

**As Passed by the House**

**127th General Assembly**

**Regular Session**

**2007-2008**

**Am. Sub. H. B. No. 67**

**Representative Patton**

**Cosponsors: Representatives Webster, Hottinger, Evans, Flowers,  
Schlichter, Strahorn, Aslanides, Batchelder, Bolon, Brown, Carmichael,  
Collier, Daniels, DeBose, Dolan, Domenick, Fende, Garrison, Gibbs,  
Hagan, J., Hagan, R., McGregor, J., Miller, Okey, Otterman, Uecker,  
Williams, B.**

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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, 5537.31, and 6  
5537.32 of the Revised Code; and to amend Sections 7  
235.20.20 and 235.30.70 of Am. Sub. H.B. 699 of 8  
the 126th General Assembly to prescribe terms and 9  
conditions pertaining to transportation and public 10  
safety purposes. 11

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

**Section 101.01.** That sections 737.04, 737.041, 3314.091, 12  
3327.10, 3705.242, 4503.10, 4503.44, 4505.09, 4511.101, 4511.21, 13  
4519.59, 4561.18, 5501.31, 5501.49, 5502.03, 5502.62, 5516.01, 14  
5537.16, 5577.05, 5591.02, 5735.05, 5751.032, and 5751.20 be 15  
amended and sections 121.51, 4511.092, 5502.67, 5537.31, and 16

5537.32 of the Revised Code be enacted to read as follows:

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Sec. 121.51. There is hereby created in the office of the  
inspector general the position of deputy inspector general for the  
department of transportation. The inspector general shall hire the  
deputy inspector general, and the deputy inspector general shall  
serve at the pleasure of the inspector general. A person employed  
as the deputy inspector general shall have the same qualifications  
as those specified in section 121.49 of the Revised Code for the  
inspector general. The inspector general shall provide  
professional and clerical assistance to the deputy inspector  
general. The inspector general shall certify to the director of  
budget and management the costs incurred by the deputy inspector  
general, including the salaries of the deputy inspector general  
and the employees assisting the deputy inspector general. The  
director of budget and management shall transfer the amount  
certified from the appropriation made to the department of  
transportation from which expenditures for general administrative  
purposes, as distinguished from specific infrastructure projects,  
are made.

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The deputy inspector general shall investigate all claims or  
cases of criminal violations, abuse of office, or misconduct on  
the part of officers or employees of the department and shall  
conduct a program of random review of the processing of contracts  
associated with building and maintaining the state's  
infrastructure. The random review program shall be designed by the  
inspector general. The program shall be confidential and may be  
altered by the inspector general at any time. The deputy inspector  
general has the same powers and duties regarding matters  
concerning the department as those specified in sections 121.42,  
121.43, and 121.45 of the Revised Code for the inspector general.  
Complaints may be filed with the deputy inspector general in the

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same manner as prescribed for complaints filed with the inspector 48  
general under section 121.46 of the Revised Code. All 49  
investigations conducted and reports issued by the deputy 50  
inspector general are subject to section 121.44 of the Revised 51  
Code. 52

All officers and employees of the department shall cooperate 53  
with and provide assistance to the deputy inspector general in the 54  
performance of any investigation conducted by the deputy inspector 55  
general. In particular, those persons shall make their premises, 56  
equipment, personnel, books, records, and papers readily available 57  
to the deputy inspector general. In the course of an 58  
investigation, the deputy inspector general may question any 59  
officers or employees of the department and any person transacting 60  
business with the department and may inspect and copy any books, 61  
records, or papers in the possession of the department, taking 62  
care to preserve the confidentiality of information contained in 63  
responses to questions or the books, records, or papers that are 64  
made confidential by law. In performing any investigation, the 65  
deputy inspector general shall avoid interfering with the ongoing 66  
operations of the department, except insofar as is reasonably 67  
necessary to complete the investigation successfully. 68

The deputy inspector general shall deliver to the director of 69  
transportation and the governor any case for which remedial action 70  
is necessary. The deputy inspector general shall maintain a public 71  
record of its activities to the extent permitted under this 72  
section, ensuring that the rights of the parties involved in each 73  
case are protected and, once every six months, shall report to the 74  
governor, the general assembly, and the director of transportation 75  
the deputy inspector general's findings and the corrective actions 76  
subsequently taken in cases considered by the deputy inspector 77  
general. 78

No person shall disclose any information that is designated 79

as confidential in accordance with section 121.44 of the Revised 80  
Code or any confidential information that is acquired in the 81  
course of an investigation conducted under this section to any 82  
person who is not legally entitled to disclosure of that 83  
information. 84

**Sec. 737.04.** The legislative authority of any municipal 85  
corporation, in order to obtain police protection or to obtain 86  
additional police protection, or to allow its police officers to 87  
work in multijurisdictional drug, gang, or career criminal task 88  
forces, may enter into contracts with one or more municipal 89  
corporations, townships, township police districts, or county 90  
sheriffs in this state, with one or more park districts created 91  
pursuant to section 511.18 or 1545.01 of the Revised Code, with 92  
one or more port authorities, or with a contiguous municipal 93  
corporation in an adjoining state, upon any terms that are agreed 94  
upon, for services of police departments or the use of police 95  
equipment or for the interchange of services of police departments 96  
or police equipment within the several territories of the 97  
contracting subdivisions. 98

Chapter 2744. of the Revised Code, insofar as it applies to 99  
the operation of police departments, shall apply to the 100  
contracting political subdivisions and to the police department 101  
members when they are rendering service outside their own 102  
subdivisions pursuant to the contracts. 103

Police department members acting outside the subdivision in 104  
which they are employed, pursuant to a contract entered into under 105  
this section, shall be entitled to participate in any indemnity 106  
fund established by their employer to the same extent as while 107  
acting within the employing subdivision. Those members shall be 108  
entitled to all the rights and benefits of Chapter 4123. of the 109  
Revised Code, to the same extent as while performing service 110

within the subdivision.	111
The contracts may provide for:	112
(A) A fixed annual charge to be paid at the times agreed upon and stipulated in the contract;	113 114
(B) Compensation based upon:	115
(1) A stipulated price for each call or emergency;	116
(2) The number of members or pieces of equipment employed;	117
(3) The elapsed time of service required in each call or emergency.	118 119
(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;	120 121 122
(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.	123 124 125 126 127 128
<b>Sec. 737.041.</b> 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	129 130 131 132 133 134 135 136 137 138 139 140

resolution of the legislative authority of the municipal 141  
corporation, to give the authorization. 142

Chapter 2744. of the Revised Code, insofar as it applies to 143  
the operation of police departments, shall apply to any municipal 144  
corporation and to members of its police department when the 145  
members are rendering police services pursuant to this section 146  
outside the municipal corporation by which they are employed. 147

Police department members acting, as provided in this 148  
section, outside the municipal corporation by which they are 149  
employed shall be entitled to participate in any pension or 150  
indemnity fund established by their employer to the same extent as 151  
while acting within the municipal corporation by which they are 152  
employed. Those members shall be entitled to all the rights and 153  
benefits of Chapter 4123. of the Revised Code to the same extent 154  
as while performing services within the municipal corporation by 155  
which they are employed. 156

**Sec. 3314.091.** (A) A school district is not required to 157  
provide transportation for any native student enrolled in a 158  
community school if the district board of education has entered 159  
into an agreement with the community school's governing authority 160  
that designates the community school as responsible for providing 161  
or arranging for the transportation of the district's native 162  
students to and from the community school. For any such agreement 163  
to be effective, it must be certified by the superintendent of 164  
public instruction as having met all of the following 165  
requirements: 166

(1) It is submitted to the department of education by a 167  
deadline which shall be established by the department. 168

(2) ~~It~~ In accordance with divisions (C)(1) and (2) of this 169  
section, it specifies qualifications, such as residing a minimum 170  
distance from the school, for students to have their 171

transportation provided or arranged. 172

(3) The transportation provided by the community school is 173  
subject to all provisions of the Revised Code and all rules 174  
adopted under the Revised Code pertaining to pupil transportation. 175

(4) The sponsor of the community school also has signed the 176  
agreement. 177

(B) A school district is not required to provide 178  
transportation for any native student enrolled in a community 179  
school if the governing authority of the community school, by a 180  
date prescribed by the department, submits written notification to 181  
the district board of education stating that the governing 182  
authority is accepting responsibility for providing or arranging 183  
for the transportation of the district's native students to and 184  
from the community school. A governing authority's acceptance of 185  
responsibility under this division shall cover an entire school 186  
year, and shall remain in effect for subsequent school years 187  
unless the governing authority submits written notification to the 188  
district board that the governing authority is relinquishing the 189  
responsibility. However, a governing authority shall not 190  
relinquish responsibility for transportation before the end of a 191  
school year, and shall submit the notice relinquishing 192  
responsibility by a date prescribed by the department to allow the 193  
school district reasonable time to prepare transportation for its 194  
native students enrolled in the school. 195

(C)(1) A community school governing authority that enters 196  
into an agreement to provide transportation under division (A) of 197  
this section, or that accepts responsibility under division (B) of 198  
this section, shall provide or arrange transportation free of any 199  
charge for each of its enrolled students eligible for 200  
transportation as specified in who is required to be transported 201  
under section 3327.01 of the Revised Code or who would otherwise 202  
be transported by the school district under the district's 203

transportation policy. The governing authority shall provide or 204  
arrange transportation in a manner that is comparable to the 205  
transportation that the district provides or arranges for its 206  
native students of the same grade level and distance from school 207  
who are enrolled in the district's schools. 208

(2) The governing authority may provide or arrange 209  
transportation for any other enrolled student who is not eligible 210  
for transportation in accordance with division (C)(1) of this 211  
section and may charge a fee for such service up to the actual 212  
cost of the service. 213

~~(2)~~(3) Notwithstanding anything to the contrary in division 214  
~~(B)~~(C)(1) or (2) of this section, a community school governing 215  
authority shall provide or arrange transportation free of any 216  
charge for any disabled student enrolled in the school for whom 217  
the student's individualized education program developed under 218  
Chapter 3323. of the Revised Code specifies transportation. 219

~~(C)~~(D)(1) If a school district board and a community school 220  
governing authority elect to enter into an agreement under 221  
division (A) of this section, the department of education annually 222  
shall ~~pay~~ make payments to the community school ~~the amount~~ 223  
~~specified in division (C)(2) of this section for each of the~~ 224  
~~enrolled students for whom the school's governing authority~~ 225  
~~provides or arranges transportation to and from school. The~~ 226  
according to the terms of the agreement for each student actually 227  
transported under division (C)(1) of this section. If a community 228  
school governing authority accepts transportation responsibility 229  
under division (B) of this section, the department shall make 230  
payments to the community school for each student actually 231  
transported under division (C)(1) of this section, calculated in 232  
accordance with division (D) of section 3317.022 of the Revised 233  
Code and any rules of the state board of education implementing 234  
that division, and that otherwise would be paid to the school 235

district in which the student is entitled to attend school under 236  
section 3313.64 or 3313.65 of the Revised Code. 237

(2) The department shall deduct the payment under division 238  
(D)(1) of this section from the state payment under Chapter 3317. 239  
and, if necessary, sections 321.14 and 323.156 of the Revised Code 240  
that is otherwise paid to the school district in which the student 241  
enrolled in the community school resides. The department shall 242  
include the number of the district's native students for whom 243  
payment is made to a community school under ~~this~~ division (D)(1) 244  
of this section in the calculation of the district's 245  
transportation payment under division (D) of section 3317.022 of 246  
the Revised Code. 247

(3) A community school shall be paid under ~~this~~ division 248  
(D)(1) of this section only for students who are eligible as 249  
specified in section 3327.01 of the Revised Code ~~or who are~~ 250  
~~disabled and whose individualized education program requires~~ 251  
~~transportation and division (C)(1) of this section,~~ and whose 252  
transportation to and from school is actually provided ~~or, who~~ 253  
actually utilized transportation arranged, or for whom a payment 254  
in lieu of transportation is made by the community school's 255  
governing authority. To qualify for the payments, the community 256  
school shall report to the department, in the form and manner 257  
required by the department, data on the number of students 258  
transported or whose transportation is arranged, the number of 259  
miles traveled, cost to transport, and any other information 260  
requested by the department. 261

(4) A community school shall use payments received under this 262  
~~division section~~ solely to pay the costs of providing or arranging 263  
for the transportation of students who are eligible as specified 264  
in section 3327.01 of the Revised Code ~~or who are disabled and~~ 265  
~~whose individualized education program requires transportation and~~ 266  
division (C)(1) of this section, which may include payments to a 267

parent, guardian, or other person in charge of a child in lieu of 268  
transportation. 269

~~(2) The payment to a community school governing authority 270  
under this section for eligible students shall be made according 271  
to the terms of the agreement entered into under this section. 272~~

~~(D)(E) Except when arranged through payment to a parent, 273  
guardian, or person in charge of a child, transportation provided 274  
or arranged for by a community school pursuant to an agreement 275  
under this section is subject to all provisions of the Revised 276  
Code, and all rules adopted under the Revised Code, pertaining to 277  
the construction, design, equipment, and operation of school buses 278  
and other vehicles transporting students to and from school. The 279  
drivers and mechanics of the vehicles are subject to all 280  
provisions of the Revised Code, and all rules adopted under the 281  
Revised Code, pertaining to drivers and mechanics of such 282  
vehicles. The community school also shall comply with sections 283  
3313.201, 3327.09, and 3327.10 ~~and of the Revised Code,~~ division 284  
(B) of section 3327.16 of the Revised Code and, subject to 285  
division (C)(1) of this section, sections 3327.01 and 3327.02 of 286  
the Revised Code, as if it were a school district. ~~For purposes of~~ 287  
~~complying with section 3327.10 of the Revised Code, the~~ 288  
~~educational service center that serves the county in which the~~ 289  
~~community school is located shall be the certifying agency, unless~~ 290  
~~the agreement designates the school district as the certifying~~ 291  
~~agency.~~ 292~~

**Sec. 3327.10.** (A) No person shall be employed as driver of a 293  
school bus or motor van, owned and operated by any school district 294  
or educational service center or privately owned and operated 295  
under contract with any school district or service center in this 296  
state, who has not received a certificate from the educational 297  
service center governing board in case such person is employed by 298

a service center or by a local school district under the 299  
supervision of the service center governing board, or by the 300  
superintendent of schools, in case such person is employed by the 301  
board of a city or exempted village school district, certifying 302  
that such person is at least eighteen years of age and is of good 303  
moral character and is qualified physically and otherwise for such 304  
position. The service center governing board or the 305  
superintendent, as the case may be, shall provide for an annual 306  
physical examination that conforms with rules adopted by the state 307  
board of education of each driver to ascertain the driver's 308  
physical fitness for such employment. Any certificate may be 309  
revoked by the authority granting the same on proof that the 310  
holder has been guilty of failing to comply with division (D)(1) 311  
of this section, or upon a conviction or a guilty plea for a 312  
violation, or any other action, that results in a loss or 313  
suspension of driving rights. Failure to comply with such division 314  
may be cause for disciplinary action or termination of employment 315  
under division (C) of section 3319.081, or section 124.34 of the 316  
Revised Code. 317

(B) No person shall be employed as driver of a school bus or 318  
motor van not subject to the rules of the department of education 319  
pursuant to division (A) of this section who has not received a 320  
certificate from the school administrator or contractor certifying 321  
that such person is at least eighteen years of age, is of good 322  
moral character, and is qualified physically and otherwise for 323  
such position. Each driver shall have an annual physical 324  
examination which conforms to the state highway patrol rules, 325  
ascertaining the driver's physical fitness for such employment. 326  
The examination shall be performed by one of the following: 327

(1) A person licensed under Chapter 4731. of the Revised Code 328  
or by another state to practice medicine and surgery or 329  
osteopathic medicine and surgery; 330

- (2) A physician assistant; 331
- (3) A certified nurse practitioner; 332
- (4) A clinical nurse specialist; 333
- (5) A certified nurse-midwife. 334

Any written documentation of the physical examination shall 335  
be completed by the individual who performed the examination. 336

Any certificate may be revoked by the authority granting the 337  
same on proof that the holder has been guilty of failing to comply 338  
with division (D)(2) of this section. 339

(C) Any person who drives a school bus or motor van must give 340  
satisfactory and sufficient bond except a driver who is an 341  
employee of a school district and who drives a bus or motor van 342  
owned by the school district. 343

(D) No person employed as driver of a school bus or motor van 344  
under this section who is convicted of a traffic violation or who 345  
has had the person's commercial driver's license suspended shall 346  
drive a school bus or motor van until the person has filed a 347  
written notice of the conviction or suspension, as follows: 348

(1) If the person is employed under division (A) of this 349  
section, the person shall file the notice with the superintendent, 350  
or a person designated by the superintendent, of the school 351  
district for which the person drives a school bus or motor van as 352  
an employee or drives a privately owned and operated school bus or 353  
motor van under contract. 354

(2) If employed under division (B) of this section, the 355  
person shall file the notice with the employing school 356  
administrator or contractor, or a person designated by the 357  
administrator or contractor. 358

(E) In addition to resulting in possible revocation of a 359  
certificate as authorized by divisions (A) and (B) of this 360

section, violation of division (D) of this section is a minor 361  
misdemeanor. 362

(F)(1) Not later than thirty days after the effective date of 363  
this amendment, each owner of a school bus or motor van shall 364  
obtain from the bureau of motor vehicles the driving record for at 365  
least the prior seven-year period of each person who is employed 366  
or otherwise authorized to drive the school bus or motor van. An 367  
owner of a school bus or motor van shall not permit a person to 368  
operate the school bus or motor van for the first time before the 369  
owner has obtained from the bureau the person's driving record for 370  
at least the prior seven-year period. Each year after obtaining a 371  
person's seven-year driving record, the owner of a school bus or 372  
motor van shall obtain from the bureau the person's driving record 373  
for at least the prior year if the person remains employed or 374  
otherwise authorized to drive the school bus or motor van. An 375  
owner of a school bus or motor van shall not permit a person to 376  
resume operating a school bus or motor van, after an interruption 377  
of one year or longer, before the owner has obtained from the 378  
bureau the person's driving record for at least the period since 379  
the owner last obtained the person's driving record or, if the 380  
owner had never obtained a seven-year driving record for the 381  
person, for at least the prior seven-year period. 382

(2) The owner of a school bus or motor van shall not permit a 383  
person to operate the school bus or motor van for seven years 384  
after the date of a violation for which six points are assessed 385  
under section 4510.036 of the Revised Code. 386

(3) Divisions (F)(1) and (2) of this section supersede only 387  
the requirements of paragraphs (B)(3) and (F)(2) of rule 388  
3301-83-06 of the Administrative Code, as that rule exists on the 389  
effective date of this amendment, that school bus drivers have no 390  
six-point convictions during the prior twenty-four months. All 391  
other rules adopted by the state board of education prescribing 392

qualifications of drivers of school buses and other student 393  
transportation, including the requirement of those paragraphs that 394  
drivers not have been assessed eight points within the previous 395  
twenty-four months, remain in effect until amended or rescinded by 396  
the state board. 397

(G) A person, school district, educational service center, 398  
community school, nonpublic school, or other public or nonpublic 399  
entity that owns a school bus or motor van, or that contracts with 400  
another entity to operate a school bus or motor van, may impose 401  
more stringent restrictions on drivers than those prescribed in 402  
this section, in any other section of the Revised Code, and in 403  
rules adopted by the state board. 404

**Sec. 3705.242.** (A)(1) The director of health, a person 405  
authorized by the director, a local commissioner of health, or a 406  
local registrar of vital statistics shall charge and collect a fee 407  
of one dollar and fifty cents for each certified copy of a birth 408  
record, each certification of birth, and each copy of a death 409  
record. The fee is in addition to the fee imposed by section 410  
3705.24 or any other section of the Revised Code. A local 411  
commissioner of health or local registrar of vital statistics may 412  
retain an amount of each additional fee collected, not to exceed 413  
three per cent of the amount of the additional fee, to be used for 414  
costs directly related to the collection of the fee and the 415  
forwarding of the fee to the treasurer of state. The additional 416  
fees collected, but not retained, under division (A)(1) of this 417  
section shall be forwarded to the treasurer of state not later 418  
than thirty days following the end of each quarter. 419

(2) On the filing of a divorce decree under section 3105.10 420  
or a decree of dissolution under section 3105.65 of the Revised 421  
Code, a court of common pleas shall charge and collect a fee of 422  
five dollars and fifty cents. The fee is in addition to any other 423

court costs or fees. The county clerk of courts may retain an 424  
amount of each additional fee collected, not to exceed three per 425  
cent of the amount of the additional fee, to be used for costs 426  
directly related to the collection of the fee and the forwarding 427  
of the fee to the treasurer of state. The additional fees 428  
collected, but not retained, under division (A)(2) of this section 429  
shall be forwarded to the treasurer of state not later than twenty 430  
days following the end of each month. 431

(B) The treasurer of state shall deposit the fees forwarded 432  
under this section in the state treasury to the credit of the 433  
family violence prevention fund, which is hereby created. A person 434  
or government entity that fails to forward the fees in a timely 435  
manner, as determined by the treasurer of state, shall forward to 436  
the treasurer of state, in addition to the fees, a penalty equal 437  
to ten per cent of the fees. 438

The treasurer of state shall invest the moneys in the fund. 439  
All earnings resulting from investment of the fund shall be 440  
credited to the fund, except that actual administration costs 441  
incurred by the treasurer of state in administering the fund may 442  
be deducted from the earnings resulting from investments. The 443  
amount that may be deducted shall not exceed three per cent of the 444  
total amount of fees credited to the fund in each fiscal year. The 445  
balance of the investment earnings shall be credited to the fund. 446

(C) The director of public safety shall use money credited to 447  
the fund to provide grants to family violence shelters in Ohio and 448  
to operate the division of criminal justice services. 449

**Sec. 4503.10.** (A) The owner of every snowmobile, off-highway 450  
motorcycle, and all-purpose vehicle required to be registered 451  
under section 4519.02 of the Revised Code shall file an 452  
application for registration under section 4519.03 of the Revised 453  
Code. The owner of a motor vehicle, other than a snowmobile, 454

off-highway motorcycle, or all-purpose vehicle, that is not 455  
designed and constructed by the manufacturer for operation on a 456  
street or highway may not register it under this chapter except 457  
upon certification of inspection pursuant to section 4513.02 of 458  
the Revised Code by the sheriff, or the chief of police of the 459  
municipal corporation or township, with jurisdiction over the 460  
political subdivision in which the owner of the motor vehicle 461  
resides. Except as provided in section 4503.103 of the Revised 462  
Code, every owner of every other motor vehicle not previously 463  
described in this section and every person mentioned as owner in 464  
the last certificate of title of a motor vehicle that is operated 465  
or driven upon the public roads or highways shall cause to be 466  
filed each year, by mail or otherwise, in the office of the 467  
registrar of motor vehicles or a deputy registrar, a written or 468  
electronic application or a preprinted registration renewal notice 469  
issued under section 4503.102 of the Revised Code, the form of 470  
which shall be prescribed by the registrar, for registration for 471  
the following registration year, which shall begin on the first 472  
day of January of every calendar year and end on the thirty-first 473  
day of December in the same year. Applications for registration 474  
and registration renewal notices shall be filed at the times 475  
established by the registrar pursuant to section 4503.101 of the 476  
Revised Code. A motor vehicle owner also may elect to apply for or 477  
renew a motor vehicle registration by electronic means using 478  
electronic signature in accordance with rules adopted by the 479  
registrar. Except as provided in division (J) of this section, 480  
applications for registration shall be made on blanks furnished by 481  
the registrar for that purpose, containing the following 482  
information: 483

(1) A brief description of the motor vehicle to be 484  
registered, including the year, make, model, and vehicle 485  
identification number, and, in the case of commercial cars, the 486  
gross weight of the vehicle fully equipped computed in the manner 487

prescribed in section 4503.08 of the Revised Code;	488
(2) The name and residence address of the owner, and the township and municipal corporation in which the owner resides;	489 490
(3) The district of registration, which shall be determined as follows:	491 492
(a) In case the motor vehicle to be registered is used for hire or principally in connection with any established business or branch business, conducted at a particular place, the district of registration is the municipal corporation in which that place is located or, if not located in any municipal corporation, the county and township in which that place is located.	493 494 495 496 497 498
(b) In case the vehicle is not so used, the district of registration is the municipal corporation or county in which the owner resides at the time of making the application.	499 500 501
(4) Whether the motor vehicle is a new or used motor vehicle;	502
(5) The date of purchase of the motor vehicle;	503
(6) Whether the fees required to be paid for the registration or transfer of the motor vehicle, during the preceding registration year and during the preceding period of the current registration year, have been paid. Each application for registration shall be signed by the owner, either manually or by electronic signature, or pursuant to obtaining a limited power of attorney authorized by the registrar for registration, or other document authorizing such signature. If the owner elects to apply for or renew the motor vehicle registration with the registrar by electronic means, the owner's manual signature is not required.	504 505 506 507 508 509 510 511 512 513
(7) The owner's social security number, <del>if assigned driver's license number, or state identification number</del> , or, where a motor vehicle to be registered is used for hire or principally in connection with any established business, the owner's federal	514 515 516 517

taxpayer identification number. The bureau of motor vehicles shall 518  
retain in its records all social security numbers provided under 519  
this section, but the bureau shall not place social security 520  
numbers on motor vehicle certificates of registration. 521

(B) Except as otherwise provided in this division, each time 522  
an applicant first registers a motor vehicle in the applicant's 523  
name, the applicant shall present for inspection a physical 524  
certificate of title or memorandum certificate showing title to 525  
the motor vehicle to be registered in the name of the applicant if 526  
a physical certificate of title or memorandum certificate has been 527  
issued by a clerk of a court of common pleas. If, under sections 528  
4505.021, 4505.06, and 4505.08 of the Revised Code, a clerk 529  
instead has issued an electronic certificate of title for the 530  
applicant's motor vehicle, that certificate may be presented for 531  
inspection at the time of first registration in a manner 532  
prescribed by rules adopted by the registrar. An applicant is not 533  
required to present a certificate of title to an electronic motor 534  
vehicle dealer acting as a limited authority deputy registrar in 535  
accordance with rules adopted by the registrar. When a motor 536  
vehicle inspection and maintenance program is in effect under 537  
section 3704.14 of the Revised Code and rules adopted under it, 538  
each application for registration for a vehicle required to be 539  
inspected under that section and those rules shall be accompanied 540  
by an inspection certificate for the motor vehicle issued in 541  
accordance with that section. The application shall be refused if 542  
any of the following applies: 543

(1) The application is not in proper form. 544

(2) The application is prohibited from being accepted by 545  
division (D) of section 2935.27, division (A) of section 2937.221, 546  
division (A) of section 4503.13, division (B) of section 4510.22, 547  
or division (B)(1) of section 4521.10 of the Revised Code. 548

(3) A certificate of title or memorandum certificate of title 549

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

(4) All registration and transfer fees for the motor vehicle, 553  
for the preceding year or the preceding period of the current 554  
registration year, have not been paid. 555

(5) The owner or lessee does not have an inspection 556  
certificate for the motor vehicle as provided in section 3704.14 557  
of the Revised Code, and rules adopted under it, if that section 558  
is applicable. 559

This section does not require the payment of license or 560  
registration taxes on a motor vehicle for any preceding year, or 561  
for any preceding period of a year, if the motor vehicle was not 562  
taxable for that preceding year or period under sections 4503.02, 563  
4503.04, 4503.11, 4503.12, and 4503.16 or Chapter 4504. of the 564  
Revised Code. When a certificate of registration is issued upon 565  
the first registration of a motor vehicle by or on behalf of the 566  
owner, the official issuing the certificate shall indicate the 567  
issuance with a stamp on the certificate of title or memorandum 568  
certificate or, in the case of an electronic certificate of title, 569  
an electronic stamp or other notation as specified in rules 570  
adopted by the registrar, and with a stamp on the inspection 571  
certificate for the motor vehicle, if any. The official also shall 572  
indicate, by a stamp or by other means the registrar prescribes, 573  
on the registration certificate issued upon the first registration 574  
of a motor vehicle by or on behalf of the owner the odometer 575  
reading of the motor vehicle as shown in the odometer statement 576  
included in or attached to the certificate of title. Upon each 577  
subsequent registration of the motor vehicle by or on behalf of 578  
the same owner, the official also shall so indicate the odometer 579  
reading of the motor vehicle as shown on the immediately preceding 580  
certificate of registration. 581

The registrar shall include in the permanent registration 582  
record of any vehicle required to be inspected under section 583  
3704.14 of the Revised Code the inspection certificate number from 584  
the inspection certificate that is presented at the time of 585  
registration of the vehicle as required under this division. 586

(C)(1) Commencing with each registration renewal with an 587  
expiration date on or after October 1, 2003, and for each initial 588  
application for registration received on and after that date, the 589  
registrar and each deputy registrar shall collect an additional 590  
fee of eleven dollars for each application for registration and 591  
registration renewal received. The additional fee is for the 592  
purpose of defraying the department of public safety's costs 593  
associated with the administration and enforcement of the motor 594  
vehicle and traffic laws of Ohio. Each deputy registrar shall 595  
transmit the fees collected under division (C)(1) of this section 596  
in the time and manner provided in this section. The registrar 597  
shall deposit all moneys received under division (C)(1) of this 598  
section into the state highway safety fund established in section 599  
4501.06 of the Revised Code. 600

(2) In addition, a charge of twenty-five cents shall be made 601  
for each reflectorized safety license plate issued, and a single 602  
charge of twenty-five cents shall be made for each county 603  
identification sticker or each set of county identification 604  
stickers issued, as the case may be, to cover the cost of 605  
producing the license plates and stickers, including material, 606  
manufacturing, and administrative costs. Those fees shall be in 607  
addition to the license tax. If the total cost of producing the 608  
plates is less than twenty-five cents per plate, or if the total 609  
cost of producing the stickers is less than twenty-five cents per 610  
sticker or per set issued, any excess moneys accruing from the 611  
fees shall be distributed in the same manner as provided by 612  
section 4501.04 of the Revised Code for the distribution of 613

license tax moneys. If the total cost of producing the plates 614  
exceeds twenty-five cents per plate, or if the total cost of 615  
producing the stickers exceeds twenty-five cents per sticker or 616  
per set issued, the difference shall be paid from the license tax 617  
moneys collected pursuant to section 4503.02 of the Revised Code. 618

(D) Each deputy registrar shall be allowed a fee of two 619  
dollars and seventy-five cents commencing on July 1, 2001, three 620  
dollars and twenty-five cents commencing on January 1, 2003, and 621  
three dollars and fifty cents commencing on January 1, 2004, for 622  
each application for registration and registration renewal notice 623  
the deputy registrar receives, which shall be for the purpose of 624  
compensating the deputy registrar for the deputy registrar's 625  
services, and such office and rental expenses, as may be necessary 626  
for the proper discharge of the deputy registrar's duties in the 627  
receiving of applications and renewal notices and the issuing of 628  
registrations. 629

(E) Upon the certification of the registrar, the county 630  
sheriff or local police officials shall recover license plates 631  
erroneously or fraudulently issued. 632

(F) Each deputy registrar, upon receipt of any application 633  
for registration or registration renewal notice, together with the 634  
license fee and any local motor vehicle license tax levied 635  
pursuant to Chapter 4504. of the Revised Code, shall transmit that 636  
fee and tax, if any, in the manner provided in this section, 637  
together with the original and duplicate copy of the application, 638  
to the registrar. The registrar, subject to the approval of the 639  
director of public safety, may deposit the funds collected by 640  
those deputies in a local bank or depository to the credit of the 641  
"state of Ohio, bureau of motor vehicles." Where a local bank or 642  
depository has been designated by the registrar, each deputy 643  
registrar shall deposit all moneys collected by the deputy 644  
registrar into that bank or depository not more than one business 645

day after their collection and shall make reports to the registrar 646  
of the amounts so deposited, together with any other information, 647  
some of which may be prescribed by the treasurer of state, as the 648  
registrar may require and as prescribed by the registrar by rule. 649  
The registrar, within three days after receipt of notification of 650  
the deposit of funds by a deputy registrar in a local bank or 651  
depository, shall draw on that account in favor of the treasurer 652  
of state. The registrar, subject to the approval of the director 653  
and the treasurer of state, may make reasonable rules necessary 654  
for the prompt transmittal of fees and for safeguarding the 655  
interests of the state and of counties, townships, municipal 656  
corporations, and transportation improvement districts levying 657  
local motor vehicle license taxes. The registrar may pay service 658  
charges usually collected by banks and depositories for such 659  
service. If deputy registrars are located in communities where 660  
banking facilities are not available, they shall transmit the fees 661  
forthwith, by money order or otherwise, as the registrar, by rule 662  
approved by the director and the treasurer of state, may 663  
prescribe. The registrar may pay the usual and customary fees for 664  
such service. 665

(G) This section does not prevent any person from making an 666  
application for a motor vehicle license directly to the registrar 667  
by mail, by electronic means, or in person at any of the 668  
registrar's offices, upon payment of a service fee of two dollars 669  
and seventy-five cents commencing on July 1, 2001, three dollars 670  
and twenty-five cents commencing on January 1, 2003, and three 671  
dollars and fifty cents commencing on January 1, 2004, for each 672  
application. 673

(H) No person shall make a false statement as to the district 674  
of registration in an application required by division (A) of this 675  
section. Violation of this division is falsification under section 676  
2921.13 of the Revised Code and punishable as specified in that 677

section. 678

(I)(1) Where applicable, the requirements of division (B) of 679  
this section relating to the presentation of an inspection 680  
certificate issued under section 3704.14 of the Revised Code and 681  
rules adopted under it for a motor vehicle, the refusal of a 682  
license for failure to present an inspection certificate, and the 683  
stamping of the inspection certificate by the official issuing the 684  
certificate of registration apply to the registration of and 685  
issuance of license plates for a motor vehicle under sections 686  
4503.102, 4503.12, 4503.14, 4503.15, 4503.16, 4503.171, 4503.172, 687  
4503.19, 4503.40, 4503.41, 4503.42, 4503.43, 4503.44, 4503.46, 688  
4503.47, and 4503.51 of the Revised Code. 689

(2)(a) The registrar shall adopt rules ensuring that each 690  
owner registering a motor vehicle in a county where a motor 691  
vehicle inspection and maintenance program is in effect under 692  
section 3704.14 of the Revised Code and rules adopted under it 693  
receives information about the requirements established in that 694  
section and those rules and about the need in those counties to 695  
present an inspection certificate with an application for 696  
registration or preregistration. 697

(b) Upon request, the registrar shall provide the director of 698  
environmental protection, or any person that has been awarded a 699  
contract under division (D) of section 3704.14 of the Revised 700  
Code, an on-line computer data link to registration information 701  
for all passenger cars, noncommercial motor vehicles, and 702  
commercial cars that are subject to that section. The registrar 703  
also shall provide to the director of environmental protection a 704  
magnetic data tape containing registration information regarding 705  
passenger cars, noncommercial motor vehicles, and commercial cars 706  
for which a multi-year registration is in effect under section 707  
4503.103 of the Revised Code or rules adopted under it, including, 708  
without limitation, the date of issuance of the multi-year 709

registration, the registration deadline established under rules 710  
adopted under section 4503.101 of the Revised Code that was 711  
applicable in the year in which the multi-year registration was 712  
issued, and the registration deadline for renewal of the 713  
multi-year registration. 714

(J) Application for registration under the international 715  
registration plan, as set forth in sections 4503.60 to 4503.66 of 716  
the Revised Code, shall be made to the registrar on forms 717  
furnished by the registrar. In accordance with international 718  
registration plan guidelines and pursuant to rules adopted by the 719  
registrar, the forms shall include the following: 720

(1) A uniform mileage schedule; 721

(2) The gross vehicle weight of the vehicle or combined gross 722  
vehicle weight of the combination vehicle as declared by the 723  
registrant; 724

(3) Any other information the registrar requires by rule. 725

**Sec. 4503.44.** (A) As used in this section and in section 726  
4511.69 of the Revised Code: 727

(1) "Person with a disability that limits or impairs the 728  
ability to walk" means any person who, as determined by a 729  
physician or chiropractor, meets any of the following criteria: 730

(a) Cannot walk two hundred feet without stopping to rest; 731

(b) Cannot walk without the use of, or assistance from, a 732  
brace, cane, crutch, another person, prosthetic device, 733  
wheelchair, or other assistive device; 734

(c) Is restricted by a lung disease to such an extent that 735  
the person's forced (respiratory) expiratory volume for one 736  
second, when measured by spirometry, is less than one liter, or 737  
the arterial oxygen tension is less than sixty millimeters of 738  
mercury on room air at rest; 739

(d) Uses portable oxygen;	740
(e) Has a cardiac condition to the extent that the person's functional limitations are classified in severity as class III or class IV according to standards set by the American heart association;	741 742 743 744
(f) Is severely limited in the ability to walk due to an arthritic, neurological, or orthopedic condition;	745 746
(g) Is blind.	747
(2) "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 persons with disabilities that limit or impair the ability to walk on a regular basis in a motor vehicle that has not been altered for the purpose of providing it with special equipment for use by handicapped persons. This definition does not apply to division (J) of this section.	748 749 750 751 752 753 754 755
(3) "Physician" means a person licensed to practice medicine or surgery or osteopathic medicine and surgery under Chapter 4731. of the Revised Code.	756 757 758
(4) "Chiropractor" means a person licensed to practice chiropractic under Chapter 4734. of the Revised Code.	759 760
(B) Any organization or person with a disability that limits or impairs the ability to walk may apply to the registrar of motor vehicles for a removable windshield placard or, if the person owns or leases a motor vehicle, the person may apply for the registration of any motor vehicle the person owns or leases. In addition to one or more sets of license plates or one placard, a person with a disability that limits or impairs the ability to walk is entitled to one additional placard, but only if the person applies separately for the additional placard, states the reasons why the additional placard is needed, and the registrar, in the	761 762 763 764 765 766 767 768 769 770

registrar's discretion, determines that good and justifiable cause 771  
exists to approve the request for the additional placard. When a 772  
motor vehicle has been altered for the purpose of providing it 773  
with special equipment for a person with a disability that limits 774  
or impairs the ability to walk, but is owned or leased by someone 775  
other than such a person, the owner or lessee may apply to the 776  
registrar or a deputy registrar for registration under this 777  
section. The application for registration of a motor vehicle owned 778  
or leased by a person with a disability that limits or impairs the 779  
ability to walk shall be accompanied by a signed statement from 780  
the applicant's personal physician or chiropractor certifying that 781  
the applicant meets at least one of the criteria contained in 782  
division (A)(1) of this section and that the disability is 783  
expected to continue for more than six consecutive months. The 784  
application for a removable windshield placard made by a person 785  
with a disability that limits or impairs the ability to walk shall 786  
be accompanied by a prescription from the applicant's personal 787  
physician or chiropractor prescribing such a placard for the 788  
applicant, provided that the applicant meets at least one of the 789  
criteria contained in division (A)(1) of this section. The 790  
physician or chiropractor shall state on the prescription the 791  
length of time the physician or chiropractor expects the applicant 792  
to have the disability that limits or impairs the applicant's 793  
ability to walk. The application for a removable windshield 794  
placard made by an organization shall be accompanied by such 795  
documentary evidence of regular transport of persons with 796  
disabilities that limit or impair the ability to walk by the 797  
organization as the registrar may require by rule and shall be 798  
completed in accordance with procedures that the registrar may 799  
require by rule. The application for registration of a motor 800  
vehicle that has been altered for the purpose of providing it with 801  
special equipment for a person with a disability that limits or 802  
impairs the ability to walk but is owned by someone other than 803

such a person shall be accompanied by such documentary evidence of 804  
vehicle alterations as the registrar may require by rule. 805

(C) When an organization, a person with a disability that 806  
limits or impairs the ability to walk, or a person who does not 807  
have a disability that limits or impairs the ability to walk but 808  
owns a motor vehicle that has been altered for the purpose of 809  
providing it with special equipment for a person with a disability 810  
that limits or impairs the ability to walk first submits an 811  
application for registration of a motor vehicle under this section 812  
and every fifth year thereafter, the organization or person shall 813  
submit a signed statement from the applicant's personal physician 814  
or chiropractor, a completed application, and any required 815  
documentary evidence of vehicle alterations as provided in 816  
division (B) of this section, and also a power of attorney from 817  
the owner of the motor vehicle if the applicant leases the 818  
vehicle. Upon submission of these items, the registrar or deputy 819  
registrar shall issue to the applicant appropriate vehicle 820  
registration and a set of license plates and validation stickers, 821  
or validation stickers alone when required by section 4503.191 of 822  
the Revised Code. In addition to the letters and numbers 823  
ordinarily inscribed thereon, the license plates shall be 824  
imprinted with the international symbol of access. The license 825  
plates and validation stickers shall be issued upon payment of the 826  
regular license fee as prescribed under section 4503.04 of the 827  
Revised Code and any motor vehicle tax levied under Chapter 4504. 828  
of the Revised Code, and the payment of a service fee equal to the 829  
amount specified in division (D) or (G) of section 4503.10 of the 830  
Revised Code. 831

(D)(1) Upon receipt of a completed and signed application for 832  
a removable windshield placard, a prescription as described in 833  
division (B) of this section, documentary evidence of regular 834  
transport of persons with disabilities that limit or impair the 835

ability to walk, if required, and payment of a service fee equal 836  
to the amount specified in division (D) or (G) of section 4503.10 837  
of the Revised Code, the registrar or deputy registrar shall issue 838  
to the applicant a removable windshield placard, which shall bear 839  
the date of expiration on both sides of the placard and shall be 840  
valid until expired, revoked, or surrendered. Any removable 841  
windshield placard that is issued to a person with a disability 842  
that limits or impairs the ability to walk or to a person who owns 843  
a motor vehicle that has been altered for the purpose of providing 844  
it with special equipment for a person with a disability that 845  
limits or impairs the ability to walk shall bear the name of the 846  
person with the disability. Every removable windshield placard 847  
expires as described in division (D)(2) of this section, but in no 848  
case shall a removable windshield placard be valid for a period of 849  
less than sixty days. Removable windshield placards shall be 850  
renewable upon application as provided in division (B) of this 851  
section, and a service fee equal to the amount specified in 852  
division (D) or (G) of section 4503.10 of the Revised Code shall 853  
be charged for the renewal of a removable windshield placard. The 854  
registrar shall provide the application form and shall determine 855  
the information to be included thereon. The registrar also shall 856  
determine the form and size of the removable windshield placard, 857  
the material of which it is to be made, and any other information 858  
to be included thereon, and shall adopt rules relating to the 859  
issuance, expiration, revocation, surrender, and proper display of 860  
such placards. Any placard issued after October 14, 1999, shall be 861  
manufactured in a manner that allows the expiration date of the 862  
placard to be indicated on it through the punching, drilling, 863  
boring, or creation by any other means of holes in the placard. 864

(2) At the time a removable windshield placard is issued to a 865  
person with a disability that limits or impairs the ability to 866  
walk, the registrar or deputy registrar shall enter into the 867  
records of the bureau of motor vehicles the last date on which the 868

person will have that disability, as indicated on the accompanying 869  
prescription. Not less than thirty days prior to that date and all 870  
removable windshield placard renewal dates, the bureau shall send 871  
a renewal notice to that person at the person's last known address 872  
as shown in the records of the bureau, informing the person that 873  
the person's removable windshield placard will expire on the 874  
indicated date not to exceed five years from the date of issuance, 875  
and that the person is required to renew the placard by submitting 876  
to the registrar or a deputy registrar another prescription, as 877  
described in division (B) of this section, and by complying with 878  
the renewal provisions prescribed in division (D)(1) of this 879  
section. If such a prescription is not received by the registrar 880  
or a deputy registrar by that date, the placard issued to that 881  
person expires and no longer is valid, and this fact shall be 882  
recorded in the records of the bureau. 883

(3) At least once every year, on a date determined by the 884  
registrar, the bureau shall examine the records of the office of 885  
vital statistics, located within the department of health, that 886  
pertain to deceased persons, and also the bureau's records of all 887  
persons who have been issued removable windshield placards and 888  
temporary removable windshield placards. If the records of the 889  
office of vital statistics indicate that a person to whom a 890  
removable windshield placard or temporary removable windshield 891  
placard has been issued is deceased, the bureau shall cancel that 892  
placard, and note the cancellation in its records. 893

The office of vital statistics shall make available to the 894  
bureau all information necessary to enable the bureau to comply 895  
with division (D)(3) of this section. 896

(4) Nothing in this section shall be construed to require a 897  
person or organization to apply for a removable windshield placard 898  
or special license plates if the parking card or special license 899  
plates issued to the person or organization under prior law have 900

not expired or been surrendered or revoked. 901

(E)(1)(a) Any person with a disability that limits or impairs 902  
the ability to walk may apply to the registrar or a deputy 903  
registrar for a temporary removable windshield placard. The 904  
application for a temporary removable windshield placard shall be 905  
accompanied by a prescription from the applicant's personal 906  
physician or chiropractor prescribing such a placard for the 907  
applicant, provided that the applicant meets at least one of the 908  
criteria contained in division (A)(1) of this section and that the 909  
disability is expected to continue for six consecutive months or 910  
less. The physician or chiropractor shall state on the 911  
prescription the length of time the physician or chiropractor 912  
expects the applicant to have the disability that limits or 913  
impairs the applicant's ability to walk, which cannot exceed six 914  
months from the date of the prescription. Upon receipt of an 915  
application for a temporary removable windshield placard, 916  
presentation of the prescription from the applicant's personal 917  
physician or chiropractor, and payment of a service fee equal to 918  
the amount specified in division (D) or (G) of section 4503.10 of 919  
the Revised Code, the registrar or deputy registrar shall issue to 920  
the applicant a temporary removable windshield placard. 921

(b) Any active-duty member of the armed forces of the United 922  
States, including the reserve components of the armed forces and 923  
the national guard, who has an illness or injury that limits or 924  
impairs the ability to walk may apply to the registrar or a deputy 925  
registrar for a temporary removable windshield placard. With the 926  
application, the person shall present evidence of the person's 927  
active-duty status and the illness or injury. Evidence of the 928  
illness or injury may include a current department of defense 929  
convalescent leave statement, any department of defense document 930  
indicating that the person currently has an ill or injured 931  
casualty status or has limited duties, or a prescription from any 932

physician or chiropractor prescribing the placard for the 933  
applicant. Upon receipt of the application and the necessary 934  
evidence, the registrar or deputy registrar shall issue the 935  
applicant the temporary removable windshield placard without the 936  
payment of any service fee. 937

(2) The temporary removable windshield placard shall be of 938  
the same size and form as the removable windshield placard, shall 939  
be printed in white on a red-colored background, and shall bear 940  
the word "temporary" in letters of such size as the registrar 941  
shall prescribe. A temporary removable windshield placard also 942  
shall bear the date of expiration on the front and back of the 943  
placard, and shall be valid until expired, surrendered, or 944  
revoked, but in no case shall such a placard be valid for a period 945  
of less than sixty days. Any temporary removable windshield 946  
placard that is issued to a person with a disability that limits 947  
or impairs the ability to walk shall bear the name of the person 948  
with the disability. The registrar shall provide the application 949  
form and shall determine the information to be included on it, 950  
provided that the registrar shall not require a physician or 951  
chiropractor's prescription or certification for a person applying 952  
under division (E)(1)(b) of this section. The registrar also shall 953  
determine the material of which the temporary removable windshield 954  
placard is to be made and any other information to be included on 955  
the placard and shall adopt rules relating to the issuance, 956  
expiration, surrender, revocation, and proper display of those 957  
placards. Any temporary removable windshield placard issued after 958  
October 14, 1999, shall be manufactured in a manner that allows 959  
for the expiration date of the placard to be indicated on it 960  
through the punching, drilling, boring, or creation by any other 961  
means of holes in the placard. 962

(F) If an applicant for a removable windshield placard is a 963  
veteran of the armed forces of the United States whose disability, 964

as defined in division (A)(1) of this section, is 965  
service-connected, the registrar or deputy registrar, upon receipt 966  
of the application, presentation of a signed statement from the 967  
applicant's personal physician or chiropractor certifying the 968  
applicant's disability, and presentation of such documentary 969  
evidence from the department of veterans affairs that the 970  
disability of the applicant meets at least one of the criteria 971  
identified in division (A)(1) of this section and is 972  
service-connected as the registrar may require by rule, but 973  
without the payment of any service fee, shall issue the applicant 974  
a removable windshield placard that is valid until expired, 975  
surrendered, or revoked. 976

(G) Upon a conviction of a violation of division (I), (J), or 977  
(K) of this section, the court shall report the conviction, and 978  
send the placard or parking card, if available, to the registrar, 979  
who thereupon shall revoke the privilege of using the placard or 980  
parking card and send notice in writing to the placardholder or 981  
cardholder at that holder's last known address as shown in the 982  
records of the bureau, and the placardholder or cardholder shall 983  
return the placard or card if not previously surrendered to the 984  
court, to the registrar within ten days following mailing of the 985  
notice. 986

Whenever a person to whom a removable windshield placard or 987  
parking card has been issued moves to another state, the person 988  
shall surrender the placard or card to the registrar; and whenever 989  
an organization to which a placard or card has been issued changes 990  
its place of operation to another state, the organization shall 991  
surrender the placard or card to the registrar. 992

(H) Subject to division (F) of section 4511.69 of the Revised 993  
Code, the operator of a motor vehicle displaying a removable 994  
windshield placard, temporary removable windshield placard, 995  
parking card, or the special license plates authorized by this 996

section is entitled to park the motor vehicle in any special 997  
parking location reserved for persons with disabilities that limit 998  
or impair the ability to walk, also known as handicapped parking 999  
spaces or disability parking spaces. 1000

(I) No person or organization that is not eligible under 1001  
division (B) or (E) of this section shall willfully and falsely 1002  
represent that the person or organization is so eligible. 1003

No person or organization shall display license plates issued 1004  
under this section unless the license plates have been issued for 1005  
the vehicle on which they are displayed and are valid. 1006

(J) No person or organization to which a removable windshield 1007  
placard or temporary removable windshield placard is issued shall 1008  
do either of the following: 1009

(1) Display or permit the display of the placard on any motor 1010  
vehicle when having reasonable cause to believe the motor vehicle 1011  
is being used in connection with an activity that does not include 1012  
providing transportation for persons with disabilities that limit 1013  
or impair the ability to walk; 1014

(2) Refuse to return or surrender the placard, when required. 1015

(K)(1) No person or organization to which a parking card is 1016  
issued shall do either of the following: 1017

(a) Display or permit the display of the parking card on any 1018  
motor vehicle when having reasonable cause to believe the motor 1019  
vehicle is being used in connection with an activity that does not 1020  
include providing transportation for a handicapped person; 1021

(b) Refuse to return or surrender the parking card, when 1022  
required. 1023

(2) As used in division (K) of this section: 1024

(a) "Handicapped person" means any person who has lost the 1025  
use of one or both legs or one or both arms, who is blind, deaf, 1026

or so severely handicapped as to be unable to move about without 1027  
the aid of crutches or a wheelchair, or whose mobility is 1028  
restricted by a permanent cardiovascular, pulmonary, or other 1029  
handicapping condition. 1030

(b) "Organization" means any private organization or 1031  
corporation, or any governmental board, agency, department, 1032  
division, or office, that, as part of its business or program, 1033  
transports handicapped persons on a regular basis in a motor 1034  
vehicle that has not been altered for the purposes of providing it 1035  
with special equipment for use by handicapped persons. 1036

(L) If a removable windshield placard, temporary removable 1037  
windshield placard, or parking card is lost, destroyed, or 1038  
mutilated, the placardholder or cardholder may obtain a duplicate 1039  
by doing both of the following: 1040

(1) Furnishing suitable proof of the loss, destruction, or 1041  
mutilation to the registrar; 1042

(2) Paying a service fee equal to the amount specified in 1043  
division (D) or (G) of section 4503.10 of the Revised Code. 1044

Any placardholder or cardholder who loses a placard or card 1045  
and, after obtaining a duplicate, finds the original, immediately 1046  
shall surrender the original placard or card to the registrar. 1047

(M) The registrar shall pay all fees received under this 1048  
section for the issuance of removable windshield placards or 1049  
temporary removable windshield placards or duplicate removable 1050  
windshield placards or cards into the state treasury to the credit 1051  
of the state bureau of motor vehicles fund created in section 1052  
4501.25 of the Revised Code. 1053

(N) For purposes of enforcing this section, every peace 1054  
officer is deemed to be an agent of the registrar. Any peace 1055  
officer or any authorized employee of the bureau of motor vehicles 1056  
who, in the performance of duties authorized by law, becomes aware 1057

of a person whose placard or parking card has been revoked 1058  
pursuant to this section, may confiscate that placard or parking 1059  
card and return it to the registrar. The registrar shall prescribe 1060  
any forms used by law enforcement agencies in administering this 1061  
section. 1062

No peace officer, law enforcement agency employing a peace 1063  
officer, or political subdivision or governmental agency employing 1064  
a peace officer, and no employee of the bureau is liable in a 1065  
civil action for damages or loss to persons arising out of the 1066  
performance of any duty required or authorized by this section. As 1067  
used in this division, "peace officer" has the same meaning as in 1068  
division (B) of section 2935.01 of the Revised Code. 1069

(O) All applications for registration of motor vehicles, 1070  
removable windshield placards, and temporary removable windshield 1071  
placards issued under this section, all renewal notices for such 1072  
items, and all other publications issued by the bureau that relate 1073  
to this section shall set forth the criminal penalties that may be 1074  
imposed upon a person who violates any provision relating to 1075  
special license plates issued under this section, the parking of 1076  
vehicles displaying such license plates, and the issuance, 1077  
procurement, use, and display of removable windshield placards and 1078  
temporary removable windshield placards issued under this section. 1079

(P) Whoever violates this section is guilty of a misdemeanor 1080  
of the fourth degree. 1081

**Sec. 4505.09.** (A) The clerk of a court of common pleas shall 1082  
charge a fee of five dollars for each certificate of title that is 1083  
not applied for within thirty days after the later of the 1084  
assignment or delivery of the motor vehicle described in it. The 1085  
fees shall be retained by the clerk. 1086

In addition to those fees, the clerk shall charge a fee of 1087  
five dollars for each certificate of title, duplicate certificate 1088

of title, memorandum certificate of title, authorization to print 1089  
a non-negotiable evidence of ownership described in division (G) 1090  
of section 4505.08 of the Revised Code, non-negotiable evidence of 1091  
ownership printed by the clerk under division (H) of that section, 1092  
and notation of any lien on a certificate of title. The clerk 1093  
shall retain two dollars and twenty-five cents of the fee charged 1094  
for each certificate of title, four dollars and seventy-five cents 1095  
of the fee charged for each duplicate certificate of title, all of 1096  
the fees charged for each memorandum certificate, authorization to 1097  
print a non-negotiable evidence of ownership, or non-negotiable 1098  
evidence of ownership printed by the clerk, and four dollars and 1099  
twenty-five cents of the fee charged for each notation of a lien. 1100

The remaining two dollars and seventy-five cents charged for 1101  
the certificate of title, the remaining twenty-five cents charged 1102  
for the duplicate certificate of title, and the remaining 1103  
seventy-five cents charged for the notation of any lien on a 1104  
certificate of title shall be paid to the registrar of motor 1105  
vehicles by monthly returns, which shall be forwarded to the 1106  
registrar not later than the fifth day of the month next 1107  
succeeding that in which the certificate is issued or that in 1108  
which the registrar is notified of a lien or cancellation of a 1109  
lien. 1110

(B)(1) The registrar shall pay twenty-five cents of the 1111  
amount received for each certificate of title and all of the 1112  
amounts received for each notation of any lien and each duplicate 1113  
certificate of title into the state bureau of motor vehicles fund 1114  
established in section 4501.25 of the Revised Code. 1115

(2) Fifty cents of the amount received for each certificate 1116  
of title shall be paid by the registrar as follows: 1117

(a) Four cents shall be paid into the state treasury to the 1118  
credit of the motor vehicle dealers board fund, which is hereby 1119  
created. All investment earnings of the fund shall be credited to 1120

the fund. The moneys in the motor vehicle dealers board fund shall 1121  
be used by the motor vehicle dealers board created under section 1122  
4517.30 of the Revised Code, together with other moneys 1123  
appropriated to it, in the exercise of its powers and the 1124  
performance of its duties under Chapter 4517. of the Revised Code, 1125  
except that the director of budget and management may transfer 1126  
excess money from the motor vehicle dealers board fund to the 1127  
bureau of motor vehicles fund if the registrar determines that the 1128  
amount of money in the motor vehicle dealers board fund, together 1129  
with other moneys appropriated to the board, exceeds the amount 1130  
required for the exercise of its powers and the performance of its 1131  
duties under Chapter 4517. of the Revised Code and requests the 1132  
director to make the transfer. 1133

(b) Twenty-one cents shall be paid into the ~~general revenue~~ 1134  
highway operating fund. 1135

(c) Twenty-five cents shall be paid into the state treasury 1136  
to the credit of the motor vehicle sales audit fund, which is 1137  
hereby created. The moneys in the fund shall be used by the tax 1138  
commissioner together with other funds available to the 1139  
commissioner to conduct a continuing investigation of sales and 1140  
use tax returns filed for motor vehicles in order to determine if 1141  
sales and use tax liability has been satisfied. The commissioner 1142  
shall refer cases of apparent violations of section 2921.13 of the 1143  
Revised Code made in connection with the titling or sale of a 1144  
motor vehicle and cases of any other apparent violations of the 1145  
sales or use tax law to the appropriate county prosecutor whenever 1146  
the commissioner considers it advisable. 1147

(3) Two dollars of the amount received by the registrar for 1148  
each certificate of title shall be paid into the state treasury to 1149  
the credit of the automated title processing fund, which is hereby 1150  
created and which shall consist of moneys collected under division 1151  
(B)(3) of this section and under sections 1548.10 and 4519.59 of 1152

the Revised Code. All investment earnings of the fund shall be 1153  
credited to the fund. The moneys in the fund shall be used as 1154  
follows: 1155

(a) Except for moneys collected under section 1548.10 of the 1156  
Revised Code and as provided in division (B)(3)(c) of this 1157  
section, moneys collected under division (B)(3) of this section 1158  
shall be used to implement and maintain an automated title 1159  
processing system for the issuance of motor vehicle, off-highway 1160  
motorcycle, and all-purpose vehicle certificates of title in the 1161  
offices of the clerks of the courts of common pleas. 1162

(b) Moneys collected under section 1548.10 of the Revised 1163  
Code shall be used to issue marine certificates of title in the 1164  
offices of the clerks of the courts of common pleas as provided in 1165  
Chapter 1548. of the Revised Code. 1166

(c) Moneys collected under division (B)(3) of this section 1167  
shall be used in accordance with section 4505.25 of the Revised 1168  
Code to implement Sub. S.B. 59 of the 124th general assembly. 1169

(C)(1) The automated title processing board is hereby created 1170  
consisting of the registrar or the registrar's representative, a 1171  
person selected by the registrar, the president of the Ohio clerks 1172  
of court association or the president's representative, and two 1173  
clerks of courts of common pleas appointed by the governor. The 1174  
director of budget and management or the director's designee, the 1175  
chief of the division of watercraft in the department of natural 1176  
resources or the chief's designee, and the tax commissioner or the 1177  
commissioner's designee shall be nonvoting members of the board. 1178  
The purpose of the board is to facilitate the operation and 1179  
maintenance of an automated title processing system and approve 1180  
the procurement of automated title processing system equipment. 1181  
Voting members of the board, excluding the registrar or the 1182  
registrar's representative, shall serve without compensation, but 1183  
shall be reimbursed for travel and other necessary expenses 1184

incurred in the conduct of their official duties. The registrar or 1185  
the registrar's representative shall receive neither compensation 1186  
nor reimbursement as a board member. 1187

(2) The automated title processing board shall determine each 1188  
of the following: 1189

(a) The automated title processing equipment and certificates 1190  
of title requirements for each county; 1191

(b) The payment of expenses that may be incurred by the 1192  
counties in implementing an automated title processing system; 1193

(c) The repayment to the counties for existing title 1194  
processing equipment. 1195

(3) The registrar shall purchase, lease, or otherwise acquire 1196  
any automated title processing equipment and certificates of title 1197  
that the board determines are necessary from moneys in the 1198  
automated title processing fund established by division (B)(3) of 1199  
this section. 1200

(D) All counties shall conform to the requirements of the 1201  
registrar regarding the operation of their automated title 1202  
processing system for motor vehicle titles, certificates of title 1203  
for off-highway motorcycles and all-purpose vehicles, and 1204  
certificates of title for watercraft and outboard motors. 1205

**Sec. 4511.092.** (A) As used in this section: 1206

(1) "Motor vehicle leasing dealer" has the same meaning as in 1207  
section 4517.01 of the Revised Code. 1208

(2) "Motor vehicle renting dealer" has the same meaning as in 1209  
section 4549.65 of the Revised Code. 1210

(3) "Ticket" means any traffic ticket, citation, summons, or 1211  
other notice of liability issued in response to an alleged traffic 1212  
law violation detected by a traffic law photo-monitoring device. 1213

(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 of the vehicle or its license plate.

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

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

(B)(1) All direct and indirect costs of the business logo sign program established pursuant to this section shall be fully paid by the businesses applying for participation in the program other than qualified attractions approved by the director under division (B)(2) of this section. At any interchange where a business logo sign is erected, such costs shall be divided equally among the participating businesses other than approved qualified

attractions. The direct and indirect costs of the program shall 1245  
include, but not be limited to, the cost of capital, directional 1246  
signs, blanks, posts, logos, installation, repair, engineering, 1247  
design, insurance, removal, replacement, and administration. 1248  
Nothing in this chapter shall be construed to prohibit the 1249  
director from establishing such a program. 1250

(2) The director may approve the participation of a 1251  
charitable organization operating a qualified attraction in the 1252  
business logo sign program if the director determines that 1253  
promotion or protection of the qualified attraction serves a 1254  
legitimate state interest. The director may approve such 1255  
participation at no cost or at a nominal fee. 1256

(C) The director, in accordance with rules adopted pursuant 1257  
~~to Chapter 119. of the Revised Code~~ under division (A) of this 1258  
section, may contract with any private person to operate, 1259  
maintain, and market the business logo sign program. The rules 1260  
shall describe the terms of the contract, and shall allow for a 1261  
reasonable profit to be earned by the successful applicant. In 1262  
awarding the contract, the director shall consider the skill, 1263  
expertise, prior experience, and other qualifications of each 1264  
applicant. 1265

(D) As used in this section, ~~"urban:~~ 1266

(1) "Charitable organization" has the same meaning as in 1267  
section 1716.01 of the Revised Code. 1268

(2) "Qualified attraction" includes natural wonders, and 1269  
artistic, scenic, and historical attractions. 1270

(3) "Urban area" means an area having a population of fifty 1271  
thousand or more according to the most recent federal census and 1272  
designated as such on urban maps prepared by the department. 1273

(E) Neither the department nor the director shall do either 1274  
of the following: 1275

(1) Limit the right of any person to erect, maintain, repair, 1276  
remove, or utilize any off-premises or on-premises advertising 1277  
device; 1278

(2) Make participation in the business logo sign program 1279  
conditional upon a business agreeing to limit, discontinue, 1280  
withdraw, modify, alter, or change any advertising or sign. 1281

(F) The program shall permit the business logo signs of a 1282  
seller of motor vehicle fuel to include on the seller's signs a 1283  
marking or symbol indicating that the seller sells one or more 1284  
types of alternative fuel so long as the seller in fact sells that 1285  
fuel. 1286

As used in this division, "alternative fuel" has the same 1287  
meaning as in section 125.831 of the Revised Code. 1288

**Sec. 4511.21.** (A) No person shall operate a motor vehicle, 1289  
trackless trolley, or streetcar at a speed greater or less than is 1290  
reasonable or proper, having due regard to the traffic, surface, 1291  
and width of the street or highway and any other conditions, and 1292  
no person shall drive any motor vehicle, trackless trolley, or 1293  
streetcar in and upon any street or highway at a greater speed 1294  
than will permit the person to bring it to a stop within the 1295  
assured clear distance ahead. 1296

(B) It is prima-facie lawful, in the absence of a lower limit 1297  
declared pursuant to this section by the director of 1298  
transportation or local authorities, for the operator of a motor 1299  
vehicle, trackless trolley, or streetcar to operate the same at a 1300  
speed not exceeding the following: 1301

(1)(a) Twenty miles per hour in school zones during school 1302  
recess and while children are going to or leaving school during 1303  
the opening or closing hours, and when twenty miles per hour 1304  
school speed limit signs are erected; except that, on 1305

controlled-access highways and expressways, if the right-of-way 1306  
line fence has been erected without pedestrian opening, the speed 1307  
shall be governed by division (B)(4) of this section and on 1308  
freeways, if the right-of-way line fence has been erected without 1309  
pedestrian opening, the speed shall be governed by divisions 1310  
(B)(9) and (10) of this section. The end of every school zone may 1311  
be marked by a sign indicating the end of the zone. Nothing in 1312  
this section or in the manual and specifications for a uniform 1313  
system of traffic control devices shall be construed to require 1314  
school zones to be indicated by signs equipped with flashing or 1315  
other lights, or giving other special notice of the hours in which 1316  
the school zone speed limit is in effect. 1317

(b) As used in this section and in section 4511.212 of the 1318  
Revised Code, "school" means any school chartered under section 1319  
3301.16 of the Revised Code and any nonchartered school that 1320  
during the preceding year filed with the department of education 1321  
in compliance with rule 3301-35-08 of the Ohio Administrative 1322  
Code, a copy of the school's report for the parents of the 1323  
school's pupils certifying that the school meets Ohio minimum 1324  
standards for nonchartered, nontax-supported schools and presents 1325  
evidence of this filing to the jurisdiction from which it is 1326  
requesting the establishment of a school zone. "School" also 1327  
includes a special elementary school that in writing requests the 1328  
county engineer of the county in which the special elementary 1329  
school is located to create a school zone at the location of that 1330  
school. Upon receipt of such a written request, the county 1331  
engineer shall create a school zone at that location by erecting 1332  
the appropriate signs. 1333

(c) As used in this section, "school zone" means that portion 1334  
of a street or highway passing a school fronting upon the street 1335  
or highway that is encompassed by projecting the school property 1336  
lines to the fronting street or highway, and also includes that 1337

portion of a state highway. Upon request from local authorities 1338  
for streets and highways under their jurisdiction and that portion 1339  
of a state highway under the jurisdiction of the director of 1340  
transportation or a request from a county engineer in the case of 1341  
a school zone for a special elementary school, the director may 1342  
extend the traditional school zone boundaries. The distances in 1343  
divisions (B)(1)(c)(i), (ii), and (iii) of this section shall not 1344  
exceed three hundred feet per approach per direction and are 1345  
bounded by whichever of the following distances or combinations 1346  
thereof the director approves as most appropriate: 1347

(i) The distance encompassed by projecting the school 1348  
building lines normal to the fronting highway and extending a 1349  
distance of three hundred feet on each approach direction; 1350

(ii) The distance encompassed by projecting the school 1351  
property lines intersecting the fronting highway and extending a 1352  
distance of three hundred feet on each approach direction; 1353

(iii) The distance encompassed by the special marking of the 1354  
pavement for a principal school pupil crosswalk plus a distance of 1355  
three hundred feet on each approach direction of the highway. 1356

Nothing in this section shall be construed to invalidate the 1357  
director's initial action on August 9, 1976, establishing all 1358  
school zones at the traditional school zone boundaries defined by 1359  
projecting school property lines, except when those boundaries are 1360  
extended as provided in divisions (B)(1)(a) and (c) of this 1361  
section. 1362

(d) As used in this division, "crosswalk" has the meaning 1363  
given that term in division (LL)(2) of section 4511.01 of the 1364  
Revised Code. 1365

The director may, upon request by resolution of the 1366  
legislative authority of a municipal corporation, the board of 1367  
trustees of a township, or a county board of mental retardation 1368

and developmental disabilities created pursuant to Chapter 5126. 1369  
of the Revised Code, and upon submission by the municipal 1370  
corporation, township, or county board of such engineering, 1371  
traffic, and other information as the director considers 1372  
necessary, designate a school zone on any portion of a state route 1373  
lying within the municipal corporation, lying within the 1374  
unincorporated territory of the township, or lying adjacent to the 1375  
property of a school that is operated by such county board, that 1376  
includes a crosswalk customarily used by children going to or 1377  
leaving a school during recess and opening and closing hours, 1378  
whenever the distance, as measured in a straight line, from the 1379  
school property line nearest the crosswalk to the nearest point of 1380  
the crosswalk is no more than one thousand three hundred twenty 1381  
feet. Such a school zone shall include the distance encompassed by 1382  
the crosswalk and extending three hundred feet on each approach 1383  
direction of the state route. 1384

(e) As used in this section, "special elementary school" 1385  
means a school that meets all of the following criteria: 1386

(i) It is not chartered and does not receive tax revenue from 1387  
any source. 1388

(ii) It does not educate children beyond the eighth grade. 1389

(iii) It is located outside the limits of a municipal 1390  
corporation. 1391

(iv) A majority of the total number of students enrolled at 1392  
the school are not related by blood. 1393

(v) The principal or other person in charge of the special 1394  
elementary school annually sends a report to the superintendent of 1395  
the school district in which the special elementary school is 1396  
located indicating the total number of students enrolled at the 1397  
school, but otherwise the principal or other person in charge does 1398  
not report any other information or data to the superintendent. 1399

(2) Twenty-five miles per hour in all other portions of a municipal corporation, except on state routes outside business districts, through highways outside business districts, and alleys;	1400 1401 1402 1403
(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;	1404 1405 1406
(4) Fifty miles per hour on controlled-access highways and expressways within municipal corporations;	1407 1408
(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;	1409 1410 1411 1412
(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;	1413 1414 1415
(7) Fifteen miles per hour on all alleys within the municipal corporation;	1416 1417
(8) Thirty-five miles per hour on highways outside municipal corporations that are within an island jurisdiction;	1418 1419
(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;	1420 1421 1422
(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;	1423 1424 1425
(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	1426 1427 1428 1429

applicable to freeways that are part of the interstate system for 1430  
operators of any motor vehicle weighing in excess of eight 1431  
thousand pounds empty weight and any noncommercial bus; 1432

(12) Fifty-five miles per hour for operators of any motor 1433  
vehicle weighing eight thousand pounds or less empty weight and 1434  
any commercial bus at all times on all portions of freeways that 1435  
are part of the interstate system and that had such a speed limit 1436  
established prior to October 1, 1995, and freeways that are not 1437  
part of the interstate system, but are built to the standards and 1438  
specifications that are applicable to freeways that are part of 1439  
the interstate system and that had such a speed limit established 1440  
prior to October 1, 1995, unless a higher speed limit is 1441  
established under division (L) of this section; 1442

(13) Sixty-five miles per hour for operators of any motor 1443  
vehicle weighing eight thousand pounds or less empty weight and 1444  
any commercial bus at all times on all portions of the following: 1445

(a) Freeways that are part of the interstate system and that 1446  
had such a speed limit established prior to October 1, 1995, and 1447  
freeways that are not part of the interstate system, but are built 1448  
to the standards and specifications that are applicable to 1449  
freeways that are part of the interstate system and that had such 1450  
a speed limit established prior to October 1, 1995; 1451

(b) Freeways that are part of the interstate system and 1452  
freeways that are not part of the interstate system but are built 1453  
to the standards and specifications that are applicable to 1454  
freeways that are part of the interstate system, and that had such 1455  
a speed limit established under division (L) of this section; 1456

(c) Rural, divided, multi-lane highways that are designated 1457  
as part of the national highway system under the "National Highway 1458  
System Designation Act of 1995," 109 Stat. 568, 23 U.S.C.A. 103, 1459  
and that had such a speed limit established under division (M) of 1460

this section. 1461

(C) It is prima-facie unlawful for any person to exceed any 1462  
of the speed limitations in divisions (B)(1)(a), (2), (3), (4), 1463  
(6), (7), and (8) of this section, or any declared pursuant to 1464  
this section by the director or local authorities and it is 1465  
unlawful for any person to exceed any of the speed limitations in 1466  
division (D) of this section. No person shall be convicted of more 1467  
than one violation of this section for the same conduct, although 1468  
violations of more than one provision of this section may be 1469  
charged in the alternative in a single affidavit. 1470

(D) No person shall operate a motor vehicle, trackless 1471  
trolley, or streetcar upon a street or highway as follows: 1472

(1) At a speed exceeding fifty-five miles per hour, except 1473  
upon a freeway as provided in division (B)(13) of this section; 1474

(2) At a speed exceeding sixty-five miles per hour upon a 1475  
freeway as provided in division (B)(13) of this section except as 1476  
otherwise provided in division (D)(3) of this section; 1477

(3) If a motor vehicle weighing in excess of eight thousand 1478  
pounds empty weight or a noncommercial bus as prescribed in 1479  
division (B)(11) of this section, at a speed exceeding fifty-five 1480  
miles per hour upon a freeway as provided in that division; 1481

(4) At a speed exceeding the posted speed limit upon a 1482  
freeway for which the director has determined and declared a speed 1483  
limit of not more than sixty-five miles per hour pursuant to 1484  
division (L)(2) or (M) of this section; 1485

(5) At a speed exceeding sixty-five miles per hour upon a 1486  
freeway for which such a speed limit has been established through 1487  
the operation of division (L)(3) of this section; 1488

(6) At a speed exceeding the posted speed limit upon a 1489  
freeway for which the director has determined and declared a speed 1490

limit pursuant to division (I)(2) of this section. 1491

(E) In every charge of violation of this section the 1492  
affidavit and warrant shall specify the time, place, and speed at 1493  
which the defendant is alleged to have driven, and in charges made 1494  
in reliance upon division (C) of this section also the speed which 1495  
division (B)(1)(a), (2), (3), (4), (6), (7), or (8) of, or a limit 1496  
declared pursuant to, this section declares is prima-facie lawful 1497  
at the time and place of such alleged violation, except that in 1498  
affidavits where a person is alleged to have driven at a greater 1499  
speed than will permit the person to bring the vehicle to a stop 1500  
within the assured clear distance ahead the affidavit and warrant 1501  
need not specify the speed at which the defendant is alleged to 1502  
have driven. 1503

(F) When a speed in excess of both a prima-facie limitation 1504  
and a limitation in division (D)(1), (2), (3), (4), (5), or (6) of 1505  
this section is alleged, the defendant shall be charged in a 1506  
single affidavit, alleging a single act, with a violation 1507  
indicated of both division (B)(1)(a), (2), (3), (4), (6), (7), or 1508  
(8) of this section, or of a limit declared pursuant to this 1509  
section by the director or local authorities, and of the 1510  
limitation in division (D)(1), (2), (3), (4), (5), or (6) of this 1511  
section. If the court finds a violation of division (B)(1)(a), 1512  
(2), (3), (4), (6), (7), or (8) of, or a limit declared pursuant 1513  
to, this section has occurred, it shall enter a judgment of 1514  
conviction under such division and dismiss the charge under 1515  
division (D)(1), (2), (3), (4), (5), or (6) of this section. If it 1516  
finds no violation of division (B)(1)(a), (2), (3), (4), (6), (7), 1517  
or (8) of, or a limit declared pursuant to, this section, it shall 1518  
then consider whether the evidence supports a conviction under 1519  
division (D)(1), (2), (3), (4), (5), or (6) of this section. 1520

(G) Points shall be assessed for violation of a limitation 1521  
under division (D) of this section in accordance with section 1522

4510.036 of the Revised Code. 1523

(H) Whenever the director determines upon the basis of a 1524  
geometric and traffic characteristic study that any speed limit 1525  
set forth in divisions (B)(1)(a) to (D) of this section is greater 1526  
or less than is reasonable or safe under the conditions found to 1527  
exist at any portion of a street or highway under the jurisdiction 1528  
of the director, the director shall determine and declare a 1529  
reasonable and safe prima-facie speed limit, which shall be 1530  
effective when appropriate signs giving notice of it are erected 1531  
at the location. 1532

(I)(1) Except as provided in divisions (I)(2) and (K) of this 1533  
section, whenever local authorities determine upon the basis of an 1534  
engineering and traffic investigation that the speed permitted by 1535  
divisions (B)(1)(a) to (D) of this section, on any part of a 1536  
highway under their jurisdiction, is greater than is reasonable 1537  
and safe under the conditions found to exist at such location, the 1538  
local authorities may by resolution request the director to 1539  
determine and declare a reasonable and safe prima-facie speed 1540  
limit. Upon receipt of such request the director may determine and 1541  
declare a reasonable and safe prima-facie speed limit at such 1542  
location, and if the director does so, then such declared speed 1543  
limit shall become effective only when appropriate signs giving 1544  
notice thereof are erected at such location by the local 1545  
authorities. The director may withdraw the declaration of a 1546  
prima-facie speed limit whenever in the director's opinion the 1547  
altered prima-facie speed becomes unreasonable. Upon such 1548  
withdrawal, the declared prima-facie speed shall become 1549  
ineffective and the signs relating thereto shall be immediately 1550  
removed by the local authorities. 1551

(2) A local authority may determine on the basis of a 1552  
geometric and traffic characteristic study that the speed limit of 1553  
sixty-five miles per hour on a portion of a freeway under its 1554

jurisdiction that was established through the operation of 1555  
division (L)(3) of this section is greater than is reasonable or 1556  
safe under the conditions found to exist at that portion of the 1557  
freeway. If the local authority makes such a determination, the 1558  
local authority by resolution may request the director to 1559  
determine and declare a reasonable and safe speed limit of not 1560  
less than fifty-five miles per hour for that portion of the 1561  
freeway. If the director takes such action, the declared speed 1562  
limit becomes effective only when appropriate signs giving notice 1563  
of it are erected at such location by the local authority. 1564

(J) Local authorities in their respective jurisdictions may 1565  
authorize by ordinance higher prima-facie speeds than those stated 1566  
in this section upon through highways, or upon highways or 1567  
portions thereof where there are no intersections, or between 1568  
widely spaced intersections, provided signs are erected giving 1569  
notice of the authorized speed, but local authorities shall not 1570  
modify or alter the basic rule set forth in division (A) of this 1571  
section or in any event authorize by ordinance a speed in excess 1572  
of fifty miles per hour. 1573

Alteration of prima-facie limits on state routes by local 1574  
authorities shall not be effective until the alteration has been 1575  
approved by the director. The director may withdraw approval of 1576  
any altered prima-facie speed limits whenever in the director's 1577  
opinion any altered prima-facie speed becomes unreasonable, and 1578  
upon such withdrawal, the altered prima-facie speed shall become 1579  
ineffective and the signs relating thereto shall be immediately 1580  
removed by the local authorities. 1581

(K)(1) As used in divisions (K)(1), (2), (3), and (4) of this 1582  
section, "unimproved highway" means a highway consisting of any of 1583  
the following: 1584

(a) Unimproved earth; 1585

(b) Unimproved graded and drained earth; 1586

(c) Gravel. 1587

(2) Except as otherwise provided in divisions (K)(4) and (5) 1588  
of this section, whenever a board of township trustees determines 1589  
upon the basis of an engineering and traffic investigation that 1590  
the speed permitted by division (B)(5) of this section on any part 1591  
of an unimproved highway under its jurisdiction and in the 1592  
unincorporated territory of the township is greater than is 1593  
reasonable or safe under the conditions found to exist at the 1594  
location, the board may by resolution declare a reasonable and 1595  
safe prima-facie speed limit of fifty-five but not less than 1596  
twenty-five miles per hour. An altered speed limit adopted by a 1597  
board of township trustees under this division becomes effective 1598  
when appropriate traffic control devices, as prescribed in section 1599  
4511.11 of the Revised Code, giving notice thereof are erected at 1600  
the location, which shall be no sooner than sixty days after 1601  
adoption of the resolution. 1602

(3)(a) Whenever, in the opinion of a board of township 1603  
trustees, any altered prima-facie speed limit established by the 1604  
board under this division becomes unreasonable, the board may 1605  
adopt a resolution withdrawing the altered prima-facie speed 1606  
limit. Upon the adoption of such a resolution, the altered 1607  
prima-facie speed limit becomes ineffective and the traffic 1608  
control devices relating thereto shall be immediately removed. 1609

(b) Whenever a highway ceases to be an unimproved highway and 1610  
the board has adopted an altered prima-facie speed limit pursuant 1611  
to division (K)(2) of this section, the board shall, by 1612  
resolution, withdraw the altered prima-facie speed limit as soon 1613  
as the highway ceases to be unimproved. Upon the adoption of such 1614  
a resolution, the altered prima-facie speed limit becomes 1615  
ineffective and the traffic control devices relating thereto shall 1616  
be immediately removed. 1617

(4)(a) If the boundary of two townships rests on the centerline of an unimproved highway in unincorporated territory and both townships have jurisdiction over the highway, neither of the boards of township trustees of such townships may declare an altered prima-facie speed limit pursuant to division (K)(2) of this section on the part of the highway under their joint jurisdiction unless the boards of township trustees of both of the townships determine, upon the basis of an engineering and traffic investigation, that the speed permitted by division (B)(5) of this section is greater than is reasonable or safe under the conditions found to exist at the location and both boards agree upon a reasonable and safe prima-facie speed limit of less than fifty-five but not less than twenty-five miles per hour for that location. If both boards so agree, each shall follow the procedure specified in division (K)(2) of this section for altering the prima-facie speed limit on the highway. Except as otherwise provided in division (K)(4)(b) of this section, no speed limit altered pursuant to division (K)(4)(a) of this section may be withdrawn unless the boards of township trustees of both townships determine that the altered prima-facie speed limit previously adopted becomes unreasonable and each board adopts a resolution withdrawing the altered prima-facie speed limit pursuant to the procedure specified in division (K)(3)(a) of this section.

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

(5) As used in division (K)(5) of this section: 1650

(a) "Commercial subdivision" means any platted territory 1651  
outside the limits of a municipal corporation and fronting a 1652  
highway where, for a distance of three hundred feet or more, the 1653  
frontage is improved with buildings in use for commercial 1654  
purposes, or where the entire length of the highway is less than 1655  
three hundred feet long and the frontage is improved with 1656  
buildings in use for commercial purposes. 1657

(b) "Residential subdivision" means any platted territory 1658  
outside the limits of a municipal corporation and fronting a 1659  
highway, where, for a distance of three hundred feet or more, the 1660  
frontage is improved with residences or residences and buildings 1661  
in use for business, or where the entire length of the highway is 1662  
less than three hundred feet long and the frontage is improved 1663  
with residences or residences and buildings in use for business. 1664

Whenever a board of township trustees finds upon the basis of 1665  
an engineering and traffic investigation that the prima-facie 1666  
speed permitted by division (B)(5) of this section on any part of 1667  
a highway under its jurisdiction that is located in a commercial 1668  
or residential subdivision, except on highways or portions thereof 1669  
at the entrances to which vehicular traffic from the majority of 1670  
intersecting highways is required to yield the right-of-way to 1671  
vehicles on such highways in obedience to stop or yield signs or 1672  
traffic control signals, is greater than is reasonable and safe 1673  
under the conditions found to exist at the location, the board may 1674  
by resolution declare a reasonable and safe prima-facie speed 1675  
limit of less than fifty-five but not less than twenty-five miles 1676  
per hour at the location. An altered speed limit adopted by a 1677  
board of township trustees under this division shall become 1678  
effective when appropriate signs giving notice thereof are erected 1679  
at the location by the township. Whenever, in the opinion of a 1680  
board of township trustees, any altered prima-facie speed limit 1681

established by it under this division becomes unreasonable, it may 1682  
adopt a resolution withdrawing the altered prima-facie speed, and 1683  
upon such withdrawal, the altered prima-facie speed shall become 1684  
ineffective, and the signs relating thereto shall be immediately 1685  
removed by the township. 1686

(L)(1) Within one hundred twenty days of February 29, 1996, 1687  
the director of transportation, based upon a geometric and traffic 1688  
characteristic study of a freeway that is part of the interstate 1689  
system or that is not part of the interstate system, but is built 1690  
to the standards and specifications that are applicable to 1691  
freeways that are part of the interstate system, in consultation 1692  
with the director of public safety and, if applicable, the local 1693  
authority having jurisdiction over a portion of such freeway, may 1694  
determine and declare that the speed limit of less than sixty-five 1695  
miles per hour established on such freeway or portion of freeway 1696  
either is reasonable and safe or is less than that which is 1697  
reasonable and safe. 1698

(2) If the established speed limit for such a freeway or 1699  
portion of freeway is determined to be less than that which is 1700  
reasonable and safe, the director of transportation, in 1701  
consultation with the director of public safety and, if 1702  
applicable, the local authority having jurisdiction over the 1703  
portion of freeway, shall determine and declare a reasonable and 1704  
safe speed limit of not more than sixty-five miles per hour for 1705  
that freeway or portion of freeway. 1706

The director of transportation or local authority having 1707  
jurisdiction over the freeway or portion of freeway shall erect 1708  
appropriate signs giving notice of the speed limit at such 1709  
location within one hundred fifty days of February 29, 1996. Such 1710  
speed limit becomes effective only when such signs are erected at 1711  
the location. 1712

(3) If, within one hundred twenty days of February 29, 1996, 1713

the director of transportation does not make a determination and 1714  
declaration of a reasonable and safe speed limit for a freeway or 1715  
portion of freeway that is part of the interstate system or that 1716  
is not part of the interstate system, but is built to the 1717  
standards and specifications that are applicable to freeways that 1718  
are part of the interstate system and that has a speed limit of 1719  
less than sixty-five miles per hour, the speed limit on that 1720  
freeway or portion of a freeway shall be sixty-five miles per 1721  
hour. The director of transportation or local authority having 1722  
jurisdiction over the freeway or portion of the freeway shall 1723  
erect appropriate signs giving notice of the speed limit of 1724  
sixty-five miles per hour at such location within one hundred 1725  
fifty days of February 29, 1996. Such speed limit becomes 1726  
effective only when such signs are erected at the location. A 1727  
speed limit established through the operation of division (L)(3) 1728  
of this section is subject to reduction under division (I)(2) of 1729  
this section. 1730

(M) Within three hundred sixty days after February 29, 1996, 1731  
the director of transportation, based upon a geometric and traffic 1732  
characteristic study of a rural, divided, multi-lane highway that 1733  
has been designated as part of the national highway system under 1734  
the "National Highway System Designation Act of 1995," 109 Stat. 1735  
568, 23 U.S.C.A. 103, in consultation with the director of public 1736  
safety and, if applicable, the local authority having jurisdiction 1737  
over a portion of the highway, may determine and declare that the 1738  
speed limit of less than sixty-five miles per hour established on 1739  
the highway or portion of highway either is reasonable and safe or 1740  
is less than that which is reasonable and safe. 1741

If the established speed limit for the highway or portion of 1742  
highway is determined to be less than that which is reasonable and 1743  
safe, the director of transportation, in consultation with the 1744  
director of public safety and, if applicable, the local authority 1745

having jurisdiction over the portion of highway, shall determine 1746  
and declare a reasonable and safe speed limit of not more than 1747  
sixty-five miles per hour for that highway or portion of highway. 1748  
The director of transportation or local authority having 1749  
jurisdiction over the highway or portion of highway shall erect 1750  
appropriate signs giving notice of the speed limit at such 1751  
location within three hundred ninety days after February 29, 1996. 1752  
The speed limit becomes effective only when such signs are erected 1753  
at the location. 1754

(N)(1)(a) If the boundary of two local authorities rests on 1755  
the centerline of a highway and both authorities have jurisdiction 1756  
over the highway, the speed limit for the part of the highway 1757  
within their joint jurisdiction shall be either one of the 1758  
following as agreed to by both authorities: 1759

(i) Either prima-facie speed limit permitted by division (B) 1760  
of this section; 1761

(ii) An altered speed limit determined and posted in 1762  
accordance with this section. 1763

(b) If the local authorities are unable to reach an 1764  
agreement, the speed limit shall remain as established and posted 1765  
under this section. 1766

(2) Neither local authority may declare an altered 1767  
prima-facie speed limit pursuant to this section on the part of 1768  
the highway under their joint jurisdiction unless both of the 1769  
local authorities determine, upon the basis of an engineering and 1770  
traffic investigation, that the speed permitted by this section is 1771  
greater than is reasonable or safe under the conditions found to 1772  
exist at the location and both authorities agree upon a uniform 1773  
reasonable and safe prima-facie speed limit of less than 1774  
fifty-five but not less than twenty-five miles per hour for that 1775  
location. If both authorities so agree, each shall follow the 1776

procedure specified in this section for altering the prima-facie 1777  
speed limit on the highway, and the speed limit for the part of 1778  
the highway within their joint jurisdiction shall be uniformly 1779  
altered. No altered speed limit may be withdrawn unless both local 1780  
authorities determine that the altered prima-facie speed limit 1781  
previously adopted becomes unreasonable and each adopts a 1782  
resolution withdrawing the altered prima-facie speed limit 1783  
pursuant to the procedure specified in this section. 1784

(O) As used in this section: 1785

(1) "Interstate system" has the same meaning as in 23 1786  
U.S.C.A. 101. 1787

(2) "Commercial bus" means a motor vehicle designed for 1788  
carrying more than nine passengers and used for the transportation 1789  
of persons for compensation. 1790

(3) "Noncommercial bus" includes but is not limited to a 1791  
school bus or a motor vehicle operated solely for the 1792  
transportation of persons associated with a charitable or 1793  
nonprofit organization. 1794

(P)(1) A violation of any provision of this section is one of 1795  
the following: 1796

(a) Except as otherwise provided in divisions (P)(1)(b), 1797  
(1)(c), (2), and (3) of this section, a minor misdemeanor; 1798

(b) If, within one year of the offense, the offender 1799  
previously has been convicted of or pleaded guilty to two 1800  
violations of any provision of this section or of any provision of 1801  
a municipal ordinance that is substantially similar to any 1802  
provision of this section, a misdemeanor of the fourth degree; 1803

(c) If, within one year of the offense, the offender 1804  
previously has been convicted of or pleaded guilty to three or 1805  
more violations of any provision of this section or of any 1806

provision of a municipal ordinance that is substantially similar 1807  
to any provision of this section, a misdemeanor of the third 1808  
degree. 1809

(2) If the offender has not previously been convicted of or 1810  
pleaded guilty to a violation of any provision of this section or 1811  
of any provision of a municipal ordinance that is substantially 1812  
similar to this section and operated a motor vehicle faster than 1813  
thirty-five miles an hour in a business district of a municipal 1814  
corporation, faster than fifty miles an hour in other portions of 1815  
a municipal corporation, or faster than thirty-five miles an hour 1816  
in a school zone during recess or while children are going to or 1817  
leaving school during the school's opening or closing hours, a 1818  
misdemeanor of the fourth degree. 1819

(3) Notwithstanding division (P)(1) of this section, if the 1820  
offender operated a motor vehicle in a construction zone where a 1821  
sign was then posted in accordance with section 4511.98 of the 1822  
Revised Code, the court, in addition to all other penalties 1823  
provided by law, shall impose upon the offender a fine of two 1824  
times the usual amount imposed for the violation. No court shall 1825  
impose a fine of two times the usual amount imposed for the 1826  
violation upon an offender if the offender alleges, in an 1827  
affidavit filed with the court prior to the offender's sentencing, 1828  
that the offender is indigent and is unable to pay the fine 1829  
imposed pursuant to this division and if the court determines that 1830  
the offender is an indigent person and unable to pay the fine. 1831

**Sec. 4519.59.** (A) The clerk of a court of common pleas shall 1832  
charge a fee of five dollars for each certificate of title, 1833  
duplicate certificate of title, memorandum certificate of title, 1834  
authorization to print a non-negotiable evidence of ownership 1835  
described in division (D) of section 4519.58 of the Revised Code, 1836  
non-negotiable evidence of ownership printed by the clerk under 1837

division (E) of that section, and notation of any lien on a 1838  
certificate of title. The clerk shall retain two dollars and 1839  
twenty-five cents of the fee charged for each certificate of 1840  
title, four dollars and seventy-five cents of the fee charged for 1841  
each duplicate certificate of title, all of the fees charged for 1842  
each memorandum certificate, authorization to print a 1843  
non-negotiable evidence of ownership, or non-negotiable evidence 1844  
of ownership printed by the clerk, and four dollars and 1845  
twenty-five cents of the fee charged for each notation of a lien. 1846

The remaining two dollars and seventy-five cents charged for 1847  
the certificate of title, the remaining twenty-five cents charged 1848  
for the duplicate certificate of title, and the remaining 1849  
seventy-five cents charged for the notation of any lien on a 1850  
certificate of title shall be paid to the registrar of motor 1851  
vehicles by monthly returns, which shall be forwarded to the 1852  
registrar not later than the fifth day of the month next 1853  
succeeding that in which the certificate is forwarded or that in 1854  
which the registrar is notified of a lien or cancellation of a 1855  
lien. 1856

(B)(1) The registrar shall pay twenty-five cents of the 1857  
amount received for each certificate of title and all of the 1858  
amounts received for each notation of any lien and each duplicate 1859  
certificate of title into the state bureau of motor vehicles fund 1860  
established in section 4501.25 of the Revised Code. 1861

(2) Fifty cents of the amount received for each certificate 1862  
of title shall be paid by the registrar as follows: 1863

(a) Four cents shall be paid into the state treasury to the 1864  
credit of the motor vehicle dealers board fund created in section 1865  
4505.09 of the Revised Code, for use as described in division 1866  
(B)(2)(a) of that section. 1867

(b) Twenty-one cents shall be paid into the ~~general revenue~~ 1868

highway operating fund. 1869

(c) Twenty-five cents shall be paid into the state treasury 1870  
to the credit of the motor vehicle sales audit fund created in 1871  
section 4505.09 of the Revised Code, for use as described in 1872  
division (B)(2)(c) of that section. 1873

(3) Two dollars of the amount received by the registrar for 1874  
each certificate of title shall be paid into the state treasury to 1875  
the credit of the automated title processing fund created in 1876  
section 4505.09 of the Revised Code, for use as described in 1877  
divisions (B)(3)(a) and (c) of that section. 1878

**Sec. 4561.18.** (A) The owner of any aircraft that is based in 1879  
this state and that is not of a type specified in divisions (A)(1) 1880  
to (6) of section 4561.17 of the Revised Code, shall register that 1881  
aircraft with the department of transportation pursuant to this 1882  
section. 1883

(B) Applications for the licensing and registration of 1884  
aircraft shall be made and signed by the owner on forms the 1885  
department of transportation prepares. The forms shall contain a 1886  
description of the aircraft, including its federal registration 1887  
number, the airport or other place at which the aircraft is based, 1888  
and any other information the department requires. 1889

(C)(1) Registration forms shall be filed with the director of 1890  
transportation annually at the time the director specifies and 1891  
shall be renewed according to the standard renewal procedure of 1892  
sections 4745.01 to 4745.03 of the Revised Code. If the airport or 1893  
other place at which the aircraft usually is based changes, the 1894  
owner shall update the registration by filing a new form with the 1895  
office of aviation. 1896

(2) An application for the registration of any aircraft not 1897  
previously registered in this state that is acquired or becomes 1898

subject to the license tax subsequent to the last day of January 1899  
in any year, shall be made for the balance of the year in which 1900  
the aircraft is acquired, within thirty days after the acquisition 1901  
or after becoming subject to the license tax. 1902

(D)(1) Each registration form shall be accompanied by the 1903  
proper license tax, which, for all aircraft other than ~~gliders and~~ 1904  
~~balloons~~ those described in divisions (D)(2) and (3) of this 1905  
section, shall be at the annual rate of fifteen dollars per seat, 1906  
based on the manufacturer's maximum listed seating capacity. ~~The~~ 1907

(2) The license tax for gliders and balloons shall be fifteen 1908  
dollars annually. 1909

(3) The annual license tax for commercial cargo aircraft 1910  
shall be seven hundred fifty dollars per aircraft. 1911

(E) The department of transportation shall maintain all 1912  
registrations filed with it under this section and shall develop a 1913  
program to track and enforce the registration of aircraft based in 1914  
this state. 1915

(F) The taxes this section requires are in lieu of all other 1916  
taxes on or with respect to ownership of an aircraft. 1917

(G) The director of transportation shall impose a fine 1918  
pursuant to section 4561.22 of the Revised Code for each aircraft 1919  
that an owner fails to register as this section requires and shall 1920  
require the owner to register the aircraft within the time the 1921  
director specifies. The director may impose a separate fine for 1922  
each registration period during which the owner fails to register 1923  
the aircraft. 1924

(H) As used in this section, "commercial cargo aircraft" 1925  
means any aircraft used in connection with an all-cargo operation, 1926  
as defined in 14 C.F.R. 119.3. 1927

**Sec. 5501.31.** The director of transportation shall have 1928

general supervision of all roads comprising the state highway system. The director may alter, widen, straighten, realign, relocate, establish, construct, reconstruct, improve, maintain, repair, and preserve any road or highway on the state highway system, and, in connection therewith, relocate, alter, widen, deepen, clean out, or straighten the channel of any watercourse as the director considers necessary, and purchase or appropriate property for the disposal of surplus materials or borrow pits, and, where an established road has been relocated, establish, construct, and maintain such connecting roads between the old and new location as will provide reasonable access thereto.

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

Title to property purchased or appropriated by the director 1961  
shall be taken in the name of the state either in fee simple or in 1962  
any lesser estate or interest that the director considers 1963  
necessary or proper, in accordance with forms to be prescribed by 1964  
the attorney general. The deed shall contain a description of the 1965  
property and be recorded in the county where the property is 1966  
situated and, when recorded, shall be kept on file in the 1967  
department of transportation. The property may be described by 1968  
metes and bounds or by the department of transportation parcel 1969  
number as shown on a right of way plan recorded in the county 1970  
where the property is located. 1971

Provided that when property, other than property used by a 1972  
railroad for operating purposes, is acquired in connection with 1973  
improvements involving projects affecting railroads wherein the 1974  
department is obligated to acquire property under grade separation 1975  
statutes, or on other improvements wherein the department is 1976  
obligated to acquire lands under agreements with railroads, or 1977  
with a public utility, political subdivision, public corporation, 1978  
or private corporation owning transportation facilities for the 1979  
readjustment, relocation, or improvement of their facilities, a 1980  
fee simple title or an easement may be acquired by purchase or 1981  
appropriation in the name of the railroad, public utility, 1982  
political subdivision, public corporation, or private corporation 1983  
in the discretion of the director. When the title to lands, which 1984  
are required to adjust, relocate, or improve such facilities 1985  
pursuant to agreements with the director, is taken in the name of 1986  
the state, then, in the discretion of the director, the title to 1987  
such lands may be conveyed to the railroad, public utility, 1988  
political subdivision, or public corporation for which they were 1989  
acquired. The conveyance shall be prepared by the attorney general 1990  
and executed by the governor and bear the great seal of the state 1991  
of Ohio. 1992

The director, in the maintenance or repair of state highways, 1993  
is not limited to the use of the materials with which the 1994  
highways, including the bridges and culverts thereon, were 1995  
originally constructed, but may use any material that is proper or 1996  
suitable. The director may aid any board of county commissioners 1997  
in establishing, creating, and repairing suitable systems of 1998  
drainage for all highways within the jurisdiction or control of 1999  
the board and advise with it as to the establishment, 2000  
construction, improvement, maintenance, and repair of the 2001  
highways. 2002

Chapters 5501., 5503., 5511., 5513., 5515., 5516., 5517., 2003  
5519., 5521., 5523., 5525., 5527., 5528., 5529., 5531., 5533., and 2004  
5535. of the Revised Code do not prohibit the federal government, 2005  
or any individual or corporation, from contributing a portion of 2006  
the cost of the establishment, construction, reconstruction, 2007  
relocating, widening, resurfacing, maintenance, and repair of the 2008  
highways. 2009

Except in the case of maintaining, repairing, erecting 2010  
traffic signs on, or pavement marking of state highways within 2011  
villages, which is mandatory as required by section 5521.01 of the 2012  
Revised Code, and except as provided in section 5501.49 of the 2013  
Revised Code, no duty of constructing, reconstructing, widening, 2014  
resurfacing, maintaining, or repairing state highways within 2015  
municipal corporations, or the ~~bridges and~~ culverts thereon, shall 2016  
attach to or rest upon the director, but the director may 2017  
construct, reconstruct, widen, resurface, maintain, and repair the 2018  
same with or without the cooperation of any municipal corporation, 2019  
or with or without the cooperation of boards of county 2020  
commissioners upon each municipal corporation consenting thereto. 2021

**Sec. 5501.49.** (A) The director of transportation is 2022  
responsible for the construction, reconstruction, major and 2023

routine maintenance and repair, and operation of all ~~lift~~ bridges 2024  
located on the state highway system within a municipal 2025  
corporation. ~~The responsibilities of the director pertain only to~~ 2026  
~~those lift bridges necessary for the initial construction or~~ 2027  
~~continued operation of the state highway system. The county or~~ 2028  
~~other person responsible for maintaining the pavements and~~ 2029  
~~sidewalks on either end of the bridge is responsible for the~~ 2030  
~~routine maintenance of all lift bridges located on the state~~ 2031  
~~highway system within the municipal corporation, unless other~~ 2032  
~~arrangements have been made between the county and the municipal~~ 2033  
~~corporation to perform the routine maintenance.~~ 2034

(B) The director may enter into an agreement with the 2035  
legislative authority of a municipal corporation or a county, upon 2036  
mutually agreeable terms, for the municipal corporation or county 2037  
to operate and perform major and routine maintenance and repair on 2038  
any ~~lift~~ bridge located on the state highway system within the 2039  
municipal corporation or county. 2040

(C) The director is not required to obtain the consent of a 2041  
municipal corporation prior to the performance of any major ~~lift~~ 2042  
or routine bridge maintenance and repair. Except in an emergency, 2043  
the director shall give a municipal corporation reasonable notice 2044  
prior to the performance of any work that will affect the flow of 2045  
traffic. No utilities, signs, or other appurtenances shall be 2046  
attached to a ~~lift~~ bridge without the prior written consent of the 2047  
director. 2048

(D) As used in this section: 2049

(1) Major and routine maintenance and repair relates to all 2050  
elements of a ~~lift~~ bridge, including abutments, wingwalls, and 2051  
headwalls but excluding approach fill and approach slab, and 2052  
appurtenances thereto. 2053

(2) "Major maintenance" includes the painting of a ~~lift~~ 2054

bridge and the repair of deteriorated or damaged elements, 2055  
including bridge decks, to restore the structural integrity of a 2056  
~~lift~~ bridge. 2057

(3) "Routine maintenance" includes without limitation, 2058  
clearing debris from the deck, sweeping, snow and ice removal, 2059  
minor wearing surface patching, cleaning bridge drainage systems, 2060  
marking decks for traffic control, minor and emergency repairs to 2061  
railing and appurtenances, emergency patching of deck, and 2062  
maintenance of traffic signal and lighting systems, including the 2063  
supply of electrical power. 2064

(4) "Operation" relates to those expenses that are necessary 2065  
for the routine, daily operation of a lift bridge, such as 2066  
payroll, workers' compensation and retirement payments, and the 2067  
cost of utilities. 2068

**Sec. 5502.03.** (A) There is hereby created in the department 2069  
of public safety a division of homeland security. ~~It is the intent~~ 2070  
~~of the general assembly that the creation of the division of~~ 2071  
~~homeland security of the department of public safety by this~~ 2072  
~~amendment does not result in an increase of funding appropriated~~ 2073  
~~to the department.~~ 2074

(B) The division shall do all of the following: 2075

(1) Coordinate all homeland security activities of all state 2076  
agencies and be the liaison between state agencies and local 2077  
entities for the purposes of communicating homeland security 2078  
funding and policy initiatives; 2079

(2) Collect, analyze, maintain, and disseminate information 2080  
to support local, state, and federal law enforcement agencies, 2081  
other government agencies, and private organizations in detecting, 2082  
detering, preventing, preparing for, responding to, and 2083  
recovering from threatened or actual terrorist events. This 2084

information is not a public record pursuant to section 149.43 of  
the Revised Code.

(3) Coordinate efforts of state and local governments and  
private organizations to enhance the security and protection of  
critical infrastructure and key assets in this state;

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

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

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

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

**Sec. 5502.62.** (A) There is hereby created in the department  
of public safety a division of criminal justice services. The  
director of public safety, with the concurrence of the governor,  
shall appoint an executive director of the division of criminal

justice services. The executive director shall be the head of the 2115  
division. The executive director shall serve at the pleasure of 2116  
the director of public safety. To carry out the duties assigned 2117  
under this section and to comply with sections 5502.63 to 5502.66 2118  
of the Revised Code, the executive director, subject to the 2119  
direction and control of the director of public safety, may 2120  
appoint and maintain any necessary staff and may enter into any 2121  
necessary contracts and other agreements. The executive director 2122  
of the division, and all professional and technical personnel 2123  
employed within the division who are not public employees as 2124  
defined in section 4117.01 of the Revised Code, shall be in the 2125  
unclassified civil service, and all other persons employed within 2126  
the division shall be in the classified civil service. 2127

(B) Subject to division (F) of this section and subject to 2128  
divisions (D) to (F) of section 5120.09 of the Revised Code 2129  
insofar as those divisions relate to federal criminal justice acts 2130  
that the governor requires the department of rehabilitation and 2131  
correction to administer, the division of criminal justice 2132  
services shall do all of the following: 2133

(1) Serve as the state criminal justice services agency and 2134  
perform criminal justice system planning in the state, including 2135  
any planning that is required by any federal law; 2136

(2) Collect, analyze, and correlate information and data 2137  
concerning the criminal justice system in the state; 2138

(3) Cooperate with and provide technical assistance to state 2139  
departments, administrative planning districts, metropolitan 2140  
county criminal justice services agencies, criminal justice 2141  
coordinating councils, agencies, offices, and departments of the 2142  
criminal justice system in the state, and other appropriate 2143  
organizations and persons; 2144

(4) Encourage and assist agencies, offices, and departments 2145

of the criminal justice system in the state and other appropriate organizations and persons to solve problems that relate to the duties of the division;

(5) Administer within the state any federal criminal justice acts that the governor requires it to administer;

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

(7) Implement the state comprehensive plans;

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

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

(10) Apply for, allocate, disburse, and account for grants that are made available pursuant to federal criminal justice acts, or made available from other federal, state, or private sources, to improve the criminal justice system in the state. All money from such federal grants that require that the money be deposited into an interest-bearing fund or account, that are intended to provide funding to local criminal justice programs, and that require that investment earnings be distributed for program purposes shall be deposited in the state treasury to the credit of the federal justice programs funds, which are hereby created. A separate fund shall be established each federal fiscal year. All investment earnings of a federal justice programs fund shall be credited to that fund and distributed in accordance with the terms of the grant under which the money is received. If the terms under

which the money is received do not require the money to be 2177  
deposited into an interest-bearing fund or account, all money from 2178  
such federal grants shall be deposited into the state treasury to 2179  
the credit of the federal justice grants fund, which is hereby 2180  
created. Money credited to the fund shall be used or distributed 2181  
pursuant to the federal grant programs under which the money is 2182  
received. 2183

(11) Contract with federal, state, and local agencies, 2184  
foundations, corporations, businesses, and persons when necessary 2185  
to carry out the duties of the division; 2186

(12) Oversee the activities of metropolitan county criminal 2187  
justice services agencies, administrative planning districts, and 2188  
criminal justice coordinating councils in the state; 2189

(13) Advise the director of public safety, general assembly, 2190  
and governor on legislation and other significant matters that 2191  
pertain to the improvement and reform of criminal and juvenile 2192  
justice systems in the state; 2193

(14) Prepare and recommend legislation to the director of 2194  
public safety, general assembly, and governor for the improvement 2195  
of the criminal and juvenile justice systems in the state; 2196

(15) Assist, advise, and make any reports that are requested 2197  
or required by the governor, director of public safety, attorney 2198  
general, or general assembly; 2199

(16) Develop and maintain the Ohio incident-based reporting 2200  
system in accordance with division (C) of this section; 2201

(17) Subject to the approval of the director of public 2202  
safety, adopt rules pursuant to Chapter 119. of the Revised Code; 2203

(18)(a) Not later than June 1, 2007, and subject to the 2204  
approval of the director of public safety, adopt rules for the 2205  
establishment and maintenance of a mcgruff house program by any 2206

sponsoring agency. The rules shall include the following: 2207

(i) The adoption of the mcgruff house symbol to be used 2208  
exclusively in all mcgruff house programs in this state; 2209

(ii) The requirements for any sponsoring agency to establish 2210  
and maintain a mcgruff house program; 2211

(iii) The criteria for the selection of volunteers to 2212  
participate in a mcgruff house program that shall include, but not 2213  
be limited to, criminal background checks of those volunteers; 2214

(iv) Any other matters that the division of criminal justice 2215  
services considers necessary for the establishment and maintenance 2216  
of mcgruff house programs by sponsoring agencies and the 2217  
participation of volunteers in those programs. 2218

(b) The division of criminal justice services shall 2219  
distribute materials and provide technical assistance to any 2220  
sponsoring agency that establishes and maintains a mcgruff house 2221  
program, any volunteer group or organization that provides 2222  
assistance to that sponsoring agency, or any volunteer who 2223  
participates in a mcgruff house program. 2224

(C) The division of criminal justice services shall develop 2225  
and maintain the Ohio incident-based reporting system to 2226  
facilitate the sharing of information with the federal bureau of 2227  
investigation and participating law enforcement agencies in Ohio. 2228  
The Ohio incident-based reporting system shall be known as OIBRS. 2229  
In connection with OIBRS, the division shall do all of the 2230  
following: 2231

(1) Collect and organize statistical data for reporting to 2232  
the national incident-based reporting system operated by the 2233  
federal bureau of investigation for the purpose of securing 2234  
federal criminal justice grants; 2235

(2) Analyze and highlight mapping data for participating law 2236

enforcement agencies;	2237
(3) Distribute data and analyses to participating law enforcement agencies;	2238
(4) Encourage nonparticipating law enforcement agencies to participate in OIBRS by offering demonstrations, training, and technical assistance;	2240
(5) Provide assistance, advice, and reports requested by the governor, the general assembly, or the federal bureau of investigation;	2243
(6) Require every law enforcement agency that receives federal criminal justice grants or state criminal justice information system general revenue funds through the division to participate in OIBRS or in the uniform crime reporting program of the federal bureau of investigation. An agency that submits OIBRS data to the Ohio local law enforcement information sharing network shall be considered to be in compliance with division (C)(6) of this section if both of the following apply:	2246
(a) The Ohio local law enforcement information sharing network is capable of collecting OIBRS data.	2247
(b) The division of criminal justice services has the ability to extract the OIBRS data for reporting to the national incident-based reporting system in the manner required by the federal bureau of investigation.	2248
(D) Upon the request of the director of public safety or governor, the division of criminal justice services may do any of the following:	2249
(1) Collect, analyze, or correlate information and data concerning the juvenile justice system in the state;	2250
(2) Cooperate with and provide technical assistance to state departments, administrative planning districts, metropolitan	2251
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county criminal justice service agencies, criminal justice 2267  
coordinating councils, agency offices, and the departments of the 2268  
juvenile justice system in the state and other appropriate 2269  
organizations and persons; 2270

(3) Encourage and assist agencies, offices, and departments 2271  
of the juvenile justice system in the state and other appropriate 2272  
organizations and persons to solve problems that relate to the 2273  
duties of the division. 2274

(E) Divisions (B), (C), and (D) of this section do not limit 2275  
the discretion or authority of the attorney general with respect 2276  
to crime victim assistance and criminal justice programs. 2277

(F) Nothing in this section is intended to diminish or alter 2278  
the status of the office of the attorney general as a criminal 2279  
justice services agency or to diminish or alter the status or 2280  
discourage the development and use of other law enforcement 2281  
information systems in Ohio. 2282

Sec. 5502.67. There is hereby created in the state treasury 2283  
the justice program services fund. The fund shall consist of all 2284  
money collected by the division of criminal justice services for 2285  
nonfederal purposes, including subscription fees for participating 2286  
in the Ohio incident-based reporting system under division (C) of 2287  
section 5502.62 of the Revised Code, unless otherwise designated 2288  
by law. The justice program services fund shall be used to pay 2289  
costs of administering the operations of the division of criminal 2290  
justice services. 2291

**Sec. 5516.01.** As used in sections 5516.01 to 5516.14 of the 2292  
Revised Code: 2293

(A) "Advertising device" includes any outdoor sign, display, 2294  
device, figure, painting, drawing, message, placard, poster, 2295  
billboard, or any other contrivance designed, intended, or used to 2296

advertise or to give information in the nature of advertising, or 2297  
any part thereof, the advertising or informative contents of which 2298  
are visible from the main traveled way of any highway on the 2299  
interstate system or primary system in this state. 2300

(B) "Visible" means capable of being seen and comprehended 2301  
without visual aid by a person traveling the posted speed limit on 2302  
the main traveled way of the highway. 2303

(C) "Interstate system" means that portion of the interstate 2304  
system, or the national highway system, located within this state, 2305  
~~as designated by the director of transportation and approved by~~ 2306  
~~the secretary of transportation of the United States, pursuant to~~ 2307  
~~23 U.S.C.A. 103(b) and (e).~~ 2308

(D) "Erect" means to construct or allow to be constructed, 2309  
but it shall not include any activity when performed as an 2310  
incident to the change of advertising message or normal 2311  
maintenance of a sign or sign structure. 2312

(E) "Maintain" means to preserve, keep in repair, continue, 2313  
allow to exist, or restore. 2314

(F) "National policy" means the provisions of 23 U.S.C.A. 131 2315  
and the national standards, criteria, and rules promulgated 2316  
pursuant to such provisions. 2317

(G) "Primary system" means ~~that portion of the state highway~~ 2318  
~~system or the federal-aid primary system in existence on June 1,~~ 2319  
~~1991, and any highway that is not on such system but that is on~~ 2320  
~~the national highway system located within this state as~~ 2321  
~~designated by the director and approved by the secretary of~~ 2322  
~~transportation of the United States, pursuant to 23 U.S.C.A.~~ 2323  
~~103(b).~~ 2324

(H) "Zoned commercial or industrial areas" means those 2325  
nonagricultural areas which are reserved for business, commerce, 2326  
or trade, pursuant to local zoning laws, regulations, or state 2327

laws. 2328

(I) "Unzoned commercial or industrial area" means an area not 2329  
zoned by state or local law, regulation, or ordinance, in which 2330  
there is located one or more commercial or industrial activities. 2331  
Such area may also include the lands along the highway for a 2332  
distance of eight hundred fifty feet immediately adjacent to such 2333  
activities. This distance shall be measured from the buildings, 2334  
parking lots, storage or processing areas of the activities, and 2335  
along or parallel to the near edge of the main traveled way of the 2336  
highway. This distance shall not include land on the opposite side 2337  
of the highway from such activities, nor land predominantly used 2338  
for residential purposes. An area shall be considered 2339  
predominately residential if fifty per cent or more of the eight 2340  
hundred fifty feet immediately adjacent to the activities contains 2341  
land used as residential property. Each side of the highway will 2342  
be considered separately in applying this definition. 2343

(J) "Commercial or industrial activities" means those 2344  
activities generally recognized as commercial or industrial by 2345  
zoning authorities of this state. The following activities shall 2346  
not be considered commercial or industrial: 2347

(1) Activities relating to advertising structures; 2348

(2) Agricultural, forestry, ranching, grazing, farming, and 2349  
related activities, including, but not limited to, activities 2350  
relating to wayside fresh produce stands; 2351

(3) Transient or temporary activities; 2352

(4) Activities not visible from the main traveled way; 2353

(5) Activities located more than six hundred sixty feet from 2354  
the nearest edge of the right-of-way; 2355

(6) Activities conducted in a building principally used as a 2356  
residence; 2357

(7) Activities relating to railroad tracks and minor sidings;	2358
(8) Activities relating to highways, roads, and streets.	2359
(K) "Directional and official signs and notices" means those signs and notices that are required or authorized by law and conform to the rules for such signs and notices as adopted by the director in accordance with 23 C.F.R. 750.151 to 750.155.	2360 2361 2362 2363
(L) "Nonconforming advertising device" means an advertising device that was:	2364 2365
(1) Lawfully in existence prior to December 7, 1971;	2366
(2) Lawfully on any highway made a part of the interstate system or primary highway system on or after December 7, 1971;	2367 2368
(3) Lawfully erected prior to any revision in the law effective December 7, 1971; or	2369 2370
(4) Lawfully erected but:	2371
(a) No longer in compliance with the provisions of state law enacted or rules adopted at a later date; or	2372 2373
(b) No longer in compliance with state laws or rules due to changed conditions, including, but not limited to, zoning changes, highway relocation, highway reclassification, or changes in restrictions on sizing, lighting, spacing, or distance of advertising devices.	2374 2375 2376 2377 2378
Illegally erected or maintained advertising devices are not nonconforming signs.	2379 2380
(M) "Scenic byway" means any linear transportation corridor as designated or as may hereafter be so designated by the director under the Ohio scenic byways program as having outstanding scenic qualities.	2381 2382 2383 2384
(N) "Director" means the director of the Ohio department of transportation.	2385 2386

(O) "Commercial or industrial zone" means those areas 2387  
established by any state, county, municipal, or other local zoning 2388  
authority as being most appropriate for business, commerce, 2389  
industry, or trade. Any action taken by a state, county, 2390  
municipal, or other local zoning authority that is not part of 2391  
comprehensive zoning and is created primarily to permit outdoor 2392  
advertising devices shall not be considered a commercial or 2393  
industrial zone for purposes of this chapter. 2394

(P) "Last permit holder" includes any of the following: 2395

(1) The most recent holder of the advertising device permit; 2396

(2) A business, cooperative, corporation, enterprise, joint 2397  
venture, limited liability company, partnership, sole 2398  
proprietorship, or subsidiary, the viability of which is dependant 2399  
on its relationship with the most recent holder of the advertising 2400  
device permit; 2401

(3) Any person or entity that is closely related to or 2402  
closely connected with the most recent holder of the advertising 2403  
device permit. 2404

(Q) "Professional sports facility" means all or a portion of 2405  
a stadium, arena, motorsports complex, or other facility, 2406  
including all parking facilities, walkways, and other auxiliary 2407  
facilities that may be used for or in connection with the sports 2408  
facility or its operation, the primary purpose of which is to 2409  
provide a site or venue for the presentation to the public of 2410  
either of the following: 2411

(1) Events of one or more major or minor league professional 2412  
athletic or sports teams that are associated with the state or 2413  
with a city or region of the state; 2414

(2) Motorsports events. 2415

**Sec. 5537.16.** (A) The Ohio turnpike commission may adopt such 2416

bylaws and rules as it considers advisable for the control and 2417  
regulation of traffic on any turnpike project, for the protection 2418  
and preservation of property under its jurisdiction and control, 2419  
and for the maintenance and preservation of good order within the 2420  
property under its control. The rules of the commission with 2421  
respect to the speed, use of special engine brakes, axle loads, 2422  
vehicle loads, and vehicle dimensions of vehicles on turnpike 2423  
projects, including the issuance of a special permit by the 2424  
commission to allow the operation on any turnpike project of a 2425  
motor vehicle transporting two or fewer steel coils, shall apply 2426  
notwithstanding sections 4511.21 to 4511.24, 4513.34, and Chapter 2427  
5577. of the Revised Code. Such bylaws and rules shall be 2428  
published in a newspaper of general circulation in Franklin 2429  
county, and in such other manner as the commission prescribes. 2430

(B) Such rules shall provide that public police officers 2431  
shall be afforded ready access, while in the performance of their 2432  
official duty, to all property under the jurisdiction of the 2433  
commission and without the payment of tolls. 2434

(C) No person shall violate any such bylaws or rules of the 2435  
commission. All fines collected for the violation of applicable 2436  
laws of the state and the bylaws and rules of the commission or 2437  
moneys arising from bonds forfeited for such violation shall be 2438  
disposed of in accordance with section 5503.04 of the Revised 2439  
Code. 2440

Sec. 5537.31. The Ohio turnpike commission shall establish a 2441  
procedure by which to receive and investigate complaints of noise, 2442  
standing water, water run-off, or any other problem from land 2443  
owners whose property is contiguous to any section of the Ohio 2444  
turnpike system. If the commission finds that the problem is 2445  
caused by that turnpike project, it shall make repairs or take 2446  
whatever other action is necessary to resolve the problem. 2447

Costs incurred by the commission in fulfilling its duties 2448  
under this section shall be paid from money in the community 2449  
resolution fund created in section 5537.32 of the Revised Code. 2450

Sec. 5537.32. There is hereby created the community 2451  
resolution fund, which shall be in the custody of the treasurer of 2452  
state but shall not be part of the state treasury. The fund shall 2453  
consist of all money appropriated or transferred to the fund. 2454  
Money in the fund shall be used by the Ohio turnpike commission 2455  
for payment of the costs incurred by the commission in fulfilling 2456  
its duties under section 5537.31 of the Revised Code. 2457

The treasurer of state shall invest any portion of the fund 2458  
not needed for immediate use in the same manner as, and subject to 2459  
all provisions of law with respect to the investment of, state 2460  
funds. All investment earnings of the fund shall be credited to 2461  
the fund. 2462

**Sec. 5577.05.** (A) No vehicle shall be operated upon the 2463  
public highways, streets, bridges, and culverts within the state, 2464  
whose dimensions exceed those specified in this section. 2465

(B) No such vehicle shall have a width in excess of: 2466

(1) One hundred four inches for passenger bus type vehicles 2467  
operated exclusively within municipal corporations; 2468

(2) One hundred two inches, excluding such safety devices as 2469  
are required by law, for passenger bus type vehicles operated over 2470  
freeways, and such other state roads with minimum pavement widths 2471  
of twenty-two feet, except those roads or portions thereof over 2472  
which operation of one hundred two-inch buses is prohibited by 2473  
order of the director of transportation; 2474

(3) One hundred thirty-two inches for traction engines; 2475

(4) One hundred two inches for recreational vehicles, 2476

excluding safety devices and retracted awnings and other 2477  
appurtenances of six inches or less in width and except that the 2478  
director may prohibit the operation of one hundred two inch 2479  
recreational vehicles on designated state highways or portions of 2480  
highways; 2481

(5) One hundred two inches, including load, for all other 2482  
vehicles, except that the director may prohibit the operation of 2483  
one hundred two-inch vehicles on such state highways or portions 2484  
thereof as the director designates. 2485

(C) No such vehicle shall have a length in excess of: 2486

(1) Sixty-six feet for passenger bus type vehicles and 2487  
articulated passenger bus type vehicles operated by a regional 2488  
transit authority pursuant to sections 306.30 to 306.54 of the 2489  
Revised Code; 2490

(2) Forty-five feet for all other passenger bus type 2491  
vehicles; 2492

(3) Fifty-three feet for any semitrailer when operated in a 2493  
commercial tractor-semitrailer combination, with or without load, 2494  
except that the director may prohibit the operation of any such 2495  
commercial tractor-semitrailer combination on such state highways 2496  
or portions thereof as the director designates. 2497

(4) Twenty-eight and one-half feet for any semitrailer or 2498  
trailer when operated in a commercial tractor-semitrailer-trailer 2499  
or commercial tractor-semitrailer-semitrailer combination, except 2500  
that the director may prohibit the operation of any such 2501  
commercial tractor-semitrailer-trailer or commercial 2502  
tractor-semitrailer-semitrailer combination on such state highways 2503  
or portions thereof as the director designates; 2504

(5)(a) Ninety-seven feet for drive-away saddlemount vehicle 2505  
transporter combinations and drive-away saddlemount with fullmount 2506  
vehicle transporter combinations when operated on any interstate, 2507

United States route, or state route, including reasonable access 2508  
travel on all other roadways for a distance not to exceed one road 2509  
mile from any interstate, United States route, or state route, not 2510  
to exceed three saddlemounted vehicles, but which may include one 2511  
fullmount; 2512

(b) Seventy-five feet for drive-away saddlemount vehicle 2513  
transporter combinations and drive-away saddlemount with fullmount 2514  
vehicle transporter combinations, when operated on any roadway not 2515  
designated as an interstate, United States route, or state route, 2516  
not to exceed three saddlemounted vehicles, but which may include 2517  
one fullmount-; 2518

(6) Sixty-five feet for any other combination of vehicles 2519  
coupled together, with or without load, except as provided in 2520  
divisions (C)(3) and (4), and in division (E) of this section; 2521

(7) Forty-five feet for recreational vehicles; 2522

(8) Forty feet for all other vehicles except trailers and 2523  
semitrailers, with or without load. 2524

(D) No such vehicle shall have a height in excess of thirteen 2525  
feet six inches, with or without load. 2526

(E) An automobile transporter or boat transporter shall be 2527  
allowed a length of sixty-five feet and a stinger-steered 2528  
automobile transporter or stinger-steered boat transporter shall 2529  
be allowed a length of seventy-five feet, except that the load 2530  
thereon may extend no more than four feet beyond the rear of such 2531  
vehicles and may extend no more than three feet beyond the front 2532  
of such vehicles, and except further that the director may 2533  
prohibit the operation of a stinger-steered automobile 2534  
transporter, stinger-steered boat transporter, or a B-train 2535  
assembly on any state highway or portion thereof that the director 2536  
designates. 2537

(F) The widths prescribed in division (B) of this section 2538

shall not include side mirrors, turn signal lamps, marker lamps, 2539  
handholds for cab entry and egress, flexible fender extensions, 2540  
mud flaps, splash and spray suppressant devices, and load-induced 2541  
tire bulge. 2542

The width prescribed in division (B)(5) of this section shall 2543  
not include automatic covering devices, tarp and tarp hardware, 2544  
and tiedown assemblies, provided these safety devices do not 2545  
extend more than three inches from each side of the vehicle. 2546

The lengths prescribed in divisions (C)(2) to ~~(7)~~(8) of this 2547  
section shall not include safety devices, bumpers attached to the 2548  
front or rear of such bus or combination, B-train assembly used 2549  
between the first and second semitrailer of a commercial 2550  
tractor-semitrailer-semitrailer combination, energy conservation 2551  
devices as provided in any regulations adopted by the secretary of 2552  
the United States department of transportation, or any 2553  
noncargo-carrying refrigeration equipment attached to the front of 2554  
trailers and semitrailers. In special cases, vehicles whose 2555  
dimensions exceed those prescribed by this section may operate in 2556  
accordance with rules adopted by the director. 2557

(G) This section does not apply to fire engines, fire trucks, 2558  
or other vehicles or apparatus belonging to any municipal 2559  
corporation or to the volunteer fire department of any municipal 2560  
corporation or used by such department in the discharge of its 2561  
functions. This section does not apply to vehicles and pole 2562  
trailers used in the transportation of wooden and metal poles, nor 2563  
to the transportation of pipes or well-drilling equipment, nor to 2564  
farm machinery and equipment. The owner or operator of any 2565  
vehicle, machinery, or equipment not specifically enumerated in 2566  
this section but the dimensions of which exceed the dimensions 2567  
provided by this section, when operating the same on the highways 2568  
and streets of this state, shall comply with the rules of the 2569  
director governing such movement, which the director may adopt. 2570

Sections 119.01 to 119.13 of the Revised Code apply to any rules 2571  
the director adopts under this section, or the amendment or 2572  
rescission thereof, and any person adversely affected shall have 2573  
the same right of appeal as provided in those sections. 2574

This section does not require the state, a municipal 2575  
corporation, county, township, or any railroad or other private 2576  
corporation to provide sufficient vertical clearance to permit the 2577  
operation of such vehicle, or to make any changes in or about 2578  
existing structures now crossing streets, roads, and other public 2579  
thoroughfares in this state. 2580

(H) As used in this section, "recreational vehicle" has the 2581  
same meaning as in section 4501.01 of the Revised Code. 2582

**Sec. 5591.02.** ~~Except as provided in section 5501.49 of the~~ 2583  
~~Revised Code, the~~ The board of county commissioners shall 2584  
construct and keep in repair all necessary bridges in municipal 2585  
corporations on all ~~state and~~ county roads and improved roads 2586  
~~which that~~ are of general and public utility, running into or 2587  
through the municipal corporations, and that are not on state 2588  
highways. 2589

**Sec. 5735.05.** (A) To provide revenue for maintaining the 2590  
state highway system; to widen existing surfaces on such highways; 2591  
to resurface such highways; to pay that portion of the 2592  
construction cost of a highway project which a county, township, 2593  
or municipal corporation normally would be required to pay, but 2594  
which the director of transportation, pursuant to division (B) of 2595  
section 5531.08 of the Revised Code, determines instead will be 2596  
paid from moneys in the highway operating fund; to enable the 2597  
counties of the state properly to plan, maintain, and repair their 2598  
roads and to pay principal, interest, and charges on bonds and 2599  
other obligations issued pursuant to Chapter 133. of the Revised 2600

Code or incurred pursuant to section 5531.09 of the Revised Code 2601  
for highway improvements; to enable the municipal corporations to 2602  
plan, construct, reconstruct, repave, widen, maintain, repair, 2603  
clear, and clean public highways, roads, and streets, and to pay 2604  
the principal, interest, and charges on bonds and other 2605  
obligations issued pursuant to Chapter 133. of the Revised Code or 2606  
incurred pursuant to section 5531.09 of the Revised Code for 2607  
highway improvements; to enable the Ohio turnpike commission to 2608  
construct, reconstruct, maintain, and repair turnpike projects; to 2609  
maintain and repair bridges and viaducts; to purchase, erect, and 2610  
maintain street and traffic signs and markers; to purchase, erect, 2611  
and maintain traffic lights and signals; to pay the costs 2612  
apportioned to the public under sections 4907.47 and 4907.471 of 2613  
the Revised Code and to supplement revenue already available for 2614  
such purposes; to pay the costs incurred by the public utilities 2615  
commission in administering sections 4907.47 to 4907.476 of the 2616  
Revised Code; to distribute equitably among those persons using 2617  
the privilege of driving motor vehicles upon such highways and 2618  
streets the cost of maintaining and repairing them; to pay the 2619  
interest, principal, and charges on highway capital improvements 2620  
bonds and other obligations issued pursuant to Section 2m of 2621  
Article VIII, Ohio Constitution, and section 151.06 of the Revised 2622  
Code; to pay the interest, principal, and charges on highway 2623  
obligations issued pursuant to Section 2i of Article VIII, Ohio 2624  
Constitution, and sections 5528.30 and 5528.31 of the Revised 2625  
Code; to pay the interest, principal, and charges on major new 2626  
state infrastructure bonds and other obligations of the state 2627  
issued pursuant to Section 13 of Article VIII, Ohio Constitution, 2628  
and section 5531.10 of the Revised Code; to provide revenue for 2629  
the purposes of sections 1547.71 to 1547.78 of the Revised Code; 2630  
and to pay the expenses of the department of taxation incident to 2631  
the administration of the motor fuel laws, a motor fuel excise tax 2632  
is hereby imposed on all motor fuel dealers upon receipt of motor 2633

fuel within this state at the rate of two cents plus the cents per 2634  
gallon rate on each gallon so received, to be computed in the 2635  
manner set forth in section 5735.06 of the Revised Code; provided 2636  
that no tax is hereby imposed upon the following transactions: 2637

(1) The sale of dyed diesel fuel by a licensed motor fuel 2638  
dealer from a location other than a retail service station 2639  
provided the licensed motor fuel dealer places on the face of the 2640  
delivery document or invoice, or both if both are used, a 2641  
conspicuous notice stating that the fuel is dyed and is not for 2642  
taxable use, and that taxable use of that fuel is subject to a 2643  
penalty. The tax commissioner, by rule, may provide that any 2644  
notice conforming to rules or regulations issued by the United 2645  
States department of the treasury or the Internal Revenue Service 2646  
is sufficient notice for the purposes of division (A)(1) of this 2647  
section. 2648

(2) The sale of K-1 kerosene to a retail service station, 2649  
except when placed directly in the fuel supply tank of a motor 2650  
vehicle. Such sale shall be rebuttably presumed to not be 2651  
distributed or sold for use or used to generate power for the 2652  
operation of motor vehicles upon the public highways or upon the 2653  
waters within the boundaries of this state. 2654

(3) The sale of motor fuel by a licensed motor fuel dealer to 2655  
another licensed motor fuel dealer; 2656

(4) The exportation of motor fuel by a licensed motor fuel 2657  
dealer from this state to any other state or foreign country; 2658

(5) The sale of motor fuel to the United States government or 2659  
any of its agencies, except such tax as is permitted by it, where 2660  
such sale is evidenced by an exemption certificate, in a form 2661  
approved by the tax commissioner, executed by the United States 2662  
government or an agency thereof certifying that the motor fuel 2663  
therein identified has been purchased for the exclusive use of the 2664

United States government or its agency;	2665
(6) The sale of motor fuel that is in the process of transportation in foreign or interstate commerce, except insofar as it may be taxable under the Constitution and statutes of the United States, and except as may be agreed upon in writing by the dealer and the commissioner;	2666 2667 2668 2669 2670
(7) The sale of motor fuel when sold exclusively for use in the operation of aircraft, where such sale is evidenced by an exemption certificate prescribed by the commissioner and executed by the purchaser certifying that the motor fuel purchased has been purchased for exclusive use in the operation of aircraft;	2671 2672 2673 2674 2675
(8) The sale for exportation of motor fuel by a licensed motor fuel dealer to a licensed exporter type A;	2676 2677
(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.	2678 2679 2680 2681
(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.	2682 2683 2684 2685 2686
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.	2687 2688 2689 2690 2691 2692
(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	2693 2694 2695

of motor vehicles. 2696

(C) After the tax provided for by this section on the receipt 2697  
of any motor fuel has been paid by the motor fuel dealer, the 2698  
motor fuel may thereafter be used, sold, or resold by any person 2699  
having lawful title to it, without incurring liability for such 2700  
tax. 2701

If a licensed motor fuel dealer sells motor fuel received by 2702  
the licensed motor fuel dealer to another licensed motor fuel 2703  
dealer, the seller may deduct on the report required by section 2704  
5735.06 of the Revised Code the number of gallons so sold for the 2705  
month within which the motor fuel was sold or delivered. In this 2706  
event the number of gallons is deemed to have been received by the 2707  
purchaser, who shall report and pay the tax imposed thereon. 2708

**Sec. 5751.032.** (A) As used in this section: 2709

(1) "CAT" refers to the tax levied by this chapter. 2710

(2) "CAT collected" means, with regard to a CAT test period, 2711  
the net amount of CAT, exclusive of registration fees, received in 2712  
the period after subtracting any CAT refunded in the period and 2713  
after subtracting the amount certified to the director of budget 2714  
and management under division (B) of section 5751.20 of the 2715  
Revised Code for collections during the test period. 2716

(3) "First CAT test period" means the twenty-four month 2717  
period beginning July 1, 2005, and ending June 30, 2007. 2718

(4) "Second CAT test period" means the twelve-month period 2719  
beginning July 1, 2008, and ending June 30, 2009. 2720

(5) "Third CAT test period" means the twelve-month period 2721  
beginning July 1, 2010, and ending June 30, 2011. 2722

(B) Not later than the last day of September immediately 2723  
following the end of each CAT test period, the tax commissioner 2724  
shall compute the amount of CAT collected during that test period. 2725

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:

(1) For the first CAT test period, eight hundred fifteen million dollars;

(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;

(3) For the third CAT test period, one billion six hundred ten million dollars less any amount credited to the commercial activity tax reduction fund with regard to the second CAT test period.

(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.

(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 2757  
budget and management for the test period under division (D) of 2758  
this section. The tax rate shall be the rate that would have to be 2759  
imposed under division (A) of section 5751.03 of the Revised Code 2760  
before any applicable phase-in percentages under section 5751.031 2761  
of the Revised Code or otherwise provided by law to yield the 2762  
prescribed CAT collection after applying any applicable phase-in 2763  
percentages. 2764

(3) A new tax rate computed under division (C)(1) or (2) of 2765  
this section shall be expressed as a number of mills per dollar, 2766  
rounded to the nearest one-hundredth of one mill. The rate shall 2767  
be rounded upward by one-hundredth of one mill only if the next 2768  
decimal digit is five or more. 2769

(4) Not later than the last day of September following the 2770  
end of the CAT test period on the basis of which a new tax rate is 2771  
computed, the tax commissioner shall certify the new tax rate to 2772  
the governor, the president of the senate, the speaker of the 2773  
house of representatives, and all other members of the general 2774  
assembly. The commissioner shall publish the new tax rate by 2775  
journal entry and provide notice of the new tax rate to taxpayers. 2776  
The new tax rate shall be the rate imposed under division (A) of 2777  
section 5751.03 of the Revised Code beginning with the ensuing 2778  
calendar year, and is subject to any applicable phase-in 2779  
percentages provided for under section 5751.031 of the Revised 2780  
Code. 2781

(D) If the amount of CAT collected during a CAT test period 2782  
exceeds one hundred ten per cent of the prescribed CAT collections 2783  
for that test period, the tax commissioner shall certify the 2784  
excess amount to the director of budget and management not later 2785  
than the last day of September immediately following the end of 2786  
that test period. The director shall forthwith transfer from the 2787  
general revenue fund one-half of the amount of the excess so 2788

certified to the commercial activity tax refund fund, which is 2789  
hereby created in the state treasury, and the remaining one-half 2790  
of the amount of the excess to the budget stabilization fund. All 2791  
money credited to the commercial activity tax refund fund shall be 2792  
applied to reimburse the general revenue fund, school district 2793  
tangible property tax replacement fund, and local government 2794  
tangible property tax replacement fund for the diminution in 2795  
revenue caused by the credit provided under division (D) of 2796  
section 5751.03 of the Revised Code. On or before the last day of 2797  
May, August, and October of the calendar year that begins after 2798  
the end of the test period, and on or before the last day of 2799  
February of the following calendar year, the director of budget 2800  
and management shall transfer one-fourth of the amount that had 2801  
been transferred to the commercial activity tax refund fund to 2802  
each of those funds in the proportions specified under division 2803  
(B) of section 5751.21 of the Revised Code. 2804

In the calendar year that begins immediately after the year 2805  
in which a transfer is made to the commercial activity tax refund 2806  
fund, the tax commissioner shall compute the amount to be 2807  
credited, under division (D) of section 5751.03 of the Revised 2808  
Code, to each taxpayer that paid in full the tax imposed under 2809  
this chapter for the calendar year in which the transfer was made. 2810  
The credit allowed to each such taxpayer shall equal the amount 2811  
transferred to the commercial activity tax refund fund multiplied 2812  
by a fraction, the numerator of which is the amount of tax paid by 2813  
that taxpayer for that calendar year and the denominator of which 2814  
is the total of the taxes paid by all such taxpayers for which the 2815  
credit is allowed. The credit applies only to the calendar year 2816  
that begins immediately after the year in which a transfer is made 2817  
to the commercial activity tax refund fund under this division. 2818

(E) It is the intent of the General Assembly to conduct a 2819  
review of the prescribed CAT collections and rate adjustments 2820

provided for under divisions (A) to (D) of this section every two 2821  
years in conjunction with its biennial budget deliberations, and 2822  
to establish lower prescribed CAT collections or reduce the rate 2823  
of tax levied under this chapter on the basis of the following 2824  
three factors: 2825

(1) The revenue yield of the tax; 2826

(2) The condition of the Ohio economy; 2827

(3) Savings realized by ongoing reform to medicaid and other 2828  
policy initiatives. 2829

**Sec. 5751.20.** (A) As used in sections 5751.20 to 5751.22 of 2830  
the Revised Code: 2831

(1) "School district," "joint vocational school district," 2832  
"local taxing unit," "state education aid," "recognized 2833  
valuation," "fixed-rate levy," and "fixed-sum levy" have the same 2834  
meanings as used in section 5727.84 of the Revised Code. 2835

(2) "State education aid offset" means the amount determined 2836  
for each school district or joint vocational school district under 2837  
division (A)(1) of section 5751.21 of the Revised Code. 2838

(3) "Machinery and equipment property tax value loss" means 2839  
the amount determined under division (C)(1) of this section. 2840

(4) "Inventory property tax value loss" means the amount 2841  
determined under division (C)(2) of this section. 2842

(5) "Furniture and fixtures property tax value loss" means 2843  
the amount determined under division (C)(3) of this section. 2844

(6) "Machinery and equipment fixed-rate levy loss" means the 2845  
amount determined under division (D)(1) of this section. 2846

(7) "Inventory fixed-rate levy loss" means the amount 2847  
determined under division (D)(2) of this section. 2848

(8) "Furniture and fixtures fixed-rate levy loss" means the 2849

amount determined under division (D)(3) of this section.	2850
(9) "Total fixed-rate levy loss" means the sum of the	2851
machinery and equipment fixed-rate levy loss, the inventory	2852
fixed-rate levy loss, the furniture and fixtures fixed-rate levy	2853
loss, and the telephone company fixed-rate levy loss.	2854
(10) "Fixed-sum levy loss" means the amount determined under	2855
division (E) of this section.	2856
(11) "Machinery and equipment" means personal property	2857
subject to the assessment rate specified in division (F) of	2858
section 5711.22 of the Revised Code.	2859
(12) "Inventory" means personal property subject to the	2860
assessment rate specified in division (E) of section 5711.22 of	2861
the Revised Code.	2862
(13) "Furniture and fixtures" means personal property subject	2863
to the assessment rate specified in division (G) of section	2864
5711.22 of the Revised Code.	2865
(14) "Qualifying levies" are levies in effect for tax year	2866
2004 or applicable to tax year 2005 or approved at an election	2867
conducted before September 1, 2005. For the purpose of determining	2868
the rate of a qualifying levy authorized by section 5705.212 or	2869
5705.213 of the Revised Code, the rate shall be the rate that	2870
would be in effect for tax year 2010.	2871
(15) "Telephone property" means tangible personal property of	2872
a telephone, telegraph, or interexchange telecommunications	2873
company subject to an assessment rate specified in section	2874
5727.111 of the Revised Code in tax year 2004.	2875
(16) "Telephone property tax value loss" means the amount	2876
determined under division (C)(4) of this section.	2877
(17) "Telephone property fixed-rate levy loss" means the	2878
amount determined under division (D)(4) of this section.	2879

(B) The commercial activities tax receipts fund is hereby 2880  
 created in the state treasury and shall consist of money arising 2881  
 from the tax imposed under this chapter. ~~All money in that~~ Each 2882  
month, the tax commissioner shall determine the amount of revenue, 2883  
if any, arising from imposition of a tax levied on the basis of 2884  
taxable gross receipts from the sale, exchange, or other transfer 2885  
of motor fuel as defined in section 5735.01 of the Revised Code, 2886  
and shall certify that amount to the director of budget and 2887  
management. Within ten days after receiving the certification, the 2888  
director shall transfer the amount of revenue certified from the 2889  
commercial activities tax receipts fund to the economic 2890  
development and highway construction fund, which is hereby created 2891  
in the state treasury. Money in the economic development and 2892  
highway construction fund shall be appropriated and expended 2893  
pursuant to Ohio Constitution, Article XII, Section 5a, solely for 2894  
the purpose of constructing and maintaining the state's highway 2895  
infrastructure and thereby promoting economic development 2896  
throughout the state. After the monthly transfer to the economic 2897  
development and highway construction fund, all money remaining in 2898  
the commercial activities tax receipts fund shall be credited for 2899  
 each fiscal year in the following percentages to the general 2900  
 revenue fund, to the school district tangible property tax 2901  
 replacement fund, which is hereby created in the state treasury 2902  
 for the purpose of making the payments described in section 2903  
 5751.21 of the Revised Code, and to the local government tangible 2904  
 property tax replacement fund, which is hereby created in the 2905  
 state treasury for the purpose of making the payments described in 2906  
 section 5751.22 of the Revised Code, in the following percentages: 2907

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%	2908 2909

2007	0%	70.0%	30.0%	2910
2008	0%	70.0%	30.0%	2911
2009	0%	70.0%	30.0%	2912
2010	0%	70.0%	30.0%	2913
2011	0%	70.0%	30.0%	2914
2012	5.3%	70.0%	24.7%	2915
2013	19.4%	70.0%	10.6%	2916
2014	14.1%	70.0%	15.9%	2917
2015	17.6%	70.0%	12.4%	2918
2016	21.1%	70.0%	8.9%	2919
2017	24.6%	70.0%	5.4%	2920
2018	28.1%	70.0%	1.9%	2921
2019 and thereafter	100%	0%	0%	2922

(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:	2940
(a) For tax year 2006, a fraction, the numerator of which is	2941
five and three-fourths and the denominator of which is	2942
twenty-three;	2943
(b) For tax year 2007, a fraction, the numerator of which is	2944
nine and one-half and the denominator of which is twenty-three;	2945
(c) For tax year 2008, a fraction, the numerator of which is	2946
thirteen and one-fourth and the denominator of which is	2947
twenty-three;	2948
(d) For tax year 2009 and thereafter a fraction, the	2949
numerator of which is seventeen and the denominator of which is	2950
twenty-three.	2951
(3) Furniture and fixtures property tax value loss is the	2952
taxable value of furniture and fixture property as reported by	2953
taxpayers for tax year 2004 multiplied by:	2954
(a) For tax year 2006, twenty-five per cent;	2955
(b) For tax year 2007, fifty per cent;	2956
(c) For tax year 2008, seventy-five per cent;	2957
(d) For tax year 2009 and thereafter, one hundred per cent.	2958
The taxable value of property reported by taxpayers used in	2959
divisions (C)(1), (2), and (3) of this section shall be such	2960
values as determined to be final by the tax commissioner as of	2961
August 31, 2005. Such determinations shall be final except for any	2962
correction of a clerical error that was made prior to August 31,	2963
2005, by the tax commissioner.	2964
(4) Telephone property tax value loss is the taxable value of	2965
telephone property as taxpayers would have reported that property	2966
for tax year 2004 if the assessment rate for all telephone	2967
property for that year were twenty-five per cent, multiplied by:	2968

(a) For tax year 2006, zero per cent;	2969
(b) For tax year 2007, zero per cent;	2970
(c) For tax year 2008, zero per cent;	2971
(d) For tax year 2009, sixty per cent;	2972
(e) For tax year 2010, eighty per cent;	2973
(f) For tax year 2011 and thereafter, one hundred per cent.	2974
(5) Division (C)(5) of this section applies to any school district, joint vocational school district, or local taxing unit in a county in which is located a facility currently or formerly devoted to the enrichment or commercialization of uranium or uranium products, and for which the total taxable value of property listed on the general tax list of personal property for any tax year from tax year 2001 to tax year 2004 was fifty per cent or less of the taxable value of such property listed on the general tax list of personal property for the next preceding tax year.	2975 2976 2977 2978 2979 2980 2981 2982 2983 2984
In computing the fixed-rate levy losses under divisions (D)(1), (2), and (3) of this section for any school district, joint vocational school district, or local taxing unit to which division (C)(5) of this section applies, the taxable value of such property as listed on the general tax list of personal property for tax year 2000 shall be substituted for the taxable value of such property as reported by taxpayers for tax year 2004, in the taxing district containing the uranium facility, if the taxable value listed for tax year 2000 is greater than the taxable value reported by taxpayers for tax year 2004. For the purpose of making the computations under divisions (D)(1), (2), and (3) of this section, the tax year 2000 valuation is to be allocated to machinery and equipment, inventory, and furniture and fixtures property in the same proportions as the tax year 2004 values. For the purpose of the calculations in division (A) of section 5751.21	2985 2986 2987 2988 2989 2990 2991 2992 2993 2994 2995 2996 2997 2998 2999

of the Revised Code, the tax year 2004 taxable values shall be 3000  
used. 3001

To facilitate the calculations required under division (C) of 3002  
this section, the county auditor, upon request from the tax 3003  
commissioner, shall provide by August 1, 2005, the values of 3004  
machinery and equipment, inventory, and furniture and fixtures for 3005  
all single-county personal property taxpayers for tax year 2004. 3006

(D) Not later than September 15, 2005, the tax commissioner 3007  
shall determine for each tax year from 2006 through 2009 for each 3008  
school district, joint vocational school district, and local 3009  
taxing unit its machinery and equipment, inventory, and furniture 3010  
and fixtures fixed-rate levy losses, and for each tax year from 3011  
2006 through 2011 its telephone property fixed-rate levy loss, 3012  
which are the applicable amounts described in divisions (D)(1), 3013  
(2), (3), and (4) of this section: 3014

(1) The machinery and equipment fixed-rate levy loss is the 3015  
machinery and equipment property tax value loss multiplied by the 3016  
sum of the tax rates of fixed-rate qualifying levies. 3017

(2) The inventory fixed-rate loss is the inventory property 3018  
tax value loss multiplied by the sum of the tax rates of 3019  
fixed-rate qualifying levies. 3020

(3) The furniture and fixtures fixed-rate levy loss is the 3021  
furniture and fixture property tax value loss multiplied by the 3022  
sum of the tax rates of fixed-rate qualifying levies. 3023

(4) The telephone property fixed-rate levy loss is the 3024  
telephone property tax value loss multiplied by the sum of the tax 3025  
rates of fixed-rate qualifying levies. 3026

(E) Not later than September 15, 2005, the tax commissioner 3027  
shall determine for each school district, joint vocational school 3028  
district, and local taxing unit its fixed-sum levy loss. The 3029  
fixed-sum levy loss is the amount obtained by subtracting the 3030

amount described in division (E)(2) of this section from the 3031  
amount described in division (E)(1) of this section: 3032

(1) The sum of the machinery and equipment property tax value 3033  
loss, the inventory property tax value loss, and the furniture and 3034  
fixtures property tax value loss, and, for 2008 through 2017 the 3035  
telephone property tax value loss of the district or unit 3036  
multiplied by the sum of the fixed-sum tax rates of qualifying 3037  
levies. For 2006 through 2010, this computation shall include all 3038  
qualifying levies remaining in effect for the current tax year and 3039  
any school district emergency levies that are qualifying levies 3040  
not remaining in effect for the current year. For 2011 through 3041  
2017, this computation shall include only qualifying levies 3042  
remaining in effect for the current year. For purposes of this 3043  
computation, a qualifying school district emergency levy remains 3044  
in effect in a year after 2010 only if, for that year, the board 3045  
of education levies a school district emergency levy for an annual 3046  
sum at least equal to the annual sum levied by the board in tax 3047  
year 2004 less the amount of the payment certified under this 3048  
division for 2006. 3049

(2) The total taxable value in tax year 2004 less the sum of 3050  
the machinery and equipment, inventory, furniture and fixtures, 3051  
and telephone property tax value losses in each school district, 3052  
joint vocational school district, and local taxing unit multiplied 3053  
by one-half of one mill per dollar. 3054

(3) For the calculations in divisions (E)(1) and (2) of this 3055  
section, the tax value losses are those that would be calculated 3056  
for tax year 2009 under divisions (C)(1), (2), and (3) of this 3057  
section and for tax year 2011 under division (C)(4) of this 3058  
section. 3059

(4) To facilitate the calculation under divisions (D) and (E) 3060  
of this section, not later than September 1, 2005, any school 3061  
district, joint vocational school district, or local taxing unit 3062

that has a qualifying levy that was approved at an election 3063  
conducted during 2005 before September 1, 2005, shall certify to 3064  
the tax commissioner a copy of the county auditor's certificate of 3065  
estimated property tax millage for such levy as required under 3066  
division (B) of section 5705.03 of the Revised Code, which is the 3067  
rate that shall be used in the calculations under such divisions. 3068

If the amount determined under division (E) of this section 3069  
for any school district, joint vocational school district, or 3070  
local taxing unit is greater than zero, that amount shall equal 3071  
the reimbursement to be paid pursuant to division (D) of section 3072  
5751.21 or division (A)(3) of section 5751.22 of the Revised Code, 3073  
and the one-half of one mill that is subtracted under division 3074  
(E)(2) of this section shall be apportioned among all contributing 3075  
fixed-sum levies in the proportion that each levy bears to the sum 3076  
of all fixed-sum levies within each school district, joint 3077  
vocational school district, or local taxing unit. 3078

(F) Not later than October 1, 2005, the tax commissioner 3079  
shall certify to the department of education for every school 3080  
district and joint vocational school district the machinery and 3081  
equipment, inventory, furniture and fixtures, and telephone 3082  
property tax value losses determined under division (C) of this 3083  
section, the machinery and equipment, inventory, furniture and 3084  
fixtures, and telephone fixed-rate levy losses determined under 3085  
division (D) of this section, and the fixed-sum levy losses 3086  
calculated under division (E) of this section. The calculations 3087  
under divisions (D) and (E) of this section shall separately 3088  
display the levy loss for each levy eligible for reimbursement. 3089

(G) Not later than October 1, 2005, the tax commissioner 3090  
shall certify the amount of the fixed-sum levy losses to the 3091  
county auditor of each county in which a school district, joint 3092  
vocational school district, or local taxing unit with a fixed-sum 3093  
levy loss reimbursement has territory. 3094

**Section 101.02.** That existing sections 737.04, 737.041, 3095  
3314.091, 3327.10, 3705.242, 4503.10, 4503.44, 4505.09, 4511.101, 3096  
4511.21, 4519.59, 4561.18, 5501.31, 5501.49, 5502.03, 5502.62, 3097  
5516.01, 5537.16, 5577.05, 5591.02, 5735.05, 5751.032, and 5751.20 3098  
of the Revised Code are hereby repealed. 3099

**Section 201.10.** Except as otherwise provided, all 3100  
appropriation items in this act are hereby appropriated out of any 3101  
moneys in the state treasury to the credit of the designated fund, 3102  
which are not otherwise appropriated. For all appropriations made 3103  
in this act, the amounts in the first column are for fiscal year 3104  
2008 and the amounts in the second column are for fiscal year 3105  
2009. 3106

**Section 203.10.** DOT DEPARTMENT OF TRANSPORTATION 3107

FUND	TITLE	FY 2008	FY 2009	
	Transportation Planning and Research			3108
	Highway Operating Fund Group			3109
002 771-411	Planning and Research	\$ 20,724,547	\$ 21,733,301	3110
	- State			3111
002 771-412	Planning and Research	\$ 29,996,363	\$ 30,264,923	3112
	- Federal			3113
TOTAL HOF Highway Operating				3114
Fund Group		\$ 50,720,910	\$ 51,998,224	3115
TOTAL ALL BUDGET FUND GROUPS -				3116
Transportation Planning				3117
and Research		\$ 50,720,910	\$ 51,998,224	3118
	Highway Construction			3119
Highway Operating Fund Group				3120
002 772-421	Highway Construction -	\$ 528,722,188	\$ 504,184,419	3121
	State			
002 772-422	Highway Construction -	\$ 1,103,979,148	\$ 1,086,733,759	3122

		Federal				
002	772-424	Highway Construction -	\$ 106,439,000	\$ 100,379,155		3122
		Other				
002	772-437	GARVEE Debt Service -	\$ 10,321,300	\$ 19,273,500		3123
		State				
002	772-438	GARVEE Debt Service -	\$ 113,915,900	\$ 139,015,000		3124
		Federal				
212	772-426	Highway Infrastructure	\$ 4,303,173	\$ 4,018,649		3125
		Bank - Federal				
212	772-427	Highway Infrastructure	\$ 8,268,315	\$ 10,209,272		3126
		Bank - State				
212	772-429	Highway Infrastructure	\$ 11,000,000	\$ 11,499,999		3127
		Bank - Local				
212	772-430	Infrastructure Debt	\$ 1,500,000	\$ 1,500,000		3128
		Reserve Title 23-49				
213	772-431	Roadway Infrastructure	\$ 1,000,000	\$ 1,000,000		3129
		Bank - State				
213	772-432	Roadway Infrastructure	\$ 6,000,000	\$ 6,000,000		3130
		Bank - Local				
213	772-433	Infrastructure Debt	\$ 2,000,000	\$ 2,000,000		3131
		Reserve - State				
		TOTAL HOF Highway Operating				3132
		Fund Group	\$ 1,897,449,024	\$ 1,885,813,753		3133
		Highway Capital Improvement Fund Group				3134
042	772-723	Highway Construction -	\$ 200,000,000	\$ 100,000,000		3135
		Bonds				
		TOTAL 042 Highway Capital	\$ 200,000,000	\$ 100,000,000		3136
		Improvement Fund Group				
		Infrastructure Bank Obligations Fund Group				3137
045	772-428	Highway Infrastructure	\$ 450,000,000	\$ 400,000,000		3138
		Bank - Bonds				
		TOTAL 045 Infrastructure Bank				3139

Obligations Fund Group	\$	450,000,000	\$	400,000,000	3140
TOTAL ALL BUDGET FUND GROUPS -					3141
Highway Construction	\$	2,547,449,024	\$	2,385,813,753	3142
Highway Maintenance					3143
Highway Operating Fund Group					3144
002 773-431 Highway Maintenance -	\$	403,252,901	\$	417,915,187	3145
State					
TOTAL HOF Highway Operating					3146
Fund Group	\$	403,252,901	\$	417,915,187	3147
					3148
TOTAL ALL BUDGET FUND GROUPS -					3149
Highway Maintenance	\$	403,252,901	\$	417,915,187	3150
Public Transportation					3151
Highway Operating Fund Group					3152
002 775-452 Public Transportation	\$	25,471,589	\$	30,391,763	3153
- Federal					
002 775-454 Public Transportation	\$	1,500,000	\$	1,500,000	3154
- Other					
002 775-459 Elderly and Disabled	\$	4,730,000	\$	4,730,000	3155
Special Equipment					
212 775-408 Transit Infrastructure	\$	2,500,000	\$	812,685	3156
Bank - Local					
212 775-455 Title 49	\$	476,485	\$	312,795	3157
Infrastructure Bank -					
State					
213 775-457 Transit Infrastructure	\$	500,000	\$	312,082	3158
Bank - State					
213 775-460 Transit Infrastructure	\$	1,000,000	\$	1,000,000	3159
Bank - Local					
TOTAL HOF Highway Operating					3160
Fund Group	\$	36,178,074	\$	39,059,325	3161
TOTAL ALL BUDGET FUND GROUPS -					3162

Public Transportation	\$	36,178,074	\$	39,059,325	3163
Rail Transportation					3164
Federal Special Revenue Group					3165
3B9 776-662 Rail Transportation -	\$	10,000	\$	10,000	3166
Federal					
TOTAL FED Federal Special Revenue	\$	10,000	\$	10,000	3167
Fund Group					
Highway Operating Fund Group					3168
002 776-462 Grade Crossings -	\$	15,000,000	\$	15,000,000	3169
Federal					
TOTAL HOF Highway Operating					3170
Fund Group	\$	15,000,000	\$	15,000,000	3171
State Special Revenue Fund Group					
4N4 776-663 Panhandle Lease	\$	762,500	\$	763,700	3173
Reserve Payments					
4N4 776-664 Rail Transportation -	\$	2,111,500	\$	2,111,500	3174
Other					
TOTAL SSR State Special Revenue	\$	2,874,000	\$	2,875,200	3175
Fund Group					
TOTAL ALL BUDGET FUND GROUPS -					3176
Rail Transportation	\$	17,884,000	\$	17,885,200	3177
Aviation					3178
State Special Revenue Fund Group					
5W9 777-615 County Airport	\$	570,000	\$	570,000	3180
Maintenance					
TOTAL SSR State Special Revenue	\$	570,000	\$	570,000	3181
Fund Group					
Highway Operating Fund Group					3182
002 777-472 Airport Improvements -	\$	405,000	\$	405,000	3183
Federal					
002 777-475 Aviation	\$	5,210,000	\$	5,358,100	3184

	Administration				
213	777-477	Aviation	\$	2,000,000	\$ 3,500,000 3185
		Infrastructure Bank -			
		State			
213	777-478	Aviation	\$	5,996,118	\$ 6,000,000 3186
		Infrastructure Bank -			
		Local			
	TOTAL HOF Highway Operating				3187
	Fund Group		\$	13,611,118	\$ 15,263,100 3188
	TOTAL ALL BUDGET FUND GROUPS -				3189
	Aviation		\$	14,181,118	\$ 15,833,100 3190
		Administration			3191
	Highway Operating Fund Group				3192
002	779-491	Administration - State	\$	120,262,864	\$ 122,601,493 3193
	TOTAL HOF Highway Operating				3194
	Fund Group		\$	120,262,864	\$ 122,601,493 3195
	TOTAL ALL BUDGET FUND GROUPS -				3196
	Administration		\$	120,262,864	\$ 122,601,493 3197
		Debt Service			3198
	Highway Operating Fund Group				3199
002	770-003	Administration - State	\$	10,555,300	\$ 3,614,700 3200
		- Debt Service			
	TOTAL HOF Highway Operating				3201
	Fund Group		\$	10,555,300	\$ 3,614,700 3202
	TOTAL ALL BUDGET FUND GROUPS -				3203
	Debt Service		\$	10,555,300	\$ 3,614,700 3204
	TOTAL Department of Transportation				3205
	TOTAL FED Federal Special Revenue		\$	10,000	\$ 10,000 3206
	Fund Group				
	TOTAL HOF Highway Operating				3207
	Fund Group		\$	2,547,030,191	\$ 2,551,265,782 3208
	TOTAL 042 Highway Capital				3209

Improvement Fund Group	\$ 200,000,000	\$ 100,000,000	3210
TOTAL 045 Infrastructure Bank			3211
Obligations Fund Group	\$ 450,000,000	\$ 400,000,000	3212
TOTAL SSR State Special Revenue Fund Group	\$ 3,444,000	\$ 3,445,200	3213
TOTAL ALL BUDGET FUND GROUPS	\$ 3,200,484,191	\$ 3,054,720,982	3214

**Section 203.20. ISSUANCE OF BONDS** 3216

The Treasurer of State, upon the request of the Director of  
Transportation, is authorized to issue and sell, in accordance  
with Section 2m of Article VIII, Ohio Constitution, and Chapter  
151. and particularly sections 151.01 and 151.06 of the Revised  
Code, obligations, including bonds and notes, of the State of Ohio  
in the aggregate amount of \$290,000,000 in addition to the  
original issuance of obligations heretofore authorized by prior  
acts of the General Assembly.

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

**Section 203.30. MAINTENANCE INTERSTATE HIGHWAYS** 3238

The Director of Transportation may remove snow and ice and 3239

maintain, repair, improve, or provide lighting upon interstate 3240  
highways that are located within the boundaries of municipal 3241  
corporations, adequate to meet the requirements of federal law. 3242  
When agreed in writing by the Director of Transportation and the 3243  
legislative authority of a municipal corporation and 3244  
notwithstanding sections 125.01 and 125.11 of the Revised Code, 3245  
the Department of Transportation may reimburse a municipal 3246  
corporation for all or any part of the costs, as provided by such 3247  
agreement, incurred by the municipal corporation in maintaining, 3248  
repairing, lighting, and removing snow and ice from the interstate 3249  
system. 3250

**Section 203.40.** TRANSFER OF FUND 002 APPROPRIATIONS: PLANNING 3251  
AND RESEARCH, HIGHWAY CONSTRUCTION, HIGHWAY MAINTENANCE, RAIL, 3252  
AVIATION, AND ADMINISTRATION 3253

The Director of Budget and Management may approve requests 3254  
from the Department of Transportation for transfer of Fund 002 3255  
appropriations for highway planning and research (appropriation 3256  
items 771-411 and 771-412), highway construction (appropriation 3257  
items 772-421, 772-422, 772-424, 772-437, and 772-438), highway 3258  
maintenance (appropriation item 773-431), rail grade crossings 3259  
(appropriation item 776-462), aviation (appropriation item 3260  
777-475), and administration (appropriation item 779-491). The 3261  
Director may not make transfers out of debt service appropriation 3262  
items unless the Director determines that the appropriated amounts 3263  
exceed the actual and projected debt service requirements. 3264  
Transfers of appropriations may be made upon the written request 3265  
of the Director of Transportation and with the approval of the 3266  
Director of Budget and Management. The transfers shall be reported 3267  
to the Controlling Board at the next regularly scheduled meeting 3268  
of the board. 3269

This transfer authority is intended to provide for emergency 3270

situations and flexibility to meet unforeseen conditions that 3271  
could arise during the budget period. It also is intended to allow 3272  
the department to optimize the use of available resources and 3273  
adjust to circumstances affecting the obligation and expenditure 3274  
of federal funds. 3275

TRANSFER OF APPROPRIATIONS: FEDERAL HIGHWAY AND FEDERAL 3276  
TRANSIT 3277

The Director of Budget and Management may approve written 3278  
requests from the Director of Transportation for the transfer of 3279  
appropriations between appropriation items 772-422, Highway 3280  
Construction - Federal, and 775-452, Public Transportation - 3281  
Federal, based upon transit capital projects meeting Federal 3282  
Highway Administration and Federal Transit Administration funding 3283  
guidelines. The transfers shall be reported to the Controlling 3284  
Board at its next regularly scheduled meeting. 3285

TRANSFER OF APPROPRIATIONS: STATE INFRASTRUCTURE BANK 3286

The Director of Budget and Management may approve requests 3287  
from the Department of Transportation for transfer of 3288  
appropriations and cash of the Infrastructure Bank funds created 3289  
in section 5531.09 of the Revised Code, including transfers 3290  
between fiscal years 2008 and 2009. The transfers shall be 3291  
reported to the Controlling Board at its next regularly scheduled 3292  
meeting. 3293

The Director of Budget and Management may approve requests 3294  
from the Department of Transportation for transfer of 3295  
appropriations and cash from the Highway Operating Fund (Fund 002) 3296  
to the Infrastructure Bank funds created in section 5531.09 of the 3297  
Revised Code. The Director of Budget and Management may transfer 3298  
from the Infrastructure Bank funds to the Highway Operating Fund 3299  
up to the amounts originally transferred to the Infrastructure 3300  
Bank funds under this section. However, the director may not make 3301

transfers between modes and transfers between different funding 3302  
sources. The transfers shall be reported to the Controlling Board 3303  
at its next regularly scheduled meeting. 3304

INCREASE APPROPRIATION AUTHORITY: STATE FUNDS 3305

In the event that receipts or unexpended balances credited to 3306  
the Highway Operating Fund exceed the estimates upon which the 3307  
appropriations have been made in this act, upon the request of the 3308  
Director of Transportation, the Controlling Board may increase 3309  
appropriation authority in the manner prescribed in section 131.35 3310  
of the Revised Code. 3311

INCREASE APPROPRIATION AUTHORITY: FEDERAL AND LOCAL FUNDS 3312

In the event that receipts or unexpended balances credited to 3313  
the Highway Operating Fund or apportionments or allocations made 3314  
available from the federal and local government exceed the 3315  
estimates upon which the appropriations have been made in this 3316  
act, upon the request of the Director of Transportation, the 3317  
Controlling Board may increase appropriation authority in the 3318  
manner prescribed in section 131.35 of the Revised Code. 3319

REAPPROPRIATIONS 3320

Upon approval of the Director of Budget and Management, all 3321  
appropriations of the Highway Operating Fund (Fund 002), the 3322  
Highway Capital Improvement Fund (Fund 042), and the 3323  
Infrastructure Bank funds created in section 5531.09 of the 3324  
Revised Code remaining unencumbered on June 30, 2007, are hereby 3325  
reappropriated for the same purpose in fiscal year 2008. 3326

Upon approval of the Director of Budget and Management, all 3327  
appropriations of the Highway Operating Fund (Fund 002), the 3328  
Highway Capital Improvement Fund (Fund 042), and the 3329  
Infrastructure Bank funds created in section 5531.09 of the 3330  
Revised Code remaining unencumbered on June 30, 2008, are hereby 3331

reappropriated for the same purpose in fiscal year 2009. 3332

Any balances of prior years' appropriations to the Highway 3333  
Operating Fund (Fund 002), the Highway Capital Improvement Fund 3334  
(Fund 042), and the Infrastructure Bank funds created in section 3335  
5531.09 of the Revised Code that are unencumbered on June 30, 3336  
2007, subject to the availability of revenue as determined by the 3337  
Director of Transportation, are hereby reappropriated for the same 3338  
purpose in fiscal year 2008 upon the request of the Director of 3339  
Transportation and with the approval of the Director of Budget and 3340  
Management. The reappropriations shall be reported to the 3341  
Controlling Board. 3342

Any balances of prior years' appropriations to the Highway 3343  
Operating Fund (Fund 002), the Highway Capital Improvement Fund 3344  
(Fund 042), and the Infrastructure Bank funds created in section 3345  
5531.09 of the Revised Code that are unencumbered on June 30, 3346  
2008, subject to the availability of revenue as determined by the 3347  
Director of Transportation, are hereby reappropriated for the same 3348  
purpose in fiscal year 2009 upon the request of the Director of 3349  
Transportation and with the approval of the Director of Budget and 3350  
Management. The reappropriations shall be reported to the 3351  
Controlling Board. 3352

CASH TRANSFER TO OHIO TURNPIKE COMMISSION 3353

Notwithstanding any other provision of law to the contrary, 3354  
on the first day of July in each of 2007 and 2008, or as soon as 3355  
practicable thereafter in each of those years, the Director of 3356  
Budget and Management shall transfer cash in the amount of 3357  
\$250,000 from the Highway Operating Fund (Fund 002) to the Ohio 3358  
Turnpike Commission for deposit to the credit of the Community 3359  
Resolution Fund created in section 5537.32 of the Revised Code. 3360

**Section 203.50.** PUBLIC ACCESS ROADS FOR STATE FACILITIES 3361

Of the foregoing appropriation item 772-421, Highway 3362  
Construction - State, \$5,000,000 shall be used in each fiscal year 3363  
during the fiscal year 2008-2009 biennium by the Department of 3364  
Transportation for the construction, reconstruction, or 3365  
maintenance of public access roads, including support features, to 3366  
and within state facilities owned or operated by the Department of 3367  
Natural Resources. 3368

Notwithstanding section 5511.06 of the Revised Code, of the 3369  
foregoing appropriation item 772-421, Highway Construction - 3370  
State, \$2,228,000 in each fiscal year of the fiscal year 2008-2009 3371  
biennium shall be used by the Department of Transportation for the 3372  
construction, reconstruction, or maintenance of park drives or 3373  
park roads within the boundaries of metropolitan parks. 3374

Included in the foregoing appropriation item 772-421, Highway 3375  
Construction - State, the department may perform related road work 3376  
on behalf of the Ohio Expositions Commission at the state 3377  
fairgrounds, including reconstruction or maintenance of public 3378  
access roads and support features, to and within fairground 3379  
facilities as requested by the commission and approved by the 3380  
Director of Transportation. 3381

LIQUIDATION OF UNFORESEEN LIABILITIES 3382

Any appropriation made to the Department of Transportation, 3383  
Highway Operating Fund, not otherwise restricted by law, is 3384  
available to liquidate unforeseen liabilities arising from 3385  
contractual agreements of prior years when the prior year 3386  
encumbrance is insufficient. 3387

**Section 203.53.** ECONOMIC DEVELOPMENT AND HIGHWAY CONSTRUCTION 3388  
FUND 3389

Any money credited to the Economic Development and Highway 3390  
Construction Fund created by section 5751.20 of the Revised Code 3391

during the fiscal year 2008-2009 biennium is hereby appropriated 3392  
to the Department of Transportation to be expended for 3393  
constructing and maintaining the state's highway infrastructure, 3394  
thereby promoting economic development throughout the state. 3395

**Section 203.60.** RENTAL PAYMENTS - OBA 3396

The foregoing appropriation item 770-003, Administration - 3397  
State - Debt Service, shall be used to pay rent to the Ohio 3398  
Building Authority for the period July 1, 2007, to June 30, 2009, 3399  
under the primary leases and agreements for various transportation 3400  
related capital facilities financed by obligations issued under 3401  
Chapter 152. of the Revised Code. The rental payments shall be 3402  
made from revenues received from the motor vehicle fuel tax. The 3403  
amounts of any bonds and notes to finance such capital facilities 3404  
shall be at the request of the Director of Transportation. 3405  
Notwithstanding section 152.24 of the Revised Code, the Ohio 3406  
Building Authority may, with approval of the Office of Budget and 3407  
Management, lease capital facilities to the Department of 3408  
Transportation. 3409

The Director of Transportation shall hold title to any land 3410  
purchased and any resulting structures that are attributable to 3411  
appropriation item 770-003. Notwithstanding section 152.18 of the 3412  
Revised Code, the Director of Transportation shall administer any 3413  
purchase of land and any contract for construction, 3414  
reconstruction, and rehabilitation of facilities as a result of 3415  
this appropriation. 3416

Should the appropriation and any reappropriations from prior 3417  
years in appropriation item 770-003 exceed the rental payments for 3418  
fiscal year 2008 or 2009, then prior to June 30, 2009, the balance 3419  
may be transferred to appropriation item 772-421, Highway 3420  
Construction - State, 773-431, Highway Maintenance - State, or 3421  
779-491, Administration - State, upon the written request of the 3422

Director of Transportation and with the approval of the Director 3423  
of Budget and Management. The transfer shall be reported to the 3424  
Controlling Board at its next regularly scheduled meeting. 3425

**Section 203.70. PUBLIC TRANSPORTATION HIGHWAY PURPOSE GRANTS** 3426

The Director of Transportation may use revenues from the 3427  
state motor vehicle fuel tax to match approved federal grants 3428  
awarded to the Department of Transportation, regional transit 3429  
authorities, or eligible public transportation systems, for public 3430  
transportation highway purposes, or to support local or state 3431  
funded projects for public transportation highway purposes. Public 3432  
transportation highway purposes include: the construction or 3433  
repair of high-occupancy vehicle traffic lanes, the acquisition or 3434  
construction of park-and-ride facilities, the acquisition or 3435  
construction of public transportation vehicle loops, the 3436  
construction or repair of bridges used by public transportation 3437  
vehicles or that are the responsibility of a regional transit 3438  
authority or other public transportation system, or other similar 3439  
construction that is designated as an eligible public 3440  
transportation highway purpose. Motor vehicle fuel tax revenues 3441  
may not be used for operating assistance or for the purchase of 3442  
vehicles, equipment, or maintenance facilities. 3443

**MONTHLY TRANSFERS TO GASOLINE EXCISE TAX FUND** 3444

The Director of Budget and Management shall transfer cash in 3445  
equal monthly increments totaling \$188,169,480 in each fiscal year 3446  
of the 2008-2009 biennium from the Highway Operating Fund, created 3447  
in section 5735.291 of the Revised Code, to the Gasoline Excise 3448  
Tax Fund created in division (A) of section 5735.27 of the Revised 3449  
Code. The monthly amounts transferred under this section shall be 3450  
distributed as follows: 42.86 per cent shall be distributed among 3451  
the municipal corporations within the state under division (A)(2) 3452  
of section 5735.27 of the Revised Code; 37.14 per cent shall be 3453

distributed among the counties within the state under division 3454  
(A)(3) of section 5735.27 of the Revised Code; and 20 per cent 3455  
shall be distributed among the townships within the state under 3456  
division (A)(5)(b) of section 5735.27 of the Revised Code. 3457

**Section 205.10.** DHS DEPARTMENT OF PUBLIC SAFETY 3458

Highway Safety Information and Education 3459

State Highway Safety Fund Group 3460

036 761-321 Operating Expense - \$ 3,645,598 \$ 3,645,598 3461  
Information and  
Education

036 761-402 Traffic Safety Match \$ 277,137 \$ 277,137 3462

83N 761-611 Elementary School Seat \$ 375,000 \$ 375,000 3463  
Belt Program

831 761-610 Information and \$ 468,982 \$ 468,982 3464  
Education - Federal

832 761-612 Traffic Safety-Federal \$ 16,577,565 \$ 16,577,565 3465

844 761-613 Seat Belt Education \$ 395,700 \$ 411,528 3466  
Program

846 761-625 Motorcycle Safety \$ 3,698,084 \$ 4,010,865 3467  
Education

TOTAL HSF State Highway Safety 3468

Fund Group \$ 25,438,066 \$ 25,766,675 3469

Agency Fund Group 3470

5J9 761-678 Federal Salvage/GSA \$ 1,500,000 \$ 1,500,000 3471

TOTAL AGY Agency \$ 1,500,000 \$ 1,500,000 3472

TOTAL ALL BUDGET FUND GROUPS - 3473

Highway Safety Information 3474

and Education \$ 26,938,066 \$ 27,266,675 3475

FEDERAL HIGHWAY SAFETY PROGRAM MATCH 3476

The foregoing appropriation item 761-402, Traffic Safety 3477

Match, shall be used to provide the nonfederal portion of the 3478

federal Highway Safety Program. Upon request by the Director of 3479  
 Public Safety and approval by the Director of Budget and 3480  
 Management, appropriation item 761-402 shall be used to transfer 3481  
 cash from the Highway Safety Fund to the Traffic Safety - Federal 3482  
 Fund (Fund 832) at the beginning of each fiscal year on an 3483  
 intrastate transfer voucher. 3484

**Section 207.10. BUREAU OF MOTOR VEHICLES** 3485

State Special Revenue Fund Group 3486

539 762-614 Motor Vehicle Dealers \$ 200,000 \$ 200,000 3487  
 Board

TOTAL SSR State Special Revenue 3488

Fund Group \$ 200,000 \$ 200,000 3489

State Highway Safety Fund Group 3490

4W4 762-321 Operating Expense-BMV \$ 90,394,299 \$ 85,145,103 3491

4W4 762-410 Registrations \$ 32,480,610 \$ 32,480,610 3492

Supplement

5V1 762-682 License Plate \$ 2,100,000 \$ 2,100,000 3493

Contributions

83R 762-639 Local Immobilization \$ 750,000 \$ 750,000 3494

Reimbursement

835 762-616 Financial \$ 5,843,830 \$ 6,063,600 3495

Responsibility

Compliance

849 762-627 Automated Title \$ 23,487,248 \$ 19,240,839 3496

Processing Board

TOTAL HSF State Highway Safety 3497

Fund Group \$ 155,055,987 \$ 145,780,152 3498

TOTAL ALL BUDGET FUND GROUPS - 3499

Bureau of Motor Vehicles \$ 155,255,987 \$ 145,980,152 3500

MOTOR VEHICLE REGISTRATION 3501

The Registrar of Motor Vehicles may deposit revenues to meet 3502

the cash needs of the State Bureau of Motor Vehicles Fund (Fund 3503  
4W4) established in section 4501.25 of the Revised Code, obtained 3504  
under sections 4503.02 and 4504.02 of the Revised Code, less all 3505  
other available cash. Revenue deposited pursuant to this section 3506  
shall support, in part, appropriations for operating expenses and 3507  
defray the cost of manufacturing and distributing license plates 3508  
and license plate stickers and enforcing the law relative to the 3509  
operation and registration of motor vehicles. Notwithstanding 3510  
section 4501.03 of the Revised Code, the revenues shall be paid 3511  
into the State Bureau of Motor Vehicles Fund before any revenues 3512  
obtained pursuant to sections 4503.02 and 4504.02 of the Revised 3513  
Code are paid into any other fund. The deposit of revenues to meet 3514  
the aforementioned cash needs shall be in approximate equal 3515  
amounts on a monthly basis or as otherwise determined by the 3516  
Director of Budget and Management pursuant to a plan submitted by 3517  
the Registrar of Motor Vehicles. 3518

CAPITAL PROJECTS 3519

The Registrar of Motor Vehicles may transfer cash from the 3520  
State Bureau of Motor Vehicles Fund (Fund 4W4) to the State 3521  
Highway Safety Fund (Fund 036) to meet its obligations for capital 3522  
projects CIR-047, Department of Public Safety Office Building, 3523  
CIR-049, Warehouse Facility, and CAP-070, Canton One Stop Shop. 3524

**Section 209.10. ENFORCEMENT** 3525

State Highway Safety Fund Group 3526

036 764-033	Minor Capital Projects	\$	1,250,000	\$	1,250,000	3527
036 764-321	Operating Expense -	\$	253,967,276	\$	267,539,597	3528
	Highway Patrol					
036 764-605	Motor Carrier	\$	3,061,817	\$	3,340,468	3529
	Enforcement Expenses					
83C 764-630	Contraband,	\$	622,894	\$	622,894	3530
	Forfeiture, Other					

83F 764-657	Law Enforcement	\$	7,945,555	\$	8,275,898	3531
	Automated Data System					
83G 764-633	OMVI	\$	650,000	\$	650,000	3532
	Enforcement/Education					
83J 764-693	Highway Patrol Justice	\$	2,100,000	\$	2,100,000	3533
	Contraband					
83T 764-694	Highway Patrol	\$	21,000	\$	21,000	3534
	Treasury Contraband					
831 764-610	Patrol - Federal	\$	2,455,484	\$	2,455,484	3535
831 764-659	Transportation	\$	5,665,690	\$	6,132,592	3536
	Enforcement - Federal					
831 769-631	Homeland Security -	\$	1,500,000	\$	1,552,500	3537
	Federal					
837 764-602	Turnpike Policing	\$	10,893,146	\$	11,553,959	3538
838 764-606	Patrol Reimbursement	\$	175,000	\$	175,000	3539
840 764-607	State Fair Security	\$	1,396,283	\$	1,396,283	3540
840 764-617	Security and	\$	6,231,916	\$	6,155,385	3541
	Investigations					
840 764-626	State Fairgrounds	\$	788,375	\$	788,375	3542
	Police Force					
840 769-632	Homeland Security -	\$	1,913,276	\$	1,989,807	3543
	Operating					
841 764-603	Salvage and Exchange -	\$	1,339,399	\$	1,339,399	3544
	Highway Patrol					
TOTAL HSF	State Highway Safety					3545
Fund Group		\$	301,977,111	\$	317,338,641	3546
General Services	Fund Group					3547
4S2 764-660	MARCS Maintenance	\$	335,862	\$	389,149	3548
TOTAL GSF	General Services					3549
Fund Group		\$	335,862	\$	389,149	3550
TOTAL ALL BUDGET	FUND GROUPS -					3551
Enforcement		\$	302,312,973	\$	317,727,790	3552
COLLECTIVE BARGAINING	INCREASES					3553

Notwithstanding division (D) of section 127.14 and division 3554  
(B) of section 131.35 of the Revised Code, except for the General 3555  
Revenue Fund, the Controlling Board may, upon the request of 3556  
either the Director of Budget and Management, or the Department of 3557  
Public Safety with the approval of the Director of Budget and 3558  
Management, increase appropriations for any fund, as necessary for 3559  
the Department of Public Safety, to assist in paying the costs of 3560  
increases in employee compensation that have occurred pursuant to 3561  
collective bargaining agreements under Chapter 4117. of the 3562  
Revised Code and, for exempt employees, under section 124.152 of 3563  
the Revised Code. 3564

TRAFFIC SAFETY OPERATING FUND 3565

On July 1, 2007, or as soon thereafter as possible, the 3566  
Director of Budget and Management shall transfer the cash balance 3567  
in the Traffic Safety Operating Fund (Fund 5AY) to the Highway 3568  
Safety Fund (Fund 036). The Director of Budget and Management 3569  
shall cancel any existing encumbrances against appropriation item 3570  
764-688, Traffic Safety Operating, and re-establish them against 3571  
appropriation item 764-321, Operating Expense - Highway Patrol. 3572  
The amounts of the re-established encumbrances are hereby 3573  
appropriated. Upon completion of these transfers, the Traffic 3574  
Safety Operating Fund (Fund 5AY) is hereby abolished. 3575

CASH TRANSFER TO THE STATE HIGHWAY SAFETY FUND 3576

Effective July 1, 2007, the Treasurer of State, prior to 3577  
making any of the distributions listed in sections 5735.23, 3578  
5735.26, 5735.291, and 5735.30 of the Revised Code, shall deposit 3579  
the first \$1,250,000 received each month to the credit of the 3580  
State Highway Safety Fund (Fund 036). 3581

**Section 211.10.** EMERGENCY MEDICAL SERVICES 3582

State Highway Safety Fund Group 3583

83M 765-624 Operating Expenses -	\$	2,587,627	\$	2,587,627	3584
Trauma and EMS					
83P 765-637 Trauma and EMS	\$	4,429,290	\$	4,562,912	3585
831 765-610 EMS/Federal	\$	582,007	\$	582,007	3586
TOTAL HSF State Highway Safety					3587
Fund Group	\$	7,598,924	\$	7,732,546	3588
TOTAL ALL BUDGET FUND GROUPS -					3589
Emergency Medical Services	\$	7,598,924	\$	7,732,546	3590
CASH TRANSFERS OF SEAT BELT FINE REVENUES					
					3591
Notwithstanding any other provision of law to the contrary,					
					3592
the Controlling Board, upon request of the Director of Public					
					3593
Safety, may approve the transfer of cash between the following					
					3594
four funds that receive fine revenues from enforcement of the					
					3595
mandatory seat belt law: the Trauma and Emergency Medical Services					
					3596
Fund (Fund 83M), the Elementary School Program Fund (Fund 83N),					
					3597
the Trauma and Emergency Medical Services Grants Fund (Fund 83P),					
					3598
and the Seat Belt Education Fund (Fund 844).					
					3599
<b>Section 213.10. INVESTIGATIVE UNIT</b>					
					3600
State Highway Safety Fund Group					
					3601
831 767-610 Liquor Enforcement -	\$	514,184	\$	514,184	3602
Federal					
831 769-610 Food Stamp Trafficking	\$	1,032,135	\$	1,032,135	3603
Enforcement - Federal					
TOTAL HSF State Highway Safety					3604
Fund Group	\$	1,546,319	\$	1,546,319	3605
Liquor Control Fund Group					
					3606
043 767-321 Liquor Enforcement -	\$	11,435,527	\$	11,546,052	3607
Operations					
TOTAL LCF Liquor Control Fund					3608
Group	\$	11,435,527	\$	11,546,052	3609
State Special Revenue Fund Group					
					3610

5B9	766-632	Private Investigator and Security Guard Provider	\$	1,288,730	\$	1,289,883	3611
5CM	767-691	Federal Investigative Seizure	\$	642,175	\$	642,175	3612
622	767-615	Investigative Contraband and Forfeiture	\$	375,000	\$	375,000	3613
850	767-628	Investigative Unit Salvage	\$	100,000	\$	100,000	3614
TOTAL SSR State Special Revenue							3615
Fund Group			\$	2,405,905	\$	2,407,058	3616
TOTAL ALL BUDGET FUND GROUPS -							3617
Special Enforcement			\$	15,387,751	\$	15,499,429	3618
LEASE RENTAL PAYMENTS FOR CAP-076, INVESTIGATIVE UNIT MARCS							3619
EQUIPMENT							3620
The Director of Public Safety, using intrastate transfer							3621
vouchers, shall make cash transfers to the State Highway Safety							3622
Fund (Fund 036) from other funds to reimburse the State Highway							3623
Safety Fund for the share of lease rental payments to the Ohio							3624
Building Authority that are associated with appropriation item							3625
CAP-076, Investigative Unit MARCS Equipment.							3626
<b>Section 215.10. EMERGENCY MANAGEMENT</b>							3627
Federal Special Revenue Fund Group							3628
3N5	763-644	U.S. Department of Energy Agreement	\$	175,000	\$	175,000	3629
329	763-645	Individual Household Grants - Federal	\$	13,831,920	\$	13,848,251	3630
337	763-609	Federal Disaster Relief	\$	27,700,200	\$	27,707,636	3631
339	763-647	Emergency Management	\$	85,121,692	\$	85,265,885	3632

Assistance and				
Training				
TOTAL FED Federal Special				3633
Revenue Fund Group	\$	126,828,812	\$ 126,996,772	3634
State Special Revenue Fund Group				3635
4V3 763-662 EMA Service and	\$	650,000	\$ 650,000	3636
Reimbursement				
657 763-652 Utility Radiological	\$	1,260,000	\$ 1,260,000	3637
Safety				
681 763-653 SARA Title III HAZMAT	\$	271,510	\$ 271,510	3638
Planning				
TOTAL SSR State Special Revenue				3639
Fund Group	\$	2,181,510	\$ 2,181,510	3640
TOTAL ALL BUDGET FUND GROUPS -				3641
Emergency Management	\$	129,010,322	\$ 128,814,282	3642
STATE DISASTER RELIEF				3643
The appropriation item 763-601, State Disaster Relief (Fund				3644
533), may accept transfers of cash and appropriations from				3645
Controlling Board appropriation items for Ohio Emergency				3646
Management Agency disaster response costs and disaster program				3647
management costs, and may also be used for the following purposes:				3648
(A) To accept transfers of cash and appropriations from				3649
Controlling Board appropriation items for Ohio Emergency				3650
Management Agency public assistance and mitigation program match				3651
costs to reimburse eligible local governments and private				3652
nonprofit organizations for costs related to disasters;				3653
(B) To accept and transfer cash to reimburse the costs				3654
associated with Emergency Management Assistance Compact (EMAC)				3655
deployments;				3656
(C) To accept disaster related reimbursement from federal,				3657
state, and local governments. The Director of Budget and				3658

Management may transfer cash from reimbursements received by this 3659  
fund to other funds of the state from which transfers were 3660  
originally approved by the Controlling Board. 3661

(D) To accept transfers of cash and appropriations from 3662  
Controlling Board appropriation items to fund the State Disaster 3663  
Relief Program, for disasters that have been declared by the 3664  
Governor, and the State Individual Assistance Program for 3665  
disasters that have been declared by the Governor and the federal 3666  
Small Business Administration. The Ohio Emergency Management 3667  
Agency shall publish and make available application packets 3668  
outlining procedures for the State Disaster Relief Program and the 3669  
State Individual Assistance Program. 3670

**SARA TITLE III HAZMAT PLANNING** 3671

The SARA Title III HAZMAT Planning Fund (Fund 681) is 3672  
entitled to receive grant funds from the Emergency Response 3673  
Commission to implement the Emergency Management Agency's 3674  
responsibilities under Chapter 3750. of the Revised Code. 3675

**Section 217.10. CRIMINAL JUSTICE SERVICES** 3676

General Services Fund Group 3677

4P6 768-601 Justice Program	\$	100,000	\$	100,000	3678
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Services

TOTAL GSF General Services Fund	\$	100,000	\$	100,000	3679
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Group

Federal Special Revenue Fund Group 3680

3AY 768-606 Federal Justice Grants	\$	13,019,284	\$	13,060,000	3681
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3L5 768-604 Justice Program	\$	11,880,083	\$	12,056,300	3682
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TOTAL FED Federal Special Revenue	\$	24,899,367	\$	25,116,300	3683
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Fund Group

State Special Revenue Fund Group 3684

5BK 768-687 Criminal Justice	\$	400,000	\$	400,000	3685
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Services Operating					
5BK 768-689	Family Violence	\$	750,000	\$ 750,000	3686
Shelter Programs					
TOTAL SSR	Special Revenue Fund	\$	1,150,000	\$ 1,150,000	3687
Group					
TOTAL ALL BUDGET FUND GROUPS -		\$	26,149,367	\$ 26,366,300	3688
Criminal Justice Services					
TRANSFER OF THE OFFICE OF CRIMINAL JUSTICE SERVICES TO THE					3689
DEPARTMENT OF PUBLIC SAFETY					3690
Business commenced but not completed by the Office of					3691
Criminal Justice Services on July 1, 2005, shall be completed by					3692
the Division of Criminal Justice Services, in the same manner, and					3693
with the same effect, as if completed by the Office of Criminal					3694
Justice Services. No validation, cure, right, privilege, remedy,					3695
obligation, or liability is lost or impaired by reason of the					3696
transfer required by this section but shall be administered by the					3697
Division of Criminal Justice Services.					3698
FUND CLARIFICATIONS					3699
The fund created by the amendment in this act to section					3700
5502.62 of the Revised Code is the same fund, with a new name, as					3701
the Justice Programs Fund (Fund 3L5). The fund created by section					3702
5502.67 of the Revised Code is the same fund, with a new name, as					3703
the General Services Fund (Fund 4P6).					3704
<b>Section 219.10. ADMINISTRATION</b>					3705
State Highway Safety Fund Group					3706
036 766-321	Operating Expense -	\$	4,461,836	\$ 4,461,836	3707
Administration					
830 761-603	Salvage and Exchange -	\$	20,000	\$ 20,000	3708
Administration					
TOTAL HSF	State Highway Safety				3709

Fund Group	\$	4,481,836	\$	4,481,836	3710
General Services Fund Group					3711
4S3 766-661 Hilltop Utility	\$	500,000	\$	500,000	3712
Reimbursement					
TOTAL GSF General Services					3713
Fund Group	\$	500,000	\$	500,000	3714
TOTAL ALL BUDGET FUND GROUPS -					3715
Administration	\$	4,981,836	\$	4,981,836	3716
<b>Section 221.10. DEBT SERVICE</b>					3718
State Highway Safety Fund Group					3719
036 761-401 Lease Rental Payments	\$	13,929,500	\$	14,017,100	3720
TOTAL HSF State Highway Safety					3721
Fund Group	\$	13,929,500	\$	14,017,100	3722
TOTAL ALL BUDGET FUND GROUPS -					3723
Debt Service	\$	13,929,500	\$	14,017,100	3724
OBA BOND AUTHORITY/LEASE RENTAL PAYMENTS					3725
The foregoing appropriation item 761-401, Lease Rental					3726
Payments, shall be used for payments to the Ohio Building					3727
Authority for the period July 1, 2007, to June 30, 2009, under the					3728
primary leases and agreements for public safety related buildings					3729
financed by obligations issued under Chapter 152. of the Revised					3730
Code. Notwithstanding section 152.24 of the Revised Code, the Ohio					3731
Building Authority may, with approval of the Director of Budget					3732
and Management, lease capital facilities to the Department of					3733
Public Safety.					3734
HILLTOP TRANSFER					3735
The Director of Public Safety shall determine, per an					3736
agreement with the Director of Transportation, the share of each					3737
debt service payment made out of appropriation item 761-401, Lease					3738
Rental Payments, that relates to the Department of					3739

Transportation's portion of the Hilltop Building Project, and 3740  
shall certify to the Director of Budget and Management the amounts 3741  
of this share. The Director of Budget and Management shall 3742  
transfer the amounts of such shares from the Highway Operating 3743  
Fund (Fund 002) to the Highway Safety Fund (Fund 036). 3744

**Section 223.10. REVENUE DISTRIBUTION** 3745

Holding Account Redistribution Fund Group 3746

R24 762-619 Unidentified Motor \$ 1,885,000 \$ 1,885,000 3747

Vehicle Receipts

R52 762-623 Security Deposits \$ 350,000 \$ 350,000 3748

TOTAL 090 Holding Account 3749

Redistribution Fund Group \$ 2,235,000 \$ 2,235,000 3750

TOTAL ALL BUDGET FUND GROUPS - 3751

Revenue Distribution \$ 2,235,000 \$ 2,235,000 3752

TOTAL Department of Public Safety 3753

TOTAL HSF State Highway Safety 3754

Fund Group \$ 510,027,743 \$ 516,663,269 3755

TOTAL SSR State Special Revenue 3756

Fund Group \$ 5,937,415 \$ 5,938,568 3757

TOTAL LCF Liquor Control 3758

Fund Group \$ 11,435,527 \$ 11,546,052 3759

TOTAL GSF General Services 3760

Fund Group \$ 935,862 \$ 989,149 3761

TOTAL FED Federal Special Revenue 3762

Fund Group \$ 151,728,179 \$ 152,113,072 3763

TOTAL AGY Agency Fund Group \$ 1,500,000 \$ 1,500,000 3764

TOTAL 090 Holding Account 3765

Redistribution Fund Group \$ 2,235,000 \$ 2,235,000 3766

TOTAL ALL BUDGET FUND GROUPS \$ 683,799,726 \$ 690,985,110 3767

**Section 225.10. CASH BALANCE FUND REVIEW** 3769

Not later than the first day of April in each fiscal year of 3770  
the biennium, the Director of Budget and Management shall review 3771  
the cash balances for each fund, except the State Highway Safety 3772  
Fund (Fund 036) and the Bureau of Motor Vehicles Fund (Fund 4W4), 3773  
in the State Highway Safety Fund Group, and shall recommend to the 3774  
Controlling Board an amount to be transferred to the credit of the 3775  
State Highway Safety Fund or the Bureau of Motor Vehicles Fund, as 3776  
appropriate. 3777

**Section 227.10.** DEV DEPARTMENT OF DEVELOPMENT 3778

State Special Revenue Fund Group 3779  
4W0 195-629 Roadwork Development \$ 18,699,900 \$ 18,699,900 3780  
TOTAL SSR State Special Revenue 3781  
Fund Group \$ 18,699,900 \$ 18,699,900 3782  
TOTAL ALL BUDGET FUND GROUPS \$ 18,699,900 \$ 18,699,900 3783

ROADWORK DEVELOPMENT FUND 3784

The Roadwork Development Fund shall be used for road 3785  
improvements associated with economic development opportunities 3786  
that will retain or attract businesses for Ohio. "Road 3787  
improvements" are improvements to public roadway facilities 3788  
located on, or serving or capable of serving, a project site. 3789

The Department of Transportation, under the direction of the 3790  
Department of Development, shall provide these funds in accordance 3791  
with all guidelines and requirements established for Department of 3792  
Development appropriation item 195-412, Business Development, 3793  
including Controlling Board review and approval as well as the 3794  
requirements for usage of gas tax revenue prescribed in Section 5a 3795  
of Article XII, Ohio Constitution. Should the Department of 3796  
Development require the assistance of the Department of 3797  
Transportation to bring a project to completion, the Department of 3798  
Transportation shall use its authority under Title LV of the 3799  
Revised Code to provide such assistance and enter into contracts 3800

on behalf of the Department of Development. In addition, these 3801  
funds may be used in conjunction with appropriation item 195-412, 3802  
Business Development, or any other state funds appropriated for 3803  
infrastructure improvements. 3804

The Director of Budget and Management, pursuant to a plan 3805  
submitted by the Department of Development or as otherwise 3806  
determined by the Director of Budget and Management, shall set a 3807  
cash transfer schedule to meet the cash needs of the Department of 3808  
Development's Roadwork Development Fund (Fund 4W0), less any other 3809  
available cash. The Director shall transfer to the Roadwork 3810  
Development Fund from the Highway Operating Fund (Fund 002), 3811  
established in section 5735.291 of the Revised Code, such amounts 3812  
at such times as determined by the transfer schedule. 3813

TRANSPORTATION IMPROVEMENT DISTRICTS 3814

Notwithstanding section 5540.151 of the Revised Code, of the 3815  
foregoing appropriation item 195-629, Roadwork Development, 3816  
\$250,000 in each fiscal year of the biennium shall be granted by 3817  
the Director of Development to each of the transportation 3818  
improvement districts of Butler, Clermont, Hamilton, Lorain, 3819  
Medina, Montgomery, Muskingum, and Stark counties and to the 3820  
Rossford Transportation Improvement District in Wood County. Any 3821  
grant made under this paragraph is not subject to the restrictions 3822  
of appropriation item 195-629, Roadwork Development. 3823

**Section 229.10.** PWC PUBLIC WORKS COMMISSION 3824

Local Transportation Improvements Fund Group 3825

052	150-402	Local Transportation	\$	291,537	\$	306,178	3826
		Improvement Program -					
		Operating					

052	150-701	Local Transportation	\$	67,500,000	\$	67,500,000	3827
		Improvement Program					

TOTAL 052 Local Transportation				3828	
Improvements Fund Group	\$	67,791,537	\$	67,806,178	3829
Local Infrastructure Improvements Fund Group				3830	
038 150-321 State Capital	\$	879,237	\$	918,912	3831
Improvements Program -					
Operating Expenses					
TOTAL LIF Local Infrastructure				3832	
Improvements Fund Group	\$	879,237	\$	918,912	3833
TOTAL ALL BUDGET FUND GROUPS	\$	68,670,774	\$	68,725,090	3834

DISTRICT ADMINISTRATION COSTS 3835

The Director of the Public Works Commission is authorized to 3836  
create a District Administration Costs Program from interest 3837  
earnings of the Capital Improvements Fund and Local Transportation 3838  
Improvement Program Fund proceeds. The program shall be used to 3839  
provide for the direct costs of district administration of the 3840  
nineteen public works districts. Districts choosing to participate 3841  
in the program shall only expend Capital Improvements Fund moneys 3842  
for Capital Improvements Fund costs and Local Transportation 3843  
Improvement Program Fund moneys for Local Transportation 3844  
Improvement Program Fund costs. The account shall not exceed 3845  
\$1,235,000 per fiscal year. Each public works district may be 3846  
eligible for up to \$65,000 per fiscal year from its district 3847  
allocation as provided in sections 164.08 and 164.14 of the 3848  
Revised Code. 3849

The Director, by rule, shall define allowable and 3850  
nonallowable costs for the purpose of the District Administration 3851  
Costs Program. Nonallowable costs include indirect costs, elected 3852  
official salaries and benefits, and project-specific costs. No 3853  
district public works committee may participate in the District 3854  
Administration Costs Program without the approval of those costs 3855  
by the district public works committee under section 164.04 of the 3856  
Revised Code. 3857

REAPPROPRIATIONS 3858

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

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

**Section 303.10.** PROVISIONS OF LAW GENERALLY APPLICABLE TO  
APPROPRIATIONS

Law contained in the main operating appropriations act of the  
127th General Assembly that is generally applicable to the  
appropriations made in the main operating appropriations act also  
is generally applicable to the appropriations made in this act.

**Section 305.10.** LEASE PAYMENTS TO OBA AND TREASURER 3877

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

**Section 403.05.** That Sections 235.20.20 and 235.30.70 of Am.  
Sub. H.B. 699 of the 126th General Assembly be amended to read as

follows: 3887

Appropriations

**Sec. 235.20.20. CLS CLEVELAND STATE UNIVERSITY 3888**

CAP-023	Basic Renovations	\$	3,796,031	3889
CAP-125	College of Education	\$	10,115,719	3890
CAP-148	Cleveland Institute of Art	\$	1,000,000	3891
CAP-163	Anthropology Department	\$	400,000	3892
	Renovations/Relocation			
CAP-164	Chester Building Annex Demolition	\$	921,583	3893
CAP-165	Bakers Building Renovations	\$	1,328,583	3894
<del>CAP-166</del>	<del>Playhouse Square Center — Hanna Theatre</del>	<del>\$</del>	<del>750,000</del>	3895
CAP-167	Cleveland State University Windtower	\$	400,000	3896
	Generator Project			
CAP-168	Kenston Wind Turbine Project in Geauga	\$	300,000	3897
	(CSU Engineering Department)			
<del>CAP-169</del>	<del>Cleveland Museum of Art</del>	<del>\$</del>	<del>3,000,000</del>	3898
Total Cleveland State University		\$	<del>22,011,916</del>	3899
			<u>18,261,916</u>	

Appropriations

**Sec. 235.30.70. CCC CUYAHOGA COMMUNITY COLLEGE 3901**

CAP-031	Basic Renovations	\$	3,866,782	3902
CAP-095	Collegewide Asset Protection and	\$	2,411,797	3903
	Building Codes Upgrade			
CAP-099	Hospitality Management Program	\$	4,000,000	3904
CAP-100	Theater/Auditorium Renovations	\$	4,036,552	3905
CAP-101	Nursing Clinical Simulation Center	\$	250,000	3906
CAP-102	Rock and Roll Hall of Fame Archives	\$	200,000	3907
<u>CAP-166</u>	<u>Playhouse Square Center - Hanna Theatre</u>	<u>\$</u>	<u>750,000</u>	3908
<u>CAP-169</u>	<u>Cleveland Museum of Art</u>	<u>\$</u>	<u>3,000,000</u>	3909
Total Cuyahoga Community College		\$	<del>14,765,131</del>	3910
			<u>18,515,131</u>	

**Section 403.06.** That existing Sections 235.20.20 and 3912  
235.30.70 of Am. Sub. H.B. 699 of the 126th General Assembly are 3913  
hereby repealed. 3914

**Section 545.03.** The amendment by this act of section 4561.18 3915  
of the Revised Code shall first apply to the registration form to 3916  
be filed and associated license tax to be paid in 2007. If a 3917  
taxpayer has filed the registration for 2007 and paid the tax due 3918  
for 2007, and the amendment by this act of section 4561.18 of the 3919  
Revised Code results in a reduction of the aircraft license tax 3920  
due in 2007, the taxpayer is entitled to claim a refund of the 3921  
excess tax paid using procedures the Ohio Department of 3922  
Transportation shall establish for the purpose. Any refund claim 3923  
authorized under this section shall be filed with the Department 3924  
of Transportation on or before December 31, 2007, and the refund 3925  
shall be paid within ninety days after the filing of the refund 3926  
claim. 3927

**Section 550.10. FEDERAL JUSTICE GRANTS FUND** 3928

The Federal Justice Grants Fund created by the amendment by 3929  
this act of section 5502.62 of the Revised Code is the same fund, 3930  
with a new name, as the Justice Programs Fund (Fund 3L5). 3931

**Section 550.20. JUSTICE PROGRAM SERVICES FUND** 3932

The Justice Program Services Fund created by section 5502.67 3933  
of the Revised Code is the same fund, with a new name, as the 3934  
General Services Fund (Fund 4P6). 3935

**Section 555.05.** The Director of Public Safety, in accordance 3936  
with section 205(b) of the REAL ID Act of 2005, Pub. L. No. 3937  
109-13, 119 Stat. 231, 315, 49 U.S.C. 30301 note, and rules 3938  
adopted thereunder, shall request an extension of time to meet the 3939

requirements of the REAL ID Act of 2005. The request shall comply 3940  
with requirements of the Department of Homeland Security and shall 3941  
notify the Department of the necessity for additional time to 3942  
enable Ohio to implement the rules of the Department. The Director 3943  
shall make the request as soon as practicable, but not later than 3944  
October 1, 2007. 3945

**Section 555.10.** (A) On or before December 31, 2007, a 3946  
transportation improvement district and any two or more 3947  
governmental agencies may enter into an agreement providing for 3948  
the joint financing of any street, highway, interchange, or other 3949  
transportation project. Any such agreement shall be approved by 3950  
resolution or ordinance passed by the legislative authority of 3951  
each of the parties to such agreement, which resolution or 3952  
ordinance shall authorize the execution thereof by a designated 3953  
official or officials of each of such parties, and such agreement, 3954  
when so approved and executed, shall be in full force and effect. 3955

(B)(1) Subject to division (B)(2) of this section, any party 3956  
to such an agreement may issue and, notwithstanding any other 3957  
provision of the Revised Code, a district may purchase directly 3958  
from the party as an investment, securities to evidence the 3959  
obligations of that party to the district pursuant to the 3960  
agreement for its portion of the cost of the project pursuant to 3961  
Chapter 133. or other applicable provisions of the Revised Code. 3962

(2) More than half of the property necessary for any project 3963  
undertaken pursuant to an agreement under this section for which a 3964  
district is purchasing securities under division (B)(1) of this 3965  
section shall be located within the territory of the 3966  
transportation improvement district. 3967

(C) Any term used in this section has the same meaning as 3968  
defined in section 5540.01 of the Revised Code, as amended by this 3969

act, unless the context clearly requires another meaning. 3970

**Section 555.15.** The Director of Transportation may enter into 3971  
agreements as provided in this section with the United States or 3972  
any department or agency of the United States, including, but not 3973  
limited to, the United States Army Corps of Engineers, the United 3974  
States Forest Service, the United States Environmental Protection 3975  
Agency, and the United States Fish and Wildlife Service. An 3976  
agreement entered into pursuant to this section shall be solely 3977  
for the purpose of dedicating staff to the expeditious and timely 3978  
review of environmentally related documents submitted by the 3979  
Department of Transportation, as necessary for the approval of 3980  
federal permits. The Director shall submit a request to the 3981  
Controlling Board indicating the amount of the agreement, the 3982  
services to be performed by the United States or the department or 3983  
agency of the United States, and the circumstances giving rise to 3984  
the agreement. 3985

**Section 555.20.** The Department of Transportation shall erect 3986  
and maintain the following signs: 3987

(1) One sign next to each eastbound and westbound roadway of 3988  
Interstate Highway 70 approaching Exit Number 28 that reads 3989  
"Sinclair College Englewood Learning Center." 3990

(2) One sign next to each eastbound and westbound roadway of 3991  
Interstate Highway 70 approaching Exit Number 38 that reads 3992  
"Sinclair College Huber Learning Center." 3993

The signs shall conform to the provisions contained in the 3994  
manual adopted by the Department pursuant to section 4511.09 of 3995  
the Revised Code regarding the size, coloring, lettering, and 3996  
installation location of the signs. 3997

**Section 557.10.** Notwithstanding Chapter 5735. of the Revised 3998

Code, the following shall apply for the period of July 1, 2007, 3999  
through June 30, 2009: 4000

(A) For the discount under section 5735.06 of the Revised 4001  
Code, if the monthly report is timely filed and the tax is timely 4002  
paid, 1.0 per cent of the total number of gallons of motor fuel 4003  
received by the motor fuel dealer within the state during the 4004  
preceding calendar month, less the total number of gallons 4005  
deducted under divisions (B)(1)(a) and (b) of section 5735.06 of 4006  
the Revised Code, less 0.50 per cent of the total number of 4007  
gallons of motor fuel that were sold to a retail dealer during the 4008  
preceding calendar month. 4009

(B) For the semiannual periods ending December 31, 2007, June 4010  
30, 2008, December 31, 2008, and June 30, 2009, the refund 4011  
provided to retail dealers under section 5735.141 of the Revised 4012  
Code shall be 0.50 per cent of the Ohio motor fuel taxes paid on 4013  
fuel purchased during those semiannual periods. 4014

**Section 557.11.** Each retail dealer is allowed a vendor 4015  
discount equal to 0.90% of the motor fuel taxes paid on motor fuel 4016  
purchased by the retail dealer during each of the semiannual 4017  
periods occurring during the biennium beginning July 1, 2007, and 4018  
ending June 30, 2009. The vendor discount shall be refunded to the 4019  
retail dealer upon application by the dealer to the Tax 4020  
Commissioner within 120 days after the end of each such semiannual 4021  
period in the manner prescribed by the Tax Commissioner. The 4022  
vendor discount is in addition to any other refund allowed the 4023  
dealer under Section 557.10 of this act. The vendor discount shall 4024  
be paid in the same manner and from the same fund as prescribed in 4025  
section 5735.141 of the Revised Code. As used in this section, 4026  
"motor fuel" and "retail dealer" have the same meanings as in 4027  
section 5735.01 of the Revised Code. 4028

**Section 571.10.** (A) Notwithstanding the limitations in 4029  
section 3313.41 of the Revised Code pertaining to the disposal of 4030  
real estate, the South Point Board of Education is hereby 4031  
authorized to execute a deed conveying to the Superintendent of 4032  
the State Highway Patrol and its successors and assigns all of the 4033  
Board's right, title, and interest in the following described real 4034  
estate: 4035

A certain tract of land situate in the southeast quarter of 4036  
Section 29, Township 1 North, Range 16 West, Perry Township, 4037  
Lawrence County, Ohio, on the waters of Willow Creek, and being 4038  
more particularly bounded and described as follows: 4039

Beginning for reference at a 1" iron pin (found) at the 4040  
intersection of the centerline of County Road No. 60, commonly 4041  
known as Sand Road, with the centerline of Township Road No. 161, 4042  
commonly known as Willow Creek Road, and being on the line between 4043  
Sections 29 and 32, marking a corner common to the lands now or 4044  
formerly owned by Merle D. Adams, et ux, (D.V. 577, Pg. 110), and 4045  
the lands now owned by the South Point Local Board of Education, 4046  
(O.R.V. 316, Pg. 578), from which a window weight (found), on the 4047  
said section line, bears: South 86° 47' 15" East 315.67 feet; 4048  
thence, leaving the centerline of the said County Road No. 60, and 4049  
the centerline of the said Township Road No. 161, and severing the 4050  
said Section 29, North 64° 32' 11 East 646.96 feet to a point in 4051  
the centerline of the said Township Road No. 161, and being in the 4052  
line between the lands now or formerly owned by Brent Fugett, 4053  
(O.R.V. 60, Pg. 192), and the lands of the said Board of 4054  
Education, and marking the TRUE PLACE OF BEGINNING; thence, 4055  
leaving the lands of the said Fugett and the centerline of the 4056  
said Township Road No. 161, and severing the lands of the said 4057  
Board of Education, as follows: 4058

North 22° 55' 17" West, crossing Willow Creek, and passing a 4059

5/8" x 32" reinforcing rod with a red plastic cap stamped "Eastham & Associates" (set), at 48.16 feet, in all 187.00 feet to a 5/8" x 32" reinforcing rod with a red plastic cap stamped "Eastham & Associates" (set),  
North 00° 44' 19" West 233.19 feet to a 5/8" x 32" reinforcing rod with a red plastic cap stamped "Eastham & Associates" (set),  
North 44° 39' 47" East 267.08 feet to a 5/8" x 32" reinforcing rod with a red plastic cap stamped "Eastham & Associates" (set),  
North 74° 13' 35" East 270.00 feet to a 5/8" x 32" reinforcing rod with a red plastic cap stamped "Eastham & Associates" (set),  
North 77° 34' 49" East 73.75 feet to a 5/8" x 32" reinforcing rod with a red plastic cap stamped "Eastham & Associates" (set) near a sharp bend in the said Creek,  
South 46° 39' 17" East, crossing the said Willow Creek, and passing a 5/8" x 32" reinforcing rod with a red plastic cap stamped "Eastham & Associates" (set), at 115.75 feet, in all 129.24 feet to a point in the centerline of the said Township Road No. 161, and being in the line of the lands now or formerly owned by Janet R. Griffiths, (D.V. 558, Pg. 553); thence, with the lands of the said Griffiths, and with the centerline of the said Township Road No. 161, as follows:  
South 52° 48' 03" West 66.81 feet,  
South 49° 28' 30" West 65.96 feet,  
South 40° 51' 16" West 54.26 feet,  
South 38° 45' 31" West 81.05 feet,  
South 42° 08' 15" West 109.93 feet,  
South 39° 15' 42" West 78.12 feet,

South 33° 26' 56" West 104.46 feet, 4090

South 33° 57' 48" West 74.78 feet, 4091

South 48° 04' 56" West, passing a corner common to the lands 4092  
of the said Fugett, in all 96.67 feet; thence, with the lands of 4093  
the said Fugett, and continuing with the centerline of the said 4094  
Road No. 161, 4095

South 45° 33' 07" West 75.19 feet to the TRUE PLACE OF 4096  
BEGINNING, containing 4.463 acres, more or less, as surveyed under 4097  
the supervision of Ronald L. Eastham, Registered Professional 4098  
Surveyor No. 6026, on July 25, 2006, and revised on September 18, 4099  
2006, as shown on the attached plat and made a part of this 4100  
description. 4101

The above described tract is a part of the same land as that 4102  
described in a deed from Freddie L. Hayes, single, Danny J. 4103  
Holschuh "AKA" Danny Holschuh and Lorelei Holschuh, husband and 4104  
wife, dated September 24, 2004, and recorded in Official Record 4105  
Volume 316, Page 578, in the Office of the Recorder of Lawrence 4106  
County, Ohio. 4107

And being a part of (0.404 ac.) the Auditor's Tax Parcel No. 4108  
15-124-1400.000, and a part of (4.059 ac.) the Auditor's Tax 4109  
Parcel No. 15-124-1600.000. 4110

And being subject to all restrictions, reservations, 4111  
rights-of-ways, easements, utilities, covenants, exceptions, 4112  
conveyances, leases and exclusions previously imposed and 4113  
appearing of record, and those not of record. 4114

(B) Consideration for the conveyance of the real estate 4115  
described in division (A) of this section is the mutual benefit 4116  
accruing to the state and the South Point Board of Education from 4117  
the State Highway Patrol's construction of a new patrol post on 4118  
the real estate. 4119

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

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

**Section 603.10.** The items of law contained in this act, and their applications, are severable. If any item of law contained in this act, or if any application of any item of law contained in this act, is held invalid, the invalidity does not affect other items of law contained in this act and their applications that can be given effect without the invalid item of law or application.

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

**Section 610.10.** (A) The amendment by this act of sections 4151  
5751.032 and 5751.20 of the Revised Code provide for or are 4152  
essential to the implementation of a tax levy. Therefore, under 4153  
Ohio Constitution, Article II, Section 1d, those amendments and 4154  
enactment are not subject to the referendum and take effect on 4155  
July 1, 2007. 4156

(B) This section is not subject to the referendum. Therefore, 4157  
under Ohio Constitution, Article II, Section 1d, this section goes 4158  
into immediate effect when this act becomes law. 4159

**Section 611.10.** (A)(1) Insofar as the items of law in the 4160  
uncodified sections of law contained in this act appropriate money 4161  
for the current expenses of state government, earmark this class 4162  
of appropriations, or depend for their implementation upon an 4163  
appropriation of this class, the items of law are not subject to 4164  
the referendum. To that extent therefore, under Ohio Constitution, 4165  
Article II, Section 1d and section 1.471 of the Revised Code, 4166  
these items of law go into immediate effect when this act becomes 4167  
law. 4168

(2) Insofar as the items of law in the uncodified sections of 4169  
law contained in this act appropriate money other than for the 4170  
current expenses of state government, earmark this class of 4171  
appropriations, or depend for their implementation upon an 4172  
appropriation of this class, the items of law are subject to the 4173  
referendum. To that extent therefore, under Ohio Constitution, 4174  
Article II, Section 1c and section 1.471 of the Revised Code, 4175  
these items of law take effect on the ninety-first day after this 4176  
act is filed with the Secretary of State. If, however, a 4177  
referendum petition is filed against such an item of law, the item 4178  
of law, unless rejected at the referendum, takes effect at the 4179  
earliest time permitted by law. 4180

(B) This section is not subject to the referendum. Therefore, 4181  
under Ohio Constitution, Article II, Section 1d and section 1.471 4182  
of the Revised Code, this section goes into immediate effect when 4183  
this act becomes law. 4184

**Section 611.20.** Sections 550.10, 550.20, 557.10, and 571.10 4185  
of this act and the items of law of which they are composed are 4186  
subject to the referendum. Therefore, under Ohio Constitution, 4187  
Article II, Section 1c and section 1.471 of the Revised Code, the 4188  
sections and items of law take effect on the ninety-first day 4189  
after this act is filed with the Secretary of State. If, however, 4190  
a referendum petition is filed against any such section or against 4191  
any such item of law, the section or item of law, unless rejected 4192  
at the referendum, takes effect at the earliest time permitted by 4193  
law. 4194

**Section 615.10.** The amendment by this act of Sections 4195  
235.20.20 and 235.30.70 of Am. Sub. H.B. 699 of the 126th General 4196  
Assembly is not subject to the referendum. Therefore, under Ohio 4197  
Constitution, Article II, Section 1c and section 1.471 of the 4198  
Revised Code, the amendment takes effect on the ninety-first day 4199  
after this act is filed with the Secretary of State. If, however, 4200  
a referendum petition is filed against the amendment, the 4201  
amendment, unless rejected at the referendum, takes effect at the 4202  
earliest time permitted by law. 4203

**Section 620.10.** Section 4561.18 of the Revised Code is 4204  
presented in this act as a composite of the section as amended by 4205  
both Am. Sub. H.B. 66 and Am. Sub. S.B. 9 of the 126th General 4206  
Assembly. The General Assembly, applying the principle stated in 4207  
division (B) of section 1.52 of the Revised Code that amendments 4208  
are to be harmonized if reasonably capable of simultaneous 4209  
operation, finds that the composite is the resulting version of 4210  
the section in effect prior to the effective date of the section 4211

as presented in this act.

4212