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127th General Assembly

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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.**

**Senators Clancy, Padgett, Austria, Buehrer, Cafaro, Carey, Fedor, Grendell,
Harris, Kearney, Mason, Miller, D., Miller, R., Morano, Mumper, Roberts,
Sawyer, Schaffer, Spada, Smith, Amstutz, Gardner**

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A B I L L

To amend sections 737.04, 737.041, 1533.18, 3314.091, 1
3327.10, 3705.242, 4503.10, 4503.44, 4505.09, 2
4510.037, 4510.038, 4511.21, 4513.20, 4517.21, 3
4519.59, 4561.18, 4707.02, 4707.074, 5501.31, 4
5501.49, 5502.03, 5502.62, 5516.01, 5517.03, 5
5537.16, 5577.05, 5591.02, and 5735.05; to enact 6
sections 121.51, 1327.70, 4511.092, 4517.021, and 7
5502.67 of the Revised Code; to amend Section 8
755.03 of Am. Sub. H.B. 530 of the 126th General 9
Assembly, to amend Section 243.10 of Am. Sub. H.B. 10
530 of the 126th General Assembly, as subsequently 11
amended, and to amend Sections 235.20.20 and 12
235.30.70 of Am. Sub. H.B. 699 of the 126th 13
General Assembly to prescribe terms and conditions 14
pertaining to transportation and public safety 15
purposes. 16

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

Section 101.01. That sections 737.04, 737.041, 1533.18, 17
3314.091, 3327.10, 3705.242, 4503.10, 4503.44, 4505.09, 4510.037, 18
4510.038, 4511.21, 4513.20, 4517.21, 4519.59, 4561.18, 4707.02, 19
4707.074, 5501.31, 5501.49, 5502.03, 5502.62, 5516.01, 5517.03, 20
5537.16, 5577.05, 5591.02, and 5735.05 be amended and sections 21
121.51, 1327.70, 4511.092, 4517.021, and 5502.67 of the Revised 22
Code be enacted to read as follows: 23

Sec. 121.51. There is hereby created in the office of the 24
inspector general the position of deputy inspector general for the 25
department of transportation. The inspector general shall appoint 26
the deputy inspector general, and the deputy inspector general 27
shall serve at the pleasure of the inspector general. A person 28
employed as the deputy inspector general shall have the same 29
qualifications as those specified in section 121.49 of the Revised 30
Code for the inspector general. The inspector general shall 31
provide technical, professional, and clerical assistance to the 32
deputy inspector general. The inspector general shall certify to 33
the director of budget and management the costs incurred by the 34
deputy inspector general, including the salaries of the deputy 35
inspector general and the employees assisting the deputy inspector 36
general. The director of budget and management shall transfer the 37
amount certified to the deputy inspector general for ODOT fund, 38
which is hereby created in the state treasury, from the 39
appropriation made to the department of transportation from which 40
expenditures for general administrative purposes, as distinguished 41
from specific infrastructure projects, are made. The inspector 42
general shall use the deputy inspector general for ODOT fund to 43
pay costs incurred by the deputy inspector general. 44

The deputy inspector general shall investigate all wrongful 45

acts or omissions that have been committed or are being committed 46
by employees of the department. In addition, the deputy inspector 47
general shall conduct a program of random review of the processing 48
of contracts associated with building and maintaining the state's 49
infrastructure. The random review program shall be designed by the 50
inspector general. The program shall be confidential and may be 51
altered by the inspector general at any time. The deputy inspector 52
general has the same powers and duties regarding matters 53
concerning the department as those specified in sections 121.42, 54
121.43, and 121.45 of the Revised Code for the inspector general. 55
Complaints may be filed with the deputy inspector general in the 56
same manner as prescribed for complaints filed with the inspector 57
general under section 121.46 of the Revised Code. All 58
investigations conducted and reports issued by the deputy 59
inspector general are subject to section 121.44 of the Revised 60
Code. 61

All officers and employees of the department shall cooperate 62
with and provide assistance to the deputy inspector general in the 63
performance of any investigation conducted by the deputy inspector 64
general. In particular, those persons shall make their premises, 65
equipment, personnel, books, records, and papers readily available 66
to the deputy inspector general. In the course of an 67
investigation, the deputy inspector general may question any 68
officers or employees of the department and any person transacting 69
business with the department and may inspect and copy any books, 70
records, or papers in the possession of the department, taking 71
care to preserve the confidentiality of information contained in 72
responses to questions or the books, records, or papers that are 73
made confidential by law. In performing any investigation, the 74
deputy inspector general shall avoid interfering with the ongoing 75
operations of the department, except insofar as is reasonably 76
necessary to complete the investigation successfully. 77

At the conclusion of an investigation by the deputy inspector general, the deputy inspector general shall deliver to the director of transportation and the governor any case for which remedial action is necessary. The deputy inspector general shall maintain a public record of its activities to the extent permitted under this section, ensuring that the rights of the parties involved in each case are protected. The inspector general shall include in the annual report required by section 121.48 of the Revised Code a summary of the deputy inspector general's activities during the previous year.

No person shall disclose any information that is designated as confidential in accordance with section 121.44 of the Revised Code or any confidential information that is acquired in the course of an investigation conducted under this section to any person who is not legally entitled to disclosure of that information.

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

Chapter 2744. of the Revised Code, insofar as it applies to

the operation of police departments, shall apply to the 109
contracting political subdivisions and to the police department 110
members when they are rendering service outside their own 111
subdivisions pursuant to the contracts. 112

Police department members acting outside the subdivision in 113
which they are employed, pursuant to a contract entered into under 114
this section, shall be entitled to participate in any indemnity 115
fund established by their employer to the same extent as while 116
acting within the employing subdivision. Those members shall be 117
entitled to all the rights and benefits of Chapter 4123. of the 118
Revised Code, to the same extent as while performing service 119
within the subdivision. 120

The contracts may provide for: 121

(A) A fixed annual charge to be paid at the times agreed upon 122
and stipulated in the contract; 123

(B) Compensation based upon: 124

(1) A stipulated price for each call or emergency; 125

(2) The number of members or pieces of equipment employed; 126

(3) The elapsed time of service required in each call or 127
emergency. 128

(C) Compensation for loss or damage to equipment while 129
engaged in rendering police services outside the limits of the 130
subdivision owning and furnishing the equipment; 131

(D) Reimbursement of the subdivision in which the police 132
department members are employed for any indemnity award or premium 133
contribution assessed against the employing subdivision for 134
workers' compensation benefits for injuries or death of its police 135
department members occurring while engaged in rendering police 136
services pursuant to the contract. 137

Sec. 737.041. The police department of any municipal 138
corporation may provide police protection to any county, municipal 139
corporation, township, or township police district of this state, 140
to a park district created pursuant to section 511.18 or 1545.01 141
of the Revised Code, to a port authority, to any 142
multijurisdictional drug, gang, or career criminal task force, or 143
to a governmental entity of an adjoining state without a contract 144
to provide police protection, upon the approval, by resolution, of 145
the legislative authority of the municipal corporation in which 146
the department is located and upon authorization by an officer or 147
employee of the police department providing the police protection 148
who is designated by title of office or position, pursuant to the 149
resolution of the legislative authority of the municipal 150
corporation, to give the authorization. 151

Chapter 2744. of the Revised Code, insofar as it applies to 152
the operation of police departments, shall apply to any municipal 153
corporation and to members of its police department when the 154
members are rendering police services pursuant to this section 155
outside the municipal corporation by which they are employed. 156

Police department members acting, as provided in this 157
section, outside the municipal corporation by which they are 158
employed shall be entitled to participate in any pension or 159
indemnity fund established by their employer to the same extent as 160
while acting within the municipal corporation by which they are 161
employed. Those members shall be entitled to all the rights and 162
benefits of Chapter 4123. of the Revised Code to the same extent 163
as while performing services within the municipal corporation by 164
which they are employed. 165

Sec. 1327.70. (A) As used in this section: 166

(1) "Diesel fuel" has the same meaning as in section 5735.01 167

of the Revised Code. 168

(2) "Motor fuel" means gasoline or diesel fuel that is sold 169
by a retailer. 170

(B) The director of agriculture may adopt rules in accordance 171
with Chapter 119. of the Revised Code establishing a motor fuel 172
quality testing program that is uniform throughout the state. 173

Sec. 1533.18. As used in sections 1533.18 and 1533.181 of the 174
Revised Code: 175

(A) "Premises" means all ~~privately owned~~ privately owned 176
lands, ways, and waters, and any buildings and structures thereon, 177
and all privately owned and state-owned lands, ways, and waters 178
leased to a private person, firm, or organization, including any 179
buildings and structures thereon. 180

(B) "Recreational user" means a person to whom permission has 181
been granted, without the payment of a fee or consideration to the 182
owner, lessee, or occupant of premises, other than a fee or 183
consideration paid to the state or any agency of the state, or a 184
lease payment or fee paid to the owner of privately owned lands, 185
to enter upon premises to hunt, fish, trap, camp, hike, or swim, 186
or to operate a snowmobile or, all-purpose vehicle, or four-wheel 187
drive motor vehicle, or to engage in other recreational pursuits. 188

(C) "All-purpose vehicle" has the same meaning as in section 189
4519.01 of the Revised Code. 190

Sec. 3314.091. (A) A school district is not required to 191
provide transportation for any native student enrolled in a 192
community school if the district board of education has entered 193
into an agreement with the community school's governing authority 194
that designates the community school as responsible for providing 195
or arranging for the transportation of the district's native 196
students to and from the community school. For any such agreement 197

to be effective, it must be certified by the superintendent of 198
public instruction as having met all of the following 199
requirements: 200

(1) It is submitted to the department of education by a 201
deadline which shall be established by the department. 202

(2) ~~It~~ In accordance with divisions (C)(1) and (2) of this 203
section, it specifies qualifications, such as residing a minimum 204
distance from the school, for students to have their 205
transportation provided or arranged. 206

(3) The transportation provided by the community school is 207
subject to all provisions of the Revised Code and all rules 208
adopted under the Revised Code pertaining to pupil transportation. 209

(4) The sponsor of the community school also has signed the 210
agreement. 211

(B) A school district is not required to provide 212
transportation for any native student enrolled in a community 213
school if the governing authority of the community school, by a 214
date prescribed by the department, submits written notification to 215
the district board of education stating that the governing 216
authority is accepting responsibility for providing or arranging 217
for the transportation of the district's native students to and 218
from the community school. A governing authority's acceptance of 219
responsibility under this division shall cover an entire school 220
year, and shall remain in effect for subsequent school years 221
unless the governing authority submits written notification to the 222
district board that the governing authority is relinquishing the 223
responsibility. However, a governing authority shall not 224
relinquish responsibility for transportation before the end of a 225
school year, and shall submit the notice relinquishing 226
responsibility by a date prescribed by the department to allow the 227
school district reasonable time to prepare transportation for its 228

native students enrolled in the school. 229

(C)(1) A community school governing authority that enters 230
into an agreement ~~to provide transportation~~ under division (A) of 231
this section, or that accepts responsibility under division (B) of 232
this section, shall provide or arrange transportation free of any 233
charge for each of its enrolled students ~~eligible for~~ 234
~~transportation as specified in~~ who is required to be transported 235
under section 3327.01 of the Revised Code or who would otherwise 236
be transported by the school district under the district's 237
transportation policy. The governing authority shall provide or 238
arrange transportation in a manner that is comparable to the 239
transportation that the district provides or arranges for its 240
native students of the same grade level and distance from school 241
who are enrolled in the district's schools. 242

(2) The governing authority may provide or arrange 243
transportation for any other enrolled student who is not eligible 244
for transportation in accordance with division (C)(1) of this 245
section and may charge a fee for such service up to the actual 246
cost of the service. 247

~~(2)~~(3) Notwithstanding anything to the contrary in division 248
~~(B)~~(C)(1) or (2) of this section, a community school governing 249
authority shall provide or arrange transportation free of any 250
charge for any disabled student enrolled in the school for whom 251
the student's individualized education program developed under 252
Chapter 3323. of the Revised Code specifies transportation. 253

~~(C)~~(D)(1) If a school district board and a community school 254
governing authority elect to enter into an agreement under 255
division (A) of this section, the department of education ~~annually~~ 256
shall ~~pay~~ make payments to the community school ~~the amount~~ 257
~~specified in division (C)(2) of this section for each of the~~ 258
~~enrolled students for whom the school's governing authority~~ 259
~~provides or arranges transportation to and from school. The~~ 260

according to the terms of the agreement for each student actually 261
transported under division (C)(1) of this section. If a community 262
school governing authority accepts transportation responsibility 263
under division (B) of this section, the department shall make 264
payments to the community school for each student actually 265
transported under division (C)(1) of this section, calculated in 266
accordance with division (D) of section 3317.022 of the Revised 267
Code and any rules of the state board of education implementing 268
that division, and that otherwise would be paid to the school 269
district in which the student is entitled to attend school under 270
section 3313.64 or 3313.65 of the Revised Code. 271

(2) The department shall deduct the payment under division 272
(D)(1) of this section from the state payment under Chapter 3317. 273
and, if necessary, sections 321.14 and 323.156 of the Revised Code 274
that is otherwise paid to the school district in which the student 275
enrolled in the community school resides. The department shall 276
include the number of the district's native students for whom 277
payment is made to a community school under ~~this~~ division (D)(1) 278
of this section in the calculation of the district's 279
transportation payment under division (D) of section 3317.022 of 280
the Revised Code. 281

(3) A community school shall be paid under ~~this~~ division 282
(D)(1) of this section only for students who are eligible as 283
specified in section 3327.01 of the Revised Code ~~or who are~~ 284
~~disabled and whose individualized education program requires~~ 285
~~transportation~~ and division (C)(1) of this section, and whose 286
transportation to and from school is actually provided ~~or, who~~ 287
actually utilized transportation arranged, or for whom a payment 288
in lieu of transportation is made by the community school's 289
governing authority. To qualify for the payments, the community 290
school shall report to the department, in the form and manner 291
required by the department, data on the number of students 292

transported or whose transportation is arranged, the number of 293
miles traveled, cost to transport, and any other information 294
requested by the department. 295

(4) A community school shall use payments received under this 296
~~division section~~ solely to pay the costs of providing or arranging 297
for the transportation of students who are eligible as specified 298
in section 3327.01 of the Revised Code ~~or who are disabled and~~ 299
~~whose individualized education program requires transportation and~~ 300
division (C)(1) of this section, which may include payments to a 301
parent, guardian, or other person in charge of a child in lieu of 302
transportation. 303

~~(2) The payment to a community school governing authority 304
under this section for eligible students shall be made according 305
to the terms of the agreement entered into under this section. 306~~

~~(D)~~(E) Except when arranged through payment to a parent, 307
guardian, or person in charge of a child, transportation provided 308
or arranged for by a community school pursuant to an agreement 309
under this section is subject to all provisions of the Revised 310
Code, and all rules adopted under the Revised Code, pertaining to 311
the construction, design, equipment, and operation of school buses 312
and other vehicles transporting students to and from school. The 313
drivers and mechanics of the vehicles are subject to all 314
provisions of the Revised Code, and all rules adopted under the 315
Revised Code, pertaining to drivers and mechanics of such 316
vehicles. The community school also shall comply with sections 317
3313.201, 3327.09, and 3327.10 ~~and of the Revised Code~~, division 318
(B) of section 3327.16 of the Revised Code and, subject to 319
division (C)(1) of this section, sections 3327.01 and 3327.02 of 320
the Revised Code, as if it were a school district. ~~For purposes of~~ 321
~~complying with section 3327.10 of the Revised Code, the~~ 322
~~educational service center that serves the county in which the~~ 323
~~community school is located shall be the certifying agency, unless~~ 324

~~the agreement designates the school district as the certifying~~ 325
~~agency.~~ 326

Sec. 3327.10. (A) No person shall be employed as driver of a 327
school bus or motor van, owned and operated by any school district 328
or educational service center or privately owned and operated 329
under contract with any school district or service center in this 330
state, who has not received a certificate from the educational 331
service center governing board in case such person is employed by 332
a service center or by a local school district under the 333
supervision of the service center governing board, or by the 334
superintendent of schools, in case such person is employed by the 335
board of a city or exempted village school district, certifying 336
that such person is at least eighteen years of age and is of good 337
moral character and is qualified physically and otherwise for such 338
position. The service center governing board or the 339
superintendent, as the case may be, shall provide for an annual 340
physical examination that conforms with rules adopted by the state 341
board of education of each driver to ascertain the driver's 342
physical fitness for such employment. Any certificate may be 343
revoked by the authority granting the same on proof that the 344
holder has been guilty of failing to comply with division (D)(1) 345
of this section, or upon a conviction or a guilty plea for a 346
violation, or any other action, that results in a loss or 347
suspension of driving rights. Failure to comply with such division 348
may be cause for disciplinary action or termination of employment 349
under division (C) of section 3319.081, or section 124.34 of the 350
Revised Code. 351

(B) No person shall be employed as driver of a school bus or 352
motor van not subject to the rules of the department of education 353
pursuant to division (A) of this section who has not received a 354
certificate from the school administrator or contractor certifying 355
that such person is at least eighteen years of age, is of good 356

moral character, and is qualified physically and otherwise for 357
such position. Each driver shall have an annual physical 358
examination which conforms to the state highway patrol rules, 359
ascertaining the driver's physical fitness for such employment. 360
The examination shall be performed by one of the following: 361

(1) A person licensed under Chapter 4731. of the Revised Code 362
or by another state to practice medicine and surgery or 363
osteopathic medicine and surgery; 364

(2) A physician assistant; 365

(3) A certified nurse practitioner; 366

(4) A clinical nurse specialist; 367

(5) A certified nurse-midwife. 368

Any written documentation of the physical examination shall 369
be completed by the individual who performed the examination. 370

Any certificate may be revoked by the authority granting the 371
same on proof that the holder has been guilty of failing to comply 372
with division (D)(2) of this section. 373

(C) Any person who drives a school bus or motor van must give 374
satisfactory and sufficient bond except a driver who is an 375
employee of a school district and who drives a bus or motor van 376
owned by the school district. 377

(D) No person employed as driver of a school bus or motor van 378
under this section who is convicted of a traffic violation or who 379
has had the person's commercial driver's license suspended shall 380
drive a school bus or motor van until the person has filed a 381
written notice of the conviction or suspension, as follows: 382

(1) If the person is employed under division (A) of this 383
section, the person shall file the notice with the superintendent, 384
or a person designated by the superintendent, of the school 385
district for which the person drives a school bus or motor van as 386

an employee or drives a privately owned and operated school bus or motor van under contract. 387
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(2) If employed under division (B) of this section, the person shall file the notice with the employing school administrator or contractor, or a person designated by the administrator or contractor. 389
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(E) In addition to resulting in possible revocation of a certificate as authorized by divisions (A) and (B) of this section, violation of division (D) of this section is a minor misdemeanor. 393
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(F)(1) Not later than thirty days after the effective date of this amendment, each owner of a school bus or motor van shall obtain from the bureau of motor vehicles the driving record for at least the prior seven-year period of each person who is employed or otherwise authorized to drive the school bus or motor van. An owner of a school bus or motor van shall not permit a person to operate the school bus or motor van for the first time before the owner has obtained from the bureau the person's driving record for at least the prior seven-year period. Each year after obtaining a person's seven-year driving record, the owner of a school bus or motor van shall obtain from the bureau the person's driving record for at least the prior year if the person remains employed or otherwise authorized to drive the school bus or motor van. An owner of a school bus or motor van shall not permit a person to resume operating a school bus or motor van, after an interruption of one year or longer, before the owner has obtained from the bureau the person's driving record for at least the period since the owner last obtained the person's driving record or, if the owner had never obtained a seven-year driving record for the person, for at least the prior seven-year period. 397
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(2) The owner of a school bus or motor van shall not permit a person to operate the school bus or motor van for seven years 417
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after the date of a violation for which six points are assessed 419
under section 4510.036 of the Revised Code. 420

(3) Divisions (F)(1) and (2) of this section supersede only 421
the requirements of paragraphs (B)(3) and (F)(2) of rule 422
3301-83-06 of the Administrative Code, as that rule exists on the 423
effective date of this amendment, that school bus drivers have no 424
six-point convictions during the prior twenty-four months. All 425
other rules adopted by the state board of education prescribing 426
qualifications of drivers of school buses and other student 427
transportation, including the requirement of those paragraphs that 428
drivers not have been assessed eight points within the previous 429
twenty-four months, remain in effect until amended or rescinded by 430
the state board. 431

(G) A person, school district, educational service center, 432
community school, nonpublic school, or other public or nonpublic 433
entity that owns a school bus or motor van, or that contracts with 434
another entity to operate a school bus or motor van, may impose 435
more stringent restrictions on drivers than those prescribed in 436
this section, in any other section of the Revised Code, and in 437
rules adopted by the state board. 438

Sec. 3705.242. (A)(1) The director of health, a person 439
authorized by the director, a local commissioner of health, or a 440
local registrar of vital statistics shall charge and collect a fee 441
of one dollar and fifty cents for each certified copy of a birth 442
record, each certification of birth, and each copy of a death 443
record. The fee is in addition to the fee imposed by section 444
3705.24 or any other section of the Revised Code. A local 445
commissioner of health or local registrar of vital statistics may 446
retain an amount of each additional fee collected, not to exceed 447
three per cent of the amount of the additional fee, to be used for 448
costs directly related to the collection of the fee and the 449

forwarding of the fee to the treasurer of state. The additional 450
fees collected, but not retained, under division (A)(1) of this 451
section shall be forwarded to the treasurer of state not later 452
than thirty days following the end of each quarter. 453

(2) On the filing of a divorce decree under section 3105.10 454
or a decree of dissolution under section 3105.65 of the Revised 455
Code, a court of common pleas shall charge and collect a fee of 456
five dollars and fifty cents. The fee is in addition to any other 457
court costs or fees. The county clerk of courts may retain an 458
amount of each additional fee collected, not to exceed three per 459
cent of the amount of the additional fee, to be used for costs 460
directly related to the collection of the fee and the forwarding 461
of the fee to the treasurer of state. The additional fees 462
collected, but not retained, under division (A)(2) of this section 463
shall be forwarded to the treasurer of state not later than twenty 464
days following the end of each month. 465

(B) The treasurer of state shall deposit the fees forwarded 466
under this section in the state treasury to the credit of the 467
family violence prevention fund, which is hereby created. A person 468
or government entity that fails to forward the fees in a timely 469
manner, as determined by the treasurer of state, shall forward to 470
the treasurer of state, in addition to the fees, a penalty equal 471
to ten per cent of the fees. 472

The treasurer of state shall invest the moneys in the fund. 473
All earnings resulting from investment of the fund shall be 474
credited to the fund, except that actual administration costs 475
incurred by the treasurer of state in administering the fund may 476
be deducted from the earnings resulting from investments. The 477
amount that may be deducted shall not exceed three per cent of the 478
total amount of fees credited to the fund in each fiscal year. The 479
balance of the investment earnings shall be credited to the fund. 480

(C) The director of public safety shall use money credited to 481
the fund to provide grants to family violence shelters in Ohio and 482
to operate the division of criminal justice services. 483

Sec. 4503.10. (A) The owner of every snowmobile, off-highway 484
motorcycle, and all-purpose vehicle required to be registered 485
under section 4519.02 of the Revised Code shall file an 486
application for registration under section 4519.03 of the Revised 487
Code. The owner of a motor vehicle, other than a snowmobile, 488
off-highway motorcycle, or all-purpose vehicle, that is not 489
designed and constructed by the manufacturer for operation on a 490
street or highway may not register it under this chapter except 491
upon certification of inspection pursuant to section 4513.02 of 492
the Revised Code by the sheriff, or the chief of police of the 493
municipal corporation or township, with jurisdiction over the 494
political subdivision in which the owner of the motor vehicle 495
resides. Except as provided in section 4503.103 of the Revised 496
Code, every owner of every other motor vehicle not previously 497
described in this section and every person mentioned as owner in 498
the last certificate of title of a motor vehicle that is operated 499
or driven upon the public roads or highways shall cause to be 500
filed each year, by mail or otherwise, in the office of the 501
registrar of motor vehicles or a deputy registrar, a written or 502
electronic application or a preprinted registration renewal notice 503
issued under section 4503.102 of the Revised Code, the form of 504
which shall be prescribed by the registrar, for registration for 505
the following registration year, which shall begin on the first 506
day of January of every calendar year and end on the thirty-first 507
day of December in the same year. Applications for registration 508
and registration renewal notices shall be filed at the times 509
established by the registrar pursuant to section 4503.101 of the 510
Revised Code. A motor vehicle owner also may elect to apply for or 511
renew a motor vehicle registration by electronic means using 512

electronic signature in accordance with rules adopted by the 513
registrar. Except as provided in division (J) of this section, 514
applications for registration shall be made on blanks furnished by 515
the registrar for that purpose, containing the following 516
information: 517

(1) A brief description of the motor vehicle to be 518
registered, including the year, make, model, and vehicle 519
identification number, and, in the case of commercial cars, the 520
gross weight of the vehicle fully equipped computed in the manner 521
prescribed in section 4503.08 of the Revised Code; 522

(2) The name and residence address of the owner, and the 523
township and municipal corporation in which the owner resides; 524

(3) The district of registration, which shall be determined 525
as follows: 526

(a) In case the motor vehicle to be registered is used for 527
hire or principally in connection with any established business or 528
branch business, conducted at a particular place, the district of 529
registration is the municipal corporation in which that place is 530
located or, if not located in any municipal corporation, the 531
county and township in which that place is located. 532

(b) In case the vehicle is not so used, the district of 533
registration is the municipal corporation or county in which the 534
owner resides at the time of making the application. 535

(4) Whether the motor vehicle is a new or used motor vehicle; 536

(5) The date of purchase of the motor vehicle; 537

(6) Whether the fees required to be paid for the registration 538
or transfer of the motor vehicle, during the preceding 539
registration year and during the preceding period of the current 540
registration year, have been paid. Each application for 541
registration shall be signed by the owner, either manually or by 542

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.

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

(B) Except as otherwise provided in this division, each time an applicant first registers a motor vehicle in the applicant's name, the applicant shall present for inspection a physical certificate of title or memorandum certificate showing title to the motor vehicle to be registered in the name of the applicant if a physical certificate of title or memorandum certificate has been issued by a clerk of a court of common pleas. If, under sections 4505.021, 4505.06, and 4505.08 of the Revised Code, a clerk instead has issued an electronic certificate of title for the applicant's motor vehicle, that certificate may be presented for inspection at the time of first registration in a manner prescribed by rules adopted by the registrar. An applicant is not required to present a certificate of title to an electronic motor vehicle dealer acting as a limited authority deputy registrar in accordance with rules adopted by the registrar. When a motor vehicle inspection and maintenance program is in effect under section 3704.14 of the Revised Code and rules adopted under it, each application for registration for a vehicle required to be inspected under that section and those rules shall be accompanied

by an inspection certificate for the motor vehicle issued in 575
accordance with that section. The application shall be refused if 576
any of the following applies: 577

(1) The application is not in proper form. 578

(2) The application is prohibited from being accepted by 579
division (D) of section 2935.27, division (A) of section 2937.221, 580
division (A) of section 4503.13, division (B) of section 4510.22, 581
or division (B)(1) of section 4521.10 of the Revised Code. 582

(3) A certificate of title or memorandum certificate of title 583
is required but does not accompany the application or, in the case 584
of an electronic certificate of title, is required but is not 585
presented in a manner prescribed by the registrar's rules. 586

(4) All registration and transfer fees for the motor vehicle, 587
for the preceding year or the preceding period of the current 588
registration year, have not been paid. 589

(5) The owner or lessee does not have an inspection 590
certificate for the motor vehicle as provided in section 3704.14 591
of the Revised Code, and rules adopted under it, if that section 592
is applicable. 593

This section does not require the payment of license or 594
registration taxes on a motor vehicle for any preceding year, or 595
for any preceding period of a year, if the motor vehicle was not 596
taxable for that preceding year or period under sections 4503.02, 597
4503.04, 4503.11, 4503.12, and 4503.16 or Chapter 4504. of the 598
Revised Code. When a certificate of registration is issued upon 599
the first registration of a motor vehicle by or on behalf of the 600
owner, the official issuing the certificate shall indicate the 601
issuance with a stamp on the certificate of title or memorandum 602
certificate or, in the case of an electronic certificate of title, 603
an electronic stamp or other notation as specified in rules 604
adopted by the registrar, and with a stamp on the inspection 605

certificate for the motor vehicle, if any. The official also shall 606
indicate, by a stamp or by other means the registrar prescribes, 607
on the registration certificate issued upon the first registration 608
of a motor vehicle by or on behalf of the owner the odometer 609
reading of the motor vehicle as shown in the odometer statement 610
included in or attached to the certificate of title. Upon each 611
subsequent registration of the motor vehicle by or on behalf of 612
the same owner, the official also shall so indicate the odometer 613
reading of the motor vehicle as shown on the immediately preceding 614
certificate of registration. 615

The registrar shall include in the permanent registration 616
record of any vehicle required to be inspected under section 617
3704.14 of the Revised Code the inspection certificate number from 618
the inspection certificate that is presented at the time of 619
registration of the vehicle as required under this division. 620

(C)(1) Commencing with each registration renewal with an 621
expiration date on or after October 1, 2003, and for each initial 622
application for registration received on and after that date, the 623
registrar and each deputy registrar shall collect an additional 624
fee of eleven dollars for each application for registration and 625
registration renewal received. The additional fee is for the 626
purpose of defraying the department of public safety's costs 627
associated with the administration and enforcement of the motor 628
vehicle and traffic laws of Ohio. Each deputy registrar shall 629
transmit the fees collected under division (C)(1) of this section 630
in the time and manner provided in this section. The registrar 631
shall deposit all moneys received under division (C)(1) of this 632
section into the state highway safety fund established in section 633
4501.06 of the Revised Code. 634

(2) In addition, a charge of twenty-five cents shall be made 635
for each reflectorized safety license plate issued, and a single 636
charge of twenty-five cents shall be made for each county 637

identification sticker or each set of county identification 638
stickers issued, as the case may be, to cover the cost of 639
producing the license plates and stickers, including material, 640
manufacturing, and administrative costs. Those fees shall be in 641
addition to the license tax. If the total cost of producing the 642
plates is less than twenty-five cents per plate, or if the total 643
cost of producing the stickers is less than twenty-five cents per 644
sticker or per set issued, any excess moneys accruing from the 645
fees shall be distributed in the same manner as provided by 646
section 4501.04 of the Revised Code for the distribution of 647
license tax moneys. If the total cost of producing the plates 648
exceeds twenty-five cents per plate, or if the total cost of 649
producing the stickers exceeds twenty-five cents per sticker or 650
per set issued, the difference shall be paid from the license tax 651
moneys collected pursuant to section 4503.02 of the Revised Code. 652

(D) Each deputy registrar shall be allowed a fee of two 653
dollars and seventy-five cents commencing on July 1, 2001, three 654
dollars and twenty-five cents commencing on January 1, 2003, and 655
three dollars and fifty cents commencing on January 1, 2004, for 656
each application for registration and registration renewal notice 657
the deputy registrar receives, which shall be for the purpose of 658
compensating the deputy registrar for the deputy registrar's 659
services, and such office and rental expenses, as may be necessary 660
for the proper discharge of the deputy registrar's duties in the 661
receiving of applications and renewal notices and the issuing of 662
registrations. 663

(E) Upon the certification of the registrar, the county 664
sheriff or local police officials shall recover license plates 665
erroneously or fraudulently issued. 666

(F) Each deputy registrar, upon receipt of any application 667
for registration or registration renewal notice, together with the 668
license fee and any local motor vehicle license tax levied 669

pursuant to Chapter 4504. of the Revised Code, shall transmit that 670
fee and tax, if any, in the manner provided in this section, 671
together with the original and duplicate copy of the application, 672
to the registrar. The registrar, subject to the approval of the 673
director of public safety, may deposit the funds collected by 674
those deputies in a local bank or depository to the credit of the 675
"state of Ohio, bureau of motor vehicles." Where a local bank or 676
depository has been designated by the registrar, each deputy 677
registrar shall deposit all moneys collected by the deputy 678
registrar into that bank or depository not more than one business 679
day after their collection and shall make reports to the registrar 680
of the amounts so deposited, together with any other information, 681
some of which may be prescribed by the treasurer of state, as the 682
registrar may require and as prescribed by the registrar by rule. 683
The registrar, within three days after receipt of notification of 684
the deposit of funds by a deputy registrar in a local bank or 685
depository, shall draw on that account in favor of the treasurer 686
of state. The registrar, subject to the approval of the director 687
and the treasurer of state, may make reasonable rules necessary 688
for the prompt transmittal of fees and for safeguarding the 689
interests of the state and of counties, townships, municipal 690
corporations, and transportation improvement districts levying 691
local motor vehicle license taxes. The registrar may pay service 692
charges usually collected by banks and depositories for such 693
service. If deputy registrars are located in communities where 694
banking facilities are not available, they shall transmit the fees 695
forthwith, by money order or otherwise, as the registrar, by rule 696
approved by the director and the treasurer of state, may 697
prescribe. The registrar may pay the usual and customary fees for 698
such service. 699

(G) This section does not prevent any person from making an 700
application for a motor vehicle license directly to the registrar 701
by mail, by electronic means, or in person at any of the 702

registrar's offices, upon payment of a service fee of two dollars 703
and seventy-five cents commencing on July 1, 2001, three dollars 704
and twenty-five cents commencing on January 1, 2003, and three 705
dollars and fifty cents commencing on January 1, 2004, for each 706
application. 707

(H) No person shall make a false statement as to the district 708
of registration in an application required by division (A) of this 709
section. Violation of this division is falsification under section 710
2921.13 of the Revised Code and punishable as specified in that 711
section. 712

(I)(1) Where applicable, the requirements of division (B) of 713
this section relating to the presentation of an inspection 714
certificate issued under section 3704.14 of the Revised Code and 715
rules adopted under it for a motor vehicle, the refusal of a 716
license for failure to present an inspection certificate, and the 717
stamping of the inspection certificate by the official issuing the 718
certificate of registration apply to the registration of and 719
issuance of license plates for a motor vehicle under sections 720
4503.102, 4503.12, 4503.14, 4503.15, 4503.16, 4503.171, 4503.172, 721
4503.19, 4503.40, 4503.41, 4503.42, 4503.43, 4503.44, 4503.46, 722
4503.47, and 4503.51 of the Revised Code. 723

(2)(a) The registrar shall adopt rules ensuring that each 724
owner registering a motor vehicle in a county where a motor 725
vehicle inspection and maintenance program is in effect under 726
section 3704.14 of the Revised Code and rules adopted under it 727
receives information about the requirements established in that 728
section and those rules and about the need in those counties to 729
present an inspection certificate with an application for 730
registration or preregistration. 731

(b) Upon request, the registrar shall provide the director of 732
environmental protection, or any person that has been awarded a 733
contract under division (D) of section 3704.14 of the Revised 734

Code, an on-line computer data link to registration information 735
for all passenger cars, noncommercial motor vehicles, and 736
commercial cars that are subject to that section. The registrar 737
also shall provide to the director of environmental protection a 738
magnetic data tape containing registration information regarding 739
passenger cars, noncommercial motor vehicles, and commercial cars 740
for which a multi-year registration is in effect under section 741
4503.103 of the Revised Code or rules adopted under it, including, 742
without limitation, the date of issuance of the multi-year 743
registration, the registration deadline established under rules 744
adopted under section 4503.101 of the Revised Code that was 745
applicable in the year in which the multi-year registration was 746
issued, and the registration deadline for renewal of the 747
multi-year registration. 748

(J) Application for registration under the international 749
registration plan, as set forth in sections 4503.60 to 4503.66 of 750
the Revised Code, shall be made to the registrar on forms 751
furnished by the registrar. In accordance with international 752
registration plan guidelines and pursuant to rules adopted by the 753
registrar, the forms shall include the following: 754

(1) A uniform mileage schedule; 755

(2) The gross vehicle weight of the vehicle or combined gross 756
vehicle weight of the combination vehicle as declared by the 757
registrant; 758

(3) Any other information the registrar requires by rule. 759

Sec. 4503.44. (A) As used in this section and in section 760
4511.69 of the Revised Code: 761

(1) "Person with a disability that limits or impairs the 762
ability to walk" means any person who, as determined by a 763
physician, advanced practice nurse, or chiropractor, meets any of 764

the following criteria:	765
(a) Cannot walk two hundred feet without stopping to rest;	766
(b) Cannot walk without the use of, or assistance from, a brace, cane, crutch, another person, prosthetic device, wheelchair, or other assistive device;	767 768 769
(c) Is restricted by a lung disease to such an extent that the person's forced (respiratory) expiratory volume for one second, when measured by spirometry, is less than one liter, or the arterial oxygen tension is less than sixty millimeters of mercury on room air at rest;	770 771 772 773 774
(d) Uses portable oxygen;	775
(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;	776 777 778 779
(f) Is severely limited in the ability to walk due to an arthritic, neurological, or orthopedic condition;	780 781
(g) Is blind.	782
(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.	783 784 785 786 787 788 789 790
(3) "Physician" means a person licensed to practice medicine or surgery or osteopathic medicine and surgery under Chapter 4731. of the Revised Code.	791 792 793
(4) "Chiropractor" means a person licensed to practice	794

chiropractic under Chapter 4734. of the Revised Code. 795

(5) "Advanced practice nurse" means any certified nurse 796
practitioner, clinical nurse specialist, certified registered 797
nurse anesthetist, or certified nurse-midwife who holds a 798
certificate of authority issued by the board of nursing under 799
Chapter 4723. of the Revised Code. 800

(B) Any organization or person with a disability that limits 801
or impairs the ability to walk may apply to the registrar of motor 802
vehicles for a removable windshield placard or, if the person owns 803
or leases a motor vehicle, the person may apply for the 804
registration of any motor vehicle the person owns or leases. In 805
addition to one or more sets of license plates or one placard, a 806
person with a disability that limits or impairs the ability to 807
walk is entitled to one additional placard, but only if the person 808
applies separately for the additional placard, states the reasons 809
why the additional placard is needed, and the registrar, in the 810
registrar's discretion, determines that good and justifiable cause 811
exists to approve the request for the additional placard. When a 812
motor vehicle has been altered for the purpose of providing it 813
with special equipment for a person with a disability that limits 814
or impairs the ability to walk, but is owned or leased by someone 815
other than such a person, the owner or lessee may apply to the 816
registrar or a deputy registrar for registration under this 817
section. The application for registration of a motor vehicle owned 818
or leased by a person with a disability that limits or impairs the 819
ability to walk shall be accompanied by a signed statement from 820
the applicant's personal physician, advanced practice nurse, or 821
chiropractor certifying that the applicant meets at least one of 822
the criteria contained in division (A)(1) of this section and that 823
the disability is expected to continue for more than six 824
consecutive months. The application for a removable windshield 825
placard made by a person with a disability that limits or impairs 826

the ability to walk shall be accompanied by a prescription from 827
the applicant's personal physician, advanced practice nurse, or 828
chiropractor prescribing such a placard for the applicant, 829
provided that the applicant meets at least one of the criteria 830
contained in division (A)(1) of this section. The physician, 831
advanced practice nurse, or chiropractor shall state on the 832
prescription the length of time the physician, advanced practice 833
nurse, or chiropractor expects the applicant to have the 834
disability that limits or impairs the applicant's ability to walk. 835
The application for a removable windshield placard made by an 836
organization shall be accompanied by such documentary evidence of 837
regular transport of persons with disabilities that limit or 838
impair the ability to walk by the organization as the registrar 839
may require by rule and shall be completed in accordance with 840
procedures that the registrar may require by rule. The application 841
for registration of a motor vehicle that has been altered for the 842
purpose of providing it with special equipment for a person with a 843
disability that limits or impairs the ability to walk but is owned 844
by someone other than such a person shall be accompanied by such 845
documentary evidence of vehicle alterations as the registrar may 846
require by rule. 847

(C) When an organization, a person with a disability that 848
limits or impairs the ability to walk, or a person who does not 849
have a disability that limits or impairs the ability to walk but 850
owns a motor vehicle that has been altered for the purpose of 851
providing it with special equipment for a person with a disability 852
that limits or impairs the ability to walk first submits an 853
application for registration of a motor vehicle under this section 854
and every fifth year thereafter, the organization or person shall 855
submit a signed statement from the applicant's personal physician, 856
advanced practice nurse, or chiropractor, a completed application, 857
and any required documentary evidence of vehicle alterations as 858
provided in division (B) of this section, and also a power of 859

attorney from the owner of the motor vehicle if the applicant 860
leases the vehicle. Upon submission of these items, the registrar 861
or deputy registrar shall issue to the applicant appropriate 862
vehicle registration and a set of license plates and validation 863
stickers, or validation stickers alone when required by section 864
4503.191 of the Revised Code. In addition to the letters and 865
numbers ordinarily inscribed thereon, the license plates shall be 866
imprinted with the international symbol of access. The license 867
plates and validation stickers shall be issued upon payment of the 868
regular license fee as prescribed under section 4503.04 of the 869
Revised Code and any motor vehicle tax levied under Chapter 4504. 870
of the Revised Code, and the payment of a service fee equal to the 871
amount specified in division (D) or (G) of section 4503.10 of the 872
Revised Code. 873

(D)(1) Upon receipt of a completed and signed application for 874
a removable windshield placard, a prescription as described in 875
division (B) of this section, documentary evidence of regular 876
transport of persons with disabilities that limit or impair the 877
ability to walk, if required, and payment of a service fee equal 878
to the amount specified in division (D) or (G) of section 4503.10 879
of the Revised Code, the registrar or deputy registrar shall issue 880
to the applicant a removable windshield placard, which shall bear 881
the date of expiration on both sides of the placard and shall be 882
valid until expired, revoked, or surrendered. Every removable 883
windshield placard expires as described in division (D)(2) of this 884
section, but in no case shall a removable windshield placard be 885
valid for a period of less than sixty days. Removable windshield 886
placards shall be renewable upon application as provided in 887
division (B) of this section, and a service fee equal to the 888
amount specified in division (D) or (G) of section 4503.10 of the 889
Revised Code shall be charged for the renewal of a removable 890
windshield placard. The registrar shall provide the application 891
form and shall determine the information to be included thereon. 892

The registrar also shall determine the form and size of the 893
removable windshield placard, the material of which it is to be 894
made, and any other information to be included thereon, and shall 895
adopt rules relating to the issuance, expiration, revocation, 896
surrender, and proper display of such placards. Any placard issued 897
after October 14, 1999, shall be manufactured in a manner that 898
allows the expiration date of the placard to be indicated on it 899
through the punching, drilling, boring, or creation by any other 900
means of holes in the placard. 901

(2) At the time a removable windshield placard is issued to a 902
person with a disability that limits or impairs the ability to 903
walk, the registrar or deputy registrar shall enter into the 904
records of the bureau of motor vehicles the last date on which the 905
person will have that disability, as indicated on the accompanying 906
prescription. Not less than thirty days prior to that date and all 907
removable windshield placard renewal dates, the bureau shall send 908
a renewal notice to that person at the person's last known address 909
as shown in the records of the bureau, informing the person that 910
the person's removable windshield placard will expire on the 911
indicated date not to exceed five years from the date of issuance, 912
and that the person is required to renew the placard by submitting 913
to the registrar or a deputy registrar another prescription, as 914
described in division (B) of this section, and by complying with 915
the renewal provisions prescribed in division (D)(1) of this 916
section. If such a prescription is not received by the registrar 917
or a deputy registrar by that date, the placard issued to that 918
person expires and no longer is valid, and this fact shall be 919
recorded in the records of the bureau. 920

(3) At least once every year, on a date determined by the 921
registrar, the bureau shall examine the records of the office of 922
vital statistics, located within the department of health, that 923
pertain to deceased persons, and also the bureau's records of all 924

persons who have been issued removable windshield placards and 925
temporary removable windshield placards. If the records of the 926
office of vital statistics indicate that a person to whom a 927
removable windshield placard or temporary removable windshield 928
placard has been issued is deceased, the bureau shall cancel that 929
placard, and note the cancellation in its records. 930

The office of vital statistics shall make available to the 931
bureau all information necessary to enable the bureau to comply 932
with division (D)(3) of this section. 933

(4) Nothing in this section shall be construed to require a 934
person or organization to apply for a removable windshield placard 935
or special license plates if the parking card or special license 936
plates issued to the person or organization under prior law have 937
not expired or been surrendered or revoked. 938

(E)(1)(a) Any person with a disability that limits or impairs 939
the ability to walk may apply to the registrar or a deputy 940
registrar for a temporary removable windshield placard. The 941
application for a temporary removable windshield placard shall be 942
accompanied by a prescription from the applicant's personal 943
physician, advanced practice nurse, or chiropractor prescribing 944
such a placard for the applicant, provided that the applicant 945
meets at least one of the criteria contained in division (A)(1) of 946
this section and that the disability is expected to continue for 947
six consecutive months or less. The physician, advanced practice 948
nurse, or chiropractor shall state on the prescription the length 949
of time the physician, advanced practice nurse, or chiropractor 950
expects the applicant to have the disability that limits or 951
impairs the applicant's ability to walk, which cannot exceed six 952
months from the date of the prescription. Upon receipt of an 953
application for a temporary removable windshield placard, 954
presentation of the prescription from the applicant's personal 955
physician, advanced practice nurse, or chiropractor, and payment 956

of a service fee equal to the amount specified in division (D) or 957
(G) of section 4503.10 of the Revised Code, the registrar or 958
deputy registrar shall issue to the applicant a temporary 959
removable windshield placard. 960

(b) Any active-duty member of the armed forces of the United 961
States, including the reserve components of the armed forces and 962
the national guard, who has an illness or injury that limits or 963
impairs the ability to walk may apply to the registrar or a deputy 964
registrar for a temporary removable windshield placard. With the 965
application, the person shall present evidence of the person's 966
active-duty status and the illness or injury. Evidence of the 967
illness or injury may include a current department of defense 968
convalescent leave statement, any department of defense document 969
indicating that the person currently has an ill or injured 970
casualty status or has limited duties, or a prescription from any 971
physician, advanced practice nurse, or chiropractor prescribing 972
the placard for the applicant. Upon receipt of the application and 973
the necessary evidence, the registrar or deputy registrar shall 974
issue the applicant the temporary removable windshield placard 975
without the payment of any service fee. 976

(2) The temporary removable windshield placard shall be of 977
the same size and form as the removable windshield placard, shall 978
be printed in white on a red-colored background, and shall bear 979
the word "temporary" in letters of such size as the registrar 980
shall prescribe. A temporary removable windshield placard also 981
shall bear the date of expiration on the front and back of the 982
placard, and shall be valid until expired, surrendered, or 983
revoked, but in no case shall such a placard be valid for a period 984
of less than sixty days. The registrar shall provide the 985
application form and shall determine the information to be 986
included on it, provided that the registrar shall not require a 987
physician, advanced practice nurse, or chiropractor's prescription 988

or certification for a person applying under division (E)(1)(b) of 989
this section. The registrar also shall determine the material of 990
which the temporary removable windshield placard is to be made and 991
any other information to be included on the placard and shall 992
adopt rules relating to the issuance, expiration, surrender, 993
revocation, and proper display of those placards. Any temporary 994
removable windshield placard issued after October 14, 1999, shall 995
be manufactured in a manner that allows for the expiration date of 996
the placard to be indicated on it through the punching, drilling, 997
boring, or creation by any other means of holes in the placard. 998

(F) If an applicant for a removable windshield placard is a 999
veteran of the armed forces of the United States whose disability, 1000
as defined in division (A)(1) of this section, is 1001
service-connected, the registrar or deputy registrar, upon receipt 1002
of the application, presentation of a signed statement from the 1003
applicant's personal physician, advanced practice nurse, or 1004
chiropractor certifying the applicant's disability, and 1005
presentation of such documentary evidence from the department of 1006
veterans affairs that the disability of the applicant meets at 1007
least one of the criteria identified in division (A)(1) of this 1008
section and is service-connected as the registrar may require by 1009
rule, but without the payment of any service fee, shall issue the 1010
applicant a removable windshield placard that is valid until 1011
expired, surrendered, or revoked. 1012

(G) Upon a conviction of a violation of division (I), (J), or 1013
(K) of this section, the court shall report the conviction, and 1014
send the placard or parking card, if available, to the registrar, 1015
who thereupon shall revoke the privilege of using the placard or 1016
parking card and send notice in writing to the placardholder or 1017
cardholder at that holder's last known address as shown in the 1018
records of the bureau, and the placardholder or cardholder shall 1019
return the placard or card if not previously surrendered to the 1020

court, to the registrar within ten days following mailing of the notice. 1021
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Whenever a person to whom a removable windshield placard or parking card has been issued moves to another state, the person shall surrender the placard or card to the registrar; and whenever an organization to which a placard or card has been issued changes its place of operation to another state, the organization shall surrender the placard or card to the registrar. 1023
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(H) Subject to division (F) of section 4511.69 of the Revised Code, the operator of a motor vehicle displaying a removable windshield placard, temporary removable windshield placard, parking card, or the special license plates authorized by this section is entitled to park the motor vehicle in any special parking location reserved for persons with disabilities that limit or impair the ability to walk, also known as handicapped parking spaces or disability parking spaces. 1029
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(I) No person or organization that is not eligible under division (B) or (E) of this section shall willfully and falsely represent that the person or organization is so eligible. 1037
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1039

No person or organization shall display license plates issued under this section unless the license plates have been issued for the vehicle on which they are displayed and are valid. 1040
1041
1042

(J) No person or organization to which a removable windshield placard or temporary removable windshield placard is issued shall do either of the following: 1043
1044
1045

(1) Display or permit the display of the placard on any motor vehicle when having reasonable cause to believe the motor vehicle is being used in connection with an activity that does not include providing transportation for persons with disabilities that limit or impair the ability to walk; 1046
1047
1048
1049
1050

(2) Refuse to return or surrender the placard, when required. 1051

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

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

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

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

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

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

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

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

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

Any placardholder or cardholder who loses a placard or card

and, after obtaining a duplicate, finds the original, immediately 1082
shall surrender the original placard or card to the registrar. 1083

(M) The registrar shall pay all fees received under this 1084
section for the issuance of removable windshield placards or 1085
temporary removable windshield placards or duplicate removable 1086
windshield placards or cards into the state treasury to the credit 1087
of the state bureau of motor vehicles fund created in section 1088
4501.25 of the Revised Code. 1089

(N) For purposes of enforcing this section, every peace 1090
officer is deemed to be an agent of the registrar. Any peace 1091
officer or any authorized employee of the bureau of motor vehicles 1092
who, in the performance of duties authorized by law, becomes aware 1093
of a person whose placard or parking card has been revoked 1094
pursuant to this section, may confiscate that placard or parking 1095
card and return it to the registrar. The registrar shall prescribe 1096
any forms used by law enforcement agencies in administering this 1097
section. 1098

No peace officer, law enforcement agency employing a peace 1099
officer, or political subdivision or governmental agency employing 1100
a peace officer, and no employee of the bureau is liable in a 1101
civil action for damages or loss to persons arising out of the 1102
performance of any duty required or authorized by this section. As 1103
used in this division, "peace officer" has the same meaning as in 1104
division (B) of section 2935.01 of the Revised Code. 1105

(O) All applications for registration of motor vehicles, 1106
removable windshield placards, and temporary removable windshield 1107
placards issued under this section, all renewal notices for such 1108
items, and all other publications issued by the bureau that relate 1109
to this section shall set forth the criminal penalties that may be 1110
imposed upon a person who violates any provision relating to 1111
special license plates issued under this section, the parking of 1112
vehicles displaying such license plates, and the issuance, 1113

procurement, use, and display of removable windshield placards and 1114
temporary removable windshield placards issued under this section. 1115

(P) Whoever violates this section is guilty of a misdemeanor 1116
of the fourth degree. 1117

Sec. 4505.09. (A) The clerk of a court of common pleas shall 1118
charge a fee of five dollars for each certificate of title that is 1119
not applied for within thirty days after the later of the 1120
assignment or delivery of the motor vehicle described in it. The 1121
fees shall be retained by the clerk. 1122

In addition to those fees, the clerk shall charge a fee of 1123
five dollars for each certificate of title, duplicate certificate 1124
of title, memorandum certificate of title, authorization to print 1125
a non-negotiable evidence of ownership described in division (G) 1126
of section 4505.08 of the Revised Code, non-negotiable evidence of 1127
ownership printed by the clerk under division (H) of that section, 1128
and notation of any lien on a certificate of title. The clerk 1129
shall retain two dollars and twenty-five cents of the fee charged 1130
for each certificate of title, four dollars and seventy-five cents 1131
of the fee charged for each duplicate certificate of title, all of 1132
the fees charged for each memorandum certificate, authorization to 1133
print a non-negotiable evidence of ownership, or non-negotiable 1134
evidence of ownership printed by the clerk, and four dollars and 1135
twenty-five cents of the fee charged for each notation of a lien. 1136

The remaining two dollars and seventy-five cents charged for 1137
the certificate of title, the remaining twenty-five cents charged 1138
for the duplicate certificate of title, and the remaining 1139
seventy-five cents charged for the notation of any lien on a 1140
certificate of title shall be paid to the registrar of motor 1141
vehicles by monthly returns, which shall be forwarded to the 1142
registrar not later than the fifth day of the month next 1143
succeeding that in which the certificate is issued or that in 1144

which the registrar is notified of a lien or cancellation of a 1145
lien. 1146

(B)(1) The registrar shall pay twenty-five cents of the 1147
amount received for each certificate of title and all of the 1148
amounts received for each notation of any lien and each duplicate 1149
certificate of title into the state bureau of motor vehicles fund 1150
established in section 4501.25 of the Revised Code. 1151

(2) Fifty cents of the amount received for each certificate 1152
of title shall be paid by the registrar as follows: 1153

(a) Four cents shall be paid into the state treasury to the 1154
credit of the motor vehicle dealers board fund, which is hereby 1155
created. All investment earnings of the fund shall be credited to 1156
the fund. The moneys in the motor vehicle dealers board fund shall 1157
be used by the motor vehicle dealers board created under section 1158
4517.30 of the Revised Code, together with other moneys 1159
appropriated to it, in the exercise of its powers and the 1160
performance of its duties under Chapter 4517. of the Revised Code, 1161
except that the director of budget and management may transfer 1162
excess money from the motor vehicle dealers board fund to the 1163
bureau of motor vehicles fund if the registrar determines that the 1164
amount of money in the motor vehicle dealers board fund, together 1165
with other moneys appropriated to the board, exceeds the amount 1166
required for the exercise of its powers and the performance of its 1167
duties under Chapter 4517. of the Revised Code and requests the 1168
director to make the transfer. 1169

(b) Twenty-one cents shall be paid into the ~~general revenue~~ 1170
highway operating fund. 1171

(c) Twenty-five cents shall be paid into the state treasury 1172
to the credit of the motor vehicle sales audit fund, which is 1173
hereby created. The moneys in the fund shall be used by the tax 1174
commissioner together with other funds available to the 1175

commissioner to conduct a continuing investigation of sales and 1176
use tax returns filed for motor vehicles in order to determine if 1177
sales and use tax liability has been satisfied. The commissioner 1178
shall refer cases of apparent violations of section 2921.13 of the 1179
Revised Code made in connection with the titling or sale of a 1180
motor vehicle and cases of any other apparent violations of the 1181
sales or use tax law to the appropriate county prosecutor whenever 1182
the commissioner considers it advisable. 1183

(3) Two dollars of the amount received by the registrar for 1184
each certificate of title shall be paid into the state treasury to 1185
the credit of the automated title processing fund, which is hereby 1186
created and which shall consist of moneys collected under division 1187
(B)(3) of this section and under sections 1548.10 and 4519.59 of 1188
the Revised Code. All investment earnings of the fund shall be 1189
credited to the fund. The moneys in the fund shall be used as 1190
follows: 1191

(a) Except for moneys collected under section 1548.10 of the 1192
Revised Code and as provided in division (B)(3)(c) of this 1193
section, moneys collected under division (B)(3) of this section 1194
shall be used to implement and maintain an automated title 1195
processing system for the issuance of motor vehicle, off-highway 1196
motorcycle, and all-purpose vehicle certificates of title in the 1197
offices of the clerks of the courts of common pleas. 1198

(b) Moneys collected under section 1548.10 of the Revised 1199
Code shall be used to issue marine certificates of title in the 1200
offices of the clerks of the courts of common pleas as provided in 1201
Chapter 1548. of the Revised Code. 1202

(c) Moneys collected under division (B)(3) of this section 1203
shall be used in accordance with section 4505.25 of the Revised 1204
Code to implement Sub. S.B. 59 of the 124th general assembly. 1205

(C)(1) The automated title processing board is hereby created 1206

consisting of the registrar or the registrar's representative, a 1207
person selected by the registrar, the president of the Ohio clerks 1208
of court association or the president's representative, and two 1209
clerks of courts of common pleas appointed by the governor. The 1210
director of budget and management or the director's designee, the 1211
chief of the division of watercraft in the department of natural 1212
resources or the chief's designee, and the tax commissioner or the 1213
commissioner's designee shall be nonvoting members of the board. 1214
The purpose of the board is to facilitate the operation and 1215
maintenance of an automated title processing system and approve 1216
the procurement of automated title processing system equipment. 1217
Voting members of the board, excluding the registrar or the 1218
registrar's representative, shall serve without compensation, but 1219
shall be reimbursed for travel and other necessary expenses 1220
incurred in the conduct of their official duties. The registrar or 1221
the registrar's representative shall receive neither compensation 1222
nor reimbursement as a board member. 1223

(2) The automated title processing board shall determine each 1224
of the following: 1225

(a) The automated title processing equipment and certificates 1226
of title requirements for each county; 1227

(b) The payment of expenses that may be incurred by the 1228
counties in implementing an automated title processing system; 1229

(c) The repayment to the counties for existing title 1230
processing equipment. 1231

(3) The registrar shall purchase, lease, or otherwise acquire 1232
any automated title processing equipment and certificates of title 1233
that the board determines are necessary from moneys in the 1234
automated title processing fund established by division (B)(3) of 1235
this section. 1236

(D) All counties shall conform to the requirements of the 1237

registrar regarding the operation of their automated title 1238
processing system for motor vehicle titles, certificates of title 1239
for off-highway motorcycles and all-purpose vehicles, and 1240
certificates of title for watercraft and outboard motors. 1241

Sec. 4510.037. (A) When the registrar of motor vehicles 1242
determines that the total points charged against any person under 1243
section 4510.036 of the Revised Code exceed five, the registrar 1244
shall send a warning letter to the person at the person's last 1245
known address by regular mail. The warning letter shall list the 1246
reported violations that are the basis of the points charged, list 1247
the number of points charged for each violation, and outline the 1248
suspension provisions of this section. 1249

(B) When the registrar determines that the total points 1250
charged against any person under section 4510.036 of the Revised 1251
Code within any two-year period beginning on the date of the first 1252
conviction within the two-year period is equal to twelve or more, 1253
the registrar shall send a written notice to the person at the 1254
person's last known address by regular mail. The notice shall list 1255
the reported violations that are the basis of the points charged, 1256
list the number of points charged for each violation, and state 1257
that, because the total number of points charged against the 1258
person within the applicable two-year period is equal to twelve or 1259
more, the registrar is imposing a class D suspension of the 1260
person's driver's or commercial driver's license or permit or 1261
nonresident operating privileges for the period of time specified 1262
in division (B)(4) of section 4510.02 of the Revised Code. The 1263
notice also shall state that the suspension is effective on the 1264
twentieth day after the mailing of the notice, unless the person 1265
files a petition appealing the determination and suspension in the 1266
municipal court, county court, or, if the person is under the age 1267
of eighteen, the juvenile division of the court of common pleas in 1268
whose jurisdiction the person resides or, if the person is not a 1269

resident of this state, in the Franklin county municipal court or 1270
juvenile division of the Franklin county court of common pleas. By 1271
filing the appeal of the determination and suspension, the person 1272
agrees to pay the cost of the proceedings in the appeal of the 1273
determination and suspension and alleges that the person can show 1274
cause why the person's driver's or commercial driver's license or 1275
permit or nonresident operating privileges should not be 1276
suspended. 1277

(C)(1) Any person against whom at least two but less than 1278
twelve points have been charged under section 4510.036 of the 1279
Revised Code may enroll in a course of remedial driving 1280
instruction that is approved by the director of public safety. 1281
Upon the person's completion of an approved course of remedial 1282
driving instruction, the person may apply to the registrar on a 1283
form prescribed by the registrar for a credit of two points on the 1284
person's driving record. Upon receipt of the application and proof 1285
of completion of the approved remedial driving course, the 1286
registrar shall approve the two-point credit. The registrar shall 1287
not approve any credits for a person who completes an approved 1288
course of remedial driving instruction pursuant to a judge's order 1289
under section 4510.02 of the Revised Code. 1290

(2) In any three-year period, the registrar shall approve 1291
only one two-point credit on a person's driving record under 1292
division (C)(1) of this section. The registrar shall approve not 1293
more than five two-point credits on a person's driving record 1294
under division (C)(1) of this section during that person's 1295
lifetime. 1296

(D) When a judge of a court of record suspends a person's 1297
driver's or commercial driver's license or permit or nonresident 1298
operating privilege and charges points against the person under 1299
section 4510.036 of the Revised Code for the offense that resulted 1300
in the suspension, the registrar shall credit that period of 1301

suspension against the time of any subsequent suspension imposed 1302
under this section for which those points were used to impose the 1303
subsequent suspension. When a United States district court that 1304
has jurisdiction within this state suspends a person's driver's or 1305
commercial driver's license or permit or nonresident operating 1306
privileges pursuant to the "Assimilative Crimes Act," 102 Stat. 1307
4381 (1988), 18 U.S.C.A. 13, as amended, the district court 1308
prepares an abstract pursuant to section 4510.031 of the Revised 1309
Code, and the district court charges points against the person 1310
under section 4510.036 of the Revised Code for the offense that 1311
resulted in the suspension, the registrar shall credit the period 1312
of suspension imposed by the district court against the time of 1313
any subsequent suspension imposed under this section for which the 1314
points were used to impose the subsequent suspension. 1315

(E) The registrar, upon the written request of a licensee who 1316
files a petition under division (B) of this section, shall furnish 1317
the licensee a certified copy of the registrar's record of the 1318
convictions and bond forfeitures of the person. This record shall 1319
include the name, address, and date of birth of the licensee; the 1320
name of the court in which each conviction or bail forfeiture took 1321
place; the nature of the offense that was the basis of the 1322
conviction or bond forfeiture; and any other information that the 1323
registrar considers necessary. If the record indicates that twelve 1324
points or more have been charged against the person within a 1325
two-year period, it is prima-facie evidence that the person is a 1326
repeat traffic offender, and the registrar shall suspend the 1327
person's driver's or commercial driver's license or permit or 1328
nonresident operating privilege pursuant to division (B) of this 1329
section. 1330

In hearing the petition and determining whether the person 1331
filing the petition has shown cause why the person's driver's or 1332
commercial driver's license or permit or nonresident operating 1333

privilege should not be suspended, the court shall decide the 1334
issue on the record certified by the registrar and any additional 1335
relevant, competent, and material evidence that either the 1336
registrar or the person whose license is sought to be suspended 1337
submits. 1338

(F) If a petition is filed under division (B) of this section 1339
in a county court, the prosecuting attorney of the county in which 1340
the case is pending shall represent the registrar in the 1341
proceedings, except that, if the petitioner resides in a municipal 1342
corporation within the jurisdiction of the county court, the city 1343
director of law, village solicitor, or other chief legal officer 1344
of the municipal corporation shall represent the registrar in the 1345
proceedings. If a petition is filed under division (B) of this 1346
section in a municipal court, the registrar shall be represented 1347
in the resulting proceedings as provided in section 1901.34 of the 1348
Revised Code. 1349

(G) If the court determines from the evidence submitted that 1350
a person who filed a petition under division (B) of this section 1351
has failed to show cause why the person's driver's or commercial 1352
driver's license or permit or nonresident operating privileges 1353
should not be suspended, the court shall assess against the person 1354
the cost of the proceedings in the appeal of the determination and 1355
suspension and shall impose the applicable suspension under this 1356
section or suspend all or a portion of the suspension and impose 1357
any conditions upon the person that the court considers proper or 1358
impose upon the person a community control sanction pursuant to 1359
section 2929.15 or 2929.25 of the Revised Code. If the court 1360
determines from the evidence submitted that a person who filed a 1361
petition under division (B) of this section has shown cause why 1362
the person's driver's or commercial driver's license or permit or 1363
nonresident operating privileges should not be suspended, the 1364
costs of the appeal proceeding shall be paid out of the county 1365

treasury of the county in which the proceedings were held. 1366

(H) Any person whose driver's or commercial driver's license 1367
or permit or nonresident operating privileges are suspended under 1368
this section is not entitled to apply for or receive a new 1369
driver's or commercial driver's license or permit or to request or 1370
be granted nonresident operating privileges during the effective 1371
period of the suspension. 1372

(I) Upon the termination of any suspension or other penalty 1373
imposed under this section involving the surrender of license or 1374
permit and upon the request of the person whose license or permit 1375
was suspended or surrendered, the registrar shall return the 1376
license or permit to the person upon determining that the person 1377
has complied with all provisions of section 4510.038 of the 1378
Revised Code or, if the registrar destroyed the license or permit 1379
pursuant to section 4510.52 of the Revised Code, shall reissue the 1380
person's license or permit. 1381

(J) Any person whose driver's or commercial driver's license 1382
or permit or nonresident operating privileges are suspended as a 1383
repeat traffic offender under this section and who, during the 1384
suspension, operates any motor vehicle upon any public roads and 1385
highways is guilty of a misdemeanor of the first degree, and the 1386
court shall sentence the offender to a minimum term of three days 1387
in jail. No court shall suspend the first three days of jail time 1388
imposed pursuant to this division. 1389

(K) The registrar, in accordance with specific statutory 1390
authority, may suspend the privilege of driving a motor vehicle on 1391
the public roads and highways of this state that is granted to 1392
nonresidents by section 4507.04 of the Revised Code. 1393

(L) Any course of remedial driving instruction the director 1394
of public safety approves under this section shall require its 1395
students to attend at least fifty per cent of the course in 1396

person. The director shall not approve any course of remedial 1397
driving instruction that permits its students to take more than 1398
fifty per cent of the course in any other manner, including via 1399
video teleconferencing or the internet. 1400

Sec. 4510.038. (A) Any person whose driver's or commercial 1401
driver's license or permit is suspended or who is granted limited 1402
driving privileges under section 4510.037, under division (H) of 1403
section 4511.19, or under section 4510.07 of the Revised Code for 1404
a violation of a municipal ordinance that is substantially 1405
equivalent to division (B) of section 4511.19 of the Revised Code 1406
is not eligible to retain the license, or to have the driving 1407
privileges reinstated, until each of the following has occurred: 1408

~~(A)~~(1) The person successfully completes a course of remedial 1409
driving instruction approved by the director of public safety. A 1410
minimum of twenty-five per cent of the number of hours of 1411
instruction included in the course shall be devoted to instruction 1412
on driver attitude. 1413

The course also shall devote a number of hours to instruction 1414
in the area of alcohol and drugs and the operation of vehicles. 1415
The instruction shall include, but not be limited to, a review of 1416
the laws governing the operation of a vehicle while under the 1417
influence of alcohol, drugs, or a combination of them, the dangers 1418
of operating a vehicle while under the influence of alcohol, 1419
drugs, or a combination of them, and other information relating to 1420
the operation of vehicles and the consumption of alcoholic 1421
beverages and use of drugs. The director, in consultation with the 1422
director of alcohol and drug addiction services, shall prescribe 1423
the content of the instruction. The number of hours devoted to the 1424
area of alcohol and drugs and the operation of vehicles shall 1425
comprise a minimum of twenty-five per cent of the number of hours 1426
of instruction included in the course. 1427

~~(B)~~(2) The person is examined in the manner provided for in 1428
section 4507.20 of the Revised Code, and found by the registrar of 1429
motor vehicles to be qualified to operate a motor vehicle; 1430

~~(C)~~(3) The person gives and maintains proof of financial 1431
responsibility, in accordance with section 4509.45 of the Revised 1432
Code. 1433

(B) Any course of remedial driving instruction the director 1434
of public safety approves under this section shall require its 1435
students to attend at least fifty per cent of the course in 1436
person. The director shall not approve any course of remedial 1437
driving instruction that permits its students to take more than 1438
fifty per cent of the course in any other manner, including via 1439
video teleconferencing or the internet. 1440

Sec. 4511.092. (A) As used in this section: 1441

(1) "Motor vehicle leasing dealer" has the same meaning as in 1442
section 4517.01 of the Revised Code. 1443

(2) "Motor vehicle renting dealer" has the same meaning as in 1444
section 4549.65 of the Revised Code. 1445

(3) "Ticket" means any traffic ticket, citation, summons, or 1446
other notice of liability issued in response to an alleged traffic 1447
law violation detected by a traffic law photo-monitoring device. 1448

(4) "Traffic law photo-monitoring device" means an electronic 1449
system consisting of a photographic, video, or electronic camera 1450
and a means of sensing the presence of a motor vehicle that 1451
automatically produces photographs, videotape, or digital images 1452
of the vehicle or its license plate. 1453

(B) A motor vehicle leasing dealer or motor vehicle renting 1454
dealer who receives a ticket for an alleged traffic law violation 1455
detected by a traffic law photo-monitoring device is not liable 1456
for a ticket issued for a vehicle that was in the care, custody, 1457

or control of a lessee or renter at the time of the alleged 1458
violation. A dealer who receives a ticket for such a violation 1459
shall notify whoever issued the ticket of the vehicle lessee's or 1460
renter's name and address. In no case shall the dealer pay such a 1461
ticket and then attempt to collect a fee or assess the lessee or 1462
renter a charge for any payment of such a ticket made on behalf of 1463
the lessee or renter. 1464

Sec. 4511.21. (A) No person shall operate a motor vehicle, 1465
trackless trolley, or streetcar at a speed greater or less than is 1466
reasonable or proper, having due regard to the traffic, surface, 1467
and width of the street or highway and any other conditions, and 1468
no person shall drive any motor vehicle, trackless trolley, or 1469
streetcar in and upon any street or highway at a greater speed 1470
than will permit the person to bring it to a stop within the 1471
assured clear distance ahead. 1472

(B) It is prima-facie lawful, in the absence of a lower limit 1473
declared pursuant to this section by the director of 1474
transportation or local authorities, for the operator of a motor 1475
vehicle, trackless trolley, or streetcar to operate the same at a 1476
speed not exceeding the following: 1477

(1)(a) Twenty miles per hour in school zones during school 1478
recess and while children are going to or leaving school during 1479
the opening or closing hours, and when twenty miles per hour 1480
school speed limit signs are erected; except that, on 1481
controlled-access highways and expressways, if the right-of-way 1482
line fence has been erected without pedestrian opening, the speed 1483
shall be governed by division (B)(4) of this section and on 1484
freeways, if the right-of-way line fence has been erected without 1485
pedestrian opening, the speed shall be governed by divisions 1486
(B)(9) and (10) of this section. The end of every school zone may 1487
be marked by a sign indicating the end of the zone. Nothing in 1488

this section or in the manual and specifications for a uniform 1489
system of traffic control devices shall be construed to require 1490
school zones to be indicated by signs equipped with flashing or 1491
other lights, or giving other special notice of the hours in which 1492
the school zone speed limit is in effect. 1493

(b) As used in this section and in section 4511.212 of the 1494
Revised Code, "school" means any school chartered under section 1495
3301.16 of the Revised Code and any nonchartered school that 1496
during the preceding year filed with the department of education 1497
in compliance with rule 3301-35-08 of the Ohio Administrative 1498
Code, a copy of the school's report for the parents of the 1499
school's pupils certifying that the school meets Ohio minimum 1500
standards for nonchartered, nontax-supported schools and presents 1501
evidence of this filing to the jurisdiction from which it is 1502
requesting the establishment of a school zone. "School" also 1503
includes a special elementary school that in writing requests the 1504
county engineer of the county in which the special elementary 1505
school is located to create a school zone at the location of that 1506
school. Upon receipt of such a written request, the county 1507
engineer shall create a school zone at that location by erecting 1508
the appropriate signs. 1509

(c) As used in this section, "school zone" means that portion 1510
of a street or highway passing a school fronting upon the street 1511
or highway that is encompassed by projecting the school property 1512
lines to the fronting street or highway, and also includes that 1513
portion of a state highway. Upon request from local authorities 1514
for streets and highways under their jurisdiction and that portion 1515
of a state highway under the jurisdiction of the director of 1516
transportation or a request from a county engineer in the case of 1517
a school zone for a special elementary school, the director may 1518
extend the traditional school zone boundaries. The distances in 1519
divisions (B)(1)(c)(i), (ii), and (iii) of this section shall not 1520

exceed three hundred feet per approach per direction and are 1521
bounded by whichever of the following distances or combinations 1522
thereof the director approves as most appropriate: 1523

(i) The distance encompassed by projecting the school 1524
building lines normal to the fronting highway and extending a 1525
distance of three hundred feet on each approach direction; 1526

(ii) The distance encompassed by projecting the school 1527
property lines intersecting the fronting highway and extending a 1528
distance of three hundred feet on each approach direction; 1529

(iii) The distance encompassed by the special marking of the 1530
pavement for a principal school pupil crosswalk plus a distance of 1531
three hundred feet on each approach direction of the highway. 1532

Nothing in this section shall be construed to invalidate the 1533
director's initial action on August 9, 1976, establishing all 1534
school zones at the traditional school zone boundaries defined by 1535
projecting school property lines, except when those boundaries are 1536
extended as provided in divisions (B)(1)(a) and (c) of this 1537
section. 1538

(d) As used in this division, "crosswalk" has the meaning 1539
given that term in division (LL)(2) of section 4511.01 of the 1540
Revised Code. 1541

The director may, upon request by resolution of the 1542
legislative authority of a municipal corporation, the board of 1543
trustees of a township, or a county board of mental retardation 1544
and developmental disabilities created pursuant to Chapter 5126. 1545
of the Revised Code, and upon submission by the municipal 1546
corporation, township, or county board of such engineering, 1547
traffic, and other information as the director considers 1548
necessary, designate a school zone on any portion of a state route 1549
lying within the municipal corporation, lying within the 1550
unincorporated territory of the township, or lying adjacent to the 1551

property of a school that is operated by such county board, that 1552
includes a crosswalk customarily used by children going to or 1553
leaving a school during recess and opening and closing hours, 1554
whenever the distance, as measured in a straight line, from the 1555
school property line nearest the crosswalk to the nearest point of 1556
the crosswalk is no more than one thousand three hundred twenty 1557
feet. Such a school zone shall include the distance encompassed by 1558
the crosswalk and extending three hundred feet on each approach 1559
direction of the state route. 1560

(e) As used in this section, "special elementary school" 1561
means a school that meets all of the following criteria: 1562

(i) It is not chartered and does not receive tax revenue from 1563
any source. 1564

(ii) It does not educate children beyond the eighth grade. 1565

(iii) It is located outside the limits of a municipal 1566
corporation. 1567

(iv) A majority of the total number of students enrolled at 1568
the school are not related by blood. 1569

(v) The principal or other person in charge of the special 1570
elementary school annually sends a report to the superintendent of 1571
the school district in which the special elementary school is 1572
located indicating the total number of students enrolled at the 1573
school, but otherwise the principal or other person in charge does 1574
not report any other information or data to the superintendent. 1575

(2) Twenty-five miles per hour in all other portions of a 1576
municipal corporation, except on state routes outside business 1577
districts, through highways outside business districts, and 1578
alleys; 1579

(3) Thirty-five miles per hour on all state routes or through 1580
highways within municipal corporations outside business districts, 1581

except as provided in divisions (B)(4) and (6) of this section;	1582
(4) Fifty miles per hour on controlled-access highways and expressways within municipal corporations;	1583
	1584
(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;	1585
	1586
	1587
	1588
(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;	1589
	1590
	1591
(7) Fifteen miles per hour on all alleys within the municipal corporation;	1592
	1593
(8) Thirty-five miles per hour on highways outside municipal corporations that are within an island jurisdiction;	1594
	1595
(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;	1596
	1597
	1598
(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;	1599
	1600
	1601
(11) Fifty-five miles per hour at all times on all portions of freeways that are part of the interstate system and on all portions of freeways that are not part of the interstate system, but are built to the standards and specifications that are applicable to freeways that are part of the interstate system for operators of any motor vehicle weighing in excess of eight thousand pounds empty weight and any noncommercial bus;	1602
	1603
	1604
	1605
	1606
	1607
	1608
(12) Fifty-five miles per hour for operators of any motor vehicle weighing eight thousand pounds or less empty weight and any commercial bus at all times on all portions of freeways that	1609
	1610
	1611

are part of the interstate system and that had such a speed limit 1612
established prior to October 1, 1995, and freeways that are not 1613
part of the interstate system, but are built to the standards and 1614
specifications that are applicable to freeways that are part of 1615
the interstate system and that had such a speed limit established 1616
prior to October 1, 1995, unless a higher speed limit is 1617
established under division (L) of this section; 1618

(13) Sixty-five miles per hour for operators of any motor 1619
vehicle weighing eight thousand pounds or less empty weight and 1620
any commercial bus at all times on all portions of the following: 1621

(a) Freeways that are part of the interstate system and that 1622
had such a speed limit established prior to October 1, 1995, and 1623
freeways that are not part of the interstate system, but are built 1624
to the standards and specifications that are applicable to 1625
freeways that are part of the interstate system and that had such 1626
a speed limit established prior to October 1, 1995; 1627

(b) Freeways that are part of the interstate system and 1628
freeways that are not part of the interstate system but are built 1629
to the standards and specifications that are applicable to 1630
freeways that are part of the interstate system, and that had such 1631
a speed limit established under division (L) of this section; 1632

(c) Rural, divided, multi-lane highways that are designated 1633
as part of the national highway system under the "National Highway 1634
System Designation Act of 1995," 109 Stat. 568, 23 U.S.C.A. 103, 1635
and that had such a speed limit established under division (M) of 1636
this section. 1637

(C) It is prima-facie unlawful for any person to exceed any 1638
of the speed limitations in divisions (B)(1)(a), (2), (3), (4), 1639
(6), (7), and (8) of this section, or any declared pursuant to 1640
this section by the director or local authorities and it is 1641
unlawful for any person to exceed any of the speed limitations in 1642

division (D) of this section. No person shall be convicted of more than one violation of this section for the same conduct, although violations of more than one provision of this section may be charged in the alternative in a single affidavit.

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

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

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

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

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

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

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

(E) In every charge of violation of this section the affidavit and warrant shall specify the time, place, and speed at which the defendant is alleged to have driven, and in charges made in reliance upon division (C) of this section also the speed which division (B)(1)(a), (2), (3), (4), (6), (7), or (8) of, or a limit

declared pursuant to, this section declares is prima-facie lawful 1673
at the time and place of such alleged violation, except that in 1674
affidavits where a person is alleged to have driven at a greater 1675
speed than will permit the person to bring the vehicle to a stop 1676
within the assured clear distance ahead the affidavit and warrant 1677
need not specify the speed at which the defendant is alleged to 1678
have driven. 1679

(F) When a speed in excess of both a prima-facie limitation 1680
and a limitation in division (D)(1), (2), (3), (4), (5), or (6) of 1681
this section is alleged, the defendant shall be charged in a 1682
single affidavit, alleging a single act, with a violation 1683
indicated of both division (B)(1)(a), (2), (3), (4), (6), (7), or 1684
(8) of this section, or of a limit declared pursuant to this 1685
section by the director or local authorities, and of the 1686
limitation in division (D)(1), (2), (3), (4), (5), or (6) of this 1687
section. If the court finds a violation of division (B)(1)(a), 1688
(2), (3), (4), (6), (7), or (8) of, or a limit declared pursuant 1689
to, this section has occurred, it shall enter a judgment of 1690
conviction under such division and dismiss the charge under 1691
division (D)(1), (2), (3), (4), (5), or (6) of this section. If it 1692
finds no violation of division (B)(1)(a), (2), (3), (4), (6), (7), 1693
or (8) of, or a limit declared pursuant to, this section, it shall 1694
then consider whether the evidence supports a conviction under 1695
division (D)(1), (2), (3), (4), (5), or (6) of this section. 1696

(G) Points shall be assessed for violation of a limitation 1697
under division (D) of this section in accordance with section 1698
4510.036 of the Revised Code. 1699

(H) Whenever the director determines upon the basis of a 1700
geometric and traffic characteristic study that any speed limit 1701
set forth in divisions (B)(1)(a) to (D) of this section is greater 1702
or less than is reasonable or safe under the conditions found to 1703
exist at any portion of a street or highway under the jurisdiction 1704

of the director, the director shall determine and declare a 1705
reasonable and safe prima-facie speed limit, which shall be 1706
effective when appropriate signs giving notice of it are erected 1707
at the location. 1708

(I)(1) Except as provided in divisions (I)(2) and (K) of this 1709
section, whenever local authorities determine upon the basis of an 1710
engineering and traffic investigation that the speed permitted by 1711
divisions (B)(1)(a) to (D) of this section, on any part of a 1712
highway under their jurisdiction, is greater than is reasonable 1713
and safe under the conditions found to exist at such location, the 1714
local authorities may by resolution request the director to 1715
determine and declare a reasonable and safe prima-facie speed 1716
limit. Upon receipt of such request the director may determine and 1717
declare a reasonable and safe prima-facie speed limit at such 1718
location, and if the director does so, then such declared speed 1719
limit shall become effective only when appropriate signs giving 1720
notice thereof are erected at such location by the local 1721
authorities. The director may withdraw the declaration of a 1722
prima-facie speed limit whenever in the director's opinion the 1723
altered prima-facie speed becomes unreasonable. Upon such 1724
withdrawal, the declared prima-facie speed shall become 1725
ineffective and the signs relating thereto shall be immediately 1726
removed by the local authorities. 1727

(2) A local authority may determine on the basis of a 1728
geometric and traffic characteristic study that the speed limit of 1729
sixty-five miles per hour on a portion of a freeway under its 1730
jurisdiction that was established through the operation of 1731
division (L)(3) of this section is greater than is reasonable or 1732
safe under the conditions found to exist at that portion of the 1733
freeway. If the local authority makes such a determination, the 1734
local authority by resolution may request the director to 1735
determine and declare a reasonable and safe speed limit of not 1736

less than fifty-five miles per hour for that portion of the 1737
freeway. If the director takes such action, the declared speed 1738
limit becomes effective only when appropriate signs giving notice 1739
of it are erected at such location by the local authority. 1740

(J) Local authorities in their respective jurisdictions may 1741
authorize by ordinance higher prima-facie speeds than those stated 1742
in this section upon through highways, or upon highways or 1743
portions thereof where there are no intersections, or between 1744
widely spaced intersections, provided signs are erected giving 1745
notice of the authorized speed, but local authorities shall not 1746
modify or alter the basic rule set forth in division (A) of this 1747
section or in any event authorize by ordinance a speed in excess 1748
of fifty miles per hour. 1749

Alteration of prima-facie limits on state routes by local 1750
authorities shall not be effective until the alteration has been 1751
approved by the director. The director may withdraw approval of 1752
any altered prima-facie speed limits whenever in the director's 1753
opinion any altered prima-facie speed becomes unreasonable, and 1754
upon such withdrawal, the altered prima-facie speed shall become 1755
ineffective and the signs relating thereto shall be immediately 1756
removed by the local authorities. 1757

(K)(1) As used in divisions (K)(1), (2), (3), and (4) of this 1758
section, "unimproved highway" means a highway consisting of any of 1759
the following: 1760

(a) Unimproved earth; 1761

(b) Unimproved graded and drained earth; 1762

(c) Gravel. 1763

(2) Except as otherwise provided in divisions (K)(4) and (5) 1764
of this section, whenever a board of township trustees determines 1765
upon the basis of an engineering and traffic investigation that 1766
the speed permitted by division (B)(5) of this section on any part 1767

of an unimproved highway under its jurisdiction and in the 1768
unincorporated territory of the township is greater than is 1769
reasonable or safe under the conditions found to exist at the 1770
location, the board may by resolution declare a reasonable and 1771
safe prima-facie speed limit of fifty-five but not less than 1772
twenty-five miles per hour. An altered speed limit adopted by a 1773
board of township trustees under this division becomes effective 1774
when appropriate traffic control devices, as prescribed in section 1775
4511.11 of the Revised Code, giving notice thereof are erected at 1776
the location, which shall be no sooner than sixty days after 1777
adoption of the resolution. 1778

(3)(a) Whenever, in the opinion of a board of township 1779
trustees, any altered prima-facie speed limit established by the 1780
board under this division becomes unreasonable, the board may 1781
adopt a resolution withdrawing the altered prima-facie speed 1782
limit. Upon the adoption of such a resolution, the altered 1783
prima-facie speed limit becomes ineffective and the traffic 1784
control devices relating thereto shall be immediately removed. 1785

(b) Whenever a highway ceases to be an unimproved highway and 1786
the board has adopted an altered prima-facie speed limit pursuant 1787
to division (K)(2) of this section, the board shall, by 1788
resolution, withdraw the altered prima-facie speed limit as soon 1789
as the highway ceases to be unimproved. Upon the adoption of such 1790
a resolution, the altered prima-facie speed limit becomes 1791
ineffective and the traffic control devices relating thereto shall 1792
be immediately removed. 1793

(4)(a) If the boundary of two townships rests on the 1794
centerline of an unimproved highway in unincorporated territory 1795
and both townships have jurisdiction over the highway, neither of 1796
the boards of township trustees of such townships may declare an 1797
altered prima-facie speed limit pursuant to division (K)(2) of 1798
this section on the part of the highway under their joint 1799

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:

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

three hundred feet long and the frontage is improved with 1832
buildings in use for commercial purposes. 1833

(b) "Residential subdivision" means any platted territory 1834
outside the limits of a municipal corporation and fronting a 1835
highway, where, for a distance of three hundred feet or more, the 1836
frontage is improved with residences or residences and buildings 1837
in use for business, or where the entire length of the highway is 1838
less than three hundred feet long and the frontage is improved 1839
with residences or residences and buildings in use for business. 1840

Whenever a board of township trustees finds upon the basis of 1841
an engineering and traffic investigation that the prima-facie 1842
speed permitted by division (B)(5) of this section on any part of 1843
a highway under its jurisdiction that is located in a commercial 1844
or residential subdivision, except on highways or portions thereof 1845
at the entrances to which vehicular traffic from the majority of 1846
intersecting highways is required to yield the right-of-way to 1847
vehicles on such highways in obedience to stop or yield signs or 1848
traffic control signals, is greater than is reasonable and safe 1849
under the conditions found to exist at the location, the board may 1850
by resolution declare a reasonable and safe prima-facie speed 1851
limit of less than fifty-five but not less than twenty-five miles 1852
per hour at the location. An altered speed limit adopted by a 1853
board of township trustees under this division shall become 1854
effective when appropriate signs giving notice thereof are erected 1855
at the location by the township. Whenever, in the opinion of a 1856
board of township trustees, any altered prima-facie speed limit 1857
established by it under this division becomes unreasonable, it may 1858
adopt a resolution withdrawing the altered prima-facie speed, and 1859
upon such withdrawal, the altered prima-facie speed shall become 1860
ineffective, and the signs relating thereto shall be immediately 1861
removed by the township. 1862

(L)(1) Within one hundred twenty days of February 29, 1996, 1863

the director of transportation, based upon a geometric and traffic 1864
characteristic study of a freeway that is part of the interstate 1865
system or that is not part of the interstate system, but is built 1866
to the standards and specifications that are applicable to 1867
freeways that are part of the interstate system, in consultation 1868
with the director of public safety and, if applicable, the local 1869
authority having jurisdiction over a portion of such freeway, may 1870
determine and declare that the speed limit of less than sixty-five 1871
miles per hour established on such freeway or portion of freeway 1872
either is reasonable and safe or is less than that which is 1873
reasonable and safe. 1874

(2) If the established speed limit for such a freeway or 1875
portion of freeway is determined to be less than that which is 1876
reasonable and safe, the director of transportation, in 1877
consultation with the director of public safety and, if 1878
applicable, the local authority having jurisdiction over the 1879
portion of freeway, shall determine and declare a reasonable and 1880
safe speed limit of not more than sixty-five miles per hour for 1881
that freeway or portion of freeway. 1882

The director of transportation or local authority having 1883
jurisdiction over the freeway or portion of freeway shall erect 1884
appropriate signs giving notice of the speed limit at such 1885
location within one hundred fifty days of February 29, 1996. Such 1886
speed limit becomes effective only when such signs are erected at 1887
the location. 1888

(3) If, within one hundred twenty days of February 29, 1996, 1889
the director of transportation does not make a determination and 1890
declaration of a reasonable and safe speed limit for a freeway or 1891
portion of freeway that is part of the interstate system or that 1892
is not part of the interstate system, but is built to the 1893
standards and specifications that are applicable to freeways that 1894
are part of the interstate system and that has a speed limit of 1895

less than sixty-five miles per hour, the speed limit on that 1896
freeway or portion of a freeway shall be sixty-five miles per 1897
hour. The director of transportation or local authority having 1898
jurisdiction over the freeway or portion of the freeway shall 1899
erect appropriate signs giving notice of the speed limit of 1900
sixty-five miles per hour at such location within one hundred 1901
fifty days of February 29, 1996. Such speed limit becomes 1902
effective only when such signs are erected at the location. A 1903
speed limit established through the operation of division (L)(3) 1904
of this section is subject to reduction under division (I)(2) of 1905
this section. 1906

(M) Within three hundred sixty days after February 29, 1996, 1907
the director of transportation, based upon a geometric and traffic 1908
characteristic study of a rural, divided, multi-lane highway that 1909
has been designated as part of the national highway system under 1910
the "National Highway System Designation Act of 1995," 109 Stat. 1911
568, 23 U.S.C.A. 103, in consultation with the director of public 1912
safety and, if applicable, the local authority having jurisdiction 1913
over a portion of the highway, may determine and declare that the 1914
speed limit of less than sixty-five miles per hour established on 1915
the highway or portion of highway either is reasonable and safe or 1916
is less than that which is reasonable and safe. 1917

If the established speed limit for the highway or portion of 1918
highway is determined to be less than that which is reasonable and 1919
safe, the director of transportation, in consultation with the 1920
director of public safety and, if applicable, the local authority 1921
having jurisdiction over the portion of highway, shall determine 1922
and declare a reasonable and safe speed limit of not more than 1923
sixty-five miles per hour for that highway or portion of highway. 1924
The director of transportation or local authority having 1925
jurisdiction over the highway or portion of highway shall erect 1926
appropriate signs giving notice of the speed limit at such 1927

location within three hundred ninety days after February 29, 1996. 1928
The speed limit becomes effective only when such signs are erected 1929
at the location. 1930

(N)(1)(a) If the boundary of two local authorities rests on 1931
the centerline of a highway and both authorities have jurisdiction 1932
over the highway, the speed limit for the part of the highway 1933
within their joint jurisdiction shall be either one of the 1934
following as agreed to by both authorities: 1935

(i) Either prima-facie speed limit permitted by division (B) 1936
of this section; 1937

(ii) An altered speed limit determined and posted in 1938
accordance with this section. 1939

(b) If the local authorities are unable to reach an 1940
agreement, the speed limit shall remain as established and posted 1941
under this section. 1942

(2) Neither local authority may declare an altered 1943
prima-facie speed limit pursuant to this section on the part of 1944
the highway under their joint jurisdiction unless both of the 1945
local authorities determine, upon the basis of an engineering and 1946
traffic investigation, that the speed permitted by this section is 1947
greater than is reasonable or safe under the conditions found to 1948
exist at the location and both authorities agree upon a uniform 1949
reasonable and safe prima-facie speed limit of less than 1950
fifty-five but not less than twenty-five miles per hour for that 1951
location. If both authorities so agree, each shall follow the 1952
procedure specified in this section for altering the prima-facie 1953
speed limit on the highway, and the speed limit for the part of 1954
the highway within their joint jurisdiction shall be uniformly 1955
altered. No altered speed limit may be withdrawn unless both local 1956
authorities determine that the altered prima-facie speed limit 1957
previously adopted becomes unreasonable and each adopts a 1958

resolution withdrawing the altered prima-facie speed limit	1959
pursuant to the procedure specified in this section.	1960
(0) As used in this section:	1961
(1) "Interstate system" has the same meaning as in 23	1962
U.S.C.A. 101.	1963
(2) "Commercial bus" means a motor vehicle designed for	1964
carrying more than nine passengers and used for the transportation	1965
of persons for compensation.	1966
(3) "Noncommercial bus" includes but is not limited to a	1967
school bus or a motor vehicle operated solely for the	1968
transportation of persons associated with a charitable or	1969
nonprofit organization.	1970
(P)(1) A violation of any provision of this section is one of	1971
the following:	1972
(a) Except as otherwise provided in divisions (P)(1)(b),	1973
(1)(c), (2), and (3) of this section, a minor misdemeanor;	1974
(b) If, within one year of the offense, the offender	1975
previously has been convicted of or pleaded guilty to two	1976
violations of any provision of this section or of any provision of	1977
a municipal ordinance that is substantially similar to any	1978
provision of this section, a misdemeanor of the fourth degree;	1979
(c) If, within one year of the offense, the offender	1980
previously has been convicted of or pleaded guilty to three or	1981
more violations of any provision of this section or of any	1982
provision of a municipal ordinance that is substantially similar	1983
to any provision of this section, a misdemeanor of the third	1984
degree.	1985
(2) If the offender has not previously been convicted of or	1986
pleaded guilty to a violation of any provision of this section or	1987
of any provision of a municipal ordinance that is substantially	1988

similar to this section and operated a motor vehicle faster than 1989
thirty-five miles an hour in a business district of a municipal 1990
corporation, faster than fifty miles an hour in other portions of 1991
a municipal corporation, or faster than thirty-five miles an hour 1992
in a school zone during recess or while children are going to or 1993
leaving school during the school's opening or closing hours, a 1994
misdemeanor of the fourth degree. 1995

(3) Notwithstanding division (P)(1) of this section, if the 1996
offender operated a motor vehicle in a construction zone where a 1997
sign was then posted in accordance with section 4511.98 of the 1998
Revised Code, the court, in addition to all other penalties 1999
provided by law, shall impose upon the offender a fine of two 2000
times the usual amount imposed for the violation. No court shall 2001
impose a fine of two times the usual amount imposed for the 2002
violation upon an offender if the offender alleges, in an 2003
affidavit filed with the court prior to the offender's sentencing, 2004
that the offender is indigent and is unable to pay the fine 2005
imposed pursuant to this division and if the court determines that 2006
the offender is an indigent person and unable to pay the fine. 2007

Sec. 4513.20. (A) The following requirements govern as to 2008
brake equipment on vehicles: 2009

(1) Every trackless trolley and motor vehicle, other than a 2010
motorcycle, when operated upon a highway shall be equipped with 2011
brakes adequate to control the movement of and to stop and hold 2012
such trackless trolley or motor vehicle, including two separate 2013
means of applying the brakes, each of which means shall be 2014
effective to apply the brakes to at least two wheels. If these two 2015
separate means of applying the brakes are connected in any way, 2016
then on such trackless trolleys or motor vehicles manufactured or 2017
assembled after January 1, 1942, they shall be so constructed that 2018
failure of any one part of the operating mechanism shall not leave 2019

the trackless trolley or motor vehicle without brakes on at least 2020
two wheels. 2021

(2) Every motorcycle, when operated upon a highway shall be 2022
equipped with at least one adequate brake, which may be operated 2023
by hand or by foot. 2024

(3) Every motorized bicycle shall be equipped with brakes 2025
meeting the rules adopted by the director of public safety under 2026
section 4511.521 of the Revised Code. 2027

(4) When operated upon the highways of this state, the 2028
following vehicles shall be equipped with brakes adequate to 2029
control the movement of and to stop and to hold the vehicle, 2030
designed to be applied by the driver of the towing motor vehicle 2031
from its cab, and also designed and connected so that, in case of 2032
a breakaway of the towed vehicle, the brakes shall be 2033
automatically applied: 2034

(a) ~~Every~~ Except as otherwise provided in this section, every 2035
trailer or semitrailer, except a pole trailer, with an empty 2036
weight of two thousand pounds or more, manufactured or assembled 2037
on or after January 1, 1942; 2038

(b) Every manufactured home or travel trailer with an empty 2039
weight of two thousand pounds or more, manufactured or assembled 2040
on or after January 1, 2001. 2041

(5) Every watercraft trailer with a gross weight or 2042
manufacturer's gross vehicle weight rating of three thousand 2043
pounds or more that is manufactured or assembled on or after 2044
January 1, 2008, shall have separate brakes equipped with 2045
hydraulic surge or electrically operated brakes on two wheels. 2046

(6) In any combination of motor-drawn trailers or 2047
semitrailers equipped with brakes, means shall be provided for 2048
applying the rearmost brakes in approximate synchronism with the 2049
brakes on the towing vehicle, and developing the required braking 2050

effort on the rearmost wheels at the fastest rate; or means shall 2051
be provided for applying braking effort first on the rearmost 2052
brakes; or both of the above means, capable of being used 2053
alternatively, may be employed. 2054

~~(6)~~(7) Every vehicle and combination of vehicles, except 2055
motorcycles and motorized bicycles, and except trailers and 2056
semitrailers of a gross weight of less than two thousand pounds, 2057
and pole trailers, shall be equipped with parking brakes adequate 2058
to hold the vehicle on any grade on which it is operated, under 2059
all conditions of loading, on a surface free from snow, ice, or 2060
loose material. The parking brakes shall be capable of being 2061
applied in conformance with the foregoing requirements by the 2062
driver's muscular effort or by spring action or by equivalent 2063
means. Their operation may be assisted by the service brakes or 2064
other source of power provided that failure of the service brake 2065
actuation system or other power assisting mechanism will not 2066
prevent the parking brakes from being applied in conformance with 2067
the foregoing requirements. The parking brakes shall be so 2068
designed that when once applied they shall remain applied with the 2069
required effectiveness despite exhaustion of any source of energy 2070
or leakage of any kind. 2071

~~(7)~~(8) The same brake drums, brake shoes and lining 2072
assemblies, brake shoe anchors, and mechanical brake shoe 2073
actuation mechanism normally associated with the wheel brake 2074
assemblies may be used for both the service brakes and the parking 2075
brakes. If the means of applying the parking brakes and the 2076
service brakes are connected in any way, they shall be so 2077
constructed that failure of any one part shall not leave the 2078
vehicle without operative brakes. 2079

~~(8)~~(9) Every trackless trolley, motor vehicle, or combination 2080
of motor-drawn vehicles shall be capable at all times and under 2081
all conditions of loading of being stopped on a dry, smooth, level 2082

road free from loose material, upon application of the service or
foot brake, within the following specified distances, or shall be
capable of being decelerated at a sustained rate corresponding to
these distances:

(a) Trackless trolleys, vehicles, or combinations of vehicles
having brakes on all wheels shall come to a stop in thirty feet or
less from a speed of twenty miles per hour.

(b) Vehicles or combinations of vehicles not having brakes on
all wheels shall come to a stop in forty feet or less from a speed
of twenty miles per hour.

~~(9)~~(10) All brakes shall be maintained in good working order
and shall be so adjusted as to operate as equally as practicable
with respect to the wheels on opposite sides of the trackless
trolley or vehicle.

(B) Whoever violates this section shall be punished as
provided in section 4513.99 of the Revised Code.

Sec. 4517.021. (A) Sections 4517.01, 4517.02, and 4517.03 to
4517.45 of the Revised Code do not apply to a person auctioning
classic motor vehicles, provided all of the following apply:

(1) The person is responsible for not more than two auctions
of classic motor vehicles per year, with no auction lasting more
than one day;

(2) The person requests and receives permission for the
auction from the registrar of motor vehicles by filing an
application for each proposed auction of classic motor vehicles,
at least thirty days before the auction, in a form prescribed by
the registrar, signed and sworn to by the person, that contains
all of the following:

(a) The person's name and business address;

(b) The location of the auction;

(c) Evidence, sufficient to satisfy the registrar, that the person does not exclusively sell motor vehicles; 2113
2114

(d) Any necessary, reasonable, and relevant information that the registrar may require to verify compliance with this section. 2115
2116

(3) The person will be auctioning the classic motor vehicle to the general public for the legal owner of the vehicle, which ownership must be evidenced at the time of the auction by a valid certificate of title issued pursuant to Chapter 4505. of the Revised Code; 2117
2118
2119
2120
2121

(4) The person keeps a record of the following information for each classic motor vehicle offered for sale at auction, in a manner prescribed by the registrar: 2122
2123
2124

(a) The certificate of title number, county, and state of registration; 2125
2126

(b) The year, make, model, and vehicle identification number; 2127

(c) The name and address of the person offering the vehicle for sale; 2128
2129

(d) The name and address of any vehicle purchaser; 2130

(e) The date the vehicle is offered for sale; 2131

(f) Any purchase price; 2132

(g) The odometer reading at the time of the auction and an odometer statement from the person offering the vehicle for sale at auction that complies with 49 U.S.C. 32705. 2133
2134
2135

(5) The person allows reasonable inspection by the registrar of the person's records relating to each classic motor vehicle auction. 2136
2137
2138

(B) Any person that auctions classic motor vehicles under this section shall use the auction services of an auction firm to conduct the auction. 2139
2140
2141

(C) The registrar may refuse permission to hold an auction if the registrar finds that the person has not complied with division (A) of this section or has made a false statement of a material fact in the application filed under division (A)(2) of this section. 2142
2143
2144
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(D) The registrar shall not authorize a person licensed under section 4707.072 of the Revised Code to offer auction services or act as an auctioneer in regard to an auction of classic motor vehicles pursuant to this section. 2147
2148
2149
2150

(E) As used in this section: 2151

(1) "Auction firm" and "auction services" have the same meanings as in section 4707.01 of the Revised Code. 2152
2153

(2) "Classic motor vehicle" means a motor vehicle that is over twenty-six years old. 2154
2155

Sec. 4517.21. (A) No motor vehicle auction owner licensed under Chapter 4517. of the Revised Code shall: 2156
2157

(1) Engage in the sale of motor vehicles at retail from the same licensed location; 2158
2159

(2) Knowingly permit the auctioning of a motor vehicle if the motor vehicle auction owner has reasonable cause to believe it is not being offered for sale by the legal owner of the motor vehicle; 2160
2161
2162
2163

(3) Knowingly permit the sale of a motor vehicle to any person except a the following: 2164
2165

(a) A motor vehicle dealer licensed in this state or any other jurisdiction, or any other person licensed pursuant to Chapter 4517. of the Revised Code or a substantially similar statute of any other jurisdiction; 2166
2167
2168
2169

(b) A person who purchases a motor vehicle from a licensed 2170

motor vehicle dealer at an auction of motor vehicles conducted at 2171
the licensed motor vehicle dealer's place of business in 2172
accordance with division (B) of this section; 2173

(c) A person who purchases a classic motor vehicle, as 2174
defined in section 4517.021 of the Revised Code, at an auction 2175
conducted at the established place of business of a licensed motor 2176
vehicle auction owner where only classic motor vehicles are being 2177
auctioned. 2178

(4) Knowingly permit the sale of a motor vehicle by any 2179
person who is not licensed pursuant to Chapter 4517. of the 2180
Revised Code; 2181

(5) Knowingly permit any person to violate section 4517.19 of 2182
the Revised Code; 2183

(6) Deny reasonable inspection of the motor vehicle auction 2184
owner's business records, relating to the sale of motor vehicles, 2185
to the registrar of motor vehicles or the attorney general, when 2186
requested in writing to do so. The motor vehicle auction owner 2187
shall maintain for a period of six years from the date of the sale 2188
of a motor vehicle at least the following information: 2189

(a) The year, make, model and vehicle identification number 2190
of the motor vehicle; 2191

(b) The name and address of the selling dealer; 2192

(c) The name and address of the buying dealer; 2193

(d) The date of the sale; 2194

(e) The purchase price; 2195

(f) The odometer reading of the motor vehicle at the time of 2196
sale and an odometer disclosure statement from the seller that 2197
complies with subchapter IV of the "Motor Vehicle Information and 2198
Cost Savings Act," 86 Stat. 961 (1972), 15 U.S.C. 1981. 2199

A motor vehicle auction owner may supplement the required 2200

information with any additional information the motor vehicle 2201
auction owner considers appropriate. 2202

(7) Knowingly permit a dealer whose license has been 2203
suspended or revoked, or a person whose application for a license 2204
to operate as a dealer has been denied, to participate as a buyer 2205
or seller at the motor vehicle auction owner's auction after 2206
notification by the registrar of the suspension or revocation of a 2207
license, or denial of an application for a license. The registrar 2208
shall notify each auction owner by certified mail, return receipt 2209
requested, within five business days of the suspension or 2210
revocation of a license, or the denial of an application for 2211
license. Any motor vehicle auction owner who has knowledge of the 2212
presence at the motor vehicle auction owner's auction of a dealer 2213
whose license has been suspended or revoked, or of a person whose 2214
application for a license to operate as a dealer has been denied, 2215
shall immediately cause the removal of the person from the 2216
auction. 2217

(8) Knowingly accept a motor vehicle for sale or possible 2218
sale by a dealer whose license has been suspended or revoked, 2219
during the period of suspension or revocation, or by a person 2220
whose application for a license to operate as a dealer has been 2221
denied, after notification by the registrar, in accordance with 2222
division (G) of this section, of the suspension or revocation of 2223
the license, or denial of an application for a license. 2224

(9) Knowingly permit the auctioning of a motor vehicle whose 2225
ownership is not evidenced at the time of auctioning by a current 2226
certificate of title or a manufacturer's certificate of origin, 2227
and all title assignments that evidence the seller's ownership of 2228
the motor vehicle, without first giving clear and unequivocal 2229
notice of the lack of such evidence. 2230

(B) Notwithstanding any provision of Chapter 4517. of the 2231
Revised Code to the contrary, a licensed motor vehicle auction 2232

owner, in addition to engaging in the business of auctioning motor vehicles at the auction owner's established place of business, may engage in the business of auctioning a licensed motor vehicle dealer's motor vehicles at that licensed motor vehicle dealer's established place of business, provided such dealer's place of business is not owned, operated, or in any way managed by a motor vehicle auction owner or subsidiary. The motor vehicle auction owner is not required to obtain an additional license for each dealer's premises at which the motor vehicle auction owner is engaging in the business of auctioning motor vehicles, regardless of whether the dealer's premises are located in another county, but the motor vehicle auction owner is required to have a certified copy of the auction owner's license available for inspection when the auction owner is engaging in the business of auctioning motor vehicles at an established place of business of a licensed motor vehicle dealer.

(C) Whoever violates this section is guilty of a misdemeanor of the fourth degree.

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

twenty-five cents of the fee charged for each notation of a lien. 2265

The remaining two dollars and seventy-five cents charged for 2266
the certificate of title, the remaining twenty-five cents charged 2267
for the duplicate certificate of title, and the remaining 2268
seventy-five cents charged for the notation of any lien on a 2269
certificate of title shall be paid to the registrar of motor 2270
vehicles by monthly returns, which shall be forwarded to the 2271
registrar not later than the fifth day of the month next 2272
succeeding that in which the certificate is forwarded or that in 2273
which the registrar is notified of a lien or cancellation of a 2274
lien. 2275

(B)(1) The registrar shall pay twenty-five cents of the 2276
amount received for each certificate of title and all of the 2277
amounts received for each notation of any lien and each duplicate 2278
certificate of title into the state bureau of motor vehicles fund 2279
established in section 4501.25 of the Revised Code. 2280

(2) Fifty cents of the amount received for each certificate 2281
of title shall be paid by the registrar as follows: 2282

(a) Four cents shall be paid into the state treasury to the 2283
credit of the motor vehicle dealers board fund created in section 2284
4505.09 of the Revised Code, for use as described in division 2285
(B)(2)(a) of that section. 2286

(b) Twenty-one cents shall be paid into the ~~general revenue~~ 2287
highway operating fund. 2288

(c) Twenty-five cents shall be paid into the state treasury 2289
to the credit of the motor vehicle sales audit fund created in 2290
section 4505.09 of the Revised Code, for use as described in 2291
division (B)(2)(c) of that section. 2292

(3) Two dollars of the amount received by the registrar for 2293
each certificate of title shall be paid into the state treasury to 2294

the credit of the automated title processing fund created in 2295
section 4505.09 of the Revised Code, for use as described in 2296
divisions (B)(3)(a) and (c) of that section. 2297

Sec. 4561.18. (A) The owner of any aircraft that is based in 2298
this state and that is not of a type specified in divisions (A)(1) 2299
to (6) of section 4561.17 of the Revised Code, shall register that 2300
aircraft with the department of transportation pursuant to this 2301
section. 2302

(B) Applications for the licensing and registration of 2303
aircraft shall be made and signed by the owner on forms the 2304
department of transportation prepares. The forms shall contain a 2305
description of the aircraft, including its federal registration 2306
number, the airport or other place at which the aircraft is based, 2307
and any other information the department requires. 2308

(C)(1) Registration forms shall be filed with the director of 2309
transportation annually at the time the director specifies and 2310
shall be renewed according to the standard renewal procedure of 2311
sections 4745.01 to 4745.03 of the Revised Code. If the airport or 2312
other place at which the aircraft usually is based changes, the 2313
owner shall update the registration by filing a new form with the 2314
office of aviation. 2315

(2) An application for the registration of any aircraft not 2316
previously registered in this state that is acquired or becomes 2317
subject to the license tax subsequent to the last day of January 2318
in any year, shall be made for the balance of the year in which 2319
the aircraft is acquired, within thirty days after the acquisition 2320
or after becoming subject to the license tax. 2321

(D)(1) Each registration form shall be accompanied by the 2322
proper license tax, which, for all aircraft other than ~~gliders and~~ 2323
~~balloons~~ those described in divisions (D)(2) and (3) of this 2324
section, shall be at the annual rate of fifteen dollars per seat, 2325

based on the manufacturer's maximum listed seating capacity. ~~The~~ 2326

(2) The license tax for gliders and balloons shall be fifteen 2327
dollars annually. 2328

(3) The annual license tax for commercial cargo aircraft 2329
shall be seven hundred fifty dollars per aircraft. 2330

(E) The department of transportation shall maintain all 2331
registrations filed with it under this section and shall develop a 2332
program to track and enforce the registration of aircraft based in 2333
this state. 2334

(F) The taxes this section requires are in lieu of all other 2335
taxes on or with respect to ownership of an aircraft. 2336

(G) The director of transportation shall impose a fine 2337
pursuant to section 4561.22 of the Revised Code for each aircraft 2338
that an owner fails to register as this section requires and shall 2339
require the owner to register the aircraft within the time the 2340
director specifies. The director may impose a separate fine for 2341
each registration period during which the owner fails to register 2342
the aircraft. 2343

(H) As used in this section, "commercial cargo aircraft" 2344
means any aircraft used in connection with an all-cargo operation, 2345
as defined in 14 C.F.R. 119.3. 2346

Sec. 4707.02. No person shall act as an auction firm, 2347
auctioneer, apprentice auctioneer, or special auctioneer within 2348
this state without a license issued by the department of 2349
agriculture. No auction shall be conducted in this state except by 2350
an auctioneer licensed by the department. 2351

The department shall not issue or renew a license if the 2352
applicant or licensee has been convicted of a felony or crime 2353
involving fraud or theft in this or another state at any time 2354
during the ten years immediately preceding application or renewal. 2355

This section does not apply to:	2356
(A) Sales at auction that either are required by law to be at auction, other than sales pursuant to a judicial order or decree, or that are conducted by or under the direction of a public authority;	2357 2358 2359 2360
(B) The owner of any real or personal property desiring to sell the property at auction, provided that the property was not acquired for the purpose of resale;	2361 2362 2363
(C) An auction mediation company;	2364
(D) An auction that is conducted in a course of study for auctioneers that is approved by the state auctioneers commission created under section 4707.03 of the Revised Code for purposes of student training and is supervised by a licensed auctioneer;	2365 2366 2367 2368
(E) An auction that is sponsored by a nonprofit or charitable organization that is registered in this state under Chapter 1702. or Chapter 1716. of the Revised Code, respectively, if the auction only involves the property of the members of the organization and the auction is part of a fair that is organized by an agricultural society under Chapter 1711. of the Revised Code or by the Ohio expositions commission under Chapter 991. of the Revised Code at which an auctioneer who is licensed under this chapter physically conducts the auction;	2369 2370 2371 2372 2373 2374 2375 2376 2377
(F) A person licensed as a livestock dealer under Chapter 943. of the Revised Code who exclusively sells livestock and uses an auctioneer who is licensed under this chapter to conduct the auction;	2378 2379 2380 2381
(G) A person licensed as a motor vehicle auction owner under Chapter 4517. of the Revised Code who exclusively sells motor vehicles <u>to a person licensed under Chapter 4517. of the Revised Code</u> and who uses an auctioneer who is licensed under this chapter to conduct the auction;	2382 2383 2384 2385 2386

(H) A person who sells real or personal property by means of the internet. 2387
2388

Sec. 4707.074. (A) A person who is not otherwise licensed under this chapter and who only provides auction services or holds the person's self out as providing auction services shall do so only with a valid auction firm license issued under this section. This section does not apply to either of the following: 2389
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2392
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(1) A person licensed as a motor vehicle auction owner under Chapter 4517. of the Revised Code who exclusively sells motor vehicles to a person licensed under Chapter 4517. of the Revised Code and who uses an auctioneer who is licensed under this chapter to conduct the auction; 2394
2395
2396
2397
2398

(2) A person licensed as a livestock dealer under Chapter 943. of the Revised Code who exclusively sells livestock and uses an auctioneer who is licensed under this chapter to conduct the auction. 2399
2400
2401
2402

(B) The department of agriculture may grant an auction firm license to an auction firm that is determined to be qualified by the department. Every applicant for an auction firm license shall furnish to the department, on forms provided by the department, satisfactory proof that the applicant: 2403
2404
2405
2406
2407

(1) Is in good standing with the secretary of state if the applicant is a corporation; 2408
2409

(2) Is of trustworthy character; 2410

(3) Is registered with the secretary of state or a local authority, as applicable, to do business in this state; 2411
2412

(4) Has complied with any other requirement that the director establishes in rules adopted under section 4707.19 of the Revised Code; 2413
2414
2415

(5) Has a general knowledge of the requirements of the 2416

Revised Code and the general principles regarding auctions,	2417
auctioneering, and auction management;	2418
(6) Has provided proof of financial responsibility in the	2419
amount of fifty thousand dollars in the form of a surety bond, an	2420
irrevocable letter of credit, or cashbond;	2421
(7) Employs a firm manager as required under division (D) of	2422
this section.	2423
(C) An application submitted under this section for an	2424
auction firm license shall list the names of all of the owners,	2425
directors, partners, or members of the applicant, as applicable.	2426
(D) An auction firm shall designate a firm manager. The firm	2427
manager shall have sufficient authority in the operation of the	2428
auction firm to ensure compliance with this chapter and rules	2429
adopted under it. If the firm manager does not have a current	2430
license issued under section 4707.07 of the Revised Code, the firm	2431
manager shall pass the written examination held under section	2432
4707.08 of the Revised Code before the department may issue a	2433
license under this section to the auction firm.	2434
(E)(1) An auction firm license issued under this section	2435
immediately shall terminate if any of the following occurs:	2436
(a) The auction firm incorporates.	2437
(b) The auction firm ceases to operate as a corporation.	2438
(c) The auction firm changes ownership.	2439
(d) If the auction firm is a partnership, the firm changes	2440
the number of partners in the partnership or changes the partners	2441
comprising the partnership.	2442
(e) The auction firm changes the firm manager.	2443
(f) The auction firm changes the name under which the firm	2444
conducts business.	2445

(g) The auction firm changes its permanent business location. 2446

If a license terminates under this division, the licensee 2447
immediately shall cease auction services, notify the department of 2448
the termination, and return the terminated license to the 2449
department. 2450

(2) Not later than ten days prior to the date on which an 2451
auction firm license will terminate pursuant to division 2452
(E)(1)(a), (b), (c), or (d) of this section, the auction firm may 2453
submit an application for a new auction firm license in accordance 2454
with division (B) of this section. If the auction firm submits the 2455
application, returns the terminated license, and pays a fee in the 2456
amount of one hundred dollars, the department may issue a new 2457
license under this section. 2458

(3) If a license terminates pursuant to division (E)(1)(e), 2459
(f), or (g) of this section and the formerly licensed auction firm 2460
notifies the department, returns the terminated license, and pays 2461
a fee in the amount of ten dollars, the department shall issue a 2462
new license under this division. 2463

(F) For purposes of the financial responsibility that is 2464
required under division (B) of this section, if a person provides 2465
a surety bond, the bond shall be executed by a surety company that 2466
is authorized to do business in this state. The bond shall be made 2467
payable to the department and shall include a condition that 2468
requires the applicant to comply with this chapter and rules 2469
adopted under it, including a requirement that the person refrain 2470
from conduct described in section 4707.15 of the Revised Code. A 2471
bond shall be on a form that is approved by the director. A person 2472
who is issued a license under this section shall maintain the 2473
financial responsibility that is required under division (B) of 2474
this section for as long as the person is licensed. 2475

(G) An auction firm licensed under this section shall not 2476

conduct the bid calling for the sale of real or personal property 2477
at auction. 2478

Sec. 5501.31. The director of transportation shall have 2479
general supervision of all roads comprising the state highway 2480
system. The director may alter, widen, straighten, realign, 2481
relocate, establish, construct, reconstruct, improve, maintain, 2482
repair, and preserve any road or highway on the state highway 2483
system, and, in connection therewith, relocate, alter, widen, 2484
deepen, clean out, or straighten the channel of any watercourse as 2485
the director considers necessary, and purchase or appropriate 2486
property for the disposal of surplus materials or borrow pits, 2487
and, where an established road has been relocated, establish, 2488
construct, and maintain such connecting roads between the old and 2489
new location as will provide reasonable access thereto. 2490

The director may purchase or appropriate property necessary 2491
for the location or construction of any culvert, bridge, or 2492
viaduct, or the approaches thereto, including any property needed 2493
to extend, widen, or alter any feeder or outlet road, street, or 2494
way adjacent to or under the bridge or viaduct when the extension, 2495
widening, or alteration of the feeder road, street, or way is 2496
necessary for the full utilization of the bridge or viaduct, or 2497
for any other highway improvement. The director may purchase or 2498
appropriate, for such length of time as is necessary and 2499
desirable, any additional property required for the construction 2500
and maintenance of slopes, detour roads, sewers, roadside parks, 2501
rest areas, recreational park areas, park and ride facilities, and 2502
park and carpool or vanpool facilities, scenic view areas, 2503
drainage systems, or land to replace wetlands, incident to any 2504
highway improvement, that the director is or may be authorized to 2505
locate or construct. Also incident to any authorized highway 2506
improvement, the director may purchase property from a willing 2507
seller as required for the construction and maintenance of 2508

bikeways and bicycle paths or to replace, preserve, or conserve 2509
any environmental resource if the replacement, preservation, or 2510
conservation is required by state or federal law. 2511

Title to property purchased or appropriated by the director 2512
shall be taken in the name of the state either in fee simple or in 2513
any lesser estate or interest that the director considers 2514
necessary or proper, in accordance with forms to be prescribed by 2515
the attorney general. The deed shall contain a description of the 2516
property and be recorded in the county where the property is 2517
situated and, when recorded, shall be kept on file in the 2518
department of transportation. The property may be described by 2519
metes and bounds or by the department of transportation parcel 2520
number as shown on a right of way plan recorded in the county 2521
where the property is located. 2522

Provided that when property, other than property used by a 2523
railroad for operating purposes, is acquired in connection with 2524
improvements involving projects affecting railroads wherein the 2525
department is obligated to acquire property under grade separation 2526
statutes, or on other improvements wherein the department is 2527
obligated to acquire lands under agreements with railroads, or 2528
with a public utility, political subdivision, public corporation, 2529
or private corporation owning transportation facilities for the 2530
readjustment, relocation, or improvement of their facilities, a 2531
fee simple title or an easement may be acquired by purchase or 2532
appropriation in the name of the railroad, public utility, 2533
political subdivision, public corporation, or private corporation 2534
in the discretion of the director. When the title to lands, which 2535
are required to adjust, relocate, or improve such facilities 2536
pursuant to agreements with the director, is taken in the name of 2537
the state, then, in the discretion of the director, the title to 2538
such lands may be conveyed to the railroad, public utility, 2539
political subdivision, or public corporation for which they were 2540

acquired. The conveyance shall be prepared by the attorney general 2541
and executed by the governor and bear the great seal of the state 2542
of Ohio. 2543

The director, in the maintenance or repair of state highways, 2544
is not limited to the use of the materials with which the 2545
highways, including the bridges and culverts thereon, were 2546
originally constructed, but may use any material that is proper or 2547
suitable. The director may aid any board of county commissioners 2548
in establishing, creating, and repairing suitable systems of 2549
drainage for all highways within the jurisdiction or control of 2550
the board and advise with it as to the establishment, 2551
construction, improvement, maintenance, and repair of the 2552
highways. 2553

Chapters 5501., 5503., 5511., 5513., 5515., 5516., 5517., 2554
5519., 5521., 5523., 5525., 5527., 5528., 5529., 5531., 5533., and 2555
5535. of the Revised Code do not prohibit the federal government, 2556
or any individual or corporation, from contributing a portion of 2557
the cost of the establishment, construction, reconstruction, 2558
relocating, widening, resurfacing, maintenance, and repair of the 2559
highways. 2560

Except in the case of maintaining, repairing, erecting 2561
traffic signs on, or pavement marking of state highways within 2562
villages, which is mandatory as required by section 5521.01 of the 2563
Revised Code, and except as provided in section 5501.49 of the 2564
Revised Code, no duty of constructing, reconstructing, widening, 2565
resurfacing, maintaining, or repairing state highways within 2566
municipal corporations, or the ~~bridges and~~ culverts thereon, shall 2567
attach to or rest upon the director, but the director may 2568
construct, reconstruct, widen, resurface, maintain, and repair the 2569
same with or without the cooperation of any municipal corporation, 2570
or with or without the cooperation of boards of county 2571
commissioners upon each municipal corporation consenting thereto. 2572

Sec. 5501.49. (A) The director of transportation is 2573
responsible for the construction, reconstruction, major 2574
maintenance and repair, and operation of all ~~lift~~ bridges located 2575
on the state highway system within a municipal corporation. ~~The~~ 2576
~~responsibilities of the director pertain only to those lift~~ 2577
~~bridges necessary for the initial construction or continued~~ 2578
~~operation of the state highway system. The county or other person~~ 2579
public entity responsible for maintaining the pavements and 2580
sidewalks on either end of the bridge is responsible for the 2581
routine maintenance of all ~~lift~~ bridges located on the state 2582
highway system within the municipal corporation, ~~unless other~~ 2583
~~arrangements have been made between the county and the municipal~~ 2584
~~corporation to perform the routine maintenance.~~ 2585

(B) The director may enter into an agreement with the 2586
legislative authority of a municipal corporation or a county, upon 2587
mutually agreeable terms, for the municipal corporation or county 2588
to operate and perform major maintenance and repair on any ~~lift~~ 2589
bridge located on the state highway system within the municipal 2590
corporation or county. 2591

(C) The director is not required to obtain the consent of a 2592
municipal corporation prior to the performance of any major ~~lift~~ 2593
bridge maintenance and repair. Except in an emergency, the 2594
director shall give a municipal corporation reasonable notice 2595
prior to the performance of any work that will affect the flow of 2596
traffic. No utilities, signs, or other appurtenances shall be 2597
attached to a ~~lift~~ bridge without the prior written consent of the 2598
director. 2599

(D) As used in this section: 2600

(1) Major and routine maintenance and repair relates to all 2601
elements of a ~~lift~~ bridge, including abutments, wingwalls, and 2602
headwalls but excluding approach fill and approach slab, and 2603

appurtenances thereto. 2604

(2) "Major maintenance" includes the painting of a lift 2605
bridge, and the repair of deteriorated or damaged elements, 2606
~~including~~ of bridge decks, including emergency patching of bridge 2607
decks, to restore the structural integrity of a lift bridge. 2608

(3) "Routine maintenance" includes without limitation, 2609
clearing debris from the deck, sweeping, snow and ice removal, 2610
minor wearing surface patching, cleaning bridge drainage systems, 2611
marking decks for traffic control, minor and emergency repairs to 2612
railing and appurtenances, emergency patching of deck, and 2613
maintenance of traffic signal and lighting systems, including the 2614
supply of electrical power. 2615

(4) "Operation" relates solely to lift bridges and to those 2616
expenses that are necessary for the routine, daily operation of a 2617
lift bridge, such as payroll, workers' compensation and retirement 2618
payments, and the cost of utilities. 2619

Sec. 5502.03. (A) There is hereby created in the department 2620
of public safety a division of homeland security. ~~It is the intent~~ 2621
~~of the general assembly that the creation of the division of~~ 2622
~~homeland security of the department of public safety by this~~ 2623
~~amendment does not result in an increase of funding appropriated~~ 2624
~~to the department.~~ 2625

(B) The division shall do all of the following: 2626

(1) Coordinate all homeland security activities of all state 2627
agencies and be the liaison between state agencies and local 2628
entities for the purposes of communicating homeland security 2629
funding and policy initiatives; 2630

(2) Collect, analyze, maintain, and disseminate information 2631
to support local, state, and federal law enforcement agencies, 2632
other government agencies, and private organizations in detecting, 2633

detering, preventing, preparing for, responding to, and 2634
recovering from threatened or actual terrorist events. This 2635
information is not a public record pursuant to section 149.43 of 2636
the Revised Code. 2637

(3) Coordinate efforts of state and local governments and 2638
private organizations to enhance the security and protection of 2639
critical infrastructure and key assets in this state; 2640

(4) Develop and coordinate policies, protocols, and 2641
strategies that may be used to prevent, detect, prepare for, 2642
respond to, and recover from terrorist acts or threats; 2643

(5) Develop, update, and coordinate the implementation of an 2644
Ohio homeland security strategic plan that will guide state and 2645
local governments in the achievement of homeland security in this 2646
state. 2647

(C) The director of public safety shall appoint an executive 2648
director, who shall be head of the division of homeland security 2649
and who regularly shall advise the governor and the director on 2650
matters pertaining to homeland security. The executive director 2651
shall serve at the pleasure of the director of public safety. To 2652
carry out the duties assigned under this section, the executive 2653
director, subject to the direction and control of the director of 2654
public safety, may appoint and maintain necessary staff and may 2655
enter into any necessary agreements. 2656

(D) Except as otherwise provided by law, nothing in this 2657
section shall be construed to give the director of public safety 2658
or the executive director of the division of homeland security 2659
authority over the incident management structure or 2660
responsibilities of local emergency response personnel. 2661

Sec. 5502.62. (A) There is hereby created in the department 2662
of public safety a division of criminal justice services. The 2663

director of public safety, with the concurrence of the governor, 2664
shall appoint an executive director of the division of criminal 2665
justice services. The executive director shall be the head of the 2666
division. The executive director shall serve at the pleasure of 2667
the director of public safety. To carry out the duties assigned 2668
under this section and to comply with sections 5502.63 to 5502.66 2669
of the Revised Code, the executive director, subject to the 2670
direction and control of the director of public safety, may 2671
appoint and maintain any necessary staff and may enter into any 2672
necessary contracts and other agreements. The executive director 2673
of the division, and all professional and technical personnel 2674
employed within the division who are not public employees as 2675
defined in section 4117.01 of the Revised Code, shall be in the 2676
unclassified civil service, and all other persons employed within 2677
the division shall be in the classified civil service. 2678

(B) Subject to division (F) of this section and subject to 2679
divisions (D) to (F) of section 5120.09 of the Revised Code 2680
insofar as those divisions relate to federal criminal justice acts 2681
that the governor requires the department of rehabilitation and 2682
correction to administer, the division of criminal justice 2683
services shall do all of the following: 2684

(1) Serve as the state criminal justice services agency and 2685
perform criminal justice system planning in the state, including 2686
any planning that is required by any federal law; 2687

(2) Collect, analyze, and correlate information and data 2688
concerning the criminal justice system in the state; 2689

(3) Cooperate with and provide technical assistance to state 2690
departments, administrative planning districts, metropolitan 2691
county criminal justice services agencies, criminal justice 2692
coordinating councils, agencies, offices, and departments of the 2693
criminal justice system in the state, and other appropriate 2694

organizations and persons;	2695
(4) Encourage and assist agencies, offices, and departments 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;	2696 2697 2698 2699
(5) Administer within the state any federal criminal justice acts that the governor requires it to administer;	2700 2701
(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;	2702 2703 2704 2705 2706
(7) Implement the state comprehensive plans;	2707
(8) Audit grant activities of agencies, offices, organizations, and persons that are financed in whole or in part by funds granted through the division;	2708 2709 2710
(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;	2711 2712 2713
(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	2714 2715 2716 2717 2718 2719 2720 2721 2722 2723 2724 2725

credited to that fund and distributed in accordance with the terms 2726
of the grant under which the money is received. If the terms under 2727
which the money is received do not require the money to be 2728
deposited into an interest-bearing fund or account, all money from 2729
such federal grants shall be deposited into the state treasury to 2730
the credit of the federal justice grants fund, which is hereby 2731
created. Money credited to the fund shall be used or distributed 2732
pursuant to the federal grant programs under which the money is 2733
received. 2734

(11) Contract with federal, state, and local agencies, 2735
foundations, corporations, businesses, and persons when necessary 2736
to carry out the duties of the division; 2737

(12) Oversee the activities of metropolitan county criminal 2738
justice services agencies, administrative planning districts, and 2739
criminal justice coordinating councils in the state; 2740

(13) Advise the director of public safety, general assembly, 2741
and governor on legislation and other significant matters that 2742
pertain to the improvement and reform of criminal and juvenile 2743
justice systems in the state; 2744

(14) Prepare and recommend legislation to the director of 2745
public safety, general assembly, and governor for the improvement 2746
of the criminal and juvenile justice systems in the state; 2747

(15) Assist, advise, and make any reports that are requested 2748
or required by the governor, director of public safety, attorney 2749
general, or general assembly; 2750

(16) Develop and maintain the Ohio incident-based reporting 2751
system in accordance with division (C) of this section; 2752

(17) Subject to the approval of the director of public 2753
safety, adopt rules pursuant to Chapter 119. of the Revised Code; 2754

(18)(a) Not later than June 1, 2007, and subject to the 2755

approval of the director of public safety, adopt rules for the establishment and maintenance of a mcgruff house program by any sponsoring agency. The rules shall include the following:

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

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

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

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

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

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

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

(2) Analyze and highlight mapping data for participating law enforcement agencies;	2787 2788
(3) Distribute data and analyses to participating law enforcement agencies;	2789 2790
(4) Encourage nonparticipating law enforcement agencies to participate in OIBRS by offering demonstrations, training, and technical assistance;	2791 2792 2793
(5) Provide assistance, advice, and reports requested by the governor, the general assembly, or the federal bureau of investigation;	2794 2795 2796
(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:	2797 2798 2799 2800 2801 2802 2803 2804
(a) The Ohio local law enforcement information sharing network is capable of collecting OIBRS data.	2805 2806
(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.	2807 2808 2809 2810
(D) Upon the request of the director of public safety or governor, the division of criminal justice services may do any of the following:	2811 2812 2813
(1) Collect, analyze, or correlate information and data concerning the juvenile justice system in the state;	2814 2815
(2) Cooperate with and provide technical assistance to state	2816

departments, administrative planning districts, metropolitan 2817
county criminal justice service agencies, criminal justice 2818
coordinating councils, agency offices, and the departments of the 2819
juvenile justice system in the state and other appropriate 2820
organizations and persons; 2821

(3) Encourage and assist agencies, offices, and departments 2822
of the juvenile justice system in the state and other appropriate 2823
organizations and persons to solve problems that relate to the 2824
duties of the division. 2825

(E) Divisions (B), (C), and (D) of this section do not limit 2826
the discretion or authority of the attorney general with respect 2827
to crime victim assistance and criminal justice programs. 2828

(F) Nothing in this section is intended to diminish or alter 2829
the status of the office of the attorney general as a criminal 2830
justice services agency or to diminish or alter the status or 2831
discourage the development and use of other law enforcement 2832
information systems in Ohio. 2833

Sec. 5502.67. There is hereby created in the state treasury 2834
the justice program services fund. The fund shall consist of all 2835
money collected by the division of criminal justice services for 2836
nonfederal purposes, including subscription fees for participating 2837
in the Ohio incident-based reporting system under division (C) of 2838
section 5502.62 of the Revised Code, unless otherwise designated 2839
by law. The justice program services fund shall be used to pay 2840
costs of administering the operations of the division of criminal 2841
justice services. 2842

Sec. 5516.01. As used in sections 5516.01 to 5516.14 of the 2843
Revised Code: 2844

(A) "Advertising device" includes any outdoor sign, display, 2845
device, figure, painting, drawing, message, placard, poster, 2846

billboard, or any other contrivance designed, intended, or used to 2847
advertise or to give information in the nature of advertising, or 2848
any part thereof, the advertising or informative contents of which 2849
are visible from the main traveled way of any highway on the 2850
interstate system or primary system in this state. 2851

(B) "Visible" means capable of being seen and comprehended 2852
without visual aid by a person traveling the posted speed limit on 2853
the main traveled way of the highway. 2854

(C) "Interstate system" means that portion of the interstate 2855
system, or the national highway system, located within this state, 2856
~~as designated by the director of transportation and approved by~~ 2857
~~the secretary of transportation of the United States, pursuant to~~ 2858
~~23 U.S.C.A. 103(b) and (e).~~ 2859

(D) "Erect" means to construct or allow to be constructed, 2860
but it shall not include any activity when performed as an 2861
incident to the change of advertising message or normal 2862
maintenance of a sign or sign structure. 2863

(E) "Maintain" means to preserve, keep in repair, continue, 2864
allow to exist, or restore. 2865

(F) "National policy" means the provisions of 23 U.S.C.A. 131 2866
and the national standards, criteria, and rules promulgated 2867
pursuant to such provisions. 2868

(G) "Primary system" means ~~that portion of the state highway~~ 2869
~~system or the federal-aid primary system in existence on June 1,~~ 2870
~~1991, and any highway that is not on such system but that is on~~ 2871
the national highway system located within this state as 2872
~~designated by the director and approved by the secretary of~~ 2873
~~transportation of the United States, pursuant to 23 U.S.C.A.~~ 2874
~~103(b).~~ 2875

(H) "Zoned commercial or industrial areas" means those 2876
nonagricultural areas which are reserved for business, commerce, 2877

or trade, pursuant to local zoning laws, regulations, or state laws. 2878
2879

(I) "Unzoned commercial or industrial area" means an area not 2880
zoned by state or local law, regulation, or ordinance, in which 2881
there is located one or more commercial or industrial activities. 2882
Such area may also include the lands along the highway for a 2883
distance of eight hundred fifty feet immediately adjacent to such 2884
activities. This distance shall be measured from the buildings, 2885
parking lots, storage or processing areas of the activities, and 2886
along or parallel to the near edge of the main traveled way of the 2887
highway. This distance shall not include land on the opposite side 2888
of the highway from such activities, nor land predominantly used 2889
for residential purposes. An area shall be considered 2890
predominately residential if fifty per cent or more of the eight 2891
hundred fifty feet immediately adjacent to the activities contains 2892
land used as residential property. Each side of the highway will 2893
be considered separately in applying this definition. 2894

(J) "Commercial or industrial activities" means those 2895
activities generally recognized as commercial or industrial by 2896
zoning authorities of this state. The following activities shall 2897
not be considered commercial or industrial: 2898

(1) Activities relating to advertising structures; 2899

(2) Agricultural, forestry, ranching, grazing, farming, and 2900
related activities, including, but not limited to, activities 2901
relating to wayside fresh produce stands; 2902

(3) Transient or temporary activities; 2903

(4) Activities not visible from the main traveled way; 2904

(5) Activities located more than six hundred sixty feet from 2905
the nearest edge of the right-of-way; 2906

(6) Activities conducted in a building principally used as a 2907

residence;	2908
(7) Activities relating to railroad tracks and minor sidings;	2909
(8) Activities relating to highways, roads, and streets.	2910
(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.	2911 2912 2913 2914
(L) "Nonconforming advertising device" means an advertising device that was:	2915 2916
(1) Lawfully in existence prior to December 7, 1971;	2917
(2) Lawfully on any highway made a part of the interstate system or primary highway system on or after December 7, 1971;	2918 2919
(3) Lawfully erected prior to any revision in the law effective December 7, 1971; or	2920 2921
(4) Lawfully erected but:	2922
(a) No longer in compliance with the provisions of state law enacted or rules adopted at a later date; or	2923 2924
(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.	2925 2926 2927 2928 2929
Illegally erected or maintained advertising devices are not nonconforming signs.	2930 2931
(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.	2932 2933 2934 2935
(N) "Director" means the director of the Ohio department of	2936

transportation.	2937
(O) "Commercial or industrial zone" means those areas	2938
established by any state, county, municipal, or other local zoning	2939
authority as being most appropriate for business, commerce,	2940
industry, or trade. Any action taken by a state, county,	2941
municipal, or other local zoning authority that is not part of	2942
comprehensive zoning and is created primarily to permit outdoor	2943
advertising devices shall not be considered a commercial or	2944
industrial zone for purposes of this chapter.	2945
(P) "Last permit holder" includes any of the following:	2946
(1) The most recent holder of the advertising device permit;	2947
(2) A business, cooperative, corporation, enterprise, joint	2948
venture, limited liability company, partnership, sole	2949
proprietorship, or subsidiary, the viability of which is dependant	2950
on its relationship with the most recent holder of the advertising	2951
device permit;	2952
(3) Any person or entity that is closely related to or	2953
closely connected with the most recent holder of the advertising	2954
device permit.	2955
(Q) "Professional sports facility" means all or a portion of	2956
a stadium, arena, motorsports complex, or other facility,	2957
including all parking facilities, walkways, and other auxiliary	2958
facilities that may be used for or in connection with the sports	2959
facility or its operation, the primary purpose of which is to	2960
provide a site or venue for the presentation to the public of	2961
either of the following:	2962
(1) Events of one or more major or minor league professional	2963
athletic or sports teams that are associated with the state or	2964
with a city or region of the state;	2965
(2) Motorsports events.	2966

Sec. 5517.03. The director of transportation shall, at the 2967
time ~~he~~ the director indorses ~~his~~ the director's approval upon the 2968
surveys, plans, profiles, and specifications covering any proposed 2969
project, determine whether the making of the improvement will 2970
require the closing to traffic of the highway, bridge, or culvert 2971
involved and, if ~~he~~ the director finds it necessary to close the 2972
same to traffic, the extent to which the same shall be closed. 2973
Such finding shall be indorsed on the plans. Plans and 2974
specifications for the construction of any project, whenever 2975
practicable, shall be prepared so as to avoid closing to traffic 2976
at any time the entire width of the highway, bridge, or culvert 2977
being improved. Upon receipt of written notice from the director 2978
ordering the highway, bridge, or culvert, or any part thereof, to 2979
be opened for travel, the contractor shall remove all barriers and 2980
obstructions and put the highway, bridge, or culvert or such 2981
portions thereof as the director orders, in such condition for 2982
travel as the director orders. 2983

No contractor or other persons shall close a highway or 2984
bridge being improved by the state, unless that action has first 2985
been determined to be necessary by the director. If the director 2986
determines that the making of the improvement will require the 2987
closing to traffic of the highway, bridge, or culvert, ~~he~~ the 2988
director shall further determine whether it is practicable to 2989
construct within the limits of the highway or to provide a new 2990
location for and construct a temporary highway, bridge, or culvert 2991
to be used by travelers in lieu of the closed highway, bridge, or 2992
culvert. ~~His~~ The director's determination in respect to all 2993
matters set forth in this section shall be indorsed in writing 2994
upon the surveys, plans, profiles, cross sections, estimates, and 2995
specifications. If the director determines that it is 2996
impracticable to construct a temporary highway or bridge ~~he~~ the 2997
director shall cause to be included as a part of the plans for 2998

improvement, plans, specifications, and estimates for all 2999
necessary and proper barriers and uniform detour signs. Signs must 3000
be so placed and maintained as to conspicuously indicate the 3001
points at which it is necessary for traffic to leave the closed 3002
highway, and plainly mark the most direct and practicable route to 3003
be followed, indicating the road to be followed by the detoured 3004
traffic at all road crossings and forks. The costs and expenses of 3005
constructing temporary highways or bridges or placing barriers and 3006
detour signs shall be included in and regarded as a part of the 3007
costs and expenses of the improvement, and shall be paid 3008
accordingly. No contractor or employee of the department of 3009
transportation, when the state is proceeding by force account, 3010
shall close any highway, bridge, or culvert until such temporary 3011
highway or bridge has been constructed or such barriers and detour 3012
signs have been placed. Immediately upon the reopening of the 3013
highway, bridge, or culvert, the contractor or employee of the 3014
department in charge of the work, in case the state is proceeding 3015
by force account, shall immediately remove all barriers and detour 3016
signs. Only that portion of any highway shall be closed at any one 3017
time as is considered reasonably necessary by the director. The 3018
right-of-way for temporary highways and bridges shall, where a 3019
private right-of-way is necessary, be provided by the director, 3020
and all temporary highways, bridges, and culverts and detour signs 3021
shall be maintained by the contractor until the permanent highway, 3022
bridge, or culvert is completed and reopened for traffic. For the 3023
purpose of locating, constructing, and erecting temporary highways 3024
or bridges the director, or any persons acting under his the 3025
director's authority, may enter upon lands adjoining or near to a 3026
highway to be closed and agree with the owners of the lands as to 3027
damages caused thereby. If the director is unable to agree with 3028
the owners as to the amount of damages sustained, the amount 3029
thereof shall be ascertained, determined, and paid as set out in 3030
the case of the condemnation of highway right-of-way. 3031

If the director determines that it is impracticable to 3032
construct, either within the limits of the highway or upon a new 3033
location over private lands, a temporary highway, bridge, or 3034
culvert to be used by travelers, in lieu of the closed highway, 3035
bridge, or culvert, ~~he~~ the director shall, before closing to 3036
traffic the highway, bridge, or culvert to be constructed, 3037
improved, or repaired, select the most practicable direct detour 3038
route over existing highways and cause detour signs to be placed 3039
and maintained along that route. ~~He~~ The director shall, before the 3040
closing to traffic of the highway, bridge, or culvert to be 3041
constructed, improved, or repaired, place in passable condition 3042
for traffic the detour route so selected and marked by ~~him~~ the 3043
director and maintain it in a passable condition for traffic 3044
during the entire time that the highway, bridge, or culvert under 3045
construction is closed to traffic. ~~He~~ The director shall, at the 3046
time of the opening to traffic of the highway, bridge, or culvert 3047
so constructed, restore the detour route to as good condition as 3048
it was at the time of its selection by ~~him~~ the director as a 3049
detour route. In instances where traffic from the closed highway, 3050
bridge, or culvert causes damage by using a route other than the 3051
selected detour, ~~he~~ the director shall maintain such other route 3052
in a passable condition and restore it in the same manner as if it 3053
were the selected detour route. ~~However, the~~ The director is not 3054
required to maintain and restore more than one such additional 3055
detour route, except that upon petition from the appropriate local 3056
legislative authority the director shall maintain and restore more 3057
than one additional detour route if the director finds that 3058
traffic from the closed highway, bridge, or culvert caused damage 3059
to the additional detour routes that are the subject of the 3060
petition. 3061

Sec. 5537.16. (A) The Ohio turnpike commission may adopt such 3062
bylaws and rules as it considers advisable for the control and 3063

regulation of traffic on any turnpike project, for the protection 3064
and preservation of property under its jurisdiction and control, 3065
and for the maintenance and preservation of good order within the 3066
property under its control. The rules of the commission with 3067
respect to the speed, use of special engine brakes, axle loads, 3068
vehicle loads, and vehicle dimensions of vehicles on turnpike 3069
projects, including the issuance of a special permit by the 3070
commission to allow the operation on any turnpike project of a 3071
motor vehicle transporting two or fewer steel coils, shall apply 3072
notwithstanding sections 4511.21 to 4511.24, 4513.34, and Chapter 3073
5577. of the Revised Code. Such bylaws and rules shall be 3074
published in a newspaper of general circulation in Franklin 3075
county, and in such other manner as the commission prescribes. 3076

(B) Such rules shall provide that public police officers 3077
shall be afforded ready access, while in the performance of their 3078
official duty, to all property under the jurisdiction of the 3079
commission and without the payment of tolls. 3080

(C) No person shall violate any such bylaws or rules of the 3081
commission. All fines collected for the violation of applicable 3082
laws of the state and the bylaws and rules of the commission or 3083
moneys arising from bonds forfeited for such violation shall be 3084
disposed of in accordance with section 5503.04 of the Revised 3085
Code. 3086

Sec. 5577.05. (A) No vehicle shall be operated upon the 3087
public highways, streets, bridges, and culverts within the state, 3088
whose dimensions exceed those specified in this section. 3089

(B) No such vehicle shall have a width in excess of: 3090

(1) One hundred four inches for passenger bus type vehicles 3091
operated exclusively within municipal corporations; 3092

(2) One hundred two inches, excluding such safety devices as 3093

are required by law, for passenger bus type vehicles operated over 3094
freeways, and such other state roads with minimum pavement widths 3095
of twenty-two feet, except those roads or portions thereof over 3096
which operation of one hundred two-inch buses is prohibited by 3097
order of the director of transportation; 3098

(3) One hundred thirty-two inches for traction engines; 3099

(4) One hundred two inches for recreational vehicles, 3100
excluding safety devices and retracted awnings and other 3101
appurtenances of six inches or less in width and except that the 3102
director may prohibit the operation of one hundred two inch 3103
recreational vehicles on designated state highways or portions of 3104
highways; 3105

(5) One hundred two inches, including load, for all other 3106
vehicles, except that the director may prohibit the operation of 3107
one hundred two-inch vehicles on such state highways or portions 3108
thereof as the director designates. 3109

(C) No such vehicle shall have a length in excess of: 3110

(1) Sixty-six feet for passenger bus type vehicles and 3111
articulated passenger bus type vehicles operated by a regional 3112
transit authority pursuant to sections 306.30 to 306.54 of the 3113
Revised Code; 3114

(2) Forty-five feet for all other passenger bus type 3115
vehicles; 3116

(3) Fifty-three feet for any semitrailer when operated in a 3117
commercial tractor-semitrailer combination, with or without load, 3118
except that the director may prohibit the operation of any such 3119
commercial tractor-semitrailer combination on such state highways 3120
or portions thereof as the director designates. 3121

(4) Twenty-eight and one-half feet for any semitrailer or 3122
trailer when operated in a commercial tractor-semitrailer-trailer 3123

or commercial tractor-semitrailer-semitrailer combination, except 3124
that the director may prohibit the operation of any such 3125
commercial tractor-semitrailer-trailer or commercial 3126
tractor-semitrailer-semitrailer combination on such state highways 3127
or portions thereof as the director designates; 3128

(5)(a) Ninety-seven feet for drive-away saddlemount vehicle 3129
transporter combinations and drive-away saddlemount with fullmount 3130
vehicle transporter combinations when operated on any interstate, 3131
United States route, or state route, including reasonable access 3132
travel on all other roadways for a distance not to exceed one road 3133
mile from any interstate, United States route, or state route, not 3134
to exceed three saddlemounted vehicles, but which may include one 3135
fullmount; 3136

(b) Seventy-five feet for drive-away saddlemount vehicle 3137
transporter combinations and drive-away saddlemount with fullmount 3138
vehicle transporter combinations, when operated on any roadway not 3139
designated as an interstate, United States route, or state route, 3140
not to exceed three saddlemounted vehicles, but which may include 3141
one fullmount-i 3142

(6) Sixty-five feet for any other combination of vehicles 3143
coupled together, with or without load, except as provided in 3144
divisions (C)(3) and (4), and in division (E) of this section; 3145

(7) Forty-five feet for recreational vehicles; 3146

(8) Forty feet for all other vehicles except trailers and 3147
semitrailers, with or without load. 3148

(D) No such vehicle shall have a height in excess of thirteen 3149
feet six inches, with or without load. 3150

(E) An automobile transporter or boat transporter shall be 3151
allowed a length of sixty-five feet and a stinger-steered 3152
automobile transporter or stinger-steered boat transporter shall 3153
be allowed a length of seventy-five feet, except that the load 3154

thereon may extend no more than four feet beyond the rear of such 3155
vehicles and may extend no more than three feet beyond the front 3156
of such vehicles, and except further that the director may 3157
prohibit the operation of a stinger-steered automobile 3158
transporter, stinger-steered boat transporter, or a B-train 3159
assembly on any state highway or portion thereof that the director 3160
designates. 3161

(F) The widths prescribed in division (B) of this section 3162
shall not include side mirrors, turn signal lamps, marker lamps, 3163
handholds for cab entry and egress, flexible fender extensions, 3164
mud flaps, splash and spray suppressant devices, and load-induced 3165
tire bulge. 3166

The width prescribed in division (B)(5) of this section shall 3167
not include automatic covering devices, tarp and tarp hardware, 3168
and tiedown assemblies, provided these safety devices do not 3169
extend more than three inches from each side of the vehicle. 3170

The lengths prescribed in divisions (C)(2) to ~~(7)~~(8) of this 3171
section shall not include safety devices, bumpers attached to the 3172
front or rear of such bus or combination, B-train assembly used 3173
between the first and second semitrailer of a commercial 3174
tractor-semitrailer-semitrailer combination, energy conservation 3175
devices as provided in any regulations adopted by the secretary of 3176
the United States department of transportation, or any 3177
noncargo-carrying refrigeration equipment attached to the front of 3178
trailers and semitrailers. In special cases, vehicles whose 3179
dimensions exceed those prescribed by this section may operate in 3180
accordance with rules adopted by the director. 3181

(G) This section does not apply to fire engines, fire trucks, 3182
or other vehicles or apparatus belonging to any municipal 3183
corporation or to the volunteer fire department of any municipal 3184
corporation or used by such department in the discharge of its 3185
functions. This section does not apply to vehicles and pole 3186

trailers used in the transportation of wooden and metal poles, nor 3187
to the transportation of pipes or well-drilling equipment, nor to 3188
farm machinery and equipment. The owner or operator of any 3189
vehicle, machinery, or equipment not specifically enumerated in 3190
this section but the dimensions of which exceed the dimensions 3191
provided by this section, when operating the same on the highways 3192
and streets of this state, shall comply with the rules of the 3193
director governing such movement, which the director may adopt. 3194
Sections 119.01 to 119.13 of the Revised Code apply to any rules 3195
the director adopts under this section, or the amendment or 3196
rescission thereof, and any person adversely affected shall have 3197
the same right of appeal as provided in those sections. 3198

This section does not require the state, a municipal 3199
corporation, county, township, or any railroad or other private 3200
corporation to provide sufficient vertical clearance to permit the 3201
operation of such vehicle, or to make any changes in or about 3202
existing structures now crossing streets, roads, and other public 3203
thoroughfares in this state. 3204

(H) As used in this section, "recreational vehicle" has the 3205
same meaning as in section 4501.01 of the Revised Code. 3206

Sec. 5591.02. ~~Except as provided in section 5501.49 of the~~ 3207
~~Revised Code, the~~ The board of county commissioners shall 3208
construct and keep in repair all necessary bridges in municipal 3209
corporations on all ~~state and~~ county roads and improved roads 3210
~~which that~~ are of general and public utility, running into or 3211
through the municipal corporations, and that are not on state 3212
highways. 3213

Sec. 5735.05. (A) To provide revenue for maintaining the 3214
state highway system; to widen existing surfaces on such highways; 3215
to resurface such highways; to pay that portion of the 3216

construction cost of a highway project which a county, township, 3217
or municipal corporation normally would be required to pay, but 3218
which the director of transportation, pursuant to division (B) of 3219
section 5531.08 of the Revised Code, determines instead will be 3220
paid from moneys in the highway operating fund; to enable the 3221
counties of the state properly to plan, maintain, and repair their 3222
roads and to pay principal, interest, and charges on bonds and 3223
other obligations issued pursuant to Chapter 133. of the Revised 3224
Code or incurred pursuant to section 5531.09 of the Revised Code 3225
for highway improvements; to enable the municipal corporations to 3226
plan, construct, reconstruct, repave, widen, maintain, repair, 3227
clear, and clean public highways, roads, and streets, and to pay 3228
the principal, interest, and charges on bonds and other 3229
obligations issued pursuant to Chapter 133. of the Revised Code or 3230
incurred pursuant to section 5531.09 of the Revised Code for 3231
highway improvements; to enable the Ohio turnpike commission to 3232
construct, reconstruct, maintain, and repair turnpike projects; to 3233
maintain and repair bridges and viaducts; to purchase, erect, and 3234
maintain street and traffic signs and markers; to purchase, erect, 3235
and maintain traffic lights and signals; to pay the costs 3236
apportioned to the public under sections 4907.47 and 4907.471 of 3237
the Revised Code and to supplement revenue already available for 3238
such purposes; to pay the costs incurred by the public utilities 3239
commission in administering sections 4907.47 to 4907.476 of the 3240
Revised Code; to distribute equitably among those persons using 3241
the privilege of driving motor vehicles upon such highways and 3242
streets the cost of maintaining and repairing them; to pay the 3243
interest, principal, and charges on highway capital improvements 3244
bonds and other obligations issued pursuant to Section 2m of 3245
Article VIII, Ohio Constitution, and section 151.06 of the Revised 3246
Code; to pay the interest, principal, and charges on highway 3247
obligations issued pursuant to Section 2i of Article VIII, Ohio 3248
Constitution, and sections 5528.30 and 5528.31 of the Revised 3249

Code; to pay the interest, principal, and charges on major new 3250
state infrastructure bonds and other obligations of the state 3251
issued pursuant to Section 13 of Article VIII, Ohio Constitution, 3252
and section 5531.10 of the Revised Code; to provide revenue for 3253
the purposes of sections 1547.71 to 1547.78 of the Revised Code; 3254
and to pay the expenses of the department of taxation incident to 3255
the administration of the motor fuel laws, a motor fuel excise tax 3256
is hereby imposed on all motor fuel dealers upon receipt of motor 3257
fuel within this state at the rate of two cents plus the cents per 3258
gallon rate on each gallon so received, to be computed in the 3259
manner set forth in section 5735.06 of the Revised Code; provided 3260
that no tax is hereby imposed upon the following transactions: 3261

(1) The sale of dyed diesel fuel by a licensed motor fuel 3262
dealer from a location other than a retail service station 3263
provided the licensed motor fuel dealer places on the face of the 3264
delivery document or invoice, or both if both are used, a 3265
conspicuous notice stating that the fuel is dyed and is not for 3266
taxable use, and that taxable use of that fuel is subject to a 3267
penalty. The tax commissioner, by rule, may provide that any 3268
notice conforming to rules or regulations issued by the United 3269
States department of the treasury or the Internal Revenue Service 3270
is sufficient notice for the purposes of division (A)(1) of this 3271
section. 3272

(2) The sale of K-1 kerosene to a retail service station, 3273
except when placed directly in the fuel supply tank of a motor 3274
vehicle. Such sale shall be rebuttably presumed to not be 3275
distributed or sold for use or used to generate power for the 3276
operation of motor vehicles upon the public highways or upon the 3277
waters within the boundaries of this state. 3278

(3) The sale of motor fuel by a licensed motor fuel dealer to 3279
another licensed motor fuel dealer; 3280

(4) The exportation of motor fuel by a licensed motor fuel 3281

dealer from this state to any other state or foreign country; 3282

(5) The sale of motor fuel to the United States government or 3283
any of its agencies, except such tax as is permitted by it, where 3284
such sale is evidenced by an exemption certificate, in a form 3285
approved by the tax commissioner, executed by the United States 3286
government or an agency thereof certifying that the motor fuel 3287
therein identified has been purchased for the exclusive use of the 3288
United States government or its agency; 3289

(6) The sale of motor fuel that is in the process of 3290
transportation in foreign or interstate commerce, except insofar 3291
as it may be taxable under the Constitution and statutes of the 3292
United States, and except as may be agreed upon in writing by the 3293
dealer and the commissioner; 3294

(7) The sale of motor fuel when sold exclusively for use in 3295
the operation of aircraft, where such sale is evidenced by an 3296
exemption certificate prescribed by the commissioner and executed 3297
by the purchaser certifying that the motor fuel purchased has been 3298
purchased for exclusive use in the operation of aircraft; 3299

(8) The sale for exportation of motor fuel by a licensed 3300
motor fuel dealer to a licensed exporter type A; 3301

(9) The sale for exportation of motor fuel by a licensed 3302
motor fuel dealer to a licensed exporter type B, provided that the 3303
destination state motor fuel tax has been paid or will be accrued 3304
and paid by the licensed motor fuel dealer. 3305

(10) The sale to a consumer of diesel fuel, by a motor fuel 3306
dealer for delivery from a bulk lot vehicle, for consumption in 3307
operating a vessel when the use of such fuel in a vessel would 3308
otherwise qualify for a refund under section 5735.14 of the 3309
Revised Code. 3310

Division (A)(1) of this section does not apply to the sale or 3311
distribution of dyed diesel fuel used to operate a motor vehicle 3312

on the public highways or upon water within the boundaries of this 3313
state by persons permitted under regulations of the United States 3314
department of the treasury or of the Internal Revenue Service to 3315
so use dyed diesel fuel. 3316

(B) The two cent motor fuel tax levied by this section is 3317
also for the purpose of paying the expenses of administering and 3318
enforcing the state law relating to the registration and operation 3319
of motor vehicles. 3320

(C) After the tax provided for by this section on the receipt 3321
of any motor fuel has been paid by the motor fuel dealer, the 3322
motor fuel may thereafter be used, sold, or resold by any person 3323
having lawful title to it, without incurring liability for such 3324
tax. 3325

If a licensed motor fuel dealer sells motor fuel received by 3326
the licensed motor fuel dealer to another licensed motor fuel 3327
dealer, the seller may deduct on the report required by section 3328
5735.06 of the Revised Code the number of gallons so sold for the 3329
month within which the motor fuel was sold or delivered. In this 3330
event the number of gallons is deemed to have been received by the 3331
purchaser, who shall report and pay the tax imposed thereon. 3332

Section 101.02. That existing sections 737.04, 737.041, 3333
1533.18, 3314.091, 3327.10, 3705.242, 4503.10, 4503.44, 4505.09, 3334
4510.037, 4510.038, 4511.21, 4513.20, 4517.21, 4519.59, 4561.18, 3335
4707.02, 4707.074, 5501.31, 5501.49, 5502.03, 5502.62, 5516.01, 3336
5517.03, 5537.16, 5577.05, 5591.02, and 5735.05 of the Revised 3337
Code are hereby repealed. 3338

Section 201.10. Except as otherwise provided, all 3339
appropriation items in this act are hereby appropriated out of any 3340
moneys in the state treasury to the credit of the designated fund, 3341
which are not otherwise appropriated. For all appropriations made 3342

in this act, the amounts in the first column are for fiscal year 3343
2008 and the amounts in the second column are for fiscal year 3344
2009. 3345

Section 203.10. DOT DEPARTMENT OF TRANSPORTATION 3346

FUND	TITLE	FY 2008	FY 2009	
	Transportation Planning and Research			3347
	Highway Operating Fund Group			3348
002 771-411	Planning and Research	\$ 20,724,547	\$ 21,733,301	3349
	- State			3350
002 771-412	Planning and Research	\$ 29,996,363	\$ 30,264,923	3351
	- Federal			3352
TOTAL HOF	Highway Operating			3353
Fund Group		\$ 50,720,910	\$ 51,998,224	3354
TOTAL ALL BUDGET FUND GROUPS -				3355
Transportation Planning				3356
and Research		\$ 50,720,910	\$ 51,998,224	3357
	Highway Construction			3358
Highway Operating Fund Group				3359
002 772-421	Highway Construction -	\$ 528,722,188	\$ 504,184,419	3360
	State			3361
002 772-422	Highway Construction -	\$ 1,103,979,148	\$ 1,086,733,759	3362
	Federal			3363
002 772-424	Highway Construction -	\$ 106,439,000	\$ 100,379,155	3364
	Other			3365
002 772-437	GARVEE Debt Service -	\$ 10,321,300	\$ 19,273,500	3366
	State			3367
002 772-438	GARVEE Debt Service -	\$ 113,915,900	\$ 139,015,000	3368
	Federal			3369
212 772-426	Highway Infrastructure	\$ 4,303,173	\$ 4,018,649	3370
	Bank - Federal			3371

212	772-427	Highway Infrastructure	\$	8,268,315	\$	10,209,272	3365
		Bank - State					
212	772-429	Highway Infrastructure	\$	11,000,000	\$	11,499,999	3366
		Bank - Local					
212	772-430	Infrastructure Debt	\$	1,500,000	\$	1,500,000	3367
		Reserve Title 23-49					
213	772-431	Roadway Infrastructure	\$	1,000,000	\$	1,000,000	3368
		Bank - State					
213	772-432	Roadway Infrastructure	\$	6,000,000	\$	6,000,000	3369
		Bank - Local					
213	772-433	Infrastructure Debt	\$	2,000,000	\$	2,000,000	3370
		Reserve - State					
TOTAL HOF Highway Operating							3371
Fund Group				\$ 1,897,449,024	\$ 1,885,813,753		3372
Highway Capital Improvement Fund Group							3373
042	772-723	Highway Construction -	\$	200,000,000	\$	100,000,000	3374
		Bonds					
TOTAL 042 Highway Capital			\$	200,000,000	\$	100,000,000	3375
Improvement Fund Group							
Infrastructure Bank Obligations Fund Group							3376
045	772-428	Highway Infrastructure	\$	450,000,000	\$	400,000,000	3377
		Bank - Bonds					
TOTAL 045 Infrastructure Bank							3378
Obligations Fund Group			\$	450,000,000	\$	400,000,000	3379
TOTAL ALL BUDGET FUND GROUPS -							3380
Highway Construction			\$	2,547,449,024	\$	2,385,813,753	3381
Highway Maintenance							3382
Highway Operating Fund Group							3383
002	773-431	Highway Maintenance -	\$	403,252,901	\$	417,915,187	3384
		State					
TOTAL HOF Highway Operating							3385
Fund Group			\$	403,252,901	\$	417,915,187	3386

				3387
TOTAL ALL BUDGET FUND GROUPS -				3388
Highway Maintenance	\$ 403,252,901	\$ 417,915,187		3389
Public Transportation				3390
Highway Operating Fund Group				3391
002 775-452 Public Transportation	\$ 25,471,589	\$ 30,391,763		3392
- Federal				
002 775-454 Public Transportation	\$ 1,500,000	\$ 1,500,000		3393
- Other				
002 775-459 Elderly and Disabled	\$ 4,730,000	\$ 4,730,000		3394
Special Equipment				
212 775-408 Transit Infrastructure	\$ 2,500,000	\$ 812,685		3395
Bank - Local				
212 775-455 Title 49	\$ 476,485	\$ 312,795		3396
Infrastructure Bank -				
State				
213 775-457 Transit Infrastructure	\$ 500,000	\$ 312,082		3397
Bank - State				
213 775-460 Transit Infrastructure	\$ 1,000,000	\$ 1,000,000		3398
Bank - Local				
TOTAL HOF Highway Operating				3399
Fund Group	\$ 36,178,074	\$ 39,059,325		3400
TOTAL ALL BUDGET FUND GROUPS -				3401
Public Transportation	\$ 36,178,074	\$ 39,059,325		3402
Rail Transportation				3403
Federal Special Revenue Group				3404
3B9 776-662 Rail Transportation -	\$ 10,000	\$ 10,000		3405
Federal				
TOTAL FED Federal Special Revenue	\$ 10,000	\$ 10,000		3406
Fund Group				
Highway Operating Fund Group				3407
002 776-462 Grade Crossings -	\$ 15,000,000	\$ 15,000,000		3408

Federal			
TOTAL HOF Highway Operating			3409
Fund Group	\$	15,000,000	\$ 15,000,000 3410
State Special Revenue Fund Group			3411
4N4 776-663 Panhandle Lease	\$	762,500	\$ 763,700 3412
Reserve Payments			
4N4 776-664 Rail Transportation -	\$	2,111,500	\$ 2,111,500 3413
Other			
TOTAL SSR State Special Revenue	\$	2,874,000	\$ 2,875,200 3414
Fund Group			
TOTAL ALL BUDGET FUND GROUPS -			3415
Rail Transportation	\$	17,884,000	\$ 17,885,200 3416
Aviation			
State Special Revenue Fund Group			3418
5W9 777-615 County Airport	\$	570,000	\$ 570,000 3419
Maintenance			
TOTAL SSR State Special Revenue	\$	570,000	\$ 570,000 3420
Fund Group			
Highway Operating Fund Group			3421
002 777-472 Airport Improvements -	\$	405,000	\$ 405,000 3422
Federal			
002 777-475 Aviation	\$	5,210,000	\$ 5,358,100 3423
Administration			
213 777-477 Aviation	\$	2,000,000	\$ 3,500,000 3424
Infrastructure Bank -			
State			
213 777-478 Aviation	\$	5,996,118	\$ 6,000,000 3425
Infrastructure Bank -			
Local			
TOTAL HOF Highway Operating			3426
Fund Group	\$	13,611,118	\$ 15,263,100 3427
TOTAL ALL BUDGET FUND GROUPS -			3428

Aviation	\$	14,181,118	\$	15,833,100	3429
Administration					3430
Highway Operating Fund Group					3431
002 779-491 Administration - State	\$	120,262,864	\$	122,601,493	3432
TOTAL HOF Highway Operating					3433
Fund Group	\$	120,262,864	\$	122,601,493	3434
TOTAL ALL BUDGET FUND GROUPS -					3435
Administration	\$	120,262,864	\$	122,601,493	3436
Debt Service					3437
Highway Operating Fund Group					3438
002 770-003 Administration - State	\$	10,555,300	\$	3,614,700	3439
- Debt Service					
TOTAL HOF Highway Operating					3440
Fund Group	\$	10,555,300	\$	3,614,700	3441
TOTAL ALL BUDGET FUND GROUPS -					3442
Debt Service	\$	10,555,300	\$	3,614,700	3443
TOTAL Department of Transportation					3444
TOTAL FED Federal Special Revenue	\$	10,000	\$	10,000	3445
Fund Group					
TOTAL HOF Highway Operating					3446
Fund Group	\$	2,547,030,191	\$	2,551,265,782	3447
TOTAL 042 Highway Capital					3448
Improvement Fund Group	\$	200,000,000	\$	100,000,000	3449
TOTAL 045 Infrastructure Bank					3450
Obligations Fund Group	\$	450,000,000	\$	400,000,000	3451
TOTAL SSR State Special Revenue	\$	3,444,000	\$	3,445,200	3452
Fund Group					
TOTAL ALL BUDGET FUND GROUPS	\$	3,200,484,191	\$	3,054,720,982	3453
Section 203.20. ISSUANCE OF BONDS					3455
The Treasurer of State, upon the request of the Director of					3456
Transportation, is authorized to issue and sell, in accordance					3457

with Section 2m of Article VIII, Ohio Constitution, and Chapter 3458
151. and particularly sections 151.01 and 151.06 of the Revised 3459
Code, obligations, including bonds and notes, of the State of Ohio 3460
in the aggregate amount of \$290,000,000 in addition to the 3461
original issuance of obligations heretofore authorized by prior 3462
acts of the General Assembly. 3463

The obligations shall be dated, issued, and sold from time to 3464
time in such amounts as may be necessary to provide sufficient 3465
moneys to the credit of the Highway Capital Improvement Fund (Fund 3466
042) created by section 5528.53 of the Revised Code to pay costs 3467
charged to the fund when due as estimated by the Director of 3468
Transportation, provided, however, that such obligations shall be 3469
issued and sold at such time or times so that not more than 3470
\$220,000,000 original principal amount of obligations, plus the 3471
principal amount of obligations that in prior fiscal years could 3472
have been, but were not, issued within the \$220,000,000 limit, may 3473
be issued in any fiscal year, and not more than \$1,200,000,000 3474
original principal amount of such obligations are outstanding at 3475
any one time. 3476

Section 203.30. MAINTENANCE INTERSTATE HIGHWAYS 3477

The Director of Transportation may remove snow and ice and 3478
maintain, repair, improve, or provide lighting upon interstate 3479
highways that are located within the boundaries of municipal 3480
corporations, adequate to meet the requirements of federal law. 3481
When agreed in writing by the Director of Transportation and the 3482
legislative authority of a municipal corporation and 3483
notwithstanding sections 125.01 and 125.11 of the Revised Code, 3484
the Department of Transportation may reimburse a municipal 3485
corporation for all or any part of the costs, as provided by such 3486
agreement, incurred by the municipal corporation in maintaining, 3487
repairing, lighting, and removing snow and ice from the interstate 3488

system. 3489

Section 203.40. TRANSFER OF FUND 002 APPROPRIATIONS: PLANNING 3490
AND RESEARCH, HIGHWAY CONSTRUCTION, HIGHWAY MAINTENANCE, RAIL, 3491
AVIATION, AND ADMINISTRATION 3492

The Director of Budget and Management may approve requests 3493
from the Department of Transportation for transfer of Fund 002 3494
appropriations for highway planning and research (appropriation 3495
items 771-411 and 771-412), highway construction (appropriation 3496
items 772-421, 772-422, 772-424, 772-437, and 772-438), highway 3497
maintenance (appropriation item 773-431), rail grade crossings 3498
(appropriation item 776-462), aviation (appropriation item 3499
777-475), and administration (appropriation item 779-491). The 3500
Director may not make transfers out of debt service appropriation 3501
items unless the Director determines that the appropriated amounts 3502
exceed the actual and projected debt service requirements. 3503
Transfers of appropriations may be made upon the written request 3504
of the Director of Transportation and with the approval of the 3505
Director of Budget and Management. The transfers shall be reported 3506
to the Controlling Board at the next regularly scheduled meeting 3507
of the board. 3508

This transfer authority is intended to provide for emergency 3509
situations and flexibility to meet unforeseen conditions that 3510
could arise during the budget period. It also is intended to allow 3511
the department to optimize the use of available resources and 3512
adjust to circumstances affecting the obligation and expenditure 3513
of federal funds. 3514

TRANSFER OF APPROPRIATIONS: FEDERAL HIGHWAY AND FEDERAL 3515
TRANSIT 3516

The Director of Budget and Management may approve written 3517
requests from the Director of Transportation for the transfer of 3518
appropriations between appropriation items 772-422, Highway 3519

Construction - Federal, and 775-452, Public Transportation - 3520
Federal, based upon transit capital projects meeting Federal 3521
Highway Administration and Federal Transit Administration funding 3522
guidelines. The transfers shall be reported to the Controlling 3523
Board at its next regularly scheduled meeting. 3524

TRANSFER OF APPROPRIATIONS: STATE INFRASTRUCTURE BANK 3525

The Director of Budget and Management may approve requests 3526
from the Department of Transportation for transfer of 3527
appropriations and cash of the Infrastructure Bank funds created 3528
in section 5531.09 of the Revised Code, including transfers 3529
between fiscal years 2008 and 2009. The transfers shall be 3530
reported to the Controlling Board at its next regularly scheduled 3531
meeting. 3532

The Director of Budget and Management may approve requests 3533
from the Department of Transportation for transfer of 3534
appropriations and cash from the Highway Operating Fund (Fund 002) 3535
to the Infrastructure Bank funds created in section 5531.09 of the 3536
Revised Code. The Director of Budget and Management may transfer 3537
from the Infrastructure Bank funds to the Highway Operating Fund 3538
up to the amounts originally transferred to the Infrastructure 3539
Bank funds under this section. However, the director may not make 3540
transfers between modes and transfers between different funding 3541
sources. The transfers shall be reported to the Controlling Board 3542
at its next regularly scheduled meeting. 3543

INCREASE APPROPRIATION AUTHORITY: STATE FUNDS 3544

In the event that receipts or unexpended balances credited to 3545
the Highway Operating Fund exceed the estimates upon which the 3546
appropriations have been made in this act, upon the request of the 3547
Director of Transportation, the Controlling Board may increase 3548
appropriation authority in the manner prescribed in section 131.35 3549
of the Revised Code. 3550

INCREASE APPROPRIATION AUTHORITY: FEDERAL AND LOCAL FUNDS 3551

In the event that receipts or unexpended balances credited to 3552
the Highway Operating Fund or apportionments or allocations made 3553
available from the federal and local government exceed the 3554
estimates upon which the appropriations have been made in this 3555
act, upon the request of the Director of Transportation, the 3556
Controlling Board may increase appropriation authority in the 3557
manner prescribed in section 131.35 of the Revised Code. 3558

REAPPROPRIATIONS 3559

Upon approval of the Director of Budget and Management, all 3560
appropriations of the Highway Operating Fund (Fund 002), the 3561
Highway Capital Improvement Fund (Fund 042), and the 3562
Infrastructure Bank funds created in section 5531.09 of the 3563
Revised Code remaining unencumbered on June 30, 2007, are hereby 3564
reappropriated for the same purpose in fiscal year 2008. 3565

Upon approval of the Director of Budget and Management, all 3566
appropriations of the Highway Operating Fund (Fund 002), the 3567
Highway Capital Improvement Fund (Fund 042), and the 3568
Infrastructure Bank funds created in section 5531.09 of the 3569
Revised Code remaining unencumbered on June 30, 2008, are hereby 3570
reappropriated for the same purpose in fiscal year 2009. 3571

Any balances of prior years' appropriations to the Highway 3572
Operating Fund (Fund 002), the Highway Capital Improvement Fund 3573
(Fund 042), and the Infrastructure Bank funds created in section 3574
5531.09 of the Revised Code that are unencumbered on June 30, 3575
2007, subject to the availability of revenue as determined by the 3576
Director of Transportation, are hereby reappropriated for the same 3577
purpose in fiscal year 2008 upon the request of the Director of 3578
Transportation and with the approval of the Director of Budget and 3579
Management. The reappropriations shall be reported to the 3580
Controlling Board. 3581

Any balances of prior years' appropriations to the Highway 3582
Operating Fund (Fund 002), the Highway Capital Improvement Fund 3583
(Fund 042), and the Infrastructure Bank funds created in section 3584
5531.09 of the Revised Code that are unencumbered on June 30, 3585
2008, subject to the availability of revenue as determined by the 3586
Director of Transportation, are hereby reappropriated for the same 3587
purpose in fiscal year 2009 upon the request of the Director of 3588
Transportation and with the approval of the Director of Budget and 3589
Management. The reappropriations shall be reported to the 3590
Controlling Board. 3591

Section 203.50. PUBLIC ACCESS ROADS FOR STATE FACILITIES 3592

Of the foregoing appropriation item 772-421, Highway 3593
Construction - State, \$5,000,000 shall be used in each fiscal year 3594
during the fiscal year 2008-2009 biennium by the Department of 3595
Transportation for the construction, reconstruction, or 3596
maintenance of public access roads, including support features, to 3597
and within state facilities owned or operated by the Department of 3598
Natural Resources. 3599

Notwithstanding section 5511.06 of the Revised Code, of the 3600
foregoing appropriation item 772-421, Highway Construction - 3601
State, \$2,228,000 in each fiscal year of the fiscal year 2008-2009 3602
biennium shall be used by the Department of Transportation for the 3603
construction, reconstruction, or maintenance of park drives or 3604
park roads within the boundaries of metropolitan parks. 3605

Included in the foregoing appropriation item 772-421, Highway 3606
Construction - State, the department may perform related road work 3607
on behalf of the Ohio Expositions Commission at the state 3608
fairgrounds, including reconstruction or maintenance of public 3609
access roads and support features, to and within fairground 3610
facilities as requested by the commission and approved by the 3611
Director of Transportation. 3612

LIQUIDATION OF UNFORESEEN LIABILITIES 3613

Any appropriation made to the Department of Transportation, 3614
Highway Operating Fund, not otherwise restricted by law, is 3615
available to liquidate unforeseen liabilities arising from 3616
contractual agreements of prior years when the prior year 3617
encumbrance is insufficient. 3618

Section 203.60. RENTAL PAYMENTS - OBA 3619

The foregoing appropriation item 770-003, Administration - 3620
State - Debt Service, shall be used to pay rent to the Ohio 3621
Building Authority for the period July 1, 2007, to June 30, 2009, 3622
under the primary leases and agreements for various transportation 3623
related capital facilities financed by obligations issued under 3624
Chapter 152. of the Revised Code. The rental payments shall be 3625
made from revenues received from the motor vehicle fuel tax. The 3626
amounts of any bonds and notes to finance such capital facilities 3627
shall be at the request of the Director of Transportation. 3628
Notwithstanding section 152.24 of the Revised Code, the Ohio 3629
Building Authority may, with approval of the Office of Budget and 3630
Management, lease capital facilities to the Department of 3631
Transportation. 3632

The Director of Transportation shall hold title to any land 3633
purchased and any resulting structures that are attributable to 3634
appropriation item 770-003. Notwithstanding section 152.18 of the 3635
Revised Code, the Director of Transportation shall administer any 3636
purchase of land and any contract for construction, 3637
reconstruction, and rehabilitation of facilities as a result of 3638
this appropriation. 3639

Should the appropriation and any reappropriations from prior 3640
years in appropriation item 770-003 exceed the rental payments for 3641
fiscal year 2008 or 2009, then prior to June 30, 2009, the balance 3642
may be transferred to appropriation item 772-421, Highway 3643

Construction - State, 773-431, Highway Maintenance - State, or 3644
779-491, Administration - State, upon the written request of the 3645
Director of Transportation and with the approval of the Director 3646
of Budget and Management. The transfer shall be reported to the 3647
Controlling Board at its next regularly scheduled meeting. 3648

Section 203.70. PUBLIC TRANSPORTATION HIGHWAY PURPOSE GRANTS 3649

The Director of Transportation may use revenues from the 3650
state motor vehicle fuel tax to match approved federal grants 3651
awarded to the Department of Transportation, regional transit 3652
authorities, or eligible public transportation systems, for public 3653
transportation highway purposes, or to support local or state 3654
funded projects for public transportation highway purposes. Public 3655
transportation highway purposes include: the construction or 3656
repair of high-occupancy vehicle traffic lanes, the acquisition or 3657
construction of park-and-ride facilities, the acquisition or 3658
construction of public transportation vehicle loops, the 3659
construction or repair of bridges used by public transportation 3660
vehicles or that are the responsibility of a regional transit 3661
authority or other public transportation system, or other similar 3662
construction that is designated as an eligible public 3663
transportation highway purpose. Motor vehicle fuel tax revenues 3664
may not be used for operating assistance or for the purchase of 3665
vehicles, equipment, or maintenance facilities. 3666

MONTHLY TRANSFERS TO GASOLINE EXCISE TAX FUND 3667

The Director of Budget and Management shall transfer cash in 3668
equal monthly increments totaling \$188,169,480 in each fiscal year 3669
of the 2008-2009 biennium from the Highway Operating Fund, created 3670
in section 5735.291 of the Revised Code, to the Gasoline Excise 3671
Tax Fund created in division (A) of section 5735.27 of the Revised 3672
Code. The monthly amounts transferred under this section shall be 3673
distributed as follows: 42.86 per cent shall be distributed among 3674

the municipal corporations within the state under division (A)(2) 3675
of section 5735.27 of the Revised Code; 37.14 per cent shall be 3676
distributed among the counties within the state under division 3677
(A)(3) of section 5735.27 of the Revised Code; and 20 per cent 3678
shall be distributed among the townships within the state under 3679
division (A)(5)(b) of section 5735.27 of the Revised Code. 3680

Section 205.10. DHS DEPARTMENT OF PUBLIC SAFETY 3681

Highway Safety Information and Education 3682

State Highway Safety Fund Group 3683

036 761-321 Operating Expense - \$ 3,645,598 \$ 3,645,598 3684
Information and
Education

036 761-402 Traffic Safety Match \$ 277,137 \$ 277,137 3685

83N 761-611 Elementary School Seat \$ 375,000 \$ 375,000 3686
Belt Program

831 761-610 Information and \$ 468,982 \$ 468,982 3687
Education - Federal

832 761-612 Traffic Safety-Federal \$ 16,577,565 \$ 16,577,565 3688

844 761-613 Seat Belt Education \$ 395,700 \$ 411,528 3689
Program

846 761-625 Motorcycle Safety \$ 3,698,084 \$ 4,010,865 3690
Education

TOTAL HSF State Highway Safety 3691

Fund Group \$ 25,438,066 \$ 25,766,675 3692

Agency Fund Group 3693

5J9 761-678 Federal Salvage/GSA \$ 1,500,000 \$ 1,500,000 3694

TOTAL AGY Agency \$ 1,500,000 \$ 1,500,000 3695

TOTAL ALL BUDGET FUND GROUPS - 3696

Highway Safety Information 3697

and Education \$ 26,938,066 \$ 27,266,675 3698

FEDERAL HIGHWAY SAFETY PROGRAM MATCH 3699

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

Section 207.10. BUREAU OF MOTOR VEHICLES				3708
State Special Revenue Fund Group				3709
539	762-614	Motor Vehicle Dealers Board	\$ 200,000 \$ 200,000	3710
TOTAL SSR State Special Revenue Fund Group				3711
				3712
State Highway Safety Fund Group				3713
4W4	762-321	Operating Expense-BMV	\$ 90,394,299 \$ 85,145,103	3714
4W4	762-410	Registrations Supplement	\$ 32,480,610 \$ 32,480,610	3715
5V1	762-682	License Plate Contributions	\$ 2,100,000 \$ 2,100,000	3716
83R	762-639	Local Immobilization Reimbursement	\$ 750,000 \$ 750,000	3717
835	762-616	Financial Responsibility Compliance	\$ 5,843,830 \$ 6,063,600	3718
849	762-627	Automated Title Processing Board	\$ 23,487,248 \$ 19,240,839	3719
TOTAL HSF State Highway Safety Fund Group				3720
				3721
TOTAL ALL BUDGET FUND GROUPS - Bureau of Motor Vehicles				3722
				3723

MOTOR VEHICLE REGISTRATION 3724

The Registrar of Motor Vehicles may deposit revenues to meet 3725
the cash needs of the State Bureau of Motor Vehicles Fund (Fund 3726
4W4) established in section 4501.25 of the Revised Code, obtained 3727
under sections 4503.02 and 4504.02 of the Revised Code, less all 3728
other available cash. Revenue deposited pursuant to this section 3729
shall support, in part, appropriations for operating expenses and 3730
defray the cost of manufacturing and distributing license plates 3731
and license plate stickers and enforcing the law relative to the 3732
operation and registration of motor vehicles. Notwithstanding 3733
section 4501.03 of the Revised Code, the revenues shall be paid 3734
into the State Bureau of Motor Vehicles Fund before any revenues 3735
obtained pursuant to sections 4503.02 and 4504.02 of the Revised 3736
Code are paid into any other fund. The deposit of revenues to meet 3737
the aforementioned cash needs shall be in approximate equal 3738
amounts on a monthly basis or as otherwise determined by the 3739
Director of Budget and Management pursuant to a plan submitted by 3740
the Registrar of Motor Vehicles. 3741

CAPITAL PROJECTS 3742

The Registrar of Motor Vehicles may transfer cash from the 3743
State Bureau of Motor Vehicles Fund (Fund 4W4) to the State 3744
Highway Safety Fund (Fund 036) to meet its obligations for capital 3745
projects CIR-047, Department of Public Safety Office Building, 3746
CIR-049, Warehouse Facility, and CAP-070, Canton One Stop Shop. 3747

Section 209.10. ENFORCEMENT 3748

State Highway Safety Fund Group 3749
036 764-033 Minor Capital Projects \$ 1,250,000 \$ 1,250,000 3750
036 764-321 Operating Expense - \$ 253,967,276 \$ 267,539,597 3751
Highway Patrol
036 764-605 Motor Carrier \$ 3,061,817 \$ 3,340,468 3752

	Enforcement Expenses				
83C 764-630	Contraband,	\$	622,894	\$	622,894
	Forfeiture, Other				3753
83F 764-657	Law Enforcement	\$	7,945,555	\$	8,275,898
	Automated Data System				3754
83G 764-633	OMVI	\$	650,000	\$	650,000
	Enforcement/Education				3755
83J 764-693	Highway Patrol Justice	\$	2,100,000	\$	2,100,000
	Contraband				3756
83T 764-694	Highway Patrol	\$	21,000	\$	21,000
	Treasury Contraband				3757
831 764-610	Patrol - Federal	\$	2,455,484	\$	2,455,484
831 764-659	Transportation	\$	5,665,690	\$	6,132,592
	Enforcement - Federal				3759
831 769-631	Homeland Security -	\$	1,500,000	\$	1,552,500
	Federal				3760
837 764-602	Turnpike Policing	\$	10,893,146	\$	11,553,959
838 764-606	Patrol Reimbursement	\$	175,000	\$	175,000
840 764-607	State Fair Security	\$	1,396,283	\$	1,396,283
840 764-617	Security and	\$	6,231,916	\$	6,155,385
	Investigations				3764
840 764-626	State Fairgrounds	\$	788,375	\$	788,375
	Police Force				3765
840 769-632	Homeland Security -	\$	1,913,276	\$	1,989,807
	Operating				3766
841 764-603	Salvage and Exchange -	\$	1,339,399	\$	1,339,399
	Highway Patrol				3767
TOTAL HSF	State Highway Safety				3768
Fund Group		\$	301,977,111	\$	317,338,641
					3769
General Services Fund Group					3770
4S2 764-660	MARCS Maintenance	\$	335,862	\$	389,149
TOTAL GSF	General Services				3771
Fund Group		\$	335,862	\$	389,149
					3772
					3773

TOTAL ALL BUDGET FUND GROUPS -	3774
Enforcement	\$ 302,312,973 \$ 317,727,790 3775
COLLECTIVE BARGAINING INCREASES	3776
Notwithstanding division (D) of section 127.14 and division (B) of section 131.35 of the Revised Code, except for the General Revenue Fund, the Controlling Board may, upon the request of either the Director of Budget and Management, or the Department of Public Safety with the approval of the Director of Budget and Management, increase appropriations for any fund, as necessary for the Department of Public Safety, to assist in paying the costs of increases in employee compensation that have occurred pursuant to collective bargaining agreements under Chapter 4117. of the Revised Code and, for exempt employees, under section 124.152 of the Revised Code.	3777 3778 3779 3780 3781 3782 3783 3784 3785 3786 3787
TRAFFIC SAFETY OPERATING FUND	3788
On July 1, 2007, or as soon thereafter as possible, the Director of Budget and Management shall transfer the cash balance in the Traffic Safety Operating Fund (Fund 5AY) to the Highway Safety Fund (Fund 036). The Director of Budget and Management shall cancel any existing encumbrances against appropriation item 764-688, Traffic Safety Operating, and re-establish them against appropriation item 764-321, Operating Expense - Highway Patrol. The amounts of the re-established encumbrances are hereby appropriated. Upon completion of these transfers, the Traffic Safety Operating Fund (Fund 5AY) is hereby abolished.	3789 3790 3791 3792 3793 3794 3795 3796 3797 3798
CASH TRANSFER TO THE STATE HIGHWAY SAFETY FUND	3799
Effective July 1, 2007, the Treasurer of State, prior to making any of the distributions listed in sections 5735.23, 5735.26, 5735.291, and 5735.30 of the Revised Code, shall deposit at least the first \$1,250,000 and up to \$1,600,000 received each month to the credit of the State Highway Safety Fund (Fund 036).	3800 3801 3802 3803 3804

Section 211.10. EMERGENCY MEDICAL SERVICES				3805
State Highway Safety Fund Group				3806
83M 765-624 Operating Expenses -	\$	2,587,627	\$ 2,587,627	3807
Trauma and EMS				
83P 765-637 Trauma and EMS	\$	4,429,290	\$ 4,562,912	3808
831 765-610 EMS/Federal	\$	582,007	\$ 582,007	3809
TOTAL HSF State Highway Safety				3810
Fund Group	\$	7,598,924	\$ 7,732,546	3811
TOTAL ALL BUDGET FUND GROUPS -				3812
Emergency Medical Services	\$	7,598,924	\$ 7,732,546	3813
 CASH TRANSFERS OF SEAT BELT FINE REVENUES				3814
Notwithstanding any other provision of law to the contrary,				3815
the Controlling Board, upon request of the Director of Public				3816
Safety, may approve the transfer of cash between the following				3817
four funds that receive fine revenues from enforcement of the				3818
mandatory seat belt law: the Trauma and Emergency Medical Services				3819
Fund (Fund 83M), the Elementary School Program Fund (Fund 83N),				3820
the Trauma and Emergency Medical Services Grants Fund (Fund 83P),				3821
and the Seat Belt Education Fund (Fund 844).				3822
 Section 213.10. INVESTIGATIVE UNIT				3823
State Highway Safety Fund Group				3824
831 767-610 Liquor Enforcement -	\$	514,184	\$ 514,184	3825
Federal				
831 769-610 Food Stamp Trafficking	\$	1,032,135	\$ 1,032,135	3826
Enforcement - Federal				
TOTAL HSF State Highway Safety				3827
Fund Group	\$	1,546,319	\$ 1,546,319	3828
Liquor Control Fund Group				3829
043 767-321 Liquor Enforcement -	\$	11,435,527	\$ 11,546,052	3830
Operations				

TOTAL LCF Liquor Control Fund				3831
Group	\$	11,435,527	\$ 11,546,052	3832
State Special Revenue Fund Group				3833
5B9 766-632 Private Investigator and Security Guard Provider	\$	1,288,730	\$ 1,289,883	3834
5CM 767-691 Federal Investigative Seizure	\$	642,175	\$ 642,175	3835
622 767-615 Investigative Contraband and Forfeiture	\$	375,000	\$ 375,000	3836
850 767-628 Investigative Unit Salvage	\$	100,000	\$ 100,000	3837
TOTAL SSR State Special Revenue Fund Group	\$	2,405,905	\$ 2,407,058	3838 3839
TOTAL ALL BUDGET FUND GROUPS - Special Enforcement	\$	15,387,751	\$ 15,499,429	3840 3841
LEASE RENTAL PAYMENTS FOR CAP-076, INVESTIGATIVE UNIT MARCS EQUIPMENT				3842 3843
The Director of Public Safety, using intrastate transfer vouchers, shall make cash transfers to the State Highway Safety Fund (Fund 036) from other funds to reimburse the State Highway Safety Fund for the share of lease rental payments to the Ohio Building Authority that are associated with appropriation item CAP-076, Investigative Unit MARCS Equipment.				3844 3845 3846 3847 3848 3849
Section 215.10. EMERGENCY MANAGEMENT				3850
Federal Special Revenue Fund Group				3851
3N5 763-644 U.S. Department of Energy Agreement	\$	175,000	\$ 175,000	3852
329 763-645 Individual Household Grants - Federal	\$	13,831,920	\$ 13,848,251	3853

337	763-609	Federal Disaster Relief	\$	27,700,200	\$	27,707,636	3854
339	763-647	Emergency Management Assistance and Training	\$	85,121,692	\$	85,265,885	3855
TOTAL FED Federal Special Revenue Fund Group							3856
State Special Revenue Fund Group							3857
4V3	763-662	EMA Service and Reimbursement	\$	650,000	\$	650,000	3858
657	763-652	Utility Radiological Safety	\$	1,260,000	\$	1,260,000	3859
681	763-653	SARA Title III HAZMAT Planning	\$	271,510	\$	271,510	3860
TOTAL SSR State Special Revenue Fund Group							3861
TOTAL ALL BUDGET FUND GROUPS -							3862
Emergency Management							3863
STATE DISASTER RELIEF							3864
The appropriation item 763-601, State Disaster Relief (Fund 533), may accept transfers of cash and appropriations from Controlling Board appropriation items for Ohio Emergency Management Agency disaster response costs and disaster program management costs, and may also be used for the following purposes:							3865
(A) To accept transfers of cash and appropriations from Controlling Board appropriation items for Ohio Emergency Management Agency public assistance and mitigation program match costs to reimburse eligible local governments and private nonprofit organizations for costs related to disasters;							3866
(B) To accept and transfer cash to reimburse the costs associated with Emergency Management Assistance Compact (EMAC) deployments;							3867

(C) To accept disaster related reimbursement from federal, 3880
state, and local governments. The Director of Budget and 3881
Management may transfer cash from reimbursements received by this 3882
fund to other funds of the state from which transfers were 3883
originally approved by the Controlling Board. 3884

(D) To accept transfers of cash and appropriations from 3885
Controlling Board appropriation items to fund the State Disaster 3886
Relief Program, for disasters that have been declared by the 3887
Governor, and the State Individual Assistance Program for 3888
disasters that have been declared by the Governor and the federal 3889
Small Business Administration. The Ohio Emergency Management 3890
Agency shall publish and make available application packets 3891
outlining procedures for the State Disaster Relief Program and the 3892
State Individual Assistance Program. 3893

SARA TITLE III HAZMAT PLANNING 3894

The SARA Title III HAZMAT Planning Fund (Fund 681) is 3895
entitled to receive grant funds from the Emergency Response 3896
Commission to implement the Emergency Management Agency's 3897
responsibilities under Chapter 3750. of the Revised Code. 3898

Section 217.10. CRIMINAL JUSTICE SERVICES 3899

General Services Fund Group 3900

4P6 768-601 Justice Program	\$	100,000	\$	100,000	3901
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Services

TOTAL GSF General Services Fund	\$	100,000	\$	100,000	3902
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Group

Federal Special Revenue Fund Group 3903

3AY 768-606 Federal Justice Grants	\$	13,019,284	\$	13,060,000	3904
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3L5 768-604 Justice Program	\$	11,880,083	\$	12,056,300	3905
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TOTAL FED Federal Special Revenue	\$	24,899,367	\$	25,116,300	3906
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Fund Group

State Special Revenue Fund Group				3907	
5BK 768-687 Criminal Justice	\$	400,000	\$	400,000	3908
Services Operating					
5BK 768-689 Family Violence	\$	750,000	\$	750,000	3909
Shelter Programs					
TOTAL SSR Special Revenue Fund	\$	1,150,000	\$	1,150,000	3910
Group					
TOTAL ALL BUDGET FUND GROUPS -	\$	26,149,367	\$	26,366,300	3911
Criminal Justice Services					
TRANSFER OF THE OFFICE OF CRIMINAL JUSTICE SERVICES TO THE					3912
DEPARTMENT OF PUBLIC SAFETY					3913
Business commenced but not completed by the Office of					3914
Criminal Justice Services on July 1, 2005, shall be completed by					3915
the Division of Criminal Justice Services, in the same manner, and					3916
with the same effect, as if completed by the Office of Criminal					3917
Justice Services. No validation, cure, right, privilege, remedy,					3918
obligation, or liability is lost or impaired by reason of the					3919
transfer required by this section but shall be administered by the					3920
Division of Criminal Justice Services.					3921
FUND CLARIFICATIONS					3922
The fund created by the amendment in this act to section					3923
5502.62 of the Revised Code is the same fund, with a new name, as					3924
the Justice Programs Fund (Fund 3L5). The fund created by section					3925
5502.67 of the Revised Code is the same fund, with a new name, as					3926
the General Services Fund (Fund 4P6).					3927
FAMILY VIOLENCE PREVENTION FUND					3928
Notwithstanding any other provision of law to the contrary,					3929
in each of fiscal years 2008 and 2009, the first \$750,000 received					3930
to the credit of the Family Violence Prevention Fund (Fund 5BK) in					3931
each of those fiscal years shall be appropriated to appropriation					3932
item 768-689, Family Violence Shelter Programs, and the next					3933

\$400,000 received to the credit of the Family Violence Prevention Fund (Fund 5BK) in each of those fiscal years shall be appropriated to appropriation item 768-687, Criminal Justice Services Operating. Any moneys received to the credit of the Family Violence Prevention Fund (Fund 5BK) in excess of the aforementioned appropriated amounts in each fiscal year shall, upon the approval of the Controlling Board, be disbursed to provide grants to family violence shelters in Ohio.

Section 219.10. ADMINISTRATION

State Highway Safety Fund Group
036 766-321 Operating Expense - \$ 4,461,836 \$ 4,461,836
Administration
830 761-603 Salvage and Exchange - \$ 20,000 \$ 20,000
Administration
TOTAL HSF State Highway Safety Fund Group \$ 4,481,836 \$ 4,481,836
General Services Fund Group
4S3 766-661 Hilltop Utility \$ 500,000 \$ 500,000
Reimbursement
TOTAL GSF General Services Fund Group \$ 500,000 \$ 500,000
TOTAL ALL BUDGET FUND GROUPS - Administration \$ 4,981,836 \$ 4,981,836

Section 221.10. DEBT SERVICE

State Highway Safety Fund Group
036 761-401 Lease Rental Payments \$ 13,929,500 \$ 14,017,100
TOTAL HSF State Highway Safety Fund Group \$ 13,929,500 \$ 14,017,100
TOTAL ALL BUDGET FUND GROUPS - Debt Service \$ 13,929,500 \$ 14,017,100

OBA BOND AUTHORITY/LEASE RENTAL PAYMENTS 3962

The foregoing appropriation item 761-401, Lease Rental 3963
Payments, shall be used for payments to the Ohio Building 3964
Authority for the period July 1, 2007, to June 30, 2009, under the 3965
primary leases and agreements for public safety related buildings 3966
financed by obligations issued under Chapter 152. of the Revised 3967
Code. Notwithstanding section 152.24 of the Revised Code, the Ohio 3968
Building Authority may, with approval of the Director of Budget 3969
and Management, lease capital facilities to the Department of 3970
Public Safety. 3971

HILLTOP TRANSFER 3972

The Director of Public Safety shall determine, per an 3973
agreement with the Director of Transportation, the share of each 3974
debt service payment made out of appropriation item 761-401, Lease 3975
Rental Payments, that relates to the Department of 3976
Transportation's portion of the Hilltop Building Project, and 3977
shall certify to the Director of Budget and Management the amounts 3978
of this share. The Director of Budget and Management shall 3979
transfer the amounts of such shares from the Highway Operating 3980
Fund (Fund 002) to the Highway Safety Fund (Fund 036). 3981

Section 223.10. REVENUE DISTRIBUTION 3982

Holding Account Redistribution Fund Group 3983

R24 762-619 Unidentified Motor \$ 1,885,000 \$ 1,885,000 3984

Vehicle Receipts

R52 762-623 Security Deposits \$ 350,000 \$ 350,000 3985

TOTAL 090 Holding Account 3986

Redistribution Fund Group \$ 2,235,000 \$ 2,235,000 3987

TOTAL ALL BUDGET FUND GROUPS - 3988

Revenue Distribution \$ 2,235,000 \$ 2,235,000 3989

TOTAL Department of Public Safety 3990

TOTAL HSF State Highway Safety				3991	
Fund Group	\$	510,027,743	\$	516,663,269	3992
TOTAL SSR State Special Revenue				3993	
Fund Group	\$	5,937,415	\$	5,938,568	3994
TOTAL LCF Liquor Control				3995	
Fund Group	\$	11,435,527	\$	11,546,052	3996
TOTAL GSF General Services				3997	
Fund Group	\$	935,862	\$	989,149	3998
TOTAL FED Federal Special Revenue				3999	
Fund Group	\$	151,728,179	\$	152,113,072	4000
TOTAL AGY Agency Fund Group	\$	1,500,000	\$	1,500,000	4001
TOTAL 090 Holding Account				4002	
Redistribution Fund Group	\$	2,235,000	\$	2,235,000	4003
TOTAL ALL BUDGET FUND GROUPS	\$	683,799,726	\$	690,985,110	4004

Section 225.10. CASH BALANCE FUND REVIEW 4006

Not later than the first day of April in each fiscal year of 4007
the biennium, the Director of Budget and Management shall review 4008
the cash balances for each fund, except the State Highway Safety 4009
Fund (Fund 036) and the Bureau of Motor Vehicles Fund (Fund 4W4), 4010
in the State Highway Safety Fund Group, and shall recommend to the 4011
Controlling Board an amount to be transferred to the credit of the 4012
State Highway Safety Fund or the Bureau of Motor Vehicles Fund, as 4013
appropriate. 4014

Section 227.10. DEV DEPARTMENT OF DEVELOPMENT 4015

State Special Revenue Fund Group				4016	
4W0 195-629 Roadwork Development	\$	18,699,900	\$	18,699,900	4017
TOTAL SSR State Special Revenue				4018	
Fund Group	\$	18,699,900	\$	18,699,900	4019
TOTAL ALL BUDGET FUND GROUPS	\$	18,699,900	\$	18,699,900	4020

ROADWORK DEVELOPMENT FUND 4021

The Roadwork Development Fund shall be used for road 4022
improvements associated with economic development opportunities 4023
that will retain or attract businesses for Ohio. "Road 4024
improvements" are improvements to public roadway facilities 4025
located on, or serving or capable of serving, a project site. 4026

The Department of Transportation, under the direction of the 4027
Department of Development, shall provide these funds in accordance 4028
with all guidelines and requirements established for Department of 4029
Development appropriation item 195-412, Business Development, 4030
including Controlling Board review and approval as well as the 4031
requirements for usage of gas tax revenue prescribed in Section 5a 4032
of Article XII, Ohio Constitution. Should the Department of 4033
Development require the assistance of the Department of 4034
Transportation to bring a project to completion, the Department of 4035
Transportation shall use its authority under Title LV of the 4036
Revised Code to provide such assistance and enter into contracts 4037
on behalf of the Department of Development. In addition, these 4038
funds may be used in conjunction with appropriation item 195-412, 4039
Business Development, or any other state funds appropriated for 4040
infrastructure improvements. 4041

The Director of Budget and Management, pursuant to a plan 4042
submitted by the Department of Development or as otherwise 4043
determined by the Director of Budget and Management, shall set a 4044
cash transfer schedule to meet the cash needs of the Department of 4045
Development's Roadwork Development Fund (Fund 4W0), less any other 4046
available cash. The Director shall transfer to the Roadwork 4047
Development Fund from the Highway Operating Fund (Fund 002), 4048
established in section 5735.291 of the Revised Code, such amounts 4049
at such times as determined by the transfer schedule. 4050

TRANSPORTATION IMPROVEMENT DISTRICTS 4051

Notwithstanding section 5540.151 of the Revised Code, of the 4052
foregoing appropriation item 195-629, Roadwork Development, 4053

\$250,000 in each fiscal year of the biennium shall be granted by 4054
the Director of Development to each of the transportation 4055
improvement districts of Butler, Clermont, Hamilton, Lorain, 4056
Medina, Montgomery, Muskingum, and Stark counties and to the 4057
Rossford Transportation Improvement District in Wood County. Any 4058
grant made under this paragraph is not subject to the restrictions 4059
of appropriation item 195-629, Roadwork Development. 4060

Section 229.10. PWC PUBLIC WORKS COMMISSION 4061

Local Transportation Improvements Fund Group 4062

052 150-402 Local Transportation \$ 291,537 \$ 306,178 4063
Improvement Program -
Operating

052 150-701 Local Transportation \$ 67,500,000 \$ 67,500,000 4064
Improvement Program

TOTAL 052 Local Transportation 4065

Improvements Fund Group \$ 67,791,537 \$ 67,806,178 4066

Local Infrastructure Improvements Fund Group 4067

038 150-321 State Capital \$ 879,237 \$ 918,912 4068
Improvements Program -
Operating Expenses

TOTAL LIF Local Infrastructure 4069

Improvements Fund Group \$ 879,237 \$ 918,912 4070

TOTAL ALL BUDGET FUND GROUPS \$ 68,670,774 \$ 68,725,090 4071

DISTRICT ADMINISTRATION COSTS 4072

The Director of the Public Works Commission is authorized to 4073
create a District Administration Costs Program from interest 4074
earnings of the Capital Improvements Fund and Local Transportation 4075
Improvement Program Fund proceeds. The program shall be used to 4076
provide for the direct costs of district administration of the 4077
nineteen public works districts. Districts choosing to participate 4078
in the program shall only expend Capital Improvements Fund moneys 4079

for Capital Improvements Fund costs and Local Transportation 4080
Improvement Program Fund moneys for Local Transportation 4081
Improvement Program Fund costs. The account shall not exceed 4082
\$1,235,000 per fiscal year. Each public works district may be 4083
eligible for up to \$65,000 per fiscal year from its district 4084
allocation as provided in sections 164.08 and 164.14 of the 4085
Revised Code. 4086

The Director, by rule, shall define allowable and 4087
nonallowable costs for the purpose of the District Administration 4088
Costs Program. Nonallowable costs include indirect costs, elected 4089
official salaries and benefits, and project-specific costs. No 4090
district public works committee may participate in the District 4091
Administration Costs Program without the approval of those costs 4092
by the district public works committee under section 164.04 of the 4093
Revised Code. 4094

REAPPROPRIATIONS 4095

All capital appropriations from the Local Transportation 4096
Improvement Program Fund (Fund 052) in Am. Sub. H.B. 68 of the 4097
126th General Assembly remaining unencumbered as of June 30, 2007, 4098
are reappropriated for use during the period July 1, 2007, through 4099
June 30, 2008, for the same purpose. 4100

Notwithstanding division (B) of section 127.14 of the Revised 4101
Code, all capital appropriations and reappropriations from the 4102
Local Transportation Improvement Program Fund (Fund 052) in this 4103
act remaining unencumbered as of June 30, 2008, are reappropriated 4104
for use during the period July 1, 2008, through June 30, 2009, for 4105
the same purposes, subject to the availability of revenue as 4106
determined by the Director of the Public Works Commission. 4107

Section 303.10. PROVISIONS OF LAW GENERALLY APPLICABLE TO 4108
APPROPRIATIONS 4109

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

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 305.20. The amounts transferred during the fiscal years 2008-2009 biennium to the Deputy Inspector General for ODOT Fund by the Director of Budget and Management pursuant to section 121.51 of the Revised Code are hereby appropriated.

Section 310.10. In proceeding with the construction project involving State Route 68 in Champaign County, the Director of Transportation shall credit the proceeds from any sale of land previously acquired for the project to the local matching funds required for the project.

Section 315.10. OHIO TURNPIKE COMMISSION NOISE MITIGATION PILOT PROJECT

There is hereby created the Community Resolution Fund, which shall be in the custody of the Treasurer of State but shall not be part of the state treasury. Notwithstanding any other provision of law to the contrary, on the first day of July in each of 2007 and 2008, or as soon as practicable thereafter in each of those years, the Treasurer of State shall transfer cash in the amount of

\$250,000 from the Highway Operating Fund (Fund 002) to the 4139
Community Resolution Fund. The Treasurer of State shall pay 4140
\$250,000 from the fund early in fiscal year 2008 and \$250,000 4141
early in fiscal year 2009 to the Ohio Turnpike Commission, which 4142
shall use the money for the study and pilot program required by 4143
the section. 4144

The Ohio Turnpike Commission shall perform a study of noise 4145
impact mitigation methods or techniques that may be used as an 4146
alternative to traditional sound barriers on the turnpike project. 4147
The study shall examine the viability of alternative noise impact 4148
mitigation methods or techniques that may be installed to 4149
alleviate traffic noise that is in excess of the criteria 4150
contained in the Ohio Department of Transportation's "Standard 4151
Procedures for the Analysis and Abatement of Highway Traffic 4152
Noise." After completing the study, but before June 30, 2008, the 4153
Ohio Turnpike Commission shall commence a pilot program utilizing 4154
one or more alternative noise impact mitigation methods or 4155
techniques examined in the study, and shall submit a report 4156
containing the results of the pilot program and projected costs of 4157
further implementation to the Turnpike Legislative Review 4158
Committee not later than December 30, 2008. After the fiscal year 4159
2009 payment of \$250,000 is made to the Ohio Turnpike Commission, 4160
the Community Resolution Fund is abolished, and the Treasurer of 4161
State shall transfer any cash balance that remains credited to 4162
that fund to the Highway Operating Fund. 4163

Section 401.05. That Section 755.03 of Am. Sub. H.B. 530 of 4164
the 126th General Assembly be amended to read as follows: 4165

Sec. 755.03. (A) There is hereby created the Ohio 4166
Transportation Task Force consisting of the following twenty-four 4167
members: three members of the House of Representatives, all of 4168
whom shall be appointed by the Speaker of the House of 4169

Representatives and not more than two of whom shall be from the 4170
same political party as the Speaker of the House of 4171
Representatives; three members of the Senate, all of whom shall be 4172
appointed by the President of the Senate and not more than two of 4173
whom shall be from the same political party as the President of 4174
the Senate; the Director of Development or the Director's 4175
designee; the Director of Public Safety or the Director's 4176
designee; the Director of Transportation or the Director's 4177
designee; the Superintendent of the State Highway Patrol or the 4178
Superintendent's designee; ~~nine~~ ten members appointed jointly by 4179
the Speaker of the House of Representatives and the President of 4180
the Senate, with each such member being selected from a list of 4181
three individuals with the Ohio Aggregates Association, the Ohio 4182
Coal Association, the Ohio Farm Bureau, the Ohio Trucking 4183
Association, the County Engineers Association of Ohio, the Ohio 4184
Municipal League, the Ohio Township Association, the Ohio 4185
Association of Regional Councils, the Ohio Contractors 4186
Association, and the Ohio Manufacturers' Association each 4187
submitting such a list to the Speaker of the House of 4188
Representatives and the President of the Senate for their 4189
consideration; three additional members appointed jointly by the 4190
Speaker of the House of Representatives and the President of the 4191
Senate, with one member representing the industry that transports 4192
freight by air, one member representing the industry that 4193
transports freight by water, and one member representing the 4194
industry that transports freight by rail; and one person appointed 4195
by the Speaker of the House of Representatives and one person 4196
appointed by the President of the Senate, both of whom shall 4197
represent the general public. 4198

All initial appointments to the Task Force shall be made not 4199
later than sixty days after the effective date of this section and 4200
the member from the Ohio Contractors Association shall be 4201

appointed within sixty days after the effective date of the 4202
amendment of this section. Vacancies shall be filled in the same 4203
manner provided for original appointments. 4204

The Speaker of the House of Representatives and the President 4205
of the Senate each shall appoint a co-chairperson of the Task 4206
Force from among the appointees who are members of their 4207
respective chambers of the General Assembly. The Task Force may 4208
elect from among its members any other officers it considers 4209
advisable. The co-chairpersons shall call the first meeting of the 4210
Task Force not later than thirty days after the last member has 4211
been appointed. 4212

The Legislative Service Commission shall provide any staff or 4213
services the Task Force may require. 4214

(B) The Task Force shall examine and evaluate the state's 4215
ability to provide for the safe and efficient movement of freight 4216
within this state during the next two decades including all of the 4217
following: 4218

(1) The state's policies on transportation infrastructure 4219
development, funding, and investment; 4220

(2) The benefits of public investment in transportation 4221
infrastructure; 4222

(3) The statutes and rules that impact the transportation of 4223
freight, including the weight provisions and permit requirements 4224
of existing law. 4225

The Task Force shall make recommendations to enhance the 4226
state's ability to provide for the safe and efficient movement of 4227
freight within this state during that future time period. 4228

The Task Force also may consider or evaluate existing 4229
statewide freight studies and data, Ohio Department of 4230
Transportation policies on safety and congestion, multi-modal 4231

projects, national freight perspectives, transportation 4232
initiatives of other states in these areas, and potential revenue 4233
options. The Task Force may evaluate these items to determine how 4234
they may affect the state's ability to provide for the safe and 4235
efficient movement of freight within this state during the next 4236
two decades. 4237

(C) Not later than December 15, 2007, the Task Force shall 4238
issue a report containing its findings and recommendations. The 4239
Task Force shall send a copy of the report to the Speaker of the 4240
House of Representatives, the Minority Leader of the House of 4241
Representatives, the President of the Senate, the Minority Leader 4242
of the Senate, and the Governor. Upon issuance of the report, the 4243
Task Force shall cease to exist. 4244

Section 401.06. That existing Section 755.03 of Am. Sub. H.B. 4245
530 of the 126th General Assembly is hereby repealed. 4246

Section 401.10. That Section 243.10 of Am. Sub. H.B. 530 of 4247
the 126th General Assembly, as amended by Am. Sub. H.B. 699 of the 4248
126th General Assembly, be amended to read as follows: 4249

Sec. 243.10. All items set forth in this section are hereby 4250
appropriated out of any moneys in the state treasury to the credit 4251
of the Cultural and Sports Facilities Building Fund (Fund 030) 4252
that are not otherwise appropriated: 4253

			Reappropriations	
AFC CULTURAL FACILITIES COMMISSION				4254
CAP-003	Center of Science and Industry - Toledo	\$	7,542	4255
CAP-033	Woodward Opera House Renovation	\$	1,150,000	4256
CAP-038	Center Exhibit Replacement	\$	816,000	4257
CAP-042	Statewide Site Exhibit/Renovation & Construction	\$	123,000	4258
CAP-043	Statewide Site Repairs	\$	200,100	4259

CAP-046	Cincinnati Museum Center Improvements	\$	250,000	4260
CAP-053	Powers Auditorium Improvements	\$	250,000	4261
CAP-055	Waco Museum & Aviation Learning Center	\$	500,000	4262
CAP-058	Cedar Bog Nature Preserve Education Center	\$	766,200	4263
CAP-064	Bramley Historic House	\$	75,000	4264
CAP-065	Beck Center for the Cultural Arts	\$	100,000	4265
CAP-066	Delaware County Cultural Arts Center	\$	40,000	4266
CAP-071	Cleveland Institute of Music	\$	1,500,000	4267
CAP-072	West Side Arts Consortium	\$	138,000	4268
CAP-073	Ice Arena Development	\$	5,500,000	4269
CAP-074	Stan Hywet Hall & Gardens	\$	1,000,000	4270
CAP-075	McKinley Museum Improvements	\$	125,000	4271
CAP-076	Spring Hill Historic Home	\$	125,000	4272
CAP-079	Lorain Palace Civic Theatre	\$	200,000	4273
CAP-080	Great Lakes Historical Society	\$	150,000	4274
CAP-745	Historic Sites and Museums	\$	604,453	4275
CAP-753	Buffington Island State Memorial	\$	73,500	4276
CAP-769	Rankin House State Memorial	\$	192,000	4277
CAP-781	Historical Center Archives/Library	\$	624,000	4278
CAP-784	Ohio Historical Center Rehabilitation	\$	1,523,737	4279
CAP-789	Neil Armstrong Air and Space Museum Improvements	\$	103,516	4280
CAP-809	Cincinnati Ballet Facility Improvements	\$	450,000	4281
CAP-814	Crawford Museum of Transportation & Industry	\$	2,500,000	4282
CAP-820	Historical Center Ohio Village Buildings	\$	502,000	4283
CAP-821	Lorain County Historical Society	\$	300,000	4284
CAP-822	Armory Youth Center	\$	40,000	4285
CAP-823	Marion Palace Theatre	\$	1,575,000	4286
CAP-824	McConnellsville Opera House	\$	75,000	4287
CAP-825	Secrest Auditorium	\$	75,000	4288
CAP-826	Renaissance Theatre	\$	700,000	4289

CAP-827	Trumpet in the Land	\$	100,000	4290
CAP-829	Mid-Ohio Valley Players	\$	80,000	4291
CAP-830	The Anchorage	\$	50,000	4292
CAP-834	Galion Historic Big Four Depot Restoration	\$	170,000	4293
CAP-835	Jamestown Opera House	\$	125,000	4294
CAP-837	Lake County Historical Society	\$	250,000	4295
CAP-839	Hancock Historical Society	\$	75,000	4296
CAP-840	Riversouth Development	\$	1,000,000	4297
CAP-841	Ft. Piqua Hotel	\$	200,000	4298
CAP-843	Marina District Amphitheatre and Related Development	\$	2,000,000	4299
CAP-844	Chas. A. Eulett Education Center/Appalachian Museum	\$	1,850,000	4300
CAP-845	Lima Historic Athletic Field	\$	100,000	4301
CAP-846	Butler Palace Theatre	\$	200,000	4302
CAP-847	Voice Of America Museum	\$	275,000	4303
CAP-848	Oxford Arts Center ADA Project	\$	72,000	4304
CAP-849	Clark County Community Arts Expansion Project	\$	500,000	4305
CAP-850	Westcott House Historic Site	\$	75,000	4306
CAP-851	Gen. Lytle Homestead-Harmony Hill	\$	50,000	4307
CAP-852	Miami Township Community Amphitheatre	\$	50,000	4308
CAP-853	Western Reserve Historical Society	\$	1,000,000 <u>3,500,000</u>	4309
CAP-854	Cleveland Steamship Mather Museum	\$	100,000	4310
CAP-855	Rock and Roll Hall of Fame	\$	250,000	4311
CAP-858	Strongsville Historic Building	\$	100,000	4312
CAP-859	Arts Castle	\$	100,000	4313
CAP-860	Great Lakes Historical Society	\$	325,000	4314
CAP-861	Ohio Glass Museum	\$	250,000	4315
CAP-863	Ariel Theatre	\$	100,000	4316
CAP-864	Bellbrook/Sugarcreek Historical Society	\$	10,000	4317

CAP-867	Ensemble Theatre	\$	450,000	4318
CAP-868	Taft Museum	\$	500,000	4319
CAP-869	Art Academy of Cincinnati	\$	100,000	4320
CAP-870	Riverbend Pavilion Improvements	\$	250,000	4321
CAP-871	Cincinnati Art and Technical Academy - Longworth Hall	\$	100,000	4322
CAP-872	Music Hall: Over-The-Rhine	\$	750,000	4323
CAP-873	John Bloomfield Home Restoration	\$	115,000	4324
CAP-874	Malinta Historical Society Caboose Exhibit	\$	6,000	4325
CAP-875	Hocking County Historic Society - Schempp House	\$	10,000	4326
CAP-876	Art Deco Markay Theatre	\$	200,000	4327
CAP-877	Harvey Wells House	\$	100,000	4328
CAP-879	Broad Street Historical Renovation	\$	300,000	4329
CAP-880	Amherst Historical Society	\$	35,000	4330
CAP-881	COSI - Toledo	\$	1,580,000	4331
CAP-882	Ohio Theatre - Toledo	\$	100,000	4332
CAP-883	Chester Academy Historic Site Renovation	\$	25,000	4333
CAP-884	Bradford Ohio Railroad Museum	\$	100,000	4334
CAP-885	Montgomery County Historical Society Archives	\$	100,000	4335
CAP-886	Nelson T. Gant Historic Homestead	\$	25,000	4336
CAP-887	Aurora Outdoor Sports Complex	\$	50,000	4337
CAP-888	Preble County Historical Society	\$	100,000	4338
CAP-889	Tecumseh Sugarloaf Mountain Amphitheatre	\$	120,000	4339
CAP-890	Pro Football Hall of Fame	\$	400,000	4340
CAP-891	Maps Air Museum	\$	15,000	4341
CAP-892	Foundation Community Theatre	\$	50,000	4342
CAP-893	William McKinley Library Restoration	\$	250,000	4343
CAP-896	Richard Howe House	\$	100,000	4344
CAP-897	Ward-Thomas Museum	\$	30,000	4345
CAP-898	Packard Music Hall Renovation Project	\$	675,000	4346

CAP-899	Holland Theatre	\$	100,000	4347
CAP-900	Van Wert Historical Society	\$	32,000	4348
CAP-901	Warren County Historical Society	\$	225,000	4349
CAP-902	Marietta Colony Theatre	\$	335,000	4350
CAP-903	West Salem Village Opera House	\$	92,000	4351
CAP-904	Beavercreek Community Theater	\$	100,000	4352
CAP-905	Smith Orr Homestead	\$	100,000	4353
Total Cultural Facilities Commission		\$	39,431,048	4354
TOTAL Cultural and Sports Facilities Building Fund		\$	39,431,048	4355

ICE ARENA DEVELOPMENT 4356

The amount reappropriated for the foregoing appropriation 4357
item CAP-073, Ice Arena Development, is the unencumbered and 4358
unalloted balance, as of June 30, 2006, in appropriation item 4359
CAP-073, Ice Arena Development, which prior to July 1, 2006, was 4360
named "Marina District/Ice Arena Development," plus \$2,000,000. 4361

Notwithstanding any provision of law to the contrary, on July 4362
1, 2006, or as soon thereafter as possible, the Director of Budget 4363
and Management shall transfer \$2,000,000 from CAP-843, Marina 4364
District Amphitheatre and Related Development, which prior to July 4365
1, 2006, was named "Marina District/Ice Arena Development," to 4366
CAP-073, Ice Arena Development. 4367

The foregoing appropriation item CAP-073, Ice Arena 4368
Development, shall be used by the County of Lucas for the 4369
development of an ice arena in the City of Toledo. 4370

MARINA DISTRICT AMPHITHEATRE AND RELATED DEVELOPMENT 4371

The amount reappropriated for the foregoing appropriation 4372
item CAP-843, Marina District Amphitheatre and Related 4373
Development, is the unencumbered and unalloted balance, as of June 4374
30, 2006, in appropriation item CAP-843, Marina District 4375
Amphitheatre and Related Development, which prior to July 1, 2006, 4376
was named "Marina District/Ice Arena Development," minus 4377

\$2,000,000. 4378

The foregoing appropriation item CAP-843, Marina District Amphitheatre and Related Development, shall be used by the City of Toledo for the development of an amphitheatre and related developments in the Marina District of Toledo. 4379
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PACKARD MUSIC HALL RENOVATIONS PROJECT 4383

The amount reappropriated for the foregoing appropriation item CAP-898, Packard Music Hall Renovation Project, is the unencumbered and unallotted balance, as of June 30, 2006, in appropriation item CAP-898, Packard Music Hall Renovation Project, plus \$575,000 of the unencumbered and unallotted balance, as of June 30, 2006, in appropriation item CAP-063, Robins Theatre Renovations. 4384
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EAST BOULEVARD/UNIVERSITY CIRCLE PROJECT 4391

Of the foregoing appropriation item CAP-853, Western Reserve Historical Society, \$2,500,000 shall be used for the East Boulevard/University Circle project. 4392
4393
4394

Section 401.11. That existing Section 243.10 of Am. Sub. H.B. 530 of the 126th General Assembly, as amended by Am. Sub. H.B. 699 of the 126th General Assembly, is hereby repealed. 4395
4396
4397

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: 4398
4399
4400

Appropriations

Sec. 235.20.20. CLS CLEVELAND STATE UNIVERSITY			4401
CAP-023 Basic Renovations	\$	3,796,031	4402
CAP-125 College of Education	\$	10,115,719	4403
CAP-148 Cleveland Institute of Art	\$	1,000,000	4404

CAP-163	Anthropology Department Renovations/Relocation	\$	400,000	4405
CAP-164	Chester Building Annex Demolition	\$	921,583	4406
CAP-165	Bakers Building Renovations	\$	1,328,583	4407
CAP-166	Playhouse Square Center - Hanna Theatre	\$	750,000	4408
CAP-167	Cleveland State University Windtower Generator Project	\$	400,000	4409
CAP-168	Kenston Wind Turbine Project in Geauga (CSU Engineering Department)	\$	300,000	4410
CAP-169	Cleveland Museum of Art	\$	3,000,000	4411
Total Cleveland State University		\$	22,011,916	4412
			<u>18,261,916</u>	

Appropriations

Sec. 235.30.70. CCC CUYAHOGA COMMUNITY COLLEGE				4414
CAP-031	Basic Renovations	\$	3,866,782	4415
CAP-095	Collegewide Asset Protection and Building Codes Upgrade	\$	2,411,797	4416
CAP-099	Hospitality Management Program	\$	4,000,000	4417
CAP-100	Theater/Auditorium Renovations	\$	4,036,552	4418
CAP-101	Nursing Clinical Simulation Center	\$	250,000	4419
CAP-102	Rock and Roll Hall of Fame Archives	\$	200,000	4420
<u>CAP-166</u>	<u>Playhouse Square Center - Hanna Theatre</u>	<u>\$</u>	<u>750,000</u>	4421
<u>CAP-169</u>	<u>Cleveland Museum of Art</u>	<u>\$</u>	<u>3,000,000</u>	4422
Total Cuyahoga Community College		\$	14,765,131	4423
			<u>18,515,131</u>	

Section 403.06. That existing Sections 235.20.20 and 4425
235.30.70 of Am. Sub. H.B. 699 of the 126th General Assembly are 4426
hereby repealed. 4427

Section 545.03. The amendment by this act of section 4561.18 4428
of the Revised Code shall first apply to the registration form to 4429

be filed and associated license tax to be paid in 2007. If a 4430
taxpayer has filed the registration for 2007 and paid the tax due 4431
for 2007, and the amendment by this act of section 4561.18 of the 4432
Revised Code results in a reduction of the aircraft license tax 4433
due in 2007, the taxpayer is entitled to claim a refund of the 4434
excess tax paid using procedures the Ohio Department of 4435
Transportation shall establish for the purpose. Any refund claim 4436
authorized under this section shall be filed with the Department 4437
of Transportation on or before December 31, 2007, and the refund 4438
shall be paid within ninety days after the filing of the refund 4439
claim. 4440

Section 550.10. FEDERAL JUSTICE GRANTS FUND 4441

The Federal Justice Grants Fund created by the amendment by 4442
this act of section 5502.62 of the Revised Code is the same fund, 4443
with a new name, as the Justice Programs Fund (Fund 3L5). 4444

Section 550.20. JUSTICE PROGRAM SERVICES FUND 4445

The Justice Program Services Fund created by section 5502.67 4446
of the Revised Code is the same fund, with a new name, as the 4447
General Services Fund (Fund 4P6). 4448

Section 555.05. The Director of Public Safety, in accordance 4449
with section 205(b) of the REAL ID Act of 2005, Pub. L. No. 4450
109-13, 119 Stat. 231, 315, 49 U.S.C. 30301 note, and rules 4451
adopted thereunder, shall request an extension of time to meet the 4452
requirements of the REAL ID Act of 2005. The request shall comply 4453
with requirements of the Department of Homeland Security and shall 4454
notify the Department of the necessity for additional time to 4455
enable Ohio to implement the rules of the Department. The Director 4456
shall make the request as soon as practicable, but not later than 4457
October 1, 2007. 4458

Section 555.06. The Bureau of Motor Vehicles shall implement 4459
the provisions of section 4503.10 of the Revised Code, as amended 4460
by this act, concerning the use of a driver's license number or a 4461
state identification number for vehicle registration purposes, by 4462
September 1, 2007. 4463

Section 555.07. From July 1, 2007, through June 30, 2009, 4464
three or fewer steel coils are deemed to be a nondivisible load 4465
for purposes of special permits issued under section 4513.34 of 4466
the Revised Code, provided that the maximum overall gross vehicle 4467
weight of the vehicle and load shall not exceed 92,000 pounds. 4468

Section 555.08. The Department of Transportation shall 4469
construct the major new construction projects selected by the 4470
Transportation Review Advisory Council on December 20, 2006, as 4471
Tier I projects for construction in fiscal years 2007 through 2013 4472
and shall not undertake other major new construction projects 4473
until construction of such selected Tier I projects has commenced 4474
in accordance with the December 20, 2006, recommendations. The 4475
Transportation Review Advisory Council may recommend additional 4476
major new projects in accordance with the policies promulgated by 4477
the Council, but new Tier I projects shall not be given priority 4478
over Tier I projects recommended on December 20, 2006. 4479

Section 555.10. (A) On or before December 31, 2007, a 4480
transportation improvement district and any two or more 4481
governmental agencies may enter into an agreement providing for 4482
the joint financing of any street, highway, interchange, or other 4483
transportation project. Any such agreement shall be approved by 4484
resolution or ordinance passed by the legislative authority of 4485
each of the parties to such agreement, which resolution or 4486
ordinance shall authorize the execution thereof by a designated 4487
official or officials of each of such parties, and such agreement, 4488

when so approved and executed, shall be in full force and effect. 4489

(B)(1) Subject to division (B)(2) of this section, any party 4490
to such an agreement may issue and, notwithstanding any other 4491
provision of the Revised Code, a district may purchase directly 4492
from the party as an investment, securities to evidence the 4493
obligations of that party to the district pursuant to the 4494
agreement for its portion of the cost of the project pursuant to 4495
Chapter 133. or other applicable provisions of the Revised Code. 4496

(2) More than half of the property necessary for any project 4497
undertaken pursuant to an agreement under this section for which a 4498
district is purchasing securities under division (B)(1) of this 4499
section shall be located within the territory of the 4500
transportation improvement district. 4501

(C) Any term used in this section has the same meaning as 4502
defined in section 5540.01 of the Revised Code, as amended by this 4503
act, unless the context clearly requires another meaning. 4504

Section 555.15. The Director of Transportation may enter into 4505
agreements as provided in this section with the United States or 4506
any department or agency of the United States, including, but not 4507
limited to, the United States Army Corps of Engineers, the United 4508
States Forest Service, the United States Environmental Protection 4509
Agency, and the United States Fish and Wildlife Service. An 4510
agreement entered into pursuant to this section shall be solely 4511
for the purpose of dedicating staff to the expeditious and timely 4512
review of environmentally related documents submitted by the 4513
Department of Transportation, as necessary for the approval of 4514
federal permits. The agreements may include provisions for advance 4515
payment by the Department of Transportation for labor and all 4516
other identifiable costs of providing the services by the United 4517
States or any department or agency of the United States, as may be 4518
estimated by the United States, or the department or agency of the 4519

United States. The Director shall submit a request to the 4520
Controlling Board indicating the amount of the agreement, the 4521
services to be performed by the United States or the department or 4522
agency of the United States, and the circumstances giving rise to 4523
the agreement. 4524

Section 555.17. There is hereby created the State Highway 4525
Patrol Funding Task Force. The Task Force shall study the method 4526
of funding the State Highway Patrol and shall issue a report of 4527
its findings to the General Assembly and the Governor by July 1, 4528
2008. The Governor shall appoint the members of the Task Force. 4529
The Task Force shall include in the report a recommendation for a 4530
dedicated and stable long-term funding source for the State 4531
Highway Patrol. Upon issuing its report, the Task Force shall 4532
cease to exist. 4533

Section 555.19. In fiscal year 2008, the Department of 4534
Transportation shall expend at least \$400,000 in the township 4535
having the largest geographic area for a pilot program involving 4536
the installation and operation of a system of portable signal 4537
preemption devices. Use of the devices in the pilot program shall 4538
be in accordance with section 4511.031 of the Revised Code. The 4539
Department shall consult with appropriate township officials in 4540
implementing the pilot program. 4541

Section 557.10. (A) Notwithstanding Chapter 5735. of the 4542
Revised Code, the following shall apply for the period of July 1, 4543
2007, through June 30, 2009: 4544

(1) For the discount under section 5735.06 of the Revised 4545
Code, if the monthly report is timely filed and the tax is timely 4546
paid, 1.0 per cent of the total number of gallons of motor fuel 4547
received by the motor fuel dealer within the state during the 4548

preceding calendar month, less the total number of gallons 4549
deducted under divisions (B)(1)(a) and (b) of section 5735.06 of 4550
the Revised Code, less 0.50 per cent of the total number of 4551
gallons of motor fuel that were sold to a retail dealer during the 4552
preceding calendar month. 4553

(2) For the semiannual periods ending December 31, 2007, June 4554
30, 2008, December 31, 2008, and June 30, 2009, the refund 4555
provided to retail dealers under section 5735.141 of the Revised 4556
Code shall be 0.50 per cent of the Ohio motor fuel taxes paid on 4557
fuel purchased during those semiannual periods. 4558

(B) Each retail dealer is allowed a vendor discount equal to 4559
0.90% of the motor fuel taxes paid on motor fuel purchased by the 4560
retail dealer during each of the semiannual periods occurring 4561
during the biennium beginning July 1, 2007, and ending June 30, 4562
2009. The vendor discount shall be refunded to the retail dealer 4563
upon application by the dealer to the Tax Commissioner within 120 4564
days after the end of each such semiannual period in the manner 4565
prescribed by the Tax Commissioner. The vendor discount is in 4566
addition to any other refund allowed the dealer under division (A) 4567
of this section. The vendor discount shall be paid in the same 4568
manner and from the same fund as prescribed in section 5735.141 of 4569
the Revised Code. As used in this section, "motor fuel" and 4570
"retail dealer" have the same meanings as in section 5735.01 of 4571
the Revised Code. 4572

Section 571.10. (A) Notwithstanding the limitations in 4573
section 3313.41 of the Revised Code pertaining to the disposal of 4574
real estate, the South Point Board of Education is hereby 4575
authorized to execute a deed conveying to the Superintendent of 4576
the State Highway Patrol and its successors and assigns all of the 4577
Board's right, title, and interest in the following described real 4578
estate: 4579

A certain tract of land situate in the southeast quarter of 4580
Section 29, Township 1 North, Range 16 West, Perry Township, 4581
Lawrence County, Ohio, on the waters of Willow Creek, and being 4582
more particularly bounded and described as follows: 4583

Beginning for reference at a 1" iron pin (found) at the 4584
intersection of the centerline of County Road No. 60, commonly 4585
known as Sand Road, with the centerline of Township Road No. 161, 4586
commonly known as Willow Creek Road, and being on the line between 4587
Sections 29 and 32, marking a corner common to the lands now or 4588
formerly owned by Merle D. Adams, et ux, (D.V. 577, Pg. 110), and 4589
the lands now owned by the South Point Local Board of Education, 4590
(O.R.V. 316, Pg. 578), from which a window weight (found), on the 4591
said section line, bears: South 86° 47' 15" East 315.67 feet; 4592
thence, leaving the centerline of the said County Road No. 60, and 4593
the centerline of the said Township Road No. 161, and severing the 4594
said Section 29, North 64° 32' 11 East 646.96 feet to a point in 4595
the centerline of the said Township Road No. 161, and being in the 4596
line between the lands now or formerly owned by Brent Fugett, 4597
(O.R.V. 60, Pg. 192), and the lands of the said Board of 4598
Education, and marking the TRUE PLACE OF BEGINNING; thence, 4599
leaving the lands of the said Fugett and the centerline of the 4600
said Township Road No. 161, and severing the lands of the said 4601
Board of Education, as follows: 4602

North 22° 55' 17" West, crossing Willow Creek, and passing a 4603
5/8" x 32" reinforcing rod with a red plastic cap stamped "Eastham 4604
& Associates" (set), at 48.16 feet, in all 187.00 feet to a 5/8" x 4605
32" reinforcing rod with a red plastic cap stamped "Eastham & 4606
Associates" (set), 4607

North 00° 44' 19" West 233.19 feet to a 5/8" x 32" 4608
reinforcing rod with a red plastic cap stamped "Eastham & 4609
Associates" (set), 4610

North 44° 39' 47" East 267.08 feet to a 5/8" x 32" 4611

reinforcing rod with a red plastic cap stamped "Eastham & Associates" (set), 4612
4613

North 74° 13' 35" East 270.00 feet to a 5/8" x 32" 4614
reinforcing rod with a red plastic cap stamped "Eastham & Associates" (set), 4615
4616

North 77° 34' 49" East 73.75 feet to a 5/8" x 32" reinforcing 4617
rod with a red plastic cap stamped "Eastham & Associates" (set) 4618
near a sharp bend in the said Creek, 4619

South 46° 39' 17" East, crossing the said Willow Creek, and 4620
passing a 5/8" x 32" reinforcing rod with a red plastic cap 4621
stamped "Eastham & Associates" (set), at 115.75 feet, in all 4622
129.24 feet to a point in the centerline of the said Township Road 4623
No. 161, and being in the line of the lands now or formerly owned 4624
by Janet R. Griffiths, (D.V. 558, Pg. 553); thence, with the lands 4625
of the said Griffiths, and with the centerline of the said 4626
Township Road No. 161, as follows: 4627

South 52° 48' 03" West 66.81 feet, 4628

South 49° 28' 30" West 65.96 feet, 4629

South 40° 51' 16" West 54.26 feet, 4630

South 38° 45' 31" West 81.05 feet, 4631

South 42° 08' 15" West 109.93 feet, 4632

South 39° 15' 42" West 78.12 feet, 4633

South 33° 26' 56" West 104.46 feet, 4634

South 33° 57' 48" West 74.78 feet, 4635

South 48° 04' 56" West, passing a corner common to the lands 4636
of the said Fugett, in all 96.67 feet; thence, with the lands of 4637
the said Fugett, and continuing with the centerline of the said 4638
Road No. 161, 4639

South 45° 33' 07" West 75.19 feet to the TRUE PLACE OF 4640

BEGINNING, containing 4.463 acres, more or less, as surveyed under 4641
the supervision of Ronald L. Eastham, Registered Professional 4642
Surveyor No. 6026, on July 25, 2006, and revised on September 18, 4643
2006, as shown on the attached plat and made a part of this 4644
description. 4645

The above described tract is a part of the same land as that 4646
described in a deed from Freddie L. Hayes, single, Danny J. 4647
Holschuh "AKA" Danny Holschuh and Lorelei Holschuh, husband and 4648
wife, dated September 24, 2004, and recorded in Official Record 4649
Volume 316, Page 578, in the Office of the Recorder of Lawrence 4650
County, Ohio. 4651

And being a part of (0.404 ac.) the Auditor's Tax Parcel No. 4652
15-124-1400.000, and a part of (4.059 ac.) the Auditor's Tax 4653
Parcel No. 15-124-1600.000. 4654

And being subject to all restrictions, reservations, 4655
rights-of-ways, easements, utilities, covenants, exceptions, 4656
conveyances, leases and exclusions previously imposed and 4657
appearing of record, and those not of record. 4658

(B) Consideration for the conveyance of the real estate 4659
described in division (A) of this section is the mutual benefit 4660
accruing to the state and the South Point Board of Education from 4661
the State Highway Patrol's construction of a new patrol post on 4662
the real estate. 4663

(C) Within one year after the effective date of this act, the 4664
South Point Board of Education shall prepare a deed to the real 4665
estate described in division (A) of this section. The deed shall 4666
state the consideration. The deed shall be executed by the South 4667
Point Board of Education and delivered to the Superintendent of 4668
the State Highway Patrol. The Superintendent of the State Highway 4669
Patrol shall present the deed for recording in the office of the 4670
Lawrence County Recorder. 4671

(D) This section expires five years after its effective date. 4672

Section 603.10. The items of law contained in this act, and 4673
their applications, are severable. If any item of law contained in 4674
this act, or if any application of any item of law contained in 4675
this act, is held invalid, the invalidity does not affect other 4676
items of law contained in this act and their applications that can 4677
be given effect without the invalid item of law or application. 4678

Section 609.10. Except as otherwise specifically provided in 4679
this act, the codified sections of law amended or enacted in this 4680
act, and the items of law of which the codified sections of law 4681
amended or enacted in this act are composed, are subject to the 4682
referendum. Therefore, under Ohio Constitution, Article II, 4683
Section 1c and section 1.471 of the Revised Code, the codified 4684
sections of law amended or enacted by this act, and the items of 4685
law of which the codified sections of law as amended or enacted by 4686
this act are composed, take effect on the ninety-first day after 4687
this act is filed with the Secretary of State. If, however, a 4688
referendum petition is filed against any such codified section of 4689
law as amended or enacted by this act, or against any item of law 4690
of which any such codified section of law as amended or enacted by 4691
this act is composed, the codified section of law as amended or 4692
enacted, or item of law, unless rejected at the referendum, takes 4693
effect at the earliest time permitted by law. 4694

Section 611.10. (A)(1) Insofar as the items of law in the 4695
uncodified sections of law contained in this act appropriate money 4696
for the current expenses of state government, earmark this class 4697
of appropriations, or depend for their implementation upon an 4698
appropriation of this class, the items of law are not subject to 4699
the referendum. To that extent therefore, under Ohio Constitution, 4700
Article II, Section 1d and section 1.471 of the Revised Code, 4701

these items of law go into immediate effect when this act becomes 4702
law. 4703

(2) Insofar as the items of law in the uncodified sections of 4704
law contained in this act appropriate money other than for the 4705
current expenses of state government, earmark this class of 4706
appropriations, or depend for their implementation upon an 4707
appropriation of this class, the items of law are subject to the 4708
referendum. To that extent therefore, under Ohio Constitution, 4709
Article II, Section 1c and section 1.471 of the Revised Code, 4710
these items of law take effect on the ninety-first day after this 4711
act is filed with the Secretary of State. If, however, a 4712
referendum petition is filed against such an item of law, the item 4713
of law, unless rejected at the referendum, takes effect at the 4714
earliest time permitted by law. 4715

(B) This section is not subject to the referendum. Therefore, 4716
under Ohio Constitution, Article II, Section 1d and section 1.471 4717
of the Revised Code, this section goes into immediate effect when 4718
this act becomes law. 4719

Section 611.20. Sections 550.10, 550.20, and 571.10 of this 4720
act and the items of law of which they are composed are subject to 4721
the referendum. Therefore, under Ohio Constitution, Article II, 4722
Section 1c and section 1.471 of the Revised Code, the sections and 4723
items of law take effect on the ninety-first day after this act is 4724
filed with the Secretary of State. If, however, a referendum 4725
petition is filed against any such section or against any such 4726
item of law, the section or item of law, unless rejected at the 4727
referendum, takes effect at the earliest time permitted by law. 4728

Section 615.10. The amendment by this act of Section 243.10 4729
of Am. Sub. H.B. 530 of the 126th General Assembly and of Sections 4730
235.20.20 and 235.30.70 of Am. Sub. H.B. 699 of the 126th General 4731

Assembly are not subject to the referendum. Therefore, under Ohio 4732
Constitution, Article II, Section 1c and section 1.471 of the 4733
Revised Code, the amendments take effect on the ninety-first day 4734
after this act is filed with the Secretary of State. If, however, 4735
a referendum petition is filed against either amendment, the 4736
amendment, unless rejected at the referendum, takes effect at the 4737
earliest time permitted by law. 4738

Section 617.10. Section 557.10 of this act and the items it 4739
contains provide for or are essential to the implementation of a 4740
tax levy. Therefore, under Ohio Constitution, Article II, Section 4741
1d, the section and the items it contains are not subject to the 4742
referendum and go into immediate effect when this act becomes law. 4743

Section 620.10. Section 4561.18 of the Revised Code is 4744
presented in this act as a composite of the section as amended by 4745
both Am. Sub. H.B. 66 and Am. Sub. S.B. 9 of the 126th General 4746
Assembly. The General Assembly, applying the principle stated in 4747
division (B) of section 1.52 of the Revised Code that amendments 4748
are to be harmonized if reasonably capable of simultaneous 4749
operation, finds that the composite is the resulting version of 4750
the section in effect prior to the effective date of the section 4751
as presented in this act. 4752