

# As Passed by the House

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Am. Sub. S. B. No. 129

Senator Schuler

**Cosponsors: Senators Gardner, Spada, Goodman, Seitz, Buehrer, Schuring,  
Fedor, Austria, Cates, Grendell, Harris, Kearney, Mason, Niehaus, Padgett,  
Sawyer, Schaffer, Smith, Stivers, Wilson, Wagoner  
Representatives Aslanides, Schlichter, Carmichael, Chandler, DeBose,  
Domenick, Driehaus, Fende, Flowers, Garrison, Hite, Letson, Newcomb,  
Peterson, Reinhard, Schindel, Uecker, Yuko, Zehringer**

—

## A BILL

To amend sections 305.12, 308.04, 503.01, 715.72, 1  
715.74, 715.75, 715.76, 715.761, 715.77, 715.78, 2  
715.81, 4501.21, 4517.21, 4765.43, 4931.61, 3  
4931.62, 4931.63, 4931.64, 4931.65, 4931.66, and 4  
4931.70; to contingently amend sections 4503.494, 5  
4503.496, 4503.531, and 4503.92; and to enact 6  
sections 4503.712, 4513.66, 4765.431, and 4931.651 7  
of the Revised Code to permit local law 8  
enforcement agencies and fire departments to 9  
remove motor vehicles from the roadway after a 10  
motor vehicle accident and to provide immunity to 11  
local law enforcement agencies and fire personnel 12  
for the removal of damaged or inoperable vehicles 13  
from roadways; to temporarily authorize counties 14  
to enter into new or amended joint economic 15  
development district contracts with townships and 16  
municipal corporations; to permit a board of 17  
trustees of a regional airport authority to enter 18

into a contract in which a board member has a 19  
direct or indirect interest if certain conditions 20  
are met; to create "Ohio C.O.P.S." license plates; 21  
to provide that an insurer or subrogee may sell 22  
through a licensed motor vehicle auction owner a 23  
motor vehicle that comes into its possession 24  
through the operation of an insurance contract; to 25  
modify the staffing requirements for ambulances 26  
during emergency runs and while transporting 27  
patients; to remove motorcycles from the kinds of 28  
motor vehicles that can be issued certain special 29  
license plates; to extend until 2012 the wireless 30  
9-1-1 charge, raise the minimum annual fund 31  
disbursement amount for each county from \$25,000 32  
to \$90,000, and alter local uses of that revenue; 33  
and to declare an emergency. 34  
35

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

**Section 1.** That sections 305.12, 308.04, 503.01, 715.72, 36  
715.74, 715.75, 715.76, 715.761, 715.77, 715.78, 715.81, 4501.21, 37  
4517.21, 4765.43, 4931.61, 4931.62, 4931.63, 4931.64, 4931.65, 38  
4931.66, and 4931.70 be amended and sections 4503.712, 4513.66, 39  
4765.431, and 4931.651 of the Revised Code be enacted to read as 40  
follows: 41

**Sec. 305.12.** The board of county commissioners may sue and be 42  
sued, and plead and be impleaded, in any court. It may bring, 43  
maintain, and defend suits involving an injury to any public, 44  
state, or county road, bridge, ditch, drain, or watercourse in the 45  
county with respect to which the county has the primary 46  
responsibility to keep in proper repair, and for the prevention of 47

injury to them. The board shall demand and receive, by suit or 48  
otherwise, any real estate or interest in real estate, legal or 49  
equitable, belonging to the county, or any money or other property 50  
due the county. The money so recovered shall be paid into the 51  
county treasury, and the board shall take the county treasurer's 52  
receipt for it and file it with the county auditor. The board of 53  
county commissioners may enter into contracts with municipal 54  
corporations and townships pursuant to division (D) of section 55  
715.72 of the Revised Code. 56

**Sec. 308.04.** Within sixty days after a regional airport 57  
authority has been created under section 308.03 of the Revised 58  
Code, the board of trustees for such regional airport authority 59  
shall be appointed as provided in the resolution creating it. 60

Each member of the board of trustees, before entering upon 61  
the member's official duties, shall take and subscribe to an oath 62  
or affirmation that the member will honestly, faithfully, and 63  
impartially perform the duties of office, and that the member will 64  
not be interested directly or indirectly in any contract let by 65  
the regional airport authority. Any contract let by the regional 66  
airport authority in which a member of the board of trustees is 67  
directly or indirectly interested is void and unenforceable, 68  
unless a member with an interest in a contract first discloses the 69  
member's interest in writing to the remaining members of the board 70  
and the member with the interest refrains from any participation 71  
in the matter. 72

After each member of the board has taken the oath as 73  
prescribed by this section the board shall meet and organize by 74  
electing one of its members as president and another as 75  
vice-president, who shall hold their respective offices until the 76  
next annual meeting of the board as provided in its bylaws. At 77  
each annual meeting thereafter the board shall elect from its 78

membership a president and a vice-president who shall serve for a 79  
term of one year. 80

The board shall appoint and fix the compensation of a 81  
secretary-treasurer, who shall not be a member of the board and 82  
who shall serve at the pleasure of the board. 83

**Sec. 503.01.** Each civil township is a body politic and 84  
corporate, for the purpose of enjoying and exercising the rights 85  
and privileges conferred upon it by law. It may sue and be sued, 86  
plead and be impleaded, and receive and hold real estate by devise 87  
or deed, or receive and hold personal property for the benefit of 88  
the township for any useful purpose. The board of township 89  
trustees shall hold such property in trust for the township for 90  
the purpose specified in the devise, bequest, or deed of gift. 91  
Such board may also receive any conveyance of real estate to the 92  
township, when necessary to secure or pay a debt or claim due such 93  
township, and may sell and convey real estate so received. The 94  
proceeds of such sale shall be applied to the fund to which such 95  
debt or claim belonged. The board of township trustees may acquire 96  
real property within the unincorporated territory of the township 97  
in order to provide needed public improvements to the property 98  
pursuant to sections 5709.73 to 5709.75 of the Revised Code. The 99  
board of township trustees may enter into contracts with municipal 100  
corporations pursuant to section 715.70, 715.71, or 715.72 of the 101  
Revised Code, and with counties pursuant to division (D) of 102  
section 715.72 of the Revised Code, to create a joint economic 103  
development district. 104

Whenever the board finds it necessary to determine the value 105  
of any real property the township owns or proposes to acquire by 106  
purchase, lease, or otherwise, the board may employ for reasonable 107  
compensation competent appraisers to advise it of the value of the 108  
property or expert witnesses to testify to the value in an 109

appropriation proceeding. 110

**Sec. 715.72.** (A) As used in sections 715.72 to 715.81 of the 111  
Revised Code: 112

(1) "Contracting parties" means one or more municipal 113  
corporations ~~and~~, one or more townships, and, under division (D) 114  
of this section, one or more counties that have entered into a 115  
contract under this section to create a joint economic development 116  
district. 117

(2) "District" means a joint economic development district 118  
created under sections 715.72 to 715.81 of the Revised Code. 119

(3) "Contract for utility services" means a contract under 120  
which a municipal corporation agrees to provide to a township or 121  
another municipal corporation water, sewer, electric, or other 122  
utility services necessary to the public health, safety, and 123  
welfare. 124

(B) Sections 715.72 to 715.81 of the Revised Code provide 125  
alternative procedures and requirements to those set forth in 126  
sections 715.70 and 715.71 of the Revised Code for creating and 127  
operating a joint economic development district. Sections 715.72 128  
to 715.81 of the Revised Code apply to municipal corporations and 129  
townships that are located in the same county or in adjacent 130  
counties. 131

(C) One or more municipal corporations ~~and~~, one or more 132  
townships, and, under division (D) of this section, one or more 133  
counties may enter into a contract pursuant to which they create 134  
as a joint economic development district one or more areas for the 135  
purpose of facilitating economic development to create or preserve 136  
jobs and employment opportunities and to improve the economic 137  
welfare of the people in this state and in the area of the 138  
contracting parties. 139

(1) Except as otherwise provided in division (C)(2) of this section, the territory of each of the contracting parties shall be contiguous to the territory of at least one other contracting party, or contiguous to the territory of a township ~~or~~ municipal corporation, or county that is contiguous to another contracting party, even if the intervening township or municipal corporation is not a contracting party.

(2) Contracting parties that have entered into a contract under section 715.70 or 715.71 of the Revised Code creating a joint economic development district prior to November 15, 1995, may enter into a contract under this section even if the territory of each of the contracting parties is not contiguous to the territory of at least one other contracting party, or contiguous to the territory of a township or municipal corporation that is contiguous to another contracting party as otherwise required under division (C)(1) of this section. The contract and district shall meet the requirements of sections 715.72 to 715.81 of the Revised Code.

(D) If, on or after the effective date of this amendment but on or before June 30, 2009, one or more municipal corporations and one or more townships enter into a contract or amend an existing contract under this section, one or more counties in which all of those municipal corporations or townships are located also may enter into the contract as a contracting party or parties.

**Sec. 715.74.** (A) The contract creating a joint economic development district shall provide for the amount or nature of the contribution of each contracting party to the development and operation of the district and may provide for the sharing of the costs of the operation of and improvements for the district. The contributions may be in any form to which the contracting parties agree and may include, but are not limited to, the provision of

services, money, real or personal property, facilities, or 171  
equipment. The contract may provide for the contracting parties to 172  
share revenue from taxes levied ~~on property~~ by one or more of the 173  
contracting parties, if those revenues may lawfully be applied to 174  
that purpose under the legislation by which those taxes are 175  
levied. The contract shall specify and provide for new, expanded, 176  
or additional services, facilities, or improvements. The contract 177  
may provide for expanded or additional capacity for or other 178  
enhancement of existing services, facilities, or improvements. 179

(B) The contract shall enumerate the specific powers, duties, 180  
and functions of the board of directors of the district described 181  
under section 715.78 of the Revised Code and shall provide for the 182  
determination of procedures that are to govern the board. 183

(C)(1) The contract may grant to the board the power to adopt 184  
a resolution to levy an income tax within the district and the 185  
contract may designate certain portions of the district where such 186  
an income tax may be levied. The income tax shall be used for the 187  
purposes of the district or any portion of the district in which 188  
the contract authorizes an income tax and for the purposes of the 189  
contracting parties pursuant to the contract. The income tax may 190  
be levied in the district based on income earned by persons 191  
working within the district and based on the net profits of 192  
businesses located in the district, but the income of an 193  
individual who resides in the district shall not be subject to 194  
such income tax unless the income is received for personal 195  
services performed in the district. The income tax of the district 196  
shall follow the provisions of Chapter 718. of the Revised Code, 197  
except that no vote shall be required. The rate of the income tax 198  
shall be no higher than the highest rate being levied by a 199  
municipal corporation that is a contracting party. 200

(2) If the board adopts a resolution to levy an income tax, 201  
it shall enter into an agreement with a municipal corporation that 202

is a contracting party to administer, collect, and enforce the 203  
income tax on behalf of the district. 204

(3) A resolution levying an income tax under this section 205  
shall require the contracting parties to annually set aside a 206  
percentage, to be stated in the resolution, of the amount of the 207  
income tax collected for the long-term maintenance of the 208  
district. 209

(4) An income tax levied under this section shall apply in 210  
the district or any portion of the district in which the contract 211  
authorizes an income tax throughout the term of the contract 212  
creating the district, notwithstanding that all or a portion of 213  
the district becomes subject to annexation, merger, or 214  
consolidation. 215

(D) The contract creating a joint economic development 216  
district shall continue in existence throughout its term and shall 217  
be binding on the contracting parties and on any parties 218  
succeeding to the contracting parties, whether by annexation, 219  
merger, or consolidation. Except as provided in division (E) of 220  
this section, the contract may be amended, renewed, or terminated 221  
with the approval of the contracting parties or any parties 222  
succeeding to the contracting parties. If the contract is amended 223  
to add area to an existing district, the amendment shall be 224  
adopted in the manner prescribed under section 715.761 of the 225  
Revised Code. 226

(E) If two or more contracting parties previously have 227  
entered into a separate contract for utility services, then 228  
amendment, renewal, or termination of the separate contract for 229  
utility services shall not constitute any part of the 230  
consideration for the contract creating a joint economic 231  
development district. A contract creating a joint economic 232  
development district shall be rebuttably presumed to violate this 233  
division if it is entered into within two years prior or five 234

years subsequent to the amendment, renewal, or termination of a 235  
separate contract for utility services that two or more 236  
contracting parties previously have entered into. The presumption 237  
stated in this division may be rebutted by clear and convincing 238  
evidence of both of the following: 239

(1) That other substantial consideration existed to support 240  
the contract creating a joint economic development district; 241

(2) That the contracting parties entered into the contract 242  
creating a joint economic development district freely and without 243  
duress or coercion related to the amendment, renewal, or 244  
termination of the separate contract for utility services. 245

(F) A contract creating a joint economic development district 246  
that violates division (E) of this section is void and 247  
unenforceable. 248

**Sec. 715.75.** Before the legislative authority of any of the 249  
contracting parties adopts an ordinance or resolution approving a 250  
contract to create a joint economic development district, the 251  
legislative authority of each of the contracting parties shall 252  
hold a public hearing concerning the contract and district. Each 253  
legislative authority shall provide at least thirty days' public 254  
notice of the time and place of the public hearing in a newspaper 255  
of general circulation in the municipal corporation ~~or~~ township, 256  
or county, as applicable. During the thirty-day period prior to 257  
the public hearing and until the filing is made under section 258  
715.76 of the Revised Code, all of the following documents shall 259  
be available for public inspection in the office of the clerk of 260  
the legislative authority of a municipal corporation and county 261  
that is a contracting party and in the office of the fiscal 262  
officer of a township that is a contracting party: 263

(A) A copy of the contract creating the district; 264

(B) A description of the area or areas to be included in the district, including a map in sufficient detail to denote the specific boundaries of the area or areas and to indicate any zoning restrictions applicable to the area or areas;

(C) An economic development plan for the district that consists of both of the following schedules:

(1) A schedule for the provision of the new, expanded, or additional services, facilities, or improvements described in division (A) of section 715.74 of the Revised Code;

(2) A schedule for the collection of an income tax levied under division (C) of section 715.74 of the Revised Code.

A public hearing held under this section shall allow for public comment and recommendations on the contract and district. The contracting parties may include in the contract any of those recommendations prior to approval of the contract.

Before any of the contracting parties approves a contract under section 715.76 of the Revised Code, the contracting parties shall deliver a copy of the contract to the board of county commissioners of each county in which a contracting party is located. Any such county may enter into an agreement with the contracting parties regarding the provision of services by the county within the proposed district and may enter into an agreement with the contracting parties to extend services to the area or areas to be included in the district. A county that is a contracting party under division (D) of section 715.72 of the Revised Code is entitled to a copy of the contract as if the county were not a contracting party. Such a county may enter into an agreement with the other contracting parties regarding its provision or extension of services within the proposed district as contemplated by the contract.

**Sec. 715.76.** After the public hearings required under section 295  
715.75 of the Revised Code have been held, each contracting party 296  
may adopt an ordinance or resolution approving the contract to 297  
create a joint economic development district. After each 298  
contracting party has adopted an ordinance or resolution, the 299  
contracting parties jointly shall file with the legislative 300  
authority of each county within which a contracting party is 301  
located all of the following documents: 302

(A) A signed copy of the contract; 303

(B) A description of the area or areas to be included in the 304  
district, including a map in sufficient detail to denote the 305  
specific boundaries of the area or areas and to indicate any 306  
zoning restrictions applicable to the area or areas; 307

(C) The economic development plan described in division (C) 308  
of section 715.75 of the Revised Code; 309

(D) Certified copies of the ordinances and resolutions of the 310  
contracting parties relating to the contract and district; 311

(E) A certificate of each contracting party that the public 312  
hearings required by section 715.75 of the Revised Code have been 313  
held, the date of the hearings, and evidence of publication of the 314  
notice of the hearings; 315

(F) A petition signed by a majority of the owners of property 316  
located within the area or areas to be included in the district; 317

(G) A petition signed by a majority of the owners of 318  
businesses, if any, located within the area or areas to be 319  
included in the district. 320

The petitions described in divisions (F) and (G) of this 321  
section shall specify that all of the documents described in 322  
divisions (A) to (C) of section 715.75 of the Revised Code are 323  
available for public inspection in the office of the clerk of the 324

legislative authority of each municipal corporation and county 325  
that is a contracting party or the office of the fiscal officer of 326  
each township that is a contracting party. 327

The legislative authority of a county that is a contracting 328  
party under division (D) of section 715.72 of the Revised Code is 329  
entitled to all of the documents described in divisions (A) to (G) 330  
of this section as if the county were not a contracting party. 331

Not later than ten days after all of the documents described 332  
in divisions (A) to (G) of this section have been filed, each 333  
contracting party shall give notice to those owners of property 334  
within the area or areas to be included in the district who did 335  
not sign the petition described in division (F) of this section 336  
and whose property is located within the boundaries of that 337  
contracting party and to those owners of businesses, if any, 338  
within the area or areas to be included in the district who did 339  
not sign the petition described in division (G) of this section 340  
and whose property is located within the boundaries of that 341  
contracting party. Notice shall be given by certified mail and 342  
shall specify that the owners of property and businesses are 343  
located within the area or areas to be included in the district 344  
and that all of the documents described in divisions (A) to (C) of 345  
section 715.75 of the Revised Code are available for public 346  
inspection in the office of the clerk of the legislative authority 347  
of each municipal corporation and county that is a contracting 348  
party or the office of the fiscal officer of each township that is 349  
a contracting party. The contracting parties shall equally bear 350  
the cost of providing notice under this section. 351

If the contracting parties do not file all of the documents 352  
described in divisions (A) to (G) of this section, the legislative 353  
authority of a county that is not a contracting party within which 354  
a contracting party is located may adopt a resolution disapproving 355  
the creation of the joint economic development district. In 356

addition, the legislative authority of the county may adopt a 357  
resolution disapproving the creation of the district if it 358  
determines, in written findings of fact, that each contracting 359  
party did not enter into the contract freely and without duress or 360  
coercion. 361

**Sec. 715.761.** (A) The contracting parties may amend the 362  
contract to add to a joint economic development district any area 363  
that was not originally included in the district when the contract 364  
took effect. Area may be added only if the area satisfies the 365  
criteria prescribed under section 715.73 of the Revised Code. 366

(B) An amendment adding area to a district shall be approved 367  
by a resolution or ordinance adopted by each of the contracting 368  
parties. The contracting parties shall conduct public hearings on 369  
the amendment, provide notice, and deliver a copy of the amendment 370  
to the legislative authority of the county in which the added area 371  
is located in the manner required under section 715.75 of the 372  
Revised Code for original contracts. The legislative authority of 373  
a county that is a contracting party under division (D) of section 374  
715.72 of the Revised Code is entitled to a copy of the amendment 375  
as if the county were not a contracting party. The contracting 376  
parties shall make available for public inspection a copy of the 377  
amendment, a description of the area to be added to the district, 378  
and a map of that area in sufficient detail to denote the specific 379  
boundaries of the area and to indicate any zoning restrictions 380  
applicable to the area. 381

(C) After adopting resolutions or ordinances approving the 382  
addition of the area, the contracting parties jointly shall file 383  
with the legislative authority of the county in which the added 384  
area is located the documents required to be filed under section 385  
715.76 of the Revised Code, except that: 386

(1) A copy of the amendment to the contract shall be filed in 387

lieu of a copy of the contract.	388
(2) The description and map shall be of the area to be added instead of the entire area of the district.	389 390
(3) The economic development plan need not be filed.	391
(4) Certified copies of the resolutions and ordinances approving the amendment shall be filed.	392 393
(5) The certificates otherwise required under division (E) of section 715.76 of the Revised Code shall certify that the hearings required under division (B) of this section have been held, shall indicate the date of those hearings, and shall include evidence that notice of the hearings was published.	394 395 396 397 398
(6) The petition otherwise required under division (F) of section 715.76 of the Revised Code shall be signed by a majority of the owners of property located in the area to be added to the district, the petition otherwise required under division (G) of that section shall be signed by a majority of the owners of businesses, if any, located in the area to be added to the district, and the petitions shall specify that the documents described in division (B) of this section are available for public inspection as otherwise required under section 715.75 of the Revised Code.	399 400 401 402 403 404 405 406 407 408
(D) The resolution of a board of township trustees approving an amendment adding area to an existing joint economic development district is not required to be submitted to the electors of the township.	409 410 411 412
<b>Sec. 715.77.</b> (A)(1) A board of township trustees that is a party to a contract creating a joint economic development district pursuant to sections 715.72 to 715.82 of the Revised Code may choose to not submit its resolution approving the contract to the electors of the township if all of the following conditions are	413 414 415 416 417

satisfied: 418

(a) The resolution has been approved by a unanimous vote of 419  
the members of the board of township trustees or, if a county is 420  
one of the contracting parties under division (D) of section 421  
715.72 of the Revised Code, the resolution has been approved by a 422  
majority vote of the members of the board of township trustees; 423

(b) The creation of the joint economic development district 424  
is proposed at the request of a majority of the owners of land 425  
included within the proposed district; 426

(c) The territory to be included in the proposed joint 427  
economic development district is zoned in a manner appropriate to 428  
the function of the proposed district. 429

(2) Unless the legislative authority of a county adopts a 430  
resolution under section 715.76 of the Revised Code disapproving 431  
the creation of a joint economic development district within 432  
thirty days after the filing made under that section, the 433  
legislative authority of each such county shall adopt a resolution 434  
acknowledging the receipt of the required documents, approving the 435  
creation of the joint economic development district, and, if the 436  
board of township trustees has not invoked its authority under 437  
division (A)(1) of this section, directing that the resolution of 438  
the board of township trustees approving the contract creating the 439  
joint economic development district be submitted to the electors 440  
of the township for approval at the next succeeding general, 441  
primary, or special election. If the board of township trustees 442  
chooses to submit approval of the contract to the electors of the 443  
township, the legislative authority of the county shall file with 444  
the board of elections at least seventy-five days before the day 445  
of the election a copy of the resolution of the board of township 446  
trustees approving the contract. The resolution of the legislative 447  
authority of the county also shall specify the date the election 448  
is to be held and shall direct the board of elections to conduct 449

the election in the township. 450

(3) If the resolution of the legislative authority of the 451  
county is not adopted within the thirty-day period after the 452  
filing made under section 715.76 of the Revised Code, the joint 453  
economic development district shall be deemed approved by the 454  
county legislative authority and, if the board of township 455  
trustees has not invoked its authority under division (A)(1) of 456  
this section, the board of township trustees shall file its 457  
resolution with the board of elections for submission to the 458  
electors of the township for approval at the next succeeding 459  
general, primary, or special election. In such case, the board of 460  
township trustees shall file the resolution at least seventy-five 461  
days before the specified date the election is to be held and 462  
shall direct the board of elections to conduct the election in the 463  
township. 464

(4) Any contract creating a joint economic development 465  
district in which a board of township trustees is a party shall 466  
provide that the contract is not effective earlier than the 467  
thirty-first day after its approval, including any approval by 468  
electors required in this section. 469

If the board of township trustees chooses pursuant to 470  
division (A)(1) of this section not to submit the approval of the 471  
contract to the electors, the resolution of the board of township 472  
trustees approving the contract is subject to a referendum of the 473  
electors of the township when requested through a petition. When 474  
signed by ten per cent of the number of electors in the township 475  
who voted for the office of governor at the most recent general 476  
election, a referendum petition asking that the resolution be 477  
submitted to the electors of the township may be presented to the 478  
board of township trustees. Such a petition shall be presented 479  
within thirty days after the board of township trustees adopts the 480  
resolution. The board of township trustees shall, not later than 481

four p.m. of the tenth day after receipt of the petition, certify 482  
the text of the resolution to the board of elections. The board of 483  
elections shall submit the resolution to the electors of the 484  
township for their approval or rejection at the next general, 485  
primary, or special election occurring at least seventy-five days 486  
after such certification. 487

(B) The ballot shall be in the following form: 488

"Shall the resolution of the board of township trustees 489  
approving the contract with ..... (here insert name of 490  
each municipal corporation and other township that is a 491  
contracting party) for the creation of a joint economic 492  
development district be approved? 493

	FOR THE RESOLUTION AND CONTRACT
	AGAINST THE RESOLUTION AND CONTRACT

"

If a majority of the electors of the township voting on the issue 498  
vote for the resolution and contract, the resolution shall become 499  
effective immediately and the contract shall go into effect on the 500  
thirty-first day after this election or thereafter in accordance 501  
with terms of the contract. 502

**Sec. 715.78.** (A) A board of directors shall govern each joint 503  
economic development district created under section 715.72 of the 504  
Revised Code. 505

(1) If there are businesses located and persons working 506  
within the area or areas to be included in the district, the board 507  
shall be composed of the following members: 508

(a) One member representing the municipal corporations that 509  
are contracting parties; 510

(b) One member representing the townships that are 511

contracting parties; 512

(c) One member representing the owners of businesses located 513  
within the district; 514

(d) One member representing the persons working within the 515  
district; 516

(e) One member representing the counties that are contracting 517  
parties, or, if no contracting party is a county, one member 518  
selected by the members described in divisions (A)(1)(a) to (d) of 519  
this section. 520

The members of the board shall be appointed as provided in 521  
the contract. Of the members initially appointed to the board, the 522  
member described in division (A)(1)(a) of this section shall serve 523  
a term of one year; the member described in division (A)(1)(b) of 524  
this section shall serve a term of two years; the member described 525  
in division (A)(1)(c) of this section shall serve a term of three 526  
years; and the members described in divisions (A)(1)(d) and (e) of 527  
this section shall serve terms of four years. Thereafter, terms 528  
for each member shall be for four years, each term ending on the 529  
same day of the same month of the year as did the term that it 530  
succeeds. A member may be reappointed to the board, but no member 531  
shall serve more than two consecutive terms on the board. 532

The member described in division (A)(1)(e) of this section 533  
shall serve as chairperson of a board described under division 534  
(A)(1) of this section. 535

(2) If there are no businesses located or persons working 536  
within the area or areas to be included in the district, the board 537  
shall be composed of the following members: 538

(a) One member representing the municipal corporations that 539  
are contracting parties; 540

(b) One member representing the townships that are 541

contracting parties; 542

(c) One member representing the counties that are contracting 543  
parties, or if no contracting party is a county, one member 544  
selected by the members described in divisions (A)(2)(a) and (b) 545  
of this section. 546

The members of the board shall be appointed as provided in 547  
the contract. Of the members initially appointed to the board, the 548  
member described in division (A)(2)(a) of this section shall serve 549  
a term of one year; the member described in division (A)(2)(b) of 550  
this section shall serve a term of two years; and the member 551  
described in division (A)(2)(c) of this section shall serve a term 552  
of three years. Thereafter, terms for each member shall be for 553  
four years, each term ending on the same day of the same month of 554  
the year as did the term that it succeeds. A member may be 555  
reappointed to the board, but no member shall serve more than two 556  
consecutive terms on the board. 557

The member described in division (A)(2)(c) of this section 558  
shall serve as chairperson of a board described under division 559  
(A)(2) of this section. 560

(B) A board described under division (A)(1) or (2) of this 561  
section has no powers except as described in sections 715.72 to 562  
715.81 of the Revised Code and in the contract creating the joint 563  
economic development district. 564

(C) Membership on the board of directors of a joint economic 565  
development district is not the holding of a public office or 566  
employment within the meaning of any section of the Revised Code 567  
or any charter provision prohibiting the holding of other public 568  
office or employment. Membership on such a board is not a direct 569  
or indirect interest in a contract or expenditure of money by a 570  
municipal corporation, township, county, or other political 571  
subdivision with which a member may be affiliated. Notwithstanding 572

any provision of law or a charter to the contrary, no member of a 573  
board of directors of a joint economic development district shall 574  
forfeit or be disqualified from holding any public office or 575  
employment by reason of membership on the board. 576

(D) The board of directors of a joint economic development 577  
district is a public body for the purposes of section 121.22 of 578  
the Revised Code. Chapter 2744. of the Revised Code applies to 579  
such a board and the district. 580

**Sec. 715.81.** The powers granted under sections 715.72 to 581  
715.81 of the Revised Code are in addition to and not in the 582  
derogation of all other powers granted to municipal corporations 583  
~~and, townships, and counties~~ pursuant to law. When exercising a 584  
power or performing a function or duty under a contract entered 585  
into under section 715.72 of the Revised Code, a municipal 586  
corporation may exercise all of the powers of a municipal 587  
corporation, and may perform all the functions and duties of a 588  
municipal corporation, within the joint economic development 589  
district, pursuant to and to the extent consistent with the 590  
contract. When exercising a power or performing a function or duty 591  
under a contract entered into under either section 715.691 or 592  
715.72 ~~or section 715.691~~ of the Revised Code, a township may 593  
exercise all of the powers of a township, and may perform all the 594  
functions and duties of a township, within the joint economic 595  
development district, or joint economic development zone that is 596  
subject to division (I)(2) of section 715.691 of the Revised Code, 597  
pursuant to and to the extent consistent with the contract. ~~No~~ 598

When exercising a power or performing a function or duty 599  
under a contract entered into under division (D) of section 715.72 600  
of the Revised Code, a county may exercise all of the powers of a 601  
county, and may perform all the functions and duties of a county, 602  
within the joint economic development district, pursuant to and to 603

the extent consistent with the contract. 604

No political subdivision shall grant any tax exemption under 605  
Chapter 1728. or section 3735.67, 5709.62, 5709.63, or 5709.632 of 606  
the Revised Code on any property located within the district, or 607  
zone that is subject to division (I)(2) of section 715.691 of the 608  
Revised Code, without the consent of the contracting parties. The 609  
prohibition against granting a tax exemption under this section 610  
does not apply to any exemption filed, pending, or approved before 611  
the effective date of the contract entered into under either 612  
section 715.691 or 715.72 ~~or section 715.691~~ of the Revised Code. 613

**Sec. 4501.21.** (A) There is hereby created in the state 614  
treasury the license plate contribution fund. The fund shall 615  
consist of all contributions paid by motor vehicle registrants and 616  
collected by the registrar of motor vehicles pursuant to sections 617  
4503.491, 4503.493, 4503.50, 4503.501, 4503.502, 4503.51, 618  
4503.522, 4503.545, 4503.55, 4503.551, 4503.552, 4503.553, 619  
4503.561, 4503.562, 4503.591, 4503.67, 4503.68, 4503.69, 4503.71, 620  
4503.711, 4503.712, 4503.72, 4503.73, 4503.74, 4503.75, and 621  
4503.85 of the Revised Code. 622

(B) The registrar shall pay the contributions the registrar 623  
collects in the fund as follows: 624

(1) The registrar shall pay the contributions received 625  
pursuant to section 4503.491 of the Revised Code to the breast 626  
cancer fund of Ohio, which shall use that money only to pay for 627  
programs that provide assistance and education to Ohio breast 628  
cancer patients and that improve access for such patients to 629  
quality health care and clinical trials and shall not use any of 630  
the money for abortion information, counseling, services, or other 631  
abortion-related activities. 632

(2) The registrar shall pay the contributions received 633  
pursuant to section 4503.493 of the Revised Code to the autism 634

society of Ohio, which shall use the contributions for programs 635  
and autism awareness efforts throughout the state. 636

(3) The registrar shall pay the contributions the registrar 637  
receives pursuant to section 4503.50 of the Revised Code to the 638  
future farmers of America foundation, which shall deposit the 639  
contributions into its general account to be used for educational 640  
and scholarship purposes of the future farmers of America 641  
foundation. 642

(4) The registrar shall pay the contributions the registrar 643  
receives pursuant to section 4503.501 of the Revised Code to the 644  
4-H youth development program of the Ohio state university 645  
extension program, which shall use those contributions to pay the 646  
expenses it incurs in conducting its educational activities. 647

(5) The registrar shall pay the contributions received 648  
pursuant to section 4503.502 of the Revised Code to the Ohio 649  
cattlemen's foundation, which shall use those contributions for 650  
scholarships and other educational activities. 651

(6) The registrar shall pay each contribution the registrar 652  
receives pursuant to section 4503.51 of the Revised Code to the 653  
university or college whose name or marking or design appears on 654  
collegiate license plates that are issued to a person under that 655  
section. A university or college that receives contributions from 656  
the fund shall deposit the contributions into its general 657  
scholarship fund. 658

(7) The registrar shall pay the contributions the registrar 659  
receives pursuant to section 4503.522 of the Revised Code to the 660  
"friends of Perry's victory and international peace memorial, 661  
incorporated," a nonprofit corporation organized under the laws of 662  
this state, to assist that organization in paying the expenses it 663  
incurs in sponsoring or holding charitable, educational, and 664  
cultural events at the monument. 665

(8) The registrar shall pay the contributions the registrar receives pursuant to section 4503.55 of the Revised Code to the pro football hall of fame, which shall deposit the contributions into a special bank account that it establishes and which shall be separate and distinct from any other account the pro football hall of fame maintains, to be used exclusively for the purpose of promoting the pro football hall of fame as a travel destination.

(9) The registrar shall pay the contributions that are paid to the registrar pursuant to section 4503.545 of the Revised Code to the national rifle association foundation, which shall use the money to pay the costs of the educational activities and programs the foundation holds or sponsors in this state.

(10) In accordance with section 955.202 of the Revised Code, the registrar shall pay to the pets program funding board created by that section the contributions the registrar receives pursuant to section 4503.551 of the Revised Code and any other money from any other source, including donations, gifts, and grants, that is designated by the source to be paid to the pets program funding board. The board shall use the moneys it receives under this section only to support programs for the sterilization of dogs and cats and for educational programs concerning the proper veterinary care of those animals.

(11) The registrar shall pay the contributions the registrar receives pursuant to section 4503.552 of the Revised Code to the rock and roll hall of fame and museum, incorporated.

(12) The registrar shall pay the contributions the registrar receives pursuant to section 4503.553 of the Revised Code to the Ohio coalition for animals, incorporated, a nonprofit corporation. Except as provided in division (B)(12) of this section, the coalition shall distribute the money to its members, and the members shall use the money only to pay for educational, charitable, and other programs of each coalition member that

provide care for unwanted, abused, and neglected horses. The Ohio 698  
coalition for animals may use a portion of the money to pay for 699  
reasonable marketing costs incurred in the design and promotion of 700  
the license plate and for administrative costs incurred in the 701  
disbursement and management of funds received under this section. 702

(13) The registrar shall pay the contributions the registrar 703  
receives pursuant to section 4503.561 of the Revised Code to the 704  
state of Ohio chapter of ducks unlimited, inc., which shall 705  
deposit the contributions into a special bank account that it 706  
establishes. The special bank account shall be separate and 707  
distinct from any other account the state of Ohio chapter of ducks 708  
unlimited, inc., maintains and shall be used exclusively for the 709  
purpose of protecting, enhancing, restoring, and managing wetlands 710  
and conserving wildlife habitat. The state of Ohio chapter of 711  
ducks unlimited, inc., annually shall notify the registrar in 712  
writing of the name, address, and account to which such payments 713  
are to be made. 714

(14) The registrar shall pay the contributions the registrar 715  
receives pursuant to section 4503.562 of the Revised Code to the 716  
Mahoning river consortium, which shall use the money to pay the 717  
expenses it incurs in restoring and maintaining the Mahoning river 718  
watershed. 719

(15)(a) The registrar shall pay to a sports commission 720  
created pursuant to section 4503.591 of the Revised Code each 721  
contribution the registrar receives under that section that an 722  
applicant pays to obtain license plates that bear the logo of a 723  
professional sports team located in the county of that sports 724  
commission and that is participating in the license plate program 725  
pursuant to division (E) of that section, irrespective of the 726  
county of residence of an applicant. 727

(b) The registrar shall pay to a community charity each 728  
contribution the registrar receives under section 4503.591 of the 729

Revised Code that an applicant pays to obtain license plates that 730  
bear the logo of a professional sports team that is participating 731  
in the license plate program pursuant to division (G) of that 732  
section. 733

(16) The registrar shall pay the contributions the registrar 734  
receives pursuant to section 4503.67 of the Revised Code to the 735  
Dan Beard council of the boy scouts of America. The council shall 736  
distribute all contributions in an equitable manner throughout the 737  
state to regional councils of the boy scouts. 738

(17) The registrar shall pay the contributions the registrar 739  
receives pursuant to section 4503.68 of the Revised Code to the 740  
great river council of the girl scouts of the United States of 741  
America. The council shall distribute all contributions in an 742  
equitable manner throughout the state to regional councils of the 743  
girl scouts. 744

(18) The registrar shall pay the contributions the registrar 745  
receives pursuant to section 4503.69 of the Revised Code to the 746  
Dan Beard council of the boy scouts of America. The council shall 747  
distribute all contributions in an equitable manner throughout the 748  
state to regional councils of the boy scouts. 749

(19) The registrar shall pay the contributions the registrar 750  
receives pursuant to section 4503.71 of the Revised Code to the 751  
fraternal order of police of Ohio, incorporated, which shall 752  
deposit the fees into its general account to be used for purposes 753  
of the fraternal order of police of Ohio, incorporated. 754

(20) The registrar shall pay the contributions the registrar 755  
receives pursuant to section 4503.711 of the Revised Code to the 756  
fraternal order of police of Ohio, incorporated, which shall 757  
deposit the contributions into an account that it creates to be 758  
used for the purpose of advancing and protecting the law 759  
enforcement profession, promoting improved law enforcement 760

methods, and teaching respect for law and order. 761

(21) The registrar shall pay the contributions received 762  
pursuant to section 4503.712 of the Revised Code to Ohio concerns 763  
of police survivors, which shall use those contributions to 764  
provide whatever assistance may be appropriate to the families of 765  
Ohio law enforcement officers who are killed in the line of duty. 766

(22) The registrar shall pay the contributions the registrar 767  
receives pursuant to section 4503.72 of the Revised Code to the 768  
organization known on March 31, 2003, as the Ohio CASA/GAL 769  
association, a private, nonprofit corporation organized under 770  
Chapter 1702. of the Revised Code. The Ohio CASA/GAL association 771  
shall use these contributions to pay the expenses it incurs in 772  
administering a program to secure the proper representation in the 773  
courts of this state of abused, neglected, and dependent children, 774  
and for the training and supervision of persons participating in 775  
that program. 776

~~(22)~~(23) The registrar shall pay the contributions the 777  
registrar receives pursuant to section 4503.73 of the Revised Code 778  
to Wright B. Flyer, incorporated, which shall deposit the 779  
contributions into its general account to be used for purposes of 780  
Wright B. Flyer, incorporated. 781

~~(23)~~(24) The registrar shall pay the contributions the 782  
registrar receives pursuant to section 4503.74 of the Revised Code 783  
to the Columbus zoological park association, which shall disburse 784  
the moneys to Ohio's major metropolitan zoos, as defined in 785  
section 4503.74 of the Revised Code, in accordance with a written 786  
agreement entered into by the major metropolitan zoos. 787

788

~~(24)~~(25) The registrar shall pay the contributions the 789  
registrar receives pursuant to section 4503.75 of the Revised Code 790  
to the rotary foundation, located on March 31, 2003, in Evanston, 791

Illinois, to be placed in a fund known as the permanent fund and 792  
used to endow educational and humanitarian programs of the rotary 793  
foundation. 794

~~(25)~~(26) The registrar shall pay the contributions the 795  
registrar receives pursuant to section 4503.85 of the Revised Code 796  
to the Ohio sea grant college program to be used for Lake Erie 797  
area research projects. 798

(C) All investment earnings of the license plate contribution 799  
fund shall be credited to the fund. Not later than the first day 800  
of May of every year, the registrar shall distribute to each 801  
entity described in division (B) of this section the investment 802  
income the fund earned the previous calendar year. The amount of 803  
such a distribution paid to an entity shall be proportionate to 804  
the amount of money the entity received from the fund during the 805  
previous calendar year. 806

**Sec. 4503.712.** (A) The owner or lessee of any passenger car, 807  
noncommercial motor vehicle, recreational vehicle, or other 808  
vehicle of a class approved by the registrar of motor vehicles may 809  
apply to the registrar for the registration of the vehicle and 810  
issuance of "Ohio C.O.P.S." license plates. The application for 811  
"Ohio C.O.P.S." license plates may be combined with a request for 812  
a special reserved license plate under section 4503.40 or 4503.42 813  
of the Revised Code. Upon receipt of the completed application and 814  
compliance with division (B) of this section, the registrar shall 815  
issue to the applicant the appropriate vehicle registration, a set 816  
of "Ohio C.O.P.S." license plates with a validation sticker, or a 817  
validation sticker alone when required by section 4503.191 of the 818  
Revised Code. 819

In addition to the letters and numbers ordinarily inscribed 820  
on the license plates, "Ohio C.O.P.S." license plates shall be 821  
inscribed with the words "Ohio C.O.P.S." and a marking selected by 822

the organization Ohio concerns of police survivors and approved by 823  
the registrar. "Ohio C.O.P.S." license plates shall bear county 824  
identification stickers that identify the county of registration 825  
by name or number. 826

(B) "Ohio C.O.P.S." license plates and a validation sticker 827  
or, when applicable, a validation sticker alone, shall be issued 828  
upon submission by the applicant of an application for 829  
registration of a motor vehicle under this section; payment of the 830  
regular license tax as prescribed under section 4503.04 of the 831  
Revised Code, any applicable motor vehicle tax levied under 832  
Chapter 4504. of the Revised Code, any applicable additional fee 833  
prescribed by section 4503.40 or 4503.42 of the Revised Code, the 834  
contribution provided in division (C) of this section, and an 835  
additional fee of ten dollars; and compliance with all other 836  
applicable laws relating to the registration of motor vehicles. 837

(C) For each application for registration and registration 838  
renewal that the registrar receives under this section, the 839  
registrar shall collect a contribution of fifteen dollars. The 840  
registrar shall transmit this contribution to the treasurer of 841  
state for deposit in the license plate contribution fund created 842  
by section 4501.21 of the Revised Code. 843

The registrar shall transmit the additional fee of ten 844  
dollars described in division (B) of this section, the purpose of 845  
which is to compensate the bureau of motor vehicles for additional 846  
services required in issuing license plates under this section, to 847  
the treasurer of state for deposit into the state treasury to the 848  
credit of the bureau of motor vehicles fund created by section 849  
4501.25 of the Revised Code. 850

**Sec. 4513.66.** (A) If a motor vehicle accident occurs on any 851  
highway, public street, or other property open to the public for 852  
purposes of vehicular travel and if any motor vehicle, cargo, or 853

personal property that has been damaged or spilled as a result of 854  
the motor vehicle accident is blocking the highway, street, or 855  
other property or is otherwise endangering public safety, the 856  
sheriff of the county, or the chief of police of the municipal 857  
corporation, township, or township police district, in which the 858  
accident occurred, a state highway patrol trooper, or the chief of 859  
the fire department having jurisdiction where the accident 860  
occurred may, without consent of the owner but with the approval 861  
of the law enforcement agency conducting any investigation of the 862  
accident, remove the motor vehicle if the motor vehicle is 863  
unoccupied, cargo, or personal property from the portion of the 864  
highway, public street, or property ordinarily used for vehicular 865  
travel on the highway, public street, or other property open to 866  
the public for purposes of vehicular travel. 867

(B)(1) Except as provided in division (B)(2) or (3) of this 868  
section, no employee of the department of transportation, sheriff, 869  
deputy sheriff, chief of police or police officer of a municipal 870  
corporation, township, or township police district, state highway 871  
patrol trooper, chief of a fire department, or fire fighter who 872  
authorizes or participates in the removal of any unoccupied motor 873  
vehicle, cargo, or personal property as authorized by division (A) 874  
of this section is liable in civil damages for any injury, death, 875  
or loss to person or property that results from the removal of 876  
that unoccupied motor vehicle, cargo, or personal property. Except 877  
as provided in division (B)(2) or (3) of this section, if the 878  
department of transportation or a sheriff, chief of police of a 879  
municipal corporation, township, or township police district, head 880  
of the state highway patrol, or chief of a fire department 881  
authorizes, employs, or arranges to have a private tow truck 882  
operator or towing company remove any unoccupied motor vehicle, 883  
cargo, or personal property as authorized by division (A) of this 884  
section, that private tow truck operator or towing company is not 885

liable in civil damages for any injury, death, or loss to person 886  
or property that results from the removal of that unoccupied motor 887  
vehicle, cargo, or personal property, and the department of 888  
transportation, sheriff, chief of police, head of the state 889  
highway patrol, or fire department chief is not liable in civil 890  
damages for any injury, death, or loss to person or property that 891  
results from the private tow truck operator or towing company's 892  
removal of that unoccupied motor vehicle, cargo, or personal 893  
property. 894

(2) Division (B)(1) of this section does not apply to any 895  
person or entity involved in the removal of an unoccupied motor 896  
vehicle, cargo, or personal property pursuant to division (A) of 897  
this section if that removal causes or contributes to the release 898  
of a hazardous material or to structural damage to the roadway. 899  
900

(3) Division (B)(1) of this section does not apply to a 901  
private tow truck operator or towing company that was not 902  
authorized, employed, or arranged by the department of 903  
transportation, a sheriff, a chief of police of a municipal 904  
corporation, township, or township police district, the head of 905  
the state highway patrol, or a chief of a fire department or to a 906  
private tow truck operator or towing company that was authorized, 907  
employed, or arranged by the department of transportation, a 908  
sheriff, a chief of police of a municipal corporation, township, 909  
or township police district, the head of the state highway patrol, 910  
or a chief of a fire department to perform the removal of the 911  
unoccupied motor vehicle, cargo, or personal property and the 912  
private tow truck operator or towing company performed the removal 913  
in a reckless or willful manner. 914

(C) As used in this section, "hazardous material" has the 915  
same meaning as in section 2305.232 of the Revised Code. 916

Sec. 4517.21. (A) No motor vehicle auction owner licensed	917
under Chapter 4517. of the Revised Code shall:	918
(1) Engage in the sale of motor vehicles at retail from the	919
same licensed location;	920
(2) Knowingly permit the auctioning of a motor vehicle if the	921
motor vehicle auction owner has reasonable cause to believe it is	922
not being offered for sale by the legal owner of the motor	923
vehicle;	924
(3) Knowingly permit the sale of a motor vehicle to any	925
person except the following:	926
(a) A motor vehicle dealer licensed in this state or any	927
other jurisdiction, or any other person licensed pursuant to	928
Chapter 4517. of the Revised Code or a substantially similar	929
statute of any other jurisdiction;	930
(b) A person who purchases a motor vehicle from a licensed	931
motor vehicle dealer at an auction of motor vehicles conducted at	932
the licensed motor vehicle dealer's place of business in	933
accordance with division (B) of this section;	934
(c) A person who purchases a classic motor vehicle, as	935
defined in section 4517.021 of the Revised Code, at an auction	936
conducted at the established place of business of a licensed motor	937
vehicle auction owner where only classic motor vehicles are being	938
auctioned.	939
(4) Knowingly permit the sale of a motor vehicle by any	940
person who is not licensed pursuant to Chapter 4517. of the	941
Revised Code, <u>except by insurers and subrogees selling only those</u>	942
<u>motor vehicles that have come into their possession through the</u>	943
<u>operation of the terms of an insurance contract;</u>	944
(5) Knowingly permit any person to violate section 4517.19 of	945
the Revised Code;	946

(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 977  
application for a license to operate as a dealer has been denied, 978  
shall immediately cause the removal of the person from the 979  
auction. 980

(8) Knowingly accept a motor vehicle for sale or possible 981  
sale by a dealer whose license has been suspended or revoked, 982  
during the period of suspension or revocation, or by a person 983  
whose application for a license to operate as a dealer has been 984  
denied, after notification by the registrar, in accordance with 985  
division (G) of this section, of the suspension or revocation of 986  
the license, or denial of an application for a license. 987

(9) Knowingly permit the auctioning of a motor vehicle whose 988  
ownership is not evidenced at the time of auctioning by a current 989  
certificate of title or a manufacturer's certificate of origin, 990  
and all title assignments that evidence the seller's ownership of 991  
the motor vehicle, without first giving clear and unequivocal 992  
notice of the lack of such evidence. 993

(B) Notwithstanding any provision of Chapter 4517. of the 994  
Revised Code to the contrary, a licensed motor vehicle auction 995  
owner, in addition to engaging in the business of auctioning motor 996  
vehicles at the auction owner's established place of business, may 997  
engage in the business of auctioning a licensed motor vehicle 998  
dealer's motor vehicles at that licensed motor vehicle dealer's 999  
established place of business, provided such dealer's place of 1000  
business is not owned, operated, or in any way managed by a motor 1001  
vehicle auction owner or subsidiary. The motor vehicle auction 1002  
owner is not required to obtain an additional license for each 1003  
dealer's premises at which the motor vehicle auction owner is 1004  
engaging in the business of auctioning motor vehicles, regardless 1005  
of whether the dealer's premises are located in another county, 1006  
but the motor vehicle auction owner is required to have a 1007  
certified copy of the auction owner's license available for 1008

inspection when the auction owner is engaging in the business of 1009  
auctioning motor vehicles at an established place of business of a 1010  
licensed motor vehicle dealer. 1011

(C) Whoever violates this section is guilty of a misdemeanor 1012  
of the fourth degree. 1013

**Sec. 4765.43.** (A) A person who drives an ambulance that is 1014  
equipped for emergency medical services, is not required by this 1015  
chapter to be certified as an emergency medical technician-basic, 1016  
emergency medical technician-intermediate, or emergency medical 1017  
technician-paramedic. 1018

(B)(1) During each emergency run made by an ambulance that is 1019  
equipped for emergency medical services and is operated by an 1020  
emergency medical service organization that does not utilize any 1021  
volunteer emergency medical service providers or does not 1022  
substantially utilize those providers, the ambulance shall be 1023  
staffed by at least two EMTs-basic, EMTs-I, or paramedics. ~~At any~~ 1024  
~~time a patient is being transported in~~ When an ambulance is so 1025  
staffed, it may be driven by a person who is not certified as an 1026  
EMT-basic, EMT-I, or paramedic. 1027

(2) During each emergency run made by an ambulance that is 1028  
equipped for emergency medical services and is operated by an 1029  
emergency medical service organization that substantially utilizes 1030  
volunteer emergency medical service providers, the ambulance shall 1031  
be staffed by at least ~~two EMTs basic, EMTs I, or paramedics~~ one 1032  
first responder and one EMT-basic, EMT-I, or paramedic. ~~At all~~ 1033  
~~other times during an emergency run, the ambulance shall be~~ 1034  
~~staffed by at least one EMT basic, EMT I, or paramedic.~~ When an 1035  
ambulance is so staffed, it may be driven by a person who is not 1036  
certified as ~~an~~ a first responder, EMT-basic, EMT-I, or paramedic. 1037  
If circumstances so require, an ambulance that is staffed by only 1038  
one first responder and one EMT-basic, EMT-I, or paramedic may be 1039

driven by the first responder who is staffing the ambulance with 1040  
the EMT-basic, EMT-I, or paramedic. 1041

(C) For purposes of division (B) of this section, an 1042  
emergency medical service organization substantially utilizes 1043  
volunteer emergency medical service providers if, on any given 1044  
date, for the six-month period immediately prior to that date, the 1045  
organization's daily average number of hours during which the 1046  
organization used only volunteer first responders, volunteer 1047  
EMTs-basic, volunteer EMTs-I, or volunteer paramedics, or a 1048  
combination of such volunteers, was fifty per cent or more of the 1049  
daily average number of hours that the organization made emergency 1050  
medical services available to the public. 1051

Sec. 4765.431. No emergency medical service organization 1052  
shall permit an individual who is younger than eighteen years of 1053  
age to drive an ambulance. 1054

Sec. 4931.61. (A) Beginning on the first day of the third 1055  
month following ~~the effective date of this section~~ May 6, 2005, 1056  
and ending December 31, ~~2008~~ 2012, there is hereby imposed, on 1057  
each wireless telephone number of a wireless service subscriber 1058  
who has a billing address in this state, a wireless 9-1-1 charge 1059  
of ~~thirty-two~~ twenty-eight cents per month. The subscriber shall 1060  
pay the wireless 9-1-1 charge for each such wireless telephone 1061  
number assigned to the subscriber. Each wireless service provider 1062  
and each reseller of wireless service shall collect the wireless 1063  
9-1-1 charge as a specific line item on each subscriber's monthly 1064  
bill. The line item shall be expressly designated "State/Local 1065  
Wireless-E911 Costs (~~\$0.32~~ \$0.28/billed number)." If a provider 1066  
bills a subscriber for any wireless enhanced 9-1-1 costs that the 1067  
provider may incur, the charge or amount is not to appear in the 1068  
same line item as the state/local line item. If the charge or 1069  
amount is to appear in its own, separate line item on the bill, 1070

the charge or amount shall be expressly designated "[Name of  
Provider] Federal Wireless-E911 Costs." For any subscriber of  
prepaid wireless service, a wireless service provider or reseller  
shall collect the wireless 9-1-1 charge in any of the following  
manners:

(1) At the point of sale. For purposes of prepaid wireless  
services, point of sale includes the purchasing of additional  
minutes by the subscriber along with any necessary activation of  
those minutes.

(2) If the subscriber has a positive account balance on the  
last day of the month and has used the service during that month,  
by reducing that balance not later than the end of the first week  
of the following month by the amount of the charge or an  
equivalent number of ~~air-time~~ airtime minutes;

(3) By dividing the total earned prepaid wireless telephone  
revenue from sales within this state received by the wireless  
service provider or reseller during the month by fifty,  
multiplying the quotient by ~~thirty-two~~ twenty-eight cents, and  
remitting this amount pursuant to division (A)(1) of section  
4931.62 of the Revised Code.

(B) The wireless 9-1-1 charge shall be exempt from state or  
local taxation.

**Sec. 4931.62.** (A)(1) Beginning with the second month  
following the month in which the wireless 9-1-1 charge is first  
imposed under section 4931.61 of the Revised Code, a wireless  
service provider or reseller of wireless service, not later than  
the last day of each month, shall remit the full amount of all  
wireless 9-1-1 charges it collected for the second preceding  
calendar month to the Ohio 9-1-1 coordinator, with the exception  
of charges equivalent to the amount authorized as a billing and

collection fee under division (A)(2) of this section. In doing so, 1101  
the provider or reseller may remit the requisite amount in any 1102  
reasonable manner consistent with its existing operating or 1103  
technological capabilities, such as by customer address, location 1104  
associated with the wireless telephone number, or another 1105  
allocation method based on comparable, relevant data. If the 1106  
wireless service provider or reseller receives a partial payment 1107  
for a bill from a wireless service subscriber, the wireless 1108  
service provider or reseller shall apply the payment first against 1109  
the amount the subscriber owes the wireless service provider or 1110  
reseller and shall remit to the coordinator such lesser amount, if 1111  
any, as results from that invoice. 1112

(2) A wireless service provider or reseller of wireless 1113  
service may retain as a billing and collection fee two per cent of 1114  
the total wireless 9-1-1 charges it collects in any month and 1115  
shall account to the coordinator for the amount retained. 1116

(3) The coordinator shall return to, or credit against the 1117  
next month's remittance of, a wireless service provider or service 1118  
reseller the amount of any remittances the coordinator determines 1119  
were erroneously submitted by the provider or reseller. 1120

(B) Each subscriber on which a wireless 9-1-1 charge is 1121  
imposed under division (A) of section 4931.61 of the Revised Code 1122  
is liable to the state for the amount of the charge. If a wireless 1123  
service provider or reseller fails to collect the charge under 1124  
that division from a subscriber of prepaid wireless service, or 1125  
fails to bill any other subscriber for the charge, the wireless 1126  
service provider or reseller is liable to the state for the amount 1127  
not collected or billed. If a wireless service provider or 1128  
reseller collects charges under that division and fails to remit 1129  
the money to the coordinator, the wireless service provider or 1130  
reseller is liable to the state for any amount collected and not 1131

remitted. 1132

(C)(1) If the public utilities commission has reason to 1133  
believe that a wireless service provider or reseller has failed to 1134  
bill, collect, or remit the wireless 9-1-1 charge as required by 1135  
divisions (A)(1) and (B) of this section or has retained more than 1136  
the amount authorized under division (A)(2) of this section, and 1137  
after written notice to the provider or reseller, the commission 1138  
may audit the provider or reseller for the sole purpose of making 1139  
such a determination. The audit may ~~be of~~ include, but is not 1140  
limited to, a sample of the provider's or reseller's billings, 1141  
collections, remittances, or retentions for a representative 1142  
period, and the commission shall make a good faith effort to reach 1143  
agreement with the provider or reseller in selecting that sample. 1144

(2) Upon written notice to the wireless service provider or 1145  
reseller, the commission, by order after completion of the audit, 1146  
may make an assessment against the provider or reseller if, 1147  
pursuant to the audit, the commission determines that the provider 1148  
or reseller has failed to bill, collect, or remit the wireless 1149  
9-1-1 charge as required by divisions (A)(1) and (B) of this 1150  
section or has retained more than the amount authorized under 1151  
division (A)(2) of this section. The assessment shall be in the 1152  
amount of any remittance that was due and unpaid on the date 1153  
notice of the audit was sent by the commission to the provider or 1154  
reseller or, as applicable, in the amount of the excess amount 1155  
under division (A)(2) of this section retained by the provider or 1156  
reseller as of that date. 1157

(3) The portion of any assessment not paid within sixty days 1158  
after the date of service by the commission of the assessment 1159  
notice under division (C)(2) of this section shall bear interest 1160  
from that date until paid at the rate per annum prescribed by 1161  
section 5703.47 of the Revised Code. That interest may be 1162  
collected by making an assessment under division (C)(2) of this 1163

section. An assessment under this division and any interest due 1164  
shall be remitted in the same manner as the wireless 9-1-1 charge. 1165

(4) An assessment is final and due and payable and shall be 1166  
remitted to the commission unless the assessed party petitions for 1167  
rehearing under section 4903.10 of the Revised Code. The 1168  
proceedings of the commission specified in division (C)(4) of this 1169  
section are subject to and governed by Chapter 4903. of the 1170  
Revised Code, except that the court of appeals of Franklin county 1171  
has exclusive, original jurisdiction to review, modify, or vacate 1172  
an order of the commission under division (C)(2) of this section. 1173  
The court shall hear and determine such appeal in the same manner 1174  
and under the same standards as the Ohio supreme court hears and 1175  
determines appeals under Chapter 4903. of the Revised Code. 1176

The judgment of the court of appeals is final and conclusive 1177  
unless reversed, vacated, or modified on appeal. Such an appeal 1178  
may be made by the commission or the person to whom the order 1179  
under division (C)(2) of this section was issued and shall proceed 1180  
as in the case of appeals in civil actions as provided in Chapter 1181  
2505. of the Revised Code. 1182

(5) After an assessment becomes final, if any portion of the 1183  
assessment remains unpaid, including accrued interest, a certified 1184  
copy of the commission's entry making the assessment final may be 1185  
filed in the office of the clerk of the court of common pleas in 1186  
the county in which the place of business of the assessed party is 1187  
located. If the party maintains no place of business in this 1188  
state, the certified copy of the entry may be filed in the office 1189  
of the clerk of the court of common pleas of Franklin county. 1190  
Immediately upon the filing, the clerk shall enter a judgment for 1191  
the state against the assessed party in the amount shown on the 1192  
entry. The judgment may be filed by the clerk in a loose-leaf book 1193  
entitled "special judgments for wireless 9-1-1 charges" and shall 1194  
have the same effect as other judgments. The judgment shall be 1195

executed upon the request of the commission. 1196

(6) An assessment under this division does not discharge a 1197  
subscriber's liability to reimburse the provider or reseller for 1198  
the wireless 9-1-1 charge. If, after the date of service of the 1199  
audit notice under division (C)(1) of this section, a subscriber 1200  
pays a wireless 9-1-1 charge for the period covered by the 1201  
assessment, the payment shall be credited against the assessment. 1202

(7) All money collected by the commission under this division 1203  
shall be paid to the treasurer of state, for deposit to the credit 1204  
of the wireless 9-1-1 government assistance fund. 1205

**Sec. 4931.63.** (A) There is hereby created the wireless 9-1-1 1206  
administrative fund in the state treasury. A sufficient 1207  
percentage, determined by the chairperson of the public utilities 1208  
commission but not to exceed ~~four per cent through the first full~~ 1209  
~~fiscal year and~~ two per cent ~~thereafter~~, of the periodic 1210  
remittances of the wireless 9-1-1 charge under section 4931.62 of 1211  
the Revised Code shall be deposited to the credit of the fund, to 1212  
be used by the commission to cover such nonpayroll costs and, at 1213  
the discretion of the commission such payroll costs, of the 1214  
commission as are incurred in assisting the coordinator in 1215  
carrying out sections 4931.60 to 4931.70 of the Revised Code and 1216  
in conducting audits under division (C) of section 4931.62 of the 1217  
Revised Code. In addition, the compensation of the Ohio 9-1-1 1218  
coordinator, and any expenses of the coordinator in carrying out 1219  
those sections, shall be paid from the fund. 1220

(B) There is hereby created the wireless 9-1-1 government 1221  
assistance fund, which shall be in the custody of the treasurer of 1222  
state but shall not be part of the state treasury. The periodic 1223  
remittances of the wireless 9-1-1 charge remaining after the 1224  
deposit required by division (A) of this section shall be 1225  
deposited to the credit of the wireless 9-1-1 government 1226

assistance fund. The treasurer of state shall deposit or invest 1227  
the moneys in this fund in accordance with Chapter 135. of the 1228  
Revised Code and any other provision of law governing public 1229  
moneys of the state as defined in section 135.01 of the Revised 1230  
Code. The treasurer of state shall credit the interest earned to 1231  
the fund. The treasurer of state shall disburse money from the 1232  
fund solely upon order of the coordinator as authorized under 1233  
section 4931.64 of the Revised Code. Annually, until the fund is 1234  
depleted, the treasurer of state shall certify to the coordinator 1235  
the amount of moneys in the treasurer of state's custody belonging 1236  
to the fund. 1237

**Sec. 4931.64.** (A) Prior to the first disbursement under this 1238  
section and annually thereafter not later than the twenty-fifth 1239  
day of January, until the wireless 9-1-1 government assistance 1240  
fund is depleted, the Ohio 9-1-1 coordinator shall do both of the 1241  
following for the purposes of division (B) of this section: 1242

(1) Determine, for a county that has adopted a final plan 1243  
under sections 4931.40 to 4931.70 of the Revised Code for the 1244  
provision of wireless enhanced 9-1-1 within the territory covered 1245  
by the countywide 9-1-1 system established under the plan, the 1246  
number of wireless telephone numbers assigned to wireless service 1247  
subscribers that have billing addresses within the county. That 1248  
number shall be adjusted between any two counties so that the 1249  
number of wireless telephone numbers assigned to wireless service 1250  
subscribers who have billing addresses within any portion of a 1251  
municipal corporation that territorially lies primarily in one of 1252  
the two counties but extends into the other county is added to the 1253  
number already determined for that primary county and subtracted 1254  
for the other county. 1255

(2) Determine each county's proportionate share of the 1256  
wireless 9-1-1 government assistance fund for the ensuing calendar 1257

year on the basis set forth in division (B) of this section; 1258  
estimate the ensuing calendar year's fund balance; compute each 1259  
such county's estimated proceeds for the ensuing calendar year 1260  
based on its proportionate share and the estimated fund balance; 1261  
and certify such amount of proceeds to the county auditor of each 1262  
such county. 1263

(B) The Ohio 9-1-1 coordinator, in accordance with this 1264  
division and not later than the last day of each month, shall 1265  
disburse the amount credited as remittances to the wireless 9-1-1 1266  
government assistance fund during the second preceding month, plus 1267  
any accrued interest on the fund. Such a disbursement shall be 1268  
paid to each county treasurer. The amount to be so disbursed 1269  
monthly to a particular county shall be a proportionate share of 1270  
the wireless 9-1-1 government assistance fund balance based on the 1271  
ratio between the following: 1272

(1) The number of wireless telephone numbers determined for 1273  
the county by the coordinator pursuant to division (A) of this 1274  
section; 1275

(2) The total number of wireless telephone numbers assigned 1276  
to subscribers who have billing addresses within this state. To 1277  
the extent that the fund balance permits, the disbursements to 1278  
each county shall total at least ~~twenty-five~~ ninety thousand 1279  
dollars annually. 1280

(C)(1) Each county that has not adopted a final plan for the 1281  
provision of wireless enhanced 9-1-1 under sections 4931.40 to 1282  
4931.70 of the Revised Code shall be deemed as having done so for 1283  
the purposes of making the determinations ~~and disbursements~~ under 1284  
divisions (A)(1) and (2) ~~and (B)~~ of this section ~~through the third~~ 1285  
~~full calendar year following the effective date of this section.~~ 1286

1287  
(2) For each county described in division (C)(1) of this 1288

~~section and through the third full calendar year following the~~ 1289  
~~effective date of this section,~~ the coordinator shall retain in 1290  
the wireless 9-1-1 government assistance fund an amount equal to 1291  
what would otherwise be paid as the county's disbursements under 1292  
division (B) of this section if it had adopted such a final plan, 1293  
plus any related accrued interest, to be set aside for that county 1294  
~~until.~~ If the board of county commissioners notifies the 1295  
coordinator prior to January 1, 2010, that a final plan for the 1296  
provision of wireless enhanced 9-1-1 has been adopted, ~~but not~~ 1297  
~~beyond the end of such third year.~~ ~~Provided notification is made~~ 1298  
~~prior to the end of that third year,~~ the coordinator shall 1299  
disburse and pay to the county treasurer, not later than the last 1300  
day of the month following the month the notification is made, the 1301  
total amount so set aside for the county plus any related accrued 1302  
interest. ~~After the end of the third full calendar year following~~ 1303  
~~the effective date of this section~~ As of January 1, 2010, any 1304  
money and interest so retained and not disbursed as authorized 1305  
under this division shall be available for disbursement only as 1306  
provided in division (B) of this section. 1307

(D) Immediately upon receipt by a county treasurer of a 1309  
disbursement under division (B) or (C) of this section, the county 1310  
shall disburse, in accordance with the allocation formula set 1311  
forth in the final plan, the amount the county so received to any 1312  
other subdivisions in the county that pay the costs of a public 1313  
safety answering point providing wireless enhanced 9-1-1 under the 1314  
plan. 1315

(E) Nothing in sections 4931.40 to 4931.70 of the Revised 1316  
Code affects the authority of a subdivision operating or served by 1317  
a public safety answering point of a 9-1-1 system to use, as 1318  
provided in the final plan for the system or in an agreement under 1319  
section 4931.48 of the Revised Code, any other authorized revenue 1320

of the subdivision for the purposes of providing basic or enhanced 1321  
9-1-1. 1322

**Sec. 4931.65.** ~~(A)~~ Except as otherwise provided in section 1323  
4931.651 of the Revised Code: 1324

(A) A countywide 9-1-1 system receiving a disbursement under 1325  
section 4931.64 of the Revised Code shall provide countywide 1326  
wireless enhanced 9-1-1 in accordance with sections 4931.40 to 1327  
4931.70 of the Revised Code beginning as soon as reasonably 1328  
possible after receipt of the first disbursement or, if that 1329  
service is already implemented, shall continue to provide such 1330  
service. Except as provided in divisions (B) and (C) of this 1331  
section, a disbursement shall be used solely for the purpose of 1332  
paying either or both of the following: 1333

(1) Any costs of designing, upgrading, purchasing, leasing, 1334  
programming, installing, testing, or maintaining the necessary 1335  
data, hardware, software, and trunking required for the public 1336  
safety answering point or points of the 9-1-1 system to provide 1337  
wireless enhanced 9-1-1, which costs are incurred before or on or 1338  
after ~~the effective date of this section~~ May 6, 2005, and consist 1339  
of such additional costs of the 9-1-1 system over and above any 1340  
costs incurred to provide wireline 9-1-1 or to otherwise provide 1341  
wireless enhanced 9-1-1. Annually, up to twenty-five thousand 1342  
dollars of the disbursements received on or after January 1, 2009, 1343  
may be applied to data, hardware, and software that automatically 1344  
alerts personnel receiving a 9-1-1 call that a person at the 1345  
subscriber's address or telephone number may have a mental or 1346  
physical disability, of which that personnel shall inform the 1347  
appropriate emergency service provider. On or after the provision 1348  
of technical and operational standards pursuant to division (D)(1) 1349  
of section 4931.68 of the Revised Code, a subdivision shall 1350  
consider the standards before incurring any costs described in 1351

this division. 1352

(2) Any costs of training the staff of the public safety 1353  
answering point or points to provide wireless enhanced 9-1-1, 1354  
which costs are incurred before or on or after ~~the effective date~~ 1355  
~~of this section and consist of such additional costs of the 9-1-1~~ 1356  
~~system over and above any costs incurred to provide wireline 9-1-1~~ 1357  
May 6, 2005. 1358

(B) Beginning one year following the imposition of the 1359  
wireless 9-1-1 charge under section 4931.61 of the Revised Code, a 1360  
subdivision that certifies to the Ohio 9-1-1 coordinator that it 1361  
has paid the costs described in divisions (A)(1) and (2) of this 1362  
section and is providing countywide wireless enhanced 9-1-1 may 1363  
use disbursements received under section 4931.64 of the Revised 1364  
Code to pay any of its personnel costs of one or more public 1365  
safety answering points providing countywide wireless enhanced 1366  
9-1-1. 1367

(C) After receiving its April ~~2009~~ 2013, disbursement under 1368  
section 4931.64 of the Revised Code, a subdivision may use any 1369  
remaining balance of disbursements it received under that section 1370  
to pay any of its costs of providing countywide wireless 9-1-1, 1371  
including the personnel costs of one or more public safety 1372  
answering points providing that service. 1373

(D) The costs described in divisions (A), (B), and (C) of 1374  
this section may include any such costs payable pursuant to an 1375  
agreement under division (J) of section 4931.41 of the Revised 1376  
Code. 1377

Sec. 4931.651. On or after March 1, 2009, payment of costs 1378  
specified in divisions (A) to (D) of section 4931.65 of the 1379  
Revised Code and so payable from a disbursement under section 1380  
4931.64 of the Revised Code shall be limited to those specified 1381  
and payable costs incurred after that date for not more than five 1382

public safety answering points of the particular 9-1-1 system. 1383

**Sec. 4931.66.** (A)(1) A ~~wireless service provider~~ telephone 1384  
company, the state highway patrol as described in division (J) of 1385  
section 4931.41 of the Revised Code, and each subdivision 1386  
operating one or more public safety answering points for a 1387  
countywide system providing wireless 9-1-1, shall provide the Ohio 1388  
9-1-1 coordinator with such information as the coordinator 1389  
requests for the purposes of carrying out the coordinator's duties 1390  
under sections 4931.60 to 4931.70 of the Revised Code, including, 1391  
but not limited to, duties regarding the collection of the 1392  
wireless 9-1-1 charge and regarding the provision of a report or 1393  
recommendation under section 4931.70 of the Revised Code. 1394

(2) A wireless service provider shall provide an official, 1395  
employee, agent, or representative of a subdivision operating a 1396  
public safety answering point, or of the state highway patrol as 1397  
described in division (J) of section 4931.41 of the Revised Code, 1398  
with such technical, service, and location information as the 1399  
official, employee, agent, or representative requests for the 1400  
purpose of providing wireless 9-1-1. 1401

(3) A subdivision operating one or more public safety 1402  
answering points of a 9-1-1 system, and a telephone company, shall 1403  
provide to the Ohio 9-1-1 council such information as the council 1404  
requires for the purpose of ~~making any recommendation or report~~ 1405  
~~pursuant to~~ carrying out its duties under division (D)~~(2)~~ of 1406  
section 4931.68 of the Revised Code. 1407

(B)(1) Any information provided under division (A) of this 1408  
section that consists of trade secrets as defined in section 1409  
1333.61 of the Revised Code or of information regarding the 1410  
customers, revenues, expenses, or network information of a 1411  
telephone company shall be confidential and does not constitute a 1412  
public record for the purpose of section 149.43 of the Revised 1413

Code. 1414

(2) The public utilities commission, the Ohio 9-1-1 1415  
coordinator, and any official, employee, agent, or representative 1416  
of the commission, of the state highway patrol as described in 1417  
division (J) of section 4931.41 of the Revised Code, or of a 1418  
subdivision operating a public safety answering point, while 1419  
acting or claiming to act in the capacity of the commission or 1420  
coordinator or such official, employee, agent, or representative, 1421  
shall not disclose any information provided under division (A) of 1422  
this section regarding a telephone company's customers, revenues, 1423  
expenses, or network information. Nothing in division (B)(2) of 1424  
this section precludes any such information from being aggregated 1425  
and included in any report required under section 4931.70 or 1426  
division (D)(2) of section 4931.69 of the Revised Code, provided 1427  
the aggregated information does not identify the number of any 1428  
particular company's customers or the amount of its revenues or 1429  
expenses or identify a particular company as to any network 1430  
information. 1431

**Sec. 4931.70.** ~~On the first day of~~ By November ~~preceding the~~ 1432  
~~2007-2009 budget biennium~~ 30, 2011, the Ohio 9-1-1 coordinator 1433  
shall submit a report to the general assembly, in accordance with 1434  
section 101.68 of the Revised Code, that contains both of the 1435  
following: 1436

(A) A review of the implementation and provision of wireless 1437  
enhanced 9-1-1 in this state and a description of how moneys 1438  
disbursements from the wireless 9-1-1 government assistance fund 1439  
have been used. In preparing the report, the coordinator shall 1440  
consult with the wireless 9-1-1 advisory board. 1441

(B) The coordinator's recommendation for the coming budget 1442  
biennium of any change in the amount of the wireless 9-1-1 charge 1443  
and the basis for that recommendation. The recommendation shall 1444

reflect the minimum amount necessary during the coming budget 1445  
biennium, given any balance in the wireless 9-1-1 government 1446  
assistance fund to be carried over to that biennium and the 1447  
projected revenue from the charge, to fully cover the costs 1448  
described in division (A) of section 4931.65 of the Revised Code 1449  
as projected for that biennium. The amount also shall reflect the 1450  
minimum amount necessary for the wireless 9-1-1 charge to cover 1451  
the costs described in division (A) of section 4931.63 of the 1452  
Revised Code as projected for the biennium, given the wireless 1453  
9-1-1 administrative fund balance to be carried over. In making a 1454  
recommendation under this division, the coordinator shall consider 1455  
any recommendation of the wireless 9-1-1 advisory board. 1456

**Section 2.** That existing sections 305.12, 308.04, 503.01, 1457  
715.72, 715.74, 715.75, 715.76, 715.761, 715.77, 715.78, 715.81, 1458  
4501.21, 4517.21, 4765.43, 4931.61, 4931.62, 4931.63, 4931.64, 1459  
4931.65, 4931.66, and 4931.70 of the Revised Code are hereby 1460  
repealed. 1461

**Section 3.** That sections 4503.494, 4503.496, 4503.531, and 1462  
4503.92 of the Revised Code be contingently amended to read as 1463  
follows: 1464

**Sec. 4503.494.** (A) The owner or lessee of any passenger car, 1465  
noncommercial motor vehicle, recreational vehicle, ~~motorcycle~~, or 1466  
other vehicle of a class approved by the registrar of motor 1467  
vehicles may apply to the registrar for the registration of the 1468  
vehicle and issuance of "multiple sclerosis awareness" license 1469  
plates. The application may be combined with a request for a 1470  
special reserved license plate under section 4503.40 or 4503.42 of 1471  
the Revised Code. Upon receipt of the completed application and 1472  
compliance by the applicant with divisions (B) and (C) of this 1473  
section, the registrar shall issue to the applicant the 1474

appropriate vehicle registration and a set of "multiple sclerosis  
awareness" license plates and a validation sticker, or a  
validation sticker alone when required by section 4503.191 of the  
Revised Code.

In addition to the letters and numbers ordinarily inscribed  
on the license plates, "multiple sclerosis awareness" license  
plates shall bear words selected by and a logo designed by the  
national multiple sclerosis society. The registrar shall approve  
the final design. "Multiple sclerosis awareness" license plates  
shall display county identification stickers that identify the  
county of registration by name or number.

(B) "Multiple sclerosis awareness" license plates and a  
validation sticker, or validation sticker alone, shall be issued  
upon receipt of an application for registration of a motor vehicle  
under this section; payment of the regular license tax as  
prescribed under section 4503.04 of the Revised Code, any  
applicable motor vehicle license tax levied under Chapter 4504. of  
the Revised Code, any applicable additional fee prescribed by  
section 4503.40 or 4503.42 of the Revised Code, an additional fee  
of ten dollars, and a contribution as provided in division (C) of  
this section; and compliance with all other applicable laws  
relating to the registration of motor vehicles.

(C) The registrar shall collect a contribution of fifteen  
dollars for each application for registration and registration  
renewal notice the registrar receives under this section. The  
registrar shall transmit this contribution to the treasurer of  
state for deposit into the state treasury to the credit of the  
license plate contribution fund created by section 4501.21 of the  
Revised Code.

The registrar shall transmit the additional fee of ten  
dollars, which is to compensate the bureau of motor vehicles for

the additional services required in the issuing of "multiple  
sclerosis awareness" license plates, to the treasurer of state for  
deposit into the state treasury to the credit of the state bureau  
of motor vehicles fund created by section 4501.25 of the Revised  
Code.

**Sec. 4503.496.** (A) The owner or lessee of any passenger car,  
noncommercial motor vehicle, recreational vehicle, ~~motorcycle~~, or  
other vehicle of a class approved by the registrar of motor  
vehicles may apply to the registrar for the registration of the  
vehicle and issuance of "sickle cell anemia awareness" license  
plates. The application may be combined with a request for a  
special reserved license plate under section 4503.40 or 4503.42 of  
the Revised Code. Upon receipt of the completed application and  
compliance by the applicant with divisions (B) and (C) of this  
section, the registrar shall issue to the applicant the  
appropriate vehicle registration and a set of "sickle cell anemia  
awareness" license plates and a validation sticker, or a  
validation sticker alone when required by section 4503.191 of the  
Revised Code.

In addition to the letters and numbers ordinarily inscribed  
on the license plates, "sickle cell anemia awareness" license  
plates shall bear words selected by and a logo designed by the  
Ohio sickle cell and health association. The registrar shall  
approve the final design. "Sickle cell anemia awareness" license  
plates shall display county identification stickers that identify  
the county of registration by name or number.

(B) "Sickle cell anemia awareness" license plates and a  
validation sticker, or validation sticker alone, shall be issued  
upon receipt of an application for registration of a motor vehicle  
under this section; payment of the regular license tax as  
prescribed under section 4503.04 of the Revised Code, any

applicable motor vehicle license tax levied under Chapter 4504. of 1537  
the Revised Code, any applicable additional fee prescribed by 1538  
section 4503.40 or 4503.42 of the Revised Code, an additional fee 1539  
of ten dollars, and a contribution as provided in division (C) of 1540  
this section; and compliance with all other applicable laws 1541  
relating to the registration of motor vehicles. 1542

(C) The registrar shall collect a contribution of ten dollars 1543  
for each application for registration and registration renewal 1544  
notice the registrar receives under this section. The registrar 1545  
shall transmit this contribution to the treasurer of state for 1546  
deposit into the state treasury to the credit of the license plate 1547  
contribution fund created by section 4501.21 of the Revised Code. 1548

The registrar shall transmit the additional fee of ten 1549  
dollars, which is to compensate the bureau of motor vehicles for 1550  
the additional services required in the issuing of "sickle cell 1551  
anemia awareness" license plates, to the treasurer of state for 1552  
deposit into the state treasury to the credit of the state bureau 1553  
of motor vehicles fund created by section 4501.25 of the Revised 1554  
Code. 1555

**Sec. 4503.531.** (A) The owner or lessee of any passenger car, 1556  
noncommercial motor vehicle, recreational vehicle, ~~motorcycle~~, or 1557  
other vehicle of a class approved by the registrar of motor 1558  
vehicles may apply to the registrar for the registration of the 1559  
vehicle and issuance of "thank you U.S. military" license plates. 1560  
The application may be combined with a request for a special 1561  
reserved license plate under section 4503.40 or 4503.42 of the 1562  
Revised Code. Upon receipt of the completed application and 1563  
compliance by the applicant with divisions (B) and (C) of this 1564  
section, the registrar shall issue to the applicant the 1565  
appropriate vehicle registration and a set of "thank you U.S. 1566  
military" license plates and a validation sticker, or a validation 1567

sticker alone when required by section 4503.191 of the Revised Code. 1568  
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In addition to the letters and numbers ordinarily inscribed on the license plates, "thank you U.S. military" license plates shall bear the words "thank you U.S. military" and markings designed by the thank you foundation. The registrar shall approve the final design. "Thank you U.S. military" license plates shall display county identification stickers that identify the county of registration by name or number. 1570  
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(B) "Thank you U.S. military" license plates and a validation sticker, or validation sticker alone, shall be issued upon receipt of an application for registration of a motor vehicle under this section; payment of the regular license tax as prescribed under section 4503.04 of the Revised Code, any applicable motor vehicle license tax levied under Chapter 4504. of the Revised Code, any applicable additional fee prescribed by section 4503.40 or 4503.42 of the Revised Code, an additional fee of ten dollars, and a contribution as provided in division (C) of this section; and compliance with all other applicable laws relating to the registration of motor vehicles. 1577  
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(C) The registrar shall collect a contribution of ten dollars for each application for registration and registration renewal notice the registrar receives under this section. The registrar shall transmit this contribution to the treasurer of state for deposit into the state treasury to the credit of the license plate contribution fund created by section 4501.21 of the Revised Code. 1588  
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The registrar shall transmit the additional fee of ten dollars, which is to compensate the bureau of motor vehicles for the additional services required in the issuing of "thank you U.S. military" license plates, to the treasurer of state for deposit into the state treasury to the credit of the state bureau of motor 1594  
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vehicles fund created by section 4501.25 of the Revised Code. 1599

**Sec. 4503.92.** (A) The owner or lessee of any passenger car, 1600  
noncommercial motor vehicle, recreational vehicle, ~~motorcycle~~, or 1601  
other vehicle of a class approved by the registrar of motor 1602  
vehicles may apply to the registrar for the registration of the 1603  
vehicle and issuance of "support our troops" license plates. The 1604  
application may be combined with a request for a special reserved 1605  
license plate under section 4503.40 or 4503.42 of the Revised 1606  
Code. Upon receipt of the completed application and compliance by 1607  
the applicant with divisions (B) and (C) of this section, the 1608  
registrar shall issue to the applicant the appropriate vehicle 1609  
registration and a set of "support our troops" license plates and 1610  
a validation sticker, or a validation sticker alone when required 1611  
by section 4503.191 of the Revised Code. 1612

In addition to the letters and numbers ordinarily inscribed 1613  
on the license plates, "support our troops" license plates shall 1614  
bear an appropriate logo and the words "support our troops." The 1615  
bureau of motor vehicles shall design "support our troops" license 1616  
plates, and they shall display county identification stickers that 1617  
identify the county of registration by name or number. 1618

(B) "Support our troops" license plates and a validation 1619  
sticker, or validation sticker alone, shall be issued upon receipt 1620  
of an application for registration of a motor vehicle under this 1621  
section; payment of the regular license tax as prescribed under 1622  
section 4503.04 of the Revised Code, any applicable motor vehicle 1623  
license tax levied under Chapter 4504. of the Revised Code, any 1624  
applicable additional fee prescribed by section 4503.40 or 4503.42 1625  
of the Revised Code, an additional fee of ten dollars, and a 1626  
contribution as provided in division (C) of this section; and 1627  
compliance with all other applicable laws relating to the 1628  
registration of motor vehicles. 1629

(C) For each application for registration and registration 1630  
renewal notice the registrar receives under this section, the 1631  
registrar shall collect a contribution of twenty-five dollars. The 1632  
registrar shall transmit this contribution to the treasurer of 1633  
state for deposit into the state treasury to the credit of the 1634  
license plate contribution fund created by section 4501.21 of the 1635  
Revised Code. 1636

The registrar shall transmit the additional fee of ten 1637  
dollars, which is to compensate the bureau of motor vehicles for 1638  
the additional services required in the issuing of "support our 1639  
troops" license plates, to the treasurer of state for deposit into 1640  
the state treasury to the credit of the state bureau of motor 1641  
vehicles fund created by section 4501.25 of the Revised Code. 1642

**Section 4.** That existing sections 4503.494, 4503.496, 1643  
4503.531, and 4503.92 of the Revised Code are hereby contingently 1644  
repealed. 1645

**Section 5.** The amendments by this act of sections 4503.494, 1646  
4503.496, 4503.531, and 4503.92 of the Revised Code are contingent 1647  
on Sub. S.B. 243 of the 127th General Assembly becoming law. 1648

**Section 6.** This act is hereby declared to be an emergency 1649  
measure necessary for the immediate preservation of the public 1650  
peace, health, and safety. The reason for such necessity is to 1651  
advance and ensure the provision of wireless enhanced 9-1-1 in an 1652  
efficient and effective manner, including by maintaining the 1653  
wireless 9-1-1 charge for that emergency service that would 1654  
otherwise expire at the end of December 2008. Therefore, this act 1655  
shall go into immediate effect. 1656