

AN ACT

To amend sections 737.04, 737.041, 1533.18, 3314.091, 3327.10, 3705.242, 4503.10, 4503.44, 4505.09, 4510.037, 4510.038, 4511.21, 4513.20, 4517.21, 4519.59, 4561.18, 4707.02, 4707.074, 5501.31, 5501.49, 5502.03, 5502.62, 5516.01, 5517.03, 5537.16, 5577.05, 5591.02, 5735.05, and 5751.032; to enact sections 121.51, 1327.70, 4511.092, 4517.021, and 5502.67 of the Revised Code; to amend Section 755.03 of Am. Sub. H.B. 530 of the 126th General Assembly, to amend Section 243.10 of Am. Sub. H.B. 530 of the 126th General Assembly, as subsequently amended, and to amend Sections 235.20.20 and 235.30.70 of Am. Sub. H.B. 699 of the 126th General Assembly to make appropriations for programs related to transportation and public safety for the biennium beginning July 1, 2007, and ending June 30, 2009, and to provide authorization and conditions for the operation of those programs.

Be it enacted by the General Assembly of the State of Ohio:

SECTION 101.01. That sections 737.04, 737.041, 1533.18, 3314.091, 3327.10, 3705.242, 4503.10, 4503.44, 4505.09, 4510.037, 4510.038, 4511.21, 4513.20, 4517.21, 4519.59, 4561.18, 4707.02, 4707.074, 5501.31, 5501.49, 5502.03, 5502.62, 5516.01, 5517.03, 5537.16, 5577.05, 5591.02, 5735.05, and 5751.032 be amended and sections 121.51, 1327.70, 4511.092, 4517.021, and 5502.67 of the Revised Code be enacted to read as follows:

Sec. 121.51. There is hereby created in the office of the inspector general the position of deputy inspector general for the department of transportation. The inspector general shall appoint the deputy inspector general, and the deputy inspector general shall serve at the pleasure of the inspector general. A person employed as the deputy inspector general shall

have the same qualifications as those specified in section 121.49 of the Revised Code for the inspector general. The inspector general shall provide technical, professional, and clerical assistance to the deputy inspector general. The inspector general shall certify to the director of budget and management the costs incurred by the deputy inspector general, including the salaries of the deputy inspector general and the employees assisting the deputy inspector general. The director of budget and management shall transfer the amount certified to the deputy inspector general for ODOT fund, which is hereby created in the state treasury, from the appropriation made to the department of transportation from which expenditures for general administrative purposes, as distinguished from specific infrastructure projects, are made. The inspector general shall use the deputy inspector general for ODOT fund to pay costs incurred by the deputy inspector general.

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

All officers and employees of the department shall cooperate with and provide assistance to the deputy inspector general in the performance of any investigation conducted by the deputy inspector general. In particular, those persons shall make their premises, equipment, personnel, books, records, and papers readily available to the deputy inspector general. In the course of an investigation, the deputy inspector general may question any officers or employees of the department and any person transacting business with the department and may inspect and copy any books, records, or papers in the possession of the department, taking care to preserve the confidentiality of information contained in responses to questions or the books, records, or papers that are made confidential by law. In performing any investigation, the deputy inspector general shall avoid interfering with the ongoing

operations of the department, except insofar as is reasonably necessary to complete the investigation successfully.

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 the activities of the deputy inspector general 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 contracting political subdivisions and to the police department members when they are rendering service outside their own subdivisions pursuant to the contracts.

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

The contracts may provide for:

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

(B) Compensation based upon:

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

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

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

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

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

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

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

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

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

(1) "Diesel fuel" has the same meaning as in section 5735.01 of the Revised Code.

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

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

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

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

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

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

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

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

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

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

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

(B) A school district is not required to provide transportation for any native student enrolled in a community school if the governing authority of

the community school, by a date prescribed by the department, submits written notification to the district board of education stating that the governing authority is accepting responsibility for providing or arranging for the transportation of the district's native students to and from the community school. A governing authority's acceptance of responsibility under this division shall cover an entire school year, and shall remain in effect for subsequent school years unless the governing authority submits written notification to the district board that the governing authority is relinquishing the responsibility. However, a governing authority shall not relinquish responsibility for transportation before the end of a school year, and shall submit the notice relinquishing responsibility by a date prescribed by the department to allow the school district reasonable time to prepare transportation for its native students enrolled in the school.

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

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

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

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

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

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

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

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

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

~~(D)~~(E) Except when arranged through payment to a parent, guardian, or

person in charge of a child, transportation provided or arranged for by a community school pursuant to an agreement under this section is subject to all provisions of the Revised Code, and all rules adopted under the Revised Code, pertaining to the construction, design, equipment, and operation of school buses and other vehicles transporting students to and from school. The drivers and mechanics of the vehicles are subject to all provisions of the Revised Code, and all rules adopted under the Revised Code, pertaining to drivers and mechanics of such vehicles. The community school also shall comply with sections 3313.201, 3327.09, and 3327.10 ~~and of the Revised Code, division (B) of section 3327.16 of the Revised Code and, subject to division (C)(1) of this section, sections 3327.01 and 3327.02 of the Revised Code, as if it were a school district. For purposes of complying with section 3327.10 of the Revised Code, the educational service center that serves the county in which the community school is located shall be the certifying agency, unless the agreement designates the school district as the certifying agency.~~

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

(B) No person shall be employed as driver of a school bus or motor van not subject to the rules of the department of education pursuant to division (A) of this section who has not received a certificate from the school

administrator or contractor certifying that such person is at least eighteen years of age, is of good moral character, and is qualified physically and otherwise for such position. Each driver shall have an annual physical examination which conforms to the state highway patrol rules, ascertaining the driver's physical fitness for such employment. The examination shall be performed by one of the following:

- (1) A person licensed under Chapter 4731. of the Revised Code or by another state to practice medicine and surgery or osteopathic medicine and surgery;
- (2) A physician assistant;
- (3) A certified nurse practitioner;
- (4) A clinical nurse specialist;
- (5) A certified nurse-midwife.

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

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

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

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

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

(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.

(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.

(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.

(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 after the date of a violation for which six points are assessed under section 4510.036 of the Revised Code.

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

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

Sec. 3705.242. (A)(1) The director of health, a person authorized by the director, a local commissioner of health, or a local registrar of vital statistics shall charge and collect a fee of one dollar and fifty cents for each certified copy of a birth record, each certification of birth, and each copy of a death record. The fee is in addition to the fee imposed by section 3705.24 or any other section of the Revised Code. A local commissioner of health or local

registrar of vital statistics may retain an amount of each additional fee collected, not to exceed three per cent of the amount of the additional fee, to be used for costs directly related to the collection of the fee and the forwarding of the fee to the treasurer of state. The additional fees collected, but not retained, under division (A)(1) of this section shall be forwarded to the treasurer of state not later than thirty days following the end of each quarter.

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

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

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

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

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

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

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

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

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

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

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

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

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

(6) Whether the fees required to be paid for the registration or transfer

of the motor vehicle, during the preceding registration year and during the preceding period of the current registration year, have been paid. Each application for registration shall be signed by the owner, either manually or by electronic signature, or pursuant to obtaining a limited power of attorney authorized by the registrar for registration, or other document authorizing such signature. If the owner elects to apply for or renew the motor vehicle registration with the registrar by electronic means, the owner's manual signature is not required.

(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 accordance with that section. The application shall be refused if any of the following applies:

(1) The application is not in proper form.

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

(3) A certificate of title or memorandum certificate of title is required but does not accompany the application or, in the case of an electronic

certificate of title, is required but is not presented in a manner prescribed by the registrar's rules.

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

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

This section does not require the payment of license or registration taxes on a motor vehicle for any preceding year, or for any preceding period of a year, if the motor vehicle was not taxable for that preceding year or period under sections 4503.02, 4503.04, 4503.11, 4503.12, and 4503.16 or Chapter 4504. of the Revised Code. When a certificate of registration is issued upon the first registration of a motor vehicle by or on behalf of the owner, the official issuing the certificate shall indicate the issuance with a stamp on the certificate of title or memorandum certificate or, in the case of an electronic certificate of title, an electronic stamp or other notation as specified in rules adopted by the registrar, and with a stamp on the inspection certificate for the motor vehicle, if any. The official also shall indicate, by a stamp or by other means the registrar prescribes, on the registration certificate issued upon the first registration of a motor vehicle by or on behalf of the owner the odometer reading of the motor vehicle as shown in the odometer statement included in or attached to the certificate of title. Upon each subsequent registration of the motor vehicle by or on behalf of the same owner, the official also shall so indicate the odometer reading of the motor vehicle as shown on the immediately preceding certificate of registration.

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

(C)(1) Commencing with each registration renewal with an expiration date on or after October 1, 2003, and for each initial application for registration received on and after that date, the registrar and each deputy registrar shall collect an additional fee of eleven dollars for each application for registration and registration renewal received. The additional fee is for the purpose of defraying the department of public safety's costs associated with the administration and enforcement of the motor vehicle and traffic laws of Ohio. Each deputy registrar shall transmit the fees collected under division (C)(1) of this section in the time and manner provided in this

section. The registrar shall deposit all moneys received under division (C)(1) of this section into the state highway safety fund established in section 4501.06 of the Revised Code.

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

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

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

(F) Each deputy registrar, upon receipt of any application for registration or registration renewal notice, together with the license fee and any local motor vehicle license tax levied pursuant to Chapter 4504. of the Revised Code, shall transmit that fee and tax, if any, in the manner provided in this section, together with the original and duplicate copy of the application, to the registrar. The registrar, subject to the approval of the director of public safety, may deposit the funds collected by those deputies in a local bank or depository to the credit of the "state of Ohio, bureau of motor vehicles." Where a local bank or depository has been designated by

the registrar, each deputy registrar shall deposit all moneys collected by the deputy registrar into that bank or depository not more than one business day after their collection and shall make reports to the registrar of the amounts so deposited, together with any other information, some of which may be prescribed by the treasurer of state, as the registrar may require and as prescribed by the registrar by rule. The registrar, within three days after receipt of notification of the deposit of funds by a deputy registrar in a local bank or depository, shall draw on that account in favor of the treasurer of state. The registrar, subject to the approval of the director and the treasurer of state, may make reasonable rules necessary for the prompt transmittal of fees and for safeguarding the interests of the state and of counties, townships, municipal corporations, and transportation improvement districts levying local motor vehicle license taxes. The registrar may pay service charges usually collected by banks and depositories for such service. If deputy registrars are located in communities where banking facilities are not available, they shall transmit the fees forthwith, by money order or otherwise, as the registrar, by rule approved by the director and the treasurer of state, may prescribe. The registrar may pay the usual and customary fees for such service.

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

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

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

(2)(a) The registrar shall adopt rules ensuring that each owner

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

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

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

- (1) A uniform mileage schedule;
- (2) The gross vehicle weight of the vehicle or combined gross vehicle weight of the combination vehicle as declared by the registrant;
- (3) Any other information the registrar requires by rule.

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

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

- (a) Cannot walk two hundred feet without stopping to rest;
- (b) Cannot walk without the use of, or assistance from, a brace, cane, crutch, another person, prosthetic device, wheelchair, or other assistive device;
- (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;

(d) Uses portable oxygen;

(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;

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

(g) Is blind.

(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.

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

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

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

(B) Any organization or person with a disability that limits or impairs the ability to walk may apply to the registrar of motor vehicles for a removable windshield placard or, if the person owns or leases a motor vehicle, the person may apply for the registration of any motor vehicle the person owns or leases. In addition to one or more sets of license plates or one placard, a person with a disability that limits or impairs the ability to walk is entitled to one additional placard, but only if the person applies separately for the additional placard, states the reasons why the additional placard is needed, and the registrar, in the registrar's discretion, determines that good and justifiable cause exists to approve the request for the additional placard. When a motor vehicle has been altered for the purpose of providing it with special equipment for a person with a disability that limits or impairs the ability to walk, but is owned or leased by someone other than such a person, the owner or lessee may apply to the registrar or a deputy

registrar for registration under this section. The application for registration of a motor vehicle owned or leased by a person with a disability that limits or impairs the ability to walk shall be accompanied by a signed statement from the applicant's personal physician, advanced practice nurse, or chiropractor certifying that the applicant meets at least one of the criteria contained in division (A)(1) of this section and that the disability is expected to continue for more than six consecutive months. The application for a removable windshield placard made by a person with a disability that limits or impairs the ability to walk shall be accompanied by a prescription from the applicant's personal physician, advanced practice nurse, or chiropractor prescribing such a placard for the applicant, provided that the applicant meets at least one of the criteria contained in division (A)(1) of this section. The physician, advanced practice nurse, or chiropractor shall state on the prescription the length of time the physician, advanced practice nurse, or chiropractor expects the applicant to have the disability that limits or impairs the applicant's ability to walk. The application for a removable windshield placard made by an organization shall be accompanied by such documentary evidence of regular transport of persons with disabilities that limit or impair the ability to walk by the organization as the registrar may require by rule and shall be completed in accordance with procedures that the registrar may require by rule. The application for registration of a motor vehicle that has been altered for the purpose of providing it with special equipment for a person with a disability that limits or impairs the ability to walk but is owned by someone other than such a person shall be accompanied by such documentary evidence of vehicle alterations as the registrar may require by rule.

(C) When an organization, a person with a disability that limits or impairs the ability to walk, or a person who does not have a disability that limits or impairs the ability to walk but owns a motor vehicle that has been altered for the purpose of providing it with special equipment for a person with a disability that limits or impairs the ability to walk first submits an application for registration of a motor vehicle under this section and every fifth year thereafter, the organization or person shall submit a signed statement from the applicant's personal physician, advanced practice nurse, or chiropractor, a completed application, and any required documentary evidence of vehicle alterations as provided in division (B) of this section, and also a power of attorney from the owner of the motor vehicle if the applicant leases the vehicle. Upon submission of these items, the registrar or deputy registrar shall issue to the applicant appropriate vehicle registration and a set of license plates and validation stickers, or validation stickers alone

when required by section 4503.191 of the Revised Code. In addition to the letters and numbers ordinarily inscribed thereon, the license plates shall be imprinted with the international symbol of access. The license plates and validation stickers shall be issued upon payment of the regular license fee as prescribed under section 4503.04 of the Revised Code and any motor vehicle tax levied under Chapter 4504. of the Revised Code, and the payment of a service fee equal to the amount specified in division (D) or (G) of section 4503.10 of the Revised Code.

(D)(1) Upon receipt of a completed and signed application for a removable windshield placard, a prescription as described in division (B) of this section, documentary evidence of regular transport of persons with disabilities that limit or impair the ability to walk, if required, and payment of a service fee equal to the amount specified in division (D) or (G) of section 4503.10 of the Revised Code, the registrar or deputy registrar shall issue to the applicant a removable windshield placard, which shall bear the date of expiration on both sides of the placard and shall be valid until expired, revoked, or surrendered. Every removable windshield placard expires as described in division (D)(2) of this section, but in no case shall a removable windshield placard be valid for a period of less than sixty days. Removable windshield placards shall be renewable upon application as provided in division (B) of this section, and a service fee equal to the amount specified in division (D) or (G) of section 4503.10 of the Revised Code shall be charged for the renewal of a removable windshield placard. The registrar shall provide the application form and shall determine the information to be included thereon. The registrar also shall determine the form and size of the removable windshield placard, the material of which it is to be made, and any other information to be included thereon, and shall adopt rules relating to the issuance, expiration, revocation, surrender, and proper display of such placards. Any placard issued after October 14, 1999, shall be manufactured in a manner that allows the expiration date of the placard to be indicated on it through the punching, drilling, boring, or creation by any other means of holes in the placard.

(2) At the time a removable windshield placard is issued to a person with a disability that limits or impairs the ability to walk, the registrar or deputy registrar shall enter into the records of the bureau of motor vehicles the last date on which the person will have that disability, as indicated on the accompanying prescription. Not less than thirty days prior to that date and all removable windshield placard renewal dates, the bureau shall send a renewal notice to that person at the person's last known address as shown in the records of the bureau, informing the person that the person's removable

windshield placard will expire on the indicated date not to exceed five years from the date of issuance, and that the person is required to renew the placard by submitting to the registrar or a deputy registrar another prescription, as described in division (B) of this section, and by complying with the renewal provisions prescribed in division (D)(1) of this section. If such a prescription is not received by the registrar or a deputy registrar by that date, the placard issued to that person expires and no longer is valid, and this fact shall be recorded in the records of the bureau.

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

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

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

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

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

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

(2) The temporary removable windshield placard shall be of the same size and form as the removable windshield placard, shall be printed in white on a red-colored background, and shall bear the word "temporary" in letters of such size as the registrar shall prescribe. A temporary removable windshield placard also shall bear the date of expiration on the front and back of the placard, and shall be valid until expired, surrendered, or revoked, but in no case shall such a placard be valid for a period of less than sixty days. The registrar shall provide the application form and shall determine the information to be included on it, provided that the registrar shall not require a physician, advanced practice nurse, or chiropractor's prescription or certification for a person applying under division (E)(1)(b) of this section. The registrar also shall determine the material of which the temporary removable windshield placard is to be made and any other information to be included on the placard and shall adopt rules relating to the issuance, expiration, surrender, revocation, and proper display of those placards. Any temporary removable windshield placard issued after October 14, 1999, shall be manufactured in a manner that allows for the expiration date of the placard to be indicated on it through the punching, drilling, boring, or creation by any other means of holes in the placard.

(F) If an applicant for a removable windshield placard is a veteran of the armed forces of the United States whose disability, as defined in division (A)(1) of this section, is service-connected, the registrar or deputy registrar, upon receipt of the application, presentation of a signed statement from the

applicant's personal physician, advanced practice nurse, or chiropractor certifying the applicant's disability, and presentation of such documentary evidence from the department of veterans affairs that the disability of the applicant meets at least one of the criteria identified in division (A)(1) of this section and is service-connected as the registrar may require by rule, but without the payment of any service fee, shall issue the applicant a removable windshield placard that is valid until expired, surrendered, or revoked.

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

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.

(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.

(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.

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.

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

(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;

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

(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 shall surrender the original placard or card to the registrar.

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

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

forms used by law enforcement agencies in administering this section.

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

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

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

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

In addition to those fees, the clerk shall charge a fee of five dollars for each certificate of title, duplicate certificate of title, memorandum certificate of title, authorization to print a non-negotiable evidence of ownership described in division (G) of section 4505.08 of the Revised Code, non-negotiable evidence of ownership printed by the clerk under division (H) of that section, 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.

The remaining two dollars and seventy-five cents charged for the certificate of title, the remaining twenty-five cents charged for the duplicate certificate of title, and the remaining seventy-five cents charged for the notation of any lien on a certificate of title shall be paid to the registrar of motor vehicles by monthly returns, which shall be forwarded to the registrar

not later than the fifth day of the month next succeeding that in which the certificate is issued or that in which the registrar is notified of a lien or cancellation of a lien.

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

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

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

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

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

(3) Two dollars of the amount received by the registrar for each certificate of title shall be paid into the state treasury to the credit of the automated title processing fund, which is hereby created and which shall consist of moneys collected under division (B)(3) of this section and under sections 1548.10 and 4519.59 of the Revised Code. All investment earnings

of the fund shall be credited to the fund. The moneys in the fund shall be used as follows:

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

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

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

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

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

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

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

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

(3) The registrar shall purchase, lease, or otherwise acquire any automated title processing equipment and certificates of title that the board

determines are necessary from moneys in the automated title processing fund established by division (B)(3) of this section.

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

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

(B) When the registrar determines that the total points charged against any person under section 4510.036 of the Revised Code within any two-year period beginning on the date of the first conviction within the two-year period is equal to twelve or more, the registrar shall send a written notice to the person at the person's last known address by regular mail. The notice shall list the reported violations that are the basis of the points charged, list the number of points charged for each violation, and state that, because the total number of points charged against the person within the applicable two-year period is equal to twelve or more, the registrar is imposing a class D suspension of the person's driver's or commercial driver's license or permit or nonresident operating privileges for the period of time specified in division (B)(4) of section 4510.02 of the Revised Code. The notice also shall state that the suspension is effective on the twentieth day after the mailing of the notice, unless the person files a petition appealing the determination and suspension in the municipal court, county court, or, if the person is under the age of eighteen, the juvenile division of the court of common pleas in whose jurisdiction the person resides or, if the person is not a resident of this state, in the Franklin county municipal court or juvenile division of the Franklin county court of common pleas. By filing the appeal of the determination and suspension, the person agrees to pay the cost of the proceedings in the appeal of the determination and suspension and alleges that the person can show cause why the person's driver's or commercial driver's license or permit or nonresident operating privileges should not be suspended.

(C)(1) Any person against whom at least two but less than twelve points have been charged under section 4510.036 of the Revised Code may enroll

in a course of remedial driving instruction that is approved by the director of public safety. Upon the person's completion of an approved course of remedial driving instruction, the person may apply to the registrar on a form prescribed by the registrar for a credit of two points on the person's driving record. Upon receipt of the application and proof of completion of the approved remedial driving course, the registrar shall approve the two-point credit. The registrar shall not approve any credits for a person who completes an approved course of remedial driving instruction pursuant to a judge's order under section 4510.02 of the Revised Code.

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

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

(E) The registrar, upon the written request of a licensee who files a petition under division (B) of this section, shall furnish the licensee a certified copy of the registrar's record of the convictions and bond forfeitures of the person. This record shall include the name, address, and date of birth of the licensee; the name of the court in which each conviction or bail forfeiture took place; the nature of the offense that was the basis of the conviction or bond forfeiture; and any other information that the registrar considers necessary. If the record indicates that twelve points or more have been charged against the person within a two-year period, it is

prima-facie evidence that the person is a repeat traffic offender, and the registrar shall suspend the person's driver's or commercial driver's license or permit or nonresident operating privilege pursuant to division (B) of this section.

In hearing the petition and determining whether the person filing the petition has shown cause why the person's driver's or commercial driver's license or permit or nonresident operating privilege should not be suspended, the court shall decide the issue on the record certified by the registrar and any additional relevant, competent, and material evidence that either the registrar or the person whose license is sought to be suspended submits.

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

(G) If the court determines from the evidence submitted that a person who filed a petition under division (B) of this section has failed to show cause why the person's driver's or commercial driver's license or permit or nonresident operating privileges should not be suspended, the court shall assess against the person the cost of the proceedings in the appeal of the determination and suspension and shall impose the applicable suspension under this section or suspend all or a portion of the suspension and impose any conditions upon the person that the court considers proper or impose upon the person a community control sanction pursuant to section 2929.15 or 2929.25 of the Revised Code. If the court determines from the evidence submitted that a person who filed a petition under division (B) of this section has shown cause why the person's driver's or commercial driver's license or permit or nonresident operating privileges should not be suspended, the costs of the appeal proceeding shall be paid out of the county treasury of the county in which the proceedings were held.

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

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

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

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

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

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

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

The course also shall devote a number of hours to instruction in the area of alcohol and drugs and the operation of vehicles. The instruction shall include, but not be limited to, a review of the laws governing the operation of a vehicle while under the influence of alcohol, drugs, or a combination of

them, the dangers of operating a vehicle while under the influence of alcohol, drugs, or a combination of them, and other information relating to the operation of vehicles and the consumption of alcoholic beverages and use of drugs. The director, in consultation with the director of alcohol and drug addiction services, shall prescribe the content of the instruction. The number of hours devoted to the area of alcohol and drugs and the operation of vehicles shall comprise a minimum of twenty-five per cent of the number of hours of instruction included in the course.

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

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

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

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

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

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

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

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

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

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

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

(1)(a) Twenty miles per hour in school zones during school recess and while children are going to or leaving school during the opening or closing hours, and when twenty miles per hour school speed limit signs are erected; except that, on controlled-access highways and expressways, if the right-of-way line fence has been erected without pedestrian opening, the speed shall be governed by division (B)(4) of this section and on freeways, if the right-of-way line fence has been erected without pedestrian opening, the speed shall be governed by divisions (B)(9) and (10) of this section. The end of every school zone may be marked by a sign indicating the end of the zone. Nothing in this section or in the manual and specifications for a uniform system of traffic control devices shall be construed to require school zones to be indicated by signs equipped with flashing or other lights, or giving other special notice of the hours in which the school zone speed limit is in effect.

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

(c) As used in this section, "school zone" means that portion of a street or highway passing a school fronting upon the street or highway that is

encompassed by projecting the school property lines to the fronting street or highway, and also includes that portion of a state highway. Upon request from local authorities for streets and highways under their jurisdiction and that portion of a state highway under the jurisdiction of the director of transportation or a request from a county engineer in the case of a school zone for a special elementary school, the director may extend the traditional school zone boundaries. The distances in divisions (B)(1)(c)(i), (ii), and (iii) of this section shall not exceed three hundred feet per approach per direction and are bounded by whichever of the following distances or combinations thereof the director approves as most appropriate:

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

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

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

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

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

The director may, upon request by resolution of the legislative authority of a municipal corporation, the board of trustees of a township, or a county board of mental retardation and developmental disabilities created pursuant to Chapter 5126. of the Revised Code, and upon submission by the municipal corporation, township, or county board of such engineering, traffic, and other information as the director considers necessary, designate a school zone on any portion of a state route lying within the municipal corporation, lying within the unincorporated territory of the township, or lying adjacent to the property of a school that is operated by such county board, that includes a crosswalk customarily used by children going to or leaving a school during recess and opening and closing hours, whenever the distance, as measured in a straight line, from the school property line nearest the crosswalk to the nearest point of the crosswalk is no more than one thousand three hundred twenty feet. Such a school zone shall include the

distance encompassed by the crosswalk and extending three hundred feet on each approach direction of the state route.

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

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

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

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

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

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

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

(3) Thirty-five miles per hour on all state routes or through highways within municipal corporations outside business districts, except as provided in divisions (B)(4) and (6) of this section;

(4) Fifty miles per hour on controlled-access highways and expressways within municipal corporations;

(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;

(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;

(7) Fifteen miles per hour on all alleys within the municipal corporation;

(8) Thirty-five miles per hour on highways outside municipal corporations that are within an island jurisdiction;

(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;

(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;

(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;

(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 are part of the interstate system and that had such a speed limit established prior to October 1, 1995, and 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 and that had such a speed limit established prior to October 1, 1995, unless a higher speed limit is established under division (L) of this section;

(13) Sixty-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 the following:

(a) Freeways that are part of the interstate system and that had such a speed limit established prior to October 1, 1995, and 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 and that had such a speed limit established prior to October 1, 1995;

(b) Freeways that are part of the interstate system and 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, and that had such a speed limit established under division (L) of this section;

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

(C) It is prima-facie unlawful for any person to exceed any of the speed limitations in divisions (B)(1)(a), (2), (3), (4), (6), (7), and (8) of this section, or any declared pursuant to this section by the director or local authorities and it is unlawful for any person to exceed any of the speed limitations in 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 at the time and place of such alleged violation, except that in affidavits where a person is alleged to have driven at a greater speed than will permit the person to bring the vehicle to a stop within the assured clear distance ahead the affidavit and warrant need not specify the speed at which the defendant is alleged to have driven.

(F) When a speed in excess of both a prima-facie limitation and a limitation in division (D)(1), (2), (3), (4), (5), or (6) of this section is alleged, the defendant shall be charged in a single affidavit, alleging a single act, with a violation indicated of both division (B)(1)(a), (2), (3), (4), (6), (7), or (8) of this section, or of a limit declared pursuant to this section by the director or local authorities, and of the limitation in division (D)(1), (2), (3), (4), (5), or (6) of this section. If the court finds a violation of division (B)(1)(a), (2), (3), (4), (6), (7), or (8) of, or a limit declared pursuant to, this section has occurred, it shall enter a judgment of conviction under such division and dismiss the charge under division (D)(1), (2), (3), (4), (5), or (6) of this section. If it finds no violation of division (B)(1)(a), (2), (3), (4),

(6), (7), or (8) of, or a limit declared pursuant to, this section, it shall then consider whether the evidence supports a conviction under division (D)(1), (2), (3), (4), (5), or (6) of this section.

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

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

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

(2) A local authority may determine on the basis of a geometric and traffic characteristic study that the speed limit of sixty-five miles per hour on a portion of a freeway under its jurisdiction that was established through the operation of division (L)(3) of this section is greater than is reasonable or safe under the conditions found to exist at that portion of the freeway. If the local authority makes such a determination, the local authority by resolution may request the director to determine and declare a reasonable and safe speed limit of not less than fifty-five miles per hour for that portion of the freeway. If the director takes such action, the declared speed limit becomes effective only when appropriate signs giving notice of it are

erected at such location by the local authority.

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

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

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

- (a) Unimproved earth;
- (b) Unimproved graded and drained earth;
- (c) Gravel.

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

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

(b) Whenever a highway ceases to be an unimproved highway and the

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

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

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

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

(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 buildings in use for commercial purposes.

(b) "Residential 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 residences or residences and buildings in use for business, or where the entire length of the highway is less than three hundred feet long and the frontage is improved with residences or residences and buildings in use for business.

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

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

(2) If the established speed limit for such a freeway or portion of freeway is determined to be less than that which is reasonable and safe, the director of transportation, in consultation with the director of public safety

and, if applicable, the local authority having jurisdiction over the portion of freeway, shall determine and declare a reasonable and safe speed limit of not more than sixty-five miles per hour for that freeway or portion of freeway.

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

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

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

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

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

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

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

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

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

(2) Neither local authority may declare an altered prima-facie speed limit pursuant to this section on the part of the highway under their joint jurisdiction unless both of the local authorities determine, upon the basis of an engineering and traffic investigation, that the speed permitted by this section is greater than is reasonable or safe under the conditions found to exist at the location and both authorities agree upon a uniform 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 authorities so agree, each shall follow the procedure specified in this section for altering the prima-facie speed limit on the highway, and the speed limit for the part of the highway within their joint jurisdiction shall be uniformly altered. No altered speed limit may be withdrawn unless both local authorities determine that the altered prima-facie speed limit previously adopted becomes unreasonable and each adopts a resolution withdrawing the altered prima-facie speed limit pursuant to the procedure specified in this section.

(O) As used in this section:

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

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

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

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

(a) Except as otherwise provided in divisions (P)(1)(b), (1)(c), (2), and

(3) of this section, a minor misdemeanor;

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

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

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

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

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

(1) Every trackless trolley and motor vehicle, other than a motorcycle, when operated upon a highway shall be equipped with brakes adequate to control the movement of and to stop and hold such trackless trolley or motor vehicle, including two separate means of applying the brakes, each of which means shall be effective to apply the brakes to at least two wheels. If these two separate means of applying the brakes are connected in any way, then on such trackless trolleys or motor vehicles manufactured or assembled after January 1, 1942, they shall be so constructed that failure of any one part of the operating mechanism shall not leave the trackless trolley or motor vehicle without brakes on at least two wheels.

(2) Every motorcycle, when operated upon a highway shall be equipped

with at least one adequate brake, which may be operated by hand or by foot.

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

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

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

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

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

(6) In any combination of motor-drawn trailers or semitrailers equipped with brakes, means shall be provided for applying the rearmost brakes in approximate synchronism with the brakes on the towing vehicle, and developing the required braking effort on the rearmost wheels at the fastest rate; or means shall be provided for applying braking effort first on the rearmost brakes; or both of the above means, capable of being used alternatively, may be employed.

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

despite exhaustion of any source of energy or leakage of any kind.

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

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

(d) Any necessary, reasonable, and relevant information that the

registrar may require to verify compliance with this section.

(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;

(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:

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

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

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

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

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

(f) Any purchase price;

(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.

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

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

(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.

(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.

(E) As used in this section:

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

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

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

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

(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;

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

(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;

(b) A person who purchases a motor vehicle from a licensed motor vehicle dealer at an auction of motor vehicles conducted at the licensed motor vehicle dealer's place of business in accordance with division (B) of this section;

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

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

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

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

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

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

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

(d) The date of the sale;

(e) The purchase price;

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

A motor vehicle auction owner may supplement the required information with any additional information the motor vehicle auction owner considers appropriate.

(7) Knowingly permit a dealer whose license has been suspended or revoked, or a person whose application for a license to operate as a dealer has been denied, to participate as a buyer or seller at the motor vehicle

auction owner's auction after notification by the registrar of the suspension or revocation of a license, or denial of an application for a license. The registrar shall notify each auction owner by certified mail, return receipt requested, within five business days of the suspension or revocation of a license, or the denial of an application for license. Any motor vehicle auction owner who has knowledge of the presence at the motor vehicle auction owner's auction of a dealer whose license has been suspended or revoked, or of a person whose application for a license to operate as a dealer has been denied, shall immediately cause the removal of the person from the auction.

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

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

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

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

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

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

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

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

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

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

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

of transportation pursuant to this section.

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

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

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

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

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

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

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

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

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

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

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

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

This section does not apply to:

(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;

(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;

(C) An auction mediation company;

(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;

(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;

(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;

(G) 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;

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

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:

(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;

(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.

(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:

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

(2) Is of trustworthy character;

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

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

(5) Has a general knowledge of the requirements of the Revised Code and the general principles regarding auctions, auctioneering, and auction management;

(6) Has provided proof of financial responsibility in the amount of fifty thousand dollars in the form of a surety bond, an irrevocable letter of credit, or cashbond;

(7) Employs a firm manager as required under division (D) of this section.

(C) An application submitted under this section for an auction firm license shall list the names of all of the owners, directors, partners, or members of the applicant, as applicable.

(D) An auction firm shall designate a firm manager. The firm manager shall have sufficient authority in the operation of the auction firm to ensure compliance with this chapter and rules adopted under it. If the firm manager does not have a current license issued under section 4707.07 of the Revised Code, the firm manager shall pass the written examination held under section 4707.08 of the Revised Code before the department may issue a license under this section to the auction firm.

(E)(1) An auction firm license issued under this section immediately shall terminate if any of the following occurs:

- (a) The auction firm incorporates.
- (b) The auction firm ceases to operate as a corporation.
- (c) The auction firm changes ownership.

(d) If the auction firm is a partnership, the firm changes the number of partners in the partnership or changes the partners comprising the partnership.

(e) The auction firm changes the firm manager.

(f) The auction firm changes the name under which the firm conducts business.

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

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

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

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

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

(G) An auction firm licensed under this section shall not conduct the bid calling for the sale of real or personal property at auction.

Sec. 5501.31. The director of transportation shall have general supervision of all roads comprising the state highway system. The director may alter, widen, straighten, realign, relocate, establish, construct,

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

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

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

Provided that when property, other than property used by a railroad for operating purposes, is acquired in connection with improvements involving projects affecting railroads wherein the department is obligated to acquire property under grade separation statutes, or on other improvements wherein the department is obligated to acquire lands under agreements with railroads, or with a public utility, political subdivision, public corporation,

or private corporation owning transportation facilities for the readjustment, relocation, or improvement of their facilities, a fee simple title or an easement may be acquired by purchase or appropriation in the name of the railroad, public utility, political subdivision, public corporation, or private corporation in the discretion of the director. When the title to lands, which are required to adjust, relocate, or improve such facilities pursuant to agreements with the director, is taken in the name of the state, then, in the discretion of the director, the title to such lands may be conveyed to the railroad, public utility, political subdivision, or public corporation for which they were acquired. The conveyance shall be prepared by the attorney general and executed by the governor and bear the great seal of the state of Ohio.

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

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

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

Sec. 5501.49. (A) The director of transportation is responsible for the construction, reconstruction, major maintenance and repair, and operation of all ~~the~~ bridges located on the state highway system within a municipal

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

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

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

(D) As used in this section:

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

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

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

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

Sec. 5502.03. (A) There is hereby created in the department of public safety a division of homeland security. ~~It is the intent of the general assembly that the creation of the division of homeland security of the department of public safety by this amendment does not result in an increase~~

~~of funding appropriated to the department.~~

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(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;

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

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

(7) Implement the state comprehensive plans;

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

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

(10) Apply for, allocate, disburse, and account for grants that are made available pursuant to federal criminal justice acts, or made available from other federal, state, or private sources, to improve the criminal justice

system in the state. All money from such federal grants that require that the money be deposited into an interest-bearing fund or account, that are intended to provide funding to local criminal justice programs, and that require that investment earnings be distributed for program purposes shall be deposited in the state treasury to the credit of the federal justice programs funds, which are hereby created. A separate fund shall be established each federal fiscal year. All investment earnings of a federal justice programs fund shall be credited to that fund and distributed in accordance with the terms of the grant under which the money is received. If the terms under which the money is received do not require the money to be deposited into an interest-bearing fund or account, all money from such federal grants shall be deposited into the state treasury to the credit of the federal justice grants fund, which is hereby created. Money credited to the fund shall be used or distributed pursuant to the federal grant programs under which the money is received.

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

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

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

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

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

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

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

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

(3) Distribute data and analyses to participating law enforcement agencies;

(4) Encourage nonparticipating law enforcement agencies to participate in OIBRS by offering demonstrations, training, and technical assistance;

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

(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:

(a) The Ohio local law enforcement information sharing network is

capable of collecting OIBRS data.

(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.

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

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

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

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

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

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

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

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

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

(B) "Visible" means capable of being seen and comprehended without

visual aid by a person traveling the posted speed limit on the main traveled way of the highway.

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

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

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

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

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

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

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

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

- (1) Activities relating to advertising structures;

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

(3) Transient or temporary activities;

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

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

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

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

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

(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.

(L) "Nonconforming advertising device" means an advertising device that was:

(1) Lawfully in existence prior to December 7, 1971;

(2) Lawfully on any highway made a part of the interstate system or primary highway system on or after December 7, 1971;

(3) Lawfully erected prior to any revision in the law effective December 7, 1971; or

(4) Lawfully erected but:

(a) No longer in compliance with the provisions of state law enacted or rules adopted at a later date; or

(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.

Illegally erected or maintained advertising devices are not nonconforming signs.

(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.

(N) "Director" means the director of the Ohio department of transportation.

(O) "Commercial or industrial zone" means those areas established by any state, county, municipal, or other local zoning authority as being most appropriate for business, commerce, industry, or trade. Any action taken by a state, county, municipal, or other local zoning authority that is not part of comprehensive zoning and is created primarily to permit outdoor advertising

devices shall not be considered a commercial or industrial zone for purposes of this chapter.

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

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

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

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

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

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

(2) Motorsports events.

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

No contractor or other persons shall close a highway or bridge being improved by the state, unless that action has first been determined to be necessary by the director. If the director determines that the making of the improvement will require the closing to traffic of the highway, bridge, or culvert, ~~he~~ the director shall further determine whether it is practicable to construct within the limits of the highway or to provide a new location for

and construct a temporary highway, bridge, or culvert to be used by travelers in lieu of the closed highway, bridge, or culvert. ~~His~~ The director's determination in respect to all matters set forth in this section shall be indorsed in writing upon the surveys, plans, profiles, cross sections, estimates, and specifications. If the director determines that it is impracticable to construct a temporary highway or bridge ~~he~~ the director shall cause to be included as a part of the plans for improvement, plans, specifications, and estimates for all necessary and proper barriers and uniform detour signs. Signs must be so placed and maintained as to conspicuously indicate the points at which it is necessary for traffic to leave the closed highway, and plainly mark the most direct and practicable route to be followed, indicating the road to be followed by the detoured traffic at all road crossings and forks. The costs and expenses of constructing temporary highways or bridges or placing barriers and detour signs shall be included in and regarded as a part of the costs and expenses of the improvement, and shall be paid accordingly. No contractor or employee of the department of transportation, when the state is proceeding by force account, shall close any highway, bridge, or culvert until such temporary highway or bridge has been constructed or such barriers and detour signs have been placed. Immediately upon the reopening of the highway, bridge, or culvert, the contractor or employee of the department in charge of the work, in case the state is proceeding by force account, shall immediately remove all barriers and detour signs. Only that portion of any highway shall be closed at any one time as is considered reasonably necessary by the director. The right-of-way for temporary highways and bridges shall, where a private right-of-way is necessary, be provided by the director, and all temporary highways, bridges, and culverts and detour signs shall be maintained by the contractor until the permanent highway, bridge, or culvert is completed and reopened for traffic. For the purpose of locating, constructing, and erecting temporary highways or bridges the director, or any persons acting under ~~his~~ the director's authority, may enter upon lands adjoining or near to a highway to be closed and agree with the owners of the lands as to damages caused thereby. If the director is unable to agree with the owners as to the amount of damages sustained, the amount thereof shall be ascertained, determined, and paid as set out in the case of the condemnation of highway right-of-way.

If the director determines that it is impracticable to construct, either within the limits of the highway or upon a new location over private lands, a temporary highway, bridge, or culvert to be used by travelers, in lieu of the closed highway, bridge, or culvert, ~~he~~ the director shall, before closing to

traffic the highway, bridge, or culvert to be constructed, improved, or repaired, select the most practicable direct detour route over existing highways and cause detour signs to be placed and maintained along that route. ~~He~~ The director shall, before the closing to traffic of the highway, bridge, or culvert to be constructed, improved, or repaired, place in passable condition for traffic the detour route so selected and marked by ~~him~~ the director and maintain it in a passable condition for traffic during the entire time that the highway, bridge, or culvert under construction is closed to traffic. ~~He~~ The director shall, at the time of the opening to traffic of the highway, bridge, or culvert so constructed, restore the detour route to as good condition as it was at the time of its selection by ~~him~~ the director as a detour route. In instances where traffic from the closed highway, bridge, or culvert causes damage by using a route other than the selected detour, ~~he~~ the director shall maintain such other route in a passable condition and restore it in the same manner as if it were the selected detour route. ~~However, the~~ The director is not required to maintain and restore more than one such additional detour route, except that upon petition from the appropriate local legislative authority the director shall maintain and restore more than one additional detour route if the director finds that traffic from the closed highway, bridge, or culvert caused damage to the additional detour routes that are the subject of the petition.

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

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

(C) No person shall violate any such bylaws or rules of the commission. All fines collected for the violation of applicable laws of the state and the bylaws and rules of the commission or moneys arising from bonds forfeited

for such violation shall be disposed of in accordance with section 5503.04 of the Revised Code.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(7) Forty-five feet for recreational vehicles;

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

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

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

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

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

The lengths prescribed in divisions (C)(2) to ~~(7)~~(8) of this section shall not include safety devices, bumpers attached to the front or rear of such bus or combination, B-train assembly used between the first and second

semitrailer of a commercial tractor-semitrailer-semitrailer combination, energy conservation devices as provided in any regulations adopted by the secretary of the United States department of transportation, or any noncargo-carrying refrigeration equipment attached to the front of trailers and semitrailers. In special cases, vehicles whose dimensions exceed those prescribed by this section may operate in accordance with rules adopted by the director.

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

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

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

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

Sec. 5735.05. (A) To provide revenue for maintaining the state highway system; to widen existing surfaces on such highways; to resurface such highways; to pay that portion of the construction cost of a highway project which a county, township, or municipal corporation normally would be required to pay, but which the director of transportation, pursuant to division

(B) of section 5531.08 of the Revised Code, determines instead will be paid from moneys in the highway operating fund; to enable the counties of the state properly to plan, maintain, and repair their roads and to pay principal, interest, and charges on bonds and other obligations issued pursuant to Chapter 133. of the Revised Code or incurred pursuant to section 5531.09 of the Revised Code for highway improvements; to enable the municipal corporations to plan, construct, reconstruct, repave, widen, maintain, repair, clear, and clean public highways, roads, and streets, and to pay the principal, interest, and charges on bonds and other obligations issued pursuant to Chapter 133. of the Revised Code or incurred pursuant to section 5531.09 of the Revised Code for highway improvements; to enable the Ohio turnpike commission to construct, reconstruct, maintain, and repair turnpike projects; to maintain and repair bridges and viaducts; to purchase, erect, and maintain street and traffic signs and markers; to purchase, erect, and maintain traffic lights and signals; to pay the costs apportioned to the public under sections 4907.47 and 4907.471 of the Revised Code and to supplement revenue already available for such purposes; to pay the costs incurred by the public utilities commission in administering sections 4907.47 to 4907.476 of the Revised Code; to distribute equitably among those persons using the privilege of driving motor vehicles upon such highways and streets the cost of maintaining and repairing them; to pay the interest, principal, and charges on highway capital improvements bonds and other obligations issued pursuant to Section 2m of Article VIII, Ohio Constitution, and section 151.06 of the Revised Code; to pay the interest, principal, and charges on highway obligations issued pursuant to Section 2i of Article VIII, Ohio Constitution, and sections 5528.30 and 5528.31 of the Revised Code; to pay the interest, principal, and charges on major new state infrastructure bonds and other obligations of the state issued pursuant to Section 13 of Article VIII, Ohio Constitution, and section 5531.10 of the Revised Code; to provide revenue for the purposes of sections 1547.71 to 1547.78 of the Revised Code; and to pay the expenses of the department of taxation incident to the administration of the motor fuel laws, a motor fuel excise tax is hereby imposed on all motor fuel dealers upon receipt of motor fuel within this state at the rate of two cents plus the cents per gallon rate on each gallon so received, to be computed in the manner set forth in section 5735.06 of the Revised Code; provided that no tax is hereby imposed upon the following transactions:

(1) The sale of dyed diesel fuel by a licensed motor fuel dealer from a location other than a retail service station provided the licensed motor fuel dealer places on the face of the delivery document or invoice, or both if both

are used, a conspicuous notice stating that the fuel is dyed and is not for taxable use, and that taxable use of that fuel is subject to a penalty. The tax commissioner, by rule, may provide that any notice conforming to rules or regulations issued by the United States department of the treasury or the Internal Revenue Service is sufficient notice for the purposes of division (A)(1) of this section.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(2) "CAT collected" means, with regard to a CAT test period, the net amount of CAT, exclusive of registration fees, received in the period after subtracting any CAT refunded in the period.

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

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

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

(B) Not later than the last day of September immediately following the end of each CAT test period, the tax commissioner shall compute the amount of CAT collected during that test period. If the amount is ~~less than ninety per cent or~~ greater than one hundred ten per cent of the prescribed CAT collections for that period, the commissioner shall proceed as provided in ~~division~~ divisions (C) ~~or~~ and (D) of this section, ~~as applicable~~. For the purposes of division (B) of this section, the prescribed CAT collections for the CAT test periods are as follows:

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

(2) For the second CAT test period, one billion one hundred ninety million dollars less any amount credited to the commercial activity tax

~~reduction~~ refund fund with regard to the first CAT test period;

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

~~(C)(1) If the amount of CAT collected during a CAT test period is less than ninety per cent of the prescribed CAT collections for that test period, the tax commissioner shall determine a new tax rate equal to the tax rate that would have yielded the prescribed CAT collections during that test period. The tax rate shall be the rate that would have to be imposed under division (A) of section 5751.03 of the Revised Code before any applicable phase-in percentages under section 5751.031 of the Revised Code or otherwise provided by law to yield the prescribed CAT collection after applying any applicable phase-in percentages.~~

~~(2) If the amount of CAT collected during a CAT test period exceeds one hundred ten per cent of the prescribed CAT collections for that test period, the tax commissioner shall determine a new tax rate equal to the tax rate that would have yielded the prescribed CAT collections during that test period less one-half of the amount of the excess that was certified to the director of budget and management for the test period under division (D) of this section. The tax rate shall be the rate that would have to be imposed under division (A) of section 5751.03 of the Revised Code before any applicable phase-in percentages under section 5751.031 of the Revised Code or otherwise provided by law to yield the prescribed CAT collection after applying any applicable phase-in percentages.~~

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

~~(4)~~(3) Not later than the last day of September following the end of the CAT test period on the basis of which a new tax rate is computed, the tax commissioner shall certify the new tax rate to the governor, the president of the senate, the speaker of the house of representatives, and all other members of the general assembly. The commissioner shall publish the new tax rate by journal entry and provide notice of the new tax rate to taxpayers. The new tax rate shall be the rate imposed under division (A) of section 5751.03 of the Revised Code beginning with the ensuing calendar year, and is subject to any applicable phase-in percentages provided for under section 5751.031 of the Revised Code.

(D) If the amount of CAT collected during a CAT test period exceeds one hundred ten per cent of the prescribed CAT collections for that test

period, the tax commissioner shall certify the excess amount to the director of budget and management not later than the last day of September immediately following the end of that test period. The director shall forthwith transfer from the general revenue fund one-half of the amount of the excess so certified to the commercial activity tax refund fund, which is hereby created in the state treasury, and the remaining one-half of the amount of the excess to the budget stabilization fund. All money credited to the commercial activity tax refund fund shall be applied to reimburse the general revenue fund, school district tangible property tax replacement fund, and local government tangible property tax replacement fund for the diminution in revenue caused by the credit provided under division (D) of section 5751.03 of the Revised Code. On or before the last day of May, August, and October of the calendar year that begins after the end of the test period, and on or before the last day of February of the following calendar year, the director of budget and management shall transfer one-fourth of the amount that had been transferred to the commercial activity tax refund fund to each of those funds in the proportions specified under division (B) of section 5751.21 of the Revised Code.

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

(E) It is the intent of the General Assembly to conduct a review of the prescribed CAT collections and rate adjustments provided for under divisions (A) to (D) of this section every two years in conjunction with its biennial budget deliberations, and to establish lower prescribed CAT collections or reduce the rate of tax levied under this chapter on the basis of the following three factors:

- (1) The revenue yield of the tax;
- (2) The condition of the Ohio economy;
- (3) Savings realized by ongoing reform to medicaid and other policy

initiatives.

SECTION 101.02. That existing sections 737.04, 737.041, 1533.18, 3314.091, 3327.10, 3705.242, 4503.10, 4503.44, 4505.09, 4510.037, 4510.038, 4511.21, 4513.20, 4517.21, 4519.59, 4561.18, 4707.02, 4707.074, 5501.31, 5501.49, 5502.03, 5502.62, 5516.01, 5517.03, 5537.16, 5577.05, 5591.02, 5735.05, and 5751.032 of the Revised Code are hereby repealed.

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

SECTION 203.10. DOT DEPARTMENT OF TRANSPORTATION					
FUND	TITLE		FY 2008		FY 2009
Transportation Planning and Research					
Highway Operating Fund Group					
002	771-411	Planning and Research - State	\$	20,724,547	\$ 21,733,301
002	771-412	Planning and Research - Federal	\$	29,996,363	\$ 30,264,923
TOTAL HOF Highway Operating Fund Group			\$	50,720,910	\$ 51,998,224
TOTAL ALL BUDGET FUND GROUPS - Transportation Planning and Research			\$	50,720,910	\$ 51,998,224
Highway Construction					
Highway Operating Fund Group					
002	772-421	Highway Construction - State	\$	528,722,188	\$ 504,184,419
002	772-422	Highway Construction - Federal	\$	1,103,979,148	\$ 1,086,733,759
002	772-424	Highway Construction - Other	\$	106,439,000	\$ 100,379,155
002	772-437	GARVEE Debt Service - State	\$	10,321,300	\$ 19,273,500
002	772-438	GARVEE Debt Service - Federal	\$	113,915,900	\$ 139,015,000
212	772-426	Highway Infrastructure Bank - Federal	\$	4,303,173	\$ 4,018,649
212	772-427	Highway Infrastructure Bank - State	\$	8,268,315	\$ 10,209,272
212	772-429	Highway Infrastructure Bank - Local	\$	11,000,000	\$ 11,499,999
212	772-430	Infrastructure Debt Reserve Title 23-49	\$	1,500,000	\$ 1,500,000
213	772-431	Roadway Infrastructure Bank	\$	1,000,000	\$ 1,000,000

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		- State			
213	772-432	Roadway Infrastructure Bank	\$	6,000,000	\$ 6,000,000
		- Local			
213	772-433	Infrastructure Debt Reserve - State	\$	2,000,000	\$ 2,000,000
TOTAL HOF Highway Operating Fund Group					
			\$	1,897,449,024	\$ 1,885,813,753
Highway Capital Improvement Fund Group					
042	772-723	Highway Construction - Bonds	\$	200,000,000	\$ 100,000,000
TOTAL 042 Highway Capital Improvement Fund Group					
			\$	200,000,000	\$ 100,000,000
Infrastructure Bank Obligations Fund Group					
045	772-428	Highway Infrastructure Bank - Bonds	\$	450,000,000	\$ 400,000,000
TOTAL 045 Infrastructure Bank Obligations Fund Group					
			\$	450,000,000	\$ 400,000,000
TOTAL ALL BUDGET FUND GROUPS - Highway Construction					
			\$	2,547,449,024	\$ 2,385,813,753
Highway Maintenance					
Highway Operating Fund Group					
002	773-431	Highway Maintenance - State	\$	403,252,901	\$ 417,915,187
TOTAL HOF Highway Operating Fund Group					
			\$	403,252,901	\$ 417,915,187
TOTAL ALL BUDGET FUND GROUPS - Highway Maintenance					
			\$	403,252,901	\$ 417,915,187
Public Transportation					
Highway Operating Fund Group					
002	775-452	Public Transportation - Federal	\$	25,471,589	\$ 30,391,763
002	775-454	Public Transportation - Other	\$	1,500,000	\$ 1,500,000
002	775-459	Elderly and Disabled Special Equipment	\$	4,730,000	\$ 4,730,000
212	775-408	Transit Infrastructure Bank - Local	\$	2,500,000	\$ 812,685
212	775-455	Title 49 Infrastructure Bank - State	\$	476,485	\$ 312,795
213	775-457	Transit Infrastructure Bank - State	\$	500,000	\$ 312,082
213	775-460	Transit Infrastructure Bank - Local	\$	1,000,000	\$ 1,000,000
TOTAL HOF Highway Operating Fund Group					
			\$	36,178,074	\$ 39,059,325
TOTAL ALL BUDGET FUND GROUPS - Public Transportation					
			\$	36,178,074	\$ 39,059,325
Rail Transportation					
Federal Special Revenue Group					
3B9	776-662	Rail Transportation - Federal	\$	10,000	\$ 10,000
TOTAL FED Federal Special Revenue Fund Group					
			\$	10,000	\$ 10,000
Highway Operating Fund Group					

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002 776-462	Grade Crossings - Federal	\$	15,000,000	\$	15,000,000
TOTAL HOF Highway Operating Fund Group					
		\$	15,000,000	\$	15,000,000
State Special Revenue Fund Group					
4N4 776-663	Panhandle Lease Reserve Payments	\$	762,500	\$	763,700
4N4 776-664	Rail Transportation - Other	\$	2,111,500	\$	2,111,500
TOTAL SSR State Special Revenue Fund Group					
		\$	2,874,000	\$	2,875,200
TOTAL ALL BUDGET FUND GROUPS - Rail Transportation					
		\$	17,884,000	\$	17,885,200

Aviation

State Special Revenue Fund Group					
5W9 777-615	County Airport Maintenance	\$	570,000	\$	570,000
TOTAL SSR State Special Revenue Fund Group					
		\$	570,000	\$	570,000
Highway Operating Fund Group					
002 777-472	Airport Improvements - Federal	\$	405,000	\$	405,000
002 777-475	Aviation Administration	\$	5,210,000	\$	5,358,100
213 777-477	Aviation Infrastructure Bank - State	\$	2,000,000	\$	3,500,000
213 777-478	Aviation Infrastructure Bank - Local	\$	5,996,118	\$	6,000,000
TOTAL HOF Highway Operating Fund Group					
		\$	13,611,118	\$	15,263,100
TOTAL ALL BUDGET FUND GROUPS - Aviation					
		\$	14,181,118	\$	15,833,100

Administration

Highway Operating Fund Group					
002 779-491	Administration - State	\$	120,262,864	\$	122,601,493
TOTAL HOF Highway Operating Fund Group					
		\$	120,262,864	\$	122,601,493
TOTAL ALL BUDGET FUND GROUPS - Administration					
		\$	120,262,864	\$	122,601,493

Debt Service

Highway Operating Fund Group					
002 770-003	Administration - State - Debt Service	\$	10,555,300	\$	3,614,700
TOTAL HOF Highway Operating Fund Group					
		\$	10,555,300	\$	3,614,700
TOTAL ALL BUDGET FUND GROUPS - Debt Service					
		\$	10,555,300	\$	3,614,700

TOTAL Department of Transportation

TOTAL FED Federal Special Revenue Fund Group					
		\$	10,000	\$	10,000
TOTAL HOF Highway Operating Fund Group					
		\$	2,547,030,191	\$	2,551,265,782
TOTAL 042 Highway Capital Improvement Fund Group					
		\$	200,000,000	\$	100,000,000
TOTAL 045 Infrastructure Bank					

Obligations Fund Group	\$	450,000,000	\$	400,000,000
TOTAL SSR State Special Revenue Fund Group	\$	3,444,000	\$	3,445,200
TOTAL ALL BUDGET FUND GROUPS	\$	3,200,484,191	\$	3,054,720,982

SECTION 203.20. ISSUANCE OF BONDS

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

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

SECTION 203.30. MAINTENANCE INTERSTATE HIGHWAYS

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

SECTION 203.40. TRANSFER OF FUND 002 APPROPRIATIONS: PLANNING AND RESEARCH, HIGHWAY CONSTRUCTION,

HIGHWAY MAINTENANCE, RAIL, AVIATION, AND ADMINISTRATION

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

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

TRANSFER OF APPROPRIATIONS: FEDERAL HIGHWAY AND FEDERAL TRANSIT

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

TRANSFER OF APPROPRIATIONS: STATE INFRASTRUCTURE BANK

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

The Director of Budget and Management may approve requests from

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

INCREASE APPROPRIATION AUTHORITY: STATE FUNDS

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

INCREASE APPROPRIATION AUTHORITY: FEDERAL AND LOCAL FUNDS

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

REAPPROPRIATIONS

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

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

Any balances of prior years' appropriations to the Highway Operating Fund (Fund 002), the Highway Capital Improvement Fund (Fund 042), and the Infrastructure Bank funds created in section 5531.09 of the Revised Code that are unencumbered on June 30, 2007, subject to the availability of

revenue as determined by the Director of Transportation, are hereby reappropriated for the same purpose in fiscal year 2008 upon the request of the Director of Transportation and with the approval of the Director of Budget and Management. The reappropriations shall be reported to the Controlling Board.

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

SECTION 203.50. PUBLIC ACCESS ROADS FOR STATE FACILITIES

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

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

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

LIQUIDATION OF UNFORESEEN LIABILITIES

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

SECTION 203.60. RENTAL PAYMENTS - OBA

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

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

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

SECTION 203.70. PUBLIC TRANSPORTATION HIGHWAY PURPOSE GRANTS

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

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

MONTHLY TRANSFERS TO GASOLINE EXCISE TAX FUND

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

**SECTION 205.10. DHS DEPARTMENT OF PUBLIC SAFETY
Highway Safety Information and Education**

State Highway Safety Fund Group					
036	761-321	Operating Expense - Information and Education	\$	3,645,598	\$ 3,645,598
036	761-402	Traffic Safety Match	\$	277,137	\$ 277,137
83N	761-611	Elementary School Seat Belt Program	\$	375,000	\$ 375,000
831	761-610	Information and Education - Federal	\$	468,982	\$ 468,982
832	761-612	Traffic Safety-Federal	\$	16,577,565	\$ 16,577,565
844	761-613	Seat Belt Education Program	\$	395,700	\$ 411,528
846	761-625	Motorcycle Safety Education	\$	3,698,084	\$ 4,010,865
TOTAL HSF State Highway Safety Fund Group			\$	25,438,066	\$ 25,766,675
Agency Fund Group					
5J9	761-678	Federal Salvage/GSA	\$	1,500,000	\$ 1,500,000
TOTAL AGY Agency			\$	1,500,000	\$ 1,500,000
TOTAL ALL BUDGET FUND GROUPS - Highway Safety Information and Education					
			\$	26,938,066	\$ 27,266,675

FEDERAL HIGHWAY SAFETY PROGRAM MATCH

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

State Special Revenue Fund Group

539 762-614	Motor Vehicle Dealers Board	\$	200,000	\$	200,000
TOTAL SSR State Special Revenue					
Fund Group		\$	200,000	\$	200,000

State Highway Safety Fund Group

4W4 762-321	Operating Expense-BMV	\$	90,394,299	\$	85,145,103
4W4 762-410	Registrations Supplement	\$	32,480,610	\$	32,480,610
5V1 762-682	License Plate Contributions	\$	2,100,000	\$	2,100,000
83R 762-639	Local Immobilization Reimbursement	\$	750,000	\$	750,000
835 762-616	Financial Responsibility Compliance	\$	5,843,830	\$	6,063,600
849 762-627	Automated Title Processing Board	\$	23,487,248	\$	19,240,839
TOTAL HSF State Highway Safety					
Fund Group		\$	155,055,987	\$	145,780,152
TOTAL ALL BUDGET FUND GROUPS -					
Bureau of Motor Vehicles		\$	155,255,987	\$	145,980,152

MOTOR VEHICLE REGISTRATION

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

CAPITAL PROJECTS

The Registrar of Motor Vehicles may transfer cash from the State Bureau of Motor Vehicles Fund (Fund 4W4) to the State Highway Safety

Fund (Fund 036) to meet its obligations for capital projects CIR-047, Department of Public Safety Office Building, CIR-049, Warehouse Facility, and CAP-070, Canton One Stop Shop.

SECTION 209.10. ENFORCEMENT

State Highway Safety Fund Group

036 764-033	Minor Capital Projects	\$	1,250,000	\$	1,250,000
036 764-321	Operating Expense - Highway Patrol	\$	253,967,276	\$	267,539,597
036 764-605	Motor Carrier Enforcement Expenses	\$	3,061,817	\$	3,340,468
83C 764-630	Contraband, Forfeiture, Other	\$	622,894	\$	622,894
83F 764-657	Law Enforcement Automated Data System	\$	7,945,555	\$	8,275,898
83G 764-633	OMVI Enforcement/Education	\$	650,000	\$	650,000
83J 764-693	Highway Patrol Justice Contraband	\$	2,100,000	\$	2,100,000
83T 764-694	Highway Patrol Treasury Contraband	\$	21,000	\$	21,000
831 764-610	Patrol - Federal	\$	2,455,484	\$	2,455,484
831 764-659	Transportation Enforcement - Federal	\$	5,665,690	\$	6,132,592
831 769-631	Homeland Security - Federal	\$	1,500,000	\$	1,552,500
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 Investigations	\$	6,231,916	\$	6,155,385
840 764-626	State Fairgrounds Police Force	\$	788,375	\$	788,375
840 769-632	Homeland Security - Operating	\$	1,913,276	\$	1,989,807
841 764-603	Salvage and Exchange - Highway Patrol	\$	1,339,399	\$	1,339,399
TOTAL HSF State Highway Safety Fund Group		\$	301,977,111	\$	317,338,641
General Services Fund Group					
4S2 764-660	MARCS Maintenance	\$	335,862	\$	389,149
TOTAL GSF General Services Fund Group		\$	335,862	\$	389,149
TOTAL ALL BUDGET FUND GROUPS - Enforcement		\$	302,312,973	\$	317,727,790

COLLECTIVE BARGAINING INCREASES

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.

TRAFFIC SAFETY OPERATING FUND

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.

CASH TRANSFER TO THE STATE HIGHWAY SAFETY FUND

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).

SECTION 211.10. EMERGENCY MEDICAL SERVICES

State Highway Safety Fund Group

83M 765-624	Operating Expenses - Trauma and EMS	\$	2,587,627	\$	2,587,627
83P 765-637	Trauma and EMS	\$	4,429,290	\$	4,562,912
831 765-610	EMS/Federal	\$	582,007	\$	582,007
TOTAL HSF State Highway Safety Fund Group		\$	7,598,924	\$	7,732,546
TOTAL ALL BUDGET FUND GROUPS - Emergency Medical Services		\$	7,598,924	\$	7,732,546

CASH TRANSFERS OF SEAT BELT FINE REVENUES

Notwithstanding any other provision of law to the contrary, the Controlling Board, upon request of the Director of Public Safety, may approve the transfer of cash between the following four funds that receive fine revenues from enforcement of the mandatory seat belt law: the Trauma and Emergency Medical Services Fund (Fund 83M), the Elementary School Program Fund (Fund 83N), the Trauma and Emergency Medical Services Grants Fund (Fund 83P), and the Seat Belt Education Fund (Fund 844).

SECTION 213.10. INVESTIGATIVE UNIT

State Highway Safety Fund Group

831	767-610	Liquor Enforcement - Federal	\$	514,184	\$	514,184
831	769-610	Food Stamp Trafficking Enforcement - Federal	\$	1,032,135	\$	1,032,135
TOTAL HSF State Highway Safety Fund Group			\$	1,546,319	\$	1,546,319
Liquor Control Fund Group						
043	767-321	Liquor Enforcement - Operations	\$	11,435,527	\$	11,546,052
TOTAL LCF Liquor Control Fund Group			\$	11,435,527	\$	11,546,052
State Special Revenue Fund Group						
5B9	766-632	Private Investigator and Security Guard Provider	\$	1,288,730	\$	1,289,883
5CM	767-691	Federal Investigative Seizure	\$	642,175	\$	642,175
622	767-615	Investigative Contraband and Forfeiture	\$	375,000	\$	375,000
850	767-628	Investigative Unit Salvage	\$	100,000	\$	100,000
TOTAL SSR State Special Revenue Fund Group			\$	2,405,905	\$	2,407,058
TOTAL ALL BUDGET FUND GROUPS - Special Enforcement			\$	15,387,751	\$	15,499,429

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

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.

SECTION 215.10. EMERGENCY MANAGEMENT

Federal Special Revenue Fund Group

3N5	763-644	U.S. Department of Energy Agreement	\$	175,000	\$	175,000
329	763-645	Individual Household Grants - Federal	\$	13,831,920	\$	13,848,251
337	763-609	Federal Disaster Relief	\$	27,700,200	\$	27,707,636
339	763-647	Emergency Management Assistance and Training	\$	85,121,692	\$	85,265,885
TOTAL FED Federal Special Revenue Fund Group			\$	126,828,812	\$	126,996,772

State Special Revenue Fund Group

4V3	763-662	EMA Service and Reimbursement	\$	650,000	\$	650,000
657	763-652	Utility Radiological Safety	\$	1,260,000	\$	1,260,000
681	763-653	SARA Title III HAZMAT Planning	\$	271,510	\$	271,510
TOTAL SSR State Special Revenue Fund Group			\$	2,181,510	\$	2,181,510
TOTAL ALL BUDGET FUND GROUPS -						

Emergency Management \$ 129,010,322 \$ 129,178,282

STATE DISASTER RELIEF

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:

(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;

(B) To accept and transfer cash to reimburse the costs associated with Emergency Management Assistance Compact (EMAC) deployments;

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

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

SARA TITLE III HAZMAT PLANNING

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

SECTION 217.10. CRIMINAL JUSTICE SERVICES

General Services Fund Group

4P6 768-601 Justice Program Services	\$	100,000	\$	100,000
TOTAL GSF General Services Fund Group	\$	100,000	\$	100,000

Federal Special Revenue Fund Group

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

State Special Revenue Fund Group

5BK 768-687	Criminal Justice Services Operating	\$	400,000	\$	400,000
5BK 768-689	Family Violence Shelter Programs	\$	750,000	\$	750,000
TOTAL SSR Special Revenue Fund Group		\$	1,150,000	\$	1,150,000
TOTAL ALL BUDGET FUND GROUPS - Criminal Justice Services		\$	26,149,367	\$	26,366,300

TRANSFER OF THE OFFICE OF CRIMINAL JUSTICE SERVICES TO THE DEPARTMENT OF PUBLIC SAFETY

Business commenced but not completed by the Office of Criminal Justice Services on July 1, 2005, shall be completed by the Division of Criminal Justice Services, in the same manner, and with the same effect, as if completed by the Office of Criminal Justice Services. No validation, cure, right, privilege, remedy, obligation, or liability is lost or impaired by reason of the transfer required by this section but shall be administered by the Division of Criminal Justice Services.

FUND CLARIFICATIONS

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

FAMILY VIOLENCE PREVENTION FUND

Notwithstanding any other provision of law to the contrary, in each of fiscal years 2008 and 2009, the first \$750,000 received to the credit of the Family Violence Prevention Fund (Fund 5BK) in each of those fiscal years shall be appropriated to appropriation item 768-689, Family Violence Shelter Programs, and the next \$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 - Administration	\$	4,461,836	\$	4,461,836
830 761-603	Salvage and Exchange - Administration	\$	20,000	\$	20,000
TOTAL HSF State Highway Safety					

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Fund Group	\$	4,481,836	\$	4,481,836
General Services Fund Group				
4S3 766-661 Hilltop Utility Reimbursement	\$	500,000	\$	500,000
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

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

HILLTOP TRANSFER

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

SECTION 223.10. REVENUE DISTRIBUTION

Holding Account Redistribution Fund Group

R24 762-619 Unidentified Motor Vehicle Receipts	\$	1,885,000	\$	1,885,000
R52 762-623 Security Deposits	\$	350,000	\$	350,000
TOTAL 090 Holding Account Redistribution Fund Group	\$	2,235,000	\$	2,235,000
TOTAL ALL BUDGET FUND GROUPS - Revenue Distribution	\$	2,235,000	\$	2,235,000

TOTAL Department of Public Safety

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

SECTION 225.10. CASH BALANCE FUND REVIEW

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

SECTION 227.10. DEV DEPARTMENT OF DEVELOPMENT

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

ROADWORK DEVELOPMENT FUND

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

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

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

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

TRANSPORTATION IMPROVEMENT DISTRICTS

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

SECTION 229.10. PWC PUBLIC WORKS COMMISSION

Local Transportation Improvements Fund Group

052	150-402	Local Transportation Improvement Program - Operating	\$	291,537	\$	306,178
052	150-701	Local Transportation Improvement Program	\$	67,500,000	\$	67,500,000
TOTAL 052 Local Transportation Improvements Fund Group			\$	67,791,537	\$	67,806,178

Local Infrastructure Improvements Fund Group

038	150-321	State Capital Improvements Program - Operating Expenses	\$	879,237	\$	918,912
TOTAL LIF Local Infrastructure Improvements Fund Group			\$	879,237	\$	918,912
TOTAL ALL BUDGET FUND GROUPS			\$	68,670,774	\$	68,725,090

DISTRICT ADMINISTRATION COSTS

The Director of the Public Works Commission is authorized to create a District Administration Costs Program from interest earnings of the Capital

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

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

REAPPROPRIATIONS

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

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

SECTION 303.10. PROVISIONS OF LAW GENERALLY APPLICABLE TO APPROPRIATIONS

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

SECTION 305.10. LEASE PAYMENTS TO OBA AND TREASURER

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 United States 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 Community Resolution Fund. The Treasurer of State shall pay \$250,000 from the fund early in fiscal year 2008 and \$250,000 early in fiscal year 2009 to the Ohio Turnpike Commission, which shall use the money for the study and pilot program required by the section.

The Ohio Turnpike Commission shall perform a study of noise impact mitigation methods or techniques that may be used as an alternative to traditional sound barriers on the turnpike project. The study shall examine the viability of alternative noise impact mitigation methods or techniques that may be installed to alleviate traffic noise that is in excess of the criteria contained in the Ohio Department of Transportation's "Standard Procedures for the Analysis and Abatement of Highway Traffic Noise." After completing the study, but before June 30, 2008, the Ohio Turnpike Commission shall commence a pilot program utilizing one or more

alternative noise impact mitigation methods or techniques examined in the study, and shall submit a report containing the results of the pilot program and projected costs of further implementation to the Turnpike Legislative Review Committee not later than December 30, 2008. After the fiscal year 2009 payment of \$250,000 is made to the Ohio Turnpike Commission, the Community Resolution Fund is abolished, and the Treasurer of State shall transfer any cash balance that remains credited to that fund to the Highway Operating Fund.

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

Sec. 755.03. (A) There is hereby created the Ohio Transportation Task Force consisting of the following ~~twenty-four~~ members: three members of the House of Representatives, all of whom shall be appointed by the Speaker of the House of Representatives and not more than two of whom shall be from the same political party as the Speaker of the House of Representatives; three members of the Senate, all of whom shall be appointed by the President of the Senate and not more than two of whom shall be from the same political party as the President of the Senate; the Director of Development or the Director's designee; the Director of Public Safety or the Director's designee; the Director of Transportation or the Director's designee; the Superintendent of the State Highway Patrol or the Superintendent's designee; ~~nine~~ ten members appointed jointly by the Speaker of the House of Representatives and the President of the Senate, with each such member being selected from a list of three individuals with the Ohio Aggregates Association, the Ohio Coal Association, the Ohio Farm Bureau, the Ohio Trucking Association, the County Engineers Association of Ohio, the Ohio Municipal League, the Ohio Township Association, the Ohio Association of Regional Councils, the Ohio Contractors Association, and the Ohio Manufacturers' Association each submitting such a list to the Speaker of the House of Representatives and the President of the Senate for their consideration; three additional members appointed jointly by the Speaker of the House of Representatives and the President of the Senate, with one member representing the industry that transports freight by air, one member representing the industry that transports freight by water, and one member representing the industry that transports freight by rail; and one person appointed by the Speaker of the House of Representatives and one person appointed by the President of the Senate, both of whom shall represent the general public.

All initial appointments to the Task Force shall be made not later than

sixty days after the effective date of this section and the member from the Ohio Contractors Association shall be appointed within sixty days after the effective date of the amendment of this section. Vacancies shall be filled in the same manner provided for original appointments.

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

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

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

- (1) The state's policies on transportation infrastructure development, funding, and investment;
- (2) The benefits of public investment in transportation infrastructure;
- (3) The statutes and rules that impact the transportation of freight, including the weight provisions and permit requirements of existing law.

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

The Task Force also may consider or evaluate existing statewide freight studies and data, Ohio Department of Transportation policies on safety and congestion, multi-modal projects, national freight perspectives, transportation initiatives of other states in these areas, and potential revenue options. The Task Force may evaluate these items to determine how they may affect the state's ability to provide for the safe and efficient movement of freight within this state during the next two decades.

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

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

SECTION 401.10. That 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, be amended to read as follows:

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

		Reappropriations
AFC CULTURAL FACILITIES COMMISSION		
CAP-003	Center of Science and Industry - Toledo	\$ 7,542
CAP-033	Woodward Opera House Renovation	\$ 1,150,000
CAP-038	Center Exhibit Replacement	\$ 816,000
CAP-042	Statewide Site Exhibit/Renovation & Construction	\$ 123,000
CAP-043	Statewide Site Repairs	\$ 200,100
CAP-046	Cincinnati Museum Center Improvements	\$ 250,000
CAP-053	Powers Auditorium Improvements	\$ 250,000
CAP-055	Waco Museum & Aviation Learning Center	\$ 500,000
CAP-058	Cedar Bog Nature Preserve Education Center	\$ 766,200
CAP-064	Bramley Historic House	\$ 75,000
CAP-065	Beck Center for the Cultural Arts	\$ 100,000
CAP-066	Delaware County Cultural Arts Center	\$ 40,000
CAP-071	Cleveland Institute of Music	\$ 1,500,000
CAP-072	West Side Arts Consortium	\$ 138,000
CAP-073	Ice Arena Development	\$ 5,500,000
CAP-074	Stan Hywet Hall & Gardens	\$ 1,000,000
CAP-075	McKinley Museum Improvements	\$ 125,000
CAP-076	Spring Hill Historic Home	\$ 125,000
CAP-079	Lorain Palace Civic Theatre	\$ 200,000
CAP-080	Great Lakes Historical Society	\$ 150,000
CAP-745	Historic Sites and Museums	\$ 604,453
CAP-753	Buffington Island State Memorial	\$ 73,500
CAP-769	Rankin House State Memorial	\$ 192,000
CAP-781	Historical Center Archives/Library	\$ 624,000
CAP-784	Ohio Historical Center Rehabilitation	\$ 1,523,737
CAP-789	Neil Armstrong Air and Space Museum Improvements	\$ 103,516
CAP-809	Cincinnati Ballet Facility Improvements	\$ 450,000
CAP-814	Crawford Museum of Transportation & Industry	\$ 2,500,000
CAP-820	Historical Center Ohio Village Buildings	\$ 502,000
CAP-821	Lorain County Historical Society	\$ 300,000
CAP-822	Armory Youth Center	\$ 40,000
CAP-823	Marion Palace Theatre	\$ 1,575,000
CAP-824	McConnellsville Opera House	\$ 75,000
CAP-825	Secrest Auditorium	\$ 75,000
CAP-826	Renaissance Theatre	\$ 700,000
CAP-827	Trumpet in the Land	\$ 100,000
CAP-829	Mid-Ohio Valley Players	\$ 80,000
CAP-830	The Anchorage	\$ 50,000
CAP-834	Galion Historic Big Four Depot Restoration	\$ 170,000
CAP-835	Jamestown Opera House	\$ 125,000

CAP-837	Lake County Historical Society	\$	250,000
CAP-839	Hancock Historical Society	\$	75,000
CAP-840	Riversouth Development	\$	1,000,000
CAP-841	Ft. Piqua Hotel	\$	200,000
CAP-843	Marina District Amphitheatre and Related Development	\$	2,000,000
CAP-844	Chas. A. Eulett Education Center/Appalachian Museum	\$	1,850,000
CAP-845	Lima Historic Athletic Field	\$	100,000
CAP-846	Butler Palace Theatre	\$	200,000
CAP-847	Voice Of America Museum	\$	275,000
CAP-848	Oxford Arts Center ADA Project	\$	72,000
CAP-849	Clark County Community Arts Expansion Project	\$	500,000
CAP-850	Westcott House Historic Site	\$	75,000
CAP-851	Gen. Lytle Homestead-Harmony Hill	\$	50,000
CAP-852	Miami Township Community Amphitheatre	\$	50,000
CAP-853	Western Reserve Historical Society	\$	1,000,000
			<u>3,500,000</u>
CAP-854	Cleveland Steamship Mather Museum	\$	100,000
CAP-855	Rock and Roll Hall of Fame	\$	250,000
CAP-858	Strongsville Historic Building	\$	100,000
CAP-859	Arts Castle	\$	100,000
CAP-860	Great Lakes Historical Society	\$	325,000
CAP-861	Ohio Glass Museum	\$	250,000
CAP-863	Ariel Theatre	\$	100,000
CAP-864	Bellbrook/Sugarcreek Historical Society	\$	10,000
CAP-867	Ensemble Theatre	\$	450,000
CAP-868	Taft Museum	\$	500,000
CAP-869	Art Academy of Cincinnati	\$	100,000
CAP-870	Riverbend Pavilion Improvements	\$	250,000
CAP-871	Cincinnati Art and Technical Academy - Longworth Hall	\$	100,000
CAP-872	Music Hall: Over-The-Rhine	\$	750,000
CAP-873	John Bloomfield Home Restoration	\$	115,000
CAP-874	Malinta Historical Society Caboose Exhibit	\$	6,000
CAP-875	Hocking County Historic Society - Schempp House	\$	10,000
CAP-876	Art Deco Markay Theatre	\$	200,000
CAP-877	Harvey Wells House	\$	100,000
CAP-879	Broad Street Historical Renovation	\$	300,000
CAP-880	Amherst Historical Society	\$	35,000
CAP-881	COSI - Toledo	\$	1,580,000
CAP-882	Ohio Theatre - Toledo	\$	100,000
CAP-883	Chester Academy Historic Site Renovation	\$	25,000
CAP-884	Bradford Ohio Railroad Museum	\$	100,000
CAP-885	Montgomery County Historical Society Archives	\$	100,000
CAP-886	Nelson T. Gant Historic Homestead	\$	25,000
CAP-887	Aurora Outdoor Sports Complex	\$	50,000
CAP-888	Preble County Historical Society	\$	100,000
CAP-889	Tecumseh Sugarloaf Mountain Amphitheatre	\$	120,000
CAP-890	Pro Football Hall of Fame	\$	400,000
CAP-891	Maps Air Museum	\$	15,000
CAP-892	Foundation Community Theatre	\$	50,000
CAP-893	William McKinley Library Restoration	\$	250,000
CAP-896	Richard Howe House	\$	100,000
CAP-897	Ward-Thomas Museum	\$	30,000
CAP-898	Packard Music Hall Renovation Project	\$	675,000
CAP-899	Holland Theatre	\$	100,000

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

ICE ARENA DEVELOPMENT

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

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

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

MARINA DISTRICT AMPHITHEATRE AND RELATED DEVELOPMENT

The amount reappropriated for the foregoing appropriation item CAP-843, Marina District Amphitheatre and Related Development, is the unencumbered and unallotted balance, as of June 30, 2006, in appropriation item CAP-843, Marina District Amphitheatre and Related Development, which prior to July 1, 2006, was named "Marina District/Ice Arena Development," minus \$2,000,000.

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.

PACKARD MUSIC HALL RENOVATIONS PROJECT

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.

EAST BOULEVARD/UNIVERSITY CIRCLE PROJECT

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

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.

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:

		Appropriations
Sec. 235.20.20. CLS CLEVELAND STATE UNIVERSITY		
CAP-023	Basic Renovations	\$ 3,796,031
CAP-125	College of Education	\$ 10,115,719
CAP-148	Cleveland Institute of Art	\$ 1,000,000
CAP-163	Anthropology Department Renovations/Relocation	\$ 400,000
CAP-164	Chester Building Annex Demolition	\$ 921,583
CAP-165	Bakers Building Renovations	\$ 1,328,583
CAP-166	Playhouse Square Center - Hanna Theatre	\$ 750,000
CAP-167	Cleveland State University Windtower Generator Project	\$ 400,000
CAP-168	Kenston Wind Turbine Project in Geauga (CSU Engineering Department)	\$ 300,000
CAP-169	Cleveland Museum of Art	\$ 3,000,000
Total Cleveland State University		\$ <u>22,011,916</u>
		<u>18,261,916</u>

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

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

SECTION 545.03. The amendment by this act of section 4561.18 of the

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

SECTION 550.10. FEDERAL JUSTICE GRANTS FUND

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

SECTION 550.20. JUSTICE PROGRAM SERVICES FUND

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

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

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

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

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

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

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

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

(C) Any term used in this section has the same meaning as defined in

section 5540.01 of the Revised Code, as amended by this act, unless the context clearly requires another meaning.

SECTION 555.15. The Director of Transportation may enter into agreements as provided in this section with the United States or any department or agency of the United States, including, but not limited to, the United States Army Corps of Engineers, the United States Forest Service, the United States Environmental Protection Agency, and the United States Fish and Wildlife Service. An agreement entered into pursuant to this section shall be solely for the purpose of dedicating staff to the expeditious and timely review of environmentally related documents submitted by the Department of Transportation, as necessary for the approval of federal permits. The agreements may include provisions for advance payment by the Department of Transportation for labor and all other identifiable costs of providing the services by the United States or any department or agency of the United States, as may be estimated by the United States, or the department or agency of the United States. The Director shall submit a request to the Controlling Board indicating the amount of the agreement, the services to be performed by the United States or the department or agency of the United States, and the circumstances giving rise to the agreement.

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

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

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

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

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

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

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

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

Beginning for reference at a 1" iron pin (found) at the intersection of the centerline of County Road No. 60, commonly known as Sand Road, with the centerline of Township Road No. 161, commonly known as Willow Creek Road, and being on the line between Sections 29 and 32, marking a corner common to the lands now or formerly owned by Merle D. Adams, et ux, (D.V. 577, Pg. 110), and the lands now owned by the South Point Local Board of Education, (O.R.V. 316, Pg. 578), from which a window weight (found), on the said section line, bears: South $86^{\circ} 47' 15''$ East 315.67 feet; thence, leaving the centerline of the said County Road No. 60, and the centerline of the said Township Road No. 161, and severing the said Section 29, North $64^{\circ} 32' 11''$ East 646.96 feet to a point in the centerline of the said Township Road No. 161, and being in the line between the lands now or formerly owned by Brent Fugett, (O.R.V. 60, Pg. 192), and the lands of the said Board of Education, and marking the TRUE PLACE OF BEGINNING; thence, leaving the lands of the said Fugett and the centerline of the said Township Road No. 161, and severing the lands of the said Board of Education, as follows:

North $22^{\circ} 55' 17''$ West, crossing Willow Creek, and passing a 5/8" x 32" reinforcing rod with a red plastic cap stamped "Eastham & Associates" (set), at 48.16 feet, in all 187.00 feet to a 5/8" x 32" reinforcing rod with a red plastic cap stamped "Eastham & Associates" (set),

North $00^{\circ} 44' 19''$ West 233.19 feet to a 5/8" x 32" reinforcing rod with a red plastic cap stamped "Eastham & Associates" (set),

North $44^{\circ} 39' 47''$ East 267.08 feet to a 5/8" x 32" reinforcing rod with a red plastic cap stamped "Eastham & Associates" (set),

North $74^{\circ} 13' 35''$ East 270.00 feet to a 5/8" x 32" reinforcing rod with a red plastic cap stamped "Eastham & Associates" (set),

North $77^{\circ} 34' 49''$ East 73.75 feet to a 5/8" x 32" reinforcing rod with a red plastic cap stamped "Eastham & Associates" (set) near a sharp bend in the said Creek,

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

South $52^{\circ} 48' 03''$ West 66.81 feet,

South $49^{\circ} 28' 30''$ West 65.96 feet,

South $40^{\circ} 51' 16''$ West 54.26 feet,

South 38° 45' 31" West 81.05 feet,
South 42° 08' 15" West 109.93 feet,
South 39° 15' 42" West 78.12 feet,
South 33° 26' 56" West 104.46 feet,
South 33° 57' 48" West 74.78 feet,

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

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

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

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

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

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

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

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

SECTION 603.10. The sections and items of law contained in this act, and their applications, are severable. If any section or item of law contained in

this act, or if any application of any section or item of law contained in this act, is held invalid, the invalidity does not affect other sections or items of law contained in this act and their applications that can be given effect without the invalid section or item of law or application.

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

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

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

earliest time permitted by law.

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

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

SECTION 615.10. The amendment by this act of Section 243.10 of Am. Sub. H.B. 530 of the 126th General Assembly and of Sections 235.20.20 and 235.30.70 of Am. Sub. H.B. 699 of the 126th General Assembly are subject to the referendum. Therefore, under Ohio Constitution, Article II, Section 1c and section 1.471 of the Revised Code, the amendments take effect on the ninety-first day after this act is filed with the Secretary of State. If, however, a referendum petition is filed against either amendment, the amendment, unless rejected at the referendum, takes effect at the earliest time permitted by law.

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

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

Speaker _____ *of the House of Representatives.*

President _____ *of the Senate.*

Passed _____, 20____

Approved _____, 20____

Governor.

The section numbering of law of a general and permanent nature is complete and in conformity with the Revised Code.

Director, Legislative Service Commission.

Filed in the office of the Secretary of State at Columbus, Ohio, on the
____ day of _____, A. D. 20____.

Secretary of State.

File No. _____ Effective Date _____