of a prima-facie speed limit whenever in the director's opinion the altered prima-facie speed becomes unreasonable. Upon such withdrawal, the declared prima-facie speed shall become ineffective and the signs relating thereto shall be immediately removed by the local authorities.

(2) A local authority may determine on the basis of a geometric and traffic characteristic study that the speed limit of sixty-five miles per hour on a portion of a freeway under its jurisdiction that was established through the operation of division (L)(3) of this section is greater than is reasonable or safe under the conditions found to exist at that portion of the freeway. If the local authority makes such a determination, the

local authority by resolution may request the director to 1560
determine and declare a reasonable and safe speed limit of not 1561
less than fifty-five miles per hour for that portion of the 1562
freeway. If the director takes such action, the declared speed 1563
limit becomes effective only when appropriate signs giving notice 1564
of it are erected at such location by the local authority. 1565

(J) Local authorities in their respective jurisdictions may 1566
authorize by ordinance higher prima-facie speeds than those stated 1567
in this section upon through highways, or upon highways or 1568
portions thereof where there are no intersections, or between 1569
widely spaced intersections, provided signs are erected giving 1570
notice of the authorized speed, but local authorities shall not 1571
modify or alter the basic rule set forth in division (A) of this 1572
section or in any event authorize by ordinance a speed in excess 1573
of fifty miles per hour. 1574

Alteration of prima-facie limits on state routes by local 1575
authorities shall not be effective until the alteration has been 1576
approved by the director. The director may withdraw approval of 1577
any altered prima-facie speed limits whenever in the director's 1578
opinion any altered prima-facie speed becomes unreasonable, and 1579
upon such withdrawal, the altered prima-facie speed shall become 1580
ineffective and the signs relating thereto shall be immediately 1581
removed by the local authorities. 1582

(K)(1) As used in divisions (K)(1), (2), (3), and (4) of this 1583
section, "unimproved highway" means a highway consisting of any of 1584
the following: 1585

(a) Unimproved earth; 1586

(b) Unimproved graded and drained earth; 1587

(c) Gravel. 1588

(2) Except as otherwise provided in divisions (K)(4) and (5) 1589
of this section, whenever a board of township trustees determines 1590

upon the basis of an engineering and traffic investigation that 1591
the speed permitted by division (B)(5) of this section on any part 1592
of an unimproved highway under its jurisdiction and in the 1593
unincorporated territory of the township is greater than is 1594
reasonable or safe under the conditions found to exist at the 1595
location, the board may by resolution declare a reasonable and 1596
safe prima-facie speed limit of fifty-five but not less than 1597
twenty-five miles per hour. An altered speed limit adopted by a 1598
board of township trustees under this division becomes effective 1599
when appropriate traffic control devices, as prescribed in section 1600
4511.11 of the Revised Code, giving notice thereof are erected at 1601
the location, which shall be no sooner than sixty days after 1602
adoption of the resolution. 1603

(3)(a) Whenever, in the opinion of a board of township 1604
trustees, any altered prima-facie speed limit established by the 1605
board under this division becomes unreasonable, the board may 1606
adopt a resolution withdrawing the altered prima-facie speed 1607
limit. Upon the adoption of such a resolution, the altered 1608
prima-facie speed limit becomes ineffective and the traffic 1609
control devices relating thereto shall be immediately removed. 1610

(b) Whenever a highway ceases to be an unimproved highway and 1611
the board has adopted an altered prima-facie speed limit pursuant 1612
to division (K)(2) of this section, the board shall, by 1613
resolution, withdraw the altered prima-facie speed limit as soon 1614
as the highway ceases to be unimproved. Upon the adoption of such 1615
a resolution, the altered prima-facie speed limit becomes 1616
ineffective and the traffic control devices relating thereto shall 1617
be immediately removed. 1618

(4)(a) If the boundary of two townships rests on the 1619
centerline of an unimproved highway in unincorporated territory 1620
and both townships have jurisdiction over the highway, neither of 1621
the boards of township trustees of such townships may declare an 1622

altered prima-facie speed limit pursuant to division (K)(2) of 1623
this section on the part of the highway under their joint 1624
jurisdiction unless the boards of township trustees of both of the 1625
townships determine, upon the basis of an engineering and traffic 1626
investigation, that the speed permitted by division (B)(5) of this 1627
section is greater than is reasonable or safe under the conditions 1628
found to exist at the location and both boards agree upon a 1629
reasonable and safe prima-facie speed limit of less than 1630
fifty-five but not less than twenty-five miles per hour for that 1631
location. If both boards so agree, each shall follow the procedure 1632
specified in division (K)(2) of this section for altering the 1633
prima-facie speed limit on the highway. Except as otherwise 1634
provided in division (K)(4)(b) of this section, no speed limit 1635
altered pursuant to division (K)(4)(a) of this section may be 1636
withdrawn unless the boards of township trustees of both townships 1637
determine that the altered prima-facie speed limit previously 1638
adopted becomes unreasonable and each board adopts a resolution 1639
withdrawing the altered prima-facie speed limit pursuant to the 1640
procedure specified in division (K)(3)(a) of this section. 1641

(b) Whenever a highway described in division (K)(4)(a) of 1642
this section ceases to be an unimproved highway and two boards of 1643
township trustees have adopted an altered prima-facie speed limit 1644
pursuant to division (K)(4)(a) of this section, both boards shall, 1645
by resolution, withdraw the altered prima-facie speed limit as 1646
soon as the highway ceases to be unimproved. Upon the adoption of 1647
the resolution, the altered prima-facie speed limit becomes 1648
ineffective and the traffic control devices relating thereto shall 1649
be immediately removed. 1650

(5) As used in division (K)(5) of this section: 1651

(a) "Commercial subdivision" means any platted territory 1652
outside the limits of a municipal corporation and fronting a 1653
highway where, for a distance of three hundred feet or more, the 1654

frontage is improved with buildings in use for commercial 1655
purposes, or where the entire length of the highway is less than 1656
three hundred feet long and the frontage is improved with 1657
buildings in use for commercial purposes. 1658

(b) "Residential subdivision" means any platted territory 1659
outside the limits of a municipal corporation and fronting a 1660
highway, where, for a distance of three hundred feet or more, the 1661
frontage is improved with residences or residences and buildings 1662
in use for business, or where the entire length of the highway is 1663
less than three hundred feet long and the frontage is improved 1664
with residences or residences and buildings in use for business. 1665

Whenever a board of township trustees finds upon the basis of 1666
an engineering and traffic investigation that the prima-facie 1667
speed permitted by division (B)(5) of this section on any part of 1668
a highway under its jurisdiction that is located in a commercial 1669
or residential subdivision, except on highways or portions thereof 1670
at the entrances to which vehicular traffic from the majority of 1671
intersecting highways is required to yield the right-of-way to 1672
vehicles on such highways in obedience to stop or yield signs or 1673
traffic control signals, is greater than is reasonable and safe 1674
under the conditions found to exist at the location, the board may 1675
by resolution declare a reasonable and safe prima-facie speed 1676
limit of less than fifty-five but not less than twenty-five miles 1677
per hour at the location. An altered speed limit adopted by a 1678
board of township trustees under this division shall become 1679
effective when appropriate signs giving notice thereof are erected 1680
at the location by the township. Whenever, in the opinion of a 1681
board of township trustees, any altered prima-facie speed limit 1682
established by it under this division becomes unreasonable, it may 1683
adopt a resolution withdrawing the altered prima-facie speed, and 1684
upon such withdrawal, the altered prima-facie speed shall become 1685
ineffective, and the signs relating thereto shall be immediately 1686

removed by the township. 1687

(L)(1) Within one hundred twenty days of February 29, 1996, 1688
the director of transportation, based upon a geometric and traffic 1689
characteristic study of a freeway that is part of the interstate 1690
system or that is not part of the interstate system, but is built 1691
to the standards and specifications that are applicable to 1692
freeways that are part of the interstate system, in consultation 1693
with the director of public safety and, if applicable, the local 1694
authority having jurisdiction over a portion of such freeway, may 1695
determine and declare that the speed limit of less than sixty-five 1696
miles per hour established on such freeway or portion of freeway 1697
either is reasonable and safe or is less than that which is 1698
reasonable and safe. 1699

(2) If the established speed limit for such a freeway or 1700
portion of freeway is determined to be less than that which is 1701
reasonable and safe, the director of transportation, in 1702
consultation with the director of public safety and, if 1703
applicable, the local authority having jurisdiction over the 1704
portion of freeway, shall determine and declare a reasonable and 1705
safe speed limit of not more than sixty-five miles per hour for 1706
that freeway or portion of freeway. 1707

The director of transportation or local authority having 1708
jurisdiction over the freeway or portion of freeway shall erect 1709
appropriate signs giving notice of the speed limit at such 1710
location within one hundred fifty days of February 29, 1996. Such 1711
speed limit becomes effective only when such signs are erected at 1712
the location. 1713

(3) If, within one hundred twenty days of February 29, 1996, 1714
the director of transportation does not make a determination and 1715
declaration of a reasonable and safe speed limit for a freeway or 1716
portion of freeway that is part of the interstate system or that 1717
is not part of the interstate system, but is built to the 1718

standards and specifications that are applicable to freeways that 1719
are part of the interstate system and that has a speed limit of 1720
less than sixty-five miles per hour, the speed limit on that 1721
freeway or portion of a freeway shall be sixty-five miles per 1722
hour. The director of transportation or local authority having 1723
jurisdiction over the freeway or portion of the freeway shall 1724
erect appropriate signs giving notice of the speed limit of 1725
sixty-five miles per hour at such location within one hundred 1726
fifty days of February 29, 1996. Such speed limit becomes 1727
effective only when such signs are erected at the location. A 1728
speed limit established through the operation of division (L)(3) 1729
of this section is subject to reduction under division (I)(2) of 1730
this section. 1731

(M) Within three hundred sixty days after February 29, 1996, 1732
the director of transportation, based upon a geometric and traffic 1733
characteristic study of a rural, divided, multi-lane highway that 1734
has been designated as part of the national highway system under 1735
the "National Highway System Designation Act of 1995," 109 Stat. 1736
568, 23 U.S.C.A. 103, in consultation with the director of public 1737
safety and, if applicable, the local authority having jurisdiction 1738
over a portion of the highway, may determine and declare that the 1739
speed limit of less than sixty-five miles per hour established on 1740
the highway or portion of highway either is reasonable and safe or 1741
is less than that which is reasonable and safe. 1742

If the established speed limit for the highway or portion of 1743
highway is determined to be less than that which is reasonable and 1744
safe, the director of transportation, in consultation with the 1745
director of public safety and, if applicable, the local authority 1746
having jurisdiction over the portion of highway, shall determine 1747
and declare a reasonable and safe speed limit of not more than 1748
sixty-five miles per hour for that highway or portion of highway. 1749
The director of transportation or local authority having 1750

jurisdiction over the highway or portion of highway shall erect 1751
appropriate signs giving notice of the speed limit at such 1752
location within three hundred ninety days after February 29, 1996. 1753
The speed limit becomes effective only when such signs are erected 1754
at the location. 1755

(N)(1)(a) If the boundary of two local authorities rests on 1756
the centerline of a highway and both authorities have jurisdiction 1757
over the highway, the speed limit for the part of the highway 1758
within their joint jurisdiction shall be either one of the 1759
following as agreed to by both authorities: 1760

(i) Either prima-facie speed limit permitted by division (B) 1761
of this section; 1762

(ii) An altered speed limit determined and posted in 1763
accordance with this section. 1764

(b) If the local authorities are unable to reach an 1765
agreement, the speed limit shall remain as established and posted 1766
under this section. 1767

(2) Neither local authority may declare an altered 1768
prima-facie speed limit pursuant to this section on the part of 1769
the highway under their joint jurisdiction unless both of the 1770
local authorities determine, upon the basis of an engineering and 1771
traffic investigation, that the speed permitted by this section is 1772
greater than is reasonable or safe under the conditions found to 1773
exist at the location and both authorities agree upon a uniform 1774
reasonable and safe prima-facie speed limit of less than 1775
fifty-five but not less than twenty-five miles per hour for that 1776
location. If both authorities so agree, each shall follow the 1777
procedure specified in this section for altering the prima-facie 1778
speed limit on the highway, and the speed limit for the part of 1779
the highway within their joint jurisdiction shall be uniformly 1780
altered. No altered speed limit may be withdrawn unless both local 1781

authorities determine that the altered prima-facie speed limit 1782
previously adopted becomes unreasonable and each adopts a 1783
resolution withdrawing the altered prima-facie speed limit 1784
pursuant to the procedure specified in this section. 1785

(O) As used in this section: 1786

(1) "Interstate system" has the same meaning as in 23 1787
U.S.C.A. 101. 1788

(2) "Commercial bus" means a motor vehicle designed for 1789
carrying more than nine passengers and used for the transportation 1790
of persons for compensation. 1791

(3) "Noncommercial bus" includes but is not limited to a 1792
school bus or a motor vehicle operated solely for the 1793
transportation of persons associated with a charitable or 1794
nonprofit organization. 1795

(P)(1) A violation of any provision of this section is one of 1796
the following: 1797

(a) Except as otherwise provided in divisions (P)(1)(b), 1798
(1)(c), (2), and (3) of this section, a minor misdemeanor; 1799

(b) If, within one year of the offense, the offender 1800
previously has been convicted of or pleaded guilty to two 1801
violations of any provision of this section or of any provision of 1802
a municipal ordinance that is substantially similar to any 1803
provision of this section, a misdemeanor of the fourth degree; 1804

(c) If, within one year of the offense, the offender 1805
previously has been convicted of or pleaded guilty to three or 1806
more violations of any provision of this section or of any 1807
provision of a municipal ordinance that is substantially similar 1808
to any provision of this section, a misdemeanor of the third 1809
degree. 1810

(2) If the offender has not previously been convicted of or 1811

pleaded guilty to a violation of any provision of this section or 1812
of any provision of a municipal ordinance that is substantially 1813
similar to this section and operated a motor vehicle faster than 1814
thirty-five miles an hour in a business district of a municipal 1815
corporation, faster than fifty miles an hour in other portions of 1816
a municipal corporation, or faster than thirty-five miles an hour 1817
in a school zone during recess or while children are going to or 1818
leaving school during the school's opening or closing hours, a 1819
misdemeanor of the fourth degree. 1820

(3) Notwithstanding division (P)(1) of this section, if the 1821
offender operated a motor vehicle in a construction zone where a 1822
sign was then posted in accordance with section 4511.98 of the 1823
Revised Code, the court, in addition to all other penalties 1824
provided by law, shall impose upon the offender a fine of two 1825
times the usual amount imposed for the violation. No court shall 1826
impose a fine of two times the usual amount imposed for the 1827
violation upon an offender if the offender alleges, in an 1828
affidavit filed with the court prior to the offender's sentencing, 1829
that the offender is indigent and is unable to pay the fine 1830
imposed pursuant to this division and if the court determines that 1831
the offender is an indigent person and unable to pay the fine. 1832

Sec. 4519.59. (A) The clerk of a court of common pleas shall 1833
charge a fee of five dollars for each certificate of title, 1834
duplicate certificate of title, memorandum certificate of title, 1835
authorization to print a non-negotiable evidence of ownership 1836
described in division (D) of section 4519.58 of the Revised Code, 1837
non-negotiable evidence of ownership printed by the clerk under 1838
division (E) of that section, and notation of any lien on a 1839
certificate of title. The clerk shall retain two dollars and 1840
twenty-five cents of the fee charged for each certificate of 1841
title, four dollars and seventy-five cents of the fee charged for 1842
each duplicate certificate of title, all of the fees charged for 1843

each memorandum certificate, authorization to print a 1844
non-negotiable evidence of ownership, or non-negotiable evidence 1845
of ownership printed by the clerk, and four dollars and 1846
twenty-five cents of the fee charged for each notation of a lien. 1847

The remaining two dollars and seventy-five cents charged for 1848
the certificate of title, the remaining twenty-five cents charged 1849
for the duplicate certificate of title, and the remaining 1850
seventy-five cents charged for the notation of any lien on a 1851
certificate of title shall be paid to the registrar of motor 1852
vehicles by monthly returns, which shall be forwarded to the 1853
registrar not later than the fifth day of the month next 1854
succeeding that in which the certificate is forwarded or that in 1855
which the registrar is notified of a lien or cancellation of a 1856
lien. 1857

(B)(1) The registrar shall pay twenty-five cents of the 1858
amount received for each certificate of title and all of the 1859
amounts received for each notation of any lien and each duplicate 1860
certificate of title into the state bureau of motor vehicles fund 1861
established in section 4501.25 of the Revised Code. 1862

(2) Fifty cents of the amount received for each certificate 1863
of title shall be paid by the registrar as follows: 1864

(a) Four cents shall be paid into the state treasury to the 1865
credit of the motor vehicle dealers board fund created in section 1866
4505.09 of the Revised Code, for use as described in division 1867
(B)(2)(a) of that section. 1868

(b) Twenty-one cents shall be paid into the ~~general revenue~~ 1869
highway operating fund. 1870

(c) Twenty-five cents shall be paid into the state treasury 1871
to the credit of the motor vehicle sales audit fund created in 1872
section 4505.09 of the Revised Code, for use as described in 1873

division (B)(2)(c) of that section. 1874

(3) Two dollars of the amount received by the registrar for 1875
each certificate of title shall be paid into the state treasury to 1876
the credit of the automated title processing fund created in 1877
section 4505.09 of the Revised Code, for use as described in 1878
divisions (B)(3)(a) and (c) of that section. 1879

Sec. 4561.18. (A) The owner of any aircraft that is based in 1880
this state and that is not of a type specified in divisions (A)(1) 1881
to (6) of section 4561.17 of the Revised Code, shall register that 1882
aircraft with the department of transportation pursuant to this 1883
section. 1884

(B) Applications for the licensing and registration of 1885
aircraft shall be made and signed by the owner on forms the 1886
department of transportation prepares. The forms shall contain a 1887
description of the aircraft, including its federal registration 1888
number, the airport or other place at which the aircraft is based, 1889
and any other information the department requires. 1890

(C)(1) Registration forms shall be filed with the director of 1891
transportation annually at the time the director specifies and 1892
shall be renewed according to the standard renewal procedure of 1893
sections 4745.01 to 4745.03 of the Revised Code. If the airport or 1894
other place at which the aircraft usually is based changes, the 1895
owner shall update the registration by filing a new form with the 1896
office of aviation. 1897

(2) An application for the registration of any aircraft not 1898
previously registered in this state that is acquired or becomes 1899
subject to the license tax subsequent to the last day of January 1900
in any year, shall be made for the balance of the year in which 1901
the aircraft is acquired, within thirty days after the acquisition 1902
or after becoming subject to the license tax. 1903

(D)(1) Each registration form shall be accompanied by the 1904
proper license tax, which, for all aircraft other than ~~gliders and~~ 1905
~~balloons~~ those described in divisions (D)(2) and (3) of this 1906
section, shall be at the annual rate of fifteen dollars per seat, 1907
based on the manufacturer's maximum listed seating capacity. ~~The~~ 1908

(2) The license tax for gliders and balloons shall be fifteen 1909
dollars annually. 1910

(3) The annual license tax for commercial cargo aircraft 1911
shall be seven hundred fifty dollars per aircraft. 1912

(E) The department of transportation shall maintain all 1913
registrations filed with it under this section and shall develop a 1914
program to track and enforce the registration of aircraft based in 1915
this state. 1916

(F) The taxes this section requires are in lieu of all other 1917
taxes on or with respect to ownership of an aircraft. 1918

(G) The director of transportation shall impose a fine 1919
pursuant to section 4561.22 of the Revised Code for each aircraft 1920
that an owner fails to register as this section requires and shall 1921
require the owner to register the aircraft within the time the 1922
director specifies. The director may impose a separate fine for 1923
each registration period during which the owner fails to register 1924
the aircraft. 1925

(H) As used in this section, "commercial cargo aircraft" 1926
means any aircraft used in connection with an all-cargo operation, 1927
as defined in 14 C.F.R. 119.3. 1928

Sec. 5501.31. The director of transportation shall have 1929
general supervision of all roads comprising the state highway 1930
system. The director may alter, widen, straighten, realign, 1931
relocate, establish, construct, reconstruct, improve, maintain, 1932
repair, and preserve any road or highway on the state highway 1933

system, and, in connection therewith, relocate, alter, widen, 1934
deepen, clean out, or straighten the channel of any watercourse as 1935
the director considers necessary, and purchase or appropriate 1936
property for the disposal of surplus materials or borrow pits, 1937
and, where an established road has been relocated, establish, 1938
construct, and maintain such connecting roads between the old and 1939
new location as will provide reasonable access thereto. 1940

The director may purchase or appropriate property necessary 1941
for the location or construction of any culvert, bridge, or 1942
viaduct, or the approaches thereto, including any property needed 1943
to extend, widen, or alter any feeder or outlet road, street, or 1944
way adjacent to or under the bridge or viaduct when the extension, 1945
widening, or alteration of the feeder road, street, or way is 1946
necessary for the full utilization of the bridge or viaduct, or 1947
for any other highway improvement. The director may purchase or 1948
appropriate, for such length of time as is necessary and 1949
desirable, any additional property required for the construction 1950
and maintenance of slopes, detour roads, sewers, roadside parks, 1951
rest areas, recreational park areas, park and ride facilities, and 1952
park and carpool or vanpool facilities, scenic view areas, 1953
drainage systems, or land to replace wetlands, incident to any 1954
highway improvement, that the director is or may be authorized to 1955
locate or construct. Also incident to any authorized highway 1956
improvement, the director may purchase property from a willing 1957
seller as required for the construction and maintenance of 1958
bikeways and bicycle paths or to replace, preserve, or conserve 1959
any environmental resource if the replacement, preservation, or 1960
conservation is required by state or federal law. 1961

Title to property purchased or appropriated by the director 1962
shall be taken in the name of the state either in fee simple or in 1963
any lesser estate or interest that the director considers 1964
necessary or proper, in accordance with forms to be prescribed by 1965

the attorney general. The deed shall contain a description of the 1966
property and be recorded in the county where the property is 1967
situated and, when recorded, shall be kept on file in the 1968
department of transportation. The property may be described by 1969
metes and bounds or by the department of transportation parcel 1970
number as shown on a right of way plan recorded in the county 1971
where the property is located. 1972

Provided that when property, other than property used by a 1973
railroad for operating purposes, is acquired in connection with 1974
improvements involving projects affecting railroads wherein the 1975
department is obligated to acquire property under grade separation 1976
statutes, or on other improvements wherein the department is 1977
obligated to acquire lands under agreements with railroads, or 1978
with a public utility, political subdivision, public corporation, 1979
or private corporation owning transportation facilities for the 1980
readjustment, relocation, or improvement of their facilities, a 1981
fee simple title or an easement may be acquired by purchase or 1982
appropriation in the name of the railroad, public utility, 1983
political subdivision, public corporation, or private corporation 1984
in the discretion of the director. When the title to lands, which 1985
are required to adjust, relocate, or improve such facilities 1986
pursuant to agreements with the director, is taken in the name of 1987
the state, then, in the discretion of the director, the title to 1988
such lands may be conveyed to the railroad, public utility, 1989
political subdivision, or public corporation for which they were 1990
acquired. The conveyance shall be prepared by the attorney general 1991
and executed by the governor and bear the great seal of the state 1992
of Ohio. 1993

The director, in the maintenance or repair of state highways, 1994
is not limited to the use of the materials with which the 1995
highways, including the bridges and culverts thereon, were 1996
originally constructed, but may use any material that is proper or 1997

suitable. The director may aid any board of county commissioners 1998
in establishing, creating, and repairing suitable systems of 1999
drainage for all highways within the jurisdiction or control of 2000
the board and advise with it as to the establishment, 2001
construction, improvement, maintenance, and repair of the 2002
highways. 2003

Chapters 5501., 5503., 5511., 5513., 5515., 5516., 5517., 2004
5519., 5521., 5523., 5525., 5527., 5528., 5529., 5531., 5533., and 2005
5535. of the Revised Code do not prohibit the federal government, 2006
or any individual or corporation, from contributing a portion of 2007
the cost of the establishment, construction, reconstruction, 2008
relocating, widening, resurfacing, maintenance, and repair of the 2009
highways. 2010

Except in the case of maintaining, repairing, erecting 2011
traffic signs on, or pavement marking of state highways within 2012
villages, which is mandatory as required by section 5521.01 of the 2013
Revised Code, and except as provided in section 5501.49 of the 2014
Revised Code, no duty of constructing, reconstructing, widening, 2015
resurfacing, maintaining, or repairing state highways within 2016
municipal corporations, or the ~~bridges and~~ culverts thereon, shall 2017
attach to or rest upon the director, but the director may 2018
construct, reconstruct, widen, resurface, maintain, and repair the 2019
same with or without the cooperation of any municipal corporation, 2020
or with or without the cooperation of boards of county 2021
commissioners upon each municipal corporation consenting thereto. 2022

Sec. 5501.49. (A) The director of transportation is 2023
responsible for the construction, reconstruction, major and 2024
routine maintenance and repair, and operation of all ~~lift~~ bridges 2025
located on the state highway system within a municipal 2026
corporation. ~~The responsibilities of the director pertain only to~~ 2027
~~those lift bridges necessary for the initial construction or~~ 2028

~~continued operation of the state highway system. The county or
other person responsible for maintaining the pavements and
sidewalks on either end of the bridge is responsible for the
routine maintenance of all lift bridges located on the state
highway system within the municipal corporation, unless other
arrangements have been made between the county and the municipal
corporation to perform the routine maintenance.~~

(B) The director may enter into an agreement with the
legislative authority of a municipal corporation or a county, upon
mutually agreeable terms, for the municipal corporation or county
to operate and perform major and routine maintenance and repair on
any ~~lift~~ bridge located on the state highway system within the
municipal corporation or county.

(C) The director is not required to obtain the consent of a
municipal corporation prior to the performance of any major ~~lift~~
or routine bridge maintenance and repair. Except in an emergency,
the director shall give a municipal corporation reasonable notice
prior to the performance of any work that will affect the flow of
traffic. No utilities, signs, or other appurtenances shall be
attached to a ~~lift~~ bridge without the prior written consent of the
director.

(D) As used in this section:

(1) Major and routine maintenance and repair relates to all
elements of a ~~lift~~ bridge, including abutments, wingwalls, and
headwalls but excluding approach fill and approach slab, and
appurtenances thereto.

(2) "Major maintenance" includes the painting of a ~~lift~~
bridge and the repair of deteriorated or damaged elements,
including bridge decks, to restore the structural integrity of a
~~lift~~ bridge.

(3) "Routine maintenance" includes without limitation,

clearing debris from the deck, sweeping, snow and ice removal, 2060
minor wearing surface patching, cleaning bridge drainage systems, 2061
marking decks for traffic control, minor and emergency repairs to 2062
railing and appurtenances, emergency patching of deck, and 2063
maintenance of traffic signal and lighting systems, including the 2064
supply of electrical power. 2065

(4) "Operation" relates to those expenses that are necessary 2066
for the routine, daily operation of a lift bridge, such as 2067
payroll, workers' compensation and retirement payments, and the 2068
cost of utilities. 2069

Sec. 5502.03. (A) There is hereby created in the department 2070
of public safety a division of homeland security. ~~It is the intent~~ 2071
~~of the general assembly that the creation of the division of~~ 2072
~~homeland security of the department of public safety by this~~ 2073
~~amendment does not result in an increase of funding appropriated~~ 2074
~~to the department.~~ 2075

(B) The division shall do all of the following: 2076

(1) Coordinate all homeland security activities of all state 2077
agencies and be the liaison between state agencies and local 2078
entities for the purposes of communicating homeland security 2079
funding and policy initiatives; 2080

(2) Collect, analyze, maintain, and disseminate information 2081
to support local, state, and federal law enforcement agencies, 2082
other government agencies, and private organizations in detecting, 2083
detering, preventing, preparing for, responding to, and 2084
recovering from threatened or actual terrorist events. This 2085
information is not a public record pursuant to section 149.43 of 2086
the Revised Code. 2087

(3) Coordinate efforts of state and local governments and 2088
private organizations to enhance the security and protection of 2089

critical infrastructure and key assets in this state; 2090

(4) Develop and coordinate policies, protocols, and 2091
strategies that may be used to prevent, detect, prepare for, 2092
respond to, and recover from terrorist acts or threats; 2093

(5) Develop, update, and coordinate the implementation of an 2094
Ohio homeland security strategic plan that will guide state and 2095
local governments in the achievement of homeland security in this 2096
state. 2097

(C) The director of public safety shall appoint an executive 2098
director, who shall be head of the division of homeland security 2099
and who regularly shall advise the governor and the director on 2100
matters pertaining to homeland security. The executive director 2101
shall serve at the pleasure of the director of public safety. To 2102
carry out the duties assigned under this section, the executive 2103
director, subject to the direction and control of the director of 2104
public safety, may appoint and maintain necessary staff and may 2105
enter into any necessary agreements. 2106

(D) Except as otherwise provided by law, nothing in this 2107
section shall be construed to give the director of public safety 2108
or the executive director of the division of homeland security 2109
authority over the incident management structure or 2110
responsibilities of local emergency response personnel. 2111

Sec. 5502.62. (A) There is hereby created in the department 2112
of public safety a division of criminal justice services. The 2113
director of public safety, with the concurrence of the governor, 2114
shall appoint an executive director of the division of criminal 2115
justice services. The executive director shall be the head of the 2116
division. The executive director shall serve at the pleasure of 2117
the director of public safety. To carry out the duties assigned 2118
under this section and to comply with sections 5502.63 to 5502.66 2119
of the Revised Code, the executive director, subject to the 2120

direction and control of the director of public safety, may 2121
appoint and maintain any necessary staff and may enter into any 2122
necessary contracts and other agreements. The executive director 2123
of the division, and all professional and technical personnel 2124
employed within the division who are not public employees as 2125
defined in section 4117.01 of the Revised Code, shall be in the 2126
unclassified civil service, and all other persons employed within 2127
the division shall be in the classified civil service. 2128

(B) Subject to division (F) of this section and subject to 2129
divisions (D) to (F) of section 5120.09 of the Revised Code 2130
insofar as those divisions relate to federal criminal justice acts 2131
that the governor requires the department of rehabilitation and 2132
correction to administer, the division of criminal justice 2133
services shall do all of the following: 2134

(1) Serve as the state criminal justice services agency and 2135
perform criminal justice system planning in the state, including 2136
any planning that is required by any federal law; 2137

(2) Collect, analyze, and correlate information and data 2138
concerning the criminal justice system in the state; 2139

(3) Cooperate with and provide technical assistance to state 2140
departments, administrative planning districts, metropolitan 2141
county criminal justice services agencies, criminal justice 2142
coordinating councils, agencies, offices, and departments of the 2143
criminal justice system in the state, and other appropriate 2144
organizations and persons; 2145

(4) Encourage and assist agencies, offices, and departments 2146
of the criminal justice system in the state and other appropriate 2147
organizations and persons to solve problems that relate to the 2148
duties of the division; 2149

(5) Administer within the state any federal criminal justice 2150

acts that the governor requires it to administer; 2151

(6) Administer funds received under the "Family Violence 2152
Prevention and Services Act," 98 Stat. 1757 (1984), 42 U.S.C.A. 2153
10401, as amended, with all powers necessary for the adequate 2154
administration of those funds, including the authority to 2155
establish a family violence prevention and services program; 2156

(7) Implement the state comprehensive plans; 2157

(8) Audit grant activities of agencies, offices, 2158
organizations, and persons that are financed in whole or in part 2159
by funds granted through the division; 2160

(9) Monitor or evaluate the performance of criminal justice 2161
system projects and programs in the state that are financed in 2162
whole or in part by funds granted through the division; 2163

(10) Apply for, allocate, disburse, and account for grants 2164
that are made available pursuant to federal criminal justice acts, 2165
or made available from other federal, state, or private sources, 2166
to improve the criminal justice system in the state. All money 2167
from such federal grants that require that the money be deposited 2168
into an interest-bearing fund or account, that are intended to 2169
provide funding to local criminal justice programs, and that 2170
require that investment earnings be distributed for program 2171
purposes shall be deposited in the state treasury to the credit of 2172
the federal justice programs funds, which are hereby created. A 2173
separate fund shall be established each federal fiscal year. All 2174
investment earnings of a federal justice programs fund shall be 2175
credited to that fund and distributed in accordance with the terms 2176
of the grant under which the money is received. If the terms under 2177
which the money is received do not require the money to be 2178
deposited into an interest-bearing fund or account, all money from 2179
such federal grants shall be deposited into the state treasury to 2180
the credit of the federal justice grants fund, which is hereby 2181

<u>created. Money credited to the fund shall be used or distributed</u>	2182
<u>pursuant to the federal grant programs under which the money is</u>	2183
<u>received.</u>	2184
(11) Contract with federal, state, and local agencies,	2185
foundations, corporations, businesses, and persons when necessary	2186
to carry out the duties of the division;	2187
(12) Oversee the activities of metropolitan county criminal	2188
justice services agencies, administrative planning districts, and	2189
criminal justice coordinating councils in the state;	2190
(13) Advise the director of public safety, general assembly,	2191
and governor on legislation and other significant matters that	2192
pertain to the improvement and reform of criminal and juvenile	2193
justice systems in the state;	2194
(14) Prepare and recommend legislation to the director of	2195
public safety, general assembly, and governor for the improvement	2196
of the criminal and juvenile justice systems in the state;	2197
(15) Assist, advise, and make any reports that are requested	2198
or required by the governor, director of public safety, attorney	2199
general, or general assembly;	2200
(16) Develop and maintain the Ohio incident-based reporting	2201
system in accordance with division (C) of this section;	2202
(17) Subject to the approval of the director of public	2203
safety, adopt rules pursuant to Chapter 119. of the Revised Code;	2204
(18)(a) Not later than June 1, 2007, and subject to the	2205
approval of the director of public safety, adopt rules for the	2206
establishment and maintenance of a mcgruff house program by any	2207
sponsoring agency. The rules shall include the following:	2208
(i) The adoption of the mcgruff house symbol to be used	2209
exclusively in all mcgruff house programs in this state;	2210
(ii) The requirements for any sponsoring agency to establish	2211

and maintain a mcgruff house program;	2212
(iii) The criteria for the selection of volunteers to	2213
participate in a mcgruff house program that shall include, but not	2214
be limited to, criminal background checks of those volunteers;	2215
(iv) Any other matters that the division of criminal justice	2216
services considers necessary for the establishment and maintenance	2217
of mcgruff house programs by sponsoring agencies and the	2218
participation of volunteers in those programs.	2219
(b) The division of criminal justice services shall	2220
distribute materials and provide technical assistance to any	2221
sponsoring agency that establishes and maintains a mcgruff house	2222
program, any volunteer group or organization that provides	2223
assistance to that sponsoring agency, or any volunteer who	2224
participates in a mcgruff house program.	2225
(C) The division of criminal justice services shall develop	2226
and maintain the Ohio incident-based reporting system to	2227
facilitate the sharing of information with the federal bureau of	2228
investigation and participating law enforcement agencies in Ohio.	2229
The Ohio incident-based reporting system shall be known as OIBRS.	2230
In connection with OIBRS, the division shall do all of the	2231
following:	2232
(1) Collect and organize statistical data for reporting to	2233
the national incident-based reporting system operated by the	2234
federal bureau of investigation for the purpose of securing	2235
federal criminal justice grants;	2236
(2) Analyze and highlight mapping data for participating law	2237
enforcement agencies;	2238
(3) Distribute data and analyses to participating law	2239
enforcement agencies;	2240
(4) Encourage nonparticipating law enforcement agencies to	2241

participate in OIBRS by offering demonstrations, training, and 2242
technical assistance; 2243

(5) Provide assistance, advice, and reports requested by the 2244
governor, the general assembly, or the federal bureau of 2245
investigation; 2246

(6) Require every law enforcement agency that receives 2247
federal criminal justice grants or state criminal justice 2248
information system general revenue funds through the division to 2249
participate in OIBRS or in the uniform crime reporting program of 2250
the federal bureau of investigation. An agency that submits OIBRS 2251
data to the Ohio local law enforcement information sharing network 2252
shall be considered to be in compliance with division (C)(6) of 2253
this section if both of the following apply: 2254

(a) The Ohio local law enforcement information sharing 2255
network is capable of collecting OIBRS data. 2256

(b) The division of criminal justice services has the ability 2257
to extract the OIBRS data for reporting to the national 2258
incident-based reporting system in the manner required by the 2259
federal bureau of investigation. 2260

(D) Upon the request of the director of public safety or 2261
governor, the division of criminal justice services may do any of 2262
the following: 2263

(1) Collect, analyze, or correlate information and data 2264
concerning the juvenile justice system in the state; 2265

(2) Cooperate with and provide technical assistance to state 2266
departments, administrative planning districts, metropolitan 2267
county criminal justice service agencies, criminal justice 2268
coordinating councils, agency offices, and the departments of the 2269
juvenile justice system in the state and other appropriate 2270
organizations and persons; 2271

(3) Encourage and assist agencies, offices, and departments 2272
of the juvenile justice system in the state and other appropriate 2273
organizations and persons to solve problems that relate to the 2274
duties of the division. 2275

(E) Divisions (B), (C), and (D) of this section do not limit 2276
the discretion or authority of the attorney general with respect 2277
to crime victim assistance and criminal justice programs. 2278

(F) Nothing in this section is intended to diminish or alter 2279
the status of the office of the attorney general as a criminal 2280
justice services agency or to diminish or alter the status or 2281
discourage the development and use of other law enforcement 2282
information systems in Ohio. 2283

Sec. 5502.67. There is hereby created in the state treasury 2284
the justice program services fund. The fund shall consist of all 2285
money collected by the division of criminal justice services for 2286
nonfederal purposes, including subscription fees for participating 2287
in the Ohio incident-based reporting system under division (C) of 2288
section 5502.62 of the Revised Code, unless otherwise designated 2289
by law. The justice program services fund shall be used to pay 2290
costs of administering the operations of the division of criminal 2291
justice services. 2292

Sec. 5516.01. As used in sections 5516.01 to 5516.14 of the 2293
Revised Code: 2294

(A) "Advertising device" includes any outdoor sign, display, 2295
device, figure, painting, drawing, message, placard, poster, 2296
billboard, or any other contrivance designed, intended, or used to 2297
advertise or to give information in the nature of advertising, or 2298
any part thereof, the advertising or informative contents of which 2299
are visible from the main traveled way of any highway on the 2300
interstate system or primary system in this state. 2301

(B) "Visible" means capable of being seen and comprehended 2302
without visual aid by a person traveling the posted speed limit on 2303
the main traveled way of the highway. 2304

(C) "Interstate system" means that portion of the interstate 2305
system, or the national highway system, located within this state, 2306
~~as designated by the director of transportation and approved by~~ 2307
~~the secretary of transportation of the United States, pursuant to~~ 2308
~~23 U.S.C.A. 103(b) and (c).~~ 2309

(D) "Erect" means to construct or allow to be constructed, 2310
but it shall not include any activity when performed as an 2311
incident to the change of advertising message or normal 2312
maintenance of a sign or sign structure. 2313

(E) "Maintain" means to preserve, keep in repair, continue, 2314
allow to exist, or restore. 2315

(F) "National policy" means the provisions of 23 U.S.C.A. 131 2316
and the national standards, criteria, and rules promulgated 2317
pursuant to such provisions. 2318

(G) "Primary system" means ~~that portion of the state highway~~ 2319
~~system or the federal-aid primary system in existence on June 1,~~ 2320
~~1991, and any highway that is not on such system but that is on~~ 2321
~~the national highway system located within this state as~~ 2322
~~designated by the director and approved by the secretary of~~ 2323
~~transportation of the United States, pursuant to 23 U.S.C.A.~~ 2324
~~103(b).~~ 2325

(H) "Zoned commercial or industrial areas" means those 2326
nonagricultural areas which are reserved for business, commerce, 2327
or trade, pursuant to local zoning laws, regulations, or state 2328
laws. 2329

(I) "Unzoned commercial or industrial area" means an area not 2330
zoned by state or local law, regulation, or ordinance, in which 2331
there is located one or more commercial or industrial activities. 2332

Such area may also include the lands along the highway for a 2333
distance of eight hundred fifty feet immediately adjacent to such 2334
activities. This distance shall be measured from the buildings, 2335
parking lots, storage or processing areas of the activities, and 2336
along or parallel to the near edge of the main traveled way of the 2337
highway. This distance shall not include land on the opposite side 2338
of the highway from such activities, nor land predominantly used 2339
for residential purposes. An area shall be considered 2340
predominately residential if fifty per cent or more of the eight 2341
hundred fifty feet immediately adjacent to the activities contains 2342
land used as residential property. Each side of the highway will 2343
be considered separately in applying this definition. 2344

(J) "Commercial or industrial activities" means those 2345
activities generally recognized as commercial or industrial by 2346
zoning authorities of this state. The following activities shall 2347
not be considered commercial or industrial: 2348

(1) Activities relating to advertising structures; 2349

(2) Agricultural, forestry, ranching, grazing, farming, and 2350
related activities, including, but not limited to, activities 2351
relating to wayside fresh produce stands; 2352

(3) Transient or temporary activities; 2353

(4) Activities not visible from the main traveled way; 2354

(5) Activities located more than six hundred sixty feet from 2355
the nearest edge of the right-of-way; 2356

(6) Activities conducted in a building principally used as a 2357
residence; 2358

(7) Activities relating to railroad tracks and minor sidings; 2359

(8) Activities relating to highways, roads, and streets. 2360

(K) "Directional and official signs and notices" means those 2361
signs and notices that are required or authorized by law and 2362

conform to the rules for such signs and notices as adopted by the	2363
director in accordance with 23 C.F.R. 750.151 to 750.155.	2364
(L) "Nonconforming advertising device" means an advertising	2365
device that was:	2366
(1) Lawfully in existence prior to December 7, 1971;	2367
(2) Lawfully on any highway made a part of the interstate	2368
system or primary highway system on or after December 7, 1971;	2369
(3) Lawfully erected prior to any revision in the law	2370
effective December 7, 1971; or	2371
(4) Lawfully erected but:	2372
(a) No longer in compliance with the provisions of state law	2373
enacted or rules adopted at a later date; or	2374
(b) No longer in compliance with state laws or rules due to	2375
changed conditions, including, but not limited to, zoning changes,	2376
highway relocation, highway reclassification, or changes in	2377
restrictions on sizing, lighting, spacing, or distance of	2378
advertising devices.	2379
Illegally erected or maintained advertising devices are not	2380
nonconforming signs.	2381
(M) "Scenic byway" means any linear transportation corridor	2382
as designated or as may hereafter be so designated by the director	2383
under the Ohio scenic byways program as having outstanding scenic	2384
qualities.	2385
(N) "Director" means the director of the Ohio department of	2386
transportation.	2387
(O) "Commercial or industrial zone" means those areas	2388
established by any state, county, municipal, or other local zoning	2389
authority as being most appropriate for business, commerce,	2390
industry, or trade. Any action taken by a state, county,	2391
municipal, or other local zoning authority that is not part of	2392

comprehensive zoning and is created primarily to permit outdoor 2393
advertising devices shall not be considered a commercial or 2394
industrial zone for purposes of this chapter. 2395

(P) "Last permit holder" includes any of the following: 2396

(1) The most recent holder of the advertising device permit; 2397

(2) A business, cooperative, corporation, enterprise, joint 2398
venture, limited liability company, partnership, sole 2399
proprietorship, or subsidiary, the viability of which is dependant 2400
on its relationship with the most recent holder of the advertising 2401
device permit; 2402

(3) Any person or entity that is closely related to or 2403
closely connected with the most recent holder of the advertising 2404
device permit. 2405

(Q) "Professional sports facility" means all or a portion of 2406
a stadium, arena, motorsports complex, or other facility, 2407
including all parking facilities, walkways, and other auxiliary 2408
facilities that may be used for or in connection with the sports 2409
facility or its operation, the primary purpose of which is to 2410
provide a site or venue for the presentation to the public of 2411
either of the following: 2412

(1) Events of one or more major or minor league professional 2413
athletic or sports teams that are associated with the state or 2414
with a city or region of the state; 2415

(2) Motorsports events. 2416

Sec. 5531.11. (A) The director of transportation may enter 2417
into agreements and cooperate with the secretary of transportation 2418
or other appropriate official or agency of the United States as 2419
provided by the "Safe, Accountable, Flexible, Efficient 2420
Transportation Equity Act: A Legacy for Users," 119 Stat. 1144 2421
(2005), 23 U.S.C. 325 to 327, and the "National Environmental 2422

Policy Act of 1969," 83 Stat. 852, 42 U.S.C. 4321 et seq. Pursuant 2423
to such agreements, the director may perform environmental 2424
reviews, consult, make decisions, assume specified 2425
responsibilities of the secretary, and take other necessary 2426
actions required by the agreement and authorized under such 2427
federal laws. The director may adopt rules to implement and 2428
enforce this section. Any expenditure of money by the director in 2429
connection with agreements authorized by this section shall be 2430
payable from funds available to the director. 2431

(B) Notwithstanding Chapter 2743. of the Revised Code, in 2432
regard to actions of the department of transportation authorized 2433
by this section, the state hereby waives its immunity from civil 2434
liability and consents to be sued, and have its civil liability 2435
determined, in an appropriate federal court in accordance with the 2436
same rules of law applicable to suits against a federal agency. 2437
This division applies only to actions of the department authorized 2438
by this section and by 23 U.S.C. 325 to 327. 2439

Sec. 5537.16. (A) The Ohio turnpike commission may adopt such 2440
bylaws and rules as it considers advisable for the control and 2441
regulation of traffic on any turnpike project, for the protection 2442
and preservation of property under its jurisdiction and control, 2443
and for the maintenance and preservation of good order within the 2444
property under its control. The rules of the commission with 2445
respect to the speed, use of special engine brakes, axle loads, 2446
vehicle loads, and vehicle dimensions of vehicles on turnpike 2447
projects, including the issuance of a special permit by the 2448
commission to allow the operation on any turnpike project of a 2449
motor vehicle transporting two or fewer steel coils, shall apply 2450
notwithstanding sections 4511.21 to 4511.24, 4513.34, and Chapter 2451
5577. of the Revised Code. Such bylaws and rules shall be 2452
published in a newspaper of general circulation in Franklin 2453

county, and in such other manner as the commission prescribes. 2454

(B) Such rules shall provide that public police officers 2455
shall be afforded ready access, while in the performance of their 2456
official duty, to all property under the jurisdiction of the 2457
commission and without the payment of tolls. 2458

(C) No person shall violate any such bylaws or rules of the 2459
commission. All fines collected for the violation of applicable 2460
laws of the state and the bylaws and rules of the commission or 2461
moneys arising from bonds forfeited for such violation shall be 2462
disposed of in accordance with section 5503.04 of the Revised 2463
Code. 2464

Sec. 5537.31. The Ohio turnpike commission shall establish a 2465
procedure by which to receive and investigate complaints of noise, 2466
standing water, water run-off, or any other problem from land 2467
owners whose property is contiguous to any section of the Ohio 2468
turnpike system. If the commission finds that the problem is 2469
caused by that turnpike project, it shall make repairs or take 2470
whatever other action is necessary to resolve the problem. 2471

Costs incurred by the commission in fulfilling its duties 2472
under this section shall be paid from money in the community 2473
resolution fund created in section 5537.32 of the Revised Code. 2474

Sec. 5537.32. There is hereby created the community 2475
resolution fund, which shall be in the custody of the treasurer of 2476
state but shall not be part of the state treasury. The fund shall 2477
consist of all money appropriated or transferred to the fund. 2478
Money in the fund shall be used by the Ohio turnpike commission 2479
for payment of the costs incurred by the commission in fulfilling 2480
its duties under section 5537.31 of the Revised Code. 2481

The treasurer of state shall invest any portion of the fund 2482
not needed for immediate use in the same manner as, and subject to 2483

all provisions of law with respect to the investment of, state 2484
funds. All investment earnings of the fund shall be credited to 2485
the fund. 2486

Sec. 5577.05. (A) No vehicle shall be operated upon the 2487
public highways, streets, bridges, and culverts within the state, 2488
whose dimensions exceed those specified in this section. 2489

(B) No such vehicle shall have a width in excess of: 2490

(1) One hundred four inches for passenger bus type vehicles 2491
operated exclusively within municipal corporations; 2492

(2) One hundred two inches, excluding such safety devices as 2493
are required by law, for passenger bus type vehicles operated over 2494
freeways, and such other state roads with minimum pavement widths 2495
of twenty-two feet, except those roads or portions thereof over 2496
which operation of one hundred two-inch buses is prohibited by 2497
order of the director of transportation; 2498

(3) One hundred thirty-two inches for traction engines; 2499

(4) One hundred two inches for recreational vehicles, 2500
excluding safety devices and retracted awnings and other 2501
appurtenances of six inches or less in width and except that the 2502
director may prohibit the operation of one hundred two inch 2503
recreational vehicles on designated state highways or portions of 2504
highways; 2505

(5) One hundred two inches, including load, for all other 2506
vehicles, except that the director may prohibit the operation of 2507
one hundred two-inch vehicles on such state highways or portions 2508
thereof as the director designates. 2509

(C) No such vehicle shall have a length in excess of: 2510

(1) Sixty-six feet for passenger bus type vehicles and 2511
articulated passenger bus type vehicles operated by a regional 2512
transit authority pursuant to sections 306.30 to 306.54 of the 2513

Revised Code;	2514
(2) Forty-five feet for all other passenger bus type vehicles;	2515 2516
(3) Fifty-three feet for any semitrailer when operated in a commercial tractor-semitrailer combination, with or without load, except that the director may prohibit the operation of any such commercial tractor-semitrailer combination on such state highways or portions thereof as the director designates.	2517 2518 2519 2520 2521
(4) Twenty-eight and one-half feet for any semitrailer or trailer when operated in a commercial tractor-semitrailer-trailer or commercial tractor-semitrailer-semitrailer combination, except that the director may prohibit the operation of any such commercial tractor-semitrailer-trailer or commercial tractor-semitrailer-semitrailer combination on such state highways or portions thereof as the director designates;	2522 2523 2524 2525 2526 2527 2528
(5)(a) <u>Ninety-seven feet for drive-away saddlemount vehicle transporter combinations and drive-away saddlemount with fullmount vehicle transporter combinations when operated on any interstate, United States route, or state route, including reasonable access travel on all other roadways for a distance not to exceed one road mile from any interstate, United States route, or state route, not to exceed three saddlemounted vehicles, but which may include one fullmount;</u>	2529 2530 2531 2532 2533 2534 2535 2536
(b) <u>Seventy-five feet for drive-away saddlemount vehicle transporter combinations and drive-away saddlemount with fullmount vehicle transporter combinations, when operated on any roadway not designated as an interstate, United States route, or state route, not to exceed three saddlemounted vehicles, but which may include one fullmount-;</u>	2537 2538 2539 2540 2541 2542
(6) Sixty-five feet for any other combination of vehicles coupled together, with or without load, except as provided in	2543 2544

divisions (C)(3) and (4), and in division (E) of this section;	2545
(7) Forty-five feet for recreational vehicles;	2546
(8) Forty feet for all other vehicles except trailers and semitrailers, with or without load.	2547 2548
(D) No such vehicle shall have a height in excess of thirteen feet six inches, with or without load.	2549 2550
(E) An automobile transporter or boat transporter shall be allowed a length of sixty-five feet and a stinger-steered automobile transporter or stinger-steered boat transporter shall be allowed a length of seventy-five feet, except that the load thereon may extend no more than four feet beyond the rear of such vehicles and may extend no more than three feet beyond the front of such vehicles, and except further that the director may prohibit the operation of a stinger-steered automobile transporter, stinger-steered boat transporter, or a B-train assembly on any state highway or portion thereof that the director designates.	2551 2552 2553 2554 2555 2556 2557 2558 2559 2560 2561
(F) The widths prescribed in division (B) of this section shall not include side mirrors, turn signal lamps, marker lamps, handholds for cab entry and egress, flexible fender extensions, mud flaps, splash and spray suppressant devices, and load-induced tire bulge.	2562 2563 2564 2565 2566
The width prescribed in division (B)(5) of this section shall not include automatic covering devices, tarp and tarp hardware, and tiedown assemblies, provided these safety devices do not extend more than three inches from each side of the vehicle.	2567 2568 2569 2570
The lengths prescribed in divisions (C)(2) to (7) (8) of this section shall not include safety devices, bumpers attached to the front or rear of such bus or combination, B-train assembly used between the first and second semitrailer of a commercial tractor-semitrailer-semitrailer combination, energy conservation	2571 2572 2573 2574 2575

devices as provided in any regulations adopted by the secretary of 2576
the United States department of transportation, or any 2577
noncargo-carrying refrigeration equipment attached to the front of 2578
trailers and semitrailers. In special cases, vehicles whose 2579
dimensions exceed those prescribed by this section may operate in 2580
accordance with rules adopted by the director. 2581

(G) This section does not apply to fire engines, fire trucks, 2582
or other vehicles or apparatus belonging to any municipal 2583
corporation or to the volunteer fire department of any municipal 2584
corporation or used by such department in the discharge of its 2585
functions. This section does not apply to vehicles and pole 2586
trailers used in the transportation of wooden and metal poles, nor 2587
to the transportation of pipes or well-drilling equipment, nor to 2588
farm machinery and equipment. The owner or operator of any 2589
vehicle, machinery, or equipment not specifically enumerated in 2590
this section but the dimensions of which exceed the dimensions 2591
provided by this section, when operating the same on the highways 2592
and streets of this state, shall comply with the rules of the 2593
director governing such movement, which the director may adopt. 2594
Sections 119.01 to 119.13 of the Revised Code apply to any rules 2595
the director adopts under this section, or the amendment or 2596
rescission thereof, and any person adversely affected shall have 2597
the same right of appeal as provided in those sections. 2598

This section does not require the state, a municipal 2599
corporation, county, township, or any railroad or other private 2600
corporation to provide sufficient vertical clearance to permit the 2601
operation of such vehicle, or to make any changes in or about 2602
existing structures now crossing streets, roads, and other public 2603
thoroughfares in this state. 2604

(H) As used in this section, "recreational vehicle" has the 2605
same meaning as in section 4501.01 of the Revised Code. 2606

~~Sec. 5591.02. Except as provided in section 5501.49 of the~~ 2607
~~Revised Code, the~~ The board of county commissioners shall 2608
construct and keep in repair all necessary bridges in municipal 2609
corporations on all ~~state and~~ county roads and improved roads 2610
~~which that~~ are of general and public utility, running into or 2611
through the municipal corporations, and that are not on state 2612
highways. 2613

Sec. 5735.05. (A) To provide revenue for maintaining the 2614
state highway system; to widen existing surfaces on such highways; 2615
to resurface such highways; to pay that portion of the 2616
construction cost of a highway project which a county, township, 2617
or municipal corporation normally would be required to pay, but 2618
which the director of transportation, pursuant to division (B) of 2619
section 5531.08 of the Revised Code, determines instead will be 2620
paid from moneys in the highway operating fund; to enable the 2621
counties of the state properly to plan, maintain, and repair their 2622
roads and to pay principal, interest, and charges on bonds and 2623
other obligations issued pursuant to Chapter 133. of the Revised 2624
Code or incurred pursuant to section 5531.09 of the Revised Code 2625
for highway improvements; to enable the municipal corporations to 2626
plan, construct, reconstruct, repave, widen, maintain, repair, 2627
clear, and clean public highways, roads, and streets, and to pay 2628
the principal, interest, and charges on bonds and other 2629
obligations issued pursuant to Chapter 133. of the Revised Code or 2630
incurred pursuant to section 5531.09 of the Revised Code for 2631
highway improvements; to enable the Ohio turnpike commission to 2632
construct, reconstruct, maintain, and repair turnpike projects; to 2633
maintain and repair bridges and viaducts; to purchase, erect, and 2634
maintain street and traffic signs and markers; to purchase, erect, 2635
and maintain traffic lights and signals; to pay the costs 2636
apportioned to the public under sections 4907.47 and 4907.471 of 2637

the Revised Code and to supplement revenue already available for 2638
such purposes; to pay the costs incurred by the public utilities 2639
commission in administering sections 4907.47 to 4907.476 of the 2640
Revised Code; to distribute equitably among those persons using 2641
the privilege of driving motor vehicles upon such highways and 2642
streets the cost of maintaining and repairing them; to pay the 2643
interest, principal, and charges on highway capital improvements 2644
bonds and other obligations issued pursuant to Section 2m of 2645
Article VIII, Ohio Constitution, and section 151.06 of the Revised 2646
Code; to pay the interest, principal, and charges on highway 2647
obligations issued pursuant to Section 2i of Article VIII, Ohio 2648
Constitution, and sections 5528.30 and 5528.31 of the Revised 2649
Code; to pay the interest, principal, and charges on major new 2650
state infrastructure bonds and other obligations of the state 2651
issued pursuant to Section 13 of Article VIII, Ohio Constitution, 2652
and section 5531.10 of the Revised Code; to provide revenue for 2653
the purposes of sections 1547.71 to 1547.78 of the Revised Code; 2654
and to pay the expenses of the department of taxation incident to 2655
the administration of the motor fuel laws, a motor fuel excise tax 2656
is hereby imposed on all motor fuel dealers upon receipt of motor 2657
fuel within this state at the rate of two cents plus the cents per 2658
gallon rate on each gallon so received, to be computed in the 2659
manner set forth in section 5735.06 of the Revised Code; provided 2660
that no tax is hereby imposed upon the following transactions: 2661

(1) The sale of dyed diesel fuel by a licensed motor fuel 2662
dealer from a location other than a retail service station 2663
provided the licensed motor fuel dealer places on the face of the 2664
delivery document or invoice, or both if both are used, a 2665
conspicuous notice stating that the fuel is dyed and is not for 2666
taxable use, and that taxable use of that fuel is subject to a 2667
penalty. The tax commissioner, by rule, may provide that any 2668
notice conforming to rules or regulations issued by the United 2669
States department of the treasury or the Internal Revenue Service 2670

is sufficient notice for the purposes of division (A)(1) of this section. 2671
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(2) The sale of K-1 kerosene to a retail service station, 2673
except when placed directly in the fuel supply tank of a motor 2674
vehicle. Such sale shall be rebuttably presumed to not be 2675
distributed or sold for use or used to generate power for the 2676
operation of motor vehicles upon the public highways or upon the 2677
waters within the boundaries of this state. 2678

(3) The sale of motor fuel by a licensed motor fuel dealer to 2679
another licensed motor fuel dealer; 2680

(4) The exportation of motor fuel by a licensed motor fuel 2681
dealer from this state to any other state or foreign country; 2682

(5) The sale of motor fuel to the United States government or 2683
any of its agencies, except such tax as is permitted by it, where 2684
such sale is evidenced by an exemption certificate, in a form 2685
approved by the tax commissioner, executed by the United States 2686
government or an agency thereof certifying that the motor fuel 2687
therein identified has been purchased for the exclusive use of the 2688
United States government or its agency; 2689

(6) The sale of motor fuel that is in the process of 2690
transportation in foreign or interstate commerce, except insofar 2691
as it may be taxable under the Constitution and statutes of the 2692
United States, and except as may be agreed upon in writing by the 2693
dealer and the commissioner; 2694

(7) The sale of motor fuel when sold exclusively for use in 2695
the operation of aircraft, where such sale is evidenced by an 2696
exemption certificate prescribed by the commissioner and executed 2697
by the purchaser certifying that the motor fuel purchased has been 2698
purchased for exclusive use in the operation of aircraft; 2699

(8) The sale for exportation of motor fuel by a licensed 2700
motor fuel dealer to a licensed exporter type A; 2701

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

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

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

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

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

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

Sec. 5751.032. (A) As used in this section:	2733
(1) "CAT" refers to the tax levied by this chapter.	2734
(2) "CAT collected" means, with regard to a CAT test period, the net amount of CAT, exclusive of registration fees, received in the period after subtracting any CAT refunded in the period <u>and</u> <u>after subtracting the amount certified to the director of budget</u> <u>and management under division (B) of section 5751.20 of the</u> <u>Revised Code for collections during the test period.</u>	2735 2736 2737 2738 2739 2740
(3) "First CAT test period" means the twenty-four month period beginning July 1, 2005, and ending June 30, 2007.	2741 2742
(4) "Second CAT test period" means the twelve-month period beginning July 1, 2008, and ending June 30, 2009.	2743 2744
(5) "Third CAT test period" means the twelve-month period beginning July 1, 2010, and ending June 30, 2011.	2745 2746
(B) Not later than the last day of September immediately following the end of each CAT test period, the tax commissioner shall compute the amount of CAT collected during that test period. If the amount is less than ninety per cent or greater than one hundred ten per cent of the prescribed CAT collections for that period, the commissioner shall proceed as provided in division (C) or (D) of this section, as applicable. For the purposes of division (B) of this section, the prescribed CAT collections for the CAT test periods are as follows:	2747 2748 2749 2750 2751 2752 2753 2754 2755
(1) For the first CAT test period, eight hundred fifteen million dollars;	2756 2757
(2) For the second CAT test period, one billion one hundred ninety million dollars less any amount credited to the commercial activity tax reduction fund with regard to the first CAT test period;	2758 2759 2760 2761
(3) For the third CAT test period, one billion six hundred	2762

ten million dollars less any amount credited to the commercial activity tax reduction fund with regard to the second CAT test period. 2763
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(C)(1) If the amount of CAT collected during a CAT test period is less than ninety per cent of the prescribed CAT collections for that test period, the tax commissioner shall determine a new tax rate equal to the tax rate that would have yielded the prescribed CAT collections during that test period. The tax rate shall be the rate that would have to be imposed under division (A) of section 5751.03 of the Revised Code before any applicable phase-in percentages under section 5751.031 of the Revised Code or otherwise provided by law to yield the prescribed CAT collection after applying any applicable phase-in percentages. 2766
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(2) If the amount of CAT collected during a CAT test period exceeds one hundred ten per cent of the prescribed CAT collections for that test period, the tax commissioner shall determine a new tax rate equal to the tax rate that would have yielded the prescribed CAT collections during that test period less one-half of the amount of the excess that was certified to the director of budget and management for the test period under division (D) of this section. The tax rate shall be the rate that would have to be imposed under division (A) of section 5751.03 of the Revised Code before any applicable phase-in percentages under section 5751.031 of the Revised Code or otherwise provided by law to yield the prescribed CAT collection after applying any applicable phase-in percentages. 2776
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(3) A new tax rate computed under division (C)(1) or (2) of this section shall be expressed as a number of mills per dollar, rounded to the nearest one-hundredth of one mill. The rate shall be rounded upward by one-hundredth of one mill only if the next decimal digit is five or more. 2789
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(4) Not later than the last day of September following the 2794

end of the CAT test period on the basis of which a new tax rate is 2795
computed, the tax commissioner shall certify the new tax rate to 2796
the governor, the president of the senate, the speaker of the 2797
house of representatives, and all other members of the general 2798
assembly. The commissioner shall publish the new tax rate by 2799
journal entry and provide notice of the new tax rate to taxpayers. 2800
The new tax rate shall be the rate imposed under division (A) of 2801
section 5751.03 of the Revised Code beginning with the ensuing 2802
calendar year, and is subject to any applicable phase-in 2803
percentages provided for under section 5751.031 of the Revised 2804
Code. 2805

(D) If the amount of CAT collected during a CAT test period 2806
exceeds one hundred ten per cent of the prescribed CAT collections 2807
for that test period, the tax commissioner shall certify the 2808
excess amount to the director of budget and management not later 2809
than the last day of September immediately following the end of 2810
that test period. The director shall forthwith transfer from the 2811
general revenue fund one-half of the amount of the excess so 2812
certified to the commercial activity tax refund fund, which is 2813
hereby created in the state treasury, and the remaining one-half 2814
of the amount of the excess to the budget stabilization fund. All 2815
money credited to the commercial activity tax refund fund shall be 2816
applied to reimburse the general revenue fund, school district 2817
tangible property tax replacement fund, and local government 2818
tangible property tax replacement fund for the diminution in 2819
revenue caused by the credit provided under division (D) of 2820
section 5751.03 of the Revised Code. On or before the last day of 2821
May, August, and October of the calendar year that begins after 2822
the end of the test period, and on or before the last day of 2823
February of the following calendar year, the director of budget 2824
and management shall transfer one-fourth of the amount that had 2825
been transferred to the commercial activity tax refund fund to 2826
each of those funds in the proportions specified under division 2827

(B) of section 5751.21 of the Revised Code.	2828
In the calendar year that begins immediately after the year	2829
in which a transfer is made to the commercial activity tax refund	2830
fund, the tax commissioner shall compute the amount to be	2831
credited, under division (D) of section 5751.03 of the Revised	2832
Code, to each taxpayer that paid in full the tax imposed under	2833
this chapter for the calendar year in which the transfer was made.	2834
The credit allowed to each such taxpayer shall equal the amount	2835
transferred to the commercial activity tax refund fund multiplied	2836
by a fraction, the numerator of which is the amount of tax paid by	2837
that taxpayer for that calendar year and the denominator of which	2838
is the total of the taxes paid by all such taxpayers for which the	2839
credit is allowed. The credit applies only to the calendar year	2840
that begins immediately after the year in which a transfer is made	2841
to the commercial activity tax refund fund under this division.	2842
(E) It is the intent of the General Assembly to conduct a	2843
review of the prescribed CAT collections and rate adjustments	2844
provided for under divisions (A) to (D) of this section every two	2845
years in conjunction with its biennial budget deliberations, and	2846
to establish lower prescribed CAT collections or reduce the rate	2847
of tax levied under this chapter on the basis of the following	2848
three factors:	2849
(1) The revenue yield of the tax;	2850
(2) The condition of the Ohio economy;	2851
(3) Savings realized by ongoing reform to medicaid and other	2852
policy initiatives.	2853
Sec. 5751.20. (A) As used in sections 5751.20 to 5751.22 of	2854
the Revised Code:	2855
(1) "School district," "joint vocational school district,"	2856
"local taxing unit," "state education aid," "recognized	2857

valuation," "fixed-rate levy," and "fixed-sum levy" have the same	2858
meanings as used in section 5727.84 of the Revised Code.	2859
(2) "State education aid offset" means the amount determined	2860
for each school district or joint vocational school district under	2861
division (A)(1) of section 5751.21 of the Revised Code.	2862
(3) "Machinery and equipment property tax value loss" means	2863
the amount determined under division (C)(1) of this section.	2864
(4) "Inventory property tax value loss" means the amount	2865
determined under division (C)(2) of this section.	2866
(5) "Furniture and fixtures property tax value loss" means	2867
the amount determined under division (C)(3) of this section.	2868
(6) "Machinery and equipment fixed-rate levy loss" means the	2869
amount determined under division (D)(1) of this section.	2870
(7) "Inventory fixed-rate levy loss" means the amount	2871
determined under division (D)(2) of this section.	2872
(8) "Furniture and fixtures fixed-rate levy loss" means the	2873
amount determined under division (D)(3) of this section.	2874
(9) "Total fixed-rate levy loss" means the sum of the	2875
machinery and equipment fixed-rate levy loss, the inventory	2876
fixed-rate levy loss, the furniture and fixtures fixed-rate levy	2877
loss, and the telephone company fixed-rate levy loss.	2878
(10) "Fixed-sum levy loss" means the amount determined under	2879
division (E) of this section.	2880
(11) "Machinery and equipment" means personal property	2881
subject to the assessment rate specified in division (F) of	2882
section 5711.22 of the Revised Code.	2883
(12) "Inventory" means personal property subject to the	2884
assessment rate specified in division (E) of section 5711.22 of	2885
the Revised Code.	2886

(13) "Furniture and fixtures" means personal property subject 2887
to the assessment rate specified in division (G) of section 2888
5711.22 of the Revised Code. 2889

(14) "Qualifying levies" are levies in effect for tax year 2890
2004 or applicable to tax year 2005 or approved at an election 2891
conducted before September 1, 2005. For the purpose of determining 2892
the rate of a qualifying levy authorized by section 5705.212 or 2893
5705.213 of the Revised Code, the rate shall be the rate that 2894
would be in effect for tax year 2010. 2895

(15) "Telephone property" means tangible personal property of 2896
a telephone, telegraph, or interexchange telecommunications 2897
company subject to an assessment rate specified in section 2898
5727.111 of the Revised Code in tax year 2004. 2899

(16) "Telephone property tax value loss" means the amount 2900
determined under division (C)(4) of this section. 2901

(17) "Telephone property fixed-rate levy loss" means the 2902
amount determined under division (D)(4) of this section. 2903

(B) The commercial activities tax receipts fund is hereby 2904
created in the state treasury and shall consist of money arising 2905
from the tax imposed under this chapter. All money in that Each 2906
month, the tax commissioner shall determine the amount of revenue, 2907
if any, arising from imposition of a tax levied on the basis of 2908
taxable gross receipts from the sale, exchange, or other transfer 2909
of motor fuel as defined in section 5735.01 of the Revised Code, 2910
and shall certify that amount to the director of budget and 2911
management. Within ten days after receiving the certification, the 2912
director shall transfer the amount of revenue certified from the 2913
commercial activities tax receipts fund to the economic 2914
development and highway construction fund, which is hereby created 2915
in the state treasury. Money in the economic development and 2916
highway construction fund shall be appropriated and expended 2917

pursuant to Ohio Constitution, Article XII, Section 5a, solely for 2918
the purpose of constructing and maintaining the state's highway 2919
infrastructure and thereby promoting economic development 2920
throughout the state. After the monthly transfer to the economic 2921
development and highway construction fund, all money remaining in 2922
the commercial activities tax receipts fund shall be credited for 2923
each fiscal year in the following percentages to the general 2924
revenue fund, to the school district tangible property tax 2925
replacement fund, which is hereby created in the state treasury 2926
for the purpose of making the payments described in section 2927
5751.21 of the Revised Code, and to the local government tangible 2928
property tax replacement fund, which is hereby created in the 2929
state treasury for the purpose of making the payments described in 2930
section 5751.22 of the Revised Code, in the following percentages: 2931

Fiscal year	General Revenue Fund	School District Tangible Property Tax Replacement Fund	Local Government Tangible Property Tax Replacement Fund	
2006	67.7%	22.6%	9.7%	2933
2007	0%	70.0%	30.0%	2934
2008	0%	70.0%	30.0%	2935
2009	0%	70.0%	30.0%	2936
2010	0%	70.0%	30.0%	2937
2011	0%	70.0%	30.0%	2938
2012	5.3%	70.0%	24.7%	2939
2013	19.4%	70.0%	10.6%	2940
2014	14.1%	70.0%	15.9%	2941
2015	17.6%	70.0%	12.4%	2942
2016	21.1%	70.0%	8.9%	2943
2017	24.6%	70.0%	5.4%	2944
2018	28.1%	70.0%	1.9%	2945
2019 and thereafter	100%	0%	0%	2946

(C) Not later than September 15, 2005, the tax commissioner shall determine for each school district, joint vocational school district, and local taxing unit its machinery and equipment, inventory property, furniture and fixtures property, and telephone property tax value losses, which are the applicable amounts described in divisions (C)(1), (2), (3), and (4) of this section, except as provided in division (C)(5) of this section:

(1) Machinery and equipment property tax value loss is the taxable value of machinery and equipment property as reported by taxpayers for tax year 2004 multiplied by:

(a) For tax year 2006, thirty-three and eight-tenths per cent;

(b) For tax year 2007, sixty-one and three-tenths per cent;

(c) For tax year 2008, eighty-three per cent;

(d) For tax year 2009 and thereafter, one hundred per cent.

(2) Inventory property tax value loss is the taxable value of inventory property as reported by taxpayers for tax year 2004 multiplied by:

(a) For tax year 2006, a fraction, the numerator of which is five and three-fourths and the denominator of which is twenty-three;

(b) For tax year 2007, a fraction, the numerator of which is nine and one-half and the denominator of which is twenty-three;

(c) For tax year 2008, a fraction, the numerator of which is thirteen and one-fourth and the denominator of which is twenty-three;

(d) For tax year 2009 and thereafter a fraction, the numerator of which is seventeen and the denominator of which is twenty-three.

(3) Furniture and fixtures property tax value loss is the

taxable value of furniture and fixture property as reported by	2977
taxpayers for tax year 2004 multiplied by:	2978
(a) For tax year 2006, twenty-five per cent;	2979
(b) For tax year 2007, fifty per cent;	2980
(c) For tax year 2008, seventy-five per cent;	2981
(d) For tax year 2009 and thereafter, one hundred per cent.	2982
The taxable value of property reported by taxpayers used in	2983
divisions (C)(1), (2), and (3) of this section shall be such	2984
values as determined to be final by the tax commissioner as of	2985
August 31, 2005. Such determinations shall be final except for any	2986
correction of a clerical error that was made prior to August 31,	2987
2005, by the tax commissioner.	2988
(4) Telephone property tax value loss is the taxable value of	2989
telephone property as taxpayers would have reported that property	2990
for tax year 2004 if the assessment rate for all telephone	2991
property for that year were twenty-five per cent, multiplied by:	2992
(a) For tax year 2006, zero per cent;	2993
(b) For tax year 2007, zero per cent;	2994
(c) For tax year 2008, zero per cent;	2995
(d) For tax year 2009, sixty per cent;	2996
(e) For tax year 2010, eighty per cent;	2997
(f) For tax year 2011 and thereafter, one hundred per cent.	2998
(5) Division (C)(5) of this section applies to any school	2999
district, joint vocational school district, or local taxing unit	3000
in a county in which is located a facility currently or formerly	3001
devoted to the enrichment or commercialization of uranium or	3002
uranium products, and for which the total taxable value of	3003
property listed on the general tax list of personal property for	3004
any tax year from tax year 2001 to tax year 2004 was fifty per	3005

cent or less of the taxable value of such property listed on the 3006
general tax list of personal property for the next preceding tax 3007
year. 3008

In computing the fixed-rate levy losses under divisions 3009
(D)(1), (2), and (3) of this section for any school district, 3010
joint vocational school district, or local taxing unit to which 3011
division (C)(5) of this section applies, the taxable value of such 3012
property as listed on the general tax list of personal property 3013
for tax year 2000 shall be substituted for the taxable value of 3014
such property as reported by taxpayers for tax year 2004, in the 3015
taxing district containing the uranium facility, if the taxable 3016
value listed for tax year 2000 is greater than the taxable value 3017
reported by taxpayers for tax year 2004. For the purpose of making 3018
the computations under divisions (D)(1), (2), and (3) of this 3019
section, the tax year 2000 valuation is to be allocated to 3020
machinery and equipment, inventory, and furniture and fixtures 3021
property in the same proportions as the tax year 2004 values. For 3022
the purpose of the calculations in division (A) of section 5751.21 3023
of the Revised Code, the tax year 2004 taxable values shall be 3024
used. 3025

To facilitate the calculations required under division (C) of 3026
this section, the county auditor, upon request from the tax 3027
commissioner, shall provide by August 1, 2005, the values of 3028
machinery and equipment, inventory, and furniture and fixtures for 3029
all single-county personal property taxpayers for tax year 2004. 3030

(D) Not later than September 15, 2005, the tax commissioner 3031
shall determine for each tax year from 2006 through 2009 for each 3032
school district, joint vocational school district, and local 3033
taxing unit its machinery and equipment, inventory, and furniture 3034
and fixtures fixed-rate levy losses, and for each tax year from 3035
2006 through 2011 its telephone property fixed-rate levy loss, 3036
which are the applicable amounts described in divisions (D)(1), 3037

(2), (3), and (4) of this section:	3038
(1) The machinery and equipment fixed-rate levy loss is the machinery and equipment property tax value loss multiplied by the sum of the tax rates of fixed-rate qualifying levies.	3039 3040 3041
(2) The inventory fixed-rate loss is the inventory property tax value loss multiplied by the sum of the tax rates of fixed-rate qualifying levies.	3042 3043 3044
(3) The furniture and fixtures fixed-rate levy loss is the furniture and fixture property tax value loss multiplied by the sum of the tax rates of fixed-rate qualifying levies.	3045 3046 3047
(4) The telephone property fixed-rate levy loss is the telephone property tax value loss multiplied by the sum of the tax rates of fixed-rate qualifying levies.	3048 3049 3050
(E) Not later than September 15, 2005, the tax commissioner shall determine for each school district, joint vocational school district, and local taxing unit its fixed-sum levy loss. The fixed-sum levy loss is the amount obtained by subtracting the amount described in division (E)(2) of this section from the amount described in division (E)(1) of this section:	3051 3052 3053 3054 3055 3056
(1) The sum of the machinery and equipment property tax value loss, the inventory property tax value loss, and the furniture and fixtures property tax value loss, and, for 2008 through 2017 the telephone property tax value loss of the district or unit multiplied by the sum of the fixed-sum tax rates of qualifying levies. For 2006 through 2010, this computation shall include all qualifying levies remaining in effect for the current tax year and any school district emergency levies that are qualifying levies not remaining in effect for the current year. For 2011 through 2017, this computation shall include only qualifying levies remaining in effect for the current year. For purposes of this computation, a qualifying school district emergency levy remains	3057 3058 3059 3060 3061 3062 3063 3064 3065 3066 3067 3068

in effect in a year after 2010 only if, for that year, the board 3069
of education levies a school district emergency levy for an annual 3070
sum at least equal to the annual sum levied by the board in tax 3071
year 2004 less the amount of the payment certified under this 3072
division for 2006. 3073

(2) The total taxable value in tax year 2004 less the sum of 3074
the machinery and equipment, inventory, furniture and fixtures, 3075
and telephone property tax value losses in each school district, 3076
joint vocational school district, and local taxing unit multiplied 3077
by one-half of one mill per dollar. 3078

(3) For the calculations in divisions (E)(1) and (2) of this 3079
section, the tax value losses are those that would be calculated 3080
for tax year 2009 under divisions (C)(1), (2), and (3) of this 3081
section and for tax year 2011 under division (C)(4) of this 3082
section. 3083

(4) To facilitate the calculation under divisions (D) and (E) 3084
of this section, not later than September 1, 2005, any school 3085
district, joint vocational school district, or local taxing unit 3086
that has a qualifying levy that was approved at an election 3087
conducted during 2005 before September 1, 2005, shall certify to 3088
the tax commissioner a copy of the county auditor's certificate of 3089
estimated property tax millage for such levy as required under 3090
division (B) of section 5705.03 of the Revised Code, which is the 3091
rate that shall be used in the calculations under such divisions. 3092

If the amount determined under division (E) of this section 3093
for any school district, joint vocational school district, or 3094
local taxing unit is greater than zero, that amount shall equal 3095
the reimbursement to be paid pursuant to division (D) of section 3096
5751.21 or division (A)(3) of section 5751.22 of the Revised Code, 3097
and the one-half of one mill that is subtracted under division 3098
(E)(2) of this section shall be apportioned among all contributing 3099
fixed-sum levies in the proportion that each levy bears to the sum 3100

of all fixed-sum levies within each school district, joint 3101
vocational school district, or local taxing unit. 3102

(F) Not later than October 1, 2005, the tax commissioner 3103
shall certify to the department of education for every school 3104
district and joint vocational school district the machinery and 3105
equipment, inventory, furniture and fixtures, and telephone 3106
property tax value losses determined under division (C) of this 3107
section, the machinery and equipment, inventory, furniture and 3108
fixtures, and telephone fixed-rate levy losses determined under 3109
division (D) of this section, and the fixed-sum levy losses 3110
calculated under division (E) of this section. The calculations 3111
under divisions (D) and (E) of this section shall separately 3112
display the levy loss for each levy eligible for reimbursement. 3113

(G) Not later than October 1, 2005, the tax commissioner 3114
shall certify the amount of the fixed-sum levy losses to the 3115
county auditor of each county in which a school district, joint 3116
vocational school district, or local taxing unit with a fixed-sum 3117
levy loss reimbursement has territory. 3118

Section 101.02. That existing sections 737.04, 737.041, 3119
3314.091, 3327.10, 3705.242, 4503.10, 4503.44, 4505.09, 4511.101, 3120
4511.21, 4519.59, 4561.18, 5501.31, 5501.49, 5502.03, 5502.62, 3121
5516.01, 5537.16, 5577.05, 5591.02, 5735.05, 5751.032, and 5751.20 3122
of the Revised Code are hereby repealed. 3123

Section 201.10. Except as otherwise provided, all 3124
appropriation items in this act are hereby appropriated out of any 3125
moneys in the state treasury to the credit of the designated fund, 3126
which are not otherwise appropriated. For all appropriations made 3127
in this act, the amounts in the first column are for fiscal year 3128
2008 and the amounts in the second column are for fiscal year 3129
2009. 3130

Section 203.10. DOT DEPARTMENT OF TRANSPORTATION				3131
FUND	TITLE	FY 2008	FY 2009	3132
	Transportation Planning and Research			3133
	Highway Operating Fund Group			3134
002 771-411	Planning and Research	\$ 20,724,547	\$ 21,733,301	3135
	- State			
002 771-412	Planning and Research	\$ 29,996,363	\$ 30,264,923	3136
	- Federal			
	TOTAL HOF Highway Operating			3137
	Fund Group	\$ 50,720,910	\$ 51,998,224	3138
	TOTAL ALL BUDGET FUND GROUPS -			3139
	Transportation Planning			3140
	and Research	\$ 50,720,910	\$ 51,998,224	3141
	Highway Construction			3142
	Highway Operating Fund Group			3143
002 772-421	Highway Construction -	\$ 528,722,188	\$ 504,184,419	3144
	State			
002 772-422	Highway Construction -	\$ 1,103,979,148	\$ 1,086,733,759	3145
	Federal			
002 772-424	Highway Construction -	\$ 106,439,000	\$ 100,379,155	3146
	Other			
002 772-437	GARVEE Debt Service -	\$ 10,321,300	\$ 19,273,500	3147
	State			
002 772-438	GARVEE Debt Service -	\$ 113,915,900	\$ 139,015,000	3148
	Federal			
212 772-426	Highway Infrastructure	\$ 4,303,173	\$ 4,018,649	3149
	Bank - Federal			
212 772-427	Highway Infrastructure	\$ 8,268,315	\$ 10,209,272	3150
	Bank - State			
212 772-429	Highway Infrastructure	\$ 11,000,000	\$ 11,499,999	3151
	Bank - Local			

212	772-430	Infrastructure Debt	\$	1,500,000	\$	1,500,000	3152
		Reserve Title 23-49					
213	772-431	Roadway Infrastructure	\$	1,000,000	\$	1,000,000	3153
		Bank - State					
213	772-432	Roadway Infrastructure	\$	6,000,000	\$	6,000,000	3154
		Bank - Local					
213	772-433	Infrastructure Debt	\$	2,000,000	\$	2,000,000	3155
		Reserve - State					
TOTAL HOF Highway Operating							3156
Fund Group			\$	1,897,449,024	\$	1,885,813,753	3157
Highway Capital Improvement Fund Group							3158
042	772-723	Highway Construction -	\$	200,000,000	\$	100,000,000	3159
		Bonds					
TOTAL 042 Highway Capital			\$	200,000,000	\$	100,000,000	3160
Improvement Fund Group							
Infrastructure Bank Obligations Fund Group							3161
045	772-428	Highway Infrastructure	\$	450,000,000	\$	400,000,000	3162
		Bank - Bonds					
TOTAL 045 Infrastructure Bank							3163
Obligations Fund Group			\$	450,000,000	\$	400,000,000	3164
TOTAL ALL BUDGET FUND GROUPS -							3165
Highway Construction			\$	2,547,449,024	\$	2,385,813,753	3166
Highway Maintenance							3167
Highway Operating Fund Group							3168
002	773-431	Highway Maintenance -	\$	403,252,901	\$	417,915,187	3169
		State					
TOTAL HOF Highway Operating							3170
Fund Group			\$	403,252,901	\$	417,915,187	3171
							3172
TOTAL ALL BUDGET FUND GROUPS -							3173
Highway Maintenance			\$	403,252,901	\$	417,915,187	3174
Public Transportation							3175

Highway Operating Fund Group				3176	
002 775-452 Public Transportation	\$	25,471,589	\$	30,391,763	3177
- Federal					
002 775-454 Public Transportation	\$	1,500,000	\$	1,500,000	3178
- Other					
002 775-459 Elderly and Disabled	\$	4,730,000	\$	4,730,000	3179
Special Equipment					
212 775-408 Transit Infrastructure	\$	2,500,000	\$	812,685	3180
Bank - Local					
212 775-455 Title 49	\$	476,485	\$	312,795	3181
Infrastructure Bank -					
State					
213 775-457 Transit Infrastructure	\$	500,000	\$	312,082	3182
Bank - State					
213 775-460 Transit Infrastructure	\$	1,000,000	\$	1,000,000	3183
Bank - Local					
TOTAL HOF Highway Operating					3184
Fund Group	\$	36,178,074	\$	39,059,325	3185
TOTAL ALL BUDGET FUND GROUPS -					3186
Public Transportation	\$	36,178,074	\$	39,059,325	3187
Rail Transportation					3188
Federal Special Revenue Group					3189
3B9 776-662 Rail Transportation -	\$	10,000	\$	10,000	3190
Federal					
TOTAL FED Federal Special Revenue	\$	10,000	\$	10,000	3191
Fund Group					
Highway Operating Fund Group					3192
002 776-462 Grade Crossings -	\$	15,000,000	\$	15,000,000	3193
Federal					
TOTAL HOF Highway Operating					3194
Fund Group	\$	15,000,000	\$	15,000,000	3195
State Special Revenue Fund Group					3196

4N4 776-663	Panhandle Lease	\$	762,500	\$	763,700	3197
	Reserve Payments					
4N4 776-664	Rail Transportation -	\$	2,111,500	\$	2,111,500	3198
	Other					
TOTAL SSR State Special Revenue		\$	2,874,000	\$	2,875,200	3199
Fund Group						
TOTAL ALL BUDGET FUND GROUPS -						3200
Rail Transportation		\$	17,884,000	\$	17,885,200	3201
	Aviation					3202
State Special Revenue Fund Group						
5W9 777-615	County Airport	\$	570,000	\$	570,000	3204
	Maintenance					
TOTAL SSR State Special Revenue		\$	570,000	\$	570,000	3205
Fund Group						
Highway Operating Fund Group						
002 777-472	Airport Improvements -	\$	405,000	\$	405,000	3207
	Federal					
002 777-475	Aviation	\$	5,210,000	\$	5,358,100	3208
	Administration					
213 777-477	Aviation	\$	2,000,000	\$	3,500,000	3209
	Infrastructure Bank -					
	State					
213 777-478	Aviation	\$	5,996,118	\$	6,000,000	3210
	Infrastructure Bank -					
	Local					
TOTAL HOF Highway Operating						3211
Fund Group		\$	13,611,118	\$	15,263,100	3212
TOTAL ALL BUDGET FUND GROUPS -						3213
Aviation		\$	14,181,118	\$	15,833,100	3214
	Administration					3215
Highway Operating Fund Group						
002 779-491	Administration - State	\$	120,262,864	\$	122,601,493	3217

TOTAL HOF Highway Operating			3218
Fund Group	\$ 120,262,864	\$ 122,601,493	3219
TOTAL ALL BUDGET FUND GROUPS -			3220
Administration	\$ 120,262,864	\$ 122,601,493	3221
Debt Service			3222
Highway Operating Fund Group			3223
002 770-003 Administration - State	\$ 10,555,300	\$ 3,614,700	3224
- Debt Service			
TOTAL HOF Highway Operating			3225
Fund Group	\$ 10,555,300	\$ 3,614,700	3226
TOTAL ALL BUDGET FUND GROUPS -			3227
Debt Service	\$ 10,555,300	\$ 3,614,700	3228
TOTAL Department of Transportation			3229
TOTAL FED Federal Special Revenue	\$ 10,000	\$ 10,000	3230
Fund Group			
TOTAL HOF Highway Operating			3231
Fund Group	\$ 2,547,030,191	\$ 2,551,265,782	3232
TOTAL 042 Highway Capital			3233
Improvement Fund Group	\$ 200,000,000	\$ 100,000,000	3234
TOTAL 045 Infrastructure Bank			3235
Obligations Fund Group	\$ 450,000,000	\$ 400,000,000	3236
TOTAL SSR State Special Revenue	\$ 3,444,000	\$ 3,445,200	3237
Fund Group			
TOTAL ALL BUDGET FUND GROUPS	\$ 3,200,484,191	\$ 3,054,720,982	3238
Section 203.20. ISSUANCE OF BONDS			3240
The Treasurer of State, upon the request of the Director of			3241
Transportation, is authorized to issue and sell, in accordance			3242
with Section 2m of Article VIII, Ohio Constitution, and Chapter			3243
151. and particularly sections 151.01 and 151.06 of the Revised			3244
Code, obligations, including bonds and notes, of the State of Ohio			3245
in the aggregate amount of \$290,000,000 in addition to the			3246
original issuance of obligations heretofore authorized by prior			3247

acts of the General Assembly. 3248

The obligations shall be dated, issued, and sold from time to 3249
time in such amounts as may be necessary to provide sufficient 3250
moneys to the credit of the Highway Capital Improvement Fund (Fund 3251
042) created by section 5528.53 of the Revised Code to pay costs 3252
charged to the fund when due as estimated by the Director of 3253
Transportation, provided, however, that such obligations shall be 3254
issued and sold at such time or times so that not more than 3255
\$220,000,000 original principal amount of obligations, plus the 3256
principal amount of obligations that in prior fiscal years could 3257
have been, but were not, issued within the \$220,000,000 limit, may 3258
be issued in any fiscal year, and not more than \$1,200,000,000 3259
original principal amount of such obligations are outstanding at 3260
any one time. 3261

Section 203.30. MAINTENANCE INTERSTATE HIGHWAYS 3262

The Director of Transportation may remove snow and ice and 3263
maintain, repair, improve, or provide lighting upon interstate 3264
highways that are located within the boundaries of municipal 3265
corporations, adequate to meet the requirements of federal law. 3266
When agreed in writing by the Director of Transportation and the 3267
legislative authority of a municipal corporation and 3268
notwithstanding sections 125.01 and 125.11 of the Revised Code, 3269
the Department of Transportation may reimburse a municipal 3270
corporation for all or any part of the costs, as provided by such 3271
agreement, incurred by the municipal corporation in maintaining, 3272
repairing, lighting, and removing snow and ice from the interstate 3273
system. 3274

Section 203.40. TRANSFER OF FUND 002 APPROPRIATIONS: PLANNING 3275
AND RESEARCH, HIGHWAY CONSTRUCTION, HIGHWAY MAINTENANCE, RAIL, 3276
AVIATION, AND ADMINISTRATION 3277

The Director of Budget and Management may approve requests 3278
from the Department of Transportation for transfer of Fund 002 3279
appropriations for highway planning and research (appropriation 3280
items 771-411 and 771-412), highway construction (appropriation 3281
items 772-421, 772-422, 772-424, 772-437, and 772-438), highway 3282
maintenance (appropriation item 773-431), rail grade crossings 3283
(appropriation item 776-462), aviation (appropriation item 3284
777-475), and administration (appropriation item 779-491). The 3285
Director may not make transfers out of debt service appropriation 3286
items unless the Director determines that the appropriated amounts 3287
exceed the actual and projected debt service requirements. 3288
Transfers of appropriations may be made upon the written request 3289
of the Director of Transportation and with the approval of the 3290
Director of Budget and Management. The transfers shall be reported 3291
to the Controlling Board at the next regularly scheduled meeting 3292
of the board. 3293

This transfer authority is intended to provide for emergency 3294
situations and flexibility to meet unforeseen conditions that 3295
could arise during the budget period. It also is intended to allow 3296
the department to optimize the use of available resources and 3297
adjust to circumstances affecting the obligation and expenditure 3298
of federal funds. 3299

TRANSFER OF APPROPRIATIONS: FEDERAL HIGHWAY AND FEDERAL 3300
TRANSIT 3301

The Director of Budget and Management may approve written 3302
requests from the Director of Transportation for the transfer of 3303
appropriations between appropriation items 772-422, Highway 3304
Construction - Federal, and 775-452, Public Transportation - 3305
Federal, based upon transit capital projects meeting Federal 3306
Highway Administration and Federal Transit Administration funding 3307
guidelines. The transfers shall be reported to the Controlling 3308

Board at its next regularly scheduled meeting.	3309
TRANSFER OF APPROPRIATIONS: STATE INFRASTRUCTURE BANK	3310
The Director of Budget and Management may approve requests	3311
from the Department of Transportation for transfer of	3312
appropriations and cash of the Infrastructure Bank funds created	3313
in section 5531.09 of the Revised Code, including transfers	3314
between fiscal years 2008 and 2009. The transfers shall be	3315
reported to the Controlling Board at its next regularly scheduled	3316
meeting.	3317
The Director of Budget and Management may approve requests	3318
from the Department of Transportation for transfer of	3319
appropriations and cash from the Highway Operating Fund (Fund 002)	3320
to the Infrastructure Bank funds created in section 5531.09 of the	3321
Revised Code. The Director of Budget and Management may transfer	3322
from the Infrastructure Bank funds to the Highway Operating Fund	3323
up to the amounts originally transferred to the Infrastructure	3324
Bank funds under this section. However, the director may not make	3325
transfers between modes and transfers between different funding	3326
sources. The transfers shall be reported to the Controlling Board	3327
at its next regularly scheduled meeting.	3328
INCREASE APPROPRIATION AUTHORITY: STATE FUNDS	3329
In the event that receipts or unexpended balances credited to	3330
the Highway Operating Fund exceed the estimates upon which the	3331
appropriations have been made in this act, upon the request of the	3332
Director of Transportation, the Controlling Board may increase	3333
appropriation authority in the manner prescribed in section 131.35	3334
of the Revised Code.	3335
INCREASE APPROPRIATION AUTHORITY: FEDERAL AND LOCAL FUNDS	3336
In the event that receipts or unexpended balances credited to	3337
the Highway Operating Fund or apportionments or allocations made	3338

available from the federal and local government exceed the 3339
estimates upon which the appropriations have been made in this 3340
act, upon the request of the Director of Transportation, the 3341
Controlling Board may increase appropriation authority in the 3342
manner prescribed in section 131.35 of the Revised Code. 3343

REAPPROPRIATIONS 3344

Upon approval of the Director of Budget and Management, all 3345
appropriations of the Highway Operating Fund (Fund 002), the 3346
Highway Capital Improvement Fund (Fund 042), and the 3347
Infrastructure Bank funds created in section 5531.09 of the 3348
Revised Code remaining unencumbered on June 30, 2007, are hereby 3349
reappropriated for the same purpose in fiscal year 2008. 3350

Upon approval of the Director of Budget and Management, all 3351
appropriations of the Highway Operating Fund (Fund 002), the 3352
Highway Capital Improvement Fund (Fund 042), and the 3353
Infrastructure Bank funds created in section 5531.09 of the 3354
Revised Code remaining unencumbered on June 30, 2008, are hereby 3355
reappropriated for the same purpose in fiscal year 2009. 3356

Any balances of prior years' appropriations to the Highway 3357
Operating Fund (Fund 002), the Highway Capital Improvement Fund 3358
(Fund 042), and the Infrastructure Bank funds created in section 3359
5531.09 of the Revised Code that are unencumbered on June 30, 3360
2007, subject to the availability of revenue as determined by the 3361
Director of Transportation, are hereby reappropriated for the same 3362
purpose in fiscal year 2008 upon the request of the Director of 3363
Transportation and with the approval of the Director of Budget and 3364
Management. The reappropriations shall be reported to the 3365
Controlling Board. 3366

Any balances of prior years' appropriations to the Highway 3367
Operating Fund (Fund 002), the Highway Capital Improvement Fund 3368
(Fund 042), and the Infrastructure Bank funds created in section 3369

5531.09 of the Revised Code that are unencumbered on June 30, 3370
2008, subject to the availability of revenue as determined by the 3371
Director of Transportation, are hereby reappropriated for the same 3372
purpose in fiscal year 2009 upon the request of the Director of 3373
Transportation and with the approval of the Director of Budget and 3374
Management. The reappropriations shall be reported to the 3375
Controlling Board. 3376

CASH TRANSFER TO OHIO TURNPIKE COMMISSION 3377

Notwithstanding any other provision of law to the contrary, 3378
on the first day of July in each of 2007 and 2008, or as soon as 3379
practicable thereafter in each of those years, the Director of 3380
Budget and Management shall transfer cash in the amount of 3381
\$250,000 from the Highway Operating Fund (Fund 002) to the Ohio 3382
Turnpike Commission for deposit to the credit of the Community 3383
Resolution Fund created in section 5537.32 of the Revised Code. 3384

Section 203.50. PUBLIC ACCESS ROADS FOR STATE FACILITIES 3385

Of the foregoing appropriation item 772-421, Highway 3386
Construction - State, \$5,000,000 shall be used in each fiscal year 3387
during the fiscal year 2008-2009 biennium by the Department of 3388
Transportation for the construction, reconstruction, or 3389
maintenance of public access roads, including support features, to 3390
and within state facilities owned or operated by the Department of 3391
Natural Resources. 3392

Notwithstanding section 5511.06 of the Revised Code, of the 3393
foregoing appropriation item 772-421, Highway Construction - 3394
State, \$2,228,000 in each fiscal year of the fiscal year 2008-2009 3395
biennium shall be used by the Department of Transportation for the 3396
construction, reconstruction, or maintenance of park drives or 3397
park roads within the boundaries of metropolitan parks. 3398

Included in the foregoing appropriation item 772-421, Highway 3399

Construction - State, the department may perform related road work 3400
on behalf of the Ohio Expositions Commission at the state 3401
fairgrounds, including reconstruction or maintenance of public 3402
access roads and support features, to and within fairground 3403
facilities as requested by the commission and approved by the 3404
Director of Transportation. 3405

LIQUIDATION OF UNFORESEEN LIABILITIES 3406

Any appropriation made to the Department of Transportation, 3407
Highway Operating Fund, not otherwise restricted by law, is 3408
available to liquidate unforeseen liabilities arising from 3409
contractual agreements of prior years when the prior year 3410
encumbrance is insufficient. 3411

Section 203.53. ECONOMIC DEVELOPMENT AND HIGHWAY CONSTRUCTION 3412
FUND 3413

Any money credited to the Economic Development and Highway 3414
Construction Fund created by section 5751.20 of the Revised Code 3415
during the fiscal year 2008-2009 biennium is hereby appropriated 3416
to the Department of Transportation to be expended for 3417
constructing and maintaining the state's highway infrastructure, 3418
thereby promoting economic development throughout the state. 3419

Section 203.60. RENTAL PAYMENTS - OBA 3420

The foregoing appropriation item 770-003, Administration - 3421
State - Debt Service, shall be used to pay rent to the Ohio 3422
Building Authority for the period July 1, 2007, to June 30, 2009, 3423
under the primary leases and agreements for various transportation 3424
related capital facilities financed by obligations issued under 3425
Chapter 152. of the Revised Code. The rental payments shall be 3426
made from revenues received from the motor vehicle fuel tax. The 3427
amounts of any bonds and notes to finance such capital facilities 3428
shall be at the request of the Director of Transportation. 3429

Notwithstanding section 152.24 of the Revised Code, the Ohio 3430
Building Authority may, with approval of the Office of Budget and 3431
Management, lease capital facilities to the Department of 3432
Transportation. 3433

The Director of Transportation shall hold title to any land 3434
purchased and any resulting structures that are attributable to 3435
appropriation item 770-003. Notwithstanding section 152.18 of the 3436
Revised Code, the Director of Transportation shall administer any 3437
purchase of land and any contract for construction, 3438
reconstruction, and rehabilitation of facilities as a result of 3439
this appropriation. 3440

Should the appropriation and any reappropriations from prior 3441
years in appropriation item 770-003 exceed the rental payments for 3442
fiscal year 2008 or 2009, then prior to June 30, 2009, the balance 3443
may be transferred to appropriation item 772-421, Highway 3444
Construction - State, 773-431, Highway Maintenance - State, or 3445
779-491, Administration - State, upon the written request of the 3446
Director of Transportation and with the approval of the Director 3447
of Budget and Management. The transfer shall be reported to the 3448
Controlling Board at its next regularly scheduled meeting. 3449

Section 203.70. PUBLIC TRANSPORTATION HIGHWAY PURPOSE GRANTS 3450

The Director of Transportation may use revenues from the 3451
state motor vehicle fuel tax to match approved federal grants 3452
awarded to the Department of Transportation, regional transit 3453
authorities, or eligible public transportation systems, for public 3454
transportation highway purposes, or to support local or state 3455
funded projects for public transportation highway purposes. Public 3456
transportation highway purposes include: the construction or 3457
repair of high-occupancy vehicle traffic lanes, the acquisition or 3458
construction of park-and-ride facilities, the acquisition or 3459
construction of public transportation vehicle loops, the 3460

construction or repair of bridges used by public transportation 3461
vehicles or that are the responsibility of a regional transit 3462
authority or other public transportation system, or other similar 3463
construction that is designated as an eligible public 3464
transportation highway purpose. Motor vehicle fuel tax revenues 3465
may not be used for operating assistance or for the purchase of 3466
vehicles, equipment, or maintenance facilities. 3467

MONTHLY TRANSFERS TO GASOLINE EXCISE TAX FUND 3468

The Director of Budget and Management shall transfer cash in 3469
equal monthly increments totaling \$188,169,480 in each fiscal year 3470
of the 2008-2009 biennium from the Highway Operating Fund, created 3471
in section 5735.291 of the Revised Code, to the Gasoline Excise 3472
Tax Fund created in division (A) of section 5735.27 of the Revised 3473
Code. The monthly amounts transferred under this section shall be 3474
distributed as follows: 42.86 per cent shall be distributed among 3475
the municipal corporations within the state under division (A)(2) 3476
of section 5735.27 of the Revised Code; 37.14 per cent shall be 3477
distributed among the counties within the state under division 3478
(A)(3) of section 5735.27 of the Revised Code; and 20 per cent 3479
shall be distributed among the townships within the state under 3480
division (A)(5)(b) of section 5735.27 of the Revised Code. 3481

Section 205.10. DHS DEPARTMENT OF PUBLIC SAFETY 3482

Highway Safety Information and Education 3483

State Highway Safety Fund Group 3484

036	761-321	Operating Expense -	\$	3,645,598	\$	3,645,598	3485
		Information and					
		Education					
036	761-402	Traffic Safety Match	\$	277,137	\$	277,137	3486
83N	761-611	Elementary School Seat	\$	375,000	\$	375,000	3487
		Belt Program					
831	761-610	Information and	\$	468,982	\$	468,982	3488

	Education - Federal			
832	761-612	Traffic Safety-Federal	\$ 16,577,565	\$ 16,577,565 3489
844	761-613	Seat Belt Education	\$ 395,700	\$ 411,528 3490
	Program			
846	761-625	Motorcycle Safety	\$ 3,698,084	\$ 4,010,865 3491
	Education			
TOTAL HSF State Highway Safety				3492
Fund Group			\$ 25,438,066	\$ 25,766,675 3493
Agency Fund Group				3494
5J9	761-678	Federal Salvage/GSA	\$ 1,500,000	\$ 1,500,000 3495
TOTAL AGY Agency				\$ 1,500,000 3496
TOTAL ALL BUDGET FUND GROUPS -				3497
Highway Safety Information				3498
and Education				\$ 26,938,066 3499
	FEDERAL HIGHWAY SAFETY PROGRAM MATCH			3500
	The foregoing appropriation item 761-402, Traffic Safety			3501
	Match, shall be used to provide the nonfederal portion of the			3502
	federal Highway Safety Program. Upon request by the Director of			3503
	Public Safety and approval by the Director of Budget and			3504
	Management, appropriation item 761-402 shall be used to transfer			3505
	cash from the Highway Safety Fund to the Traffic Safety - Federal			3506
	Fund (Fund 832) at the beginning of each fiscal year on an			3507
	intrastate transfer voucher.			3508
	Section 207.10. BUREAU OF MOTOR VEHICLES			3509
State Special Revenue Fund Group				3510
539	762-614	Motor Vehicle Dealers	\$ 200,000	\$ 200,000 3511
	Board			
TOTAL SSR State Special Revenue				3512
Fund Group			\$ 200,000	\$ 200,000 3513
State Highway Safety Fund Group				3514
4W4	762-321	Operating Expense-BMV	\$ 90,394,299	\$ 85,145,103 3515

4W4	762-410	Registrations	\$	32,480,610	\$	32,480,610	3516
		Supplement					
5V1	762-682	License Plate	\$	2,100,000	\$	2,100,000	3517
		Contributions					
83R	762-639	Local Immobilization	\$	750,000	\$	750,000	3518
		Reimbursement					
835	762-616	Financial	\$	5,843,830	\$	6,063,600	3519
		Responsibility					
		Compliance					
849	762-627	Automated Title	\$	23,487,248	\$	19,240,839	3520
		Processing Board					
TOTAL HSF State Highway Safety							3521
Fund Group			\$	155,055,987	\$	145,780,152	3522
TOTAL ALL BUDGET FUND GROUPS -							3523
Bureau of Motor Vehicles			\$	155,255,987	\$	145,980,152	3524

MOTOR VEHICLE REGISTRATION 3525

The Registrar of Motor Vehicles may deposit revenues to meet 3526
the cash needs of the State Bureau of Motor Vehicles Fund (Fund 3527
4W4) established in section 4501.25 of the Revised Code, obtained 3528
under sections 4503.02 and 4504.02 of the Revised Code, less all 3529
other available cash. Revenue deposited pursuant to this section 3530
shall support, in part, appropriations for operating expenses and 3531
defray the cost of manufacturing and distributing license plates 3532
and license plate stickers and enforcing the law relative to the 3533
operation and registration of motor vehicles. Notwithstanding 3534
section 4501.03 of the Revised Code, the revenues shall be paid 3535
into the State Bureau of Motor Vehicles Fund before any revenues 3536
obtained pursuant to sections 4503.02 and 4504.02 of the Revised 3537
Code are paid into any other fund. The deposit of revenues to meet 3538
the aforementioned cash needs shall be in approximate equal 3539
amounts on a monthly basis or as otherwise determined by the 3540
Director of Budget and Management pursuant to a plan submitted by 3541
the Registrar of Motor Vehicles. 3542

CAPITAL PROJECTS				3543
The Registrar of Motor Vehicles may transfer cash from the				3544
State Bureau of Motor Vehicles Fund (Fund 4W4) to the State				3545
Highway Safety Fund (Fund 036) to meet its obligations for capital				3546
projects CIR-047, Department of Public Safety Office Building,				3547
CIR-049, Warehouse Facility, and CAP-070, Canton One Stop Shop.				3548
Section 209.10. ENFORCEMENT				3549
State Highway Safety Fund Group				3550
036 764-033 Minor Capital Projects	\$	1,250,000	\$ 1,250,000	3551
036 764-321 Operating Expense - Highway Patrol	\$	253,967,276	\$ 267,539,597	3552
036 764-605 Motor Carrier Enforcement Expenses	\$	3,061,817	\$ 3,340,468	3553
83C 764-630 Contraband, Forfeiture, Other	\$	622,894	\$ 622,894	3554
83F 764-657 Law Enforcement Automated Data System	\$	7,945,555	\$ 8,275,898	3555
83G 764-633 OMVI Enforcement/Education	\$	650,000	\$ 650,000	3556
83J 764-693 Highway Patrol Justice Contraband	\$	2,100,000	\$ 2,100,000	3557
83T 764-694 Highway Patrol Treasury Contraband	\$	21,000	\$ 21,000	3558
831 764-610 Patrol - Federal	\$	2,455,484	\$ 2,455,484	3559
831 764-659 Transportation Enforcement - Federal	\$	5,665,690	\$ 6,132,592	3560
831 769-631 Homeland Security - Federal	\$	1,500,000	\$ 1,552,500	3561
837 764-602 Turnpike Policing	\$	10,893,146	\$ 11,553,959	3562
838 764-606 Patrol Reimbursement	\$	175,000	\$ 175,000	3563
840 764-607 State Fair Security	\$	1,396,283	\$ 1,396,283	3564

840 764-617	Security and Investigations	\$	6,231,916	\$	6,155,385	3565
840 764-626	State Fairgrounds Police Force	\$	788,375	\$	788,375	3566
840 769-632	Homeland Security - Operating	\$	1,913,276	\$	1,989,807	3567
841 764-603	Salvage and Exchange - Highway Patrol	\$	1,339,399	\$	1,339,399	3568
TOTAL HSF State Highway Safety						3569
Fund Group		\$	301,977,111	\$	317,338,641	3570
General Services Fund Group						3571
4S2 764-660	MARCS Maintenance	\$	335,862	\$	389,149	3572
TOTAL GSF General Services						3573
Fund Group		\$	335,862	\$	389,149	3574
TOTAL ALL BUDGET FUND GROUPS -						3575
Enforcement		\$	302,312,973	\$	317,727,790	3576
COLLECTIVE BARGAINING INCREASES						3577
Notwithstanding division (D) of section 127.14 and division						3578
(B) of section 131.35 of the Revised Code, except for the General						3579
Revenue Fund, the Controlling Board may, upon the request of						3580
either the Director of Budget and Management, or the Department of						3581
Public Safety with the approval of the Director of Budget and						3582
Management, increase appropriations for any fund, as necessary for						3583
the Department of Public Safety, to assist in paying the costs of						3584
increases in employee compensation that have occurred pursuant to						3585
collective bargaining agreements under Chapter 4117. of the						3586
Revised Code and, for exempt employees, under section 124.152 of						3587
the Revised Code.						3588
TRAFFIC SAFETY OPERATING FUND						3589
On July 1, 2007, or as soon thereafter as possible, the						3590
Director of Budget and Management shall transfer the cash balance						3591
in the Traffic Safety Operating Fund (Fund 5AY) to the Highway						3592

Safety Fund (Fund 036). The Director of Budget and Management 3593
shall cancel any existing encumbrances against appropriation item 3594
764-688, Traffic Safety Operating, and re-establish them against 3595
appropriation item 764-321, Operating Expense - Highway Patrol. 3596
The amounts of the re-established encumbrances are hereby 3597
appropriated. Upon completion of these transfers, the Traffic 3598
Safety Operating Fund (Fund 5AY) is hereby abolished. 3599

CASH TRANSFER TO THE STATE HIGHWAY SAFETY FUND 3600

Effective July 1, 2007, the Treasurer of State, prior to 3601
making any of the distributions listed in sections 5735.23, 3602
5735.26, 5735.291, and 5735.30 of the Revised Code, shall deposit 3603
the first \$1,250,000 received each month to the credit of the 3604
State Highway Safety Fund (Fund 036). 3605

Section 211.10. EMERGENCY MEDICAL SERVICES 3606

State Highway Safety Fund Group 3607

83M 765-624 Operating Expenses - \$ 2,587,627 \$ 2,587,627 3608

Trauma and EMS

83P 765-637 Trauma and EMS \$ 4,429,290 \$ 4,562,912 3609

831 765-610 EMS/Federal \$ 582,007 \$ 582,007 3610

TOTAL HSF State Highway Safety 3611

Fund Group \$ 7,598,924 \$ 7,732,546 3612

TOTAL ALL BUDGET FUND GROUPS - 3613

Emergency Medical Services \$ 7,598,924 \$ 7,732,546 3614

CASH TRANSFERS OF SEAT BELT FINE REVENUES 3615

Notwithstanding any other provision of law to the contrary, 3616
the Controlling Board, upon request of the Director of Public 3617
Safety, may approve the transfer of cash between the following 3618
four funds that receive fine revenues from enforcement of the 3619
mandatory seat belt law: the Trauma and Emergency Medical Services 3620
Fund (Fund 83M), the Elementary School Program Fund (Fund 83N), 3621

the Trauma and Emergency Medical Services Grants Fund (Fund 83P), 3622
 and the Seat Belt Education Fund (Fund 844). 3623

Section 213.10. INVESTIGATIVE UNIT 3624

State Highway Safety Fund Group 3625

831 767-610 Liquor Enforcement - \$ 514,184 \$ 514,184 3626
 Federal

831 769-610 Food Stamp Trafficking \$ 1,032,135 \$ 1,032,135 3627
 Enforcement - Federal

TOTAL HSF State Highway Safety 3628

Fund Group \$ 1,546,319 \$ 1,546,319 3629

Liquor Control Fund Group 3630

043 767-321 Liquor Enforcement - \$ 11,435,527 \$ 11,546,052 3631
 Operations

TOTAL LCF Liquor Control Fund 3632

Group \$ 11,435,527 \$ 11,546,052 3633

State Special Revenue Fund Group 3634

5B9 766-632 Private Investigator \$ 1,288,730 \$ 1,289,883 3635
 and Security Guard
 Provider

5CM 767-691 Federal Investigative \$ 642,175 \$ 642,175 3636
 Seizure

622 767-615 Investigative \$ 375,000 \$ 375,000 3637
 Contraband and
 Forfeiture

850 767-628 Investigative Unit \$ 100,000 \$ 100,000 3638
 Salvage

TOTAL SSR State Special Revenue 3639

Fund Group \$ 2,405,905 \$ 2,407,058 3640

TOTAL ALL BUDGET FUND GROUPS - 3641

Special Enforcement \$ 15,387,751 \$ 15,499,429 3642

LEASE RENTAL PAYMENTS FOR CAP-076, INVESTIGATIVE UNIT MARCS 3643

EQUIPMENT					3644
The Director of Public Safety, using intrastate transfer					3645
vouchers, shall make cash transfers to the State Highway Safety					3646
Fund (Fund 036) from other funds to reimburse the State Highway					3647
Safety Fund for the share of lease rental payments to the Ohio					3648
Building Authority that are associated with appropriation item					3649
CAP-076, Investigative Unit MARCS Equipment.					3650
Section 215.10. EMERGENCY MANAGEMENT					3651
Federal Special Revenue Fund Group					3652
3N5 763-644 U.S. Department of	\$	175,000	\$	175,000	3653
Energy Agreement					
329 763-645 Individual Household	\$	13,831,920	\$	13,848,251	3654
Grants - Federal					
337 763-609 Federal Disaster	\$	27,700,200	\$	27,707,636	3655
Relief					
339 763-647 Emergency Management	\$	85,121,692	\$	85,265,885	3656
Assistance and					
Training					
TOTAL FED Federal Special					3657
Revenue Fund Group	\$	126,828,812	\$	126,996,772	3658
State Special Revenue Fund Group					3659
4V3 763-662 EMA Service and	\$	650,000	\$	650,000	3660
Reimbursement					
657 763-652 Utility Radiological	\$	1,260,000	\$	1,260,000	3661
Safety					
681 763-653 SARA Title III HAZMAT	\$	271,510	\$	271,510	3662
Planning					
TOTAL SSR State Special Revenue					3663
Fund Group	\$	2,181,510	\$	2,181,510	3664
TOTAL ALL BUDGET FUND GROUPS -					3665
Emergency Management	\$	129,010,322	\$	128,814,282	3666

STATE DISASTER RELIEF	3667
The appropriation item 763-601, State Disaster Relief (Fund 533), may accept transfers of cash and appropriations from Controlling Board appropriation items for Ohio Emergency Management Agency disaster response costs and disaster program management costs, and may also be used for the following purposes:	3668 3669 3670 3671 3672
(A) To accept transfers of cash and appropriations from Controlling Board appropriation items for Ohio Emergency Management Agency public assistance and mitigation program match costs to reimburse eligible local governments and private nonprofit organizations for costs related to disasters;	3673 3674 3675 3676 3677
(B) To accept and transfer cash to reimburse the costs associated with Emergency Management Assistance Compact (EMAC) deployments;	3678 3679 3680
(C) To accept disaster related reimbursement from federal, state, and local governments. The Director of Budget and Management may transfer cash from reimbursements received by this fund to other funds of the state from which transfers were originally approved by the Controlling Board.	3681 3682 3683 3684 3685
(D) To accept transfers of cash and appropriations from Controlling Board appropriation items to fund the State Disaster Relief Program, for disasters that have been declared by the Governor, and the State Individual Assistance Program for disasters that have been declared by the Governor and the federal Small Business Administration. The Ohio Emergency Management Agency shall publish and make available application packets outlining procedures for the State Disaster Relief Program and the State Individual Assistance Program.	3686 3687 3688 3689 3690 3691 3692 3693 3694
SARA TITLE III HAZMAT PLANNING	3695
The SARA Title III HAZMAT Planning Fund (Fund 681) is entitled to receive grant funds from the Emergency Response	3696 3697

Commission to implement the Emergency Management Agency's responsibilities under Chapter 3750. of the Revised Code.				3698
				3699
Section 217.10. CRIMINAL JUSTICE SERVICES				3700
General Services Fund Group				3701
4P6 768-601 Justice Program	\$	100,000	\$ 100,000	3702
Services				
TOTAL GSF General Services Fund	\$	100,000	\$ 100,000	3703
Group				
Federal Special Revenue Fund Group				3704
3AY 768-606 Federal Justice Grants	\$	13,019,284	\$ 13,060,000	3705
3L5 768-604 Justice Program	\$	11,880,083	\$ 12,056,300	3706
TOTAL FED Federal Special Revenue	\$	24,899,367	\$ 25,116,300	3707
Fund Group				
State Special Revenue Fund Group				3708
5BK 768-687 Criminal Justice	\$	400,000	\$ 400,000	3709
Services Operating				
5BK 768-689 Family Violence	\$	750,000	\$ 750,000	3710
Shelter Programs				
TOTAL SSR Special Revenue Fund	\$	1,150,000	\$ 1,150,000	3711
Group				
TOTAL ALL BUDGET FUND GROUPS -	\$	26,149,367	\$ 26,366,300	3712
Criminal Justice Services				
TRANSFER OF THE OFFICE OF CRIMINAL JUSTICE SERVICES TO THE				3713
DEPARTMENT OF PUBLIC SAFETY				3714
Business commenced but not completed by the Office of				3715
Criminal Justice Services on July 1, 2005, shall be completed by				3716
the Division of Criminal Justice Services, in the same manner, and				3717
with the same effect, as if completed by the Office of Criminal				3718
Justice Services. No validation, cure, right, privilege, remedy,				3719
obligation, or liability is lost or impaired by reason of the				3720

transfer required by this section but shall be administered by the 3721
 Division of Criminal Justice Services. 3722

FUND CLARIFICATIONS 3723

The fund created by the amendment in this act to section 3724
 5502.62 of the Revised Code is the same fund, with a new name, as 3725
 the Justice Programs Fund (Fund 3L5). The fund created by section 3726
 5502.67 of the Revised Code is the same fund, with a new name, as 3727
 the General Services Fund (Fund 4P6). 3728

Section 219.10. ADMINISTRATION 3729

State Highway Safety Fund Group 3730

036 766-321 Operating Expense - \$ 4,461,836 \$ 4,461,836 3731
 Administration

830 761-603 Salvage and Exchange - \$ 20,000 \$ 20,000 3732
 Administration

TOTAL HSF State Highway Safety 3733

Fund Group \$ 4,481,836 \$ 4,481,836 3734

General Services Fund Group 3735

4S3 766-661 Hilltop Utility \$ 500,000 \$ 500,000 3736
 Reimbursement

TOTAL GSF General Services 3737

Fund Group \$ 500,000 \$ 500,000 3738

TOTAL ALL BUDGET FUND GROUPS - 3739

Administration \$ 4,981,836 \$ 4,981,836 3740

Section 221.10. DEBT SERVICE 3742

State Highway Safety Fund Group 3743

036 761-401 Lease Rental Payments \$ 13,929,500 \$ 14,017,100 3744

TOTAL HSF State Highway Safety 3745

Fund Group \$ 13,929,500 \$ 14,017,100 3746

TOTAL ALL BUDGET FUND GROUPS - 3747

Debt Service	\$	13,929,500	\$	14,017,100	3748
OBA BOND AUTHORITY/LEASE RENTAL PAYMENTS					3749
The foregoing appropriation item 761-401, Lease Rental					3750
Payments, shall be used for payments to the Ohio Building					3751
Authority for the period July 1, 2007, to June 30, 2009, under the					3752
primary leases and agreements for public safety related buildings					3753
financed by obligations issued under Chapter 152. of the Revised					3754
Code. Notwithstanding section 152.24 of the Revised Code, the Ohio					3755
Building Authority may, with approval of the Director of Budget					3756
and Management, lease capital facilities to the Department of					3757
Public Safety.					3758
HILLTOP TRANSFER					3759
The Director of Public Safety shall determine, per an					3760
agreement with the Director of Transportation, the share of each					3761
debt service payment made out of appropriation item 761-401, Lease					3762
Rental Payments, that relates to the Department of					3763
Transportation's portion of the Hilltop Building Project, and					3764
shall certify to the Director of Budget and Management the amounts					3765
of this share. The Director of Budget and Management shall					3766
transfer the amounts of such shares from the Highway Operating					3767
Fund (Fund 002) to the Highway Safety Fund (Fund 036).					3768
Section 223.10. REVENUE DISTRIBUTION					3769
Holding Account Redistribution Fund Group					3770
R24 762-619 Unidentified Motor	\$	1,885,000	\$	1,885,000	3771
Vehicle Receipts					
R52 762-623 Security Deposits	\$	350,000	\$	350,000	3772
TOTAL 090 Holding Account					3773
Redistribution Fund Group					
	\$	2,235,000	\$	2,235,000	3774
TOTAL ALL BUDGET FUND GROUPS -					3775
Revenue Distribution					
	\$	2,235,000	\$	2,235,000	3776

TOTAL Department of Public Safety				3777	
TOTAL HSF State Highway Safety				3778	
Fund Group	\$	510,027,743	\$	516,663,269	3779
TOTAL SSR State Special Revenue				3780	
Fund Group	\$	5,937,415	\$	5,938,568	3781
TOTAL LCF Liquor Control				3782	
Fund Group	\$	11,435,527	\$	11,546,052	3783
TOTAL GSF General Services				3784	
Fund Group	\$	935,862	\$	989,149	3785
TOTAL FED Federal Special Revenue				3786	
Fund Group	\$	151,728,179	\$	152,113,072	3787
TOTAL AGY Agency Fund Group	\$	1,500,000	\$	1,500,000	3788
TOTAL 090 Holding Account				3789	
Redistribution Fund Group	\$	2,235,000	\$	2,235,000	3790
TOTAL ALL BUDGET FUND GROUPS	\$	683,799,726	\$	690,985,110	3791
Section 225.10. CASH BALANCE FUND REVIEW				3793	
Not later than the first day of April in each fiscal year of				3794	
the biennium, the Director of Budget and Management shall review				3795	
the cash balances for each fund, except the State Highway Safety				3796	
Fund (Fund 036) and the Bureau of Motor Vehicles Fund (Fund 4W4),				3797	
in the State Highway Safety Fund Group, and shall recommend to the				3798	
Controlling Board an amount to be transferred to the credit of the				3799	
State Highway Safety Fund or the Bureau of Motor Vehicles Fund, as				3800	
appropriate.				3801	
Section 227.10. DEV DEPARTMENT OF DEVELOPMENT				3802	
State Special Revenue Fund Group				3803	
4W0 195-629 Roadwork Development	\$	18,699,900	\$	18,699,900	3804
TOTAL SSR State Special Revenue				3805	
Fund Group	\$	18,699,900	\$	18,699,900	3806
TOTAL ALL BUDGET FUND GROUPS	\$	18,699,900	\$	18,699,900	3807

ROADWORK DEVELOPMENT FUND 3808

The Roadwork Development Fund shall be used for road 3809
improvements associated with economic development opportunities 3810
that will retain or attract businesses for Ohio. "Road 3811
improvements" are improvements to public roadway facilities 3812
located on, or serving or capable of serving, a project site. 3813

The Department of Transportation, under the direction of the 3814
Department of Development, shall provide these funds in accordance 3815
with all guidelines and requirements established for Department of 3816
Development appropriation item 195-412, Business Development, 3817
including Controlling Board review and approval as well as the 3818
requirements for usage of gas tax revenue prescribed in Section 5a 3819
of Article XII, Ohio Constitution. Should the Department of 3820
Development require the assistance of the Department of 3821
Transportation to bring a project to completion, the Department of 3822
Transportation shall use its authority under Title LV of the 3823
Revised Code to provide such assistance and enter into contracts 3824
on behalf of the Department of Development. In addition, these 3825
funds may be used in conjunction with appropriation item 195-412, 3826
Business Development, or any other state funds appropriated for 3827
infrastructure improvements. 3828

The Director of Budget and Management, pursuant to a plan 3829
submitted by the Department of Development or as otherwise 3830
determined by the Director of Budget and Management, shall set a 3831
cash transfer schedule to meet the cash needs of the Department of 3832
Development's Roadwork Development Fund (Fund 4W0), less any other 3833
available cash. The Director shall transfer to the Roadwork 3834
Development Fund from the Highway Operating Fund (Fund 002), 3835
established in section 5735.291 of the Revised Code, such amounts 3836
at such times as determined by the transfer schedule. 3837

TRANSPORTATION IMPROVEMENT DISTRICTS 3838

Notwithstanding section 5540.151 of the Revised Code, of the 3839
foregoing appropriation item 195-629, Roadwork Development, 3840
\$250,000 in each fiscal year of the biennium shall be granted by 3841
the Director of Development to each of the transportation 3842
improvement districts of Butler, Clermont, Hamilton, Lorain, 3843
Medina, Montgomery, Muskingum, and Stark counties and to the 3844
Rossford Transportation Improvement District in Wood County. Any 3845
grant made under this paragraph is not subject to the restrictions 3846
of appropriation item 195-629, Roadwork Development. 3847

Section 229.10. PWC PUBLIC WORKS COMMISSION 3848

Local Transportation Improvements Fund Group 3849

052 150-402 Local Transportation	\$	291,537	\$	306,178	3850
Improvement Program -					
Operating					

052 150-701 Local Transportation	\$	67,500,000	\$	67,500,000	3851
Improvement Program					

TOTAL 052 Local Transportation 3852

Improvements Fund Group	\$	67,791,537	\$	67,806,178	3853
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Local Infrastructure Improvements Fund Group 3854

038 150-321 State Capital	\$	879,237	\$	918,912	3855
Improvements Program -					
Operating Expenses					

TOTAL LIF Local Infrastructure 3856

Improvements Fund Group	\$	879,237	\$	918,912	3857
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TOTAL ALL BUDGET FUND GROUPS	\$	68,670,774	\$	68,725,090	3858
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DISTRICT ADMINISTRATION COSTS 3859

The Director of the Public Works Commission is authorized to 3860
create a District Administration Costs Program from interest 3861
earnings of the Capital Improvements Fund and Local Transportation 3862
Improvement Program Fund proceeds. The program shall be used to 3863
provide for the direct costs of district administration of the 3864

nineteen public works districts. Districts choosing to participate 3865
in the program shall only expend Capital Improvements Fund moneys 3866
for Capital Improvements Fund costs and Local Transportation 3867
Improvement Program Fund moneys for Local Transportation 3868
Improvement Program Fund costs. The account shall not exceed 3869
\$1,235,000 per fiscal year. Each public works district may be 3870
eligible for up to \$65,000 per fiscal year from its district 3871
allocation as provided in sections 164.08 and 164.14 of the 3872
Revised Code. 3873

The Director, by rule, shall define allowable and 3874
nonallowable costs for the purpose of the District Administration 3875
Costs Program. Nonallowable costs include indirect costs, elected 3876
official salaries and benefits, and project-specific costs. No 3877
district public works committee may participate in the District 3878
Administration Costs Program without the approval of those costs 3879
by the district public works committee under section 164.04 of the 3880
Revised Code. 3881

REAPPROPRIATIONS 3882

All capital appropriations from the Local Transportation 3883
Improvement Program Fund (Fund 052) in Am. Sub. H.B. 68 of the 3884
126th General Assembly remaining unencumbered as of June 30, 2007, 3885
are reappropriated for use during the period July 1, 2007, through 3886
June 30, 2008, for the same purpose. 3887

Notwithstanding division (B) of section 127.14 of the Revised 3888
Code, all capital appropriations and reappropriations from the 3889
Local Transportation Improvement Program Fund (Fund 052) in this 3890
act remaining unencumbered as of June 30, 2008, are reappropriated 3891
for use during the period July 1, 2008, through June 30, 2009, for 3892
the same purposes, subject to the availability of revenue as 3893
determined by the Director of the Public Works Commission. 3894

Section 303.10. PROVISIONS OF LAW GENERALLY APPLICABLE TO 3895

APPROPRIATIONS	3896
Law contained in the main operating appropriations act of the	3897
127th General Assembly that is generally applicable to the	3898
appropriations made in the main operating appropriations act also	3899
is generally applicable to the appropriations made in this act.	3900
Section 305.10. LEASE PAYMENTS TO OBA AND TREASURER	3901
Certain appropriations are in this act for the purpose of	3902
lease payments to the Ohio Building Authority or to the Treasurer	3903
of State under leases and agreements relating to bonds or notes	3904
issued by the Ohio Building Authority or the Treasurer of State	3905
under the Ohio Constitution and acts of the General Assembly. If	3906
it is determined that additional appropriations are necessary for	3907
this purpose, such amounts are hereby appropriated.	3908
Section 403.05. That Sections 235.20.20, 235.30.70, and	3909
237.10 of Am. Sub. H.B. 699 of the 126th General Assembly be	3910
amended to read as follows:	3911

	Appropriations	
Sec. 235.20.20. CLS CLEVELAND STATE UNIVERSITY		3912
CAP-023 Basic Renovations	\$ 3,796,031	3913
CAP-125 College of Education	\$ 10,115,719	3914
CAP-148 Cleveland Institute of Art	\$ 1,000,000	3915
CAP-163 Anthropology Department	\$ 400,000	3916
Renovations/Relocation		
CAP-164 Chester Building Annex Demolition	\$ 921,583	3917
CAP-165 Bakers Building Renovations	\$ 1,328,583	3918
CAP-166 Playhouse Square Center — Hanna Theatre	\$ 750,000	3919
CAP-167 Cleveland State University Windtower	\$ 400,000	3920
Generator Project		
CAP-168 Kenston Wind Turbine Project in Geauga	\$ 300,000	3921

(CSU Engineering Department)

CAP-169	Cleveland Museum of Art	\$	3,000,000	3922
Total Cleveland State University		\$	22,011,916	3923
			<u>18,261,916</u>	

Appropriations

Sec. 235.30.70. CCC CUYAHOGA COMMUNITY COLLEGE				3925
CAP-031	Basic Renovations	\$	3,866,782	3926
CAP-095	Collegewide Asset Protection and Building Codes Upgrade	\$	2,411,797	3927
CAP-099	Hospitality Management Program	\$	4,000,000	3928
CAP-100	Theater/Auditorium Renovations	\$	4,036,552	3929
CAP-101	Nursing Clinical Simulation Center	\$	250,000	3930
CAP-102	Rock and Roll Hall of Fame Archives	\$	200,000	3931
<u>CAP-166</u>	<u>Playhouse Square Center - Hanna Theatre</u>	\$	<u>750,000</u>	3932
<u>CAP-169</u>	<u>Cleveland Museum of Art</u>	\$	<u>3,000,000</u>	3933
Total Cuyahoga Community College		\$	14,765,131	3934
			<u>18,515,131</u>	

Sec. 237.10. All items set forth in this section are hereby 3936
appropriated out of any moneys in the state treasury to the credit 3937
of the Parks and Recreation Improvement Fund (Fund 035), that are 3938
not otherwise appropriated. 3939

Appropriations

DNR DEPARTMENT OF NATURAL RESOURCES				3940
CAP-012	Land Acquisition - Statewide	\$	500,000	3941
CAP-169	Lake White State Park - Dam Rehabilitation	\$	5,500,000	3942
CAP-390	State Park Maintenance Facility Development - Middle Bass Island State Park Mitigation Costs	\$	2,000,000	3943
CAP-701	Buckeye Lake State Park - Dam Rehabilitation	\$	4,000,000	3944

CAP-702	Upgrade Underground Fuel Storage Tanks - Statewide	\$ 250,000	3945
CAP-716	Muskingum River Parkway - Locks and Dam Rehabilitation	\$ 1,000,000	3946
CAP-748	Local Parks Projects	\$ 16,201,700	3947
CAP-753	Project Planning	\$ 250,000	3948
CAP-836	State Park Renovations/Upgrading - Dillon Environmental Restoration Project (Corps Grant Match)	\$ 600,000	3949
CAP-876	Statewide Trails Program	\$ 6,140,000	3950
CAP-881	Dam Rehabilitation - Parks	\$ 1,017,600	3951
CAP-929	Hazardous Waste/Asbestos Abatement - Statewide	\$ 150,000	3952
CAP-931	Statewide Wastewater/Water Systems Upgrade	\$ 2,500,000	3953
	Total Department of Natural Resources	\$ 40,109,300	3954
	TOTAL Parks and Recreation Improvement Fund	\$ 40,109,300	3955
	FEDERAL REIMBURSEMENT		3956
	All reimbursements received from the federal government for		3957
	any expenditures made pursuant to this section shall be deposited		3958
	in the state treasury to the credit of the Parks and Recreation		3959
	Improvement Fund (Fund 035).		3960
	LOCAL PARKS PROJECTS		3961
	Of the foregoing appropriation item CAP-748, Local Parks		3962
	Projects, \$2,000,000 shall be used for the Center City Park in		3963
	Springfield; \$1,200,000 shall be used for the Cincinnati Zoo;		3964
	\$1,000,000 shall be used for the East Bank/Flats Project;		3965
	\$1,000,000 shall be used for the Scioto Mile; \$1,500,000 shall be		3966
	used for the Franklin Park Conservatory; \$1,000,000 shall be used		3967
	for Kroc Community Park Improvements; \$640,000 shall be used for		3968
	the Cuyahoga River Corridor Glens Park; \$540,000 shall be used for		3969
	Tar Hollow State Park Improvements; \$515,000 shall be used for the		3970

Cleveland Zoological Society; \$400,000 shall be used for the Hi-Y; 3971
\$300,000 shall be used for the Colerain Township Heritage Park; 3972
\$300,000 shall be used for the Columbus Zoo; \$300,000 shall be 3973
used for the Fremont Park and Athletic Facilities; \$250,000 shall 3974
be used for the Gahanna South Flood Plain Project; \$250,000 shall 3975
be used for the Sippo Lake Park/Canal Way; \$250,000 shall be used 3976
for Van Buren State Park Land Acquisitions; \$250,000 shall be used 3977
for the City of Wellston Veterans Park; \$250,000 shall be used for 3978
the City of Jackson Bike Path; \$250,000 shall be used for 3979
Cambridge Park Improvements; \$250,000 shall be used for the 3980
Brunswick Nature Preserve; \$200,000 shall be used for North 3981
Royalton Recreational Park Improvements; \$200,000 shall be used 3982
for Harrison Village Historical Society-Phoenix Park Museum; 3983
\$200,000 shall be used for Ault Park Improvements; \$200,000 shall 3984
be used for Indian Lake State Park Dredging Improvements; \$200,000 3985
shall be used for the Belmont Carnes Center; \$191,000 shall be 3986
used for Deerfield Township Simpson Creek Erosion Mitigation and 3987
Bank Control; \$185,000 shall be used for the City of Wilmington 3988
Park Upgrades/Tennis Courts; \$175,700 shall be used for the 3989
Georgetown Community Tennis Park; \$170,000 shall be used for 3990
Violet Township Park Land Acquisition; \$150,000 shall be used for 3991
Kelleys Island Park Improvements; \$150,000 shall be used for 3992
Ironton Port Authority Green Space Acquisition; \$150,000 shall be 3993
used for Perry Township Camp Improvements; \$122,000 shall be used 3994
for Sandusky Plains Environmental Nature Preserve; \$100,000 shall 3995
be used for Mountain Bike Park/Midtown Cleveland; \$100,000 shall 3996
be used for Delhi Park Veteran's Memorial Wall; \$100,000 shall be 3997
used for The Mentor Lagoons Nature Preserve; \$100,000 shall be 3998
used for the Chester Township Park; \$100,000 shall be used for 3999
Thompson Park Renovations in East Liverpool; \$100,000 shall be 4000
used for the Aullwood Audubon Center; \$75,000 shall be used for 4001
Perry Township Park; \$75,000 shall be used for Hocking River Park 4002
Complex of Athens County; \$69,000 shall be used for Miami Erie 4003

Canal Repairs in Spencerville; \$65,000 shall be used for Star Mill 4004
Skate Park Improvements; \$60,000 shall be used for Marseilles 4005
Reservoir Bulk Head Project; \$50,000 shall be used for 4006
Beavercreek/John Aekeney Soccer Field and Park; \$50,000 shall be 4007
used for the Beavercreek Community Athletic Association Facility 4008
and Park Upgrade; \$50,000 shall be used for the Delaware Skate 4009
Park; \$50,000 shall be used for the Columbus Zoo Education Center; 4010
\$50,000 shall be used for Dillon State Park Upgrades; \$50,000 4011
shall be used for Indian Lake State Park Shoreline Improvements; 4012
\$40,000 shall be used for Athens Village of Glouster Park 4013
Improvements; \$30,000 shall be used for Harold Miller Memorial 4014
Park Improvements; \$25,000 shall be used for Grand Lake St. Marys 4015
Improvements; \$25,000 shall be used for Geauga Veterans Monument 4016
Park Improvements; \$25,000 shall be used for the Conesville 4017
Community Children's Park; \$25,000 shall be used for the Cambridge 4018
Skate Park; \$19,000 shall be used for East Fork State Park-Harsha 4019
Lake Dock Improvements; \$10,000 shall be used for the Marine Corps 4020
League Park/Monument; \$10,000 shall be used for Huntington 4021
Township Park Improvements; \$5,000 shall be used for Morrow County 4022
Bicentennial Park; and \$5,000 shall be used for the Galion 4023
Memorial Veterans Park. 4024

STATEWIDE TRAILS PROGRAM 4025

Of the foregoing appropriation item CAP-876, Statewide Trails 4026
Program, \$2,000,000 shall be used for the Ohio to Erie Trail by 4027
Franklin County Metro Parks; \$1,900,000 shall be used for the 4028
Cuyahoga Towpath Trail; \$500,000 shall be used for Henry County 4029
Park and Bike Trails; \$400,000 shall be used for the Prairie Grass 4030
Trail; \$330,000 shall be used for the Williamsburg/Batavia Hike 4031
and Bike Trail; \$200,000 shall be used for the Xenia-Jamestown 4032
Connector Trail Project; \$100,000 shall be used for Tri-County 4033
Triangle Trail Funding; and \$210,000 shall be used for the 4034
Trumbull Bike Trail. 4035

COLUMBUS FIRE FIGHTER'S HALL 4036

Notwithstanding division (F) of section 154.22 of the Revised 4037
Code and Section 42 of Am. Sub. H.B. 850 of the 122nd General 4038
Assembly, the City of Columbus may use funds appropriated from the 4039
Parks and Recreation Improvement Fund (Fund 035) to convey an 4040
approximate 60-foot by 72-foot tract of land to the Columbus 4041
Firefighters Union Local #67 to be used for administrative 4042
offices. The conveyance shall be conditioned upon: (1) Columbus 4043
Firefighters Union Local #67 using their private funds to improve 4044
the adjacent tract of land (approximately 60-feet by 106-feet) as 4045
a first class park to be owned by the City of Columbus and open to 4046
the public, consistent with plans approved in writing by the City 4047
of Columbus; (2) the Firefighters Union Local #67 covenant that 4048
the Grand Assembly Hall of the adjacent historical Toledo and Ohio 4049
Central Railway Depot shall be open to public use on a reasonable 4050
basis; and (3) the City of Columbus retaining a right of first 4051
refusal to reacquire the property conveyed. 4052

Section 403.06. That existing Sections 235.20.20, 235.30.70, 4053
and 237.10 of Am. Sub. H.B. 699 of the 126th General Assembly are 4054
hereby repealed. 4055

Section 545.03. The amendment by this act of section 4561.18 4056
of the Revised Code shall first apply to the registration form to 4057
be filed and associated license tax to be paid in 2007. If a 4058
taxpayer has filed the registration for 2007 and paid the tax due 4059
for 2007, and the amendment by this act of section 4561.18 of the 4060
Revised Code results in a reduction of the aircraft license tax 4061
due in 2007, the taxpayer is entitled to claim a refund of the 4062
excess tax paid using procedures the Ohio Department of 4063
Transportation shall establish for the purpose. Any refund claim 4064
authorized under this section shall be filed with the Department 4065
of Transportation on or before December 31, 2007, and the refund 4066

shall be paid within ninety days after the filing of the refund claim. 4067
4068

Section 550.10. FEDERAL JUSTICE GRANTS FUND 4069

The Federal Justice Grants Fund created by the amendment by 4070
this act of section 5502.62 of the Revised Code is the same fund, 4071
with a new name, as the Justice Programs Fund (Fund 3L5). 4072

Section 550.20. JUSTICE PROGRAM SERVICES FUND 4073

The Justice Program Services Fund created by section 5502.67 4074
of the Revised Code is the same fund, with a new name, as the 4075
General Services Fund (Fund 4P6). 4076

Section 555.05. The Director of Public Safety, in accordance 4077
with section 205(b) of the REAL ID Act of 2005, Pub. L. No. 4078
109-13, 119 Stat. 231, 315, 49 U.S.C. 30301 note, and rules 4079
adopted thereunder, shall request an extension of time to meet the 4080
requirements of the REAL ID Act of 2005. The request shall comply 4081
with requirements of the Department of Homeland Security and shall 4082
notify the Department of the necessity for additional time to 4083
enable Ohio to implement the rules of the Department. The Director 4084
shall make the request as soon as practicable, but not later than 4085
October 1, 2007. 4086

Section 555.10. (A) On or before December 31, 2007, a 4087
transportation improvement district and any two or more 4088
governmental agencies may enter into an agreement providing for 4089
the joint financing of any street, highway, interchange, or other 4090
transportation project. Any such agreement shall be approved by 4091
resolution or ordinance passed by the legislative authority of 4092
each of the parties to such agreement, which resolution or 4093
ordinance shall authorize the execution thereof by a designated 4094

official or officials of each of such parties, and such agreement, 4095
when so approved and executed, shall be in full force and effect. 4096

(B)(1) Subject to division (B)(2) of this section, any party 4097
to such an agreement may issue and, notwithstanding any other 4098
provision of the Revised Code, a district may purchase directly 4099
from the party as an investment, securities to evidence the 4100
obligations of that party to the district pursuant to the 4101
agreement for its portion of the cost of the project pursuant to 4102
Chapter 133. or other applicable provisions of the Revised Code. 4103

(2) More than half of the property necessary for any project 4104
undertaken pursuant to an agreement under this section for which a 4105
district is purchasing securities under division (B)(1) of this 4106
section shall be located within the territory of the 4107
transportation improvement district. 4108

(C) Any term used in this section has the same meaning as 4109
defined in section 5540.01 of the Revised Code, as amended by this 4110
act, unless the context clearly requires another meaning. 4111

Section 555.15. The Director of Transportation may enter into 4112
agreements as provided in this section with the United States or 4113
any department or agency of the United States, including, but not 4114
limited to, the United States Army Corps of Engineers, the United 4115
States Forest Service, the United States Environmental Protection 4116
Agency, and the United States Fish and Wildlife Service. An 4117
agreement entered into pursuant to this section shall be solely 4118
for the purpose of dedicating staff to the expeditious and timely 4119
review of environmentally related documents submitted by the 4120
Department of Transportation, as necessary for the approval of 4121
federal permits. The Director shall submit a request to the 4122
Controlling Board indicating the amount of the agreement, the 4123
services to be performed by the United States or the department or 4124
agency of the United States, and the circumstances giving rise to 4125

the agreement. 4126

Section 555.20. The Department of Transportation shall erect 4127
and maintain the following signs: 4128

(1) One sign next to each eastbound and westbound roadway of 4129
Interstate Highway 70 approaching Exit Number 28 that reads 4130
"Sinclair College Englewood Learning Center." 4131

(2) One sign next to each eastbound and westbound roadway of 4132
Interstate Highway 70 approaching Exit Number 38 that reads 4133
"Sinclair College Huber Learning Center." 4134

The signs shall conform to the provisions contained in the 4135
manual adopted by the Department pursuant to section 4511.09 of 4136
the Revised Code regarding the size, coloring, lettering, and 4137
installation location of the signs. 4138

Section 557.10. Notwithstanding Chapter 5735. of the Revised 4139
Code, the following shall apply for the period of July 1, 2007, 4140
through June 30, 2009: 4141

(A) For the discount under section 5735.06 of the Revised 4142
Code, if the monthly report is timely filed and the tax is timely 4143
paid, 1.0 per cent of the total number of gallons of motor fuel 4144
received by the motor fuel dealer within the state during the 4145
preceding calendar month, less the total number of gallons 4146
deducted under divisions (B)(1)(a) and (b) of section 5735.06 of 4147
the Revised Code, less 0.50 per cent of the total number of 4148
gallons of motor fuel that were sold to a retail dealer during the 4149
preceding calendar month. 4150

(B) For the semiannual periods ending December 31, 2007, June 4151
30, 2008, December 31, 2008, and June 30, 2009, the refund 4152
provided to retail dealers under section 5735.141 of the Revised 4153
Code shall be 0.50 per cent of the Ohio motor fuel taxes paid on 4154

fuel purchased during those semiannual periods. 4155

Section 557.11. Each retail dealer is allowed a vendor 4156
discount equal to 0.90% of the motor fuel taxes paid on motor fuel 4157
purchased by the retail dealer during each of the semiannual 4158
periods occurring during the biennium beginning July 1, 2007, and 4159
ending June 30, 2009. The vendor discount shall be refunded to the 4160
retail dealer upon application by the dealer to the Tax 4161
Commissioner within 120 days after the end of each such semiannual 4162
period in the manner prescribed by the Tax Commissioner. The 4163
vendor discount is in addition to any other refund allowed the 4164
dealer under Section 557.10 of this act. The vendor discount shall 4165
be paid in the same manner and from the same fund as prescribed in 4166
section 5735.141 of the Revised Code. As used in this section, 4167
"motor fuel" and "retail dealer" have the same meanings as in 4168
section 5735.01 of the Revised Code. 4169

Section 571.10. (A) Notwithstanding the limitations in 4170
section 3313.41 of the Revised Code pertaining to the disposal of 4171
real estate, the South Point Board of Education is hereby 4172
authorized to execute a deed conveying to the Superintendent of 4173
the State Highway Patrol and its successors and assigns all of the 4174
Board's right, title, and interest in the following described real 4175
estate: 4176

A certain tract of land situate in the southeast quarter of 4177
Section 29, Township 1 North, Range 16 West, Perry Township, 4178
Lawrence County, Ohio, on the waters of Willow Creek, and being 4179
more particularly bounded and described as follows: 4180

Beginning for reference at a 1" iron pin (found) at the 4181
intersection of the centerline of County Road No. 60, commonly 4182
known as Sand Road, with the centerline of Township Road No. 161, 4183
commonly known as Willow Creek Road, and being on the line between 4184

Sections 29 and 32, marking a corner common to the lands now or 4185
formerly owned by Merle D. Adams, et ux, (D.V. 577, Pg. 110), and 4186
the lands now owned by the South Point Local Board of Education, 4187
(O.R.V. 316, Pg. 578), from which a window weight (found), on the 4188
said section line, bears: South 86° 47' 15" East 315.67 feet; 4189
thence, leaving the centerline of the said County Road No. 60, and 4190
the centerline of the said Township Road No. 161, and severing the 4191
said Section 29, North 64° 32' 11 East 646.96 feet to a point in 4192
the centerline of the said Township Road No. 161, and being in the 4193
line between the lands now or formerly owned by Brent Fugett, 4194
(O.R.V. 60, Pg. 192), and the lands of the said Board of 4195
Education, and marking the TRUE PLACE OF BEGINNING; thence, 4196
leaving the lands of the said Fugett and the centerline of the 4197
said Township Road No. 161, and severing the lands of the said 4198
Board of Education, as follows: 4199

North 22° 55' 17" West, crossing Willow Creek, and passing a 4200
5/8" x 32" reinforcing rod with a red plastic cap stamped "Eastham 4201
& Associates" (set), at 48.16 feet, in all 187.00 feet to a 5/8" x 4202
32" reinforcing rod with a red plastic cap stamped "Eastham & 4203
Associates" (set), 4204

North 00° 44' 19" West 233.19 feet to a 5/8" x 32" 4205
reinforcing rod with a red plastic cap stamped "Eastham & 4206
Associates" (set), 4207

North 44° 39' 47" East 267.08 feet to a 5/8" x 32" 4208
reinforcing rod with a red plastic cap stamped "Eastham & 4209
Associates" (set), 4210

North 74° 13' 35" East 270.00 feet to a 5/8" x 32" 4211
reinforcing rod with a red plastic cap stamped "Eastham & 4212
Associates" (set), 4213

North 77° 34' 49" East 73.75 feet to a 5/8" x 32" reinforcing 4214
rod with a red plastic cap stamped "Eastham & Associates" (set) 4215

near a sharp bend in the said Creek, 4216

South 46° 39' 17" East, crossing the said Willow Creek, and 4217
passing a 5/8" x 32" reinforcing rod with a red plastic cap 4218
stamped "Eastham & Associates" (set), at 115.75 feet, in all 4219
129.24 feet to a point in the centerline of the said Township Road 4220
No. 161, and being in the line of the lands now or formerly owned 4221
by Janet R. Griffiths, (D.V. 558, Pg. 553); thence, with the lands 4222
of the said Griffiths, and with the centerline of the said 4223
Township Road No. 161, as follows: 4224

South 52° 48' 03" West 66.81 feet, 4225

South 49° 28' 30" West 65.96 feet, 4226

South 40° 51' 16" West 54.26 feet, 4227

South 38° 45' 31" West 81.05 feet, 4228

South 42° 08' 15" West 109.93 feet, 4229

South 39° 15' 42" West 78.12 feet, 4230

South 33° 26' 56" West 104.46 feet, 4231

South 33° 57' 48" West 74.78 feet, 4232

South 48° 04' 56" West, passing a corner common to the lands 4233
of the said Fugett, in all 96.67 feet; thence, with the lands of 4234
the said Fugett, and continuing with the centerline of the said 4235
Road No. 161, 4236

South 45° 33' 07" West 75.19 feet to the TRUE PLACE OF 4237
BEGINNING, containing 4.463 acres, more or less, as surveyed under 4238
the supervision of Ronald L. Eastham, Registered Professional 4239
Surveyor No. 6026, on July 25, 2006, and revised on September 18, 4240
2006, as shown on the attached plat and made a part of this 4241
description. 4242

The above described tract is a part of the same land as that 4243
described in a deed from Freddie L. Hayes, single, Danny J. 4244

Holschuh "AKA" Danny Holschuh and Lorelei Holschuh, husband and 4245
wife, dated September 24, 2004, and recorded in Official Record 4246
Volume 316, Page 578, in the Office of the Recorder of Lawrence 4247
County, Ohio. 4248

And being a part of (0.404 ac.) the Auditor's Tax Parcel No. 4249
15-124-1400.000, and a part of (4.059 ac.) the Auditor's Tax 4250
Parcel No. 15-124-1600.000. 4251

And being subject to all restrictions, reservations, 4252
rights-of-ways, easements, utilities, covenants, exceptions, 4253
conveyances, leases and exclusions previously imposed and 4254
appearing of record, and those not of record. 4255

(B) Consideration for the conveyance of the real estate 4256
described in division (A) of this section is the mutual benefit 4257
accruing to the state and the South Point Board of Education from 4258
the State Highway Patrol's construction of a new patrol post on 4259
the real estate. 4260

(C) Within one year after the effective date of this act, the 4261
South Point Board of Education shall prepare a deed to the real 4262
estate described in division (A) of this section. The deed shall 4263
state the consideration. The deed shall be executed by the South 4264
Point Board of Education and delivered to the Superintendent of 4265
the State Highway Patrol. The Superintendent of the State Highway 4266
Patrol shall present the deed for recording in the office of the 4267
Lawrence County Recorder. 4268

(D) This section expires five years after its effective date. 4269

Section 603.10. The items of law contained in this act, and 4270
their applications, are severable. If any item of law contained in 4271
this act, or if any application of any item of law contained in 4272
this act, is held invalid, the invalidity does not affect other 4273
items of law contained in this act and their applications that can 4274

be given effect without the invalid item of law or application. 4275

Section 609.10. Except as otherwise specifically provided in 4276
this act, the codified sections of law amended or enacted in this 4277
act, and the items of law of which the codified sections of law 4278
amended or enacted in this act are composed, are subject to the 4279
referendum. Therefore, under Ohio Constitution, Article II, 4280
Section 1c and section 1.471 of the Revised Code, the codified 4281
sections of law amended or enacted by this act, and the items of 4282
law of which the codified sections of law as amended or enacted by 4283
this act are composed, take effect on the ninety-first day after 4284
this act is filed with the Secretary of State. If, however, a 4285
referendum petition is filed against any such codified section of 4286
law as amended or enacted by this act, or against any item of law 4287
of which any such codified section of law as amended or enacted by 4288
this act is composed, the codified section of law as amended or 4289
enacted, or item of law, unless rejected at the referendum, takes 4290
effect at the earliest time permitted by law. 4291

Section 610.10. (A) The amendment by this act of sections 4292
5751.032 and 5751.20 of the Revised Code provide for or are 4293
essential to the implementation of a tax levy. Therefore, under 4294
Ohio Constitution, Article II, Section 1d, those amendments and 4295
enactment are not subject to the referendum and take effect on 4296
July 1, 2007. 4297

(B) This section is not subject to the referendum. Therefore, 4298
under Ohio Constitution, Article II, Section 1d, this section goes 4299
into immediate effect when this act becomes law. 4300

Section 611.10. (A)(1) Insofar as the items of law in the 4301
uncodified sections of law contained in this act appropriate money 4302
for the current expenses of state government, earmark this class 4303

of appropriations, or depend for their implementation upon an 4304
appropriation of this class, the items of law are not subject to 4305
the referendum. To that extent therefore, under Ohio Constitution, 4306
Article II, Section 1d and section 1.471 of the Revised Code, 4307
these items of law go into immediate effect when this act becomes 4308
law. 4309

(2) Insofar as the items of law in the uncodified sections of 4310
law contained in this act appropriate money other than for the 4311
current expenses of state government, earmark this class of 4312
appropriations, or depend for their implementation upon an 4313
appropriation of this class, the items of law are subject to the 4314
referendum. To that extent therefore, under Ohio Constitution, 4315
Article II, Section 1c and section 1.471 of the Revised Code, 4316
these items of law take effect on the ninety-first day after this 4317
act is filed with the Secretary of State. If, however, a 4318
referendum petition is filed against such an item of law, the item 4319
of law, unless rejected at the referendum, takes effect at the 4320
earliest time permitted by law. 4321

(B) This section is not subject to the referendum. Therefore, 4322
under Ohio Constitution, Article II, Section 1d and section 1.471 4323
of the Revised Code, this section goes into immediate effect when 4324
this act becomes law. 4325

Section 611.20. Sections 550.10, 550.20, 557.10, and 571.10 4326
of this act and the items of law of which they are composed are 4327
subject to the referendum. Therefore, under Ohio Constitution, 4328
Article II, Section 1c and section 1.471 of the Revised Code, the 4329
sections and items of law take effect on the ninety-first day 4330
after this act is filed with the Secretary of State. If, however, 4331
a referendum petition is filed against any such section or against 4332
any such item of law, the section or item of law, unless rejected 4333
at the referendum, takes effect at the earliest time permitted by 4334

law. 4335

Section 615.10. The amendment by this act of Sections 4336
235.20.20 and 235.30.70 of Am. Sub. H.B. 699 of the 126th General 4337
Assembly is not subject to the referendum. Therefore, under Ohio 4338
Constitution, Article II, Section 1c and section 1.471 of the 4339
Revised Code, the amendment takes effect on the ninety-first day 4340
after this act is filed with the Secretary of State. If, however, 4341
a referendum petition is filed against the amendment, the 4342
amendment, unless rejected at the referendum, takes effect at the 4343
earliest time permitted by law. 4344

Section 620.10. Section 4561.18 of the Revised Code is 4345
presented in this act as a composite of the section as amended by 4346
both Am. Sub. H.B. 66 and Am. Sub. S.B. 9 of the 126th General 4347
Assembly. The General Assembly, applying the principle stated in 4348
division (B) of section 1.52 of the Revised Code that amendments 4349
are to be harmonized if reasonably capable of simultaneous 4350
operation, finds that the composite is the resulting version of 4351
the section in effect prior to the effective date of the section 4352
as presented in this act. 4353