

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

**128th General Assembly
Regular Session
2009-2010**

Sub. H. B. No. 2

Representative Ujvagi

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A B I L L

To amend sections 121.51, 125.11, 133.52, 151.01,	1
151.09, 151.40, 955.201, 1548.10, 1548.14,	2
1751.53, 2911.21, 2949.094, 3781.10, 3905.423,	3
3923.38, 4163.01, 4163.07, 4501.01, 4501.03,	4
4501.044, 4501.06, 4501.21, 4501.34, 4503.04,	5
4503.042, 4503.07, 4503.10, 4503.103, 4503.182,	6
4503.26, 4503.65, 4505.032, 4505.09, 4505.14,	7
4506.07, 4506.08, 4506.11, 4507.05, 4507.06,	8
4507.071, 4507.13, 4507.23, 4507.24, 4507.51,	9
4507.52, 4509.05, 4511.01, 4511.093, 4511.181,	10
4511.191, 4511.213, 4513.03, 4513.263, 4519.02,	11
4519.03, 4519.04, 4519.08, 4519.09, 4519.10,	12
4519.44, 4519.47, 4519.59, 4519.63, 4561.17,	13
4561.18, 4561.21, 4981.02, 4981.02, 5501.03,	14
5501.311, 5501.34, 5502.03, 5502.39, 5502.67,	15
5502.68, 5515.01, 5515.07, 5517.011, 5525.01,	16
5525.15, 5531.09, 5537.07, 5537.99, 5735.06, and	17
5735.141; to enact sections 5.24, 121.53, 122.077,	18
123.153, 1519.20, 3905.425, 4163.08, 4163.09,	19
4501.026, 4511.108, 4981.40, 5502.131, 5525.012,	20
5531.11, 5531.12, 5531.13, 5531.14, 5531.15,	21
5531.16, 5531.17, 5531.18, 5531.99, 5539.01,	22
5539.02, 5539.03, 5539.031, 5539.04, 5539.05,	23

5539.06, 5539.07, 5539.08, 5539.09, 5539.10, and 24
5539.11; and to repeal sections 955.202 and 25
5902.09 of the Revised Code and to amend Section 26
229.10 of Am. Sub. H.B. 67 of the 127th General 27
Assembly, as subsequently amended; and to amend 28
Sections 217.10, 217.11, 239.10, 241.10, 243.10, 29
243.11, and 503.40 of Am. Sub. H.B. 562 of the 30
127th General Assembly to make appropriations for 31
programs related to transportation and public 32
safety for the biennium beginning July 1, 2009, 33
and ending June 30, 2011, to provide authorization 34
and conditions for the operation of those and 35
other programs, to appropriate federal stimulus 36
moneys received under the American Recovery and 37
Reinvestment Act of 2009, to repeal section 121.53 38
of the Revised Code on September 30, 2013, and to 39
declare an emergency. 40
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BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 101.01. That sections 121.51, 125.11, 133.52, 151.01, 42
151.09, 151.40, 955.201, 1548.10, 1548.14, 1751.53, 2911.21, 43
2949.094, 3781.10, 3905.423, 3923.38, 4163.01, 4163.07, 4501.01, 44
4501.03, 4501.044, 4501.06, 4501.21, 4501.34, 4503.04, 4503.042, 45
4503.07, 4503.10, 4503.103, 4503.182, 4503.26, 4503.65, 4505.032, 46
4505.09, 4505.14, 4506.07, 4506.08, 4506.11, 4507.05, 4507.06, 47
4507.071, 4507.13, 4507.23, 4507.24, 4507.51, 4507.52, 4509.05, 48
4511.01, 4511.093, 4511.181, 4511.191, 4511.213, 4513.03, 49
4513.263, 4519.02, 4519.03, 4519.04, 4519.08, 4519.09, 4519.10, 50
4519.44, 4519.47, 4519.59, 4519.63, 4561.17, 4561.18, 4561.21, 51
4981.02, 5501.03, 5501.311, 5501.34, 5502.03, 5502.39, 5502.67, 52
5502.68, 5515.01, 5515.07, 5517.011, 5525.01, 5525.15, 5531.09, 53

5537.07, 5537.99, 5735.06, and 5735.141 be amended and sections 54
5.24, 121.53, 122.077, 123.153, 1519.20, 3905.425, 4163.08, 55
4163.09, 4501.026, 4511.108, 4981.40, 5502.131, 5525.012, 5531.11, 56
5531.12, 5531.13, 5531.14, 5531.15, 5531.16, 5531.17, 5531.18, 57
5531.99, 5539.01, 5539.02, 5539.03, 5539.031, 5539.04, 5539.05, 58
5539.06, 5539.07, 5539.08, 5539.09, 5539.10, and 5539.11 of the 59
Revised Code be enacted to read as follows: 60

Sec. 5.24. The city of Dayton and county of Montgomery are 61
hereby designated as an Ohio hub of innovation and opportunity for 62
aerospace and aviation. 63

Sec. 121.51. There is hereby created in the office of the 64
inspector general the position of deputy inspector general for the 65
department of transportation. The inspector general shall appoint 66
the deputy inspector general, and the deputy inspector general 67
shall serve at the pleasure of the inspector general. A person 68
employed as the deputy inspector general shall have the same 69
qualifications as those specified in section 121.49 of the Revised 70
Code for the inspector general. The inspector general shall 71
provide technical, professional, and clerical assistance to the 72
deputy inspector general. ~~The inspector general shall certify to~~ 73
~~the director of budget and management the costs, including the~~ 74
~~salaries of the deputy inspector general and the employees~~ 75
~~assisting the deputy inspector general, that the inspector general~~ 76
~~expects the deputy inspector general to incur during the fiscal~~ 77
~~year or such lesser period for which the certification is made.~~ 78
~~The director of budget and management shall transfer the amounts~~ 79
~~certified to~~ 80

There is hereby created in the state treasury the deputy 81
inspector general for ODOT fund, ~~which is hereby created in the~~ 82
~~state treasury, from the appropriation made to the department of~~ 83

~~transportation from which expenditures for general administrative~~ 84
~~purposes, as distinguished from specific infrastructure projects,~~ 85
~~are made. The transfers shall be made in accordance with a~~ 86
~~schedule that the inspector general considers to be appropriate~~ 87
~~but shall not be in amounts that would create a balance in the~~ 88
~~fund in excess of need or that would exceed the amount~~ 89
~~appropriated from the fund. The fund shall consist of money~~ 90
~~credited to the fund for the payment of costs incurred by the~~ 91
~~deputy inspector general in performing the duties of the deputy~~ 92
~~inspector general as specified in this section.~~ The inspector 93
general shall use the ~~deputy inspector general for ODOT~~ fund to 94
pay costs incurred by the deputy inspector general in performing 95
the duties of the deputy inspector general as required under this 96
section. 97

The deputy inspector general shall investigate all wrongful 98
acts or omissions that have been committed or are being committed 99
by employees of the department. In addition, the deputy inspector 100
general shall conduct a program of random review of the processing 101
of contracts associated with building and maintaining the state's 102
infrastructure. The random review program shall be designed by the 103
inspector general. The program shall be confidential and may be 104
altered by the inspector general at any time. The deputy inspector 105
general has the same powers and duties regarding matters 106
concerning the department as those specified in sections 121.42, 107
121.43, and 121.45 of the Revised Code for the inspector general. 108
Complaints may be filed with the deputy inspector general in the 109
same manner as prescribed for complaints filed with the inspector 110
general under section 121.46 of the Revised Code. All 111
investigations conducted and reports issued by the deputy 112
inspector general are subject to section 121.44 of the Revised 113
Code. 114

All officers and employees of the department shall cooperate 115

with and provide assistance to the deputy inspector general in the 116
performance of any investigation conducted by the deputy inspector 117
general. In particular, those persons shall make their premises, 118
equipment, personnel, books, records, and papers readily available 119
to the deputy inspector general. In the course of an 120
investigation, the deputy inspector general may question any 121
officers or employees of the department and any person transacting 122
business with the department and may inspect and copy any books, 123
records, or papers in the possession of the department, taking 124
care to preserve the confidentiality of information contained in 125
responses to questions or the books, records, or papers that are 126
made confidential by law. In performing any investigation, the 127
deputy inspector general shall avoid interfering with the ongoing 128
operations of the department, except insofar as is reasonably 129
necessary to complete the investigation successfully. 130

At the conclusion of an investigation by the deputy inspector 131
general, the deputy inspector general shall deliver to the 132
director of transportation and the governor any case for which 133
remedial action is necessary. The deputy inspector general shall 134
maintain a public record of the activities of the deputy inspector 135
general to the extent permitted under this section, ensuring that 136
the rights of the parties involved in each case are protected. The 137
inspector general shall include in the annual report required by 138
section 121.48 of the Revised Code a summary of the deputy 139
inspector general's activities during the previous year. 140

No person shall disclose any information that is designated 141
as confidential in accordance with section 121.44 of the Revised 142
Code or any confidential information that is acquired in the 143
course of an investigation conducted under this section to any 144
person who is not legally entitled to disclosure of that 145
information. 146

Sec. 121.53. There is hereby created in the office of the 147
inspector general the position of deputy inspector general for 148
funds received through the American recovery and reinvestment act 149
of 2009. The inspector general shall appoint the deputy inspector 150
general, and the deputy inspector general shall serve at the 151
pleasure of the inspector general. A person employed as the deputy 152
inspector general shall have the same qualifications as those 153
specified in section 121.49 of the Revised Code for the inspector 154
general. The inspector general shall provide technical, 155
professional, and clerical assistance to the deputy inspector 156
general. 157

There is hereby created in the state treasury the deputy 158
inspector general for funds received through the American recovery 159
and reinvestment act of 2009 fund. The fund shall consist of money 160
credited to the fund for the payment of costs incurred by the 161
deputy inspector general for performing the duties of the deputy 162
inspector general as specified in this section. The inspector 163
general shall use the fund to pay costs incurred by the deputy 164
inspector general in performing the duties of the deputy inspector 165
general as required under this section. 166

The deputy inspector general shall investigate all wrongful 167
acts or omissions that have been committed or are being committed 168
with respect to money received from the federal government under 169
the American Recovery and Reinvestment Act of 2009. In addition, 170
the deputy inspector general shall conduct a program of random 171
review of the processing of contracts associated with projects to 172
be paid for with such money. The random review program shall be 173
designed by the inspector general. The program shall be 174
confidential and may be altered by the inspector general at any 175
time. The deputy inspector general has the same powers and duties 176
regarding matters concerning such money as those specified in 177
sections 121.42, 121.43, and 121.45 of the Revised Code for the 178

inspector general. Complaints may be filed with the deputy 179
inspector general in the same manner as prescribed for complaints 180
filed with the inspector general under section 121.46 of the 181
Revised Code. All investigations conducted and reports issued by 182
the deputy inspector general are subject to section 121.44 of the 183
Revised Code. 184

All relevant state agencies shall cooperate with and provide 185
assistance to the deputy inspector general in the performance of 186
any investigation conducted by the deputy inspector general. In 187
particular, those persons shall make their premises, equipment, 188
personnel, books, records, and papers readily available to the 189
deputy inspector general. In the course of an investigation, the 190
deputy inspector general may question any officers or employees of 191
the relevant agency and any person transacting business with the 192
agency and may inspect and copy any books, records, or papers in 193
the possession of the agency, taking care to preserve the 194
confidentiality of information contained in responses to questions 195
or the books, records, or papers that are made confidential by 196
law. In performing any investigation, the deputy inspector general 197
shall avoid interfering with the ongoing operations of the agency, 198
except as is reasonably necessary to complete the investigation 199
successfully. 200

At the conclusion of an investigation by the deputy 201
inspector, the deputy inspector general shall deliver to the 202
speaker and minority leader of the house of representatives, 203
president and minority leader of the senate, governor, and 204
relevant agency any case for which remedial action is necessary. 205
The deputy inspector general shall maintain a public record of the 206
activities of the deputy inspector general to the extent permitted 207
under this section, ensuring that the rights of the parties 208
involved in each case are protected. The inspector general shall 209
include in the annual report required by section 121.48 of the 210

Revised Code a summary of the deputy inspector general's 211
activities during the previous year. 212

No person shall disclose any information that is designated 213
as confidential in accordance with section 121.44 of the Revised 214
Code or any confidential information that is acquired in the 215
course of an investigation conducted under this section to any 216
person who is not legally entitled to disclosure of that 217
information. 218

Notwithstanding anything to the contrary in this section or 219
section 121.51 of the Revised Code, the inspector general shall 220
coordinate and monitor the work of the deputy inspector general 221
for the department of transportation and the deputy inspector 222
general for funds received through the American Recovery and 223
Reinvestment Act of 2009. The objective of the inspector general 224
in this respect shall be to ensure that the work performed by each 225
deputy inspector general is most appropriate to that deputy 226
inspector general, that it does not duplicate work performed by 227
the other deputy inspector general, and that the result is an 228
overall effective and efficient operation within the office of the 229
inspector general. 230

Sec. 122.077. For the purpose of promoting the use of energy 231
efficient products to reduce greenhouse gas emissions in this 232
state, the director of development shall establish an energy star 233
rebate program under which the director may provide rebates to 234
consumers for household devices carrying the energy star label 235
indicating that the device meets the energy efficiency criteria of 236
the energy star program established by the United States 237
department of energy and the United States environmental 238
protection agency. 239

Sec. 123.153. (A) As used in this section: 240

(1) "Minority business enterprise" has the same meaning as in section 123.151 of the Revised Code. 241
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(2) "EDGE business enterprise" has the same meaning as in section 123.152 of the Revised Code. 243
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(B) Beginning October 1, 2009, and on the first day of October in each year thereafter, the director of administrative services shall submit a written report to the governor and to each member of the general assembly describing the progress made by state agencies in advancing the minority business enterprise program and the encouraging diversity, growth, and equity program. The report shall highlight the initiatives implemented to encourage participation of minority-owned, as well as socially and economically disadvantaged, businesses in programs funded by federal money received by the state for fiscal stabilization and recovery purposes. The report shall also include the total number of procurement contracts each agency has entered into with certified minority business enterprises and EDGE business enterprises. 245
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Sec. 125.11. (A) Subject to division (B) of this section, contracts awarded pursuant to a reverse auction under section 125.072 of the Revised Code or pursuant to competitive sealed bidding, including contracts awarded under section 125.081 of the Revised Code, shall be awarded to the lowest responsive and responsible bidder on each item in accordance with section 9.312 of the Revised Code. When the contract is for meat products as defined in section 918.01 of the Revised Code or poultry products as defined in section 918.21 of the Revised Code, only those bids received from vendors offering products from establishments on the current list of meat and poultry vendors established and maintained by the director of administrative services under section 125.17 of the Revised Code shall be eligible for 259
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acceptance. The department of administrative services may accept 272
or reject any or all bids in whole or by items, except that when 273
the contract is for services or products available from a 274
qualified nonprofit agency pursuant to sections 125.60 to 125.6012 275
or 4115.31 to 4115.35 of the Revised Code, the contract shall be 276
awarded to that agency. 277

(B)(1) Prior to awarding a contract under division (A) of 278
this section, the department of administrative services or the 279
state agency responsible for evaluating a contract for the 280
purchase of products shall evaluate the bids received according to 281
the criteria and procedures established pursuant to divisions 282
(C)(1) and (2) of section 125.09 of the Revised Code for 283
determining if a product is produced or mined in the United States 284
and if a product is produced or mined in this state. The 285
department or other state agency shall first remove bids that 286
offer products that have not been or that will not be produced or 287
mined in the United States. From among the remaining bids, the 288
department or other state agency shall select the lowest 289
responsive and responsible bid, in accordance with section 9.312 290
of the Revised Code, from among the bids that offer products that 291
have been produced or mined in this state where sufficient 292
competition can be generated within this state to ensure that 293
compliance with these requirements will not result in an excessive 294
price for the product or acquiring a disproportionately inferior 295
product. If there are two or more qualified bids that offer 296
products that have been produced or mined in this state, it shall 297
be deemed that there is sufficient competition to prevent an 298
excessive price for the product or the acquiring of a 299
disproportionately inferior product. 300

(2) The requirement of division (B)(1) of this section that 301
deems sufficient competition exists does not apply to the 302
acquisition of materials necessary for the removal of snow and ice 303

by the department of transportation under section 5501.41 of the 304
Revised Code. 305

Nothing in this division shall be deemed to conflict with the 306
preferences for United States and Ohio products established in 307
section 125.09 of the Revised Code. 308

(C) Division (B) of this section applies to contracts for 309
which competitive bidding is waived by the controlling board. 310

(D) Division (B) of this section does not apply to the 311
purchase by the division of liquor control of spirituous liquor. 312

(E) The director of administrative services shall publish in 313
the form of a model act for use by counties, townships, municipal 314
corporations, or any other political subdivision described in 315
division (B) of section 125.04 of the Revised Code, a system of 316
preferences for products mined and produced in this state and in 317
the United States and for Ohio-based contractors. The model act 318
shall reflect substantial equivalence to the system of preferences 319
in purchasing and public improvement contracting procedures under 320
which the state operates pursuant to this chapter and section 321
153.012 of the Revised Code. To the maximum extent possible, 322
consistent with the Ohio system of preferences in purchasing and 323
public improvement contracting procedures, the model act shall 324
incorporate all of the requirements of the federal "Buy America 325
Act," 47 Stat. 1520 (1933), 41 U.S.C. 10a to 10d, as amended, and 326
the rules adopted under that act. 327

Before and during the development and promulgation of the 328
model act, the director shall consult with appropriate statewide 329
organizations representing counties, townships, and municipal 330
corporations so as to identify the special requirements and 331
concerns these political subdivisions have in their purchasing and 332
public improvement contracting procedures. The director shall 333
promulgate the model act by rule adopted pursuant to Chapter 119. 334

of the Revised Code and shall revise the act as necessary to 335
reflect changes in this chapter or section 153.012 of the Revised 336
Code. 337

The director shall make available copies of the model act, 338
supporting information, and technical assistance to any township, 339
county, or municipal corporation wishing to incorporate the 340
provisions of the act into its purchasing or public improvement 341
contracting procedure. 342

Sec. 133.52. A county, municipal corporation, or township may 343
issue or incur public obligations, including general obligations, 344
to provide, or assist in providing, grants, loans, loan 345
guarantees, or contributions for conservation and revitalization 346
purposes pursuant to ~~Section~~ Sections 2o and 2g of Article VIII, 347
Ohio Constitution. 348

Sec. 151.01. (A) As used in sections 151.01 to 151.11 and 349
151.40 of the Revised Code and in the applicable bond proceedings 350
unless otherwise provided: 351

(1) "Bond proceedings" means the resolutions, orders, 352
agreements, and credit enhancement facilities, and amendments and 353
supplements to them, or any one or more or combination of them, 354
authorizing, awarding, or providing for the terms and conditions 355
applicable to or providing for the security or liquidity of, the 356
particular obligations, and the provisions contained in those 357
obligations. 358

(2) "Bond service fund" means the respective bond service 359
fund created by section 151.03, 151.04, 151.05, 151.06, 151.07, 360
151.08, 151.09, 151.10, 151.11, or 151.40 of the Revised Code, and 361
any accounts in that fund, including all moneys and investments, 362
and earnings from investments, credited and to be credited to that 363
fund and accounts as and to the extent provided in the applicable 364

bond proceedings. 365

(3) "Capital facilities" means capital facilities or projects 366
as referred to in section 151.03, 151.04, 151.05, 151.06, 151.07, 367
151.08, 151.09, 151.10, 151.11, or 151.40 of the Revised Code. 368

(4) "Costs of capital facilities" means the costs of 369
acquiring, constructing, reconstructing, rehabilitating, 370
remodeling, renovating, enlarging, improving, equipping, or 371
furnishing capital facilities, and of the financing of those 372
costs. "Costs of capital facilities" includes, without limitation, 373
and in addition to costs referred to in section 151.03, 151.04, 374
151.05, 151.06, 151.07, 151.08, 151.09, 151.10, 151.11, or 151.40 375
of the Revised Code, the cost of clearance and preparation of the 376
site and of any land to be used in connection with capital 377
facilities, the cost of any indemnity and surety bonds and 378
premiums on insurance, all related direct administrative expenses 379
and allocable portions of direct costs of the issuing authority, 380
costs of engineering and architectural services, designs, plans, 381
specifications, surveys, and estimates of cost, financing costs, 382
interest on obligations from their date to the time when interest 383
is to be paid from sources other than proceeds of obligations, 384
amounts necessary to establish any reserves as required by the 385
bond proceedings, the reimbursement of all moneys advanced or 386
applied by or borrowed from any person or governmental agency or 387
entity for the payment of any item of costs of capital facilities, 388
and all other expenses necessary or incident to planning or 389
determining feasibility or practicability with respect to capital 390
facilities, and such other expenses as may be necessary or 391
incident to the acquisition, construction, reconstruction, 392
rehabilitation, remodeling, renovation, enlargement, improvement, 393
equipment, and furnishing of capital facilities, the financing of 394
those costs, and the placing of the capital facilities in use and 395
operation, including any one, part of, or combination of those 396

classes of costs and expenses. For purposes of sections 122.085 to 397
122.0820 of the Revised Code, "costs of capital facilities" 398
includes "allowable costs" as defined in section 122.085 of the 399
Revised Code. 400

(5) "Credit enhancement facilities," "financing costs," and 401
"interest" or "interest equivalent" have the same meanings as in 402
section 133.01 of the Revised Code. 403

(6) "Debt service" means principal, including any mandatory 404
sinking fund or redemption requirements for retirement of 405
obligations, interest and other accreted amounts, interest 406
equivalent, and any redemption premium, payable on obligations. If 407
not prohibited by the applicable bond proceedings, debt service 408
may include costs relating to credit enhancement facilities that 409
are related to and represent, or are intended to provide a source 410
of payment of or limitation on, other debt service. 411

(7) "Issuing authority" means the Ohio public facilities 412
commission created in section 151.02 of the Revised Code for 413
obligations issued under section 151.03, 151.04, 151.05, 151.07, 414
151.08, 151.09, 151.10, or 151.11 of the Revised Code, or the 415
treasurer of state, or the officer who by law performs the 416
functions of that office, for obligations issued under section 417
151.06 or 151.40 of the Revised Code. 418

(8) "Net proceeds" means amounts received from the sale of 419
obligations, excluding amounts used to refund or retire 420
outstanding obligations, amounts required to be deposited into 421
special funds pursuant to the applicable bond proceedings, and 422
amounts to be used to pay financing costs. 423

(9) "Obligations" means bonds, notes, or other evidences of 424
obligation of the state, including any appertaining interest 425
coupons, issued under Section 2k, 2l, 2m, 2n, 2o, 2p, 2q, or 15 of 426
Article VIII, Ohio Constitution, and pursuant to sections 151.01 427

to 151.11 or 151.40 of the Revised Code or other general assembly 428
authorization. 429

(10) "Principal amount" means the aggregate of the amount as 430
stated or provided for in the applicable bond proceedings as the 431
amount on which interest or interest equivalent on particular 432
obligations is initially calculated. Principal amount does not 433
include any premium paid to the state by the initial purchaser of 434
the obligations. "Principal amount" of a capital appreciation 435
bond, as defined in division (C) of section 3334.01 of the Revised 436
Code, means its face amount, and "principal amount" of a zero 437
coupon bond, as defined in division (J) of section 3334.01 of the 438
Revised Code, means the discounted offering price at which the 439
bond is initially sold to the public, disregarding any purchase 440
price discount to the original purchaser, if provided for pursuant 441
to the bond proceedings. 442

(11) "Special funds" or "funds," unless the context indicates 443
otherwise, means the bond service fund, and any other funds, 444
including any reserve funds, created under the bond proceedings 445
and stated to be special funds in those proceedings, including 446
moneys and investments, and earnings from investments, credited 447
and to be credited to the particular fund. Special funds do not 448
include the school building program assistance fund created by 449
section 3318.25 of the Revised Code, the higher education 450
improvement fund created by division (F) of section 154.21 of the 451
Revised Code, the highway capital improvement bond fund created by 452
section 5528.53 of the Revised Code, the state parks and natural 453
resources fund created by section 1557.02 of the Revised Code, the 454
coal research and development fund created by section 1555.15 of 455
the Revised Code, the clean Ohio conservation fund created by 456
section 164.27 of the Revised Code, the clean Ohio revitalization 457
fund created by section 122.658 of the Revised Code, the job ready 458
site development fund created by section 122.0820 of the Revised 459

Code, the third frontier research and development fund created by 460
section 184.19 of the Revised Code, the third frontier research 461
and development taxable bond fund created by section 184.191 of 462
the Revised Code, or other funds created by the bond proceedings 463
that are not stated by those proceedings to be special funds. 464

(B) Subject to Section 2l, 2m, 2n, 2o, 2p, 2q, or 15, and 465
Section 17, of Article VIII, Ohio Constitution, the state, by the 466
issuing authority, is authorized to issue and sell, as provided in 467
sections 151.03 to 151.11 or 151.40 of the Revised Code, and in 468
respective aggregate principal amounts as from time to time 469
provided or authorized by the general assembly, general 470
obligations of this state for the purpose of paying costs of 471
capital facilities or projects identified by or pursuant to 472
general assembly action. 473

(C) Each issue of obligations shall be authorized by 474
resolution or order of the issuing authority. The bond proceedings 475
shall provide for or authorize the manner for determining the 476
principal amount or maximum principal amount of obligations of an 477
issue, the principal maturity or maturities, the interest rate or 478
rates, the date of and the dates of payment of interest on the 479
obligations, their denominations, and the place or places of 480
payment of debt service which may be within or outside the state. 481
Unless otherwise provided by law, the latest principal maturity 482
may not be later than the earlier of the thirty-first day of 483
December of the twenty-fifth calendar year after the year of 484
issuance of the particular obligations or of the twenty-fifth 485
calendar year after the year in which the original obligation to 486
pay was issued or entered into. Sections 9.96, 9.98, 9.981, 9.982, 487
and 9.983 of the Revised Code apply to obligations. The purpose of 488
the obligations may be stated in the bond proceedings in general 489
terms, such as, as applicable, "financing or assisting in the 490
financing of projects as provided in Section 2l of Article VIII, 491

Ohio Constitution," "financing or assisting in the financing of 492
highway capital improvement projects as provided in Section 2m of 493
Article VIII, Ohio Constitution," "paying costs of capital 494
facilities for a system of common schools throughout the state as 495
authorized by Section 2n of Article VIII, Ohio Constitution," 496
"paying costs of capital facilities for state-supported and 497
state-assisted institutions of higher education as authorized by 498
Section 2n of Article VIII, Ohio Constitution," "paying costs of 499
coal research and development as authorized by Section 15 of 500
Article VIII, Ohio Constitution," "financing or assisting in the 501
financing of local subdivision capital improvement projects as 502
authorized by Section 2m of Article VIII, Ohio Constitution," 503
"paying costs of conservation projects as authorized by ~~Section~~ 504
Sections 2o and 2q of Article VIII, Ohio Constitution," "paying 505
costs of revitalization projects as authorized by ~~Section~~ Sections 506
2o and 2q of Article VIII, Ohio Constitution," "paying costs of 507
preparing sites for industry, commerce, distribution, or research 508
and development as authorized by Section 2p of Article VIII, Ohio 509
Constitution," or "paying costs of research and development as 510
authorized by Section 2p of Article VIII, Ohio Constitution." 511

(D) The issuing authority may appoint or provide for the 512
appointment of paying agents, bond registrars, securities 513
depositories, clearing corporations, and transfer agents, and may 514
without need for any other approval retain or contract for the 515
services of underwriters, investment bankers, financial advisers, 516
accounting experts, marketing, remarketing, indexing, and 517
administrative agents, other consultants, and independent 518
contractors, including printing services, as are necessary in the 519
judgment of the issuing authority to carry out the issuing 520
authority's functions under this chapter. When the issuing 521
authority is the Ohio public facilities commission, the issuing 522
authority also may without need for any other approval retain or 523
contract for the services of attorneys and other professionals for 524

that purpose. Financing costs are payable, as may be provided in 525
the bond proceedings, from the proceeds of the obligations, from 526
special funds, or from other moneys available for the purpose. 527

(E) The bond proceedings may contain additional provisions 528
customary or appropriate to the financing or to the obligations or 529
to particular obligations including, but not limited to, 530
provisions for: 531

(1) The redemption of obligations prior to maturity at the 532
option of the state or of the holder or upon the occurrence of 533
certain conditions, and at particular price or prices and under 534
particular terms and conditions; 535

(2) The form of and other terms of the obligations; 536

(3) The establishment, deposit, investment, and application 537
of special funds, and the safeguarding of moneys on hand or on 538
deposit, in lieu of the applicability of provisions of Chapter 539
131. or 135. of the Revised Code, but subject to any special 540
provisions of sections 151.01 to 151.11 or 151.40 of the Revised 541
Code with respect to the application of particular funds or 542
moneys. Any financial institution that acts as a depository of any 543
moneys in special funds or other funds under the bond proceedings 544
may furnish indemnifying bonds or pledge securities as required by 545
the issuing authority. 546

(4) Any or every provision of the bond proceedings being 547
binding upon the issuing authority and upon such governmental 548
agency or entity, officer, board, commission, authority, agency, 549
department, institution, district, or other person or body as may 550
from time to time be authorized to take actions as may be 551
necessary to perform all or any part of the duty required by the 552
provision; 553

(5) The maintenance of each pledge or instrument comprising 554
part of the bond proceedings until the state has fully paid or 555

provided for the payment of the debt service on the obligations or 556
met other stated conditions; 557

(6) In the event of default in any payments required to be 558
made by the bond proceedings, or by any other agreement of the 559
issuing authority made as part of a contract under which the 560
obligations were issued or secured, including a credit enhancement 561
facility, the enforcement of those payments by mandamus, a suit in 562
equity, an action at law, or any combination of those remedial 563
actions; 564

(7) The rights and remedies of the holders or owners of 565
obligations or of book-entry interests in them, and of third 566
parties under any credit enhancement facility, and provisions for 567
protecting and enforcing those rights and remedies, including 568
limitations on rights of individual holders or owners; 569

(8) The replacement of mutilated, destroyed, lost, or stolen 570
obligations; 571

(9) The funding, refunding, or advance refunding, or other 572
provision for payment, of obligations that will then no longer be 573
outstanding for purposes of this section or of the applicable bond 574
proceedings; 575

(10) Amendment of the bond proceedings; 576

(11) Any other or additional agreements with the owners of 577
obligations, and such other provisions as the issuing authority 578
determines, including limitations, conditions, or qualifications, 579
relating to any of the foregoing. 580

(F) The great seal of the state or a facsimile of it may be 581
affixed to or printed on the obligations. The obligations 582
requiring execution by or for the issuing authority shall be 583
signed as provided in the bond proceedings. Any obligations may be 584
signed by the individual who on the date of execution is the 585
authorized signer although on the date of these obligations that 586

individual is not an authorized signer. In case the individual 587
whose signature or facsimile signature appears on any obligation 588
ceases to be an authorized signer before delivery of the 589
obligation, that signature or facsimile is nevertheless valid and 590
sufficient for all purposes as if that individual had remained the 591
authorized signer until delivery. 592

(G) Obligations are investment securities under Chapter 1308. 593
of the Revised Code. Obligations may be issued in bearer or in 594
registered form, registrable as to principal alone or as to both 595
principal and interest, or both, or in certificated or 596
uncertificated form, as the issuing authority determines. 597
Provision may be made for the exchange, conversion, or transfer of 598
obligations and for reasonable charges for registration, exchange, 599
conversion, and transfer. Pending preparation of final 600
obligations, the issuing authority may provide for the issuance of 601
interim instruments to be exchanged for the final obligations. 602

(H) Obligations may be sold at public sale or at private 603
sale, in such manner, and at such price at, above or below par, 604
all as determined by and provided by the issuing authority in the 605
bond proceedings. 606

(I) Except to the extent that rights are restricted by the 607
bond proceedings, any owner of obligations or provider of a credit 608
enhancement facility may by any suitable form of legal proceedings 609
protect and enforce any rights relating to obligations or that 610
facility under the laws of this state or granted by the bond 611
proceedings. Those rights include the right to compel the 612
performance of all applicable duties of the issuing authority and 613
the state. Each duty of the issuing authority and that authority's 614
officers, staff, and employees, and of each state entity or 615
agency, or using district or using institution, and its officers, 616
members, staff, or employees, undertaken pursuant to the bond 617
proceedings, is hereby established as a duty of the entity or 618

individual having authority to perform that duty, specifically 619
enjoined by law and resulting from an office, trust, or station 620
within the meaning of section 2731.01 of the Revised Code. The 621
individuals who are from time to time the issuing authority, 622
members or officers of the issuing authority, or those members' 623
designees acting pursuant to section 151.02 of the Revised Code, 624
or the issuing authority's officers, staff, or employees, are not 625
liable in their personal capacities on any obligations or 626
otherwise under the bond proceedings. 627

(J)(1) Subject to Section 2k, 2l, 2m, 2n, 2o, 2p, 2q, or 15, 628
and Section 17, of Article VIII, Ohio Constitution and sections 629
151.01 to 151.11 or 151.40 of the Revised Code, the issuing 630
authority may, in addition to the authority referred to in 631
division (B) of this section, authorize and provide for the 632
issuance of: 633

(a) Obligations in the form of bond anticipation notes, and 634
may provide for the renewal of those notes from time to time by 635
the issuance of new notes. The holders of notes or appertaining 636
interest coupons have the right to have debt service on those 637
notes paid solely from the moneys and special funds that are or 638
may be pledged to that payment, including the proceeds of bonds or 639
renewal notes or both, as the issuing authority provides in the 640
bond proceedings authorizing the notes. Notes may be additionally 641
secured by covenants of the issuing authority to the effect that 642
the issuing authority and the state will do all things necessary 643
for the issuance of bonds or renewal notes in such principal 644
amount and upon such terms as may be necessary to provide moneys 645
to pay when due the debt service on the notes, and apply their 646
proceeds to the extent necessary, to make full and timely payment 647
of debt service on the notes as provided in the applicable bond 648
proceedings. In the bond proceedings authorizing the issuance of 649
bond anticipation notes the issuing authority shall set forth for 650

the bonds anticipated an estimated schedule of annual principal 651
payments the latest of which shall be no later than provided in 652
division (C) of this section. While the notes are outstanding 653
there shall be deposited, as shall be provided in the bond 654
proceedings for those notes, from the sources authorized for 655
payment of debt service on the bonds, amounts sufficient to pay 656
the principal of the bonds anticipated as set forth in that 657
estimated schedule during the time the notes are outstanding, 658
which amounts shall be used solely to pay the principal of those 659
notes or of the bonds anticipated. 660

(b) Obligations for the refunding, including funding and 661
retirement, and advance refunding with or without payment or 662
redemption prior to maturity, of any obligations previously 663
issued. Refunding obligations may be issued in amounts sufficient 664
to pay or to provide for repayment of the principal amount, 665
including principal amounts maturing prior to the redemption of 666
the remaining prior obligations, any redemption premium, and 667
interest accrued or to accrue to the maturity or redemption date 668
or dates, payable on the prior obligations, and related financing 669
costs and any expenses incurred or to be incurred in connection 670
with that issuance and refunding. Subject to the applicable bond 671
proceedings, the portion of the proceeds of the sale of refunding 672
obligations issued under division (J)(1)(b) of this section to be 673
applied to debt service on the prior obligations shall be credited 674
to an appropriate separate account in the bond service fund and 675
held in trust for the purpose by the issuing authority or by a 676
corporate trustee. Obligations authorized under this division 677
shall be considered to be issued for those purposes for which the 678
prior obligations were issued. 679

(2) Except as otherwise provided in sections 151.01 to 151.11 680
or 151.40 of the Revised Code, bonds or notes authorized pursuant 681
to division (J) of this section are subject to the provisions of 682

those sections pertaining to obligations generally. 683

(3) The principal amount of refunding or renewal obligations 684
issued pursuant to division (J) of this section shall be in 685
addition to the amount authorized by the general assembly as 686
referred to in division (B) of the following sections: section 687
151.03, 151.04, 151.05, 151.06, 151.07, 151.08, 151.09, 151.10, 688
151.11, or 151.40 of the Revised Code. 689

(K) Obligations are lawful investments for banks, savings and 690
loan associations, credit union share guaranty corporations, trust 691
companies, trustees, fiduciaries, insurance companies, including 692
domestic for life and domestic not for life, trustees or other 693
officers having charge of sinking and bond retirement or other 694
special funds of the state and political subdivisions and taxing 695
districts of this state, the sinking fund, the administrator of 696
workers' compensation subject to the approval of the workers' 697
compensation board, the state teachers retirement system, the 698
public employees retirement system, the school employees 699
retirement system, and the Ohio police and fire pension fund, 700
notwithstanding any other provisions of the Revised Code or rules 701
adopted pursuant to those provisions by any state agency with 702
respect to investments by them, and are also acceptable as 703
security for the repayment of the deposit of public moneys. The 704
exemptions from taxation in Ohio as provided for in particular 705
sections of the Ohio Constitution and section 5709.76 of the 706
Revised Code apply to the obligations. 707

(L)(1) Unless otherwise provided or provided for in any 708
applicable bond proceedings, moneys to the credit of or in a 709
special fund shall be disbursed on the order of the issuing 710
authority. No such order is required for the payment, from the 711
bond service fund or other special fund, when due of debt service 712
or required payments under credit enhancement facilities. 713

(2) Payments received by the state under interest rate hedges 714

entered into as credit enhancement facilities under this chapter 715
shall be deposited to the credit of the bond service fund for the 716
obligations to which those credit enhancement facilities relate. 717

(M) The full faith and credit, revenue, and taxing power of 718
the state are and shall be pledged to the timely payment of debt 719
service on outstanding obligations as it comes due, all in 720
accordance with Section 2k, 2l, 2m, 2n, 2o, 2p, 2q, or 15 of 721
Article VIII, Ohio Constitution, and section 151.03, 151.04, 722
151.05, 151.06, 151.07, 151.08, 151.09, 151.10, or 151.11 of the 723
Revised Code. Moneys referred to in Section 5a of Article XII, 724
Ohio Constitution, may not be pledged or used for the payment of 725
debt service except on obligations referred to in section 151.06 726
of the Revised Code. Net state lottery proceeds, as provided for 727
and referred to in section 3770.06 of the Revised Code, may not be 728
pledged or used for the payment of debt service except on 729
obligations referred to in section 151.03 of the Revised Code. The 730
state covenants, and that covenant shall be controlling 731
notwithstanding any other provision of law, that the state and the 732
applicable officers and agencies of the state, including the 733
general assembly, shall, so long as any obligations are 734
outstanding in accordance with their terms, maintain statutory 735
authority for and cause to be levied, collected and applied 736
sufficient pledged excises, taxes, and revenues of the state so 737
that the revenues shall be sufficient in amounts to pay debt 738
service when due, to establish and maintain any reserves and other 739
requirements, and to pay financing costs, including costs of or 740
relating to credit enhancement facilities, all as provided for in 741
the bond proceedings. Those excises, taxes, and revenues are and 742
shall be deemed to be levied and collected, in addition to the 743
purposes otherwise provided for by law, to provide for the payment 744
of debt service and financing costs in accordance with sections 745
151.01 to 151.11 of the Revised Code and the bond proceedings. 746

(N) The general assembly may from time to time repeal or 747
reduce any excise, tax, or other source of revenue pledged to the 748
payment of the debt service pursuant to Section 2k, 2l, 2m, 2n, 749
2o, 2p, 2q, or 15 of Article VIII, Ohio Constitution, and sections 750
151.01 to 151.11 or 151.40 of the Revised Code, and may levy, 751
collect and apply any new or increased excise, tax, or revenue to 752
meet the pledge, to the payment of debt service on outstanding 753
obligations, of the state's full faith and credit, revenue and 754
taxing power, or of designated revenues and receipts, except fees, 755
excises or taxes referred to in Section 5a of Article XII, Ohio 756
Constitution, for other than obligations referred to in section 757
151.06 of the Revised Code and except net state lottery proceeds 758
for other than obligations referred to in section 151.03 of the 759
Revised Code. Nothing in division (N) of this section authorizes 760
any impairment of the obligation of this state to levy and collect 761
sufficient excises, taxes, and revenues to pay debt service on 762
obligations outstanding in accordance with their terms. 763

(O) Each bond service fund is a trust fund and is hereby 764
pledged to the payment of debt service on the applicable 765
obligations. Payment of that debt service shall be made or 766
provided for by the issuing authority in accordance with the bond 767
proceedings without necessity for any act of appropriation. The 768
bond proceedings may provide for the establishment of separate 769
accounts in the bond service fund and for the application of those 770
accounts only to debt service on specific obligations, and for 771
other accounts in the bond service fund within the general 772
purposes of that fund. 773

(P) Subject to the bond proceedings pertaining to any 774
obligations then outstanding in accordance with their terms, the 775
issuing authority may in the bond proceedings pledge all, or such 776
portion as the issuing authority determines, of the moneys in the 777
bond service fund to the payment of debt service on particular 778

obligations, and for the establishment and maintenance of any 779
reserves for payment of particular debt service. 780

(Q) The issuing authority shall by the fifteenth day of July 781
of each fiscal year, certify or cause to be certified to the 782
office of budget and management the total amount of moneys 783
required during the current fiscal year to meet in full all debt 784
service on the respective obligations and any related financing 785
costs payable from the applicable bond service fund and not from 786
the proceeds of refunding or renewal obligations. The issuing 787
authority shall make or cause to be made supplemental 788
certifications to the office of budget and management for each 789
debt service payment date and at such other times during each 790
fiscal year as may be provided in the bond proceedings or 791
requested by that office. Debt service, costs of credit 792
enhancement facilities, and other financing costs shall be set 793
forth separately in each certification. If and so long as the 794
moneys to the credit of the bond service fund, together with any 795
other moneys available for the purpose, are insufficient to meet 796
in full all payments when due of the amount required as stated in 797
the certificate or otherwise, the office of budget and management 798
shall at the times as provided in the bond proceedings, and 799
consistent with any particular provisions in sections 151.03 to 800
151.11 and 151.40 of the Revised Code, transfer a sufficient 801
amount to the bond service fund from the pledged revenues in the 802
case of obligations issued pursuant to section 151.40 of the 803
Revised Code, and in the case of other obligations from the 804
revenues derived from excises, taxes, and other revenues, 805
including net state lottery proceeds in the case of obligations 806
referred to in section 151.03 of the Revised Code. 807

(R) Unless otherwise provided in any applicable bond 808
proceedings, moneys to the credit of special funds may be invested 809
by or on behalf of the state only in one or more of the following: 810

(1) Notes, bonds, or other direct obligations of the United States or of any agency or instrumentality of the United States, or in no-front-end-load money market mutual funds consisting exclusively of those obligations, or in repurchase agreements, including those issued by any fiduciary, secured by those obligations, or in collective investment funds consisting exclusively of those obligations;

(2) Obligations of this state or any political subdivision of this state;

(3) Certificates of deposit of any national bank located in this state and any bank, as defined in section 1101.01 of the Revised Code, subject to inspection by the superintendent of financial institutions;

(4) The treasurer of state's pooled investment program under section 135.45 of the Revised Code.

The income from investments referred to in division (R) of this section shall, unless otherwise provided in sections 151.01 to 151.11 or 151.40 of the Revised Code, be credited to special funds or otherwise as the issuing authority determines in the bond proceedings. Those investments may be sold or exchanged at times as the issuing authority determines, provides for, or authorizes.

(S) The treasurer of state shall have responsibility for keeping records, making reports, and making payments, relating to any arbitrage rebate requirements under the applicable bond proceedings.

Sec. 151.09. (A) As used in this section:

(1) "Costs of conservation projects" includes related direct administrative expenses and allocable portions of the direct costs of those projects of the department of agriculture, the department of natural resources, or the Ohio public works commission.

(2) "Obligations" means obligations as defined in section 841
151.01 of the Revised Code issued to pay costs of projects for 842
conservation purposes as referred to in division (A)(1) of Section 843
2o of Article VIII, Ohio Constitution and division (A)(1) of 844
Section 2q of Article VIII, Ohio Constitution. 845

(B)(1) The issuing authority shall issue general obligations 846
of the state to pay costs of conservation projects pursuant to 847
division (B)(1) of Section 2o of Article VIII, Ohio Constitution, 848
division (B)(1) of Section 2q of Article VIII, Ohio Constitution, 849
section 151.01 of the Revised Code, and this section. The issuing 850
authority, upon the certification to it by the Ohio public works 851
commission of amounts needed in and for the purposes of the clean 852
Ohio conservation fund created by section 164.27 of the Revised 853
Code, the clean Ohio agricultural easement fund created by section 854
901.21 of the Revised Code, and the clean Ohio trail fund created 855
by section 1519.05 of the Revised Code, shall issue obligations in 856
the amount determined by the issuing authority to be required for 857
those purposes. Not more than ~~two~~ four hundred million dollars 858
principal amount of obligations issued under this section for 859
conservation purposes may be outstanding at any one time. Not more 860
than fifty million dollars principal amount of obligations, plus 861
the principal amount of obligations that in any prior fiscal year 862
could have been, but were not issued within the 863
fifty-million-dollar fiscal year limit, may be issued in any 864
fiscal year. 865

(2) In making the certification required under division 866
(B)(1) of this section, the Ohio public works commission shall 867
consult with the department of agriculture and the department of 868
natural resources. The commission shall certify amounts that 869
correspond to the distribution of the net proceeds of obligations 870
provided in division (C) of this section. 871

(C) Net proceeds of obligations shall be deposited as 872

follows:	873
(1) Seventy-five per cent into the clean Ohio conservation fund created by section 164.27 of the Revised Code;	874 875
(2) Twelve and one-half per cent into the clean Ohio agricultural easement fund created by section 901.21 of the Revised Code;	876 877 878
(3) Twelve and one-half per cent into the clean Ohio trail fund created by section 1519.05 of the Revised Code.	879 880
(D) There is hereby created in the state treasury the conservation projects bond service fund. All moneys received by the state and required by the bond proceedings, consistent with section 151.01 of the Revised Code and this section, to be deposited, transferred, or credited to the bond service fund, and all other moneys transferred or allocated to or received for the purposes of that fund, shall be deposited and credited to the bond service fund, subject to any applicable provisions of the bond proceedings, but without necessity for any act of appropriation. During the period beginning with the date of the first issuance of obligations and continuing during the time that any obligations are outstanding in accordance with their terms, so long as moneys in the bond service fund are insufficient to pay debt service when due on those obligations payable from that fund, except the principal amounts of bond anticipation notes payable from the proceeds of renewal notes or bonds anticipated, and due in the particular fiscal year, a sufficient amount of revenues of the state is committed and, without necessity for further act of appropriation, shall be paid to the bond service fund for the purpose of paying that debt service when due.	881 882 883 884 885 886 887 888 889 890 891 892 893 894 895 896 897 898 899 900
Sec. 151.40. (A) As used in this section:	901
(1) "Bond proceedings" includes any trust agreements, and any	902

amendments or supplements to them, as authorized by this section. 903

(2) "Costs of revitalization projects" includes related 904
direct administrative expenses and allocable portions of the 905
direct costs of those projects of the department of development or 906
the environmental protection agency. 907

(3) "Issuing authority" means the treasurer of state. 908

(4) "Obligations" means obligations as defined in section 909
151.01 of the Revised Code issued to pay the costs of projects for 910
revitalization purposes as referred to in division (A)(2) of 911
Section 2o of Article VIII, Ohio Constitution and division (A)(2) 912
of Section 2q of Article VIII, Ohio Constitution. 913

(5) "Pledged liquor profits" means all receipts of the state 914
representing the gross profit on the sale of spirituous liquor, as 915
referred to in division (B)(4) of section 4301.10 of the Revised 916
Code, after paying all costs and expenses of the division of 917
liquor control and providing an adequate working capital reserve 918
for the division of liquor control as provided in that division, 919
but excluding the sum required by the second paragraph of section 920
4301.12 of the Revised Code, as it was in effect on May 2, 1980, 921
to be paid into the state treasury. 922

(6) "Pledged receipts" means, as and to the extent provided 923
in bond proceedings: 924

(a) Pledged liquor profits. The pledge of pledged liquor 925
profits to obligations is subject to the priority of the pledge of 926
those profits to obligations issued and to be issued pursuant to 927
Chapter 166. of the Revised Code. 928

(b) Moneys accruing to the state from the lease, sale, or 929
other disposition or use of revitalization projects or from the 930
repayment, including any interest, of loans or advances made from 931
net proceeds; 932

(c) Accrued interest received from the sale of obligations;	933
(d) Income from the investment of the special funds;	934
(e) Any gifts, grants, donations, or pledges, and receipts therefrom, available for the payment of debt service;	935 936
(f) Additional or any other specific revenues or receipts lawfully available to be pledged, and pledged, pursuant to further authorization by the general assembly, to the payment of debt service.	937 938 939 940
(B)(1) The issuing authority shall issue obligations of the state to pay costs of revitalization projects pursuant to division (B)(2) of Section 2o of Article VIII, Ohio Constitution, <u>division (B)(2) of Section 2q of Article VIII, Ohio Constitution</u> , section 151.01 of the Revised Code as applicable to this section, and this section. The issuing authority, upon the certification to it by the clean Ohio council of the amount of moneys needed in and for the purposes of the clean Ohio revitalization fund created by section 122.658 of the Revised Code, shall issue obligations in the amount determined by the issuing authority to be required for those purposes. Not more than two <u>four</u> hundred million dollars principal amount of obligations issued under this section for revitalization purposes may be outstanding at any one time. Not more than fifty million dollars principal amount of obligations, plus the principal amount of obligations that in any prior fiscal year could have been, but were not issued within the fifty-million-dollar fiscal year limit, may be issued in any fiscal year.	941 942 943 944 945 946 947 948 949 950 951 952 953 954 955 956 957 958
(2) The provisions and authorizations in section 151.01 of the Revised Code apply to the obligations and the bond proceedings except as otherwise provided or provided for in those obligations and bond proceedings.	959 960 961 962
(C) Net proceeds of obligations shall be deposited in the	963

clean Ohio revitalization fund created in section 122.658 of the Revised Code. 964
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(D) There is hereby created the revitalization projects bond service fund, which shall be in the custody of the treasurer of state, but shall be separate and apart from and not a part of the state treasury. All money received by the state and required by the bond proceedings, consistent with section 151.01 of the Revised Code and this section, to be deposited, transferred, or credited to the bond service fund, and all other money transferred or allocated to or received for the purposes of that fund, shall be deposited and credited to the bond service fund, subject to any applicable provisions of the bond proceedings, but without necessity for any act of appropriation. During the period beginning with the date of the first issuance of obligations and continuing during the time that any obligations are outstanding in accordance with their terms, so long as moneys in the bond service fund are insufficient to pay debt service when due on those obligations payable from that fund, except the principal amounts of bond anticipation notes payable from the proceeds of renewal notes or bonds anticipated, and due in the particular fiscal year, a sufficient amount of pledged receipts is committed and, without necessity for further act of appropriation, shall be paid to the bond service fund for the purpose of paying that debt service when due. 966
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(E) The issuing authority may pledge all, or such portion as the issuing authority determines, of the pledged receipts to the payment of the debt service charges on obligations issued under this section, and for the establishment and maintenance of any reserves, as provided in the bond proceedings, and make other provisions in the bond proceedings with respect to pledged receipts as authorized by this section, which provisions are controlling notwithstanding any other provisions of law pertaining 988
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to them. 996

(F) The issuing authority may covenant in the bond 997
proceedings, and such covenants shall be controlling 998
notwithstanding any other provision of law, that the state and 999
applicable officers and state agencies, including the general 1000
assembly, so long as any obligations issued under this section are 1001
outstanding, shall maintain statutory authority for and cause to 1002
be charged and collected wholesale or retail prices for spirituous 1003
liquor sold by the state or its agents so that the available 1004
pledged receipts are sufficient in time and amount to meet debt 1005
service payable from pledged liquor profits and for the 1006
establishment and maintenance of any reserves and other 1007
requirements provided for in the bond proceedings. 1008

(G) Obligations may be further secured, as determined by the 1009
issuing authority, by a trust agreement between the state and a 1010
corporate trustee, which may be any trust company or bank having a 1011
place of business within the state. Any trust agreement may 1012
contain the resolution or order authorizing the issuance of the 1013
obligations, any provisions that may be contained in any bond 1014
proceedings, and other provisions that are customary or 1015
appropriate in an agreement of that type, including, but not 1016
limited to: 1017

(1) Maintenance of each pledge, trust agreement, or other 1018
instrument comprising part of the bond proceedings until the state 1019
has fully paid or provided for the payment of debt service on the 1020
obligations secured by it; 1021

(2) In the event of default in any payments required to be 1022
made by the bond proceedings, enforcement of those payments or 1023
agreements by mandamus, the appointment of a receiver, suit in 1024
equity, action at law, or any combination of them; 1025

(3) The rights and remedies of the holders or owners of 1026

obligations and of the trustee and provisions for protecting and 1027
enforcing them, including limitations on rights of individual 1028
holders and owners. 1029

(H) The obligations shall not be general obligations of the 1030
state and the full faith and credit, revenue, and taxing power of 1031
the state shall not be pledged to the payment of debt service on 1032
them. The holders or owners of the obligations shall have no right 1033
to have any moneys obligated or pledged for the payment of debt 1034
service except as provided in this section and in the applicable 1035
bond proceedings. The rights of the holders and owners to payment 1036
of debt service are limited to all or that portion of the pledged 1037
receipts, and those special funds, pledged to the payment of debt 1038
service pursuant to the bond proceedings in accordance with this 1039
section, and each obligation shall bear on its face a statement to 1040
that effect. 1041

Sec. 955.201. (A) As used in this section and in section 1042
955.202 of the Revised Code, "Ohio pet fund" means a nonprofit 1043
corporation organized by that name under Chapter 1702. of the 1044
Revised Code that consists of humane societies, veterinarians, 1045
animal shelters, companion animal breeders, dog wardens, and 1046
similar individuals and entities. 1047

(B) The Ohio pet fund shall do all of the following: 1048

(1) Establish eligibility criteria for organizations that may 1049
receive financial assistance from the ~~pets program funding board~~ 1050
~~created in section 955.202 of the Revised Code~~ Ohio pet fund. 1051
Those organizations may include any of the following: 1052

(a) An animal shelter as defined in section 4729.01 of the 1053
Revised Code; 1054

(b) A local nonprofit veterinary association that operates a 1055
program for the sterilization of dogs and cats; 1056

(c) A charitable organization that is exempt from federal 1057
income taxation under subsection 501(c)(3) of the Internal Revenue 1058
Code and the primary purpose of which is to support programs for 1059
the sterilization of dogs and cats and educational programs 1060
concerning the proper veterinary care of those animals. 1061

(2) Establish procedures for applying for financial 1062
assistance from the ~~pets program funding board~~ Ohio pet fund. 1063
Application procedures shall require eligible organizations to 1064
submit detailed proposals that outline the intended uses of the 1065
moneys sought. 1066

(3) Establish eligibility criteria for sterilization and 1067
educational programs for which moneys from the ~~pets program~~ 1068
~~funding board~~ Ohio pet fund may be used and, consistent with 1069
division (C) of this section, establish eligibility criteria for 1070
individuals who seek sterilization for their dogs and cats from 1071
eligible organizations; 1072

(4) Establish procedures for the disbursement of moneys the 1073
~~pets program funding board~~ Ohio pet fund receives from license 1074
plate contributions pursuant to division (C) of section 4503.551 1075
of the Revised Code; 1076

(5) Advertise or otherwise provide notification of the 1077
availability of financial assistance from the ~~pets program funding~~ 1078
~~board~~ Ohio pet fund for eligible organizations; 1079

(6) Design markings to be inscribed on "pets" license plates 1080
under section 4503.551 of the Revised Code. 1081

(C)(1) The owner of a dog or cat is eligible for dog or cat 1082
sterilization services from an eligible organization when those 1083
services are subsidized in whole or in part by money from the ~~pets~~ 1084
~~program funding board~~ Ohio pet fund if any of the following 1085
applies: 1086

(a) The income of the owner's family does not exceed one 1087

hundred fifty per cent of the federal poverty guideline. 1088

(b) The owner, or any member of the owner's family who 1089
resides with the owner, is a recipient or beneficiary of one of 1090
the following government assistance programs: 1091

(i) Low-income housing assistance under the "United States 1092
Housing Act of 1937," 42 U.S.C.A. 1437f, as amended, known as the 1093
federal section 8 housing program; 1094

(ii) The Ohio works first program established by Chapter 1095
5107. of the Revised Code; 1096

(iii) Title XIX of the "Social Security Act," 49 Stat. 620 1097
(1935), 42 U.S.C.A. 301, as amended, known as the medical 1098
assistance program or medicaid, provided by the department of job 1099
and family services under Chapter 5111. of the Revised Code; 1100

(iv) A program or law administered by the United States 1101
department of veterans' affairs or veterans' administration for 1102
any service-connected disability; 1103

(v) The food stamp program established under the "Food Stamp 1104
Act of 1977," 91 Stat. 958, 7 U.S.C.A. 2011, as amended, 1105
administered by the department of job and family services under 1106
section 5101.54 of the Revised Code; 1107

(vi) The "special supplemental nutrition program for women, 1108
infants, and children" established under the "Child Nutrition Act 1109
of 1966," 80 Stat. 885, 42 U.S.C. 1786, as amended, administered 1110
by the department of health under section 3701.132 of the Revised 1111
Code; 1112

(vii) Supplemental security income under Title XVI of the 1113
"Social Security Act," 86 Stat. 1475 (1972), 42 U.S.C.A. 1383, as 1114
amended; 1115

(viii) Social security disability insurance benefits provided 1116
under Title II of the "Social Security Act," 49 Stat. 620 (1935), 1117

42 U.S.C.A. 401, as amended. 1118

(c) The owner of the dog or cat submits to the eligible 1119
organization operating the sterilization program either of the 1120
following: 1121

(i) A certificate of adoption showing that the dog or cat was 1122
adopted from a licensed animal shelter, a municipal, county, or 1123
regional pound, or a holding and impoundment facility that 1124
contracts with a municipal corporation; 1125

(ii) A certificate of adoption showing that the dog or cat 1126
was adopted through a nonprofit corporation operating an animal 1127
adoption referral service whose holding facility, if any, is 1128
licensed in accordance with state law or a municipal ordinance. 1129

(2) The Ohio pet fund shall determine the type of documentary 1130
evidence that must be presented by the owner of a dog or cat to 1131
show that the income of the owner's family does not exceed one 1132
hundred fifty per cent of the federal poverty guideline or that 1133
the owner is eligible under division (C)(1)(b) of this section. 1134

(D) As used in division (C) of this section, "federal poverty 1135
guideline" means the official poverty guideline as revised 1136
annually by the United States department of health and human 1137
services in accordance with section 673(2) of the "Omnibus Budget 1138
Reconciliation Act of 1981," 95 Stat. 511, 42 U.S.C.A. 9902, as 1139
amended, for a family size equal to the size of the family of the 1140
person whose income is being determined. 1141

Sec. 1519.20. The director of natural resources may create an 1142
Ohio all-purpose vehicle advisory board for the purposes of 1143
providing advice and receiving input regarding all-purpose vehicle 1144
trails and trail maintenance. 1145

Sec. 1548.10. (A) The clerk of the court of common pleas 1146
shall charge a fee of five and retain fees as follows: 1147

(1) Fifteen dollars for each ~~memorandum certificate of title,~~ 1148
~~each non-negotiable evidence of ownership, and each duplicate copy~~ 1149
of a certificate of title. ~~The fees shall be retained by the clerk~~ 1150
shall retain that entire fee. 1151

~~In addition to those fees, the clerk shall charge a fee of~~ 1152
~~five~~ 1153

(2) Fifteen dollars for each certificate of title ~~and for~~ 1154
~~each, which shall include any~~ notation or indication of any lien 1155
or security interest on a certificate of title and any memorandum 1156
certificate of title or non-negotiable evidence of ownership 1157
requested at the time the certificate of title is issued. The 1158
clerk shall retain ~~two~~ ten dollars and fifty cents of ~~the that~~ fee 1159
~~charged for each certificate of title, and three dollars and fifty~~ 1160
~~cents of the fee charged for each notation or indication of any~~ 1161
~~lien or security interest.~~ 1162

(3) Five dollars for each certificate of title with no 1163
security interest noted that is issued to a licensed watercraft 1164
dealer for resale purposes. The clerk shall retain two dollars of 1165
that fee. 1166

(4) Five dollars for each memorandum certificate of title or 1167
non-negotiable evidence of ownership that is applied for 1168
separately. The clerk shall retain that entire fee. 1169

(B) The remaining fees charged for a certificate of title and 1170
the notation or indication of any lien or security interest on a 1171
certificate of title that are not retained by the clerk shall be 1172
paid to the chief of the division of watercraft by monthly 1173
returns, which shall be forwarded to the chief not later than the 1174
fifth day of the month next succeeding that in which the 1175
certificate is forwarded, or that in which the chief is notified 1176
of a lien or security interest or cancellation of a lien or 1177
security interest. 1178

The chief shall deposit one dollar of the amount the chief receives for each certificate of title in the automated title processing fund created in section 4505.09 of the Revised Code. Moneys deposited in that fund under this section shall be used for the purpose specified in division (B)(3)(b) of that section.

Sec. 1548.14. ~~(A) The chief of the division of watercraft, upon the application of any person and payment of the proper fees fee, may prepare and furnish title information in such form and subject to such territorial division or other classification as he the chief may direct. The chief may search the records of the division of watercraft and make furnish reports thereof, and make photographic copies of the division those records and attestations thereof under the signature of the chief. In addition, the registrar of motor vehicles and the clerk of the court of common pleas, upon the application of any person and payment of the proper fee, may prepare and furnish title information in such form and subject to such territorial division or other classification as the registrar or clerk may direct. The registrar and the clerk may search the records of the bureau of motor vehicles of certificates of title issued under this chapter and issue reports of those records under the signature of the registrar or clerk, as the case may be.~~

~~Fees therefor (B) A fee of two dollars shall be charged and collected as follows:~~

~~(A) For searches for each report of a search of the records and reports thereof, two dollars for each name, number, or fact reported on;~~

~~(B) For photographic copies of records and attestations thereof, furnished under the signature of the chief, two dollars per copy the registrar, or the clerk, except that on and after October 1, 2009, the fee shall be eight dollars per copy. A copy~~

of any such report 1210

Such ~~copies~~ shall be taken as prima-facie evidence of the 1211
facts therein stated in any court of the state. The chief, the 1212
registrar, and the clerk ~~of the court of common pleas~~ shall 1213
furnish information on any title without charge to state highway 1214
patrol troopers, sheriffs, or chiefs of police. 1215

(C)(1) Fees collected as provided in this section prior to 1216
October 1, 2009, shall be received by the chief, the registrar, or 1217
the clerk, as the case may be. The chief shall pay all such fees 1218
into the state treasury to the credit of the waterways safety fund 1219
established under section 1547.75 of the Revised Code after 1220
complying with section 1548.22 of the Revised Code, the registrar 1221
shall pay all such fees into the state treasury to the credit of 1222
the state bureau of motor vehicles fund established in section 1223
4501.25 of the Revised Code, and the clerk of the court of common 1224
pleas shall deposit all such fees into the certificate of title 1225
administration fund created by section 325.33 of the Revised Code. 1226

(2) On and after October 1, 2009, the following apply: 1227
1228

(a) Of the eight-dollar fee the chief collects under this 1229
section, the chief shall deposit two dollars into the state 1230
treasury to the credit of the waterways safety fund established 1231
under section 1547.75 of the Revised Code after complying with 1232
section 1548.22 of the Revised Code, one dollar and twenty-five 1233
cents into the state treasury to the credit of the trauma and 1234
emergency medical services fund established in section 4513.263 of 1235
the Revised Code, one dollar and twenty-five cents into the state 1236
treasury to the credit of the homeland security fund established 1237
under section 5502.03 of the Revised Code, seventy-five cents into 1238
the state treasury to the credit of the investigations fund 1239
established in section 5502.131 of the Revised Code, two dollars 1240
and twenty-five cents into the state treasury to the credit of the 1241

emergency management agency service and reimbursement fund 1242
established in section 5502.39 of the Revised Code, and fifty 1243
cents into the state treasury to the credit of the justice program 1244
services fund established in section 5502.67 of the Revised Code. 1245
1246

(b) The registrar shall deposit two dollars of each fee the 1247
registrar collects under this section into the state treasury to 1248
the credit of the state bureau of motor vehicles fund established 1249
in section 4501.25 of the Revised Code. Of the remaining six 1250
dollars of each such fee the registrar collects, the registrar 1251
shall deposit one dollar and twenty-five cents into the state 1252
treasury to the credit of the trauma and emergency medical 1253
services fund established in section 4513.263 of the Revised Code, 1254
one dollar and twenty-five cents into the state treasury to the 1255
credit of the homeland security fund established under section 1256
5502.03 of the Revised Code, seventy-five cents into the state 1257
treasury to the credit of the investigations fund established in 1258
section 5502.131 of the Revised Code, two dollars and twenty-five 1259
cents into the state treasury to the credit of the emergency 1260
management agency service and reimbursement fund established in 1261
section 5502.39 of the Revised Code, and fifty cents into the 1262
state treasury to the credit of the justice program services fund 1263
established in section 5502.67 of the Revised Code. 1264

(c) The clerk of the court of common pleas shall deposit two 1265
dollars of each fee the clerk collects under this section into the 1266
certificate of title administration fund created by section 325.33 1267
of the Revised Code. The clerk shall forward the remaining six 1268
dollars to the registrar not later than the fifth day of the month 1269
next succeeding that in which the transaction occurred. Of that 1270
remaining six dollars, the registrar shall deposit one dollar and 1271
twenty-five cents into the state treasury to the credit of the 1272
trauma and emergency medical services fund established in section 1273

4513.263 of the Revised Code, one dollar and twenty-five cents 1274
into the state treasury to the credit of the homeland security 1275
fund established under section 5502.03 of the Revised Code, 1276
seventy-five cents into the state treasury to the credit of the 1277
investigations fund established in section 5502.131 of the Revised 1278
Code, two dollars and twenty-five cents into the state treasury to 1279
the credit of the emergency management agency service and 1280
reimbursement fund established in section 5502.39 of the Revised 1281
Code, and fifty cents into the state treasury to the credit of the 1282
justice program services fund established in section 5502.67 of 1283
the Revised Code. 1284

Sec. 1751.53. (A) As used in this section: 1285

(1) "Group contract" means a group health insuring 1286
corporation contract covering employees that meets either of the 1287
following conditions: 1288

(a) The contract was issued by an entity that, on June 4, 1289
1997, holds a certificate of authority or license to operate under 1290
Chapter 1738. or 1742. of the Revised Code, and covers an employee 1291
at the time the employee's employment is terminated. 1292

(b) The contract is delivered, issued for delivery, or 1293
renewed in this state after June 4, 1997, and covers an employee 1294
at the time the employee's employment is terminated. 1295

(2) "Eligible employee" means an employee to whom all of the 1296
following apply: 1297

(a) The employee has been continuously covered under a group 1298
contract or under the contract and any prior similar group 1299
coverage replaced by the contract, during the entire three-month 1300
period preceding the termination of the employee's employment. 1301

~~(b) The employee is entitled, at the time of the termination~~ 1302
~~of this employment, to unemployment compensation benefits under~~ 1303

~~Chapter 4141. of the Revised Code~~ The employee's termination of 1304
employment is not a result of any gross misconduct on the part of 1305
the employee. 1306

(c) The employee is not, and does not become, covered by or 1307
eligible for coverage by medicare. 1308

(d) The employee is not, and does not become, covered by or 1309
eligible for coverage by any other insured or uninsured 1310
arrangement that provides hospital, surgical, or medical coverage 1311
for individuals in a group and under which the employee was not 1312
covered immediately prior to the termination of employment. A 1313
person eligible for continuation of coverage under this section, 1314
who is also eligible for coverage under section 3923.123 of the 1315
Revised Code, may elect either coverage, but not both. A person 1316
who elects continuation of coverage may elect any coverage 1317
available under section 3923.123 of the Revised Code upon the 1318
termination of the continuation of coverage. 1319

(3) "Termination of employment" includes both voluntary and 1320
involuntary termination of employment. 1321

(B) A group contract shall provide that any eligible employee 1322
may continue the coverage under the contract, for the employee and 1323
the employee's eligible dependents, for a period of ~~six~~ twelve 1324
months after the date that the group coverage would otherwise 1325
terminate by reason of the termination of the employee's 1326
employment. Each certificate of coverage issued to employees under 1327
the contract shall include a notice of the employee's privilege of 1328
continuation. 1329

(C) All of the following apply to the continuation of group 1330
coverage required under division (B) of this section: 1331

(1) Continuation need not include any supplemental health 1332
care services benefits or specialty health care services benefits 1333
provided by the group contract. 1334

(2) The employer shall notify the employee of the right of continuation at the time the employer notifies the employee of the termination of employment. The notice shall inform the employee of the amount of contribution required by the employer under division (C)(4) of this section.

(3) The employee shall file a written election of continuation with the employer and pay the employer the first contribution required under division (C)(4) of this section. The request and payment must be received by the employer no later than the earlier of any of the following dates:

(a) Thirty-one days after the date on which the employee's coverage would otherwise terminate;

(b) Ten days after the date on which the employee's coverage would otherwise terminate, if the employer has notified the employee of the right of continuation prior to this date;

(c) Ten days after the employer notifies the employee of the right of continuation, if the notice is given after the date on which the employee's coverage would otherwise terminate.

(4) The employee must pay to the employer, on a monthly basis, in advance, the amount of contribution required by the employer. The amount required shall not exceed the group rate for the insurance being continued under the policy on the due date of each payment.

(5) The employee's privilege to continue coverage and the coverage under any continuation ceases if any of the following occurs:

(a) The employee ceases to be an eligible employee under division (A)(2)(c) or (d) of this section;

(b) A period of ~~six~~ twelve months expires after the date that the employee's coverage under the group contract would otherwise

have terminated because of the termination of employment; 1365

(c) The employee fails to make a timely payment of a required 1366
contribution, in which event the coverage shall cease at the end 1367
of the coverage for which contributions were made; 1368

(d) The group contract is terminated, or the employer 1369
terminates participation under the contract, unless the employer 1370
replaces the coverage by similar coverage under another contract 1371
or other group health arrangement. If the employer replaces the 1372
contract with similar group health coverage, all of the following 1373
apply: 1374

(i) The member shall be covered under the replacement 1375
coverage, for the balance of the period that the member would have 1376
remained covered under the terminated coverage if it had not been 1377
terminated. 1378

(ii) The minimum level of benefits under the replacement 1379
coverage shall be the applicable level of benefits of the contract 1380
replaced reduced by any benefits payable under the contract 1381
replaced. 1382

(iii) The contract replaced shall continue to provide 1383
benefits to the extent of its accrued liabilities and extensions 1384
of benefits as if the replacement had not occurred. 1385

(D) This section does not apply to any group contract 1386
offering only supplemental health care services or specialty 1387
health care services. 1388

Sec. 2911.21. (A) No person, without privilege to do so, 1389
shall do any of the following: 1390

(1) Knowingly enter or remain on the land or premises of 1391
another; 1392

(2) Knowingly enter or remain on the land or premises of 1393
another, the use of which is lawfully restricted to certain 1394

persons, purposes, modes, or hours, when the offender knows the 1395
offender is in violation of any such restriction or is reckless in 1396
that regard; 1397

(3) Recklessly enter or remain on the land or premises of 1398
another, as to which notice against unauthorized access or 1399
presence is given by actual communication to the offender, or in a 1400
manner prescribed by law, or by posting in a manner reasonably 1401
calculated to come to the attention of potential intruders, or by 1402
fencing or other enclosure manifestly designed to restrict access; 1403

(4) Being on the land or premises of another, negligently 1404
fail or refuse to leave upon being notified by signage posted in a 1405
conspicuous place or otherwise being notified to do so by the 1406
owner or occupant, or the agent or servant of either. 1407

(B) It is no defense to a charge under this section that the 1408
land or premises involved was owned, controlled, or in custody of 1409
a public agency. 1410

(C) It is no defense to a charge under this section that the 1411
offender was authorized to enter or remain on the land or premises 1412
involved, when such authorization was secured by deception. 1413

(D)(1) Whoever violates this section is guilty of criminal 1414
trespass, a misdemeanor of the fourth degree. 1415

~~(E)(2) Notwithstanding section 2929.28 of the Revised Code,~~ 1416
~~if the person, in committing the violation of this section, used~~ 1417
~~an all-purpose vehicle, the court shall impose a fine of two times~~ 1418
~~the usual amount imposed for the violation.~~ 1419

(3) If an offender previously has been convicted of or 1420
pleaded guilty to two or more violations of this section or a 1421
substantially equivalent municipal ordinance, and the offender, in 1422
committing each violation, used an all-purpose vehicle, the court, 1423
in addition to or independent of all other penalties imposed for 1424
the violation, may impound the certificate of registration and 1425

license plate of that all-purpose vehicle for not less than sixty 1426
days. In such a case, section 4519.47 of the Revised Code applies. 1427

(E) Notwithstanding any provision of the Revised Code, if the 1428
offender, in committing the violation of this section, used an 1429
all-purpose vehicle, the clerk of the court shall pay the fine 1430
imposed pursuant to this section to the state recreational vehicle 1431
fund created by section 4519.11 of the Revised Code. 1432

(F) As used in this section,—"land: 1433

(1) "All-purpose vehicle" has the same meaning as in section 1434
4519.01 of the Revised Code. 1435

(2) "Land or premises" includes any land, building, 1436
structure, or place belonging to, controlled by, or in custody of 1437
another, and any separate enclosure or room, or portion thereof. 1438

Sec. 2949.094. (A) The court in which any person is convicted 1439
of or pleads guilty to any moving violation shall impose an 1440
additional court cost of ten dollars upon the offender. The court 1441
shall not waive the payment of the ten dollars unless the court 1442
determines that the offender is indigent and waives the payment of 1443
all court costs imposed upon the indigent offender. 1444

The clerk of the court shall transmit thirty-five per cent of 1445
all additional court costs collected pursuant to this division 1446
during a month on or before the twenty-third day of the following 1447
month to the ~~division of criminal justice services, and the~~ 1448
~~division of criminal justice services shall deposit the money so~~ 1449
~~transmitted into~~ state treasury of which ninety-seven per cent 1450
shall be credited to the drug law enforcement fund created under 1451
section 5502.68 of the Revised Code and the remaining three per 1452
cent shall be credited to the justice program services fund 1453
created under section 5502.67 of the Revised Code. The clerk shall 1454
transmit fifteen per cent of all additional court costs so 1455

collected during a month on or before the twenty-third day of the 1456
following month to the county or municipal indigent drivers 1457
alcohol treatment fund under the control of that court, as created 1458
by the county or municipal corporation under division (H) of 1459
section 4511.191 of the Revised Code. The clerk shall transmit 1460
fifty per cent of all additional court costs so collected during a 1461
month on or before the twenty-third day of the following month to 1462
the state treasury to be credited to the indigent defense support 1463
fund created pursuant to section 120.08 of the Revised Code. 1464

1465

(B) The juvenile court in which a child is found to be a 1466
juvenile traffic offender for an act that is a moving violation 1467
shall impose an additional court cost of ten dollars upon the 1468
juvenile traffic offender. The juvenile court shall not waive the 1469
payment of the ten dollars unless the court determines that the 1470
juvenile is indigent and waives the payment of all court costs 1471
imposed upon the indigent offender. 1472

The clerk of the court shall transmit thirty-five per cent of 1473
all additional court costs collected pursuant to this division 1474
during a month on or before the twenty-third day of the following 1475
month to the ~~division of criminal justice services, and the~~ 1476
~~division of criminal justice services shall deposit the money so~~ 1477
~~transmitted into~~ state treasury of which ninety-seven per cent 1478
shall be credited to the drug law enforcement fund created under 1479
section 5502.68 of the Revised Code and the remaining three per 1480
cent shall be credited to the justice program services fund 1481
created under section 5502.67 of the Revised Code. The clerk shall 1482
transmit fifteen per cent of all additional court costs so 1483
collected during a month on or before the twenty-third day of the 1484
following month to the county juvenile indigent drivers alcohol 1485
treatment fund under the control of that court, as created by the 1486
county under division (H) of section 4511.191 of the Revised Code. 1487

The clerk shall transmit fifty per cent of all additional court costs so collected during a month on or before the twenty-third day of the following month to the state treasury to be credited to the indigent defense support fund created pursuant to section 120.08 of the Revised Code.

(C) Whenever a person is charged with any offense that is a moving violation and posts bail, the court shall add to the amount of the bail the ten dollars required to be paid by division (A) of this section. The clerk of the court shall retain the ten dollars until the person is convicted, pleads guilty, forfeits bail, is found not guilty, or has the charges dismissed. If the person is convicted, pleads guilty, or forfeits bail, the clerk shall transmit three dollars and fifty cents out of the ten dollars to the ~~division of criminal justice services, and the division of eriminal justice services shall deposit the money so transmitted into state treasury of which ninety-seven per cent shall be credited to the drug law enforcement fund created under section 5502.68 of the Revised Code and the remaining three per cent shall be credited to the justice program services fund created under section 5502.67 of the Revised Code~~, the clerk shall transmit one dollar and fifty cents out of the ten dollars to the county, municipal, or county juvenile indigent drivers alcohol treatment fund under the control of that court, as created by the county or municipal corporation under division (H) of section 4511.191 of the Revised Code, and the clerk shall transmit five dollars out of the ten dollars to the state treasury to be credited to the indigent defense support fund created under section 120.08 of the Revised Code. If the person is found not guilty or the charges are dismissed, the clerk shall return the ten dollars to the person.

(D) No person shall be placed or held in a detention facility

for failing to pay the court cost or bail that is required to be 1520
paid by this section. 1521

(E) As used in this section: 1522

(1) "Bail" and "moving violation" have the same meanings as 1523
in section 2949.093 of the Revised Code. 1524

(2) "Detention facility" has the same meaning as in section 1525
2921.01 of the Revised Code. 1526

(3) "Division of criminal justice services" means the 1527
division of criminal justice services of the department of public 1528
safety, created by section 5502.62 of the Revised Code. 1529

Sec. 3781.10. (A)(1) The board of building standards shall 1530
formulate and adopt rules governing the erection, construction, 1531
repair, alteration, and maintenance of all buildings or classes of 1532
buildings specified in section 3781.06 of the Revised Code, 1533
including land area incidental to those buildings, the 1534
construction of industrialized units, the installation of 1535
equipment, and the standards or requirements for materials used in 1536
connection with those buildings. The board shall incorporate those 1537
rules into separate residential and nonresidential building codes. 1538
The standards shall relate to the conservation of energy and the 1539
safety and sanitation of those buildings. 1540

(2) The rules governing nonresidential buildings are the 1541
lawful minimum requirements specified for those buildings and 1542
industrialized units, except that no rule other than as provided 1543
in division (C) of section 3781.108 of the Revised Code that 1544
specifies a higher requirement than is imposed by any section of 1545
the Revised Code is enforceable. The rules governing residential 1546
buildings are uniform requirements for residential buildings in 1547
any area with a building department certified to enforce the state 1548
residential building code. In no case shall any local code or 1549

regulation differ from the state residential building code unless 1550
that code or regulation addresses subject matter not addressed by 1551
the state residential building code or is adopted pursuant to 1552
section 3781.01 of the Revised Code. 1553

(3) The rules adopted pursuant to this section are complete, 1554
lawful alternatives to any requirements specified for buildings or 1555
industrialized units in any section of the Revised Code. The board 1556
shall, on its own motion or on application made under sections 1557
3781.12 and 3781.13 of the Revised Code, formulate, propose, 1558
adopt, modify, amend, or repeal the rules to the extent necessary 1559
or desirable to effectuate the purposes of sections 3781.06 to 1560
3781.18 of the Revised Code. 1561

(B) The board shall report to the general assembly proposals 1562
for amendments to existing statutes relating to the purposes 1563
declared in section 3781.06 of the Revised Code that public health 1564
and safety and the development of the arts require and shall 1565
recommend any additional legislation to assist in carrying out 1566
fully, in statutory form, the purposes declared in that section. 1567
The board shall prepare and submit to the general assembly a 1568
summary report of the number, nature, and disposition of the 1569
petitions filed under sections 3781.13 and 3781.14 of the Revised 1570
Code. 1571

(C) On its own motion or on application made under sections 1572
3781.12 and 3781.13 of the Revised Code, and after thorough 1573
testing and evaluation, the board shall determine by rule that any 1574
particular fixture, device, material, process of manufacture, 1575
manufactured unit or component, method of manufacture, system, or 1576
method of construction complies with performance standards adopted 1577
pursuant to section 3781.11 of the Revised Code. The board shall 1578
make its determination with regard to adaptability for safe and 1579
sanitary erection, use, or construction, to that described in any 1580
section of the Revised Code, wherever the use of a fixture, 1581

device, material, method of manufacture, system, or method of 1582
construction described in that section of the Revised Code is 1583
permitted by law. The board shall amend or annul any rule or issue 1584
an authorization for the use of a new material or manufactured 1585
unit on any like application. No department, officer, board, or 1586
commission of the state other than the board of building standards 1587
or the board of building appeals shall permit the use of any 1588
fixture, device, material, method of manufacture, newly designed 1589
product, system, or method of construction at variance with what 1590
is described in any rule the board of building standards adopts or 1591
issues or that is authorized by any section of the Revised Code. 1592
Nothing in this section shall be construed as requiring approval, 1593
by rule, of plans for an industrialized unit that conforms with 1594
the rules the board of building standards adopts pursuant to 1595
section 3781.11 of the Revised Code. 1596

(D) The board shall recommend rules, codes, and standards to 1597
help carry out the purposes of section 3781.06 of the Revised Code 1598
and to help secure uniformity of state administrative rulings and 1599
local legislation and administrative action to the bureau of 1600
workers' compensation, the director of commerce, any other 1601
department, officer, board, or commission of the state, and to 1602
legislative authorities and building departments of counties, 1603
townships, and municipal corporations, and shall recommend that 1604
they audit those recommended rules, codes, and standards by any 1605
appropriate action that they are allowed pursuant to law or the 1606
constitution. 1607

(E)(1) The board shall certify municipal, township, and 1608
county building departments and the personnel of those building 1609
departments, and persons and employees of individuals, firms, or 1610
corporations as described in division (E)(7) of this section to 1611
exercise enforcement authority, to accept and approve plans and 1612
specifications, and to make inspections, pursuant to sections 1613

3781.03, 3791.04, and 4104.43 of the Revised Code. 1614

(2) The board shall certify departments, personnel, and 1615
persons to enforce the state residential building code, to enforce 1616
the nonresidential building code, or to enforce both the 1617
residential and the nonresidential building codes. Any department, 1618
personnel, or person may enforce only the type of building code 1619
for which certified. 1620

(3) The board shall not require a building department, its 1621
personnel, or any persons that it employs to be certified for 1622
residential building code enforcement if that building department 1623
does not enforce the state residential building code. The board 1624
shall specify, in rules adopted pursuant to Chapter 119. of the 1625
Revised Code, the requirements for certification for residential 1626
and nonresidential building code enforcement, which shall be 1627
consistent with this division. The requirements for residential 1628
and nonresidential certification may differ. Except as otherwise 1629
provided in this division, the requirements shall include, but are 1630
not limited to, the satisfactory completion of an initial 1631
examination and, to remain certified, the completion of a 1632
specified number of hours of continuing building code education 1633
within each three-year period following the date of certification 1634
which shall be not less than thirty hours. The rules shall provide 1635
that continuing education credits and certification issued by the 1636
council of American building officials, national model code 1637
organizations, and agencies or entities the board recognizes are 1638
acceptable for purposes of this division. The rules shall specify 1639
requirements that are compatible, to the extent possible, with 1640
requirements the council of American building officials and 1641
national model code organizations establish. 1642

(4) The board shall establish and collect a certification and 1643
renewal fee for building department personnel, and persons and 1644
employees of persons, firms, or corporations as described in this 1645

section, who are certified pursuant to this division. 1646

(5) Any individual certified pursuant to this division shall 1647
complete the number of hours of continuing building code education 1648
that the board requires or, for failure to do so, forfeit 1649
certification. 1650

(6) This division does not require or authorize the board to 1651
certify personnel of municipal, township, and county building 1652
departments, and persons and employees of persons, firms, or 1653
corporations as described in this section, whose responsibilities 1654
do not include the exercise of enforcement authority, the approval 1655
of plans and specifications, or making inspections under the state 1656
residential and nonresidential building codes. 1657

(7) Enforcement authority for approval of plans and 1658
specifications and enforcement authority for inspections may be 1659
exercised, and plans and specifications may be approved and 1660
inspections may be made on behalf of a municipal corporation, 1661
township, or county, by any of the following who the board of 1662
building standards certifies: 1663

(a) Officers or employees of the municipal corporation, 1664
township, or county; 1665

(b) Persons, or employees of persons, firms, or corporations, 1666
pursuant to a contract to furnish architectural, engineering, or 1667
other services to the municipal corporation, township, or county; 1668

(c) Officers or employees of, and persons under contract 1669
with, a municipal corporation, township, county, health district, 1670
or other political subdivision, pursuant to a contract to furnish 1671
architectural, engineering, or other services. 1672

(8) Municipal, township, and county building departments have 1673
jurisdiction within the meaning of sections 3781.03, 3791.04, and 1674
4104.43 of the Revised Code, only with respect to the types of 1675
buildings and subject matters for which they are certified under 1676

this section. 1677

(9) Certification shall be granted upon application by the 1678
municipal corporation, the board of township trustees, or the 1679
board of county commissioners and approval of that application by 1680
the board of building standards. The application shall set forth: 1681

(a) Whether the certification is requested for residential or 1682
nonresidential buildings, or both; 1683

(b) The number and qualifications of the staff composing the 1684
building department; 1685

(c) The names, addresses, and qualifications of persons, 1686
firms, or corporations contracting to furnish work or services 1687
pursuant to division (E)(7)(b) of this section; 1688

(d) The names of any other municipal corporation, township, 1689
county, health district, or political subdivision under contract 1690
to furnish work or services pursuant to division (E)(7) of this 1691
section; 1692

(e) The proposed budget for the operation of the building 1693
department. 1694

(10) The board of building standards shall adopt rules 1695
governing all of the following: 1696

(a) The certification of building department personnel and 1697
persons and employees of persons, firms, or corporations 1698
exercising authority pursuant to division (E)(7) of this section. 1699
The rules shall disqualify any employee of the department or 1700
person who contracts for services with the department from 1701
performing services for the department when that employee or 1702
person would have to pass upon, inspect, or otherwise exercise 1703
authority over any labor, material, or equipment the employee or 1704
person furnishes for the construction, alteration, or maintenance 1705
of a building or the preparation of working drawings or 1706

specifications for work within the jurisdictional area of the 1707
department. The department shall provide other similarly qualified 1708
personnel to enforce the residential and nonresidential building 1709
codes as they pertain to that work. 1710

(b) The minimum services to be provided by a certified 1711
building department. 1712

(11) The board of building standards may revoke or suspend 1713
certification to enforce the residential and nonresidential 1714
building codes, on petition to the board by any person affected by 1715
that enforcement or approval of plans, or by the board on its own 1716
motion. Hearings shall be held and appeals permitted on any 1717
proceedings for certification or revocation or suspension of 1718
certification in the same manner as provided in section 3781.101 1719
of the Revised Code for other proceedings of the board of building 1720
standards. 1721

(12) Upon certification, and until that authority is revoked, 1722
any county or township building department shall enforce the 1723
residential and nonresidential building codes for which it is 1724
certified without regard to limitation upon the authority of 1725
boards of county commissioners under Chapter 307. of the Revised 1726
Code or boards of township trustees under Chapter 505. of the 1727
Revised Code. 1728

(F) In addition to hearings sections 3781.06 to 3781.18 and 1729
3791.04 of the Revised Code require, the board of building 1730
standards shall make investigations and tests, and require from 1731
other state departments, officers, boards, and commissions 1732
information the board considers necessary or desirable to assist 1733
it in the discharge of any duty or the exercise of any power 1734
mentioned in this section or in sections 3781.06 to 3781.18, 1735
3791.04, and 4104.43 of the Revised Code. 1736

(G) The board shall adopt rules and establish reasonable fees 1737

for the review of all applications submitted where the applicant 1738
applies for authority to use a new material, assembly, or product 1739
of a manufacturing process. The fee shall bear some reasonable 1740
relationship to the cost of the review or testing of the 1741
materials, assembly, or products and for the notification of 1742
approval or disapproval as provided in section 3781.12 of the 1743
Revised Code. 1744

(H)(1) The residential construction advisory committee shall 1745
provide the board with a proposal for a state residential building 1746
code that the committee recommends pursuant to division (C)(1) of 1747
section 4740.14 of the Revised Code. Upon receiving a 1748
recommendation from the committee that is acceptable to the board, 1749
the board shall adopt rules establishing that code as the state 1750
residential building code. 1751

(2) With respect to a residential energy code as a component 1752
of the residential building code, the board shall adopt rules to 1753
implement the most recently published international energy 1754
conservation code (IECC) or a code that the board determines 1755
achieves an equivalent or greater energy savings. 1756

(I) The board shall cooperate with the director of job and 1757
family services when the director promulgates rules pursuant to 1758
section 5104.05 of the Revised Code regarding safety and 1759
sanitation in type A family day-care homes. 1760

(J) The board shall adopt rules to implement the requirements 1761
of section 3781.108 of the Revised Code. 1762

(K) With respect to a commercial energy code as a component 1763
of the commercial building code, the board of building standards 1764
shall adopt rules to implement the energy code for buildings 1765
developed by the American national standards institute, the 1766
American society of heating, refrigerating, and air conditioning, 1767
and the illuminating engineering society of North America, known 1768

as the ANSI/ASHRAE/IESNA Standard 90.1-2007, or a code that 1769
achieves equivalent or greater energy savings. 1770

Sec. 3905.423. (A) As used in this section: 1771

(1) "Consumer" has the same meaning as in section 1345.01 of 1772
the Revised Code. 1773

(2) "Consumer goods" means goods sold, leased, assigned, 1774
awarded by chance, or transferred to a consumer in a consumer 1775
transaction. 1776

(3) "Consumer goods service contract" means a contract or 1777
agreement to perform or pay for repairs, replacement, or 1778
maintenance of consumer goods due to a defect in materials or 1779
workmanship, normal wear and tear, power surges, or accidental 1780
damage from handling, that is effective for a specified duration 1781
and paid for by means other than the purchase of the consumer 1782
goods. "Consumer goods service contract" does not include any of 1783
the following: 1784

(a) A contract or agreement to perform or pay for the repair, 1785
replacement, or maintenance of a motor vehicle or utility vehicle, 1786
as defined in section 4501.01 of the Revised Code, due to a defect 1787
in materials or workmanship, normal wear and tear, mechanical or 1788
electrical breakdown, or failure of parts or equipment of a motor 1789
vehicle that is effective for a specified duration and paid for by 1790
means other than the purchase of a motor vehicle or utility 1791
vehicle; 1792

(b) A vehicle protection product ~~as defined in~~ warranty 1793
issued in accordance with section 3905.421 of the Revised Code; 1794

(c) A home service contract as defined in section 3905.422 of 1795
the Revised Code. 1796

(4) "Consumer transaction" has the same meaning as in section 1797
1345.01 of the Revised Code. 1798

(5) "Contract holder" means the consumer who purchased goods covered by a consumer goods service contract, any transferee or assignee of the consumer, or any other person assuming the consumer's rights under the consumer goods service contract.

(6) "Provider" means a person who is contractually obligated to a contract holder under the terms of a consumer goods service contract.

(7) "Reimbursement insurance policy" means a policy of insurance issued by an insurer authorized or eligible to do business in this state to a provider to pay, on behalf of the provider, all covered contractual obligations incurred by the provider under the terms and conditions of the consumer goods service contract.

(8) "Supplier" has the same meaning as in section 1345.01 of the Revised Code.

(B) All consumer goods service contracts issued in this state that provide for the performance of or payment for repairs, replacement, or maintenance of consumer goods due to power surges or accidental damage from handling shall be covered by a reimbursement insurance policy.

(C) A consumer goods service contract issued by a provider that is required to be covered by a reimbursement insurance policy under division (B) of this section shall comply with all of the following requirements:

(1) Conspicuously state that the obligations of the provider are guaranteed under a reimbursement insurance policy;

(2) Conspicuously state that if a provider fails to perform or make payment due under the terms of the contract within sixty days after the contract holder requests performance or payment pursuant to the terms of the contract, the contract holder may

request performance or payment directly from the provider's 1830
reimbursement insurance policy insurer, including, but not limited 1831
to, any obligation in the contract by which the provider must 1832
refund the contract holder upon cancellation of a contract; 1833

(3) Conspicuously state the name, address, and telephone 1834
number of the provider's reimbursement insurance policy insurer. 1835

(D) A reimbursement insurance policy that is required to be 1836
issued under this section shall contain a: 1837

(1) A statement that if a provider fails to perform or make 1838
payment due under the terms of the consumer goods service contract 1839
within sixty days after the contract holder requests performance 1840
or payment pursuant to the terms of the contract, the contract 1841
holder may request performance or payment directly from the 1842
provider's reimbursement policy insurer, including, but not 1843
limited to, any obligation in the contract by which the provider 1844
must refund the contract holder upon cancellation of a contract; 1845

(2) A statement that in the event of cancellation of the 1846
provider's reimbursement insurance policy, insurance coverage will 1847
continue for all contract holders whose consumer goods service 1848
contracts were issued by the provider and reported to the insurer 1849
for coverage during the term of the reimbursement insurance 1850
policy. 1851

(E) The sale or issuance of a consumer goods service contract 1852
is a consumer transaction for purposes of sections 1345.01 to 1853
1345.13 of the Revised Code. The provider is the supplier and the 1854
contract holder is the consumer for purposes of those sections. 1855

(F) Unless issued by an insurer authorized or eligible to do 1856
business in this state, a consumer goods service contract does not 1857
constitute a contract substantially amounting to insurance, or the 1858
contract's issuance the business of insurance, under section 1859
3905.42 of the Revised Code. 1860

(G) The rights of a contract holder against a provider's reimbursement policy insurer as provided in this section apply only in regard to a reimbursement insurance policy issued under this section. This section does not create any contractual rights in favor of a person that does not qualify as an insured under any other type of insurance policy described in Title XXXIX of the Revised Code.

Sec. 3905.425. (A) As used in this section:

(1) "Contract holder" means the person who purchased a motor vehicle tire or wheel road hazard contract, any authorized transferee or assignee of the purchaser, or any other person assuming the purchaser's rights under the motor vehicle tire or wheel road hazard contract.

(2) "Motor vehicle" has the same meaning as in section 4501.01 of the Revised Code and also includes utility vehicles as defined in that section.

(3) "Motor vehicle tire or wheel road hazard contract" means a contract or agreement to perform or pay for repairs or replacement of tires or wheels damaged because of a road hazard, that is effective for a specified duration and paid for by means other than the purchase of the motor vehicle tire or wheel. "Motor vehicle tire or wheel road hazard contract" does not include any of the following:

(a) A contract or agreement to perform or pay for the repair, replacement, or maintenance of a motor vehicle due to a defect in materials or workmanship, normal wear and tear, mechanical or electrical breakdown, or failure of parts or equipment of a motor vehicle that is effective for a specified duration and paid for by means other than the purchase of a motor vehicle;

(b) A vehicle protection product warranty issued in

accordance with section 3905.421 of the Revised Code; 1891

(c) A home service contract as defined in section 3905.422 of the Revised Code; 1892
1893

(d) A consumer goods service contract as defined in section 3905.423 of the Revised Code. 1894
1895

(4) "Provider" means a person who is contractually obligated to a contract holder under the terms of a motor vehicle tire or wheel road hazard contract. 1896
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(5) "Reimbursement insurance policy" means a policy of insurance issued by an insurer authorized or eligible to do business in this state to a provider to pay, on behalf of the provider, all covered contractual obligations incurred by the provider under the terms and conditions of the motor vehicle tire or wheel road hazard contract. 1899
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(6) "Road hazard" means a condition on a public roadway that should not exist there, including potholes, nails, glass, or road debris. "Road hazard" does not include fire, theft, vandalism or malicious mischief, or other perils normally covered by automobile physical damage insurance. 1905
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(7) "Supplier" has the same meaning as in section 1345.01 of the Revised Code. 1910
1911

(B) All motor vehicle tire or wheel road hazard contracts issued in this state that provide for the performance of or payment for repairs or replacement of tires or wheels damaged because of a road hazard shall be covered by a reimbursement insurance policy. 1912
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(C) A motor vehicle tire or wheel road hazard contract issued by a provider that is required to be covered by a reimbursement insurance policy under division (B) of this section shall conspicuously state all of the following: 1917
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(1) "This contract is not insurance and is not subject to the insurance laws of this state, contained in Title XXXIX of the Ohio Revised Code." 1921
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(2) That the obligations of the provider are guaranteed under a reimbursement insurance policy; 1924
1925

(3) That if a provider fails to perform or make payment due under the terms of the contract within sixty days after the contract holder requests performance or payment pursuant to the terms of the contract, the contract holder may request performance or payment directly from the provider's reimbursement insurance policy insurer, including any obligation in the contract by which the provider must refund the contract holder upon cancellation of a contract; 1926
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(4) Conspicuously state the name, address, and telephone number of the provider's reimbursement insurance policy insurer. 1934
1935

(D) A reimbursement insurance policy that is required to be issued under this section shall contain: 1936
1937

(1) A statement that if a provider fails to perform or make payment due under the terms of the motor vehicle tire or wheel road hazard contract within sixty days after the contract holder requests performance or payment pursuant to the terms of the contract, the contract holder may request performance or payment directly from the provider's reimbursement insurance policy insurer, including any obligation in the contract by which the provider must refund the contract holder upon cancellation of a contract; 1938
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(2) A statement that in the event of cancellation of the provider's reimbursement insurance policy, insurance coverage will continue for all contract holders whose motor vehicle tire or wheel road hazard contracts were issued by the provider and reported to the insurer for coverage during the term of the 1947
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reimbursement insurance policy. 1952

(E) The sale or issuance of a motor vehicle tire or wheel 1953
road hazard contract is a consumer transaction for purposes of 1954
sections 1345.01 to 1345.13 of the Revised Code. The provider is 1955
the supplier and the contract holder is the consumer for purposes 1956
of those sections. 1957

(F) Unless issued by an insurer authorized or eligible to do 1958
business in this state, a motor vehicle tire or wheel road hazard 1959
contract does not constitute a contract substantially amounting to 1960
insurance, or the contract's issuance the business of insurance, 1961
under section 3905.42 of the Revised Code. 1962

(G) The rights of a contract holder against a provider's 1963
reimbursement insurance policy insurer as provided in this section 1964
apply only in regard to a reimbursement insurance policy issued 1965
under this section. This section does not create any contractual 1966
rights in favor of a person that does not qualify as an insured 1967
under any other type of insurance policy described in Title XXXIX 1968
of the Revised Code. This section does not prohibit the insurer of 1969
a provider's reimbursement insurance policy from assuming 1970
liability for contracts issued prior to the effective date of the 1971
policy or this statute. 1972

Sec. 3923.38. (A) As used in this section: 1973

(1) "Group policy" includes any group sickness and accident 1974
policy or contract delivered, issued for delivery, or renewed in 1975
this state on or after June 28, 1984, and any private or public 1976
employer self-insurance plan or other plan that provides, or 1977
provides payment for, health care benefits for employees resident 1978
in this state other than through an insurer or health insuring 1979
corporation, to which both of the following apply: 1980

(a) The policy insures employees for hospital, surgical, or 1981

major medical insurance on an expense incurred or service basis,	1982
other than for specified diseases or for accidental injuries only.	1983
(b) The policy is in effect and covers an eligible employee	1984
at the time the employee's employment is terminated.	1985
(2) "Eligible employee" includes only an employee to whom all	1986
of the following apply:	1987
(a) The employee has been continuously insured under a group	1988
policy or under the policy and any prior similar group coverage	1989
replaced by the policy, during the entire three-month period	1990
preceding the termination of the employee's employment.	1991
(b) The employee is entitled, at the time of the termination	1992
of the employee's employment, to unemployment compensation	1993
benefits under Chapter 4141. of the Revised Code <u>The employee's</u>	1994
<u>termination of employment is not a result of any gross misconduct</u>	1995
<u>on the part of the employee.</u>	1996
(c) The employee is not, and does not become, covered by or	1997
eligible for coverage by medicare under Title XVIII of the Social	1998
Security Act, as amended.	1999
(d) The employee is not, and does not become, covered by or	2000
eligible for coverage by any other insured or uninsured	2001
arrangement that provides hospital, surgical, or medical coverage	2002
for individuals in a group and under which the person was not	2003
covered immediately prior to such termination. A person eligible	2004
for continuation of coverage under this section, who is also	2005
eligible for coverage under section 3923.123 of the Revised Code,	2006
may elect either coverage, but not both. A person who elects	2007
continuation of coverage may elect any coverage available under	2008
section 3923.123 of the Revised Code upon the termination of the	2009
continuation of coverage.	2010
(3) "Group rate" means, in the case of an employer	2011
self-insurance or other health benefits plan, the average monthly	2012

cost per employee, over a period of at least twelve months, of the 2013
operation of the plan that would represent a group insurance rate 2014
if the same coverage had been provided under a group sickness and 2015
accident insurance policy. 2016

(4) "Termination of employment" includes both voluntary and 2017
involuntary termination of employment. 2018

(B) A group policy shall provide that any eligible employee 2019
may continue the employee's hospital, surgical, and medical 2020
insurance under the policy, for the employee and the employee's 2021
eligible dependents, for a period of ~~six~~ twelve months after the 2022
date that the insurance coverage would otherwise terminate by 2023
reason of the termination of the employee's employment. Each 2024
certificate of coverage, or other notice of coverage, issued to 2025
employees under the policy shall include a notice of the 2026
employee's privilege of continuation. 2027

(C) All of the following apply to the continuation of 2028
coverage required under division (B) of this section: 2029

(1) Continuation need not include dental, vision care, 2030
~~prescription drug benefits~~, or any other benefits provided under 2031
the policy in addition to its hospital, surgical, or major medical 2032
benefits. 2033

(2) The employer shall notify the employee of the right of 2034
continuation at the time the employer notifies the employee of the 2035
termination of employment. The notice shall inform the employee of 2036
the amount of contribution required by the employer under division 2037
(C)(4) of this section. 2038

(3) The employee shall file a written election of 2039
continuation with the employer and pay the employer the first 2040
contribution required under division (C)(4) of this section. The 2041
request and payment must be received by the employer no later than 2042
the earlier of any of the following dates: 2043

(a) Thirty-one days after the date on which the employee's coverage would otherwise terminate;	2044 2045
(b) Ten days after the date on which the employee's coverage would otherwise terminate, if the employer has notified the employee of the right of continuation prior to such date;	2046 2047 2048
(c) Ten days after the employer notifies the employee of the right of continuation, if the notice is given after the date on which the employee's coverage would otherwise terminate.	2049 2050 2051
(4) The employee must pay to the employer, on a monthly basis, in advance, the amount of contribution required by the employer. The amount required shall not exceed the group rate for the insurance being continued under the policy on the due date of each payment.	2052 2053 2054 2055 2056
(5) The employee's privilege to continue coverage and the coverage under any continuation ceases if any of the following occurs:	2057 2058 2059
(a) The employee ceases to be an eligible employee under division (A)(2)(c) or (d) of this section;	2060 2061
(b) A period of six <u>twelve</u> months expires after the date that the employee's insurance under the policy would otherwise have terminated because of the termination of employment;	2062 2063 2064
(c) The employee fails to make a timely payment of a required contribution, in which event the coverage shall cease at the end of the coverage for which contributions were made;	2065 2066 2067
(d) The policy is terminated, or the employer terminates participation under the policy, unless the employer replaces the coverage by similar coverage under another group policy or other group health arrangement.	2068 2069 2070 2071
If the employer replaces the policy with similar group health coverage, all of the following apply:	2072 2073

(i) The member shall be covered under the replacement 2074
coverage, for the balance of the period that the member would have 2075
remained covered under the terminated coverage if it had not been 2076
terminated. 2077

(ii) The minimum level of benefits under the replacement 2078
coverage shall be the applicable level of benefits of the policy 2079
replaced reduced by any benefits payable under the policy 2080
replaced. 2081

(iii) The policy replaced shall continue to provide benefits 2082
to the extent of its accrued liabilities and extensions of 2083
benefits as if the replacement had not occurred. 2084

(D) This section does not apply to an employer's 2085
self-insurance plan if federal law supersedes, preempts, 2086
prohibits, or otherwise precludes its application to such plans. 2087

Sec. 4163.01. As used in Chapter 4163. of the Revised Code: 2088

(A) "Atomic energy" means all forms of energy released in the 2089
course of nuclear fission or nuclear transformation. 2090

(B) "~~By-product material" means any radioactive material~~ 2091
~~(except special nuclear material) yielded in, or made radioactive~~ 2092
~~by exposure to the radiation incident to, the process of producing~~ 2093
~~or utilizing special nuclear materials~~ has the same meaning as in 2094
Section 11(e)(2) of the "Atomic Energy Act of 1954," 68 Stat. 922, 2095
42 U.S.C. 2014, as amended. 2096

(C) "Production facility" means any equipment or device 2097
capable of the production of special nuclear material in such 2098
quantity as to be of significance to the common defense and 2099
security, or in such manner as to affect the health and safety of 2100
the public; or any important component part especially designed 2101
for such equipment or device. 2102

(D) "Special nuclear material" means plutonium or uranium 2103

enriched in the isotope 233 or in the isotope 235, or any other 2104
material which the governor declares by order to be special 2105
nuclear material. 2106

(E) "Utilization facility" means any equipment or device, 2107
except an atomic weapon, capable of making use of special nuclear 2108
materials in such quantity as to be of significance to the common 2109
defense and security, or in such manner as to affect the health 2110
and safety of the public, or peculiarly adapted for making use of 2111
atomic energy in such quantity as to be of significance to the 2112
common defense and security, or in such manner as to affect the 2113
health and safety of the public; or any important component part 2114
especially designed for such equipment or device. 2115

(F) "Radiation" means gamma rays and X-rays, alpha and beta 2116
particles, high-speed electrons, neutrons, protons, and other 2117
nuclear particles; but not sound or radio waves, or visible, 2118
infrared, or ultraviolet light. 2119

~~(G) "Large quantity" has the meaning set forth in Part 71 of 2120
Title 10, section 71.4(f), of the Code of Federal Regulations 2121
"Highway route controlled quantity" has the same meaning as in 49 2122
C.F.R. 173.403. 2123~~

(H) "High-level radioactive waste" means any of the 2124
following: 2125

(1) Irradiated reactor fuel; 2126

(2) Liquid wastes resulting from the operation of the first 2127
cycle solvent extraction system, or equivalent, and the 2128
concentrated wastes from subsequent extraction cycles, or 2129
equivalent, in a facility for reprocessing irradiated reactor 2130
fuel; 2131

(3) Solids into which such liquid wastes have been converted; 2132

(4) Any other highly radioactive waste material that the 2133

United States nuclear regulatory commission or the United States 2134
department of energy determines by law requires permanent 2135
isolation; 2136

(5) Any by-product material. 2137

(I) "Spent nuclear fuel" means fuel that has been withdrawn 2138
from a nuclear reactor following irradiation, the constituent 2139
elements of which have not been separated by reprocessing. 2140

(J) "Transuranic waste" means material containing elements 2141
that have an atomic number greater than ninety-two, including 2142
neptunium, plutonium, americium, and curium, and that are in 2143
concentrations greater than ten nanocuries per gram or in other 2144
concentrations that the United States nuclear regulatory 2145
commission may prescribe. 2146

Sec. 4163.07. (A)(1) Prior to transporting any ~~large~~ 2147
high-level radioactive waste, spent nuclear fuel, transuranic 2148
waste, or any quantity of special nuclear material ~~or by-product~~ 2149
material that meets or exceeds the highway route controlled 2150
quantity, within, into, or through the state, the carrier or 2151
shipper of the material shall notify the executive director of the 2152
emergency management agency established under section 5502.22 of 2153
the Revised Code of the shipment. The notice shall be in writing 2154
and be sent by certified mail and shall include the name of the 2155
shipper; the name of the carrier; the type and quantity of the 2156
~~special nuclear material or by-product material~~; the 2157
transportation mode of the shipment; the proposed date and time of 2158
shipment of the material within, into, or through the state; and 2159
the starting point, termination or exit point, scheduled route, 2160
and each alternate route, if any, of the shipment. In order to 2161
constitute effective notification under division (A)(1) of this 2162
section, notification shall be received by the executive director 2163
at least ~~forty-eight hours~~ four days prior to ~~entry of the~~ 2164

shipment within, into, or through the state. 2165

(2) The carrier or shipper of any shipment subject to 2166
division (A)(1) of this section shall immediately notify the 2167
executive director of any change in the date and time of the 2168
shipment or in the route of the shipment within, into, or through 2169
the state. 2170

(B) Upon receipt of a notice of any shipment of ~~a large~~ 2171
~~quantity of special nuclear material or by-product~~ material that 2172
is subject to division (A)(1) of this section within, into, or 2173
through the state, the executive director of the emergency 2174
management agency shall immediately notify the director of public 2175
safety, the director of environmental protection, the chairperson 2176
of the public utilities commission, and the sheriff of each county 2177
along the proposed route, or any alternate route, of the shipment. 2178

(C) The executive director of the emergency management agency 2179
shall not disclose to any person other than those persons 2180
enumerated in division (B) of this section any information 2181
pertaining to any shipment of special nuclear material or 2182
by-product material prior to the time that the shipment is 2183
completed. 2184

(D) This section does not apply to radioactive materials, 2185
other than by-products, shipped by or for the United States 2186
department of defense and United States department of energy for 2187
military or national defense purposes. Nothing in this section 2188
requires the disclosure of any defense information or restricted 2189
data as defined in the "Atomic Energy Act of 1954," 68 Stat. 919, 2190
42 U.S.C.A. 2011, as amended. 2191

(E) No person shall transport or cause to be transported 2192
within, into, or through the state any ~~large quantity of special~~ 2193
~~or by-product~~ material that is subject to division (A)(1) of this 2194
section without first providing the notice required in that 2195

division ~~(A)~~ of this section. 2196

(F) Whoever violates division (E) of this section, in 2197
addition to any penalty imposed under section 4163.99 of the 2198
Revised Code, is liable for a civil penalty in an amount not to 2199
exceed ten times the amount of the fee due under section 4163.08 2200
of the Revised Code. The attorney general, upon the request of the 2201
executive director of the emergency management agency, shall bring 2202
a civil action to collect the penalty. Fines collected pursuant to 2203
this section shall be deposited into the state treasury to the 2204
credit of the radiation response fund. 2205

Sec. 4163.08. (A) No person shall transport or cause to be 2206
transported high-level radioactive waste, spent nuclear fuel, 2207
transuranic waste, or any quantity of special nuclear material 2208
that meets or exceeds the highway route controlled quantity, 2209
within, into, or through this state by rail or motor carrier 2210
unless the person, at least four days prior to the date of the 2211
shipment, pays the department of public safety the following fees 2212
for each shipment of high-level radioactive waste, spent nuclear 2213
fuel, transuranic waste, or any quantity of special nuclear 2214
material that meets or exceeds the highway route controlled 2215
quantity, as applicable: 2216

(1) Two thousand five hundred dollars for each shipment by 2217
motor carrier; 2218

(2) Four thousand five hundred dollars for the first cask 2219
designated for transport by rail and three thousand dollars for 2220
each additional cask designated for transport by rail that is 2221
shipped by the same person or entity in the same shipment. 2222

(B) This section does not apply to any shipment of high-level 2223
radioactive waste, spent nuclear fuel, transuranic waste, or any 2224
quantity of special nuclear material that meets or exceeds the 2225
highway route controlled quantity by or for the United States 2226

government for military or national defense purposes. This section 2227
applies to all other shipments of high-level radioactive waste, 2228
spent nuclear fuel, transuranic waste, or any quantity of special 2229
nuclear material that meets or exceeds the highway route 2230
controlled quantity by or for the United States government, to the 2231
extent permitted by federal law. 2232

(C) Whoever violates division (A) of this section is liable 2233
for a civil penalty in an amount not to exceed ten times the 2234
amount of the fee due under this section. The attorney general, 2235
upon the request of the director of public safety, shall bring a 2236
civil action to collect the penalty. Fines collected pursuant to 2237
this section shall be deposited into the state treasury to the 2238
credit of the radiation response fund. 2239

Sec. 4163.09. (A)(1) The department of public safety shall 2240
deposit all fees collected under section 4163.08 of the Revised 2241
Code in the radiation response fund, which is hereby created in 2242
the state treasury. All investment earnings of the fund shall be 2243
credited to it. 2244

(2) Money in the radiation response fund shall be used only 2245
for the following purposes, as determined by the director of 2246
public safety: 2247

(a) State and local expenses related to the shipment of 2248
high-level radioactive waste, spent nuclear fuel, transuranic 2249
waste, or any quantity of special nuclear material that meets or 2250
exceeds the highway route controlled quantity in this state, 2251
including inspections, escorts, security, emergency management 2252
services, and accident response; 2253

(b) Planning, coordination, education, and training of 2254
emergency response providers, law enforcement agencies, and other 2255
appropriate state or local entities; 2256

<u>(c) Purchase and maintenance of monitoring, medical, safety,</u>	2257
<u>or emergency response equipment and supplies;</u>	2258
<u>(d) Administrative costs of the department and other state or</u>	2259
<u>local entities related to the shipping of high-level radioactive</u>	2260
<u>waste, spent nuclear fuel, transuranic waste, or any quantity of</u>	2261
<u>special nuclear material that meets or exceeds the highway route</u>	2262
<u>controlled quantity;</u>	2263
<u>(e) Other similar expenses determined by the director to be</u>	2264
<u>appropriate.</u>	2265
<u>(B)(1) The director may adopt rules as necessary to implement</u>	2266
<u>sections 4163.08 and 4163.09 of the Revised Code.</u>	2267
<u>(2) In administering section 4163.08 of the Revised Code, the</u>	2268
<u>director shall work with any department or agency of federal,</u>	2269
<u>state, or local government that also regulates the shipment of</u>	2270
<u>high-level radioactive waste, spent nuclear fuel, transuranic</u>	2271
<u>waste, or any quantity of special nuclear material that meets or</u>	2272
<u>exceeds the highway route controlled quantity.</u>	2273
<u>(3) Subject to division (C) of section 4163.07 of the Revised</u>	2274
<u>Code, the department, consistent with national security</u>	2275
<u>requirements, may notify any law enforcement agency or other state</u>	2276
<u>or local entity affected by the shipment, as the director</u>	2277
<u>considers necessary for public safety.</u>	2278
<u>(4) Beginning December 31, 2010, and every two years</u>	2279
<u>thereafter, the director shall prepare and submit to both houses</u>	2280
<u>of the general assembly a report on the radiation response fund.</u>	2281
<u>The report shall include information on the fees received and</u>	2282
<u>expenditures made from the fund.</u>	2283
Sec. 4501.01. As used in this chapter and Chapters 4503.,	2284
4505., 4507., 4509., 4510., 4511., 4513., 4515., and 4517. of the	2285
Revised Code, and in the penal laws, except as otherwise provided:	2286

(A) "Vehicles" means everything on wheels or runners, 2287
including motorized bicycles, but does not mean electric personal 2288
assistive mobility devices, vehicles that are operated exclusively 2289
on rails or tracks or from overhead electric trolley wires, and 2290
vehicles that belong to any police department, municipal fire 2291
department, or volunteer fire department, or that are used by such 2292
a department in the discharge of its functions. 2293

(B) "Motor vehicle" means any vehicle, including mobile homes 2294
and recreational vehicles, that is propelled or drawn by power 2295
other than muscular power or power collected from overhead 2296
electric trolley wires. "Motor vehicle" does not include utility 2297
vehicles as defined in division (VV) of this section, motorized 2298
bicycles, road rollers, traction engines, power shovels, power 2299
cranes, and other equipment used in construction work and not 2300
designed for or employed in general highway transportation, 2301
well-drilling machinery, ditch-digging machinery, farm machinery, 2302
and trailers that are designed and used exclusively to transport a 2303
boat between a place of storage and a marina, or in and around a 2304
marina, when drawn or towed on a public road or highway for a 2305
distance of no more than ten miles and at a speed of twenty-five 2306
miles per hour or less. 2307

(C) "Agricultural tractor" and "traction engine" mean any 2308
self-propelling vehicle that is designed or used for drawing other 2309
vehicles or wheeled machinery, but has no provisions for carrying 2310
loads independently of such other vehicles, and that is used 2311
principally for agricultural purposes. 2312

(D) "Commercial tractor," except as defined in division (C) 2313
of this section, means any motor vehicle that has motive power and 2314
either is designed or used for drawing other motor vehicles, or is 2315
designed or used for drawing another motor vehicle while carrying 2316
a portion of the other motor vehicle or its load, or both. 2317

(E) "Passenger car" means any motor vehicle that is designed 2318

and used for carrying not more than nine persons and includes any 2319
motor vehicle that is designed and used for carrying not more than 2320
fifteen persons in a ridesharing arrangement. 2321

(F) "Collector's vehicle" means any motor vehicle or 2322
agricultural tractor or traction engine that is of special 2323
interest, that has a fair market value of one hundred dollars or 2324
more, whether operable or not, and that is owned, operated, 2325
collected, preserved, restored, maintained, or used essentially as 2326
a collector's item, leisure pursuit, or investment, but not as the 2327
owner's principal means of transportation. "Licensed collector's 2328
vehicle" means a collector's vehicle, other than an agricultural 2329
tractor or traction engine, that displays current, valid license 2330
tags issued under section 4503.45 of the Revised Code, or a 2331
similar type of motor vehicle that displays current, valid license 2332
tags issued under substantially equivalent provisions in the laws 2333
of other states. 2334

(G) "Historical motor vehicle" means any motor vehicle that 2335
is over twenty-five years old and is owned solely as a collector's 2336
item and for participation in club activities, exhibitions, tours, 2337
parades, and similar uses, but that in no event is used for 2338
general transportation. 2339

(H) "Noncommercial motor vehicle" means any motor vehicle, 2340
including a farm truck as defined in section 4503.04 of the 2341
Revised Code, that is designed by the manufacturer to carry a load 2342
of no more than one ton and is used exclusively for purposes other 2343
than engaging in business for profit. 2344

(I) "Bus" means any motor vehicle that has motor power and is 2345
designed and used for carrying more than nine passengers, except 2346
any motor vehicle that is designed and used for carrying not more 2347
than fifteen passengers in a ridesharing arrangement. 2348

(J) "Commercial car" or "truck" means any motor vehicle that 2349

has motor power and is designed and used for carrying merchandise 2350
or freight, or that is used as a commercial tractor. 2351

(K) "Bicycle" means every device, other than a tricycle that 2352
is designed solely for use as a play vehicle by a child, that is 2353
propelled solely by human power upon which any person may ride, 2354
and that has either two tandem wheels, or one wheel in front and 2355
two wheels in the rear, any of which is more than fourteen inches 2356
in diameter. 2357

(L) "Motorized bicycle" means any vehicle that either has two 2358
tandem wheels or one wheel in the front and two wheels in the 2359
rear, that is capable of being pedaled, and that is equipped with 2360
a helper motor of not more than fifty cubic centimeters piston 2361
displacement that produces no more than one brake horsepower and 2362
is capable of propelling the vehicle at a speed of no greater than 2363
twenty miles per hour on a level surface. 2364

(M) "Trailer" means any vehicle without motive power that is 2365
designed or used for carrying property or persons wholly on its 2366
own structure and for being drawn by a motor vehicle, and includes 2367
any such vehicle that is formed by or operated as a combination of 2368
a semitrailer and a vehicle of the dolly type such as that 2369
commonly known as a trailer dolly, a vehicle used to transport 2370
agricultural produce or agricultural production materials between 2371
a local place of storage or supply and the farm when drawn or 2372
towed on a public road or highway at a speed greater than 2373
twenty-five miles per hour, and a vehicle that is designed and 2374
used exclusively to transport a boat between a place of storage 2375
and a marina, or in and around a marina, when drawn or towed on a 2376
public road or highway for a distance of more than ten miles or at 2377
a speed of more than twenty-five miles per hour. "Trailer" does 2378
not include a manufactured home or travel trailer. 2379

(N) "Noncommercial trailer" means any trailer, except a 2380
travel trailer or trailer that is used to transport a boat as 2381

described in division (B) of this section, but, where applicable, 2382
includes a vehicle that is used to transport a boat as described 2383
in division (M) of this section, that has a gross weight of no 2384
more than three thousand pounds, and that is used exclusively for 2385
purposes other than engaging in business for a profit. 2386

(O) "Mobile home" means a building unit or assembly of closed 2387
construction that is fabricated in an off-site facility, is more 2388
than thirty-five body feet in length or, when erected on site, is 2389
three hundred twenty or more square feet, is built on a permanent 2390
chassis, is transportable in one or more sections, and does not 2391
qualify as a manufactured home as defined in division (C)(4) of 2392
section 3781.06 of the Revised Code or as an industrialized unit 2393
as defined in division (C)(3) of section 3781.06 of the Revised 2394
Code. 2395

(P) "Semitrailer" means any vehicle of the trailer type that 2396
does not have motive power and is so designed or used with another 2397
and separate motor vehicle that in operation a part of its own 2398
weight or that of its load, or both, rests upon and is carried by 2399
the other vehicle furnishing the motive power for propelling 2400
itself and the vehicle referred to in this division, and includes, 2401
for the purpose only of registration and taxation under those 2402
chapters, any vehicle of the dolly type, such as a trailer dolly, 2403
that is designed or used for the conversion of a semitrailer into 2404
a trailer. 2405

(Q) "Recreational vehicle" means a vehicular portable 2406
structure that meets all of the following conditions: 2407

(1) It is designed for the sole purpose of recreational 2408
travel. 2409

(2) It is not used for the purpose of engaging in business 2410
for profit. 2411

(3) It is not used for the purpose of engaging in intrastate 2412

commerce.	2413
(4) It is not used for the purpose of commerce as defined in	2414
49 C.F.R. 383.5, as amended.	2415
(5) It is not regulated by the public utilities commission	2416
pursuant to Chapter 4919., 4921., or 4923. of the Revised Code.	2417
(6) It is classed as one of the following:	2418
(a) "Travel trailer" means a nonself-propelled recreational	2419
vehicle that does not exceed an overall length of thirty-five	2420
feet, exclusive of bumper and tongue or coupling, and contains	2421
less than three hundred twenty square feet of space when erected	2422
on site. "Travel trailer" includes a tent-type fold-out camping	2423
trailer as defined in section 4517.01 of the Revised Code.	2424
(b) "Motor home" means a self-propelled recreational vehicle	2425
that has no fifth wheel and is constructed with permanently	2426
installed facilities for cold storage, cooking and consuming of	2427
food, and for sleeping.	2428
(c) "Truck camper" means a nonself-propelled recreational	2429
vehicle that does not have wheels for road use and is designed to	2430
be placed upon and attached to a motor vehicle. "Truck camper"	2431
does not include truck covers that consist of walls and a roof,	2432
but do not have floors and facilities enabling them to be used as	2433
a dwelling.	2434
(d) "Fifth wheel trailer" means a vehicle that is of such	2435
size and weight as to be movable without a special highway permit,	2436
that has a gross trailer area of four hundred square feet or less,	2437
that is constructed with a raised forward section that allows a	2438
bi-level floor plan, and that is designed to be towed by a vehicle	2439
equipped with a fifth-wheel hitch ordinarily installed in the bed	2440
of a truck.	2441
(e) "Park trailer" means a vehicle that is commonly known as	2442

a park model recreational vehicle, meets the American national 2443
standard institute standard A119.5 (1988) for park trailers, is 2444
built on a single chassis, has a gross trailer area of four 2445
hundred square feet or less when set up, is designed for seasonal 2446
or temporary living quarters, and may be connected to utilities 2447
necessary for the operation of installed features and appliances. 2448

(R) "Pneumatic tires" means tires of rubber and fabric or 2449
tires of similar material, that are inflated with air. 2450

(S) "Solid tires" means tires of rubber or similar elastic 2451
material that are not dependent upon confined air for support of 2452
the load. 2453

(T) "Solid tire vehicle" means any vehicle that is equipped 2454
with two or more solid tires. 2455

(U) "Farm machinery" means all machines and tools that are 2456
used in the production, harvesting, and care of farm products, and 2457
includes trailers that are used to transport agricultural produce 2458
or agricultural production materials between a local place of 2459
storage or supply and the farm, agricultural tractors, threshing 2460
machinery, hay-baling machinery, corn shellers, hammermills, and 2461
machinery used in the production of horticultural, agricultural, 2462
and vegetable products. 2463

(V) "Owner" includes any person or firm, other than a 2464
manufacturer or dealer, that has title to a motor vehicle, except 2465
that, in sections 4505.01 to 4505.19 of the Revised Code, "owner" 2466
includes in addition manufacturers and dealers. 2467

(W) "Manufacturer" and "dealer" include all persons and firms 2468
that are regularly engaged in the business of manufacturing, 2469
selling, displaying, offering for sale, or dealing in motor 2470
vehicles, at an established place of business that is used 2471
exclusively for the purpose of manufacturing, selling, displaying, 2472
offering for sale, or dealing in motor vehicles. A place of 2473

business that is used for manufacturing, selling, displaying, 2474
offering for sale, or dealing in motor vehicles shall be deemed to 2475
be used exclusively for those purposes even though snowmobiles or 2476
all-purpose vehicles are sold or displayed for sale thereat, even 2477
though farm machinery is sold or displayed for sale thereat, or 2478
even though repair, accessory, gasoline and oil, storage, parts, 2479
service, or paint departments are maintained thereat, or, in any 2480
county having a population of less than seventy-five thousand at 2481
the last federal census, even though a department in a place of 2482
business is used to dismantle, salvage, or rebuild motor vehicles 2483
by means of used parts, if such departments are operated for the 2484
purpose of furthering and assisting in the business of 2485
manufacturing, selling, displaying, offering for sale, or dealing 2486
in motor vehicles. Places of business or departments in a place of 2487
business used to dismantle, salvage, or rebuild motor vehicles by 2488
means of using used parts are not considered as being maintained 2489
for the purpose of assisting or furthering the manufacturing, 2490
selling, displaying, and offering for sale or dealing in motor 2491
vehicles. 2492

(X) "Operator" includes any person who drives or operates a 2493
motor vehicle upon the public highways. 2494

(Y) "Chauffeur" means any operator who operates a motor 2495
vehicle, other than a taxicab, as an employee for hire; or any 2496
operator whether or not the owner of a motor vehicle, other than a 2497
taxicab, who operates such vehicle for transporting, for gain, 2498
compensation, or profit, either persons or property owned by 2499
another. Any operator of a motor vehicle who is voluntarily 2500
involved in a ridesharing arrangement is not considered an 2501
employee for hire or operating such vehicle for gain, 2502
compensation, or profit. 2503

(Z) "State" includes the territories and federal districts of 2504
the United States, and the provinces of Canada. 2505

(AA) "Public roads and highways" for vehicles includes all public thoroughfares, bridges, and culverts.

(BB) "Manufacturer's number" means the manufacturer's original serial number that is affixed to or imprinted upon the chassis or other part of the motor vehicle.

(CC) "Motor number" means the manufacturer's original number that is affixed to or imprinted upon the engine or motor of the vehicle.

(DD) "Distributor" means any person who is authorized by a motor vehicle manufacturer to distribute new motor vehicles to licensed motor vehicle dealers at an established place of business that is used exclusively for the purpose of distributing new motor vehicles to licensed motor vehicle dealers, except when the distributor also is a new motor vehicle dealer, in which case the distributor may distribute at the location of the distributor's licensed dealership.

(EE) "Ridesharing arrangement" means the transportation of persons in a motor vehicle where the transportation is incidental to another purpose of a volunteer driver and includes ridesharing arrangements known as carpools, vanpools, and buspools.

(FF) "Apportionable vehicle" means any vehicle that is used or intended for use in two or more international registration plan member jurisdictions that allocate or proportionally register vehicles, that is used for the transportation of persons for hire or designed, used, or maintained primarily for the transportation of property, and that meets any of the following qualifications:

(1) Is a power unit having a gross vehicle weight in excess of twenty-six thousand pounds;

(2) Is a power unit having three or more axles, regardless of the gross vehicle weight;

(3) Is a combination vehicle with a gross vehicle weight in excess of twenty-six thousand pounds.

"Apportionable vehicle" does not include recreational vehicles, vehicles displaying restricted plates, city pick-up and delivery vehicles, buses used for the transportation of chartered parties, or vehicles owned and operated by the United States, this state, or any political subdivisions thereof.

(GG) "Chartered party" means a group of persons who contract as a group to acquire the exclusive use of a passenger-carrying motor vehicle at a fixed charge for the vehicle in accordance with the carrier's tariff, lawfully on file with the United States department of transportation, for the purpose of group travel to a specified destination or for a particular itinerary, either agreed upon in advance or modified by the chartered group after having left the place of origin.

(HH) "International registration plan" means a reciprocal agreement of member jurisdictions that is endorsed by the American association of motor vehicle administrators, and that promotes and encourages the fullest possible use of the highway system by authorizing apportioned registration of fleets of vehicles and recognizing registration of vehicles apportioned in member jurisdictions.

(II) "Restricted plate" means a license plate that has a restriction of time, geographic area, mileage, or commodity, and includes license plates issued to farm trucks under division (J) of section 4503.04 of the Revised Code.

(JJ) "Gross vehicle weight," with regard to any commercial car, trailer, semitrailer, or bus that is taxed at the rates established under section 4503.042 or 4503.65 of the Revised Code, means the unladen weight of the vehicle fully equipped plus the maximum weight of the load to be carried on the vehicle.

(KK) "Combined gross vehicle weight" with regard to any 2567
combination of a commercial car, trailer, and semitrailer, that is 2568
taxed at the rates established under section 4503.042 or 4503.65 2569
of the Revised Code, means the total unladen weight of the 2570
combination of vehicles fully equipped plus the maximum weight of 2571
the load to be carried on that combination of vehicles. 2572

(LL) "Chauffeured limousine" means a motor vehicle that is 2573
designed to carry nine or fewer passengers and is operated for 2574
hire on an hourly basis pursuant to a prearranged contract for the 2575
transportation of passengers on public roads and highways along a 2576
route under the control of the person hiring the vehicle and not 2577
over a defined and regular route. "Prearranged contract" means an 2578
agreement, made in advance of boarding, to provide transportation 2579
from a specific location in a chauffeured limousine at a fixed 2580
rate per hour or trip. "Chauffeured limousine" does not include 2581
any vehicle that is used exclusively in the business of funeral 2582
directing. 2583

(MM) "Manufactured home" has the same meaning as in division 2584
(C)(4) of section 3781.06 of the Revised Code. 2585

(NN) "Acquired situs," with respect to a manufactured home or 2586
a mobile home, means to become located in this state by the 2587
placement of the home on real property, but does not include the 2588
placement of a manufactured home or a mobile home in the inventory 2589
of a new motor vehicle dealer or the inventory of a manufacturer, 2590
remanufacturer, or distributor of manufactured or mobile homes. 2591

(OO) "Electronic" includes electrical, digital, magnetic, 2592
optical, electromagnetic, or any other form of technology that 2593
entails capabilities similar to these technologies. 2594

(PP) "Electronic record" means a record generated, 2595
communicated, received, or stored by electronic means for use in 2596
an information system or for transmission from one information 2597

system to another. 2598

(QQ) "Electronic signature" means a signature in electronic 2599
form attached to or logically associated with an electronic 2600
record. 2601

(RR) "Financial transaction device" has the same meaning as 2602
in division (A) of section 113.40 of the Revised Code. 2603

(SS) "Electronic motor vehicle dealer" means a motor vehicle 2604
dealer licensed under Chapter 4517. of the Revised Code whom the 2605
registrar of motor vehicles determines meets the criteria 2606
designated in section 4503.035 of the Revised Code for electronic 2607
motor vehicle dealers and designates as an electronic motor 2608
vehicle dealer under that section. 2609

(TT) "Electric personal assistive mobility device" means a 2610
self-balancing two non-tandem wheeled device that is designed to 2611
transport only one person, has an electric propulsion system of an 2612
average of seven hundred fifty watts, and when ridden on a paved 2613
level surface by an operator who weighs one hundred seventy pounds 2614
has a maximum speed of less than twenty miles per hour. 2615

(UU) "Limited driving privileges" means the privilege to 2616
operate a motor vehicle that a court grants under section 4510.021 2617
of the Revised Code to a person whose driver's or commercial 2618
driver's license or permit or nonresident operating privilege has 2619
been suspended. 2620

(VV) "Utility vehicle" means a self-propelled vehicle 2621
designed with a bed, principally for the purpose of transporting 2622
material or cargo in connection with construction, agricultural, 2623
forestry, grounds maintenance, lawn and garden, materials 2624
handling, or similar activities. "Utility vehicle" includes a 2625
vehicle with a maximum attainable speed of twenty miles per hour 2626
or less that is used exclusively within the boundaries of state 2627
parks by state park employees or volunteers for the operation or 2628

maintenance of state park facilities. 2629

Sec. 4501.026. The registrar of motor vehicles or a deputy registrar shall ask an individual with whom the registrar or deputy registrar conducts driver's license or identification card transactions if the individual is a veteran or is currently serving in the armed forces of the United States or any reserve component of the armed forces of the United States or the Ohio national guard. If the individual claims to be a veteran or to be currently serving in the armed forces of the United States or any reserve component of the armed forces of the United States or the Ohio national guard, the registrar or deputy registrar shall provide the individual's name, address, and military status to the department of veterans services for official government purposes regarding benefits and services. 2630
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Sec. 4501.03. The registrar of motor vehicles shall open an account with each county and district of registration in the state, and may assign each county and district of registration in the state a unique code for identification purposes. Except as provided in section 4501.044 or division ~~(B)~~(A) (1) of section 4501.045 of the Revised Code, the registrar shall pay all moneys the registrar receives under sections 4503.02, 4503.12, and 4504.09 of the Revised Code into the state treasury to the credit of the auto registration distribution fund, which is hereby created, for distribution in the manner provided for in this section and sections 4501.04, 4501.041, 4501.042, and 4501.043 of the Revised Code. All other moneys received by the registrar shall be deposited in the state bureau of motor vehicles fund established in section 4501.25 of the Revised Code for the purposes enumerated in that section, unless otherwise provided by law. 2643
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All moneys credited to the auto registration distribution 2659

fund shall be distributed to the counties and districts of 2660
registration, except for funds received by the registrar under 2661
section 4504.09 of the Revised Code, after receipt of 2662
certifications from the commissioners of the sinking fund 2663
certifying, as required by sections 5528.15 and 5528.35 of the 2664
Revised Code, that there are sufficient moneys to the credit of 2665
the highway improvement bond retirement fund created by section 2666
5528.12 of the Revised Code to meet in full all payments of 2667
interest, principal, and charges for the retirement of bonds and 2668
other obligations issued pursuant to Section 2g of Article VIII, 2669
Ohio Constitution, and sections 5528.10 and 5528.11 of the Revised 2670
Code due and payable during the current calendar year, and that 2671
there are sufficient moneys to the credit of the highway 2672
obligations bond retirement fund created by section 5528.32 of the 2673
Revised Code to meet in full all payments of interest, principal, 2674
and charges for the retirement of highway obligations issued 2675
pursuant to Section 2i of Article VIII, Ohio Constitution, and 2676
sections 5528.30 and 5528.31 of the Revised Code due and payable 2677
during the current calendar year, in the manner provided in 2678
section 4501.04 of the Revised Code. 2679

The treasurer of state may invest any portion of the moneys 2680
credited to the auto registration distribution fund, in the same 2681
manner and subject to all the laws with respect to the investment 2682
of state funds by the treasurer of state, and all investment 2683
earnings of the fund shall be credited to the fund. 2684

Once each month the registrar shall prepare vouchers in favor 2685
of the county auditor of each county for the amount of the tax 2686
collection pursuant to sections 4503.02 and 4503.12 of the Revised 2687
Code apportioned to the county and to the districts of 2688
registration located wholly or in part in the county auditor's 2689
county. The county auditor shall distribute the proceeds of the 2690
tax collections due the county and the districts of registration 2691

in the manner provided in section 4501.04 of the Revised Code. 2692

Once each month the registrar also shall prepare vouchers in 2693
favor of the county auditor of each county levying a county motor 2694
vehicle license tax pursuant to section 4504.02, 4504.15, or 2695
4504.16 of the Revised Code and of each county in which is located 2696
one or more townships levying a township motor vehicle license tax 2697
pursuant to section 4504.18 of the Revised Code for the amount of 2698
the tax due the county or townships in the county. 2699

All moneys received by the registrar under sections 4503.02, 2700
4503.12, and 4504.09 of the Revised Code shall be distributed to 2701
counties, townships, and municipal corporations within thirty days 2702
of the expiration of the registration year, except that a sum 2703
equal to five per cent of the total amount received under sections 2704
4503.02 and 4503.12 of the Revised Code may be reserved to make 2705
final adjustments in accordance with the formula for distribution 2706
set forth in section 4501.04 of the Revised Code. If amounts set 2707
aside to make the adjustments are inadequate, necessary 2708
adjustments shall be made immediately out of funds available for 2709
distribution for the following two registration years. 2710

Sec. 4501.044. (A) All moneys received under section 4503.65 2711
of the Revised Code and from the tax imposed by section 4503.02 of 2712
the Revised Code on vehicles that are apportionable and to which 2713
the rates specified in divisions (A)(1) to (21) and division (B) 2714
of section 4503.042 of the Revised Code apply shall be paid into 2715
the international registration plan distribution fund, which is 2716
hereby created in the state treasury, and distributed as follows: 2717

(1) First, to make payments to other states that are members 2718
of the international registration plan of the portions of 2719
registration taxes the states are eligible to receive because of 2720
the operation within their borders of apportionable vehicles that 2721
are registered in Ohio; 2722

(2) Second, two and five-tenths per cent of all the moneys received from apportionable vehicles under section 4503.65 of the Revised Code that are collected from other international registration plan jurisdictions commencing on and after October 1, 2009, shall be deposited into the state highway safety fund established in section 4501.06 of the Revised Code; 2723
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(3) Third, forty-two and six-tenths per cent of the moneys received from apportionable vehicles under divisions (A)(8) to (21) of section 4503.042 and forty-two and six-tenths per cent of the balance remaining from the moneys received under section 4503.65 of the Revised Code after distribution under division (A)(2) of this section shall be deposited in the state treasury to the credit of the highway obligations bond retirement fund created by section 5528.32 of the Revised Code and used solely for the purposes set forth in that section, except that, from the date the commissioners of the sinking fund make the certification to the treasurer of state on the sufficiency of funds in the highway obligation bond retirement fund as required by section 5528.38 of the Revised Code, and until the thirty-first day of December of the year in which the certification is made, the amounts distributed under division ~~(A)(2)~~(3) of this section shall be credited to the highway operating fund created by section 5735.291 of the Revised Code; 2729
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~~(3) Third~~ (4) Fourth, an amount estimated as the annual costs that the department of taxation will incur in conducting audits of persons who have registered motor vehicles under the international registration plan, one-twelfth of which amount shall be paid by the registrar of motor vehicles into the international registration plan auditing fund created by section 5703.12 of the Revised Code by the fifteenth day of each month; 2746
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~~(4) Fourth~~ (5) Fifth, to the state bureau of motor vehicles fund established in section 4501.25 of the Revised Code, to offset 2753
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operating expenses incurred by the bureau of motor vehicles in 2755
administering the international registration plan; 2756

~~(5)~~(6) Any moneys remaining in the international registration 2757
plan distribution fund after distribution under divisions (A)(1) 2758
to ~~(4)~~(5) of this section shall be distributed in accordance with 2759
division (B) of this section. 2760

(B)(1) Moneys received from the tax imposed by section 2761
4503.02 of the Revised Code on vehicles that are apportionable and 2762
to which the rates specified in divisions (A)(1) to (21) and 2763
division (B) of section 4503.042 of the Revised Code apply shall 2764
be distributed and used in the manner provided in section 4501.04 2765
of the Revised Code and rules adopted by the registrar of motor 2766
vehicles for moneys deposited to the credit of the auto 2767
registration distribution fund. 2768

(2) Moneys received from collections under section 4503.65 of 2769
the Revised Code shall be distributed under divisions (B)(2) and 2770
(3) of this section. 2771

Each county, township, and municipal corporation shall 2772
receive an amount such that the ratio that the amount of moneys 2773
received by that county, township, or municipal corporation under 2774
division (B)(1) of this section from apportionable vehicles 2775
registered in Ohio and under section 4503.65 of the Revised Code 2776
from apportionable vehicles registered in other international 2777
registration plan jurisdictions bears to the total amount of 2778
moneys received by all counties, townships, and municipal 2779
corporations under division (B)(1) of this section from 2780
apportionable vehicles registered in Ohio and under section 2781
4503.65 of the Revised Code from apportionable vehicles registered 2782
in other international registration plan jurisdictions equals the 2783
ratio that the amount of moneys that the county, township, or 2784
municipal corporation would receive from apportionable vehicles 2785
registered in Ohio were the moneys from such vehicles distributed 2786

under section 4501.04 of the Revised Code, based solely on the 2787
weight schedules contained in section 4503.042 of the Revised 2788
Code, bears to the total amount of money that all counties, 2789
townships, and municipal corporations would receive from 2790
apportionable vehicles registered in Ohio were the moneys from 2791
such vehicles distributed under section 4501.04 of the Revised 2792
Code, based solely on the weight schedules contained in section 2793
4503.042 of the Revised Code. 2794

No county, township, or municipal corporation shall receive 2795
under division (B)(2) of this section an amount greater than the 2796
amount of money that that county, township, or municipal 2797
corporation would receive from apportionable vehicles registered 2798
in Ohio were the money from the taxation of such vehicles 2799
distributed under section 4501.04 of the Revised Code based solely 2800
on the weight schedules contained in section 4503.042 of the 2801
Revised Code. 2802

(3) If, at the end of the distribution year, the total of all 2803
moneys received under section 4503.65 of the Revised Code exceeds 2804
the total moneys subject to distribution under division (B)(2) of 2805
this section, the registrar shall distribute to each county, 2806
township, and municipal corporation a portion of the excess. The 2807
excess shall be distributed to counties, townships, and municipal 2808
corporations in the same proportion that the revenues received by 2809
each county, township, and municipal corporation from collections 2810
under section 4503.02 and from collections under section 4503.65 2811
of the Revised Code during that distribution year bears to the 2812
total revenues received by counties, townships, and municipal 2813
corporations from taxes levied under section 4503.02 and from 2814
collections under section 4503.65 of the Revised Code during that 2815
distribution year. 2816

(C) All moneys received from the administrative fee imposed 2817
by division (C) of section 4503.042 of the Revised Code shall be 2818

deposited to the credit of the state bureau of motor vehicles fund 2819
established in section 4501.25 of the Revised Code, to offset 2820
operating expenses incurred by the bureau of motor vehicles in 2821
administering the international registration plan. 2822

(D) All investment earnings of the international registration 2823
plan distribution fund shall be credited to the fund. 2824

Sec. 4501.06. The taxes, fees, and fines levied, charged, or 2825
referred to in division (O) of section 4503.04, division (E) of 2826
section 4503.042, division (B) of section 4503.07, division (C)(1) 2827
of section 4503.10, division (D) of section 4503.182, division 2828
(D)(2) of section 4507.24, division (A) of section 4508.06, and 2829
sections 4505.11, 4505.111, 4506.08, 4506.09, 4507.23, 4508.05, 2830
4923.12, and 5502.12 of the Revised Code, and the taxes charged in 2831
section 4503.65 that are distributed in accordance with division 2832
(A)(2) of section 4501.044 of the Revised Code unless otherwise 2833
designated by law, shall be deposited in the state treasury to the 2834
credit of the state highway safety fund, which is hereby created, 2835
and shall, after receipt of certifications from the commissioners 2836
of the sinking fund certifying, as required by sections 5528.15 2837
and 5528.35 of the Revised Code, that there are sufficient moneys 2838
to the credit of the highway improvement bond retirement fund 2839
created by section 5528.12 of the Revised Code to meet in full all 2840
payments of interest, principal, and charges for the retirement of 2841
bonds and other obligations issued pursuant to Section 2g of 2842
Article VIII, Ohio Constitution, and sections 5528.10 and 5528.11 2843
of the Revised Code due and payable during the current calendar 2844
year, and that there are sufficient moneys to the credit of the 2845
highway obligations bond retirement fund created by section 2846
5528.32 of the Revised Code to meet in full all payments of 2847
interest, principal, and charges for the retirement of highway 2848
obligations issued pursuant to Section 2i of Article VIII, Ohio 2849
Constitution, and sections 5528.30 and 5528.31 of the Revised Code 2850

due and payable during the current calendar year, be used for the 2851
purpose of enforcing and paying the expenses of administering the 2852
law relative to the registration and operation of motor vehicles 2853
on the public roads or highways. Amounts credited to the fund may 2854
also be used to pay the expenses of administering and enforcing 2855
the laws under which such fees were collected. All investment 2856
earnings of the state highway safety fund shall be credited to the 2857
fund. 2858

Sec. 4501.21. (A) There is hereby created in the state 2859
treasury the license plate contribution fund. The fund shall 2860
consist of all contributions paid by motor vehicle registrants and 2861
collected by the registrar of motor vehicles pursuant to sections 2862
4503.491, 4503.493, 4503.50, 4503.501, 4503.502, 4503.51, 2863
4503.522, 4503.523, 4503.545, 4503.55, 4503.551, 4503.552, 2864
4503.553, 4503.561, 4503.562, 4503.591, 4503.67, 4503.68, 4503.69, 2865
4503.71, 4503.711, 4503.712, 4503.72, 4503.73, 4503.74, 4503.75, 2866
4503.85, and 4503.92 of the Revised Code. 2867

(B) The registrar shall pay the contributions the registrar 2868
collects in the fund as follows: 2869

The registrar shall pay the contributions received pursuant 2870
to section 4503.491 of the Revised Code to the breast cancer fund 2871
of Ohio, which shall use that money only to pay for programs that 2872
provide assistance and education to Ohio breast cancer patients 2873
and that improve access for such patients to quality health care 2874
and clinical trials and shall not use any of the money for 2875
abortion information, counseling, services, or other 2876
abortion-related activities. 2877

The registrar shall pay the contributions received pursuant 2878
to section 4503.493 of the Revised Code to the autism society of 2879
Ohio, which shall use the contributions for programs and autism 2880
awareness efforts throughout the state. 2881

The registrar shall pay the contributions the registrar receives pursuant to section 4503.50 of the Revised Code to the future farmers of America foundation, which shall deposit the contributions into its general account to be used for educational and scholarship purposes of the future farmers of America foundation. 2882
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The registrar shall pay the contributions the registrar receives pursuant to section 4503.501 of the Revised Code to the 4-H youth development program of the Ohio state university extension program, which shall use those contributions to pay the expenses it incurs in conducting its educational activities. 2888
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The registrar shall pay the contributions received pursuant to section 4503.502 of the Revised Code to the Ohio cattlemen's foundation, which shall use those contributions for scholarships and other educational activities. 2893
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The registrar shall pay each contribution the registrar receives pursuant to section 4503.51 of the Revised Code to the university or college whose name or marking or design appears on collegiate license plates that are issued to a person under that section. A university or college that receives contributions from the fund shall deposit the contributions into its general scholarship fund. 2897
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The registrar shall pay the contributions the registrar receives pursuant to section 4503.522 of the Revised Code to the "friends of Perry's victory and international peace memorial, incorporated," a nonprofit corporation organized under the laws of this state, to assist that organization in paying the expenses it incurs in sponsoring or holding charitable, educational, and cultural events at the monument. 2904
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The registrar shall pay the contributions the registrar receives pursuant to section 4503.523 of the Revised Code to the 2911
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fairport lights foundation, which shall use the money to pay for 2913
the restoration, maintenance, and preservation of the lighthouses 2914
of fairport harbor. 2915

The registrar shall pay the contributions the registrar 2916
receives pursuant to section 4503.55 of the Revised Code to the 2917
pro football hall of fame, which shall deposit the contributions 2918
into a special bank account that it establishes and which shall be 2919
separate and distinct from any other account the pro football hall 2920
of fame maintains, to be used exclusively for the purpose of 2921
promoting the pro football hall of fame as a travel destination. 2922

The registrar shall pay the contributions that are paid to 2923
the registrar pursuant to section 4503.545 of the Revised Code to 2924
the national rifle association foundation, which shall use the 2925
money to pay the costs of the educational activities and programs 2926
the foundation holds or sponsors in this state. 2927

~~In accordance with section 955.202 of the Revised Code, the~~ 2928
The registrar shall pay to the Ohio pet fund the contributions the 2929
registrar receives pursuant to section 4503.551 of the Revised 2930
Code and any other money from any other source, including 2931
donations, gifts, and grants, that is designated by the source to 2932
be paid to the Ohio pet fund. The Ohio pet fund shall use the 2933
moneys it receives under this section ~~only~~ to support programs for 2934
the sterilization of dogs and cats and for educational programs 2935
concerning the proper veterinary care of those animals, and for 2936
expenses of the Ohio pet fund that are reasonably necessary for it 2937
to obtain and maintain its tax-exempt status and to perform its 2938
duties. 2939

The registrar shall pay the contributions the registrar 2940
receives pursuant to section 4503.552 of the Revised Code to the 2941
rock and roll hall of fame and museum, incorporated. 2942

The registrar shall pay the contributions the registrar 2943

receives pursuant to section 4503.553 of the Revised Code to the 2944
Ohio coalition for animals, incorporated, a nonprofit corporation. 2945
Except as provided in division (B) of this section, the coalition 2946
shall distribute the money to its members, and the members shall 2947
use the money only to pay for educational, charitable, and other 2948
programs of each coalition member that provide care for unwanted, 2949
abused, and neglected horses. The Ohio coalition for animals may 2950
use a portion of the money to pay for reasonable marketing costs 2951
incurred in the design and promotion of the license plate and for 2952
administrative costs incurred in the disbursement and management 2953
of funds received under this section. 2954

The registrar shall pay the contributions the registrar 2955
receives pursuant to section 4503.561 of the Revised Code to the 2956
state of Ohio chapter of ducks unlimited, inc., which shall 2957
deposit the contributions into a special bank account that it 2958
establishes. The special bank account shall be separate and 2959
distinct from any other account the state of Ohio chapter of ducks 2960
unlimited, inc., maintains and shall be used exclusively for the 2961
purpose of protecting, enhancing, restoring, and managing wetlands 2962
and conserving wildlife habitat. The state of Ohio chapter of 2963
ducks unlimited, inc., annually shall notify the registrar in 2964
writing of the name, address, and account to which such payments 2965
are to be made. 2966

The registrar shall pay the contributions the registrar 2967
receives pursuant to section 4503.562 of the Revised Code to the 2968
Mahoning river consortium, which shall use the money to pay the 2969
expenses it incurs in restoring and maintaining the Mahoning river 2970
watershed. 2971

The registrar shall pay to a sports commission created 2972
pursuant to section 4503.591 of the Revised Code each contribution 2973
the registrar receives under that section that an applicant pays 2974
to obtain license plates that bear the logo of a professional 2975

sports team located in the county of that sports commission and 2976
that is participating in the license plate program pursuant to 2977
division (E) of that section, irrespective of the county of 2978
residence of an applicant. 2979

The registrar shall pay to a community charity each 2980
contribution the registrar receives under section 4503.591 of the 2981
Revised Code that an applicant pays to obtain license plates that 2982
bear the logo of a professional sports team that is participating 2983
in the license plate program pursuant to division (G) of that 2984
section. 2985

The registrar shall pay the contributions the registrar 2986
receives pursuant to section 4503.67 of the Revised Code to the 2987
Dan Beard council of the boy scouts of America. The council shall 2988
distribute all contributions in an equitable manner throughout the 2989
state to regional councils of the boy scouts. 2990

The registrar shall pay the contributions the registrar 2991
receives pursuant to section 4503.68 of the Revised Code to the 2992
great river council of the girl scouts of the United States of 2993
America. The council shall distribute all contributions in an 2994
equitable manner throughout the state to regional councils of the 2995
girl scouts. 2996

The registrar shall pay the contributions the registrar 2997
receives pursuant to section 4503.69 of the Revised Code to the 2998
Dan Beard council of the boy scouts of America. The council shall 2999
distribute all contributions in an equitable manner throughout the 3000
state to regional councils of the boy scouts. 3001

The registrar shall pay the contributions the registrar 3002
receives pursuant to section 4503.71 of the Revised Code to the 3003
fraternal order of police of Ohio, incorporated, which shall 3004
deposit the fees into its general account to be used for purposes 3005
of the fraternal order of police of Ohio, incorporated. 3006

The registrar shall pay the contributions the registrar receives pursuant to section 4503.711 of the Revised Code to the fraternal order of police of Ohio, incorporated, which shall deposit the contributions into an account that it creates to be used for the purpose of advancing and protecting the law enforcement profession, promoting improved law enforcement methods, and teaching respect for law and order.

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

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

The registrar shall pay the contributions the registrar receives pursuant to section 4503.73 of the Revised Code to Wright B. Flyer, incorporated, which shall deposit the contributions into its general account to be used for purposes of Wright B. Flyer, incorporated.

The registrar shall pay the contributions the registrar receives pursuant to section 4503.74 of the Revised Code to the Columbus zoological park association, which shall disburse the moneys to Ohio's major metropolitan zoos, as defined in section 4503.74 of the Revised Code, in accordance with a written

agreement entered into by the major metropolitan zoos. 3039

The registrar shall pay the contributions the registrar 3040
receives pursuant to section 4503.75 of the Revised Code to the 3041
rotary foundation, located on March 31, 2003, in Evanston, 3042
Illinois, to be placed in a fund known as the permanent fund and 3043
used to endow educational and humanitarian programs of the rotary 3044
foundation. 3045

The registrar shall pay the contributions the registrar 3046
receives pursuant to section 4503.85 of the Revised Code to the 3047
Ohio sea grant college program to be used for Lake Erie area 3048
research projects. 3049

The registrar shall pay the contributions received pursuant 3050
to section 4503.92 of the Revised Code to support our troops, 3051
incorporated, a national nonprofit corporation, which shall use 3052
those contributions in accordance with its articles of 3053
incorporation and for the benefit of servicemembers of the armed 3054
forces of the United States and their families when they are in 3055
financial need. 3056

(C) All investment earnings of the license plate contribution 3057
fund shall be credited to the fund. Not later than the first day 3058
of May of every year, the registrar shall distribute to each 3059
entity described in division (B) of this section the investment 3060
income the fund earned the previous calendar year. The amount of 3061
such a distribution paid to an entity shall be proportionate to 3062
the amount of money the entity received from the fund during the 3063
previous calendar year. 3064

Sec. 4501.34. (A) The registrar of motor vehicles may adopt 3065
and publish rules to govern the registrar's proceedings. All 3066
proceedings of the registrar shall be open to the public, and all 3067
documents in the registrar's possession are public records. The 3068
registrar shall adopt a seal bearing the inscription: "Motor 3069

Vehicle Registrar of Ohio." The seal shall be affixed to all writs 3070
and authenticated copies of records, and, when it has been so 3071
attached, the copies shall be received in evidence with the same 3072
effect as other public records. All courts shall take judicial 3073
notice of the seal. 3074

(B) Upon the request of any person accompanied by a 3075
nonrefundable fee of ~~two~~ eight dollars per name, the registrar may 3076
furnish lists of names and addresses as they appear upon the 3077
applications for driver's licenses, provided that any further 3078
information contained in the applications shall not be disclosed. 3079
The registrar shall pay ~~all the fees~~ two dollars of each fee 3080
collected into the state treasury to the credit of the state 3081
bureau of motor vehicles fund established in section 4501.25 of 3082
the Revised Code. Of the remaining six dollars of each such fee 3083
the registrar collects, the registrar shall deposit one dollar and 3084
twenty-five cents into the state treasury to the credit of the 3085
trauma and emergency medical services fund established in section 3086
4513.263 of the Revised Code, one dollar and twenty-five cents 3087
into the state treasury to the credit of the homeland security 3088
fund established in section 5502.03 of the Revised Code, 3089
seventy-five cents into the state treasury to the credit of the 3090
investigations fund established in section 5502.131 of the Revised 3091
Code, two dollars and twenty-five cents into the state treasury to 3092
the credit of the emergency management agency service and 3093
reimbursement fund established in section 5502.39 of the Revised 3094
Code, and fifty cents into the state treasury to the credit of the 3095
justice program services fund established in section 5502.67 of 3096
the Revised Code. 3097

This division does not apply to the list of qualified driver 3098
licensees required to be compiled and filed pursuant to section 3099
2313.06 of the Revised Code. 3100

Sec. 4503.04. Except as provided in ~~section~~ sections 4503.042 3101
and 4503.65 of the Revised Code for the registration of commercial 3102
cars, trailers, semitrailers, and certain buses, the rates of the 3103
taxes imposed by section 4503.02 of the Revised Code shall be as 3104
follows: 3105

(A) For motor vehicles having three wheels or less, the 3106
license tax is: 3107

(1) For each motorized bicycle, ten dollars; 3108

(2) For each motorcycle, fourteen dollars. 3109

(B) For each passenger car, twenty dollars; 3110

(C) For each manufactured home, each mobile home, and each 3111
travel trailer, ten dollars; 3112

(D) For each noncommercial motor vehicle designed by the 3113
manufacturer to carry a load of no more than three-quarters of one 3114
ton and for each motor home, thirty-five dollars; for each 3115
noncommercial motor vehicle designed by the manufacturer to carry 3116
a load of more than three-quarters of one ton, but not more than 3117
one ton, seventy dollars; 3118

(E) For each noncommercial trailer, the license tax is: 3119

(1) Eighty-five cents for each one hundred pounds or part 3120
thereof for the first two thousand pounds or part thereof of 3121
weight of vehicle fully equipped; 3122

(2) One dollar and forty cents for each one hundred pounds or 3123
part thereof in excess of two thousand pounds up to and including 3124
three thousand pounds. 3125

(F) Notwithstanding its weight, twelve dollars for any: 3126

(1) Vehicle equipped, owned, and used by a charitable or 3127
nonprofit corporation exclusively for the purpose of administering 3128
chest x-rays or receiving blood donations; 3129

(2) Van used principally for the transportation of 3130
handicapped persons that has been modified by being equipped with 3131
adaptive equipment to facilitate the movement of such persons into 3132
and out of the van; 3133

(3) Bus used principally for the transportation of 3134
handicapped persons or persons sixty-five years of age or older; 3135

(G) Notwithstanding its weight, twenty dollars for any bus 3136
used principally for the transportation of persons in a 3137
ridesharing arrangement. 3138

(H) For each transit bus having motor power the license tax 3139
is twelve dollars. 3140

"Transit bus" means either a motor vehicle having a seating 3141
capacity of more than seven persons which is operated and used by 3142
any person in the rendition of a public mass transportation 3143
service primarily in a municipal corporation or municipal 3144
corporations and provided at least seventy-five per cent of the 3145
annual mileage of such service and use is within such municipal 3146
corporation or municipal corporations or a motor vehicle having a 3147
seating capacity of more than seven persons which is operated 3148
solely for the transportation of persons associated with a 3149
charitable or nonprofit corporation, but does not mean any motor 3150
vehicle having a seating capacity of more than seven persons when 3151
such vehicle is used in a ridesharing capacity or any bus 3152
described by division (F)(3) of this section. 3153

The application for registration of such transit bus shall be 3154
accompanied by an affidavit prescribed by the registrar of motor 3155
vehicles and signed by the person or an agent of the firm or 3156
corporation operating such bus stating that the bus has a seating 3157
capacity of more than seven persons, and that it is either to be 3158
operated and used in the rendition of a public mass transportation 3159
service and that at least seventy-five per cent of the annual 3160

mileage of such operation and use shall be within one or more 3161
municipal corporations or that it is to be operated solely for the 3162
transportation of persons associated with a charitable or 3163
nonprofit corporation. 3164

The form of the license plate, and the manner of its 3165
attachment to the vehicle, shall be prescribed by the registrar of 3166
motor vehicles. 3167

(I) The minimum tax for any vehicle having motor power other 3168
than a farm truck, a motorized bicycle, or motorcycle is ten 3169
dollars and eighty cents, and for each noncommercial trailer, five 3170
dollars. 3171

(J)(1) Except as otherwise provided in division (J) of this 3172
section, for each farm truck, except a noncommercial motor 3173
vehicle, that is owned, controlled, or operated by one or more 3174
farmers exclusively in farm use as defined in this section, and 3175
not for commercial purposes, and provided that at least 3176
seventy-five per cent of such farm use is by or for the one or 3177
more owners, controllers, or operators of the farm in the 3178
operation of which a farm truck is used, the license tax is five 3179
dollars plus: 3180

(a) Fifty cents per one hundred pounds or part thereof for 3181
the first three thousand pounds; 3182

(b) Seventy cents per one hundred pounds or part thereof in 3183
excess of three thousand pounds up to and including four thousand 3184
pounds; 3185

(c) Ninety cents per one hundred pounds or part thereof in 3186
excess of four thousand pounds up to and including six thousand 3187
pounds; 3188

(d) Two dollars for each one hundred pounds or part thereof 3189
in excess of six thousand pounds up to and including ten thousand 3190
pounds; 3191

(e) Two dollars and twenty-five cents for each one hundred pounds or part thereof in excess of ten thousand pounds;	3192 3193
(f) The minimum license tax for any farm truck shall be twelve dollars.	3194 3195
(2) The owner of a farm truck may register the truck for a period of one-half year by paying one-half the registration tax imposed on the truck under this chapter and one-half the amount of any tax imposed on the truck under Chapter 4504. of the Revised Code.	3196 3197 3198 3199 3200
(3) A farm bus may be registered for a period of ninety days from the date of issue of the license plates for the bus, for a fee of ten dollars, provided such license plates shall not be issued for more than any two ninety-day periods in any calendar year. Such use does not include the operation of trucks by commercial processors of agricultural products.	3201 3202 3203 3204 3205 3206
(4) License plates for farm trucks and for farm buses shall have some distinguishing marks, letters, colors, or other characteristics to be determined by the director of public safety.	3207 3208 3209
(5) Every person registering a farm truck or bus under this section shall furnish an affidavit certifying that the truck or bus licensed to that person is to be so used as to meet the requirements necessary for the farm truck or farm bus classification.	3210 3211 3212 3213 3214
Any farmer may use a truck owned by the farmer for commercial purposes by paying the difference between the commercial truck registration fee and the farm truck registration fee for the remaining part of the registration period for which the truck is registered. Such remainder shall be calculated from the beginning of the semiannual period in which application for such commercial license is made.	3215 3216 3217 3218 3219 3220 3221
Taxes at the rates provided in this section are in lieu of	3222

all taxes on or with respect to the ownership of such motor 3223
vehicles, except as provided in section 4503.042 and section 3224
4503.06 of the Revised Code. 3225

(K) Other than trucks registered under the international 3226
registration plan in another jurisdiction and for which this state 3227
has received an apportioned registration fee, the license tax for 3228
each truck which is owned, controlled, or operated by a 3229
nonresident, and licensed in another state, and which is used 3230
exclusively for the transportation of nonprocessed agricultural 3231
products intrastate, from the place of production to the place of 3232
processing, is twenty-four dollars. 3233

"Truck," as used in this division, means any pickup truck, 3234
straight truck, semitrailer, or trailer other than a travel 3235
trailer. Nonprocessed agricultural products, as used in this 3236
division, does not include livestock or grain. 3237

A license issued under this division shall be issued for a 3238
period of one hundred thirty days in the same manner in which all 3239
other licenses are issued under this section, provided that no 3240
truck shall be so licensed for more than one 3241
one-hundred-thirty-day period during any calendar year. 3242

The license issued pursuant to this division shall consist of 3243
a windshield decal to be designed by the director of public 3244
safety. 3245

Every person registering a truck under this division shall 3246
furnish an affidavit certifying that the truck licensed to the 3247
person is to be used exclusively for the purposes specified in 3248
this division. 3249

(L) Every person registering a motor vehicle as a 3250
noncommercial motor vehicle as defined in section 4501.01 of the 3251
Revised Code, or registering a trailer as a noncommercial trailer 3252
as defined in that section, shall furnish an affidavit certifying 3253

that the motor vehicle or trailer so licensed to the person is to 3254
be so used as to meet the requirements necessary for the 3255
noncommercial vehicle classification. 3256

(M) Every person registering a van or bus as provided in 3257
divisions (F)(2) and (3) of this section shall furnish a notarized 3258
statement certifying that the van or bus licensed to the person is 3259
to be used for the purposes specified in those divisions. The form 3260
of the license plate issued for such motor vehicles shall be 3261
prescribed by the registrar. 3262

(N) Every person registering as a passenger car a motor 3263
vehicle designed and used for carrying more than nine but not more 3264
than fifteen passengers, and every person registering a bus as 3265
provided in division (G) of this section, shall furnish an 3266
affidavit certifying that the vehicle so licensed to the person is 3267
to be used in a ridesharing arrangement and that the person will 3268
have in effect whenever the vehicle is used in a ridesharing 3269
arrangement a policy of liability insurance with respect to the 3270
motor vehicle in amounts and coverages no less than those required 3271
by section 4509.79 of the Revised Code. The form of the license 3272
plate issued for such a motor vehicle shall be prescribed by the 3273
registrar. 3274

(O) Commencing on October 1, 2009, if an application for 3275
registration renewal is not applied for prior to the expiration 3276
date of the registration, the registrar or deputy registrar shall 3277
collect a fee of ten dollars for the issuance of the vehicle 3278
registration, but may waive the fee for good cause shown if the 3279
application is accompanied by supporting evidence as the registrar 3280
may require. The fee shall be in addition to all other fees 3281
established by this section. A deputy registrar shall retain fifty 3282
cents of the fee and shall transmit the remaining amount to the 3283
registrar at the time and in the manner provided by section 3284
4503.10 of the Revised Code. The registrar shall deposit all 3285

moneys received under this division into the state highway safety 3286
fund established in section 4501.06 of the Revised Code. 3287

(P) As used in this section: 3288

(1) "Van" means any motor vehicle having a single rear axle 3289
and an enclosed body without a second seat. 3290

(2) "Handicapped person" means any person who has lost the 3291
use of one or both legs, or one or both arms, or is blind, deaf, 3292
or so severely disabled as to be unable to move about without the 3293
aid of crutches or a wheelchair. 3294

(3) "Farm truck" means a truck used in the transportation 3295
from the farm of products of the farm, including livestock and its 3296
products, poultry and its products, floricultural and 3297
horticultural products, and in the transportation to the farm of 3298
supplies for the farm, including tile, fence, and every other 3299
thing or commodity used in agricultural, floricultural, 3300
horticultural, livestock, and poultry production and livestock, 3301
poultry, and other animals and things used for breeding, feeding, 3302
or other purposes connected with the operation of the farm. 3303

(4) "Farm bus" means a bus used only for the transportation 3304
of agricultural employees and used only in the transportation of 3305
such employees as are necessary in the operation of the farm. 3306

(5) "Farm supplies" includes fuel used exclusively in the 3307
operation of a farm, including one or more homes located on and 3308
used in the operation of one or more farms, and furniture and 3309
other things used in and around such homes. 3310

Sec. 4503.042. The registrar of motor vehicles shall adopt 3311
rules establishing the date, subsequent to this state's entry into 3312
membership in the international registration plan, when the rates 3313
established by this section become operative. 3314

(A) The rates of the taxes imposed by section 4503.02 of the 3315

Revised Code are as follows for commercial cars having a gross	3316
vehicle weight or combined gross vehicle weight of:	3317
(1) Not more than two thousand pounds, forty-five dollars;	3318
(2) More than two thousand but not more than six thousand	3319
pounds, seventy dollars;	3320
(3) More than six thousand but not more than ten thousand	3321
pounds, eighty-five dollars;	3322
(4) More than ten thousand but not more than fourteen	3323
thousand pounds, one hundred five dollars;	3324
(5) More than fourteen thousand but not more than eighteen	3325
thousand pounds, one hundred twenty-five dollars;	3326
(6) More than eighteen thousand but not more than twenty-two	3327
thousand pounds, one hundred fifty dollars;	3328
(7) More than twenty-two thousand but not more than	3329
twenty-six thousand pounds, one hundred seventy-five dollars;	3330
(8) More than twenty-six thousand but not more than thirty	3331
thousand pounds, three hundred fifty-five dollars;	3332
(9) More than thirty thousand but not more than thirty-four	3333
thousand pounds, four hundred twenty dollars;	3334
(10) More than thirty-four thousand but not more than	3335
thirty-eight thousand pounds, four hundred eighty dollars;	3336
(11) More than thirty-eight thousand but not more than	3337
forty-two thousand pounds, five hundred forty dollars;	3338
(12) More than forty-two thousand but not more than forty-six	3339
thousand pounds, six hundred dollars;	3340
(13) More than forty-six thousand but not more than fifty	3341
thousand pounds, six hundred sixty dollars;	3342
(14) More than fifty thousand but not more than fifty-four	3343
thousand pounds, seven hundred twenty-five dollars;	3344

(15) More than fifty-four thousand but not more than	3345
fifty-eight thousand pounds, seven hundred eighty-five dollars;	3346
(16) More than fifty-eight thousand but not more than	3347
sixty-two thousand pounds, eight hundred fifty-five dollars;	3348
(17) More than sixty-two thousand but not more than sixty-six	3349
thousand pounds, nine hundred twenty-five dollars;	3350
(18) More than sixty-six thousand but not more than seventy	3351
thousand pounds, nine hundred ninety-five dollars;	3352
(19) More than seventy thousand but not more than	3353
seventy-four thousand pounds, one thousand eighty dollars;	3354
(20) More than seventy-four thousand but not more than	3355
seventy-eight thousand pounds, one thousand two hundred dollars;	3356
(21) More than seventy-eight thousand pounds, one thousand	3357
three hundred forty dollars.	3358
(B) The rates of the taxes imposed by section 4503.02 of the	3359
Revised Code are as follows for buses having a gross vehicle	3360
weight or combined gross vehicle weight of:	3361
(1) Not more than two thousand pounds, ten dollars;	3362
(2) More than two thousand but not more than six thousand	3363
pounds, forty dollars;	3364
(3) More than six thousand but not more than ten thousand	3365
pounds, one hundred dollars;	3366
(4) More than ten thousand but not more than fourteen	3367
thousand pounds, one hundred eighty dollars;	3368
(5) More than fourteen thousand but not more than eighteen	3369
thousand pounds, two hundred sixty dollars;	3370
(6) More than eighteen thousand but not more than twenty-two	3371
thousand pounds, three hundred forty dollars;	3372
(7) More than twenty-two thousand but not more than	3373

twenty-six thousand pounds, four hundred twenty dollars;	3374
(8) More than twenty-six thousand but not more than thirty thousand pounds, five hundred dollars;	3375 3376
(9) More than thirty thousand but not more than thirty-four thousand pounds, five hundred eighty dollars;	3377 3378
(10) More than thirty-four thousand but not more than thirty-eight thousand pounds, six hundred sixty dollars;	3379 3380
(11) More than thirty-eight thousand but not more than forty-two thousand pounds, seven hundred forty dollars;	3381 3382
(12) More than forty-two thousand but not more than forty-six thousand pounds, eight hundred twenty dollars;	3383 3384
(13) More than forty-six thousand but not more than fifty thousand pounds, nine hundred forty dollars;	3385 3386
(14) More than fifty thousand but not more than fifty-four thousand pounds, one thousand dollars;	3387 3388
(15) More than fifty-four thousand but not more than fifty-eight thousand pounds, one thousand ninety dollars;	3389 3390
(16) More than fifty-eight thousand but not more than sixty-two thousand pounds, one thousand one hundred eighty dollars;	3391 3392 3393
(17) More than sixty-two thousand but not more than sixty-six thousand pounds, one thousand two hundred seventy dollars;	3394 3395
(18) More than sixty-six thousand but not more than seventy thousand pounds, one thousand three hundred sixty dollars;	3396 3397
(19) More than seventy thousand but not more than seventy-four thousand pounds, one thousand four hundred fifty dollars;	3398 3399 3400
(20) More than seventy-four thousand but not more than seventy-eight thousand pounds, one thousand five hundred forty	3401 3402

dollars; 3403

(21) More than seventy-eight thousand pounds, one thousand 3404
six hundred thirty dollars. 3405

(C) In addition to the license taxes imposed at the rates 3406
specified in divisions (A) and (B) of this section, an 3407
administrative fee of three dollars and ~~twenty-five~~ fifty cents, 3408
plus an appropriate amount to cover the cost of postage, shall be 3409
collected by the registrar for each international registration 3410
plan license processed by the registrar. ~~If the deputy registrar~~ 3411
~~fees are increased on January 1, 2004, in accordance with section~~ 3412
~~4503.034 of the Revised Code, the administrative fee collected~~ 3413
~~under this section is three dollars and fifty cents, commencing on~~ 3414
~~that date, plus postage.~~ 3415

(D) The rate of the tax for each trailer and semitrailer is 3416
twenty-five dollars. 3417

(E) Commencing on October 1, 2009, if an application for 3418
registration renewal is not applied for prior to the expiration 3419
date of the registration, the registrar or deputy registrar shall 3420
collect a fee of ten dollars for the issuance of the vehicle 3421
registration, but may waive the fee for good cause shown if the 3422
application is accompanied by supporting evidence as the registrar 3423
may require. The fee shall be in addition to all other fees 3424
established by this section. A deputy registrar shall retain fifty 3425
cents of the fee and shall transmit the remaining amount to the 3426
registrar at the time and in the manner provided by section 3427
4503.10 of the Revised Code. The registrar shall deposit all 3428
moneys received under this division into the state highway safety 3429
fund established in section 4501.06 of the Revised Code. 3430

(F) The rates established by this section shall not apply to 3431
any of the following: 3432

(1) Vehicles equipped, owned, and used by a charitable or 3433

nonprofit corporation exclusively for the purpose of administering 3434
chest x-rays or receiving blood donations; 3435

(2) Vans used principally for the transportation of 3436
handicapped persons that have been modified by being equipped with 3437
adaptive equipment to facilitate the movement of such persons into 3438
and out of the vans; 3439

(3) Buses used principally for the transportation of 3440
handicapped persons or persons sixty-five years of age or older; 3441

(4) Buses used principally for the transportation of persons 3442
in a ridesharing arrangement; 3443

(5) Transit buses having motor power; 3444

(6) Noncommercial trailers, mobile homes, or manufactured 3445
homes. 3446

Sec. 4503.07. (A) In lieu of the schedule of rates for 3447
commercial cars fixed in section 4503.04 of the Revised Code, the 3448
fee shall be ten dollars for each church bus used exclusively to 3449
transport members of a church congregation to and from church 3450
services or church functions or to transport children and their 3451
authorized supervisors to and from any camping function sponsored 3452
by a nonprofit, tax-exempt, charitable or philanthropic 3453
organization. A church within the meaning of this section is an 3454
organized religious group, duly constituted with officers and a 3455
board of trustees, regularly holding religious services, and 3456
presided over or administered to by a properly accredited 3457
ecclesiastical officer, whose name and standing is published in 3458
the official publication of the officer's religious group. 3459

(B) Commencing on October 1, 2009, if an application for 3460
registration renewal is not applied for prior to the expiration 3461
date of the registration, the registrar or deputy registrar shall 3462
collect a fee of ten dollars for the issuance of the vehicle 3463

registration, but may waive the fee for good cause shown if the 3464
application is accompanied by supporting evidence as the registrar 3465
may require. The fee shall be in addition to all other fees 3466
established by this section. A deputy registrar shall retain fifty 3467
cents of the fee and shall transmit the remaining amount to the 3468
registrar at the time and in the manner provided by section 3469
4503.10 of the Revised Code. The registrar shall deposit all 3470
moneys received under this division into the state highway safety 3471
fund established in section 4501.06 of the Revised Code. 3472

(C) The application for registration of such bus shall be 3473
accompanied by the following, as applicable: 3474

~~(A)~~(1) An affidavit, prescribed by the registrar of motor 3475
vehicles and signed by either the senior pastor, minister, priest, 3476
or rabbi of the church making application or by the head of the 3477
governing body of the church making application, stating that the 3478
bus is to be used exclusively to transport members of a church 3479
congregation to and from church services or church functions or to 3480
transport children and their authorized supervisors to and from 3481
any camping function sponsored by a nonprofit, tax-exempt, 3482
charitable, or philanthropic organization; 3483

~~(B)~~(2) A certificate from the state highway patrol stating 3484
that the bus involved is safe for operation in accordance with 3485
such standards as are prescribed by the state highway patrol if 3486
the bus meets either of the following: 3487

~~(1)~~(a) It originally was designed by the manufacturer to 3488
transport sixteen or more passengers, including the driver; 3489

~~(2)~~(b) It has a gross vehicle weight rating of ten thousand 3490
one pounds or more. 3491

(D) The form of the license plate and the manner of its 3492
attachment to the vehicle shall be prescribed by the registrar. 3493

Sec. 4503.10. (A) The owner of every snowmobile, off-highway motorcycle, and all-purpose vehicle required to be registered under section 4519.02 of the Revised Code shall file an application for registration under section 4519.03 of the Revised Code. The owner of a motor vehicle, other than a snowmobile, off-highway motorcycle, or all-purpose vehicle, that is not designed and constructed by the manufacturer for operation on a street or highway may not register it under this chapter except upon certification of inspection pursuant to section 4513.02 of the Revised Code by the sheriff, or the chief of police of the municipal corporation or township, with jurisdiction over the political subdivision in which the owner of the motor vehicle resides. Except as provided in section 4503.103 of the Revised Code, every owner of every other motor vehicle not previously described in this section and every person mentioned as owner in the last certificate of title of a motor vehicle that is operated or driven upon the public roads or highways shall cause to be filed each year, by mail or otherwise, in the office of the registrar of motor vehicles or a deputy registrar, a written or electronic application or a preprinted registration renewal notice issued under section 4503.102 of the Revised Code, the form of which shall be prescribed by the registrar, for registration for the following registration year, which shall begin on the first day of January of every calendar year and end on the thirty-first day of December in the same year. Applications for registration and registration renewal notices shall be filed at the times established by the registrar pursuant to section 4503.101 of the Revised Code. A motor vehicle owner also may elect to apply for or renew a motor vehicle registration by electronic means using electronic signature in accordance with rules adopted by the registrar. Except as provided in division (J) of this section, applications for registration shall be made on blanks furnished by

the registrar for that purpose, containing the following 3526
information: 3527

(1) A brief description of the motor vehicle to be 3528
registered, including the year, make, model, and vehicle 3529
identification number, and, in the case of commercial cars, the 3530
gross weight of the vehicle fully equipped computed in the manner 3531
prescribed in section 4503.08 of the Revised Code; 3532

(2) The name and residence address of the owner, and the 3533
township and municipal corporation in which the owner resides; 3534

(3) The district of registration, which shall be determined 3535
as follows: 3536

(a) In case the motor vehicle to be registered is used for 3537
hire or principally in connection with any established business or 3538
branch business, conducted at a particular place, the district of 3539
registration is the municipal corporation in which that place is 3540
located or, if not located in any municipal corporation, the 3541
county and township in which that place is located. 3542

(b) In case the vehicle is not so used, the district of 3543
registration is the municipal corporation or county in which the 3544
owner resides at the time of making the application. 3545

(4) Whether the motor vehicle is a new or used motor vehicle; 3546

(5) The date of purchase of the motor vehicle; 3547

(6) Whether the fees required to be paid for the registration 3548
or transfer of the motor vehicle, during the preceding 3549
registration year and during the preceding period of the current 3550
registration year, have been paid. Each application for 3551
registration shall be signed by the owner, either manually or by 3552
electronic signature, or pursuant to obtaining a limited power of 3553
attorney authorized by the registrar for registration, or other 3554
document authorizing such signature. If the owner elects to apply 3555

for or renew the motor vehicle registration with the registrar by 3556
electronic means, the owner's manual signature is not required. 3557

(7) The owner's social security number, driver's license 3558
number, or state identification number, or, where a motor vehicle 3559
to be registered is used for hire or principally in connection 3560
with any established business, the owner's federal taxpayer 3561
identification number. The bureau of motor vehicles shall retain 3562
in its records all social security numbers provided under this 3563
section, but the bureau shall not place social security numbers on 3564
motor vehicle certificates of registration. 3565

(B) Except as otherwise provided in this division, each time 3566
an applicant first registers a motor vehicle in the applicant's 3567
name, the applicant shall present for inspection a physical 3568
certificate of title or memorandum certificate showing title to 3569
the motor vehicle to be registered in the name of the applicant if 3570
a physical certificate of title or memorandum certificate has been 3571
issued by a clerk of a court of common pleas. If, under sections 3572
4505.021, 4505.06, and 4505.08 of the Revised Code, a clerk 3573
instead has issued an electronic certificate of title for the 3574
applicant's motor vehicle, that certificate may be presented for 3575
inspection at the time of first registration in a manner 3576
prescribed by rules adopted by the registrar. An applicant is not 3577
required to present a certificate of title to an electronic motor 3578
vehicle dealer acting as a limited authority deputy registrar in 3579
accordance with rules adopted by the registrar. When a motor 3580
vehicle inspection and maintenance program is in effect under 3581
section 3704.14 of the Revised Code and rules adopted under it, 3582
each application for registration for a vehicle required to be 3583
inspected under that section and those rules shall be accompanied 3584
by an inspection certificate for the motor vehicle issued in 3585
accordance with that section. The application shall be refused if 3586
any of the following applies: 3587

(1) The application is not in proper form.	3588
(2) The application is prohibited from being accepted by	3589
division (D) of section 2935.27, division (A) of section 2937.221,	3590
division (A) of section 4503.13, division (B) of section 4510.22,	3591
or division (B)(1) of section 4521.10 of the Revised Code.	3592
(3) A certificate of title or memorandum certificate of title	3593
is required but does not accompany the application or, in the case	3594
of an electronic certificate of title, is required but is not	3595
presented in a manner prescribed by the registrar's rules.	3596
(4) All registration and transfer fees for the motor vehicle,	3597
for the preceding year or the preceding period of the current	3598
registration year, have not been paid.	3599
(5) The owner or lessee does not have an inspection	3600
certificate for the motor vehicle as provided in section 3704.14	3601
of the Revised Code, and rules adopted under it, if that section	3602
is applicable.	3603
This section does not require the payment of license or	3604
registration taxes on a motor vehicle for any preceding year, or	3605
for any preceding period of a year, if the motor vehicle was not	3606
taxable for that preceding year or period under sections 4503.02,	3607
4503.04, 4503.11, 4503.12, and 4503.16 or Chapter 4504. of the	3608
Revised Code. When a certificate of registration is issued upon	3609
the first registration of a motor vehicle by or on behalf of the	3610
owner, the official issuing the certificate shall indicate the	3611
issuance with a stamp on the certificate of title or memorandum	3612
certificate or, in the case of an electronic certificate of title,	3613
an electronic stamp or other notation as specified in rules	3614
adopted by the registrar, and with a stamp on the inspection	3615
certificate for the motor vehicle, if any. The official also shall	3616
indicate, by a stamp or by other means the registrar prescribes,	3617
on the registration certificate issued upon the first registration	3618

of a motor vehicle by or on behalf of the owner the odometer 3619
reading of the motor vehicle as shown in the odometer statement 3620
included in or attached to the certificate of title. Upon each 3621
subsequent registration of the motor vehicle by or on behalf of 3622
the same owner, the official also shall so indicate the odometer 3623
reading of the motor vehicle as shown on the immediately preceding 3624
certificate of registration. 3625

The registrar shall include in the permanent registration 3626
record of any vehicle required to be inspected under section 3627
3704.14 of the Revised Code the inspection certificate number from 3628
the inspection certificate that is presented at the time of 3629
registration of the vehicle as required under this division. 3630

(C)(1) ~~Commencing with~~ For each registration renewal with an 3631
expiration date ~~on or after~~ before October 1, ~~2003~~ 2009, and for 3632
each initial application for registration received ~~on and after~~ 3633
before that date, the registrar and each deputy registrar shall 3634
collect an additional fee of eleven dollars for each application 3635
for registration and registration renewal received. Except for 3636
vehicles specified in divisions (A)(1) to (21) of section 4503.042 3637
of the Revised Code, commencing with each registration renewal 3638
with an expiration date on or after October 1, 2009, and for each 3639
initial application for registration received on or after that 3640
date, the registrar and each deputy registrar shall collect an 3641
additional fee of sixteen dollars and seventy-five cents for each 3642
application for registration and registration renewal received. 3643
For vehicles specified in divisions (A)(1) to (21) of section 3644
4503.042 of the Revised Code, commencing with each registration 3645
renewal with an expiration date on or after October 1, 2009, and 3646
for each initial application received on or after that date, the 3647
registrar and deputy registrar shall collect an additional fee of 3648
thirty dollars for each application for registration and 3649
registration renewal received. The additional fee is for the 3650

purpose of defraying the department of public safety's costs 3651
associated with the administration and enforcement of the motor 3652
vehicle and traffic laws of Ohio. Each deputy registrar shall 3653
transmit the fees collected under division (C)(1) of this section 3654
in the time and manner provided in this section. The registrar 3655
shall deposit all moneys received under division (C)(1) of this 3656
section into the state highway safety fund established in section 3657
4501.06 of the Revised Code. 3658

(2) In addition, a charge of twenty-five cents shall be made 3659
for each reflectorized safety license plate issued, and a single 3660
charge of twenty-five cents shall be made for each county 3661
identification sticker or each set of county identification 3662
stickers issued, as the case may be, to cover the cost of 3663
producing the license plates and stickers, including material, 3664
manufacturing, and administrative costs. Those fees shall be in 3665
addition to the license tax. If the total cost of producing the 3666
plates is less than twenty-five cents per plate, or if the total 3667
cost of producing the stickers is less than twenty-five cents per 3668
sticker or per set issued, any excess moneys accruing from the 3669
fees shall be distributed in the same manner as provided by 3670
section 4501.04 of the Revised Code for the distribution of 3671
license tax moneys. If the total cost of producing the plates 3672
exceeds twenty-five cents per plate, or if the total cost of 3673
producing the stickers exceeds twenty-five cents per sticker or 3674
per set issued, the difference shall be paid from the license tax 3675
moneys collected pursuant to section 4503.02 of the Revised Code. 3676

(D) Each deputy registrar shall be allowed a fee of ~~two~~ 3677
~~dollars and seventy five cents commencing on July 1, 2001, three~~ 3678
~~dollars and twenty five cents commencing on January 1, 2003, and~~ 3679
~~three dollars and fifty cents commencing on January 1, 2004,~~ 3680
each application for registration and registration renewal notice 3681
the deputy registrar receives, which shall be for the purpose of 3682

compensating the deputy registrar for the deputy registrar's 3683
services, and such office and rental expenses, as may be necessary 3684
for the proper discharge of the deputy registrar's duties in the 3685
receiving of applications and renewal notices and the issuing of 3686
registrations. 3687

(E) Upon the certification of the registrar, the county 3688
sheriff or local police officials shall recover license plates 3689
erroneously or fraudulently issued. 3690

(F) Each deputy registrar, upon receipt of any application 3691
for registration or registration renewal notice, together with the 3692
license fee and any local motor vehicle license tax levied 3693
pursuant to Chapter 4504. of the Revised Code, shall transmit that 3694
fee and tax, if any, in the manner provided in this section, 3695
together with the original and duplicate copy of the application, 3696
to the registrar. The registrar, subject to the approval of the 3697
director of public safety, may deposit the funds collected by 3698
those deputies in a local bank or depository to the credit of the 3699
"state of Ohio, bureau of motor vehicles." Where a local bank or 3700
depository has been designated by the registrar, each deputy 3701
registrar shall deposit all moneys collected by the deputy 3702
registrar into that bank or depository not more than one business 3703
day after their collection and shall make reports to the registrar 3704
of the amounts so deposited, together with any other information, 3705
some of which may be prescribed by the treasurer of state, as the 3706
registrar may require and as prescribed by the registrar by rule. 3707
The registrar, within three days after receipt of notification of 3708
the deposit of funds by a deputy registrar in a local bank or 3709
depository, shall draw on that account in favor of the treasurer 3710
of state. The registrar, subject to the approval of the director 3711
and the treasurer of state, may make reasonable rules necessary 3712
for the prompt transmittal of fees and for safeguarding the 3713
interests of the state and of counties, townships, municipal 3714

corporations, and transportation improvement districts levying 3715
local motor vehicle license taxes. The registrar may pay service 3716
charges usually collected by banks and depositories for such 3717
service. If deputy registrars are located in communities where 3718
banking facilities are not available, they shall transmit the fees 3719
forthwith, by money order or otherwise, as the registrar, by rule 3720
approved by the director and the treasurer of state, may 3721
prescribe. The registrar may pay the usual and customary fees for 3722
such service. 3723

(G) This section does not prevent any person from making an 3724
application for a motor vehicle license directly to the registrar 3725
by mail, by electronic means, or in person at any of the 3726
registrar's offices, upon payment of a service fee of ~~two dollars~~ 3727
~~and seventy five cents commencing on July 1, 2001, three dollars~~ 3728
~~and twenty five cents commencing on January 1, 2003, and three~~ 3729
dollars and fifty cents ~~commencing on January 1, 2004,~~ for each 3730
application. 3731

(H) No person shall make a false statement as to the district 3732
of registration in an application required by division (A) of this 3733
section. Violation of this division is falsification under section 3734
2921.13 of the Revised Code and punishable as specified in that 3735
section. 3736

(I)(1) Where applicable, the requirements of division (B) of 3737
this section relating to the presentation of an inspection 3738
certificate issued under section 3704.14 of the Revised Code and 3739
rules adopted under it for a motor vehicle, the refusal of a 3740
license for failure to present an inspection certificate, and the 3741
stamping of the inspection certificate by the official issuing the 3742
certificate of registration apply to the registration of and 3743
issuance of license plates for a motor vehicle under sections 3744
4503.102, 4503.12, 4503.14, 4503.15, 4503.16, 4503.171, 4503.172, 3745
4503.19, 4503.40, 4503.41, 4503.42, 4503.43, 4503.44, 4503.46, 3746

4503.47, and 4503.51 of the Revised Code. 3747

(2)(a) The registrar shall adopt rules ensuring that each 3748
owner registering a motor vehicle in a county where a motor 3749
vehicle inspection and maintenance program is in effect under 3750
section 3704.14 of the Revised Code and rules adopted under it 3751
receives information about the requirements established in that 3752
section and those rules and about the need in those counties to 3753
present an inspection certificate with an application for 3754
registration or preregistration. 3755

(b) Upon request, the registrar shall provide the director of 3756
environmental protection, or any person that has been awarded a 3757
contract under division (D) of section 3704.14 of the Revised 3758
Code, an on-line computer data link to registration information 3759
for all passenger cars, noncommercial motor vehicles, and 3760
commercial cars that are subject to that section. The registrar 3761
also shall provide to the director of environmental protection a 3762
magnetic data tape containing registration information regarding 3763
passenger cars, noncommercial motor vehicles, and commercial cars 3764
for which a multi-year registration is in effect under section 3765
4503.103 of the Revised Code or rules adopted under it, including, 3766
without limitation, the date of issuance of the multi-year 3767
registration, the registration deadline established under rules 3768
adopted under section 4503.101 of the Revised Code that was 3769
applicable in the year in which the multi-year registration was 3770
issued, and the registration deadline for renewal of the 3771
multi-year registration. 3772

(J) Application for registration under the international 3773
registration plan, as set forth in sections 4503.60 to 4503.66 of 3774
the Revised Code, shall be made to the registrar on forms 3775
furnished by the registrar. In accordance with international 3776
registration plan guidelines and pursuant to rules adopted by the 3777
registrar, the forms shall include the following: 3778

(1) A uniform mileage schedule;	3779
(2) The gross vehicle weight of the vehicle or combined gross vehicle weight of the combination vehicle as declared by the registrant;	3780 3781 3782
(3) Any other information the registrar requires by rule.	3783
Sec. 4503.103. (A)(1)(a)(i) The registrar of motor vehicles may adopt rules to permit any person or lessee, other than a person receiving an apportioned license plate under the international registration plan, who owns or leases one or more motor vehicles to file a written application for registration for no more than five succeeding registration years. The rules adopted by the registrar may designate the classes of motor vehicles that are eligible for such registration. At the time of application, all annual taxes and fees shall be paid for each year for which the person is registering.	3784 3785 3786 3787 3788 3789 3790 3791 3792 3793
(ii) The <u>Not later than October 1, 2009, the</u> registrar shall adopt rules to permit any person or lessee who owns or leases two or more trailers or semitrailers that are subject to the tax rates prescribed in section 4503.042 of the Revised Code for such trailers or semitrailers to file a written application for registration for not more than five succeeding registration years. At the time of application, all annual taxes and fees shall be paid for each year for which the person is registering.	3794 3795 3796 3797 3798 3799 3800 3801
(b)(i) Except as provided in division (A)(1)(b)(ii) of this section, the registrar shall adopt rules to permit any person who owns a motor vehicle to file an application for registration for the next two succeeding registration years. At the time of application, the person shall pay the annual taxes and fees for each registration year, calculated in accordance with division (C) of section 4503.11 of the Revised Code. A person who is registering a vehicle under division (A)(1)(b) of this section	3802 3803 3804 3805 3806 3807 3808 3809

shall pay for each year of registration the additional fee 3810
established under division (C)(1) of section 4503.10 of the 3811
Revised Code. The person shall also pay one and one-half times the 3812
amount of the deputy registrar service fee specified in division 3813
(D) of section 4503.10 of the Revised Code or the bureau of motor 3814
vehicles service fee specified in division (G) of that section, as 3815
applicable. 3816

(ii) Division (A)(1)(b)(i) of this section does not apply to 3817
a person receiving an apportioned license plate under the 3818
international registration plan, or the owner of a commercial car 3819
used solely in intrastate commerce, or the owner of a bus as 3820
defined in section 4513.50 of the Revised Code. 3821

(2) No person applying for a multi-year registration under 3822
division (A)(1) of this section is entitled to a refund of any 3823
taxes or fees paid. 3824

(3) The registrar shall not issue to any applicant who has 3825
been issued a final, nonappealable order under division (B) of 3826
this section a multi-year registration or renewal thereof under 3827
this division or rules adopted under it for any motor vehicle that 3828
is required to be inspected under section 3704.14 of the Revised 3829
Code the district of registration of which, as determined under 3830
section 4503.10 of the Revised Code, is or is located in the 3831
county named in the order. 3832

(B) Upon receipt from the director of environmental 3833
protection of a notice issued under rules adopted under section 3834
3704.14 of the Revised Code indicating that an owner of a motor 3835
vehicle that is required to be inspected under that section who 3836
obtained a multi-year registration for the vehicle under division 3837
(A) of this section or rules adopted under that division has not 3838
obtained a required inspection certificate for the vehicle, the 3839
registrar in accordance with Chapter 119. of the Revised Code 3840
shall issue an order to the owner impounding the certificate of 3841

registration and identification license plates for the vehicle. 3842
The order also shall prohibit the owner from obtaining or renewing 3843
a multi-year registration for any vehicle that is required to be 3844
inspected under that section, the district of registration of 3845
which is or is located in the same county as the county named in 3846
the order during the number of years after expiration of the 3847
current multi-year registration that equals the number of years 3848
for which the current multi-year registration was issued. 3849

An order issued under this division shall require the owner 3850
to surrender to the registrar the certificate of registration and 3851
license plates for the vehicle named in the order within five days 3852
after its issuance. If the owner fails to do so within that time, 3853
the registrar shall certify that fact to the county sheriff or 3854
local police officials who shall recover the certificate of 3855
registration and license plates for the vehicle. 3856

(C) Upon the occurrence of either of the following 3857
circumstances, the registrar in accordance with Chapter 119. of 3858
the Revised Code shall issue to the owner a modified order 3859
rescinding the provisions of the order issued under division (B) 3860
of this section impounding the certificate of registration and 3861
license plates for the vehicle named in that original order: 3862

(1) Receipt from the director of environmental protection of 3863
a subsequent notice under rules adopted under section 3704.14 of 3864
the Revised Code that the owner has obtained the inspection 3865
certificate for the vehicle as required under those rules; 3866

(2) Presentation to the registrar by the owner of the 3867
required inspection certificate for the vehicle. 3868

(D) The owner of a motor vehicle for which the certificate of 3869
registration and license plates have been impounded pursuant to an 3870
order issued under division (B) of this section, upon issuance of 3871
a modified order under division (C) of this section, may apply to 3872

the registrar for their return. A fee of two dollars and fifty 3873
cents shall be charged for the return of the certificate of 3874
registration and license plates for each vehicle named in the 3875
application. 3876

Sec. 4503.182. (A) A purchaser of a motor vehicle, upon 3877
application and proof of purchase of the vehicle, may be issued a 3878
temporary license placard or windshield sticker for the motor 3879
vehicle. 3880

The purchaser of a vehicle applying for a temporary license 3881
placard or windshield sticker under this section shall execute an 3882
affidavit stating that the purchaser has not been issued 3883
previously during the current registration year a license plate 3884
that could legally be transferred to the vehicle. 3885

Placards or windshield stickers shall be issued only for the 3886
applicant's use of the vehicle to enable the applicant to legally 3887
operate the motor vehicle while proper title, license plates, and 3888
a certificate of registration are being obtained, and shall be 3889
displayed on no other motor vehicle. 3890

Placards or windshield stickers issued under this section are 3891
valid for a period of thirty days from date of issuance and are 3892
not transferable or renewable. 3893

The fee for the placards or windshield stickers issued under 3894
this section is two dollars plus a service fee of ~~two dollars and~~ 3895
~~seventy five cents commencing on July 1, 2001, three dollars and~~ 3896
~~twenty five cents commencing on January 1, 2003, and three dollars~~ 3897
and fifty cents ~~commencing on January 1, 2004.~~ 3898

(B)(1) The registrar of motor vehicles may issue to a 3899
motorized bicycle dealer or a licensed motor vehicle dealer 3900
temporary license placards to be issued to purchasers for use on 3901
vehicles sold by the dealer, in accordance with rules prescribed 3902

by the registrar. The dealer shall notify the registrar, within 3903
forty-eight hours, of the issuance of a placard by electronic 3904
means via computer equipment purchased and maintained by the 3905
dealer or in any other manner prescribed by the registrar. 3906

(2) The fee for each placard issued by the registrar to a 3907
dealer is ~~seven~~ twelve dollars, of which ~~five~~ ten dollars shall be 3908
deposited and used in accordance with division (D) of this 3909
section. The registrar shall charge an additional three dollars 3910
and fifty cents for each placard issued to a dealer who notifies 3911
the registrar of the issuance of the placards in a manner other 3912
than by approved electronic means. 3913

(3) When a dealer issues a temporary license placard to a 3914
purchaser, the dealer shall collect and retain the fees 3915
established under divisions (A) and (D) of this section. 3916

(C) The registrar of motor vehicles, at the registrar's 3917
discretion, may issue a temporary license placard. Such a placard 3918
may be issued in the case of extreme hardship encountered by a 3919
citizen from this state or another state who has attempted to 3920
comply with all registration laws, but for extreme circumstances 3921
is unable to properly register the citizen's vehicle. 3922

(D) In addition to the fees charged under divisions (A) and 3923
(B) of this section, commencing on October 1, 2003, the registrar 3924
and each deputy registrar shall collect a fee of five dollars and 3925
commencing on October 1, 2009, a fee of ten dollars, for each 3926
temporary license placard issued. The additional fee is for the 3927
purpose of defraying the department of public safety's costs 3928
associated with the administration and enforcement of the motor 3929
vehicle and traffic laws of Ohio. Each deputy registrar shall 3930
transmit the fees collected under this division in the same manner 3931
as provided for transmission of fees collected under division (A) 3932
of this section. The registrar shall deposit all moneys received 3933
under this division into the state highway safety fund established 3934

in section 4501.06 of the Revised Code. 3935

(E) The registrar shall adopt rules, in accordance with 3936
division (B) of section 111.15 of the Revised Code, to specify the 3937
procedures for reporting the information from applications for 3938
temporary license placards and windshield stickers and for 3939
providing the information from these applications to law 3940
enforcement agencies. 3941

(F) Temporary license placards issued under this section 3942
shall bear a distinctive combination of seven letters, numerals, 3943
or letters and numerals, and shall incorporate a security feature 3944
that, to the greatest degree possible, prevents tampering with any 3945
of the information that is entered upon a placard when it is 3946
issued. 3947

(G) Whoever violates division (A) of this section is guilty 3948
of a misdemeanor of the fourth degree. Whoever violates division 3949
(B) of this section is guilty of a misdemeanor of the first 3950
degree. 3951

(H) As used in this section, "motorized bicycle dealer" means 3952
any person engaged in the business of selling at retail, 3953
displaying, offering for sale, or dealing in motorized bicycles 3954
who is not subject to section 4503.09 of the Revised Code. 3955

Sec. 4503.26. (A) As used in this section, "registration 3956
information" means information in license plate applications on 3957
file with the bureau of motor vehicles. 3958

(B) The director of public safety may advertise for and 3959
accept sealed bids for the preparation of lists containing 3960
registration information in such form as the director authorizes. 3961
Where the expenditure is more than five hundred dollars, the 3962
director shall give notice to bidders as provided in section 3963
5513.01 of the Revised Code as for purchases by the department of 3964

transportation. The notice shall include the latest date, as 3965
determined by the director, on which bids will be accepted and the 3966
date, also determined by the director, on which bids will be 3967
opened by the director at the central office of the department of 3968
public safety. The contract to prepare the list shall be awarded 3969
to the lowest responsive and responsible bidder, in accordance 3970
with section 9.312 of the Revised Code, provided there is 3971
compliance with the specifications. Such contract shall not extend 3972
beyond twenty-four consecutive registration periods as provided in 3973
section 4503.101 of the Revised Code. The successful bidder shall 3974
furnish without charge a complete list to the bureau of motor 3975
vehicles, and shall also furnish without charge to the county 3976
sheriffs or chiefs of police in cities, at such times and in such 3977
manner as the director determines necessary, lists of registration 3978
information for the county in which they are situated. The 3979
registrar shall provide to the successful bidder all necessary 3980
information for the preparation of such lists. 3981

The registrar ~~may~~, upon application of any person and payment 3982
of the proper fee, may search the records of the bureau and ~~make~~ 3983
furnish reports thereof, ~~and make photographic copies of the~~ 3984
~~bureau those records and attestations thereof~~ under the signature 3985
of the registrar. 3986

~~Fees therefor are as follows:~~ 3987

~~(A) For searches~~ (C) A fee of eight dollars shall be charged 3988
and collected for each search of the records and ~~written reports~~ 3989
~~thereof, two dollars for each name, number, or fact searched or~~ 3990
~~reported on;~~ 3991

~~(B) For photographic copies of records and attestations~~ 3992
~~thereof,~~ report of those records furnished under the signature and 3993
seal of the registrar, ~~two dollars a copy. Such~~ A copy of any such 3994
report is prima-facie evidence of the facts therein stated, in any 3995
court. 3996

The registrar shall receive these fees and deposit ~~them~~ two 3997
dollars of each such fee into the state treasury to the credit of 3998
the state bureau of motor vehicles fund established in section 3999
4501.25 of the Revised Code. Of the remaining six dollars of each 4000
such fee the registrar collects, the registrar shall deposit one 4001
dollar and twenty-five cents into the state treasury to the credit 4002
of the trauma and emergency medical services fund established in 4003
section 4513.263 of the Revised Code, one dollar and twenty-five 4004
cents into the state treasury to the credit of the homeland 4005
security fund established under section 5502.03 of the Revised 4006
Code, seventy-five cents into the state treasury to the credit of 4007
the investigations fund established in section 5502.131 of the 4008
Revised Code, two dollars and twenty-five cents into the state 4009
treasury to the credit of the emergency management agency service 4010
and reimbursement fund established in section 5502.39 of the 4011
Revised Code, and fifty cents into the state treasury to the 4012
credit of the justice program services fund established in section 4013
5502.67 of the Revised Code. 4014

Sec. 4503.65. The registrar of motor vehicles shall take all 4015
steps necessary to determine and collect, ~~at the tax rates~~ 4016
~~established under section 4503.042 of the Revised Code,~~ the 4017
apportioned registration tax due for vehicles registered in 4018
another international registration plan jurisdiction that lists 4019
Ohio for apportionment purposes on a uniform mileage schedule. The 4020
registration taxes to be charged shall be determined on the basis 4021
of the annual tax otherwise due on the motor vehicle, prorated in 4022
accordance with the number of months for which the motor vehicle 4023
is registered. Until October 1, 2009, such vehicles shall be taxed 4024
at the rates established under section 4503.042 of the Revised 4025
Code. The rates in this section become effective on and after 4026
October 1, 2009. 4027

(A) The rates of the taxes imposed by this section are as 4028

<u>follows for commercial cars having a gross vehicle weight or</u>	4029
<u>combined gross vehicle weight of:</u>	4030
<u>(1) Not more than two thousand pounds, forty-seven dollars;</u>	4031
<u>(2) More than two thousand but not more than six thousand</u> <u>pounds, seventy-two dollars;</u>	4032 4033
<u>(3) More than six thousand but not more than ten thousand</u> <u>pounds, eighty-eight dollars;</u>	4034 4035
<u>(4) More than ten thousand but not more than fourteen</u> <u>thousand pounds, one hundred eight dollars;</u>	4036 4037
<u>(5) More than fourteen thousand but not more than eighteen</u> <u>thousand pounds, one hundred twenty-nine dollars;</u>	4038 4039
<u>(6) More than eighteen thousand but not more than twenty-two</u> <u>thousand pounds, one hundred fifty-four dollars;</u>	4040 4041
<u>(7) More than twenty-two thousand but not more than</u> <u>twenty-six thousand pounds, one hundred eighty dollars;</u>	4042 4043
<u>(8) More than twenty-six thousand but not more than thirty</u> <u>thousand pounds, three hundred sixty-four dollars;</u>	4044 4045
<u>(9) More than thirty thousand but not more than thirty-four</u> <u>thousand pounds, four hundred thirty-one dollars;</u>	4046 4047
<u>(10) More than thirty-four thousand but not more than</u> <u>thirty-eight thousand pounds, four hundred ninety-two dollars;</u>	4048 4049
<u>(11) More than thirty-eight thousand but not more than</u> <u>forty-two thousand pounds, five hundred fifty-four dollars;</u>	4050 4051
<u>(12) More than forty-two thousand but not more than forty-six</u> <u>thousand pounds, six hundred fifteen dollars;</u>	4052 4053
<u>(13) More than forty-six thousand but not more than fifty</u> <u>thousand pounds, six hundred seventy-seven dollars;</u>	4054 4055
<u>(14) More than fifty thousand but not more than fifty-four</u> <u>thousand pounds, seven hundred forty-four dollars;</u>	4056 4057

<u>(15) More than fifty-four thousand but not more than</u>	4058
<u>fifty-eight thousand pounds, eight hundred five dollars;</u>	4059
<u>(16) More than fifty-eight thousand but not more than</u>	4060
<u>sixty-two thousand pounds, eight hundred seventy-seven dollars;</u>	4061
<u>(17) More than sixty-two thousand but not more than sixty-six</u>	4062
<u>thousand pounds, nine hundred forty-nine dollars;</u>	4063
<u>(18) More than sixty-six thousand but not more than seventy</u>	4064
<u>thousand pounds, one thousand twenty dollars;</u>	4065
<u>(19) More than seventy thousand but not more than</u>	4066
<u>seventy-four thousand pounds, one thousand one hundred seven</u>	4067
<u>dollars;</u>	4068
<u>(20) More than seventy-four thousand but not more than</u>	4069
<u>seventy-eight thousand pounds, one thousand two hundred thirty</u>	4070
<u>dollars;</u>	4071
<u>(21) More than seventy-eight thousand pounds, one thousand</u>	4072
<u>three hundred seventy-three dollars and fifty cents.</u>	4073
<u>(B) The rates of the taxes imposed by this section are as</u>	4074
<u>follows for buses having a gross vehicle weight or combined gross</u>	4075
<u>vehicle weight of:</u>	4076
<u>(1) Not more than two thousand pounds, eleven dollars;</u>	4077
<u>(2) More than two thousand but not more than six thousand</u>	4078
<u>pounds, forty-one dollars;</u>	4079
<u>(3) More than six thousand but not more than ten thousand</u>	4080
<u>pounds, one hundred three dollars;</u>	4081
<u>(4) More than ten thousand but not more than fourteen</u>	4082
<u>thousand pounds, one hundred eighty-five dollars;</u>	4083
<u>(5) More than fourteen thousand but not more than eighteen</u>	4084
<u>thousand pounds, two hundred sixty-seven dollars;</u>	4085
<u>(6) More than eighteen thousand but not more than twenty-two</u>	4086

<u>thousand pounds, three hundred forty-nine dollars;</u>	4087
<u>(7) More than twenty-two thousand but not more than</u>	4088
<u>twenty-six thousand pounds, four hundred thirty-one dollars;</u>	4089
<u>(8) More than twenty-six thousand but not more than thirty</u>	4090
<u>thousand pounds, five hundred thirteen dollars;</u>	4091
<u>(9) More than thirty thousand but not more than thirty-four</u>	4092
<u>thousand pounds, five hundred ninety-five dollars;</u>	4093
<u>(10) More than thirty-four thousand but not more than</u>	4094
<u>thirty-eight thousand pounds, six hundred seventy-seven dollars;</u>	4095
<u>(11) More than thirty-eight thousand but not more than</u>	4096
<u>forty-two thousand pounds, seven hundred fifty-nine dollars;</u>	4097
<u>(12) More than forty-two thousand but not more than forty-six</u>	4098
<u>thousand pounds, eight hundred forty dollars and twenty-five</u>	4099
<u>cents;</u>	4100
<u>(13) More than forty-six thousand but not more than fifty</u>	4101
<u>thousand pounds, nine hundred sixty dollars and twenty-five cents;</u>	4102
<u>(14) More than fifty thousand but not more than fifty-four</u>	4103
<u>thousand pounds, one thousand twenty dollars and twenty-five</u>	4104
<u>cents;</u>	4105
<u>(15) More than fifty-four thousand but not more than</u>	4106
<u>fifty-eight thousand pounds, one thousand one hundred ten dollars</u>	4107
<u>and twenty-five cents;</u>	4108
<u>(16) More than fifty-eight thousand but not more than</u>	4109
<u>sixty-two thousand pounds, one thousand two hundred dollars and</u>	4110
<u>twenty-five cents;</u>	4111
<u>(17) More than sixty-two thousand but not more than sixty-six</u>	4112
<u>thousand pounds, one thousand two hundred ninety dollars and</u>	4113
<u>twenty-five cents;</u>	4114
<u>(18) More than sixty-six thousand but not more than seventy</u>	4115

thousand pounds, one thousand three hundred eighty dollars and 4116
twenty-five cents; 4117

(19) More than seventy thousand but not more than 4118
seventy-four thousand pounds, one thousand four hundred seventy 4119
dollars and twenty-five cents; 4120

(20) More than seventy-four thousand but not more than 4121
seventy-eight thousand pounds, one thousand five hundred sixty 4122
dollars and twenty-five cents; 4123

(21) More than seventy-eight thousand pounds, one thousand 4124
six hundred fifty dollars and twenty-five cents. 4125

Sec. 4505.032. (A)(1) If a person who is not an electronic 4126
motor vehicle dealer owns a motor vehicle for which a physical 4127
certificate of title has not been issued by a clerk of a court of 4128
common pleas and the person sells the motor vehicle to a motor 4129
vehicle dealer licensed under Chapter 4517. of the Revised Code, 4130
the person is not required to obtain a physical certificate of 4131
title to the motor vehicle in order to transfer ownership to the 4132
dealer. The person shall present the dealer, in a manner approved 4133
by the registrar of motor vehicles, with sufficient proof of the 4134
person's identity and complete and sign a form prescribed by the 4135
registrar attesting to the person's identity and assigning the 4136
motor vehicle to the dealer. Except as otherwise provided in this 4137
section, the motor vehicle dealer shall present the assignment 4138
form to any clerk of a court of common pleas together with an 4139
application for a certificate of title and payment of the fees 4140
prescribed by section 4505.09 of the Revised Code. 4141

In a case in which an electronic certificate of title has 4142
been issued and either the buyer or seller of the motor vehicle is 4143
an electronic motor vehicle dealer, the electronic motor vehicle 4144
dealer instead may inform a clerk of a court of common pleas via 4145
electronic means of the sale of the motor vehicle and assignment 4146

of ownership of the vehicle. The clerk shall enter the information 4147
relating to the assignment, including, but not limited to, the 4148
odometer disclosure statement required by section 4505.06 of the 4149
Revised Code, into the automated title processing system, and 4150
ownership of the vehicle passes to the applicant when the clerk 4151
enters this information into the system. The dealer is not 4152
required to obtain a physical certificate of title to the vehicle 4153
in the dealer's name. 4154

(2) A (a) Except as provided in division (A)(2)(b) of this 4155
section, a clerk shall charge and collect from a dealer a fee of 4156
five fifteen dollars for each motor vehicle assignment sent by the 4157
dealer to the clerk under division (A)(1) of this section. 4158

(b) A clerk shall charge and collect from the dealer a fee of 4159
five dollars for each motor vehicle assignment sent by the dealer 4160
to the clerk for resale purposes. 4161

(3) The fee fees shall be distributed in accordance with 4162
section 4505.09 of the Revised Code. 4163

(B) If a person who is not an electronic motor vehicle dealer 4164
owns a motor vehicle for which a physical certificate of title has 4165
not been issued by a clerk of a court of common pleas and the 4166
person sells the motor vehicle to a person who is not a motor 4167
vehicle dealer licensed under Chapter 4517. of the Revised Code, 4168
the person shall obtain a physical certificate of title to the 4169
motor vehicle in order to transfer ownership of the vehicle to 4170
that person. 4171

Sec. 4505.09. (A)(1) The clerk of a court of common pleas 4172
shall charge ~~a fee of five~~ and retain fees as follows: 4173

(a) Five dollars for each certificate of title that is not 4174
applied for within thirty days after the later of the assignment 4175
or delivery of the motor vehicle described in it. The ~~fees~~ entire 4176

fee shall be retained by the clerk. 4177

~~In addition to those fees, the clerk shall charge a fee of 4178
five (b) Fifteen dollars for each certificate of title, or 4179
duplicate certificate of title, including the issuance of a 4180
memorandum certificate of title, or authorization to print a 4181
non-negotiable evidence of ownership described in division (G) of 4182
section 4505.08 of the Revised Code, non-negotiable evidence of 4183
ownership printed by the clerk under division (H) of that section, 4184
and notation of any lien on a certificate of title that is applied 4185
for at the same time as the certificate of title. The clerk shall 4186
retain ~~two eleven~~ dollars and ~~twenty five fifty~~ cents of the that 4187
fee charged for each certificate of title, four dollars and 4188
seventy five cents of the fee charged for each duplicate 4189
certificate of title, all of the fees charged for each memorandum 4190
certificate, authorization to print a non negotiable evidence of 4191
ownership, or non negotiable evidence of ownership printed by the 4192
clerk, and four dollars and twenty five cents of the fee charged 4193
for each notation of a lien. 4194~~

(c) Five dollars for each certificate of title with no 4195
security interest noted that is issued to a licensed motor vehicle 4196
dealer for resale purposes. The clerk shall retain two dollars and 4197
twenty-five cents of that fee. 4198

(d) Five dollars for each memorandum certificate of title or 4199
non-negotiable evidence of ownership that is applied for 4200
separately. The clerk shall retain that entire fee. 4201

(2) The remaining two dollars and seventy five cents charged 4202
for the certificate of title, the remaining twenty five cents 4203
charged for the duplicate certificate of title, and the remaining 4204
seventy five cents charged for the notation of any lien on a 4205
ertificate of title fees that are not retained by the clerk shall 4206
be paid to the registrar of motor vehicles by monthly returns, 4207
which shall be forwarded to the registrar not later than the fifth 4208

day of the month next succeeding that in which the certificate is 4209
issued or that in which the registrar is notified of a lien or 4210
cancellation of a lien. 4211

(B)(1) The registrar shall pay twenty-five cents of the 4212
amount received for each certificate of title ~~and all of the~~ 4213
~~amounts received for each notation of any lien and each duplicate~~ 4214
~~certificate~~ issued to a motor vehicle dealer for resale and one 4215
dollar for all other certificates of title issued into the state 4216
bureau of motor vehicles fund established in section 4501.25 of 4217
the Revised Code. 4218

(2) Fifty cents of the amount received for each certificate 4219
of title shall be paid by the registrar as follows: 4220

(a) Four cents shall be paid into the state treasury to the 4221
credit of the motor vehicle dealers board fund, which is hereby 4222
created. All investment earnings of the fund shall be credited to 4223
the fund. The moneys in the motor vehicle dealers board fund shall 4224
be used by the motor vehicle dealers board created under section 4225
4517.30 of the Revised Code, together with other moneys 4226
appropriated to it, in the exercise of its powers and the 4227
performance of its duties under Chapter 4517. of the Revised Code, 4228
except that the director of budget and management may transfer 4229
excess money from the motor vehicle dealers board fund to the 4230
bureau of motor vehicles fund if the registrar determines that the 4231
amount of money in the motor vehicle dealers board fund, together 4232
with other moneys appropriated to the board, exceeds the amount 4233
required for the exercise of its powers and the performance of its 4234
duties under Chapter 4517. of the Revised Code and requests the 4235
director to make the transfer. 4236

(b) Twenty-one cents shall be paid into the highway operating 4237
fund. 4238

(c) Twenty-five cents shall be paid into the state treasury 4239

to the credit of the motor vehicle sales audit fund, which is 4240
hereby created. The moneys in the fund shall be used by the tax 4241
commissioner together with other funds available to the 4242
commissioner to conduct a continuing investigation of sales and 4243
use tax returns filed for motor vehicles in order to determine if 4244
sales and use tax liability has been satisfied. The commissioner 4245
shall refer cases of apparent violations of section 2921.13 of the 4246
Revised Code made in connection with the titling or sale of a 4247
motor vehicle and cases of any other apparent violations of the 4248
sales or use tax law to the appropriate county prosecutor whenever 4249
the commissioner considers it advisable. 4250

(3) Two dollars of the amount received by the registrar for 4251
each certificate of title shall be paid into the state treasury to 4252
the credit of the automated title processing fund, which is hereby 4253
created and which shall consist of moneys collected under division 4254
(B)(3) of this section and under sections 1548.10 and 4519.59 of 4255
the Revised Code. All investment earnings of the fund shall be 4256
credited to the fund. The moneys in the fund shall be used as 4257
follows: 4258

(a) Except for moneys collected under section 1548.10 of the 4259
Revised Code and as provided in division (B)(3)(c) of this 4260
section, moneys collected under division (B)(3) of this section 4261
shall be used to implement and maintain an automated title 4262
processing system for the issuance of motor vehicle, off-highway 4263
motorcycle, and all-purpose vehicle certificates of title in the 4264
offices of the clerks of the courts of common pleas. 4265

(b) Moneys collected under section 1548.10 of the Revised 4266
Code shall be used to issue marine certificates of title in the 4267
offices of the clerks of the courts of common pleas as provided in 4268
Chapter 1548. of the Revised Code. 4269

(c) Moneys collected under division (B)(3) of this section 4270
shall be used in accordance with section 4505.25 of the Revised 4271

Code to implement Sub. S.B. 59 of the 124th general assembly. 4272

(C)(1) The automated title processing board is hereby created 4273
consisting of the registrar or the registrar's representative, a 4274
person selected by the registrar, the president of the Ohio clerks 4275
of court association or the president's representative, and two 4276
clerks of courts of common pleas appointed by the governor. The 4277
director of budget and management or the director's designee, the 4278
chief of the division of watercraft in the department of natural 4279
resources or the chief's designee, and the tax commissioner or the 4280
commissioner's designee shall be nonvoting members of the board. 4281
The purpose of the board is to facilitate the operation and 4282
maintenance of an automated title processing system and approve 4283
the procurement of automated title processing system equipment. 4284
Voting members of the board, excluding the registrar or the 4285
registrar's representative, shall serve without compensation, but 4286
shall be reimbursed for travel and other necessary expenses 4287
incurred in the conduct of their official duties. The registrar or 4288
the registrar's representative shall receive neither compensation 4289
nor reimbursement as a board member. 4290

(2) The automated title processing board shall determine each 4292
of the following: 4293

(a) The automated title processing equipment and certificates 4294
of title requirements for each county; 4295

(b) The payment of expenses that may be incurred by the 4296
counties in implementing an automated title processing system; 4297

(c) The repayment to the counties for existing title 4298
processing equipment. 4299

(3) The registrar shall purchase, lease, or otherwise acquire 4300
any automated title processing equipment and certificates of title 4301
that the board determines are necessary from moneys in the 4302

automated title processing fund established by division (B)(3) of 4303
this section. 4304

(D) All counties shall conform to the requirements of the 4305
registrar regarding the operation of their automated title 4306
processing system for motor vehicle titles, certificates of title 4307
for off-highway motorcycles and all-purpose vehicles, and 4308
certificates of title for watercraft and outboard motors. 4309

Sec. 4505.14. (A) The registrar of motor vehicles, or the 4310
clerk of the court of common pleas, upon the application of any 4311
person and payment of the proper ~~fees~~ fee, may prepare and furnish 4312
lists containing title information in such form and subject to 4313
such territorial division or other classification as they may 4314
direct. The registrar or the clerk may search the records of the 4315
bureau of motor vehicles and ~~the clerk and make~~ furnish reports 4316
~~thereof, and make copies of their title information and~~ 4317
~~attestations thereof~~ those records under the signature of the 4318
registrar or the clerk. 4319

(B)(1) Fees therefor for lists containing title information 4320
shall be charged and collected as follows: 4321

~~(A)(a)~~ (a) For lists containing three thousand titles or more, 4322
twenty-five dollars per thousand or part thereof. i 4323

~~(B)(b)~~ (b) For ~~searches~~ each report of a search of the records 4324
and ~~written reports thereof, two dollars for each name, number, or~~ 4325
~~fact searched or reported on.~~ 4326

~~(C)~~ (c) ~~For copies of records and attestations thereof, two~~ 4327
dollars per copy except that on and after October 1, 2009, the fee 4328
shall be eight dollars per copy. The registrar and the clerk may 4329
certify copies of records generated by an automated title 4330
processing system. 4331

~~Such copies~~ (2) A copy of any such report shall be taken as 4332

prima-facie evidence of the facts therein stated, in any court of 4333
the state. The registrar and the clerk shall furnish information 4334
on any title without charge to the state highway patrol, sheriffs, 4335
chiefs of police, or the attorney general. The clerk also may 4336
provide a copy of a certificate of title to a public agency 4337
without charge. 4338

(C)(1) Those fees collected by the registrar as provided in 4339
division (B)(1)(a) of this section shall be paid to the treasurer 4340
of state to the credit of the state bureau of motor vehicles fund 4341
established in section 4501.25 of the Revised Code. Those fees 4342
collected by the clerk as provided in division (B)(1)(a) of this 4343
section shall be paid to the certificate of title administration 4344
fund created by section 325.33 of the Revised Code. 4345

(2) Prior to October 1, 2009, the registrar shall pay those 4346
fees the registrar collects under division (B)(1)(b) of this 4347
section into the state treasury to the credit of the state bureau 4348
of motor vehicles fund established in section 4501.25 of the 4349
Revised Code. Prior to October 1, 2009, the clerk shall pay those 4350
fees the clerk collects under division (B)(1)(b) of this section 4351
to the certificate of title administration fund created by section 4352
325.33 of the Revised Code. 4353

(3) On and after October 1, 2009, the registrar shall pay two 4354
dollars of each fee the registrar collects under division 4355
(B)(1)(b) of this section into the state treasury to the credit of 4356
the state bureau of motor vehicles fund established in section 4357
4501.25 of the Revised Code. Of the remaining six dollars of each 4358
such fee the registrar collects, the registrar shall deposit one 4359
dollar and twenty-five cents into the state treasury to the credit 4360
of the trauma and emergency medical services fund established in 4361
section 4513.263 of the Revised Code, one dollar and twenty-five 4362
cents into the state treasury to the credit of the homeland 4363
security fund established under section 5502.03 of the Revised 4364

Code, seventy-five cents into the state treasury to the credit of 4365
the investigations fund established in section 5502.131 of the 4366
Revised Code, two dollars and twenty-five cents into the state 4367
treasury to the credit of the emergency management agency service 4368
and reimbursement fund established in section 5502.39 of the 4369
Revised Code, and fifty cents into the state treasury to the 4370
credit of the justice program services fund established in section 4371
5502.67 of the Revised Code. 4372

(4) On and after October 1, 2009, the clerk of the court of 4373
common pleas shall retain two dollars of each fee the clerk 4374
collects under division (B)(1)(b) of this section and deposit that 4375
two dollars into the certificate of title administration fund 4376
created by section 325.33 of the Revised Code. The clerk shall 4377
forward the remaining six dollars to the registrar not later than 4378
the fifth day of the month next succeeding that in which the 4379
transaction occurred. Of that remaining six dollars, the registrar 4380
shall deposit one dollar and twenty-five cents into the state 4381
treasury to the credit of the trauma and emergency medical 4382
services fund established in section 4513.263 of the Revised Code, 4383
one dollar and twenty-five cents into the state treasury to the 4384
credit of the homeland security fund established under section 4385
5502.03 of the Revised Code, seventy-five cents into the state 4386
treasury to the credit of the investigations fund established in 4387
section 5502.131 of the Revised Code, two dollars and twenty-five 4388
cents into the state treasury to the credit of the emergency 4389
management agency service and reimbursement fund established in 4390
section 5502.39 of the Revised Code, and fifty cents into the 4391
state treasury to the credit of the justice program services fund 4392
established in section 5502.67 of the Revised Code. 4393

Sec. 4506.07. (A) Every application for a commercial driver's 4394
license, restricted commercial driver's license, or a commercial 4395
driver's temporary instruction permit, or a duplicate of such a 4396

license, shall be made upon a form approved and furnished by the 4397
registrar of motor vehicles. Except as provided in section 4506.24 4398
of the Revised Code in regard to a restricted commercial driver's 4399
license, the application shall be signed by the applicant and 4400
shall contain the following information: 4401

(1) The applicant's name, date of birth, social security 4402
account number, sex, general description including height, weight, 4403
and color of hair and eyes, current residence, duration of 4404
residence in this state, country of citizenship, and occupation; 4405

(2) Whether the applicant previously has been licensed to 4406
operate a commercial motor vehicle or any other type of motor 4407
vehicle in another state or a foreign jurisdiction and, if so, 4408
when, by what state, and whether the license or driving privileges 4409
currently are suspended or revoked in any jurisdiction, or the 4410
applicant otherwise has been disqualified from operating a 4411
commercial motor vehicle, or is subject to an out-of-service order 4412
issued under this chapter or any similar law of another state or a 4413
foreign jurisdiction and, if so, the date of, locations involved, 4414
and reason for the suspension, revocation, disqualification, or 4415
out-of-service order; 4416

(3) Whether the applicant is afflicted with or suffering from 4417
any physical or mental disability or disease that prevents the 4418
applicant from exercising reasonable and ordinary control over a 4419
motor vehicle while operating it upon a highway or is or has been 4420
subject to any condition resulting in episodic impairment of 4421
consciousness or loss of muscular control and, if so, the nature 4422
and extent of the disability, disease, or condition, and the names 4423
and addresses of the physicians attending the applicant; 4424

(4) Whether the applicant has obtained a medical examiner's 4425
certificate as required by this chapter; 4426

(5) Whether the applicant has pending a citation for 4427

violation of any motor vehicle law or ordinance except a parking 4428
violation and, if so, a description of the citation, the court 4429
having jurisdiction of the offense, and the date when the offense 4430
occurred; 4431

(6) Whether the applicant wishes to certify willingness to 4432
make an anatomical gift under section 2108.05 of the Revised Code, 4433
which shall be given no consideration in the issuance of a 4434
license; 4435

(7) On and after May 1, 1993, whether the applicant has 4436
executed a valid durable power of attorney for health care 4437
pursuant to sections 1337.11 to 1337.17 of the Revised Code or has 4438
executed a declaration governing the use or continuation, or the 4439
withholding or withdrawal, of life-sustaining treatment pursuant 4440
to sections 2133.01 to 2133.15 of the Revised Code and, if the 4441
applicant has executed either type of instrument, whether the 4442
applicant wishes the license issued to indicate that the applicant 4443
has executed the instrument; 4444

(8) On and after ~~the date that is fifteen months after the~~ 4445
~~effective date of this amendment~~ October 7, 2009, whether the 4446
applicant is ~~an honorably discharged~~ a veteran, active duty, or 4447
reservist of the armed forces of the United States and, if the 4448
applicant is such ~~an honorably discharged veteran~~, whether the 4449
applicant wishes the license issued to indicate that the applicant 4450
is ~~an honorably discharged~~ a veteran, active duty, or reservist of 4451
the armed forces of the United States by a military designation on 4452
the license. 4453

(B) Every applicant shall certify, on a form approved and 4454
furnished by the registrar, all of the following: 4455

(1) That the motor vehicle in which the applicant intends to 4456
take the driving skills test is representative of the type of 4457
motor vehicle that the applicant expects to operate as a driver; 4458

(2) That the applicant is not subject to any disqualification 4459
or out-of-service order, or license suspension, revocation, or 4460
cancellation, under the laws of this state, of another state, or 4461
of a foreign jurisdiction and does not have more than one driver's 4462
license issued by this or another state or a foreign jurisdiction; 4463

(3) Any additional information, certification, or evidence 4464
that the registrar requires by rule in order to ensure that the 4465
issuance of a commercial driver's license to the applicant is in 4466
compliance with the law of this state and with federal law. 4467

(C) Every applicant shall execute a form, approved and 4468
furnished by the registrar, under which the applicant consents to 4469
the release by the registrar of information from the applicant's 4470
driving record. 4471

(D) The registrar or a deputy registrar, in accordance with 4472
section 3503.11 of the Revised Code, shall register as an elector 4473
any applicant for a commercial driver's license or for a renewal 4474
or duplicate of such a license under this chapter, if the 4475
applicant is eligible and wishes to be registered as an elector. 4476
The decision of an applicant whether to register as an elector 4477
shall be given no consideration in the decision of whether to 4478
issue the applicant a license or a renewal or duplicate. 4479

(E) The registrar or a deputy registrar, in accordance with 4480
section 3503.11 of the Revised Code, shall offer the opportunity 4481
of completing a notice of change of residence or change of name to 4482
any applicant for a commercial driver's license or for a renewal 4483
or duplicate of such a license who is a resident of this state, if 4484
the applicant is a registered elector who has changed the 4485
applicant's residence or name and has not filed such a notice. 4486

(F) In considering any application submitted pursuant to this 4487
section, the bureau of motor vehicles may conduct any inquiries 4488
necessary to ensure that issuance or renewal of a commercial 4489

driver's license would not violate any provision of the Revised Code or federal law.

(G) In addition to any other information it contains, on and after ~~the date that is fifteen months after the effective date of this amendment~~ October 7, 2009, the form approved and furnished by the registrar of motor vehicles for an application for a commercial driver's license, restricted commercial driver's license, or a commercial driver's temporary instruction permit or an application for a duplicate of such a license shall inform applicants that the applicant must present a copy of the applicant's DD-214 or an equivalent document in order to qualify to have the license or duplicate indicate that the applicant is ~~an honorably discharged~~ a veteran, active duty, or reservist of the armed forces of the United States based on a request made pursuant to division (A)(8) of this section.

Sec. 4506.08. (A)(1) Each application for a commercial driver's license temporary instruction permit shall be accompanied by a fee of ten dollars. Each application for a commercial driver's license, restricted commercial driver's license, renewal of such a license, or waiver for farm-related service industries shall be accompanied by a fee of twenty-five dollars, except that an application for a commercial driver's license or restricted commercial driver's license received pursuant to division (A)(3) of section 4506.14 of the Revised Code shall be accompanied by a fee of eighteen dollars and seventy-five cents if the license will expire on the licensee's birthday three years after the date of issuance, a fee of twelve dollars and fifty cents if the license will expire on the licensee's birthday two years after the date of issuance, and a fee of six dollars and twenty-five cents if the license will expire on the licensee's birthday one year after the date of issuance. Each application for a duplicate commercial driver's license shall be accompanied by a fee of ten dollars.

(2) In addition, the registrar of motor vehicles or deputy registrar may collect and retain an additional fee of no more than ~~two dollars and seventy five cents commencing on July 1, 2001,~~ ~~three dollars and twenty five cents commencing on January 1, 2003,~~ and three dollars and fifty cents commencing on January 1, 2004, for each application for a commercial driver's license temporary instruction permit, commercial driver's license, renewal of a commercial driver's license, or duplicate commercial driver's license received by the registrar or deputy.

~~(B) Each deputy registrar shall transmit the fees collected under division (A)(1) of this section to the registrar at the time and in the manner prescribed by the registrar by rule. The registrar shall pay the fees into the state highway safety fund established in section 4501.06 of the Revised Code.~~

~~(C)~~ In addition to the fees imposed under division (A) of this section, the registrar of motor vehicles or deputy registrar shall collect a fee of twelve dollars ~~commencing on October 1, 2003,~~ for each application for a commercial driver's license temporary instruction permit, commercial driver's license, or duplicate commercial driver's license and for each application for renewal of a commercial driver's license ~~with an expiration date on or after that date received by the registrar or deputy registrar.~~ The additional fee is for the purpose of defraying the department of public safety's costs associated with the administration and enforcement of the motor vehicle and traffic laws of Ohio. ~~Each~~

(C) Commencing on October 1, 2009, if an application for a commercial driver's license made by a person who previously held such a license is not applied for within the period specified in section 4506.14 of the Revised Code, the registrar or deputy registrar shall collect a fee of ten dollars for the issuance of the commercial driver's license, but may waive the fee for good

cause shown if the application is accompanied by supporting 4554
evidence as the registrar may require. The fee is in addition to 4555
all other fees established by this section. A deputy registrar 4556
shall retain fifty cents of the fee and shall transmit the 4557
remaining amount in accordance with division (D) of this section. 4558

(D) Each deputy registrar shall transmit the fees collected 4559
under ~~division~~ divisions (A)(1), (B), and (C) of this section in 4560
the time and manner prescribed by the registrar. The registrar 4561
shall deposit all moneys received under division ~~(C)~~ (D) of this 4562
section into the state highway safety fund established in section 4563
4501.06 of the Revised Code. 4564

~~(D)~~(E) Information regarding the driving record of any person 4565
holding a commercial driver's license issued by this state shall 4566
be furnished by the registrar, upon request and payment of a fee 4567
of ~~two~~ eight dollars, to the employer or prospective employer of 4568
such a person and to any insurer. 4569

Of each eight-dollar fee the registrar collects under this 4570
division, the registrar shall pay two dollars into the state 4571
treasury to the credit of the state bureau of motor vehicles fund 4572
established in section 4501.25 of the Revised Code, one dollar and 4573
twenty-five cents into the state treasury to the credit of the 4574
trauma and emergency medical services fund established in section 4575
4513.263 of the Revised Code, one dollar and twenty-five cents 4576
into the state treasury to the credit of the homeland security 4577
fund established in section 5502.03 of the Revised Code, 4578
seventy-five cents into the state treasury to the credit of the 4579
investigations fund established in section 5502.131 of the Revised 4580
Code, two dollars and twenty-five cents into the state treasury to 4581
the credit of the emergency management agency service and 4582
reimbursement fund established in section 5502.39 of the Revised 4583
Code, and fifty cents into the state treasury to the credit of the 4584
justice program services fund established in section 5502.67 of 4585

the Revised Code. 4586

Sec. 4506.11. (A) Every commercial driver's license shall be 4587
marked "commercial driver's license" or "CDL" and shall be of such 4588
material and so designed as to prevent its reproduction or 4589
alteration without ready detection, and, to this end, shall be 4590
laminated with a transparent plastic material. The commercial 4591
driver's license for licensees under twenty-one years of age shall 4592
have characteristics prescribed by the registrar of motor vehicles 4593
distinguishing it from that issued to a licensee who is twenty-one 4594
years of age or older. Every commercial driver's license shall 4595
display all of the following information: 4596

(1) The name and residence address of the licensee; 4597

(2) A color photograph of the licensee showing the licensee's 4598
uncovered face; 4599

(3) A physical description of the licensee, including sex, 4600
height, weight, and color of eyes and hair; 4601

(4) The licensee's date of birth; 4602

(5) The licensee's social security number if the person has 4603
requested that the number be displayed in accordance with section 4604
4501.31 of the Revised Code or if federal law requires the social 4605
security number to be displayed and any number or other identifier 4606
the director of public safety considers appropriate and 4607
establishes by rules adopted under Chapter 119. of the Revised 4608
Code and in compliance with federal law; 4609

(6) The licensee's signature; 4610

(7) The classes of commercial motor vehicles the licensee is 4611
authorized to drive and any endorsements or restrictions relating 4612
to the licensee's driving of those vehicles; 4613

(8) The name of this state; 4614

- (9) The dates of issuance and of expiration of the license; 4615
- (10) If the licensee has certified willingness to make an 4616
anatomical gift under section 2108.05 of the Revised Code, any 4617
symbol chosen by the registrar of motor vehicles to indicate that 4618
the licensee has certified that willingness; 4619
- (11) If the licensee has executed a durable power of attorney 4620
for health care or a declaration governing the use or 4621
continuation, or the withholding or withdrawal, of life-sustaining 4622
treatment and has specified that the licensee wishes the license 4623
to indicate that the licensee has executed either type of 4624
instrument, any symbol chosen by the registrar to indicate that 4625
the licensee has executed either type of instrument; 4626
- (12) On and after ~~the date that is fifteen months after the~~ 4627
~~effective date of this amendment~~ October 7, 2009, if the licensee 4628
has specified that the licensee wishes the license to indicate 4629
that the licensee is ~~an honorably discharged~~ a veteran, active 4630
duty, or reservist of the armed forces of the United States and 4631
has presented a copy of the licensee's DD-214 form or an 4632
equivalent document, any symbol chosen by the registrar to 4633
indicate that the licensee is ~~an honorably discharged~~ a veteran, 4634
active duty, or reservist of the armed forces of the United 4635
States; 4636
- (13) Any other information the registrar considers advisable 4637
and requires by rule. 4638
- (B) The registrar may establish and maintain a file of 4639
negatives of photographs taken for the purposes of this section. 4640
- (C) Neither the registrar nor any deputy registrar shall 4641
issue a commercial driver's license to anyone under twenty-one 4642
years of age that does not have the characteristics prescribed by 4643
the registrar distinguishing it from the commercial driver's 4644
license issued to persons who are twenty-one years of age or 4645

older. 4646

(D) Whoever violates division (C) of this section is guilty 4647
of a minor misdemeanor. 4648

Sec. 4507.05. (A) The registrar of motor vehicles, or a 4649
deputy registrar, upon receiving an application for a temporary 4650
instruction permit and a temporary instruction permit 4651
identification card for a driver's license from any person who is 4652
at least fifteen years six months of age, may issue such a permit 4653
and identification card entitling the applicant to drive a motor 4654
vehicle, other than a commercial motor vehicle, upon the highways 4655
under the following conditions: 4656

(1) If the permit is issued to a person who is at least 4657
fifteen years six months of age, but less than sixteen years of 4658
age: 4659

(a) The permit and identification card are in the holder's 4660
immediate possession; 4661

(b) The holder is accompanied by an eligible adult who 4662
actually occupies the seat beside the permit holder and does not 4663
have a prohibited concentration of alcohol in the whole blood, 4664
blood serum or plasma, breath, or urine as provided in division 4665
(A) of section 4511.19 of the Revised Code; 4666

(c) The total number of occupants of the vehicle does not 4667
exceed the total number of occupant restraining devices originally 4668
installed in the motor vehicle by its manufacturer, and each 4669
occupant of the vehicle is wearing all of the available elements 4670
of a properly adjusted occupant restraining device. 4671

(2) If the permit is issued to a person who is at least 4672
sixteen years of age: 4673

(a) The permit and identification card are in the holder's 4674
immediate possession; 4675

(b) The holder is accompanied by a licensed operator who is 4676
at least twenty-one years of age, is actually occupying a seat 4677
beside the driver, and does not have a prohibited concentration of 4678
alcohol in the whole blood, blood serum or plasma, breath, or 4679
urine as provided in division (A) of section 4511.19 of the 4680
Revised Code; 4681

(c) The total number of occupants of the vehicle does not 4682
exceed the total number of occupant restraining devices originally 4683
installed in the motor vehicle by its manufacturer, and each 4684
occupant of the vehicle is wearing all of the available elements 4685
of a properly adjusted occupant restraining device. 4686

(B) The registrar or a deputy registrar, upon receiving from 4687
any person an application for a temporary instruction permit and 4688
temporary instruction permit identification card to operate a 4689
motorcycle or motorized bicycle, may issue such a permit and 4690
identification card entitling the applicant, while having the 4691
permit and identification card in the applicant's immediate 4692
possession, to drive a motorcycle or motorized bicycle under 4693
restrictions determined by the registrar. A temporary instruction 4694
permit and temporary instruction permit identification card to 4695
operate a motorized bicycle may be issued to a person fourteen or 4696
fifteen years old. 4697

(C) Any permit and identification card issued under this 4698
section shall be issued in the same manner as a driver's license, 4699
upon a form to be furnished by the registrar. A temporary 4700
instruction permit to drive a motor vehicle other than a 4701
commercial motor vehicle shall be valid for a period of one year. 4702

(D) Any person having in the person's possession a valid and 4703
current driver's license or motorcycle operator's license or 4704
endorsement issued to the person by another jurisdiction 4705
recognized by this state is exempt from obtaining a temporary 4706
instruction permit for a driver's license, but shall submit to the 4707

regular examination in obtaining a driver's license or motorcycle operator's endorsement in this state. 4708
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(E) The registrar may adopt rules governing the use of temporary instruction permits and temporary instruction permit identification cards. 4710
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(F)(1) No holder of a permit issued under division (A) of this section shall operate a motor vehicle upon a highway or any public or private property used by the public for purposes of vehicular travel or parking in violation of the conditions established under division (A) of this section. 4713
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(2) Except as provided in division (F)(2) of this section, no holder of a permit that is issued under division (A) of this section and that is issued on or after July 1, 1998, and who has not attained the age of eighteen years, shall operate a motor vehicle upon a highway or any public or private property used by the public for purposes of vehicular travel or parking between the hours of midnight and six a.m. 4718
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The holder of a permit issued under division (A) of this section on or after July 1, 1998, who has not attained the age of eighteen years, may operate a motor vehicle upon a highway or any public or private property used by the public for purposes of vehicular travel or parking between the hours of midnight and six a.m. if, at the time of such operation, the holder is accompanied by the holder's parent, guardian, or custodian, and the parent, guardian, or custodian holds a current valid driver's or commercial driver's license issued by this state, is actually occupying a seat beside the permit holder, and does not have a prohibited concentration of alcohol in the whole blood, blood serum or plasma, breath, or urine as provided in division (A) of section 4511.19 of the Revised Code. 4725
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~~(G)(1) Notwithstanding any other provision of law to the~~ 4738

~~contrary, no law enforcement officer shall cause the operator of a motor vehicle being operated on any street or highway to stop the motor vehicle for the sole purpose of determining whether each occupant of the motor vehicle is wearing all of the available elements of a properly adjusted occupant restraining device as required by division (A) of this section, or for the sole purpose of issuing a ticket, citation, or summons if the requirement in that division has been or is being violated, or for causing the arrest of or commencing a prosecution of a person for a violation of that requirement.~~

(2) Notwithstanding any other provision of law to the contrary, no law enforcement officer shall cause the operator of a motor vehicle being operated on any street or highway to stop the motor vehicle for the sole purpose of determining whether a violation of division (F)(2) of this section has been or is being committed or for the sole purpose of issuing a ticket, citation, or summons for such a violation or for causing the arrest of or commencing a prosecution of a person for such violation.

(H) As used in this section:

(1) "Eligible adult" means any of the following:

(a) An instructor of a driver training course approved by the department of public safety;

(b) Any of the following persons who holds a current valid driver's or commercial driver's license issued by this state:

(i) A parent, guardian, or custodian of the permit holder;

(ii) A person twenty-one years of age or older who acts in loco parentis of the permit holder.

(2) "Occupant restraining device" has the same meaning as in section 4513.263 of the Revised Code.

(I) Whoever violates division (F)(1) or (2) of this section

is guilty of a minor misdemeanor. 4769

Sec. 4507.06. (A)(1) Every application for a driver's license 4770
or motorcycle operator's license or endorsement, or duplicate of 4771
any such license or endorsement, shall be made upon the approved 4772
form furnished by the registrar of motor vehicles and shall be 4773
signed by the applicant. 4774

Every application shall state the following: 4775

(a) The applicant's name, date of birth, social security 4776
number if such has been assigned, sex, general description, 4777
including height, weight, color of hair, and eyes, residence 4778
address, including county of residence, duration of residence in 4779
this state, and country of citizenship; 4780

(b) Whether the applicant previously has been licensed as an 4781
operator, chauffeur, driver, commercial driver, or motorcycle 4782
operator and, if so, when, by what state, and whether such license 4783
is suspended or canceled at the present time and, if so, the date 4784
of and reason for the suspension or cancellation; 4785

(c) Whether the applicant is now or ever has been afflicted 4786
with epilepsy, or whether the applicant now is suffering from any 4787
physical or mental disability or disease and, if so, the nature 4788
and extent of the disability or disease, giving the names and 4789
addresses of physicians then or previously in attendance upon the 4790
applicant; 4791

(d) Whether an applicant for a duplicate driver's license, or 4792
duplicate license containing a motorcycle operator endorsement has 4793
pending a citation for violation of any motor vehicle law or 4794
ordinance, a description of any such citation pending, and the 4795
date of the citation; 4796

(e) Whether the applicant wishes to certify willingness to 4797
make an anatomical gift under section 2108.05 of the Revised Code, 4798

which shall be given no consideration in the issuance of a license 4799
or endorsement; 4800

(f) Whether the applicant has executed a valid durable power 4801
of attorney for health care pursuant to sections 1337.11 to 4802
1337.17 of the Revised Code or has executed a declaration 4803
governing the use or continuation, or the withholding or 4804
withdrawal, of life-sustaining treatment pursuant to sections 4805
2133.01 to 2133.15 of the Revised Code and, if the applicant has 4806
executed either type of instrument, whether the applicant wishes 4807
the applicant's license to indicate that the applicant has 4808
executed the instrument; 4809

(g) On and after ~~the date that is fifteen months after the~~ 4810
~~effective date of this amendment~~ October 7, 2009, whether the 4811
applicant is ~~an honorably discharged~~ a veteran, active duty, or 4812
reservist of the armed forces of the United States and, if the 4813
applicant is such ~~an honorably discharged veteran~~, whether the 4814
applicant wishes the applicant's license to indicate that the 4815
applicant is ~~an honorably discharged~~ a veteran, active duty, or 4816
reservist of the armed forces of the United States by a military 4817
designation on the license. 4818

(2) Every applicant for a driver's license shall be 4819
photographed in color at the time the application for the license 4820
is made. The application shall state any additional information 4821
that the registrar requires. 4822

(B) The registrar or a deputy registrar, in accordance with 4823
section 3503.11 of the Revised Code, shall register as an elector 4824
any person who applies for a driver's license or motorcycle 4825
operator's license or endorsement under division (A) of this 4826
section, or for a renewal or duplicate of the license or 4827
endorsement, if the applicant is eligible and wishes to be 4828
registered as an elector. The decision of an applicant whether to 4829
register as an elector shall be given no consideration in the 4830

decision of whether to issue the applicant a license or 4831
endorsement, or a renewal or duplicate. 4832

(C) The registrar or a deputy registrar, in accordance with 4833
section 3503.11 of the Revised Code, shall offer the opportunity 4834
of completing a notice of change of residence or change of name to 4835
any applicant for a driver's license or endorsement under division 4836
(A) of this section, or for a renewal or duplicate of the license 4837
or endorsement, if the applicant is a registered elector who has 4838
changed the applicant's residence or name and has not filed such a 4839
notice. 4840

(D) In addition to any other information it contains, on and 4841
~~after the date that is fifteen months after the effective date of~~ 4842
~~this amendment~~ October 7, 2009, the approved form furnished by the 4843
registrar of motor vehicles for an application for a driver's 4844
license or motorcycle operator's license or endorsement or an 4845
application for a duplicate of any such license or endorsement 4846
shall inform applicants that the applicant must present a copy of 4847
the applicant's DD-214 or an equivalent document in order to 4848
qualify to have the license or duplicate indicate that the 4849
applicant is ~~an honorably discharged~~ a veteran, active duty, or 4850
reservist of the armed forces of the United States based on a 4851
request made pursuant to division (A)(1)(g) of this section. 4852

Sec. 4507.071. (A) No driver's license shall be issued to any 4854
person under eighteen years of age, except that a probationary 4855
license may be issued to a person who is at least sixteen years of 4856
age and has held a temporary instruction permit for a period of at 4857
least six months. 4858

(B)(1)(a) No holder of a probationary driver's license who 4859
has not attained the age of seventeen years shall operate a motor 4860
vehicle upon a highway or any public or private property used by 4861

the public for purposes of vehicular travel or parking between the 4862
hours of midnight and six a.m. unless the holder is accompanied by 4863
the holder's parent or guardian. 4864

(b) No holder of a probationary driver's license who has 4865
attained the age of seventeen years but has not attained the age 4866
of eighteen years shall operate a motor vehicle upon a highway or 4867
any public or private property used by the public for purposes of 4868
vehicular travel or parking between the hours of one a.m. and five 4869
a.m. unless the holder is accompanied by the holder's parent or 4870
guardian. 4871

(2)(a) Subject to division (D)(1)(a) of this section, 4872
division (B)(1)(a) of this section does not apply to the holder of 4873
a probationary driver's license who is traveling to or from work 4874
between the hours of midnight and six a.m. and has in the holder's 4875
immediate possession written documentation from the holder's 4876
employer. 4877

(b) Division (B)(1)(b) of this section does not apply to the 4878
holder of a probationary driver's license who is traveling to or 4879
from work between the hours of one a.m. and five a.m. and has in 4880
the holder's immediate possession written documentation from the 4881
holder's employer. 4882

(3) An employer is not liable in damages in a civil action 4883
for any injury, death, or loss to person or property that 4884
allegedly arises from, or is related to, the fact that the 4885
employer provided an employee who is the holder of a probationary 4886
driver's license with the written documentation described in 4887
division (B)(2) of this section. 4888

The registrar of motor vehicles shall make available at no 4889
cost a form to serve as the written documentation described in 4890
division (B)(2) of this section, and employers and holders of 4891
probationary driver's licenses may utilize that form or may choose 4892

to utilize any other written documentation to meet the 4893
requirements of that division. 4894

(4) No holder of a probationary driver's license who is less 4895
than seventeen years of age shall operate a motor vehicle upon a 4896
highway or any public or private property used by the public for 4897
purposes of vehicular travel or parking with more than one person 4898
who is not a family member occupying the vehicle unless the 4899
probationary license holder is accompanied by the probationary 4900
license holder's parent, guardian, or custodian. 4901

(C) It is an affirmative defense to a violation of division 4902
(B)(1)(a) or (b) of this section if, at the time of the violation, 4903
the holder of the probationary driver's license was traveling to 4904
or from an official function sponsored by the school the holder 4905
attends, or an emergency existed that required the holder to 4906
operate a motor vehicle in violation of division (B)(1)(a) or (b) 4907
of this section, or the holder was an emancipated minor. 4908

(D)(1)(a) Except as otherwise provided in division (D)(2) of 4909
this section, if a person is issued a probationary driver's 4910
license prior to attaining the age of seventeen years and the 4911
person pleads guilty to, is convicted of, or is adjudicated in 4912
juvenile court of having committed a moving violation during the 4913
six-month period commencing on the date on which the person is 4914
issued the probationary driver's license, the holder must be 4915
accompanied by the holder's parent or guardian whenever the holder 4916
is operating a motor vehicle upon a highway or any public or 4917
private property used by the public for purposes of vehicular 4918
travel or parking during whichever of the following time periods 4919
applies: 4920

(i) If, on the date the holder of the probationary driver's 4921
license pleads guilty to, is convicted of, or is adjudicated in 4922
juvenile court of having committed the moving violation, the 4923
holder has not attained the age of sixteen years six months, 4924

during the six-month period commencing on that date; 4925

(ii) If, on the date the holder pleads guilty to, is 4926
convicted of, or is adjudicated in juvenile court of having 4927
committed the moving violation, the holder has attained the age of 4928
sixteen years six months but not seventeen years, until the person 4929
attains the age of seventeen years. 4930

(b) If the holder of a probationary driver's license commits 4931
a moving violation during the six-month period after the person is 4932
issued the probationary driver's license and before the person 4933
attains the age of seventeen years and on the date the person 4934
pleads guilty to, is convicted of, or is adjudicated in juvenile 4935
court of having committed the moving violation the person has 4936
attained the age of seventeen years, or if the person commits the 4937
moving violation during the six-month period after the person is 4938
issued the probationary driver's license and after the person 4939
attains the age of seventeen years, the holder is not subject to 4940
the restriction described in divisions (D)(1)(a)(i) and (ii) of 4941
this section unless the court or juvenile court imposes such a 4942
restriction upon the holder. 4943

(2) Any person who is subject to the operating restrictions 4944
established under division (D)(1) of this section as a result of a 4945
first moving violation may petition the court for occupational or 4946
educational driving privileges without being accompanied by the 4947
holder's parent or guardian during the period of time specified in 4948
that division. The court may grant the person such driving 4949
privileges if the court finds reasonable cause to believe that the 4950
restrictions established in division (D)(1) will seriously affect 4951
the person's ability to continue in employment or educational 4952
training or will cause undue hardship on the license holder or a 4953
family member of the license holder. In granting the driving 4954
privileges, the court shall specify the purposes, times, and 4955
places of the privileges and shall issue the person appropriate 4956

forms setting forth the privileges granted. Occupational or 4957
educational driving privileges under this division shall not be 4958
granted to the same person more than once. If a person is 4959
convicted of, pleads guilty to, or is adjudicated in juvenile 4960
court of having committed a second or subsequent moving violation, 4961
any driving privileges previously granted under this division are 4962
terminated upon the subsequent conviction, plea, or adjudication. 4963

(3) No person shall violate division (D)(1)(a) of this 4964
section. 4965
4966

(E) No holder of a probationary license shall operate a motor 4967
vehicle upon a highway or any public or private property used by 4968
the public for purposes of vehicular travel or parking unless the 4969
total number of occupants of the vehicle does not exceed the total 4970
number of occupant restraining devices originally installed in the 4971
motor vehicle by its manufacturer, and each occupant of the 4972
vehicle is wearing all of the available elements of a properly 4973
adjusted occupant restraining device. 4974

(F) A restricted license may be issued to a person who is 4975
fourteen or fifteen years of age upon proof of hardship 4976
satisfactory to the registrar of motor vehicles. 4977

(G) ~~Notwithstanding any other provision of law to the 4978
contrary, no law enforcement officer shall cause the operator of a 4979
motor vehicle being operated on any street or highway to stop the 4980
motor vehicle for the sole purpose of determining whether each 4981
occupant of the motor vehicle is wearing all of the available 4982
elements of a properly adjusted occupant restraining device as 4983
required by division (E) of this section, or for the sole purpose 4984
of issuing a ticket, citation, or summons if the requirement in 4985
that division has been or is being violated, or for causing the 4986
arrest of or commencing a prosecution of a person for a violation 4987
of that requirement. 4988~~

~~(H)~~ Notwithstanding any other provision of law to the contrary, no law enforcement officer shall cause the operator of a motor vehicle being operated on any street or highway to stop the motor vehicle for the sole purpose of determining whether a violation of division (B)(1)(a) or (b) of this section has been or is being committed or for the sole purpose of issuing a ticket, citation, or summons for such a violation or for causing the arrest of or commencing a prosecution of a person for such violation.

~~(I)~~(H) As used in this section:

(1) "Occupant restraining device" has the same meaning as in section 4513.263 of the Revised Code.

(2) "Family member" of a probationary license holder includes any of the following:

(a) A spouse;

(b) A child or stepchild;

(c) A parent, stepparent, grandparent, or parent-in-law;

(d) An aunt or uncle;

(e) A sibling, whether of the whole or half blood or by adoption, a brother-in-law, or a sister-in-law;

(f) A son or daughter of the probationary license holder's stepparent if the stepparent has not adopted the probationary license holder;

(g) An eligible adult, as defined in section 4507.05 of the Revised Code.

(3) "Moving violation" means any violation of any statute or ordinance that regulates the operation of vehicles, streetcars, or trackless trolleys on the highways or streets. "Moving violation" does not include a violation of section 4513.263 of the Revised Code or a substantially equivalent municipal ordinance, or a

violation of any statute or ordinance regulating pedestrians or 5019
the parking of vehicles, vehicle size or load limitations, vehicle 5020
fitness requirements, or vehicle registration. 5021

~~(J)~~(I) Whoever violates division (B)(1) or (4), (D)(3), or 5022
(E) of this section is guilty of a minor misdemeanor. 5023

Sec. 4507.13. (A) The registrar of motor vehicles shall issue 5024
a driver's license to every person licensed as an operator of 5025
motor vehicles other than commercial motor vehicles. No person 5026
licensed as a commercial motor vehicle driver under Chapter 4506. 5027
of the Revised Code need procure a driver's license, but no person 5028
shall drive any commercial motor vehicle unless licensed as a 5029
commercial motor vehicle driver. 5030

Every driver's license shall display on it the distinguishing 5031
number assigned to the licensee and shall display the licensee's 5032
name and date of birth; the licensee's residence address and 5033
county of residence; a color photograph of the licensee; a brief 5034
description of the licensee for the purpose of identification; a 5035
facsimile of the signature of the licensee as it appears on the 5036
application for the license; a notation, in a manner prescribed by 5037
the registrar, indicating any condition described in division 5038
(D)(3) of section 4507.08 of the Revised Code to which the 5039
licensee is subject; if the licensee has executed a durable power 5040
of attorney for health care or a declaration governing the use or 5041
continuation, or the withholding or withdrawal, of life-sustaining 5042
treatment and has specified that the licensee wishes the license 5043
to indicate that the licensee has executed either type of 5044
instrument, any symbol chosen by the registrar to indicate that 5045
the licensee has executed either type of instrument; on and after 5046
~~the date that is fifteen months after the effective date of this~~ 5047
~~amendment~~ October 7, 2009, if the licensee has specified that the 5048
licensee wishes the license to indicate that the licensee is an 5049

~~honorably discharged~~ a veteran, active duty, or reservist of the 5050
armed forces of the United States and has presented a copy of the 5051
licensee's DD-214 form or an equivalent document, any symbol 5052
chosen by the registrar to indicate that the licensee is ~~an~~ 5053
~~honorably discharged~~ a veteran, active duty, or reservist of the 5054
armed forces of the United States; and any additional information 5055
that the registrar requires by rule. No license shall display the 5056
licensee's social security number unless the licensee specifically 5057
requests that the licensee's social security number be displayed 5058
on the license. If federal law requires the licensee's social 5059
security number to be displayed on the license, the social 5060
security number shall be displayed on the license notwithstanding 5061
this section. 5062

The driver's license for licensees under twenty-one years of 5063
age shall have characteristics prescribed by the registrar 5064
distinguishing it from that issued to a licensee who is twenty-one 5065
years of age or older, except that a driver's license issued to a 5066
person who applies no more than thirty days before the applicant's 5067
twenty-first birthday shall have the characteristics of a license 5068
issued to a person who is twenty-one years of age or older. 5069

The driver's license issued to a temporary resident shall 5070
contain the word "nonrenewable" and shall have any additional 5071
characteristics prescribed by the registrar distinguishing it from 5072
a license issued to a resident. 5073

Every driver's or commercial driver's license displaying a 5074
motorcycle operator's endorsement and every restricted license to 5075
operate a motor vehicle also shall display the designation 5076
"novice," if the endorsement or license is issued to a person who 5077
is eighteen years of age or older and previously has not been 5078
licensed to operate a motorcycle by this state or another 5079
jurisdiction recognized by this state. The "novice" designation 5080
shall be effective for one year after the date of issuance of the 5081

motorcycle operator's endorsement or license. 5082

Each license issued under this section shall be of such 5083
material and so designed as to prevent its reproduction or 5084
alteration without ready detection and, to this end, shall be 5085
laminated with a transparent plastic material. 5086

(B) Except in regard to a driver's license issued to a person 5087
who applies no more than thirty days before the applicant's 5088
twenty-first birthday, neither the registrar nor any deputy 5089
registrar shall issue a driver's license to anyone under 5090
twenty-one years of age that does not have the characteristics 5091
prescribed by the registrar distinguishing it from the driver's 5092
license issued to persons who are twenty-one years of age or 5093
older. 5094

(C) Whoever violates division (B) of this section is guilty 5095
of a minor misdemeanor. 5096

Sec. 4507.23. (A) Except as provided in division ~~(I)~~(J) of 5097
this section, each application for a temporary instruction permit 5098
and examination shall be accompanied by a fee of five dollars. 5099

(B) Except as provided in division ~~(I)~~(J) of this section, 5100
each application for a driver's license made by a person who 5101
previously held such a license and whose license has expired not 5102
more than two years prior to the date of application, and who is 5103
required under this chapter to give an actual demonstration of the 5104
person's ability to drive, shall be accompanied by a fee of three 5105
dollars in addition to any other fees. 5106

(C) Except as provided in divisions (E) and ~~(I)~~(J) of this 5107
section, each application for a driver's license, or motorcycle 5108
operator's endorsement, or renewal of a driver's license shall be 5109
accompanied by a fee of six dollars. Except as provided in 5110
division (I) of this section, each application for a duplicate 5111

driver's license shall be accompanied by a fee of two dollars and 5112
fifty cents. The duplicate driver's licenses issued under this 5113
section shall be distributed by the deputy registrar in accordance 5114
with rules adopted by the registrar of motor vehicles. 5115

(D) Except as provided in division ~~(I)~~(J) of this section, 5116
each application for a motorized bicycle license or duplicate 5117
thereof shall be accompanied by a fee of two dollars and fifty 5118
cents. 5119

(E) Except as provided in division ~~(I)~~(J) of this section, 5120
each application for a driver's license or renewal of a driver's 5121
license that will be issued to a person who is less than 5122
twenty-one years of age shall be accompanied by whichever of the 5123
following fees is applicable: 5124

(1) If the person is sixteen years of age or older, but less 5125
than seventeen years of age, a fee of seven dollars and 5126
twenty-five cents; 5127

(2) If the person is seventeen years of age or older, but 5128
less than eighteen years of age, a fee of six dollars; 5129

(3) If the person is eighteen years of age or older, but less 5130
than nineteen years of age, a fee of four dollars and seventy-five 5131
cents; 5132

(4) If the person is nineteen years of age or older, but less 5133
than twenty years of age, a fee of three dollars and fifty cents; 5134

(5) If the person is twenty years of age or older, but less 5135
than twenty-one years of age, a fee of two dollars and twenty-five 5136
cents. 5137

(F) Neither the registrar nor any deputy registrar shall 5138
charge a fee in excess of one dollar and fifty cents for 5139
laminating a driver's license, motorized bicycle license, or 5140
temporary instruction permit identification cards as required by 5141

sections 4507.13 and 4511.521 of the Revised Code. A deputy 5142
registrar laminating a driver's license, motorized bicycle 5143
license, or temporary instruction permit identification cards 5144
shall retain the entire amount of the fee charged for lamination, 5145
less the actual cost to the registrar of the laminating materials 5146
used for that lamination, as specified in the contract executed by 5147
the bureau for the laminating materials and laminating equipment. 5148
The deputy registrar shall forward the amount of the cost of the 5149
laminating materials to the registrar for deposit as provided in 5150
this section. 5151

(G) Except as provided in division ~~(I)~~(J) of this section and 5152
except for the renewal of a driver's license, commencing on 5153
October 1, 2003, each transaction described in divisions (A), (B), 5154
(C), (D), and (E) of this section shall be accompanied by an 5155
additional fee of twelve dollars. A transaction involving the 5156
renewal of a driver's license with an expiration date on or after 5157
that date shall be accompanied by an additional fee of twelve 5158
dollars. The additional fee is for the purpose of defraying the 5159
department of public safety's costs associated with the 5160
administration and enforcement of the motor vehicle and traffic 5161
laws of Ohio. 5162

(H) Except as provided in division (J) of this section, 5163
commencing on October 1, 2009, if an application for a driver's 5164
license or motorcycle operator's endorsement made by a person who 5165
previously held such a license is not applied for within the 5166
period specified in section 4507.09 of the Revised Code, the 5167
registrar or deputy registrar shall collect a fee of ten dollars 5168
for the issuance of the driver's license or motorcycle 5169
endorsement, but may waive the fee for good cause shown if the 5170
application is accompanied by supporting evidence as the registrar 5171
may require. The fee shall be in addition to all other fees 5172
established by this section. A deputy registrar collecting this 5173

ten dollar fee shall retain fifty cents and send the remaining fee 5174
to the registrar as specified in division (I) of this section. 5175

5176

(I) At the time and in the manner provided by section 4503.10 5177
of the Revised Code, the deputy registrar shall transmit the fees 5178
collected under divisions (A), (B), (C), (D), and (E), those 5179
portions of the fees specified in and collected under division 5180
(F), and the additional fee under ~~division~~ divisions (G) and (H) 5181
of this section to the registrar. The registrar shall pay two 5182
dollars and fifty cents of each fee collected under divisions (A), 5183
(B), (C), (D), and (E)(1) to (4) of this section, and the entire 5184
fee collected under division (E)(5) of this section, into the 5185
state highway safety fund established in section 4501.06 of the 5186
Revised Code, and such fees shall be used for the sole purpose of 5187
supporting driver licensing activities. The registrar also shall 5188
pay the entire fee collected under ~~division~~ divisions (G) and (H) 5189
of this section into the state highway safety fund created in 5190
section 4501.06 of the Revised Code. The remaining fees collected 5191
by the registrar under this section shall be paid into the state 5192
bureau of motor vehicles fund established in section 4501.25 of 5193
the Revised Code. 5194

~~(I)~~(J) A disabled veteran who has a service-connected 5195
disability rated at one hundred per cent by the veterans' 5196
administration may apply to the registrar or a deputy registrar 5197
for the issuance to that veteran, without the payment of any fee 5198
prescribed in this section, of any of the following items: 5199

(1) A temporary instruction permit and examination; 5200

(2) A new, renewal, or duplicate driver's or commercial 5201
driver's license; 5202

(3) A motorcycle operator's endorsement; 5203

(4) A motorized bicycle license or duplicate thereof; 5204

(5) The fee established in division (H) of this section; 5205

(6) Lamination of a driver's license, motorized bicycle 5206
license, or temporary instruction permit identification card as 5207
provided in division (F) of this section, if the circumstances 5208
specified in division ~~(I)~~(5)(J)(6) of this section are met. 5209

~~If the driver's license, motorized bicycle license, or 5210
temporary instruction permit identification card of a disabled 5211
veteran described in division (I) of this section is laminated by 5212
a deputy registrar who is acting as a deputy registrar pursuant to 5213
a contract with the registrar that is in effect on October 14, 5214
1997, the disabled veteran shall be required to pay the deputy 5215
registrar the lamination fee provided in division (F) of this 5216
section. If the driver's license, motorized bicycle license, or 5217
temporary instruction permit identification card of such a 5218
disabled veteran is laminated by a deputy registrar who is acting 5219
as a deputy registrar pursuant to a contract with the registrar 5220
that is executed after October 14, 1997, the disabled veteran is 5221
not required to pay the deputy registrar the lamination fee 5222
provided in division (F) of this section. 5223~~

A disabled veteran whose driver's license, motorized bicycle 5224
license, or temporary instruction permit identification card is 5225
laminated by the registrar or deputy registrar is not required to 5226
pay the registrar any lamination fee. 5227

An application made under division ~~(I)~~(J) of this section 5228
shall be accompanied by such documentary evidence of disability as 5229
the registrar may require by rule. 5230

Sec. 4507.24. (A) Except as provided in division ~~(B)~~(C) of 5231
this section, ~~each~~ the registrar of motor vehicles or a deputy 5232
registrar may collect a fee not to exceed the following: 5233

(1)~~Three dollars and seventy five cents commencing on July 1,~~ 5234

~~2001, four dollars and twenty five cents commencing on January 1,~~ 5235
~~2003, and four~~ Four dollars and fifty cents commencing on January 5236
1, 2004, and five dollars and fifty cents commencing on October 1, 5237
2009, for each application for renewal of a driver's license 5238
received by the deputy registrar, when the applicant is required 5239
to submit to a screening of the applicant's vision under section 5240
4507.12 of the Revised Code; 5241

(2) ~~Two dollars and seventy five cents commencing on July 1,~~ 5242
~~2001, three dollars and twenty five cents commencing on January 1,~~ 5243
~~2003, and three~~ Three dollars and fifty cents commencing on 5244
January 1, 2004, for each application for a driver's license, or 5245
motorized bicycle license, or for renewal of such a license, 5246
received by the deputy registrar, when the applicant is not 5247
required to submit to a screening of the applicant's vision under 5248
section 4507.12 of the Revised Code. 5249

(B) The fees prescribed by division (A) of this section shall 5250
be in addition to the fee for a temporary instruction permit and 5251
examination, a driver's license, a motorized bicycle license, or 5252
duplicates thereof, ~~and~~. The fees retained by a deputy registrar 5253
shall compensate the deputy registrar for the deputy registrar's 5254
services, for office and rental expense, and for costs as provided 5255
in division ~~(C)~~ (D) of this section, as are necessary for the 5256
proper discharge of the deputy registrar's duties under sections 5257
4507.01 to 4507.39 of the Revised Code. 5258

(C) A disabled veteran who has a service-connected disability 5259
rated at one hundred per cent by the veterans' administration is 5260
required to pay the applicable fee prescribed in division (A) of 5261
this section if the disabled veteran submits an application for a 5262
driver's license or motorized bicycle license or a renewal of 5263
either of these licenses to a deputy registrar who is acting as a 5264
deputy registrar pursuant to a contract with the registrar that is 5265
in effect on the effective date of this amendment. The disabled 5266

veteran also is required to submit with the disabled veteran's 5267
application such documentary evidence of disability as the 5268
registrar may require by rule. 5269

A disabled veteran who submits an application described in 5270
this division is not required to pay either of the fees prescribed 5271
in division (A) of this section if the disabled veteran submits 5272
the application to a deputy registrar who is acting as a deputy 5273
registrar pursuant to a contract with the registrar that is 5274
executed after the effective date of this amendment. The disabled 5275
veteran still is required to submit with the disabled veteran's 5276
application such documentary evidence of disability as the 5277
registrar may require by rule. 5278

A disabled veteran who submits an application described in 5279
this division directly to the registrar is not required to pay 5280
either of the fees prescribed in division (A) of this section if 5281
the disabled veteran submits with the disabled veteran's 5282
application such documentary evidence of disability as the 5283
registrar may require by rule. 5284

~~(C)~~(D)(1) Each deputy registrar shall transmit to the 5285
registrar of motor vehicles, at such time and in such manner as 5286
the registrar shall require by rule, an amount of each fee 5287
collected under division (A)(1) of this section as shall be 5288
determined by the registrar. The registrar shall pay all such 5289
moneys so received into the state bureau of motor vehicles fund 5290
created in section 4501.25 of the Revised Code. 5291

(2) Commencing on October 1, 2009, each deputy registrar 5292
shall transmit one dollar of each fee collected under division 5293
(A)(1) of this section to the registrar at the time and in the 5294
manner provided by section 4503.10 of the Revised Code. The 5295
registrar shall deposit all moneys received under division (D)(2) 5296
of this section into the state highway safety fund established in 5297
section 4501.06 of the Revised Code. 5298

Sec. 4507.51. (A)(1) Every application for an identification card or duplicate shall be made on a form furnished by the registrar of motor vehicles, shall be signed by the applicant, and by the applicant's parent or guardian if the applicant is under eighteen years of age, and shall contain the following information pertaining to the applicant: name, date of birth, sex, general description including the applicant's height, weight, hair color, and eye color, address, and social security number. The application also shall state whether an applicant wishes to certify willingness to make an anatomical gift under section 2108.05 of the Revised Code and shall include information about the requirements of sections 2108.01 to 2108.29 of the Revised Code that apply to persons who are less than eighteen years of age. The statement regarding willingness to make such a donation shall be given no consideration in the decision of whether to issue an identification card. Each applicant shall be photographed in color at the time of making application.

(2)(a) The application also shall state whether the applicant has executed a valid durable power of attorney for health care pursuant to sections 1337.11 to 1337.17 of the Revised Code or has executed a declaration governing the use or continuation, or the withholding or withdrawal, of life-sustaining treatment pursuant to sections 2133.01 to 2133.15 of the Revised Code and, if the applicant has executed either type of instrument, whether the applicant wishes the identification card issued to indicate that the applicant has executed the instrument.

(b) On and after ~~the date that is fifteen months after the effective date of this amendment~~ October 7, 2009, the application also shall state whether the applicant is ~~an honorably discharged~~ a veteran, active duty, or reservist of the armed forces of the United States and, if the applicant is such ~~an honorably discharged veteran~~, whether the applicant wishes the

identification card issued to indicate that the applicant is ~~an~~ 5331
~~honorably discharged a~~ veteran, active duty, or reservist of the 5332
armed forces of the United States by a military designation on the 5333
identification card. 5334

(3) The registrar or deputy registrar, in accordance with 5335
section 3503.11 of the Revised Code, shall register as an elector 5336
any person who applies for an identification card or duplicate if 5337
the applicant is eligible and wishes to be registered as an 5338
elector. The decision of an applicant whether to register as an 5339
elector shall be given no consideration in the decision of whether 5340
to issue the applicant an identification card or duplicate. 5341

(B) The application for an identification card or duplicate 5342
shall be filed in the office of the registrar or deputy registrar. 5343
Each applicant shall present documentary evidence as required by 5344
the registrar of the applicant's age and identity, and the 5345
applicant shall swear that all information given is true. An 5346
identification card issued by the department of rehabilitation and 5347
correction under section 5120.59 of the Revised Code shall be 5348
sufficient documentary evidence under this division. Upon issuing 5349
an identification card under this section for a person who has 5350
been issued an identification card under section 5120.59 of the 5351
Revised Code, the registrar or deputy registrar shall destroy the 5352
identification card issued under section 5120.59 of the Revised 5353
Code. 5354

All applications for an identification card or duplicate 5355
shall be filed in duplicate, and if submitted to a deputy 5356
registrar, a copy shall be forwarded to the registrar. The 5357
registrar shall prescribe rules for the manner in which a deputy 5358
registrar is to file and maintain applications and other records. 5359
The registrar shall maintain a suitable, indexed record of all 5360
applications denied and cards issued or canceled. 5361

(C) In addition to any other information it contains, on and 5362

after the date that is fifteen months after the effective date of 5363
this amendment, the form furnished by the registrar of motor 5364
vehicles for an application for an identification card or 5365
duplicate shall inform applicants that the applicant must present 5366
a copy of the applicant's DD-214 or an equivalent document in 5367
order to qualify to have the card or duplicate indicate that the 5368
applicant is an honorably discharged veteran of the armed forces 5369
of the United States based on a request made pursuant to division 5370
(A)(2)(b) of this section. 5371

Sec. 4507.52. (A) Each identification card issued by the 5372
registrar of motor vehicles or a deputy registrar shall display a 5373
distinguishing number assigned to the cardholder, and shall 5374
display the following inscription: 5375

"STATE OF OHIO IDENTIFICATION CARD 5376

This card is not valid for the purpose of operating a motor 5377
vehicle. It is provided solely for the purpose of establishing the 5378
identity of the bearer described on the card, who currently is not 5379
licensed to operate a motor vehicle in the state of Ohio." 5380

The identification card shall display substantially the same 5381
information as contained in the application and as described in 5382
division (A)(1) of section 4507.51 of the Revised Code, but shall 5383
not display the cardholder's social security number unless the 5384
cardholder specifically requests that the cardholder's social 5385
security number be displayed on the card. If federal law requires 5386
the cardholder's social security number to be displayed on the 5387
identification card, the social security number shall be displayed 5388
on the card notwithstanding this section. The identification card 5389
also shall display the color photograph of the cardholder. If the 5390
cardholder has executed a durable power of attorney for health 5391
care or a declaration governing the use or continuation, or the 5392
withholding or withdrawal, of life-sustaining treatment and has 5393

specified that the cardholder wishes the identification card to 5394
indicate that the cardholder has executed either type of 5395
instrument, the card also shall display any symbol chosen by the 5396
registrar to indicate that the cardholder has executed either type 5397
of instrument. On and after ~~the date that is fifteen months after~~ 5398
~~the effective date of this amendment~~ October 7, 2009, if the 5399
cardholder has specified that the cardholder wishes the 5400
identification card to indicate that the cardholder is ~~an~~ 5401
~~honorably discharged~~ a veteran, active duty, or reservist of the 5402
armed forces of the United States and has presented a copy of the 5403
cardholder's DD-214 form or an equivalent document, the card also 5404
shall display any symbol chosen by the registrar to indicate that 5405
the cardholder is ~~an honorably discharged~~ a veteran, active duty, 5406
or reservist of the armed forces of the United States. The card 5407
shall be sealed in transparent plastic or similar material and 5408
shall be so designed as to prevent its reproduction or alteration 5409
without ready detection. 5410

The identification card for persons under twenty-one years of 5411
age shall have characteristics prescribed by the registrar 5412
distinguishing it from that issued to a person who is twenty-one 5413
years of age or older, except that an identification card issued 5414
to a person who applies no more than thirty days before the 5415
applicant's twenty-first birthday shall have the characteristics 5416
of an identification card issued to a person who is twenty-one 5417
years of age or older. 5418

Every identification card issued to a resident of this state 5419
shall expire, unless canceled or surrendered earlier, on the 5420
birthday of the cardholder in the fourth year after the date on 5421
which it is issued. Every identification card issued to a 5422
temporary resident shall expire in accordance with rules adopted 5423
by the registrar and is nonrenewable, but may be replaced with a 5424
new identification card upon the applicant's compliance with all 5425

applicable requirements. A cardholder may renew the cardholder's 5426
identification card within ninety days prior to the day on which 5427
it expires by filing an application and paying the prescribed fee 5428
in accordance with section 4507.50 of the Revised Code. 5429

If a cardholder applies for a driver's or commercial driver's 5430
license in this state or another licensing jurisdiction, the 5431
cardholder shall surrender the cardholder's identification card to 5432
the registrar or any deputy registrar before the license is 5433
issued. 5434

(B) If a card is lost, destroyed, or mutilated, the person to 5435
whom the card was issued may obtain a duplicate by doing both of 5436
the following: 5437

(1) Furnishing suitable proof of the loss, destruction, or 5438
mutilation to the registrar or a deputy registrar; 5439

(2) Filing an application and presenting documentary evidence 5440
under section 4507.51 of the Revised Code. 5441

Any person who loses a card and, after obtaining a duplicate, 5442
finds the original, immediately shall surrender the original to 5443
the registrar or a deputy registrar. 5444

A cardholder may obtain a replacement identification card 5445
that reflects any change of the cardholder's name by furnishing 5446
suitable proof of the change to the registrar or a deputy 5447
registrar and surrendering the cardholder's existing card. 5448

When a cardholder applies for a duplicate or obtains a 5449
replacement identification card, the cardholder shall pay a fee of 5450
two dollars and fifty cents. A deputy registrar shall be allowed 5451
an additional fee of two dollars and seventy-five cents commencing 5452
on July 1, 2001, three dollars and twenty-five cents commencing on 5453
January 1, 2003, and three dollars and fifty cents commencing on 5454
January 1, 2004, for issuing a duplicate or replacement 5455
identification card. A disabled veteran who is a cardholder and 5456

has a service-connected disability rated at one hundred per cent 5457
by the veterans' administration may apply to the registrar or a 5458
deputy registrar for the issuance of a duplicate or replacement 5459
identification card without payment of any fee prescribed in this 5460
section, and without payment of any lamination fee if the disabled 5461
veteran would not be required to pay a lamination fee in 5462
connection with the issuance of an identification card or 5463
temporary identification card as provided in division (B) of 5464
section 4507.50 of the Revised Code. 5465

A duplicate or replacement identification card shall expire 5466
on the same date as the card it replaces. 5467

(C) The registrar shall cancel any card upon determining that 5468
the card was obtained unlawfully, issued in error, or was altered. 5469
The registrar also shall cancel any card that is surrendered to 5470
the registrar or to a deputy registrar after the holder has 5471
obtained a duplicate, replacement, or driver's or commercial 5472
driver's license. 5473

(D)(1) No agent of the state or its political subdivisions 5474
shall condition the granting of any benefit, service, right, or 5475
privilege upon the possession by any person of an identification 5476
card. Nothing in this section shall preclude any publicly operated 5477
or franchised transit system from using an identification card for 5478
the purpose of granting benefits or services of the system. 5479

(2) No person shall be required to apply for, carry, or 5480
possess an identification card. 5481

(E) Except in regard to an identification card issued to a 5482
person who applies no more than thirty days before the applicant's 5483
twenty-first birthday, neither the registrar nor any deputy 5484
registrar shall issue an identification card to a person under 5485
twenty-one years of age that does not have the characteristics 5486
prescribed by the registrar distinguishing it from the 5487

identification card issued to persons who are twenty-one years of age or older. 5488
5489

(F) Whoever violates division (E) of this section is guilty of a minor misdemeanor. 5490
5491

Sec. 4509.05. (A) Upon request, the registrar of motor vehicles shall search and furnish a certified abstract of the following information with respect to any person: 5492
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(1) An enumeration of the motor vehicle accidents in which such person has been involved except accidents certified as described in division (D) of section 3937.41 of the Revised Code; 5495
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(2) Such person's record of convictions for violation of the motor vehicle laws. 5498
5499

(B) The registrar shall collect for each abstract a fee of ~~two~~ eight dollars. 5500
5501

(C) The registrar may permit deputy registrars to perform a search and furnish a certified abstract under this section. A deputy registrar performing this function shall comply with section 4501.27 of the Revised Code concerning the disclosure of personal information, shall collect and transmit to the registrar the ~~two-dollar~~ eight-dollar fee established under division (B) of this section, and may collect and retain a service fee of ~~three dollars and twenty five cents commencing on the effective date of this amendment. If the deputy registrar fees are increased on January 1, 2004, in accordance with section 4503.034 of the Revised Code, the deputy registrar may collect and retain a service fee of three dollars and fifty cents, commencing on that date.~~ 5502
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Of each eight-dollar fee the registrar collects under this division, the registrar shall pay two dollars into the state treasury to the credit of the state bureau of motor vehicles fund 5515
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established in section 4501.25 of the Revised Code, one dollar and 5518
twenty-five cents into the state treasury to the credit of the 5519
trauma and emergency medical services fund established in section 5520
4513.263 of the Revised Code, one dollar and twenty-five cent into 5521
the state treasury to the credit of the homeland security fund 5522
established in section 5502.03 of the Revised Code, seventy-five 5523
cents into the state treasury to the credit of the investigations 5524
fund established in section 5502.131 of the Revised Code, two 5525
dollars and twenty-five cents into the state treasury to the 5526
credit of the emergency management agency service and 5527
reimbursement fund established in section 5502.39 of the Revised 5528
Code, and fifty cents into the state treasury to the credit of the 5529
justice program services fund established in section 5502.67 of 5530
the Revised Code. 5531

Sec. 4511.01. As used in this chapter and in Chapter 4513. of 5532
the Revised Code: 5533

(A) "Vehicle" means every device, including a motorized 5534
bicycle, in, upon, or by which any person or property may be 5535
transported or drawn upon a highway, except that "vehicle" does 5536
not include any motorized wheelchair, any electric personal 5537
assistive mobility device, any device that is moved by power 5538
collected from overhead electric trolley wires or that is used 5539
exclusively upon stationary rails or tracks, or any device, other 5540
than a bicycle, that is moved by human power. 5541

(B) "Motor vehicle" means every vehicle propelled or drawn by 5542
power other than muscular power or power collected from overhead 5543
electric trolley wires, except motorized bicycles, road rollers, 5544
traction engines, power shovels, power cranes, and other equipment 5545
used in construction work and not designed for or employed in 5546
general highway transportation, hole-digging machinery, 5547
well-drilling machinery, ditch-digging machinery, farm machinery, 5548

and trailers designed and used exclusively to transport a boat 5549
between a place of storage and a marina, or in and around a 5550
marina, when drawn or towed on a street or highway for a distance 5551
of no more than ten miles and at a speed of twenty-five miles per 5552
hour or less. 5553

(C) "Motorcycle" means every motor vehicle, other than a 5554
tractor, having a seat or saddle for the use of the operator and 5555
designed to travel on not more than three wheels in contact with 5556
the ground, including, but not limited to, motor vehicles known as 5557
"motor-driven cycle," "motor scooter," or "motorcycle" without 5558
regard to weight or brake horsepower. 5559

(D) "Emergency vehicle" means emergency vehicles of 5560
municipal, township, or county departments or public utility 5561
corporations when identified as such as required by law, the 5562
director of public safety, or local authorities, and motor 5563
vehicles when commandeered by a police officer. 5564

(E) "Public safety vehicle" means any of the following: 5565

(1) Ambulances, including private ambulance companies under 5566
contract to a municipal corporation, township, or county, and 5567
private ambulances and nontransport vehicles bearing license 5568
plates issued under section 4503.49 of the Revised Code; 5569

(2) Motor vehicles used by public law enforcement officers or 5570
other persons sworn to enforce the criminal and traffic laws of 5571
the state; 5572

(3) Any motor vehicle when properly identified as required by 5573
the director of public safety, when used in response to fire 5574
emergency calls or to provide emergency medical service to ill or 5575
injured persons, and when operated by a duly qualified person who 5576
is a member of a volunteer rescue service or a volunteer fire 5577
department, and who is on duty pursuant to the rules or directives 5578
of that service. The state fire marshal shall be designated by the 5579

director of public safety as the certifying agency for all public 5580
safety vehicles described in division (E)(3) of this section. 5581

(4) Vehicles used by fire departments, including motor 5582
vehicles when used by volunteer fire fighters responding to 5583
emergency calls in the fire department service when identified as 5584
required by the director of public safety. 5585

Any vehicle used to transport or provide emergency medical 5586
service to an ill or injured person, when certified as a public 5587
safety vehicle, shall be considered a public safety vehicle when 5588
transporting an ill or injured person to a hospital regardless of 5589
whether such vehicle has already passed a hospital. 5590

(5) Vehicles used by the motor carrier enforcement unit for 5591
the enforcement of orders and rules of the public utilities 5592
commission as specified in section 5503.34 of the Revised Code. 5593

(F) "School bus" means every bus designed for carrying more 5594
than nine passengers that is owned by a public, private, or 5595
governmental agency or institution of learning and operated for 5596
the transportation of children to or from a school session or a 5597
school function, or owned by a private person and operated for 5598
compensation for the transportation of children to or from a 5599
school session or a school function, provided "school bus" does 5600
not include a bus operated by a municipally owned transportation 5601
system, a mass transit company operating exclusively within the 5602
territorial limits of a municipal corporation, or within such 5603
limits and the territorial limits of municipal corporations 5604
immediately contiguous to such municipal corporation, nor a common 5605
passenger carrier certified by the public utilities commission 5606
unless such bus is devoted exclusively to the transportation of 5607
children to and from a school session or a school function, and 5608
"school bus" does not include a van or bus used by a licensed 5609
child day-care center or type A family day-care home to transport 5610
children from the child day-care center or type A family day-care 5611

home to a school if the van or bus does not have more than fifteen 5612
children in the van or bus at any time. 5613

(G) "Bicycle" means every device, other than a tricycle 5614
designed solely for use as a play vehicle by a child, propelled 5615
solely by human power upon which any person may ride having either 5616
two tandem wheels, or one wheel in the front and two wheels in the 5617
rear, any of which is more than fourteen inches in diameter. 5618

(H) "Motorized bicycle" means any vehicle having either two 5619
tandem wheels or one wheel in the front and two wheels in the 5620
rear, that is capable of being pedaled and is equipped with a 5621
helper motor of not more than fifty cubic centimeters piston 5622
displacement that produces no more than one brake horsepower and 5623
is capable of propelling the vehicle at a speed of no greater than 5624
twenty miles per hour on a level surface. 5625

(I) "Commercial tractor" means every motor vehicle having 5626
motive power designed or used for drawing other vehicles and not 5627
so constructed as to carry any load thereon, or designed or used 5628
for drawing other vehicles while carrying a portion of such other 5629
vehicles, or load thereon, or both. 5630

(J) "Agricultural tractor" means every self-propelling 5631
vehicle designed or used for drawing other vehicles or wheeled 5632
machinery but having no provision for carrying loads independently 5633
of such other vehicles, and used principally for agricultural 5634
purposes. 5635

(K) "Truck" means every motor vehicle, except trailers and 5636
semitrailers, designed and used to carry property. 5637

(L) "Bus" means every motor vehicle designed for carrying 5638
more than nine passengers and used for the transportation of 5639
persons other than in a ridesharing arrangement, and every motor 5640
vehicle, automobile for hire, or funeral car, other than a taxicab 5641
or motor vehicle used in a ridesharing arrangement, designed and 5642

used for the transportation of persons for compensation. 5643

(M) "Trailer" means every vehicle designed or used for 5644
carrying persons or property wholly on its own structure and for 5645
being drawn by a motor vehicle, including any such vehicle when 5646
formed by or operated as a combination of a "semitrailer" and a 5647
vehicle of the dolly type, such as that commonly known as a 5648
"trailer dolly," a vehicle used to transport agricultural produce 5649
or agricultural production materials between a local place of 5650
storage or supply and the farm when drawn or towed on a street or 5651
highway at a speed greater than twenty-five miles per hour, and a 5652
vehicle designed and used exclusively to transport a boat between 5653
a place of storage and a marina, or in and around a marina, when 5654
drawn or towed on a street or highway for a distance of more than 5655
ten miles or at a speed of more than twenty-five miles per hour. 5656

(N) "Semitrailer" means every vehicle designed or used for 5657
carrying persons or property with another and separate motor 5658
vehicle so that in operation a part of its own weight or that of 5659
its load, or both, rests upon and is carried by another vehicle. 5660

(O) "Pole trailer" means every trailer or semitrailer 5661
attached to the towing vehicle by means of a reach, pole, or by 5662
being boomed or otherwise secured to the towing vehicle, and 5663
ordinarily used for transporting long or irregular shaped loads 5664
such as poles, pipes, or structural members capable, generally, of 5665
sustaining themselves as beams between the supporting connections. 5666

(P) "Railroad" means a carrier of persons or property 5667
operating upon rails placed principally on a private right-of-way. 5668

(Q) "Railroad train" means a steam engine or an electric or 5669
other motor, with or without cars coupled thereto, operated by a 5670
railroad. 5671

(R) "Streetcar" means a car, other than a railroad train, for 5672
transporting persons or property, operated upon rails principally 5673

within a street or highway. 5674

(S) "Trackless trolley" means every car that collects its 5675
power from overhead electric trolley wires and that is not 5676
operated upon rails or tracks. 5677

(T) "Explosives" means any chemical compound or mechanical 5678
mixture that is intended for the purpose of producing an explosion 5679
that contains any oxidizing and combustible units or other 5680
ingredients in such proportions, quantities, or packing that an 5681
ignition by fire, by friction, by concussion, by percussion, or by 5682
a detonator of any part of the compound or mixture may cause such 5683
a sudden generation of highly heated gases that the resultant 5684
gaseous pressures are capable of producing destructive effects on 5685
contiguous objects, or of destroying life or limb. Manufactured 5686
articles shall not be held to be explosives when the individual 5687
units contain explosives in such limited quantities, of such 5688
nature, or in such packing, that it is impossible to procure a 5689
simultaneous or a destructive explosion of such units, to the 5690
injury of life, limb, or property by fire, by friction, by 5691
concussion, by percussion, or by a detonator, such as fixed 5692
ammunition for small arms, firecrackers, or safety fuse matches. 5693

(U) "Flammable liquid" means any liquid that has a flash 5694
point of seventy degrees fahrenheit, or less, as determined by a 5695
tagliabue or equivalent closed cup test device. 5696

(V) "Gross weight" means the weight of a vehicle plus the 5697
weight of any load thereon. 5698

(W) "Person" means every natural person, firm, 5699
co-partnership, association, or corporation. 5700

(X) "Pedestrian" means any natural person afoot. 5701

(Y) "Driver or operator" means every person who drives or is 5702
in actual physical control of a vehicle, trackless trolley, or 5703
streetcar. 5704

(Z) "Police officer" means every officer authorized to direct 5705
or regulate traffic, or to make arrests for violations of traffic 5706
regulations. 5707

(AA) "Local authorities" means every county, municipal, and 5708
other local board or body having authority to adopt police 5709
regulations under the constitution and laws of this state. 5710

(BB) "Street" or "highway" means the entire width between the 5711
boundary lines of every way open to the use of the public as a 5712
thoroughfare for purposes of vehicular travel. 5713

(CC) "Controlled-access highway" means every street or 5714
highway in respect to which owners or occupants of abutting lands 5715
and other persons have no legal right of access to or from the 5716
same except at such points only and in such manner as may be 5717
determined by the public authority having jurisdiction over such 5718
street or highway. 5719

(DD) "Private road or driveway" means every way or place in 5720
private ownership used for vehicular travel by the owner and those 5721
having express or implied permission from the owner but not by 5722
other persons. 5723

(EE) "Roadway" means that portion of a highway improved, 5724
designed, or ordinarily used for vehicular travel, except the berm 5725
or shoulder. If a highway includes two or more separate roadways 5726
the term "roadway" means any such roadway separately but not all 5727
such roadways collectively. 5728

(FF) "Sidewalk" means that portion of a street between the 5729
curb lines, or the lateral lines of a roadway, and the adjacent 5730
property lines, intended for the use of pedestrians. 5731

(GG) "Laned highway" means a highway the roadway of which is 5732
divided into two or more clearly marked lanes for vehicular 5733
traffic. 5734

(HH) "Through highway" means every street or highway as provided in section 4511.65 of the Revised Code. 5735
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(II) "State highway" means a highway under the jurisdiction of the department of transportation, outside the limits of municipal corporations, provided that the authority conferred upon the director of transportation in section 5511.01 of the Revised Code to erect state highway route markers and signs directing traffic shall not be modified by sections 4511.01 to 4511.79 and 4511.99 of the Revised Code. 5737
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(JJ) "State route" means every highway that is designated with an official state route number and so marked. 5744
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(KK) "Intersection" means: 5746

(1) The area embraced within the prolongation or connection of the lateral curb lines, or, if none, then the lateral boundary lines of the roadways of two highways which join one another at, or approximately at, right angles, or the area within which vehicles traveling upon different highways joining at any other angle may come in conflict. 5747
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(2) Where a highway includes two roadways thirty feet or more apart, then every crossing of each roadway of such divided highway by an intersecting highway shall be regarded as a separate intersection. If an intersecting highway also includes two roadways thirty feet or more apart, then every crossing of two roadways of such highways shall be regarded as a separate intersection. 5753
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(3) The junction of an alley with a street or highway, or with another alley, shall not constitute an intersection. 5760
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(LL) "Crosswalk" means: 5762

(1) That part of a roadway at intersections ordinarily included within the real or projected prolongation of property 5763
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lines and curb lines or, in the absence of curbs, the edges of the 5765
traversable roadway; 5766

(2) Any portion of a roadway at an intersection or elsewhere, 5767
distinctly indicated for pedestrian crossing by lines or other 5768
markings on the surface; 5769

(3) Notwithstanding divisions (LL)(1) and (2) of this 5770
section, there shall not be a crosswalk where local authorities 5771
have placed signs indicating no crossing. 5772

(MM) "Safety zone" means the area or space officially set 5773
apart within a roadway for the exclusive use of pedestrians and 5774
protected or marked or indicated by adequate signs as to be 5775
plainly visible at all times. 5776

(NN) "Business district" means the territory fronting upon a 5777
street or highway, including the street or highway, between 5778
successive intersections within municipal corporations where fifty 5779
per cent or more of the frontage between such successive 5780
intersections is occupied by buildings in use for business, or 5781
within or outside municipal corporations where fifty per cent or 5782
more of the frontage for a distance of three hundred feet or more 5783
is occupied by buildings in use for business, and the character of 5784
such territory is indicated by official traffic control devices. 5785

(OO) "Residence district" means the territory, not comprising 5786
a business district, fronting on a street or highway, including 5787
the street or highway, where, for a distance of three hundred feet 5788
or more, the frontage is improved with residences or residences 5789
and buildings in use for business. 5790

(PP) "Urban district" means the territory contiguous to and 5791
including any street or highway which is built up with structures 5792
devoted to business, industry, or dwelling houses situated at 5793
intervals of less than one hundred feet for a distance of a 5794
quarter of a mile or more, and the character of such territory is 5795

indicated by official traffic control devices. 5796

(QQ) "Traffic control devices" means all flaggers, signs, 5797
signals, markings, and devices placed or erected by authority of a 5798
public body or official having jurisdiction, for the purpose of 5799
regulating, warning, or guiding traffic, including signs denoting 5800
names of streets and highways. 5801

(RR) "Traffic control signal" means any device, whether 5802
manually, electrically, or mechanically operated, by which traffic 5803
is alternately directed to stop, to proceed, to change direction, 5804
or not to change direction. 5805

(SS) "Railroad sign or signal" means any sign, signal, or 5806
device erected by authority of a public body or official or by a 5807
railroad and intended to give notice of the presence of railroad 5808
tracks or the approach of a railroad train. 5809

(TT) "Traffic" means pedestrians, ridden or herded animals, 5810
vehicles, streetcars, trackless trolleys, and other devices, 5811
either singly or together, while using any highway for purposes of 5812
travel. 5813

(UU) "Right-of-way" means either of the following, as the 5814
context requires: 5815

(1) The right of a vehicle, streetcar, trackless trolley, or 5816
pedestrian to proceed uninterruptedly in a lawful manner in the 5817
direction in which it or the individual is moving in preference to 5818
another vehicle, streetcar, trackless trolley, or pedestrian 5819
approaching from a different direction into its or the 5820
individual's path; 5821

(2) A general term denoting land, property, or the interest 5822
therein, usually in the configuration of a strip, acquired for or 5823
devoted to transportation purposes. When used in this context, 5824
right-of-way includes the roadway, shoulders or berm, ditch, and 5825
slopes extending to the right-of-way limits under the control of 5826

the state or local authority.	5827
(VV) "Rural mail delivery vehicle" means every vehicle used to deliver United States mail on a rural mail delivery route.	5828 5829
(WW) "Funeral escort vehicle" means any motor vehicle, including a funeral hearse, while used to facilitate the movement of a funeral procession.	5830 5831 5832
(XX) "Alley" means a street or highway intended to provide access to the rear or side of lots or buildings in urban districts and not intended for the purpose of through vehicular traffic, and includes any street or highway that has been declared an "alley" by the legislative authority of the municipal corporation in which such street or highway is located.	5833 5834 5835 5836 5837 5838
(YY) "Freeway" means a divided multi-lane highway for through traffic with all crossroads separated in grade and with full control of access.	5839 5840 5841
(ZZ) "Expressway" means a divided arterial highway for through traffic with full or partial control of access with an excess of fifty per cent of all crossroads separated in grade.	5842 5843 5844
(AAA) "Thruway" means a through highway whose entire roadway is reserved for through traffic and on which roadway parking is prohibited.	5845 5846 5847
(BBB) "Stop intersection" means any intersection at one or more entrances of which stop signs are erected.	5848 5849
(CCC) "Arterial street" means any United States or state numbered route, controlled access highway, or other major radial or circumferential street or highway designated by local authorities within their respective jurisdictions as part of a major arterial system of streets or highways.	5850 5851 5852 5853 5854
(DDD) "Ridesharing arrangement" means the transportation of persons in a motor vehicle where such transportation is incidental	5855 5856

to another purpose of a volunteer driver and includes ridesharing 5857
arrangements known as carpools, vanpools, and buspools. 5858

(EEE) "Motorized wheelchair" means any self-propelled vehicle 5859
designed for, and used by, a handicapped person and that is 5860
incapable of a speed in excess of eight miles per hour. 5861

(FFF) "Child day-care center" and "type A family day-care 5862
home" have the same meanings as in section 5104.01 of the Revised 5863
Code. 5864

(GGG) "Multi-wheel agricultural tractor" means a type of 5865
agricultural tractor that has two or more wheels or tires on each 5866
side of one axle at the rear of the tractor, is designed or used 5867
for drawing other vehicles or wheeled machinery, has no provision 5868
for carrying loads independently of the drawn vehicles or 5869
machinery, and is used principally for agricultural purposes. 5870

(HHH) "Operate" means to cause or have caused movement of a 5871
vehicle, streetcar, or trackless trolley. 5872

(III) "Predicate motor vehicle or traffic offense" means any 5873
of the following: 5874

(1) A violation of section 4511.03, 4511.051, 4511.12, 5875
4511.132, 4511.16, 4511.20, 4511.201, 4511.21, 4511.211, 4511.213, 5876
4511.22, 4511.23, 4511.25, 4511.26, 4511.27, 4511.28, 4511.29, 5877
4511.30, 4511.31, 4511.32, 4511.33, 4511.34, 4511.35, 4511.36, 5878
4511.37, 4511.38, 4511.39, 4511.40, 4511.41, 4511.42, 4511.43, 5879
4511.431, 4511.432, 4511.44, 4511.441, 4511.451, 4511.452, 5880
4511.46, 4511.47, 4511.48, 4511.481, 4511.49, 4511.50, 4511.511, 5881
4511.53, 4511.54, 4511.55, 4511.56, 4511.57, 4511.58, 4511.59, 5882
4511.60, 4511.61, 4511.64, 4511.66, 4511.661, 4511.68, 4511.70, 5883
4511.701, 4511.71, 4511.711, 4511.712, 4511.713, 4511.72, 4511.73, 5884
4511.763, 4511.771, 4511.78, or 4511.84 of the Revised Code; 5885

(2) A violation of division (A)(2) of section 4511.17, 5886
divisions (A) to (D) of section 4511.51, or division (A) of 5887

section 4511.74 of the Revised Code; 5888

(3) A violation of any provision of sections 4511.01 to 5889
4511.76 of the Revised Code for which no penalty otherwise is 5890
provided in the section that contains the provision violated; 5891

(4) A violation of a municipal ordinance that is 5892
substantially similar to any section or provision set forth or 5893
described in division (III)(1), (2), or (3) of this section. 5894

(JJJ) "Road service vehicle" means wreckers, utility repair 5895
vehicles, and state, county, and municipal service vehicles 5896
equipped with visual signals by means of flashing, rotating, or 5897
oscillating lights. 5898

Sec. 4511.093. (A)(1) No law enforcement officer who stops 5899
the operator of a motor vehicle in the course of an authorized 5900
sobriety or other motor vehicle checkpoint operation or a motor 5901
vehicle safety inspection shall issue a ticket, citation, or 5902
summons for a secondary traffic offense unless in the course of 5903
the checkpoint operation or safety inspection the officer first 5904
determines that an offense other than a secondary traffic offense 5905
has occurred and either places the operator or a vehicle occupant 5906
under arrest or issues a ticket, citation, or summons to the 5907
operator or a vehicle occupant for an offense other than a 5908
secondary offense. 5909

(2) A law enforcement agency that operates a motor vehicle 5910
checkpoint for an express purpose related to a secondary traffic 5911
offense shall not issue a ticket, citation, or summons for any 5912
secondary traffic offense at such a checkpoint, but may use such a 5913
checkpoint operation to conduct a public awareness campaign and 5914
distribute information. 5915

(B) As used in this section, "secondary traffic offense" 5916
means a violation of division ~~(A) or~~ (F)(2) of section 4507.05, 5917

division (B)(1)(a) or (b) ~~or (E)~~ of section 4507.071, or division 5918
(C) or (D) of section 4511.81, ~~or division (B) of section 4513.263~~ 5919
of the Revised Code. 5920

Sec. 4511.108. The director of transportation shall establish 5921
a traffic generator sign program and shall set forth in the 5922
traffic engineering manual the specifications for a uniform system 5923
of traffic generator signs and the criteria for participation in 5924
the program. The department of transportation shall operate, 5925
construct, and maintain the program. The director shall establish, 5926
and may revise at any time, an annual fee to be charged for a 5927
qualifying private business to participate in the traffic 5928
generator sign program. Money paid by the qualifying private 5929
business shall be remitted to the department and shall be 5930
deposited into the highway operating fund. 5931

Sec. 4511.181. As used in sections 4511.181 to ~~4511.199~~ 5932
4511.198 of the Revised Code: 5933

(A) "Equivalent offense" means any of the following: 5934

(1) A violation of division (A) or (B) of section 4511.19 of 5935
the Revised Code; 5936

(2) A violation of a municipal OVI ordinance; 5937

(3) A violation of section 2903.04 of the Revised Code in a 5938
case in which the offender was subject to the sanctions described 5939
in division (D) of that section; 5940

(4) A violation of division (A)(1) of section 2903.06 or 5941
2903.08 of the Revised Code or a municipal ordinance that is 5942
substantially equivalent to either of those divisions; 5943

(5) A violation of division (A)(2), (3), or (4) of section 5944
2903.06, division (A)(2) of section 2903.08, or former section 5945
2903.07 of the Revised Code, or a municipal ordinance that is 5946

substantially equivalent to any of those divisions or that former 5947
section, in a case in which a judge or jury as the trier of fact 5948
found that the offender was under the influence of alcohol, a drug 5949
of abuse, or a combination of them; 5950

(6) A violation of division (A) or (B) of section 1547.11 of 5951
the Revised Code; 5952

(7) A violation of a municipal ordinance prohibiting a person 5953
from operating or being in physical control of any vessel underway 5954
or from manipulating any water skis, aquaplane, or similar device 5955
on the waters of this state while under the influence of alcohol, 5956
a drug of abuse, or a combination of them or prohibiting a person 5957
from operating or being in physical control of any vessel underway 5958
or from manipulating any water skis, aquaplane, or similar device 5959
on the waters of this state with a prohibited concentration of 5960
alcohol, a controlled substance, or a metabolite of a controlled 5961
substance in the whole blood, blood serum or plasma, breath, or 5962
urine; 5963

(8) A violation of an existing or former municipal ordinance, 5964
law of another state, or law of the United States that is 5965
substantially equivalent to division (A) or (B) of section 4511.19 5966
or division (A) or (B) of section 1547.11 of the Revised Code; 5967

(9) A violation of a former law of this state that was 5968
substantially equivalent to division (A) or (B) of section 4511.19 5969
or division (A) or (B) of section 1547.11 of the Revised Code. 5970

(B) "Mandatory jail term" means the mandatory term in jail of 5971
three, six, ten, twenty, thirty, or sixty days that must be 5972
imposed under division (G)(1)(a), (b), or (c) of section 4511.19 5973
of the Revised Code upon an offender convicted of a violation of 5974
division (A) of that section and in relation to which all of the 5975
following apply: 5976

(1) Except as specifically authorized under section 4511.19 5977

of the Revised Code, the term must be served in a jail. 5978

(2) Except as specifically authorized under section 4511.19 5979
of the Revised Code, the term cannot be suspended, reduced, or 5980
otherwise modified pursuant to sections 2929.21 to 2929.28 or any 5981
other provision of the Revised Code. 5982

(C) "Municipal OVI ordinance" and "municipal OVI offense" 5983
mean any municipal ordinance prohibiting a person from operating a 5984
vehicle while under the influence of alcohol, a drug of abuse, or 5985
a combination of them or prohibiting a person from operating a 5986
vehicle with a prohibited concentration of alcohol, a controlled 5987
substance, or a metabolite of a controlled substance in the whole 5988
blood, blood serum or plasma, breath, or urine. 5989

(D) "Community residential sanction," "continuous alcohol 5990
monitoring," "jail," "mandatory prison term," "mandatory term of 5991
local incarceration," "sanction," and "prison term" have the same 5992
meanings as in section 2929.01 of the Revised Code. 5993

(E) "Drug of abuse" has the same meaning as in section 5994
4506.01 of the Revised Code. 5995

(F) "Equivalent offense that is vehicle-related" means an 5996
equivalent offense that is any of the following: 5997

(1) A violation described in division (A)(1), (2), (3), (4), 5998
or (5) of this section; 5999

(2) A violation of an existing or former municipal ordinance, 6000
law of another state, or law of the United States that is 6001
substantially equivalent to division (A) or (B) of section 4511.19 6002
of the Revised Code; 6003

(3) A violation of a former law of this state that was 6004
substantially equivalent to division (A) or (B) of section 4511.19 6005
of the Revised Code. 6006

Sec. 4511.191. (A)(1) As used in this section: 6007

(a) "Physical control" has the same meaning as in section 6008
4511.194 of the Revised Code. 6009

(b) "Alcohol monitoring device" means any device that 6010
provides for continuous alcohol monitoring, any ignition interlock 6011
device, any immobilizing or disabling device other than an 6012
ignition interlock device that is constantly available to monitor 6013
the concentration of alcohol in a person's system, or any other 6014
device that provides for the automatic testing and periodic 6015
reporting of alcohol consumption by a person and that a court 6016
orders a person to use as a sanction imposed as a result of the 6017
person's conviction of or plea of guilty to an offense. 6018

(2) Any person who operates a vehicle, streetcar, or 6019
trackless trolley upon a highway or any public or private property 6020
used by the public for vehicular travel or parking within this 6021
state or who is in physical control of a vehicle, streetcar, or 6022
trackless trolley shall be deemed to have given consent to a 6023
chemical test or tests of the person's whole blood, blood serum or 6024
plasma, breath, or urine to determine the alcohol, drug of abuse, 6025
controlled substance, metabolite of a controlled substance, or 6026
combination content of the person's whole blood, blood serum or 6027
plasma, breath, or urine if arrested for a violation of division 6028
(A) or (B) of section 4511.19 of the Revised Code, section 6029
4511.194 of the Revised Code or a substantially equivalent 6030
municipal ordinance, or a municipal OVI ordinance. 6031

(3) The chemical test or tests under division (A)(2) of this 6032
section shall be administered at the request of a law enforcement 6033
officer having reasonable grounds to believe the person was 6034
operating or in physical control of a vehicle, streetcar, or 6035
trackless trolley in violation of a division, section, or 6036
ordinance identified in division (A)(2) of this section. The law 6037
enforcement agency by which the officer is employed shall 6038
designate which of the tests shall be administered. 6039

(4) Any person who is dead or unconscious, or who otherwise
is in a condition rendering the person incapable of refusal, shall
be deemed to have consented as provided in division (A)(2) of this
section, and the test or tests may be administered, subject to
sections 313.12 to 313.16 of the Revised Code.

(5)(a) If a law enforcement officer arrests a person for a
violation of division (A) or (B) of section 4511.19 of the Revised
Code, section 4511.194 of the Revised Code or a substantially
equivalent municipal ordinance, or a municipal OVI ordinance and
if the person if convicted would be required to be sentenced under
division (G)(1)(c), (d), or (e) of section 4511.19 of the Revised
Code, the law enforcement officer shall request the person to
submit, and the person shall submit, to a chemical test or tests
of the person's whole blood, blood serum or plasma, breath, or
urine for the purpose of determining the alcohol, drug of abuse,
controlled substance, metabolite of a controlled substance, or
combination content of the person's whole blood, blood serum or
plasma, breath, or urine. A law enforcement officer who makes a
request pursuant to this division that a person submit to a
chemical test or tests is not required to advise the person of the
consequences of submitting to, or refusing to submit to, the test
or tests and is not required to give the person the form described
in division (B) of section 4511.192 of the Revised Code, but the
officer shall advise the person at the time of the arrest that if
the person refuses to take a chemical test the officer may employ
whatever reasonable means are necessary to ensure that the person
submits to a chemical test of the person's whole blood or blood
serum or plasma. The officer shall also advise the person at the
time of the arrest that the person may have an independent
chemical test taken at the person's own expense. Divisions (A)(3)
and (4) of this section apply to the administration of a chemical
test or tests pursuant to this division.

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(b) If a person refuses to submit to a chemical test upon a request made pursuant to division (A)(5)(a) of this section, the law enforcement officer who made the request may employ whatever reasonable means are necessary to ensure that the person submits to a chemical test of the person's whole blood or blood serum or plasma. A law enforcement officer who acts pursuant to this division to ensure that a person submits to a chemical test of the person's whole blood or blood serum or plasma is immune from criminal and civil liability based upon a claim for assault and battery or any other claim for the acts, unless the officer so acted with malicious purpose, in bad faith, or in a wanton or reckless manner.

(B)(1) Upon receipt of the sworn report of a law enforcement officer who arrested a person for a violation of division (A) or (B) of section 4511.19 of the Revised Code, section 4511.194 of the Revised Code or a substantially equivalent municipal ordinance, or a municipal OVI ordinance that was completed and sent to the registrar and a court pursuant to section 4511.192 of the Revised Code in regard to a person who refused to take the designated chemical test, the registrar shall enter into the registrar's records the fact that the person's driver's or commercial driver's license or permit or nonresident operating privilege was suspended by the arresting officer under this division and that section and the period of the suspension, as determined under this section. The suspension shall be subject to appeal as provided in section 4511.197 of the Revised Code. The suspension shall be for whichever of the following periods applies:

(a) Except when division (B)(1)(b), (c), or (d) of this section applies and specifies a different class or length of suspension, the suspension shall be a class C suspension for the period of time specified in division (B)(3) of section 4510.02 of

the Revised Code. 6105

(b) If the arrested person, within six years of the date on 6106
which the person refused the request to consent to the chemical 6107
test, had refused one previous request to consent to a chemical 6108
test or had been convicted of or pleaded guilty to one violation 6109
of division (A) or (B) of section 4511.19 of the Revised Code or 6110
one other equivalent offense, the suspension shall be a class B 6111
suspension imposed for the period of time specified in division 6112
(B)(2) of section 4510.02 of the Revised Code. 6113

(c) If the arrested person, within six years of the date on 6114
which the person refused the request to consent to the chemical 6115
test, had refused two previous requests to consent to a chemical 6116
test, had been convicted of or pleaded guilty to two violations of 6117
division (A) or (B) of section 4511.19 of the Revised Code or 6118
other equivalent offenses, or had refused one previous request to 6119
consent to a chemical test and also had been convicted of or 6120
pleaded guilty to one violation of division (A) or (B) of section 6121
4511.19 of the Revised Code or other equivalent offenses, which 6122
violation or offense arose from an incident other than the 6123
incident that led to the refusal, the suspension shall be a class 6124
A suspension imposed for the period of time specified in division 6125
(B)(1) of section 4510.02 of the Revised Code. 6126

(d) If the arrested person, within six years of the date on 6127
which the person refused the request to consent to the chemical 6128
test, had refused three or more previous requests to consent to a 6129
chemical test, had been convicted of or pleaded guilty to three or 6130
more violations of division (A) or (B) of section 4511.19 of the 6131
Revised Code or other equivalent offenses, or had refused a number 6132
of previous requests to consent to a chemical test and also had 6133
been convicted of or pleaded guilty to a number of violations of 6134
division (A) or (B) of section 4511.19 of the Revised Code or 6135
other equivalent offenses that cumulatively total three or more 6136

such refusals, convictions, and guilty pleas, the suspension shall 6137
be for five years. 6138

(2) The registrar shall terminate a suspension of the 6139
driver's or commercial driver's license or permit of a resident or 6140
of the operating privilege of a nonresident, or a denial of a 6141
driver's or commercial driver's license or permit, imposed 6142
pursuant to division (B)(1) of this section upon receipt of notice 6143
that the person has entered a plea of guilty to, or that the 6144
person has been convicted after entering a plea of no contest to, 6145
operating a vehicle in violation of section 4511.19 of the Revised 6146
Code or in violation of a municipal OVI ordinance, if the offense 6147
for which the conviction is had or the plea is entered arose from 6148
the same incident that led to the suspension or denial. 6149

The registrar shall credit against any judicial suspension of 6150
a person's driver's or commercial driver's license or permit or 6151
nonresident operating privilege imposed pursuant to section 6152
4511.19 of the Revised Code, or pursuant to section 4510.07 of the 6153
Revised Code for a violation of a municipal OVI ordinance, any 6154
time during which the person serves a related suspension imposed 6155
pursuant to division (B)(1) of this section. 6156

(C)(1) Upon receipt of the sworn report of the law 6157
enforcement officer who arrested a person for a violation of 6158
division (A) or (B) of section 4511.19 of the Revised Code or a 6159
municipal OVI ordinance that was completed and sent to the 6160
registrar and a court pursuant to section 4511.192 of the Revised 6161
Code in regard to a person whose test results indicate that the 6162
person's whole blood, blood serum or plasma, breath, or urine 6163
contained at least the concentration of alcohol specified in 6164
division (A)(1)(b), (c), (d), or (e) of section 4511.19 of the 6165
Revised Code or at least the concentration of a listed controlled 6166
substance or a listed metabolite of a controlled substance 6167
specified in division (A)(1)(j) of section 4511.19 of the Revised 6168

Code, the registrar shall enter into the registrar's records the 6169
fact that the person's driver's or commercial driver's license or 6170
permit or nonresident operating privilege was suspended by the 6171
arresting officer under this division and section 4511.192 of the 6172
Revised Code and the period of the suspension, as determined under 6173
divisions (C)(1)(a) to (d) of this section. The suspension shall 6174
be subject to appeal as provided in section 4511.197 of the 6175
Revised Code. The suspension described in this division does not 6176
apply to, and shall not be imposed upon, a person arrested for a 6177
violation of section 4511.194 of the Revised Code or a 6178
substantially equivalent municipal ordinance who submits to a 6179
designated chemical test. The suspension shall be for whichever of 6180
the following periods applies: 6181

(a) Except when division (C)(1)(b), (c), or (d) of this 6182
section applies and specifies a different period, the suspension 6183
shall be a class E suspension imposed for the period of time 6184
specified in division (B)(5) of section 4510.02 of the Revised 6185
Code. 6186

(b) The suspension shall be a class C suspension for the 6187
period of time specified in division (B)(3) of section 4510.02 of 6188
the Revised Code if the person has been convicted of or pleaded 6189
guilty to, within six years of the date the test was conducted, 6190
one violation of division (A) or (B) of section 4511.19 of the 6191
Revised Code or one other equivalent offense. 6192

(c) If, within six years of the date the test was conducted, 6193
the person has been convicted of or pleaded guilty to two 6194
violations of a statute or ordinance described in division 6195
(C)(1)(b) of this section, the suspension shall be a class B 6196
suspension imposed for the period of time specified in division 6197
(B)(2) of section 4510.02 of the Revised Code. 6198

(d) If, within six years of the date the test was conducted, 6199
the person has been convicted of or pleaded guilty to more than 6200

two violations of a statute or ordinance described in division 6201
(C)(1)(b) of this section, the suspension shall be a class A 6202
suspension imposed for the period of time specified in division 6203
(B)(1) of section 4510.02 of the Revised Code. 6204

(2) The registrar shall terminate a suspension of the 6205
driver's or commercial driver's license or permit of a resident or 6206
of the operating privilege of a nonresident, or a denial of a 6207
driver's or commercial driver's license or permit, imposed 6208
pursuant to division (C)(1) of this section upon receipt of notice 6209
that the person has entered a plea of guilty to, or that the 6210
person has been convicted after entering a plea of no contest to, 6211
operating a vehicle in violation of section 4511.19 of the Revised 6212
Code or in violation of a municipal OVI ordinance, if the offense 6213
for which the conviction is had or the plea is entered arose from 6214
the same incident that led to the suspension or denial. 6215

The registrar shall credit against any judicial suspension of 6216
a person's driver's or commercial driver's license or permit or 6217
nonresident operating privilege imposed pursuant to section 6218
4511.19 of the Revised Code, or pursuant to section 4510.07 of the 6219
Revised Code for a violation of a municipal OVI ordinance, any 6220
time during which the person serves a related suspension imposed 6221
pursuant to division (C)(1) of this section. 6222

(D)(1) A suspension of a person's driver's or commercial 6223
driver's license or permit or nonresident operating privilege 6224
under this section for the time described in division (B) or (C) 6225
of this section is effective immediately from the time at which 6226
the arresting officer serves the notice of suspension upon the 6227
arrested person. Any subsequent finding that the person is not 6228
guilty of the charge that resulted in the person being requested 6229
to take the chemical test or tests under division (A) of this 6230
section does not affect the suspension. 6231

(2) If a person is arrested for operating a vehicle, 6232

streetcar, or trackless trolley in violation of division (A) or 6233
(B) of section 4511.19 of the Revised Code or a municipal OVI 6234
ordinance, or for being in physical control of a vehicle, 6235
streetcar, or trackless trolley in violation of section 4511.194 6236
of the Revised Code or a substantially equivalent municipal 6237
ordinance, regardless of whether the person's driver's or 6238
commercial driver's license or permit or nonresident operating 6239
privilege is or is not suspended under division (B) or (C) of this 6240
section or Chapter 4510. of the Revised Code, the person's initial 6241
appearance on the charge resulting from the arrest shall be held 6242
within five days of the person's arrest or the issuance of the 6243
citation to the person, subject to any continuance granted by the 6244
court pursuant to section 4511.197 of the Revised Code regarding 6245
the issues specified in that division. 6246

(E) When it finally has been determined under the procedures 6247
of this section and sections 4511.192 to 4511.197 of the Revised 6248
Code that a nonresident's privilege to operate a vehicle within 6249
this state has been suspended, the registrar shall give 6250
information in writing of the action taken to the motor vehicle 6251
administrator of the state of the person's residence and of any 6252
state in which the person has a license. 6253

(F) At the end of a suspension period under this section, 6254
under section 4511.194, section 4511.196, or division (G) of 6255
section 4511.19 of the Revised Code, or under section 4510.07 of 6256
the Revised Code for a violation of a municipal OVI ordinance and 6257
upon the request of the person whose driver's or commercial 6258
driver's license or permit was suspended and who is not otherwise 6259
subject to suspension, cancellation, or disqualification, the 6260
registrar shall return the driver's or commercial driver's license 6261
or permit to the person upon the occurrence of all of the 6262
conditions specified in divisions (F)(1) and (2) of this section: 6263

(1) A showing that the person has proof of financial 6264

responsibility, a policy of liability insurance in effect that 6265
meets the minimum standards set forth in section 4509.51 of the 6266
Revised Code, or proof, to the satisfaction of the registrar, that 6267
the person is able to respond in damages in an amount at least 6268
equal to the minimum amounts specified in section 4509.51 of the 6269
Revised Code. 6270

(2) Subject to the limitation contained in division (F)(3) of 6271
this section, payment by the person to the bureau of motor 6272
vehicles of a license reinstatement fee of four hundred 6273
seventy-five dollars, which fee shall be deposited in the state 6274
treasury and credited as follows: 6275

(a) One hundred twelve dollars and fifty cents shall be 6276
credited to the statewide treatment and prevention fund created by 6277
section 4301.30 of the Revised Code. The fund shall be used to pay 6278
the costs of driver treatment and intervention programs operated 6279
pursuant to sections 3793.02 and 3793.10 of the Revised Code. The 6280
director of alcohol and drug addiction services shall determine 6281
the share of the fund that is to be allocated to alcohol and drug 6282
addiction programs authorized by section 3793.02 of the Revised 6283
Code, and the share of the fund that is to be allocated to 6284
drivers' intervention programs authorized by section 3793.10 of 6285
the Revised Code. 6286

(b) Seventy-five dollars shall be credited to the reparations 6287
fund created by section 2743.191 of the Revised Code. 6288

(c) Thirty-seven dollars and fifty cents shall be credited to 6289
the indigent drivers alcohol treatment fund, which is hereby 6290
established. Except as otherwise provided in division (F)(2)(c) of 6291
this section, moneys in the fund shall be distributed by the 6292
department of alcohol and drug addiction services to the county 6293
indigent drivers alcohol treatment funds, the county juvenile 6294
indigent drivers alcohol treatment funds, and the municipal 6295
indigent drivers alcohol treatment funds that are required to be 6296

established by counties and municipal corporations pursuant to 6297
this section, and shall be used only to pay the cost of an alcohol 6298
and drug addiction treatment program attended by an offender or 6299
juvenile traffic offender who is ordered to attend an alcohol and 6300
drug addiction treatment program by a county, juvenile, or 6301
municipal court judge and who is determined by the county, 6302
juvenile, or municipal court judge not to have the means to pay 6303
for the person's attendance at the program or to pay the costs 6304
specified in division (H)(4) of this section in accordance with 6305
that division. In addition, a county, juvenile, or municipal court 6306
judge may use moneys in the county indigent drivers alcohol 6307
treatment fund, county juvenile indigent drivers alcohol treatment 6308
fund, or municipal indigent drivers alcohol treatment fund to pay 6309
for the cost of the continued use of an alcohol monitoring device 6310
as described in divisions (H)(3) and (4) of this section. Moneys 6311
in the fund that are not distributed to a county indigent drivers 6312
alcohol treatment fund, a county juvenile indigent drivers alcohol 6313
treatment fund, or a municipal indigent drivers alcohol treatment 6314
fund under division (H) of this section because the director of 6315
alcohol and drug addiction services does not have the information 6316
necessary to identify the county or municipal corporation where 6317
the offender or juvenile offender was arrested may be transferred 6318
by the director of budget and management to the statewide 6319
treatment and prevention fund created by section 4301.30 of the 6320
Revised Code, upon certification of the amount by the director of 6321
alcohol and drug addiction services. 6322

(d) Seventy-five dollars shall be credited to the Ohio 6323
rehabilitation services commission established by section 3304.12 6324
of the Revised Code, to the services for rehabilitation fund, 6325
which is hereby established. The fund shall be used to match 6326
available federal matching funds where appropriate, and for any 6327
other purpose or program of the commission to rehabilitate people 6328
with disabilities to help them become employed and independent. 6329

(e) Seventy-five dollars shall be deposited into the state treasury and credited to the drug abuse resistance education programs fund, which is hereby established, to be used by the attorney general for the purposes specified in division (F)(4) of this section.

(f) Thirty dollars shall be credited to the state bureau of motor vehicles fund created by section 4501.25 of the Revised Code.

(g) Twenty dollars shall be credited to the trauma and emergency medical services grants fund created by section 4513.263 of the Revised Code.

(h) Fifty dollars shall be credited to the indigent drivers interlock and alcohol monitoring fund, which is hereby established in the state treasury. Monies in the fund shall be distributed by the department of public safety to the county indigent drivers interlock and alcohol monitoring funds, the county juvenile indigent drivers interlock and alcohol monitoring funds, and the municipal indigent drivers interlock and alcohol monitoring funds that are required to be established by counties and municipal corporations pursuant to this section, and shall be used only to pay the cost of an immobilizing or disabling device, including a certified ignition interlock device, or an alcohol monitoring device used by an offender or juvenile offender who is ordered to use the device by a county, juvenile, or municipal court judge and who is determined by the county, juvenile, or municipal court judge not to have the means to pay for the person's use of the device.

(3) If a person's driver's or commercial driver's license or permit is suspended under this section, under section 4511.196 or division (G) of section 4511.19 of the Revised Code, under section 4510.07 of the Revised Code for a violation of a municipal OVI ordinance or under any combination of the suspensions described in

division (F)(3) of this section, and if the suspensions arise from 6362
a single incident or a single set of facts and circumstances, the 6363
person is liable for payment of, and shall be required to pay to 6364
the bureau, only one reinstatement fee of four hundred ~~twenty-five~~ 6365
seventy-five dollars. The reinstatement fee shall be distributed 6366
by the bureau in accordance with division (F)(2) of this section. 6367

(4) The attorney general shall use amounts in the drug abuse 6368
resistance education programs fund to award grants to law 6369
enforcement agencies to establish and implement drug abuse 6370
resistance education programs in public schools. Grants awarded to 6371
a law enforcement agency under this section shall be used by the 6372
agency to pay for not more than fifty per cent of the amount of 6373
the salaries of law enforcement officers who conduct drug abuse 6374
resistance education programs in public schools. The attorney 6375
general shall not use more than six per cent of the amounts the 6376
attorney general's office receives under division (F)(2)(e) of 6377
this section to pay the costs it incurs in administering the grant 6378
program established by division (F)(2)(e) of this section and in 6379
providing training and materials relating to drug abuse resistance 6380
education programs. 6381

The attorney general shall report to the governor and the 6382
general assembly each fiscal year on the progress made in 6383
establishing and implementing drug abuse resistance education 6384
programs. These reports shall include an evaluation of the 6385
effectiveness of these programs. 6386

(G) Suspension of a commercial driver's license under 6387
division (B) or (C) of this section shall be concurrent with any 6388
period of disqualification under section 3123.611 or 4506.16 of 6389
the Revised Code or any period of suspension under section 3123.58 6390
of the Revised Code. No person who is disqualified for life from 6391
holding a commercial driver's license under section 4506.16 of the 6392
Revised Code shall be issued a driver's license under Chapter 6393

4507. of the Revised Code during the period for which the 6394
commercial driver's license was suspended under division (B) or 6395
(C) of this section. No person whose commercial driver's license 6396
is suspended under division (B) or (C) of this section shall be 6397
issued a driver's license under Chapter 4507. of the Revised Code 6398
during the period of the suspension. 6399

(H)(1) Each county shall establish an indigent drivers 6400
alcohol treatment fund, each county shall establish a juvenile 6401
indigent drivers alcohol treatment fund, and each municipal 6402
corporation in which there is a municipal court shall establish an 6403
indigent drivers alcohol treatment fund. All revenue that the 6404
general assembly appropriates to the indigent drivers alcohol 6405
treatment fund for transfer to a county indigent drivers alcohol 6406
treatment fund, a county juvenile indigent drivers alcohol 6407
treatment fund, or a municipal indigent drivers alcohol treatment 6408
fund, all portions of fees that are paid under division (F) of 6409
this section and that are credited under that division to the 6410
indigent drivers alcohol treatment fund in the state treasury for 6411
a county indigent drivers alcohol treatment fund, a county 6412
juvenile indigent drivers alcohol treatment fund, or a municipal 6413
indigent drivers alcohol treatment fund, all portions of 6414
additional costs imposed under section 2949.094 of the Revised 6415
Code that are specified for deposit into a county, county 6416
juvenile, or municipal indigent drivers alcohol treatment fund by 6417
that section, and all portions of fines that are specified for 6418
deposit into a county or municipal indigent drivers alcohol 6419
treatment fund by section 4511.193 of the Revised Code shall be 6420
deposited into that county indigent drivers alcohol treatment 6421
fund, county juvenile indigent drivers alcohol treatment fund, or 6422
municipal indigent drivers alcohol treatment fund. The portions of 6423
the fees paid under division (F) of this section that are to be so 6424
deposited shall be determined in accordance with division (H)(2) 6425
of this section. Additionally, all portions of fines that are paid 6426

for a violation of section 4511.19 of the Revised Code or of any 6427
prohibition contained in Chapter 4510. of the Revised Code, and 6428
that are required under section 4511.19 or any provision of 6429
Chapter 4510. of the Revised Code to be deposited into a county 6430
indigent drivers alcohol treatment fund or municipal indigent 6431
drivers alcohol treatment fund shall be deposited into the 6432
appropriate fund in accordance with the applicable division of the 6433
section or provision. 6434

(2) That portion of the license reinstatement fee that is 6435
paid under division (F) of this section and that is credited under 6436
that division to the indigent drivers alcohol treatment fund shall 6437
be deposited into a county indigent drivers alcohol treatment 6438
fund, a county juvenile indigent drivers alcohol treatment fund, 6439
or a municipal indigent drivers alcohol treatment fund as follows: 6440
6441

(a) Regarding a suspension imposed under this section, that 6442
portion of the fee shall be deposited as follows: 6443

(i) If the fee is paid by a person who was charged in a 6444
county court with the violation that resulted in the suspension or 6445
in the imposition of the court costs, the portion shall be 6446
deposited into the county indigent drivers alcohol treatment fund 6447
under the control of that court; 6448

(ii) If the fee is paid by a person who was charged in a 6449
juvenile court with the violation that resulted in the suspension 6450
or in the imposition of the court costs, the portion shall be 6451
deposited into the county juvenile indigent drivers alcohol 6452
treatment fund established in the county served by the court; 6453

(iii) If the fee is paid by a person who was charged in a 6454
municipal court with the violation that resulted in the suspension 6455
or in the imposition of the court costs, the portion shall be 6456
deposited into the municipal indigent drivers alcohol treatment 6457

fund under the control of that court. 6458

(b) Regarding a suspension imposed under section 4511.19 of 6459
the Revised Code or under section 4510.07 of the Revised Code for 6460
a violation of a municipal OVI ordinance, that portion of the fee 6461
shall be deposited as follows: 6462

(i) If the fee is paid by a person whose license or permit 6463
was suspended by a county court, the portion shall be deposited 6464
into the county indigent drivers alcohol treatment fund under the 6465
control of that court; 6466

(ii) If the fee is paid by a person whose license or permit 6467
was suspended by a municipal court, the portion shall be deposited 6468
into the municipal indigent drivers alcohol treatment fund under 6469
the control of that court. 6470

(3) Expenditures from a county indigent drivers alcohol 6471
treatment fund, a county juvenile indigent drivers alcohol 6472
treatment fund, or a municipal indigent drivers alcohol treatment 6473
fund shall be made only upon the order of a county, juvenile, or 6474
municipal court judge and only for payment of the cost of an 6475
assessment or the cost of the attendance at an alcohol and drug 6476
addiction treatment program of a person who is convicted of, or 6477
found to be a juvenile traffic offender by reason of, a violation 6478
of division (A) of section 4511.19 of the Revised Code or a 6479
substantially similar municipal ordinance, who is ordered by the 6480
court to attend the alcohol and drug addiction treatment program, 6481
and who is determined by the court to be unable to pay the cost of 6482
the assessment or the cost of attendance at the treatment program 6483
or for payment of the costs specified in division (H)(4) of this 6484
section in accordance with that division. The alcohol and drug 6485
addiction services board or the board of alcohol, drug addiction, 6486
and mental health services established pursuant to section 340.02 6487
or 340.021 of the Revised Code and serving the alcohol, drug 6488
addiction, and mental health service district in which the court 6489

is located shall administer the indigent drivers alcohol treatment 6490
program of the court. When a court orders an offender or juvenile 6491
traffic offender to obtain an assessment or attend an alcohol and 6492
drug addiction treatment program, the board shall determine which 6493
program is suitable to meet the needs of the offender or juvenile 6494
traffic offender, and when a suitable program is located and space 6495
is available at the program, the offender or juvenile traffic 6496
offender shall attend the program designated by the board. A 6497
reasonable amount not to exceed five per cent of the amounts 6498
credited to and deposited into the county indigent drivers alcohol 6499
treatment fund, the county juvenile indigent drivers alcohol 6500
treatment fund, or the municipal indigent drivers alcohol 6501
treatment fund serving every court whose program is administered 6502
by that board shall be paid to the board to cover the costs it 6503
incurs in administering those indigent drivers alcohol treatment 6504
programs. 6505

In addition, upon exhaustion of moneys in the indigent 6506
drivers interlock and alcohol monitoring fund for the use of an 6507
alcohol monitoring device, a county, juvenile, or municipal court 6508
judge may use moneys in the county indigent drivers alcohol 6509
treatment fund, county juvenile indigent drivers alcohol treatment 6510
fund, or municipal indigent drivers alcohol treatment fund in the 6511
following manners: 6512

(a) If the source of the moneys was an appropriation of the 6513
general assembly, a portion of a fee that was paid under division 6514
(F) of this section, a portion of a fine that was specified for 6515
deposit into the fund by section 4511.193 of the Revised Code, or 6516
a portion of a fine that was paid for a violation of section 6517
4511.19 of the Revised Code or of a provision contained in Chapter 6518
4510. of the Revised Code that was required to be deposited into 6519
the fund, to pay for the continued use of an alcohol monitoring 6520
device by an offender or juvenile traffic offender, in conjunction 6521

with a treatment program approved by the department of alcohol and 6522
drug addiction services, when such use is determined clinically 6523
necessary by the treatment program and when the court determines 6524
that the offender or juvenile traffic offender is unable to pay 6525
all or part of the daily monitoring or cost of the device; 6526
6527

(b) If the source of the moneys was a portion of an 6528
additional court cost imposed under section 2949.094 of the 6529
Revised Code, to pay for the continued use of an alcohol 6530
monitoring device by an offender or juvenile traffic offender when 6531
the court determines that the offender or juvenile traffic 6532
offender is unable to pay all or part of the daily monitoring or 6533
cost of the device. The moneys may be used for a device as 6534
described in this division if the use of the device is in 6535
conjunction with a treatment program approved by the department of 6536
alcohol and drug addiction services, when the use of the device is 6537
determined clinically necessary by the treatment program, but the 6538
use of a device is not required to be in conjunction with a 6539
treatment program approved by the department in order for the 6540
moneys to be used for the device as described in this division. 6541

(4) If a county, juvenile, or municipal court determines, in 6542
consultation with the alcohol and drug addiction services board or 6543
the board of alcohol, drug addiction, and mental health services 6544
established pursuant to section 340.02 or 340.021 of the Revised 6545
Code and serving the alcohol, drug addiction, and mental health 6546
district in which the court is located, that the funds in the 6547
county indigent drivers alcohol treatment fund, the county 6548
juvenile indigent drivers alcohol treatment fund, or the municipal 6549
indigent drivers alcohol treatment fund under the control of the 6550
court are more than sufficient to satisfy the purpose for which 6551
the fund was established, as specified in divisions (H)(1) to (3) 6552
of this section, the court may declare a surplus in the fund. If 6553

the court declares a surplus in the fund, the court may expend the amount of the surplus in the fund for:

(a) Alcohol and drug abuse assessment and treatment of persons who are charged in the court with committing a criminal offense or with being a delinquent child or juvenile traffic offender and in relation to whom both of the following apply:

(i) The court determines that substance abuse was a contributing factor leading to the criminal or delinquent activity or the juvenile traffic offense with which the person is charged.

(ii) The court determines that the person is unable to pay the cost of the alcohol and drug abuse assessment and treatment for which the surplus money will be used.

(b) All or part of the cost of purchasing alcohol monitoring devices to be used in conjunction with division (H)(3) of this section, upon exhaustion of moneys in the indigent drivers interlock and alcohol monitoring fund for the use of an alcohol monitoring device.

(5) For the purpose of determining as described in division (F)(2)(c) of this section whether an offender does not have the means to pay for the offender's attendance at an alcohol and drug addiction treatment program or whether an alleged offender or delinquent child is unable to pay the costs specified in division (H)(4) of this section, the court shall use the indigent client eligibility guidelines and the standards of indigency established by the state public defender to make the determination.

(6) The court shall identify and refer any alcohol and drug addiction program that is not certified under section 3793.06 of the Revised Code and that is interested in receiving amounts from the surplus in the fund declared under division (H)(4) of this section to the department of alcohol and drug addiction services in order for the program to become a certified alcohol and drug

addiction program. The department shall keep a record of applicant 6585
referrals received pursuant to this division and shall submit a 6586
report on the referrals each year to the general assembly. If a 6587
program interested in becoming certified makes an application to 6588
become certified pursuant to section 3793.06 of the Revised Code, 6589
the program is eligible to receive surplus funds as long as the 6590
application is pending with the department. The department of 6591
alcohol and drug addiction services must offer technical 6592
assistance to the applicant. If the interested program withdraws 6593
the certification application, the department must notify the 6594
court, and the court shall not provide the interested program with 6595
any further surplus funds. 6596

(I)(1) Each county shall establish an indigent drivers 6597
interlock and alcohol monitoring fund and a juvenile indigent 6598
drivers interlock and alcohol treatment fund, and each municipal 6599
corporation in which there is a municipal court shall establish an 6600
indigent drivers interlock and alcohol monitoring fund. All 6601
revenue that the general assembly appropriates to the indigent 6602
drivers interlock and alcohol monitoring fund for transfer to a 6603
county indigent drivers interlock and alcohol monitoring fund, a 6604
county juvenile indigent drivers interlock and alcohol monitoring 6605
fund, or a municipal indigent drivers interlock and alcohol 6606
monitoring fund, all portions of license reinstatement fees that 6607
are paid under division (F)(2) of this section and that are 6608
credited under that division to the indigent drivers interlock and 6609
alcohol monitoring fund in the state treasury, and all portions of 6610
fines that are paid under division (G) of section 4511.19 of the 6611
Revised Code and that are credited by division (G)(5)(e) of that 6612
section to the indigent drivers interlock and alcohol monitoring 6613
fund in the state treasury shall be deposited in the appropriate 6614
fund in accordance with division (I)(2) of this section. 6615

(2) That portion of the license reinstatement fee that is 6616

paid under division (F) of this section and that portion of the 6617
fine paid under division (G) of section 4511.19 of the Revised 6618
Code and that is credited under either division to the indigent 6619
drivers interlock and alcohol monitoring fund shall be deposited 6620
into a county indigent drivers interlock and alcohol monitoring 6621
fund, a county juvenile indigent drivers interlock and alcohol 6622
monitoring fund, or a municipal indigent drivers interlock and 6623
alcohol monitoring fund as follows: 6624

(a) If the fee or fine is paid by a person who was charged in 6625
a county court with the violation that resulted in the suspension 6626
or fine, the portion shall be deposited into the county indigent 6627
drivers interlock and alcohol monitoring fund under the control of 6628
that court. 6629

(b) If the fee or fine is paid by a person who was charged in 6630
a juvenile court with the violation that resulted in the 6631
suspension or fine, the portion shall be deposited into the county 6632
juvenile indigent drivers interlock and alcohol monitoring fund 6633
established in the county served by the court. 6634

(c) If the fee or fine is paid by a person who was charged in 6635
a municipal court with the violation that resulted in the 6636
suspension, the portion shall be deposited into the municipal 6637
indigent drivers interlock and alcohol monitoring fund under the 6638
control of that court. 6639

Sec. 4511.213. (A) The driver of a motor vehicle, upon 6640
approaching a stationary public safety vehicle, an emergency 6641
vehicle, or a road service vehicle that is displaying ~~a flashing~~ 6642
~~red light, flashing combination red and white light, oscillating~~ 6643
~~or rotating red light, oscillating or rotating combination red and~~ 6644
~~white light, flashing blue light,~~ the appropriate visual signals 6645
by means of flashing ~~combination blue and white light, oscillating~~ 6646
~~or rotating blue light, or,~~ oscillating, or rotating ~~combination~~ 6647

~~blue and white light~~ lights, as prescribed in section 4513.17 of 6648
the Revised Code, shall do either of the following: 6649

(1) If the driver of the motor vehicle is traveling on a 6650
highway that consists of at least two lanes that carry traffic in 6651
the same direction of travel as that of the driver's motor 6652
vehicle, the driver shall proceed with due caution and, if 6653
possible and with due regard to the road, weather, and traffic 6654
conditions, shall change lanes into a lane that is not adjacent to 6655
that of the stationary public safety vehicle, an emergency 6656
vehicle, or a road service vehicle. 6657

(2) If the driver is not traveling on a highway of a type 6658
described in division (A)(1) of this section, or if the driver is 6659
traveling on a highway of that type but it is not possible to 6660
change lanes or if to do so would be unsafe, the driver shall 6661
proceed with due caution, reduce the speed of the motor vehicle, 6662
and maintain a safe speed for the road, weather, and traffic 6663
conditions. 6664

(B) This section does not relieve the driver of a public 6665
safety vehicle, an emergency vehicle, or a road service vehicle 6666
from the duty to drive with due regard for the safety of all 6667
persons and property upon the highway. 6668

(C) No person shall fail to drive a motor vehicle in 6669
compliance with division (A)(1) or (2) of this section when so 6670
required by division (A) of this section. 6671

(D)(1) Except as otherwise provided in this division, whoever 6672
violates this section is guilty of a minor misdemeanor. If, within 6673
one year of the offense, the offender previously has been 6674
convicted of or pleaded guilty to one predicate motor vehicle or 6675
traffic offense, whoever violates this section is guilty of a 6676
misdemeanor of the fourth degree. If, within one year of the 6677
offense, the offender previously has been convicted of two or more 6678

predicate motor vehicle or traffic offenses, whoever violates this 6679
section is guilty of a misdemeanor of the third degree. 6680

(2) Notwithstanding section 2929.28 of the Revised Code, upon 6681
a finding that a person operated a motor vehicle in violation of 6682
division (C) of this section, the court, in addition to all other 6683
penalties provided by law, shall impose a fine of two times the 6684
usual amount imposed for the violation. 6685

~~(E) As used in this section, "public safety vehicle" has the 6686
same meaning as in section 4511.01 of the Revised Code. 6687~~

Sec. 4513.03. (A) Every vehicle, other than a motorized 6688
bicycle, operated upon a street or highway within this state shall 6689
display lighted lights and illuminating devices as required by 6690
sections 4513.04 to 4513.37 of the Revised Code during all of the 6691
following times: 6692

(1) The time from sunset to sunrise, and at; 6693

(2) At any other time when there are, due to insufficient 6694
natural light or unfavorable atmospheric conditions or when there 6695
is not sufficient natural light to render discernible, persons, 6696
vehicles, and substantial objects on the highway are not 6697
discernible at a distance of one thousand feet ahead, shall 6698
display lighted lights and illuminating devices as required by 6699
sections 4513.04 to 4513.37 of the Revised Code, for different 6700
classes of vehicles; except that every; 6701

(3) At any time when the windshield wipers of the vehicle are 6702
in use because of precipitation on the windshield. 6703

Every motorized bicycle shall display at such times lighted 6704
lights meeting the rules adopted by the director of public safety 6705
under section 4511.521 of the Revised Code. No motor vehicle, 6706
during ~~such times~~ any time specified in this section, shall be 6707
operated upon a street or highway within this state using only 6708

parking lights as illumination. 6709

Whenever in such sections a requirement is declared as to the 6710
distance from which certain lamps and devices shall render objects 6711
visible, or within which such lamps or devices shall be visible, 6712
such distance shall be measured upon a straight level unlighted 6713
highway under normal atmospheric conditions unless a different 6714
condition is expressly stated. 6715

Whenever in such sections a requirement is declared as to the 6716
mounted height of lights or devices, it shall mean from the center 6717
of such light or device to the level ground upon which the vehicle 6718
stands. 6719

(B) Whoever violates this section shall be punished as 6720
provided in section 4513.99 of the Revised Code. 6721

Sec. 4513.263. (A) As used in this section and in section 6722
4513.99 of the Revised Code: 6723

(1) "Automobile" means any commercial tractor, passenger car, 6724
commercial car, or truck that is required to be factory-equipped 6725
with an occupant restraining device for the operator or any 6726
passenger by regulations adopted by the United States secretary of 6727
transportation pursuant to the "National Traffic and Motor Vehicle 6728
Safety Act of 1966," 80 Stat. 719, 15 U.S.C.A. 1392. 6729

(2) "Occupant restraining device" means a seat safety belt, 6730
shoulder belt, harness, or other safety device for restraining a 6731
person who is an operator of or passenger in an automobile and 6732
that satisfies the minimum federal vehicle safety standards 6733
established by the United States department of transportation. 6734

(3) "Passenger" means any person in an automobile, other than 6735
a child and other than its operator, who is occupying a seating 6736
position ~~for which an occupant restraining device is provided.~~ 6737

(4) "Child" means any person under the age of sixteen years 6738

who is occupying a seating position. 6739

(5) "Seating position" means any motor vehicle interior space. 6740
6741

(6) "Commercial tractor," "passenger car," and "commercial car" have the same meanings as in section 4501.01 of the Revised Code. 6742
6743
6744

~~(5)~~(7) "Vehicle" and "motor vehicle," as used in the definitions of the terms set forth in division (A)~~(4)~~(6) of this section, have the same meanings as in section 4511.01 of the Revised Code. 6745
6746
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~~(6)~~(8) "Tort action" means a civil action for damages for injury, death, or loss to person or property. "Tort action" includes a product liability claim, as defined in section 2307.71 of the Revised Code, and an asbestos claim, as defined in section 2307.91 of the Revised Code, but does not include a civil action for damages for breach of contract or another agreement between persons. 6749
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(B) No person shall do any of the following: 6756

(1) Operate an automobile on any street or highway unless that person is wearing all of the available elements of a properly adjusted occupant restraining device, or operate a school bus that has an occupant restraining device installed for use in its operator's seat unless that person is wearing all of the available elements of the device, as properly adjusted; 6757
6758
6759
6760
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6762

(2) Operate an automobile on any street or highway unless each passenger in the automobile ~~who is subject to occupying a seating position in the requirement set forth in division (B)(3) of this section~~ front seat area of the automobile is wearing all of the available elements of a properly adjusted occupant restraining device; 6763
6764
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6766
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(3) Operate an automobile on any street or highway unless 6769
each child occupying a seating position in the front seat area of 6770
an automobile is secured in a child restraint device, secured in a 6771
booster seat, or restrained either in accordance with the 6772
manufacturer's instructions in a child restraint system that meets 6773
federal motor vehicle safety standards or in an occupant 6774
restraining device. 6775

(4) Occupy, as a passenger, a seating position ~~on~~ in the 6776
front seat area of an automobile being operated on any street or 6777
highway unless that person is wearing all of the available 6778
elements of a properly adjusted occupant restraining device; 6779

~~(4)~~(5) Operate a taxicab on any street or highway unless all 6780
factory-equipped occupant restraining devices in the taxicab are 6781
maintained in usable form. 6782

(C) Division (B)(3) of this section ~~does not apply~~ applies to 6783
~~a person who is required by~~ any child occupying a seating position 6784
in the front seat area of an automobile, notwithstanding any 6785
provision of law to the contrary, including section 4511.81 of the 6786
Revised Code ~~to be secured in a child restraint device or booster~~ 6787
~~seat.~~ Division (B)(1) of this section does not apply to a person 6788
who is an employee of the United States postal service or of a 6789
newspaper home delivery service, during any period in which the 6790
person is engaged in the operation of an automobile to deliver 6791
mail or newspapers to addressees. Divisions (B)(1) and ~~(3)~~(4) of 6792
this section do not apply to a person who has an affidavit signed 6793
by a physician licensed to practice in this state under Chapter 6794
4731. of the Revised Code or a chiropractor licensed to practice 6795
in this state under Chapter 4734. of the Revised Code that states 6796
that the person has a physical impairment that makes use of an 6797
occupant restraining device impossible or impractical. 6798

(D) ~~Notwithstanding any provision of law to the contrary, no~~ 6799
A law enforcement officer ~~shall~~ may cause ~~an~~ the operator of an 6800

automobile being operated on any street or highway to stop the 6801
automobile ~~for solely because the sole purpose of determining~~ 6802
~~whether officer observes that~~ a violation of division (B) of this 6803
section has been or is being committed ~~or for the sole purpose of~~ 6804
~~issuing a ticket, citation, or summons for a violation of that~~ 6805
~~nature or causing the arrest of or commencing a prosecution of a~~ 6806
~~person for a violation of that nature, and no law enforcement~~ 6807
~~officer shall view the interior or visually inspect any automobile~~ 6808
~~being operated on any street or highway for the sole purpose of~~ 6809
~~determining whether a~~ in the same manner as any other motor 6810
vehicle traffic violation ~~of that nature has been or is being~~ 6811
~~committed.~~ A stop of an automobile by a law enforcement officer 6812
for a violation of division (B) of this section does not by itself 6813
constitute probable cause to conduct a search of the automobile. 6814

(E) All fines collected for violations of division (B) of 6815
this section, or for violations of any ordinance or resolution of 6816
a political subdivision that is substantively comparable to that 6817
division, shall be forwarded to the treasurer of state for deposit 6818
as follows: 6819

(1) Eight per cent shall be deposited into the seat belt 6820
education fund, which is hereby created in the state treasury, and 6821
shall be used by the department of public safety to establish a 6822
seat belt education program. 6823

(2) Eight per cent shall be deposited into the elementary 6824
school program fund, which is hereby created in the state 6825
treasury, and shall be used by the department of public safety to 6826
establish and administer elementary school programs that encourage 6827
seat safety belt use. 6828

(3) Two per cent shall be deposited into the occupational 6829
licensing and regulatory fund created by section 4743.05 of the 6830
Revised Code. 6831

(4) Twenty-eight per cent, plus one dollar and twenty-five cents of each fee collected under sections 4501.34, 4503.26, 4506.08, and 4509.05, plus on and after October 1, 2009, one dollar and twenty-five cents of each fee collected under sections 1548.14, 4505.14, and 4519.63 of the Revised Code as specified in those sections, shall be deposited into the trauma and emergency medical services fund, which is hereby created in the state treasury, and shall be used by the department of public safety for the administration of the division of emergency medical services and the state board of emergency medical services, except that the director of budget and management may transfer excess money from the trauma and emergency medical services fund to the state highway safety fund if the director of public safety determines that the amount of money in the trauma and emergency medical services fund exceeds the amount required to cover such costs incurred by the emergency medical services agency and requests the director of budget and management to make the transfer.

(5) Fifty-four per cent shall be deposited into the trauma and emergency medical services grants fund, which is hereby created in the state treasury, and shall be used by the state board of emergency medical services to make grants, in accordance with section 4765.07 of the Revised Code and rules the board adopts under section 4765.11 of the Revised Code.

(F)(1) Subject to division (F)(2) of this section, the failure of a person to wear all of the available elements of a properly adjusted occupant restraining device in violation of division (B)(1) or ~~(3)~~(4) of this section or the failure of a person to ensure that each minor who is a passenger of an automobile being operated by that person is wearing all of the available elements of a properly adjusted occupant restraining device in violation of division (B)(2) of this section shall not be considered or used by the trier of fact in a tort action as

evidence of negligence or contributory negligence. But, the trier 6864
of fact may determine based on evidence admitted consistent with 6865
the Ohio Rules of Evidence that the failure contributed to the 6866
harm alleged in the tort action and may diminish a recovery of 6867
compensatory damages that represents noneconomic loss, as defined 6868
in section 2307.011 of the Revised Code, in a tort action that 6869
could have been recovered but for the plaintiff's failure to wear 6870
all of the available elements of a properly adjusted occupant 6871
restraining device. Evidence of that failure shall not be used as 6872
a basis for a criminal prosecution of the person other than a 6873
prosecution for a violation of this section; and shall not be 6874
admissible as evidence in a criminal action involving the person 6875
other than a prosecution for a violation of this section. 6876

(2) If, at the time of an accident involving a passenger car 6877
equipped with occupant restraining devices, any occupant of the 6878
passenger car who sustained injury or death was not wearing an 6879
available occupant restraining device, was not wearing all of the 6880
available elements of such a device, or was not wearing such a 6881
device as properly adjusted, then, consistent with the Rules of 6882
Evidence, the fact that the occupant was not wearing the available 6883
occupant restraining device, was not wearing all of the available 6884
elements of such a device, or was not wearing such a device as 6885
properly adjusted is admissible in evidence in relation to any 6886
claim for relief in a tort action to the extent that the claim for 6887
relief satisfies all of the following: 6888

(a) It seeks to recover damages for injury or death to the 6889
occupant. 6890

(b) The defendant in question is the manufacturer, designer, 6891
distributor, or seller of the passenger car. 6892

(c) The claim for relief against the defendant in question is 6893
that the injury or death sustained by the occupant was enhanced or 6894
aggravated by some design defect in the passenger car or that the 6895

passenger car was not crashworthy. 6896

(G)(1) Whoever violates division (B)(1), (2), or (4) of this 6897
section shall be fined thirty dollars. 6898

(2) Whoever violates division (B)(3) of this section is 6899
guilty of a minor misdemeanor and shall be fined ~~twenty~~ not less 6900
than twenty-five dollars. If the offender previously has been 6901
convicted of or pleaded guilty to a violation of division (B)(3) 6902
of this section, section 4511.81 of the Revised Code, or a 6903
municipal ordinance that is substantially similar to that division 6904
or section, the offender is guilty of a misdemeanor of the fourth 6905
degree. 6906

(3) Except as otherwise provided in this division, whoever 6907
violates division (B)~~(4)~~(5) of this section is guilty of a minor 6908
misdemeanor. If the offender previously has been convicted of or 6909
pleaded guilty to a violation of division (B)~~(4)~~(5) of this 6910
section, whoever violates division (B)~~(4)~~(5) of this section is 6911
guilty of a misdemeanor of the third degree. 6912

Sec. 4519.02. (A) Except as provided in divisions (B), (C), 6913
and (D) of this section, no person shall operate any snowmobile, 6914
off-highway motorcycle, or all-purpose vehicle within this state 6915
unless the snowmobile, off-highway motorcycle, or all-purpose 6916
vehicle is registered and numbered in accordance with sections 6917
4519.03 and 4519.04 of the Revised Code. 6918

(B)(1) No registration is required for a snowmobile, or 6919
off-highway motorcycle, ~~or all-purpose vehicle~~ that is operated 6920
exclusively upon lands owned by the owner of the snowmobile, or 6921
off-highway motorcycle, ~~or all-purpose vehicle~~, or on lands to 6922
which the owner of the snowmobile or off-highway motorcycle has a 6923
contractual right. 6924

(2) No registration is required for an all-purpose vehicle 6925

that is used primarily on a farm as a farm implement. 6926

(C) No registration is required for a snowmobile, off-highway 6927
motorcycle, or all-purpose vehicle owned and used in this state by 6928
a resident of another state whenever that state has in effect a 6929
registration law similar to this chapter and the snowmobile, 6930
off-highway motorcycle, or all-purpose vehicle is properly 6931
registered under that state's law. Any snowmobile, off-highway 6932
motorcycle, or all-purpose vehicle owned and used in this state by 6933
a resident of a state not having a registration law similar to 6934
this chapter shall comply with section 4519.09 of the Revised 6935
Code. 6936

(D) No registration is required for a snowmobile, off-highway 6937
motorcycle, or all-purpose vehicle owned and used in this state by 6938
the United States, another state, or a political subdivision 6939
thereof, but the snowmobile, off-highway motorcycle, or 6940
all-purpose vehicle shall display the name of the owner thereon. 6941

(E) The owner or operator of any all-purpose vehicle operated 6942
or used upon the waters in this state shall comply with Chapters 6943
1547. and 1548. of the Revised Code relative to the operation of 6944
watercraft. 6945

(F) Except as otherwise provided in this division, whoever 6946
violates division (A) of this section shall be fined not ~~more~~ less 6947
than ~~twenty five~~ fifty dollars but not more than one hundred 6948
dollars. ~~If the offender previously has been convicted of or~~ 6949
~~pleaded guilty to a violation of division (A) of this section,~~ 6950
~~whoever violates division (A) of this section shall be fined not~~ 6951
~~less than twenty five nor more than fifty dollars.~~ 6952

Sec. 4519.03. (A) The owner of every snowmobile, off-highway 6953
motorcycle, and all-purpose vehicle required to be registered 6954
under section 4519.02 of the Revised Code shall file an 6955
application for registration with the registrar of motor vehicles 6956

or a deputy registrar, on blanks furnished by the registrar for 6957
that purpose and containing all of the following information: 6958

(1) A brief description of the snowmobile, off-highway 6959
motorcycle, or all-purpose vehicle, including the year, make, 6960
model, and the vehicle identification number; 6961

(2) The name, residence, and business address of the owner; 6962

(3) A statement that the snowmobile, off-highway motorcycle, 6963
or all-purpose vehicle is equipped as required by section 4519.20 6964
of the Revised Code and any rule adopted under that section. The 6965
statement shall include a check list of the required equipment 6966
items in the form the registrar shall prescribe. 6967

The application shall be signed by the owner of the 6968
snowmobile, off-highway motorcycle, or all-purpose vehicle and 6969
shall be accompanied by a fee as provided in division (C) of 6970
section 4519.04 of the Revised Code. 6971

If the application is not in proper form, or if the vehicle 6972
for which registration is sought does not appear to be equipped as 6973
required by section 4519.20 of the Revised Code or any rule 6974
adopted under that section, the registration shall be refused, and 6975
no registration sticker, license plate, or validation sticker 6976
shall be issued. 6977

(B) On and after July 1, 1999, no certificate of registration 6978
or renewal of a certificate of registration shall be issued for an 6979
off-highway motorcycle or all-purpose vehicle required to be 6980
registered under section 4519.02 of the Revised Code, and no 6981
certificate of registration issued under this chapter for an 6982
off-highway motorcycle or all-purpose vehicle that is sold or 6983
otherwise transferred shall be transferred to the new owner of the 6984
off-highway motorcycle or all-purpose vehicle as permitted by 6985
division (B) of section 4519.05 of the Revised Code, unless a 6986
certificate of title has been issued under this chapter for the 6987

motorcycle or vehicle, and the owner or new owner, as the case may 6988
be, presents a physical certificate of title or memorandum 6989
certificate of title for inspection at the time the owner or new 6990
owner first submits a registration application, registration 6991
renewal application, or registration transfer application for the 6992
motorcycle or vehicle on or after July 1, 1999, if a physical 6993
certificate of title or memorandum certificate has been issued by 6994
a clerk of a court of common pleas. If, under sections 4519.512 6995
and 4519.58 of the Revised Code, a clerk instead has issued an 6996
electronic certificate of title for the applicant's off-highway 6997
motorcycle or all-purpose vehicle, that certificate may be 6998
presented for inspection at the time of first registration in a 6999
manner prescribed by rules adopted by the registrar. 7000

(C) When the owner of an off-highway motorcycle or 7001
all-purpose vehicle first registers it in the owner's name, and a 7002
certificate of title has been issued for the motorcycle or 7003
vehicle, the owner shall present for inspection a physical 7004
certificate of title or memorandum certificate of title showing 7005
title to the off-highway motorcycle or all-purpose vehicle in the 7006
name of the owner if a physical certificate of title or memorandum 7007
certificate has been issued by a clerk of a court of common pleas. 7008
If, under sections 4519.512 and 4519.58 of the Revised Code, a 7009
clerk instead has issued an electronic certificate of title for 7010
the applicant's off-highway motorcycle or all-purpose vehicle, 7011
that certificate may be presented for inspection at the time of 7012
first registration in a manner prescribed by rules adopted by the 7013
registrar. If, when the owner of such an off-highway motorcycle or 7014
all-purpose vehicle first makes application to register it in the 7015
owner's name, the application is not in proper form or the 7016
certificate of title or memorandum certificate of title does not 7017
accompany the registration or, in the case of an electronic 7018
certificate of title, is not presented in a manner prescribed by 7019
the registrar, the registration shall be refused, and neither a 7020

certificate of registration nor a registration sticker, license 7021
plate, or validation sticker shall be issued. When a certificate 7022
of registration and registration sticker, license plate, or 7023
validation sticker are issued upon the first registration of an 7024
off-highway motorcycle or all-purpose vehicle by or on behalf of 7025
the owner, the official issuing them shall indicate the issuance 7026
with a stamp on the certificate of title or memorandum certificate 7027
of title or, in the case of an electronic certificate of title, an 7028
electronic stamp or other notation as specified in rules adopted 7029
by the registrar. 7030

(D) Each deputy registrar shall be allowed a fee of ~~two~~ 7031
~~dollars and seventy five cents commencing on July 1, 2001, three~~ 7032
~~dollars and twenty five cents commencing on January 1, 2003, and~~ 7033
three dollars and fifty cents ~~commencing on January 1, 2004,~~ for 7034
each application or renewal application received by the deputy 7035
registrar, which shall be for the purpose of compensating the 7036
deputy registrar for services, and office and rental expense, as 7037
may be necessary for the proper discharge of the deputy 7038
registrar's duties in the receiving of applications and the 7039
issuing of certificates of registration. 7040

Each deputy registrar, upon receipt of any application for 7041
registration, together with the registration fee, shall transmit 7042
the fee, together with the original and duplicate copy of the 7043
application, to the registrar in the manner and at the times the 7044
registrar, subject to the approval of the director of public 7045
safety and the treasurer of state, shall prescribe by rule. 7046

Sec. 4519.04. (A) Upon the filing of an application for 7047
registration of a snowmobile, off-highway motorcycle, or 7048
all-purpose vehicle and the payment of the tax therefor, the 7049
registrar of motor vehicles or a deputy registrar shall assign to 7050
the snowmobile, off-highway motorcycle, or all-purpose vehicle a 7051

distinctive number and issue and deliver to the owner in such 7052
manner as the registrar may select, a certificate of registration, 7053
in such form as the registrar shall prescribe. Any number so 7054
assigned to a snowmobile, off-highway motorcycle, or all-purpose 7055
vehicle shall be a permanent number, and shall not be issued to 7056
any other snowmobile, off-highway motorcycle, or all-purpose 7057
vehicle. 7058

(B)(1) In addition to the certificate of registration, the 7059
registrar or deputy registrar also shall issue to the owner of ~~the~~ 7060
~~a snowmobile, or off-highway motorcycle, or all-purpose vehicle~~ a 7061
registration sticker. The registrar shall prescribe the color and 7062
size of the sticker, the combination of numerals and letters 7063
displayed on it, and placement of the sticker on the snowmobile, 7064
~~or off-highway motorcycle, or all-purpose vehicle.~~ 7065

~~(B)~~ Upon receipt of a certificate of registration for a 7066
snowmobile, the owner shall paint or otherwise attach upon each 7067
side of the forward cowling of the snowmobile the identifying 7068
registration number, in block characters of not less than two 7069
inches in height and of such color as to be distinctly visible and 7070
legible. 7071

(2) The registrar or deputy registrar also shall issue to the 7072
owner of an all-purpose vehicle, in addition to the certificate of 7073
registration, one license plate and a validation sticker, or a 7074
validation sticker alone when applicable upon a registration 7075
renewal. The license plate and validation sticker shall be 7076
displayed on the all-purpose vehicle so that they are distinctly 7077
visible, in accordance with such rules as the registrar adopts. 7078
The validation sticker shall indicate the expiration date of the 7079
registration period of the all-purpose vehicle. During each 7080
succeeding registration period following the issuance of the 7081
license plate and validation sticker, upon the filing of an 7082
application for registration and payment of the fee specified in 7083

division (C) of this section, a validation sticker alone shall be 7084
issued. 7085

(C) Unless previously canceled, each certificate of 7086
registration issued for a snowmobile, off-highway motorcycle, or 7087
all-purpose vehicle expires upon the thirty-first day of December 7088
in the third year after the date it is issued. Application for 7089
renewal of a certificate may be made not earlier than ninety days 7090
preceding the expiration date, and shall be accompanied by a fee 7091
of five thirty-one dollars and twenty-five cents. 7092

Notwithstanding section 4519.11 of the Revised Code, of each 7093
thirty-one dollar and twenty-five-cent fee collected for the 7094
registration of an all-purpose vehicle, the registrar shall retain 7095
not more than five dollars to pay for the licensing and 7096
registration costs the bureau of motor vehicles incurs in 7097
registering the all-purpose vehicle. The remainder of the fee 7098
shall be deposited into the state treasury to the credit of the 7099
state recreational vehicle fund created by section 4519.11 of the 7100
Revised Code. 7101

Sec. 4519.08. Any snowmobile, off-highway motorcycle, or 7102
all-purpose vehicle owned or leased by the state, by any of its 7103
political subdivisions, or by any volunteer organization that uses 7104
such vehicles exclusively for emergency purposes shall be 7105
registered free of charge. The registration number and 7106
registration sticker assigned to each such snowmobile, or 7107
off-highway motorcycle, ~~or~~ and the license plate and validation 7108
sticker assigned to such an all-purpose vehicle, shall be 7109
displayed as required by section 4519.04 of the Revised Code. 7110

Sec. 4519.09. Every owner or operator of a snowmobile, 7111
off-highway motorcycle, or all-purpose vehicle who is a resident 7112
of a state not having a registration law similar to this chapter, 7113

and who expects to use the snowmobile, off-highway motorcycle, or 7114
all-purpose vehicle in Ohio, shall apply to the registrar of motor 7115
vehicles or a deputy registrar for a temporary operating permit. 7116
The temporary operating permit shall be issued for a period not to 7117
exceed ~~fifteen days~~ one year from the date of issuance, shall be 7118
in such form as the registrar determines, shall include the name 7119
and address of the owner and operator of the snowmobile, 7120
off-highway motorcycle, or all-purpose vehicle, and any other 7121
information as the registrar considers necessary, and shall be 7122
issued upon payment of a fee of ~~five~~ eleven dollars and 7123
twenty-five cents. Every owner or operator receiving a temporary 7124
operating permit shall display it upon the reasonable request of 7125
any law enforcement officer or other person as authorized by 7126
sections 4519.42 and 4519.43 of the Revised Code. 7127

Sec. 4519.10. (A) The purchaser of an off-highway motorcycle 7128
or all-purpose vehicle, upon application and proof of purchase, 7129
may obtain a temporary license placard for it. The application for 7130
such a placard shall be signed by the purchaser of the off-highway 7131
motorcycle or all-purpose vehicle. The temporary license placard 7132
shall be issued only for the applicant's use of the off-highway 7133
motorcycle or all-purpose vehicle to enable the applicant to 7134
operate it legally while proper title and a registration sticker 7135
or license plate and validation sticker are being obtained and 7136
shall be displayed on no other off-highway motorcycle or 7137
all-purpose vehicle. A temporary license placard issued under this 7138
section shall be in a form prescribed by the registrar of motor 7139
vehicles, shall differ in some distinctive manner from a placard 7140
issued under section 4503.182 of the Revised Code, shall be valid 7141
for a period of thirty days from the date of issuance, and shall 7142
not be transferable or renewable. The placard either shall consist 7143
of or be coated with such material as will enable it to remain 7144
legible and relatively intact despite the environmental conditions 7145

to which the placard is likely to be exposed during the thirty-day 7146
period for which it is valid. The purchaser of an off-highway 7147
motorcycle or all-purpose vehicle shall attach the temporary 7148
license placard to it, in a manner prescribed by rules the 7149
registrar shall adopt, so that the placard numerals or letters are 7150
clearly visible. 7151

The fee for a temporary license placard issued under this 7152
section shall be two dollars. If the placard is issued by a deputy 7153
registrar, the deputy registrar shall charge an additional fee of 7154
~~two dollars and seventy five cents commencing on July 1, 2001,~~ 7155
~~three dollars and twenty five cents commencing on January 1, 2003,~~ 7156
~~and three dollars and fifty cents commencing on January 1, 2004,~~ 7157
which the deputy registrar shall retain. The deputy registrar 7158
shall transmit each two-dollar fee received by the deputy 7159
registrar under this section to the registrar, who shall pay the 7160
two dollars to the treasurer of state for deposit into the state 7161
bureau of motor vehicles fund established by section 4501.25 of 7162
the Revised Code. 7163

(B) The registrar may issue temporary license placards to a 7164
dealer to be issued to purchasers for use on vehicles sold by the 7165
dealer, in accordance with rules prescribed by the registrar. The 7166
dealer shall notify the registrar within forty-eight hours of 7167
proof of issuance on a form prescribed by the registrar. 7168

The fee for each such placard issued by the registrar to a 7169
dealer shall be two dollars plus a fee of ~~two dollars and~~ 7170
~~seventy five cents commencing on July 1, 2001, three dollars and~~ 7171
~~twenty five cents commencing on January 1, 2003, and three dollars~~ 7172
and fifty cents ~~commencing on January 1, 2004.~~ 7173

Sec. 4519.44. (A) No person who does not hold a valid, 7174
current motor vehicle driver's or commercial driver's license, 7175
motorcycle operator's endorsement, or probationary license, issued 7176

under Chapter 4506. or 4507. of the Revised Code or a valid, 7177
current driver's license issued by another jurisdiction, shall 7178
operate a snowmobile, off-highway motorcycle, or all-purpose 7179
vehicle on any street or highway in this state, on any portion of 7180
the right-of-way thereof, or on any public land or waters. 7181

(B) No person who is less than sixteen years of age shall 7182
operate a snowmobile, off-highway motorcycle, or all-purpose 7183
vehicle on any land or waters other than private property or 7184
waters owned by or leased to the person's parent or guardian, 7185
unless accompanied by another person who is eighteen years of age, 7186
or older, and who holds a license as provided in division (A) of 7187
this section, except that the department of natural resources may 7188
permit such operation on state controlled land under its 7189
jurisdiction when such person is less than sixteen years of age, 7190
but is twelve years of age or older and is accompanied by a parent 7191
or guardian who is a licensed driver eighteen years of age or 7192
older. 7193

(C) Whoever violates this section shall be fined not less 7194
than fifty nor more than five hundred dollars, imprisoned not less 7195
than three nor more than thirty days, or both. 7196

Sec. 4519.47. (A) Whenever a person is found guilty of 7197
operating a snowmobile, off-highway motorcycle, or all-purpose 7198
vehicle in violation of any rule authorized to be adopted under 7199
section 4519.21 or 4519.42 of the Revised Code, the trial judge of 7200
any court of record, in addition to or independent of any other 7201
penalties provided by law, may impound for not less than sixty 7202
days the certificate of registration and license plate, if 7203
applicable, of that snowmobile, off-highway motorcycle, or 7204
all-purpose vehicle. The court shall send the impounded 7205
certificate of registration and license plate, if applicable, to 7206
the registrar of motor vehicles, who shall retain the certificate 7207

of registration and license plate, if applicable, until the 7208
expiration of the period of impoundment. 7209

(B) If a court impounds the certificate of registration and 7210
license plate of an all-purpose vehicle pursuant to section 7211
2911.21 of the Revised Code, the court shall send the impounded 7212
certificate of registration and license plate to the registrar, 7213
who shall retain them until the expiration of the period of 7214
impoundment. 7215

Sec. 4519.59. (A)(1) The clerk of a court of common pleas 7216
shall charge a ~~fee of five~~ and retain fees as follows: 7217

(a) Fifteen dollars for each certificate of title, ~~or~~ 7218
duplicate certificate of title, including the issuance of a 7219
memorandum certificate of title, authorization to print a 7220
non-negotiable evidence of ownership described in division (D) of 7221
section 4519.58 of the Revised Code, non-negotiable evidence of 7222
ownership printed by the clerk under division (E) of that section, 7223
and notation of any lien on a certificate of title that is applied 7224
for at the same time as the certificate of title. The clerk shall 7225
retain ~~two~~ eleven dollars and ~~twenty-five~~ fifty cents of ~~the~~ that 7226
~~fee charged for each certificate of title, four dollars and~~ 7227
~~seventy-five cents of the fee charged for each duplicate~~ 7228
~~certificate of title, all of the fees charged for each memorandum~~ 7229
~~certificate, authorization to print a non negotiable evidence of~~ 7230
~~ownership, or non negotiable evidence of ownership printed by the~~ 7231
~~clerk, and four dollars and twenty-five cents of the fee charged~~ 7232
~~for each notation of a lien.~~ 7233

(b) Five dollars for each certificate of title with no 7234
security interest noted that is issued to a licensed motor vehicle 7235
dealer for resale purposes. The clerk shall retain two dollars and 7236
twenty-five cents of that fee. 7237

(c) Five dollars for each memorandum certificate of title or 7238

non-negotiable evidence of ownership that is applied for 7239
separately. The clerk shall retain that entire fee. 7240

~~(2) The remaining two dollars and seventy five cents charged~~ 7241
~~for the certificate of title, the remaining twenty five cents~~ 7242
~~charged for the duplicate certificate of title, and the remaining~~ 7243
~~seventy five cents charged for the notation of any lien on a~~ 7244
~~certificate of title~~ fees that are not retained by the clerk shall 7245
be paid to the registrar of motor vehicles by monthly returns, 7246
which shall be forwarded to the registrar not later than the fifth 7247
day of the month next succeeding that in which the certificate is 7248
forwarded or that in which the registrar is notified of a lien or 7249
cancellation of a lien. 7250

(B)(1) The registrar shall pay twenty-five cents of the 7251
amount received for each certificate of title ~~and all of the~~ 7252
~~amounts received for each notation of any lien and each duplicate~~ 7253
~~certificate~~ that is issued to a motor vehicle dealer for resale 7254
and one dollar for all other certificates of title issued into the 7255
state bureau of motor vehicles fund established in section 4501.25 7256
of the Revised Code. 7257

(2) Fifty cents of the amount received for each certificate 7258
of title shall be paid by the registrar as follows: 7259

(a) Four cents shall be paid into the state treasury to the 7260
credit of the motor vehicle dealers board fund created in section 7261
4505.09 of the Revised Code, for use as described in division 7262
(B)(2)(a) of that section. 7263

(b) Twenty-one cents shall be paid into the highway operating 7264
fund. 7265

(c) Twenty-five cents shall be paid into the state treasury 7266
to the credit of the motor vehicle sales audit fund created in 7267
section 4505.09 of the Revised Code, for use as described in 7268
division (B)(2)(c) of that section. 7269

(3) Two dollars of the amount received by the registrar for 7270
each certificate of title shall be paid into the state treasury to 7271
the credit of the automated title processing fund created in 7272
section 4505.09 of the Revised Code, for use as described in 7273
divisions (B)(3)(a) and (c) of that section. 7274

Sec. 4519.63. (A) The registrar of motor vehicles or the 7275
clerk of the court of common pleas, upon the application of any 7276
person and payment of the proper ~~fees~~ fee, may prepare and furnish 7277
title information regarding off-highway motorcycles and 7278
all-purpose vehicles in the form and subject to any territorial 7279
division or other classification as they may direct. The registrar 7280
or the clerk may search the records of the bureau of motor 7281
vehicles ~~and the clerk~~ regarding off-highway motorcycles and 7282
all-purpose vehicles and ~~make~~ furnish reports ~~thereof, and make~~ 7283
~~copies of their title information and attestations thereof~~ those 7284
records under the signature of the registrar or the clerk. 7285

(B)(1) Fees therefor for lists containing title information 7286
shall be charged and collected as follows: 7287

~~(A)~~(a) For lists containing three thousand titles or more, 7288
twenty-five dollars per thousand or part thereof; 7289

~~(B)~~(b) For ~~searches~~ each report of a search of the records 7290
~~and written reports thereof, two dollars for each name, number, or~~ 7291
~~fact searched or reported on;~~ 7292

~~(C)~~ For ~~copies of records and attestations thereof~~, two 7293
dollars per copy except that on and after October 1, 2009, the fee 7294
shall be eight dollars per copy. The registrar and clerk may 7295
certify copies of records generated by an automated title 7296
processing system. 7297

~~Such copies~~ (2) A copy of any such report shall be taken as 7298
prima-facie evidence of the facts therein stated in any court of 7299

the state. The registrar and the clerk shall furnish information 7300
on any title without charge to state highway patrol troopers, 7301
sheriffs, chiefs of police, or the attorney general. The clerk 7302
also may provide a copy of a certificate of title to a public 7303
agency without charge. 7304

(C)(1) Those fees collected by the registrar as provided in 7305
division (B)(1)(a) of this section shall be paid to the treasurer 7306
of state to the credit of the state bureau of motor vehicles fund 7307
established in section 4501.25 of the Revised Code. Those fees 7308
collected by the clerk as provided in division (B)(1)(a) of this 7309
section shall be paid to the certificate of title administration 7310
fund created by section 325.33 of the Revised Code. 7311

(2) Prior to October 1, 2009, the registrar shall pay those 7312
fees the registrar collects under division (B)(1)(b) of this 7313
section into the state treasury to the credit of the state bureau 7314
of motor vehicles fund established in section 4501.25 of the 7315
Revised Code. Prior to October 1, 2009, the clerk shall pay those 7316
fees the clerk collects under division (B)(1)(b) of this section 7317
to the certificate of title administration fund created by section 7318
325.33 of the Revised Code. 7319

(3) On and after October 1, 2009, the registrar shall pay two 7320
dollars of each fee the registrar collects under division 7321
(B)(1)(b) of this section into the state treasury to the credit of 7322
the state bureau of motor vehicles fund established in section 7323
4501.25 of the Revised Code. Of the remaining six dollars of each 7324
such fee the registrar collects, the registrar shall deposit one 7325
dollar and twenty-five cents into the state treasury to the credit 7326
of the trauma and emergency medical services fund established in 7327
section 4513.263 of the Revised Code, one dollar and twenty-five 7328
cents into the state treasury to the credit of the homeland 7329
security fund established under section 5502.03 of the Revised 7330
Code, seventy-five cents into the state treasury to the credit of 7331

the investigations fund established in section 5502.131 of the 7332
Revised Code, two dollars and twenty-five cents into the state 7333
treasury to the credit of the emergency management agency service 7334
and reimbursement fund established in section 5502.39 of the 7335
Revised Code, and fifty cents into the state treasury to the 7336
credit of the justice program services fund established in section 7337
5502.67 of the Revised Code. 7338

(4) On and after October 1, 2009, the clerk of the court of 7339
common pleas shall retain two dollars of each fee the clerk 7340
collects under division (B)(1)(b) of this section and deposit that 7341
two dollars into the certificate of title administration fund 7342
created by section 325.33 of the Revised Code. The clerk shall 7343
forward the remaining six dollars to the registrar not later than 7344
the fifth day of the month next succeeding that in which the 7345
transaction occurred. Of that remaining six dollars, the registrar 7346
shall deposit one dollar and twenty-five cents into the state 7347
treasury to the credit of the trauma and emergency medical 7348
services fund established in section 4513.263 of the Revised Code, 7349
one dollar and twenty-five cents into the state treasury to the 7350
credit of the homeland security fund established under section 7351
5502.03 of the Revised Code, seventy-five cents into the state 7352
treasury to the credit of the investigations fund established in 7353
section 5502.131 of the Revised Code, two dollars and twenty-five 7354
cents into the state treasury to the credit of the emergency 7355
management agency service and reimbursement fund established in 7356
section 5502.39 of the Revised Code, and fifty cents into the 7357
state treasury to the credit of the justice program services fund 7358
established in section 5502.67 of the Revised Code. 7359

Sec. 4561.17. (A) To provide revenue for administering 7360
sections 4561.17 to 4561.22 of the Revised Code relative to the 7361
registration of aircraft, for the surveying of and the 7362
establishment, checking, maintenance, and repair of aviation air 7363

marking and of air navigation facilities, for the acquiring, 7364
maintaining, and repairing of equipment necessary for those 7365
purposes, and for the cost of creating and distributing Ohio 7366
aeronautical charts and Ohio airport and landing field 7367
directories, an annual license tax is hereby levied upon all 7368
aircraft based in this state for which an aircraft worthiness 7369
certificate issued by the federal aviation administration is in 7370
effect except the following: 7371

(1) Aircraft owned by the United States or any territory of 7372
the United States; 7373

(2) Aircraft owned by any foreign government; 7374

(3) Aircraft owned by any state or any political subdivision 7375
of a state; 7376

~~(4) Aircraft operated under a certificate of convenience and 7377
necessity issued by the civil aeronautics board or any successor 7378
to that board; 7379~~

~~(5) Aircraft owned by aircraft manufacturers or aircraft 7380
engine manufacturers and operated only for purposes of testing, 7381
delivery, or demonstration; 7382~~

~~(6)~~(5) Aircraft operated for hire over regularly scheduled 7383
routes within the state. 7384

(B) The license tax this section requires shall be at the 7385
rates specified in section 4561.18 of the Revised Code, and shall 7386
be paid to and collected by the director of transportation at the 7387
time of making application as provided in that section. 7388

Sec. 4561.18. (A) The owner of any aircraft that is based in 7389
this state and that is not of a type specified in divisions (A)(1) 7390
to ~~(6)~~(5) of section 4561.17 of the Revised Code, shall register 7391
that aircraft with the department of transportation pursuant to 7392
this section. 7393

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

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

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

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

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

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

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

this state. 7425

(F) The taxes this section requires are in lieu of all other 7426
taxes on or with respect to ownership of an aircraft. 7427

(G) The director of transportation shall impose a fine 7428
pursuant to section 4561.22 of the Revised Code for each aircraft 7429
that an owner fails to register as this section requires and shall 7430
require the owner to register the aircraft within the time the 7431
director specifies. The director may impose a separate fine for 7432
each registration period during which the owner fails to register 7433
the aircraft. 7434

~~(H) As used in this section, "commercial cargo aircraft" 7435
means any aircraft used in connection with an all cargo operation,
as defined in 14 C.F.R. 119.3. 7436
7437~~

Sec. 4561.21. (A) The director of transportation shall 7438
deposit all aircraft transfer fees in the state treasury to the 7439
credit of the general fund. 7440

(B) The director shall deposit all aircraft license taxes and 7441
finer in the state treasury to the credit of the airport 7442
assistance fund, which is hereby created. Money in the fund shall 7443
be used for maintenance and capital improvements to publicly owned 7444
airports, and the director shall distribute the money to eligible 7445
recipients in accordance with such procedures, guidelines, and 7446
criteria as the director shall establish. 7447

Sec. 4981.02. (A) There is hereby created the Ohio rail 7448
development commission, as an independent agency of the state 7449
within the department of transportation, consisting of ~~six~~ seven 7450
members appointed by the governor with the advice and consent of 7451
the senate, two members of the Ohio senate, one of whom shall be 7452
appointed by and serve at the pleasure of the president of the 7453
senate and one of whom shall be appointed by and serve at the 7454

pleasure of the minority leader of the senate, two members of the 7455
Ohio house of representatives, one of whom shall be appointed by 7456
and serve at the pleasure of the speaker of the house of 7457
representatives and one of whom shall be appointed by and serve at 7458
the pleasure of the minority leader of the house of 7459
representatives, and two members representing the general public, 7460
one of whom shall be appointed by the president of the senate and 7461
one of whom shall be appointed by the speaker of the house of 7462
representatives. The director of transportation and the director 7463
of development, or their designees, shall be ex officio members of 7464
the commission. Of the members appointed by the governor, one 7465
shall serve as chairman of the commission, one shall represent the 7466
interests of a freight rail company, one shall represent the 7467
interests of passenger rail service, one shall have expertise in 7468
infrastructure financing, one shall represent the interests of 7469
organized labor, one shall represent the interests of 7470
manufacturers and have contracting responsibility for rail and 7471
nonrail freight transportation, and one shall represent the 7472
general public. All members shall be reimbursed for actual 7473
expenses incurred in the performance of their duties. The members 7474
of the commission from the Ohio senate and the Ohio house of 7475
representatives shall serve as nonvoting members. No more than 7476
four members of the ~~six~~ seven appointed to the commission by the 7477
governor shall be from the same political party. Each member of 7478
the commission shall be a resident of this state. 7479

(B) Within sixty days after the effective date of this 7480
amendment, the governor shall make initial appointments to the 7481
commission. Of the initial appointments made to the commission, 7482
three shall be for a term ending three years after the effective 7483
date of this amendment, and three shall be for a term ending six 7484
years after that date. Terms for all other appointments made to 7485
the commission shall be for six years. Vacancies shall be filled 7486
in the manner provided for original appointments. Any member 7487

appointed to fill a vacancy shall have the same qualifications as 7488
his predecessor. Each term shall end on the same day of the same 7489
month of the year as did the term which it succeeds. Each 7490
appointed member shall hold office from the date of his 7491
appointment until the end of the term for which he was appointed. 7492
Any member appointed to fill a vacancy before the expiration of 7493
the term for which his predecessor was appointed shall hold office 7494
for the remainder of that term. Any appointed member shall 7495
continue in office subsequent to the expiration date of his term 7496
until his successor takes office, or for a period of sixty days, 7497
whichever occurs first. All members shall be eligible for 7498
reappointment. 7499

(C) The commission may employ an executive director, who 7500
shall have appropriate experience as determined by the commission, 7501
and a secretary-treasurer and other employees that the commission 7502
considers appropriate. The commission may fix the compensation of 7503
the employees. 7504

(D) Six members of the commission shall constitute a quorum, 7505
and the affirmative vote of ~~five~~ six members shall be necessary 7506
for any action taken by the commission. No vacancy in the 7507
membership of the commission shall impair the rights of a quorum 7508
to exercise all the rights and perform all the duties of the 7509
commission. 7510

(E) All members of the commission are subject to Chapter 102. 7511
of the Revised Code. 7512

(F) The department of transportation may use all appropriate 7513
sources of revenue to assist the commission in developing and 7514
implementing rail service. 7515

(G) All public funds acquired by the commission shall be used 7516
for developing, implementing, and regulating rail service and not 7517
for operating rail service unless the general assembly 7518

specifically approves the expenditure of funds for operating rail 7519
service. 7520

Sec. 4981.40. In any overall programmatic environmental 7521
impact study or other comprehensive high-speed rail project 7522
development study, the department of transportation and the rail 7523
development commission shall include all federally designated 7524
high-speed rail corridors in Ohio and all passenger rail corridors 7525
in the Ohio hub study. 7526

The department of transportation and the rail development 7527
commission shall work with Amtrak to improve existing service 7528
between Toledo and Cleveland with a goal of creating optimum 7529
service to connect the planned Cleveland, Columbus, Dayton, and 7530
Cincinnati service. 7531

The department of transportation and the rail development 7532
commission shall examine the financial and economic feasibility of 7533
developing a passenger rail system between Toledo and Columbus, 7534
including necessary characteristics of a viable connection between 7535
the cities. 7536

Sec. 5501.03. (A) The department of transportation shall: 7537

(1) Exercise and perform such other duties, powers, and 7538
functions as are conferred by law on the director, the department, 7539
the assistant directors, the deputy directors, or on the divisions 7540
of the department; 7541

(2) Coordinate and develop, in cooperation with local, 7542
regional, state, and federal planning agencies and authorities, 7543
comprehensive and balanced state policy and planning to meet 7544
present and future needs for adequate transportation facilities in 7545
this state, including recommendations for adequate funding of the 7546
implementation of such planning; 7547

(3) Coordinate its activities with those of other appropriate 7548

state departments, public agencies, and authorities, and enter 7549
into any contracts with such departments, agencies, and 7550
authorities as may be necessary to carry out its duties, powers, 7551
and functions; 7552

(4) Cooperate with and assist the public utilities commission 7553
in the commission's administration of sections 4907.47 to 4907.476 7554
of the Revised Code, particularly with respect to the federal 7555
highway administration; 7556

(5) Cooperate with and assist the Ohio power siting board in 7557
the board's administration of Chapter 4906. of the Revised Code; 7558

(6) Give particular consideration to the development of 7559
policy and planning for public transportation facilities, and to 7560
the coordination of associated activities relating thereto, as 7561
prescribed under divisions (A)(2) and (3) of this section; 7562

~~(6)~~(7) Conduct, in cooperation with the Ohio legislative 7563
service commission, any studies or comparisons of state traffic 7564
laws and local traffic ordinances with model laws and ordinances 7565
that may be required to meet program standards adopted by the 7566
United States department of transportation pursuant to the 7567
"Highway Safety Act of 1966," 80 Stat. 731, U.S.C.A. 401; 7568

~~(7)~~(8) Prepare, print, distribute, and advertise books, maps, 7569
pamphlets, and other information that, in the judgment of the 7570
director, will inform the public and other governmental 7571
departments, agencies, and authorities as to the duties, powers, 7572
and functions of the department; 7573

~~(8)~~(9) In its research and development program, consider 7574
technologies for improving roadways, including construction 7575
techniques and materials to prolong project life, being used or 7576
developed by other states that have geographic, geologic, or 7577
climatic features similar to this state's, and collaborate with 7578
those states in that development. 7579

(B) Nothing contained in division (A)(1) of this section shall be held to in any manner affect, limit, restrict, or otherwise interfere with the exercise of powers relating to transportation facilities by appropriate agencies of the federal government, or by counties, municipal corporations, or other political subdivisions or special districts in this state authorized by law to exercise such powers.

~~(B)~~(C) The department may use all appropriate sources of revenue to assist in the development and implementation of rail service as defined by division (C) of section 4981.01 of the Revised Code.

~~(C)~~(D) The director of transportation may enter into contracts with public agencies including political subdivisions, other state agencies, boards, commissions, regional transit authorities, county transit boards, ~~and~~ port authorities, transportation innovation authorities, and any corporation organized under the laws of Ohio, to administer the design, qualification of bidders, competitive bid letting, construction inspection, and acceptance of any projects administered by the department, provided the administration of such projects is performed in accordance with all applicable state and federal laws and regulations with oversight by the department.

Sec. 5501.311. (A) Notwithstanding sections 123.01 and 127.16 of the Revised Code the director of transportation may lease or lease-purchase all or any part of a transportation facility to or from one or more persons, one or more governmental agencies, a transportation improvement district, transportation innovation authority, or any combination thereof, ~~and, in conjunction therewith,~~ may grant leases, easements, or licenses for lands under the control of the department of transportation. The director may adopt rules necessary to give effect to this section.

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(B) Plans and specifications for the construction of a transportation facility under a lease or lease-purchase agreement are subject to approval of the director and must meet or exceed all applicable standards of the department.

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(C) Any lease or lease-purchase agreement under which the department is the lessee shall be for a period not exceeding the then current two-year period for which appropriations have been made by the general assembly to the department, and such agreement may contain such other terms as the department and the other parties thereto agree, notwithstanding any other provision of law, including provisions that rental payments in amounts sufficient to pay bond service charges payable during the current two-year lease term shall be an absolute and unconditional obligation of the department independent of all other duties under the agreement without set-off or deduction or any other similar rights or defenses. Any such agreement may provide for renewal of the agreement at the end of each term for another term, not exceeding two years, provided that no renewal shall be effective until the effective date of an appropriation enacted by the general assembly from which the department may lawfully pay rentals under such agreement. Any such agreement may include, without limitation, any agreement by the department with respect to any costs of transportation facilities to be included prior to acquisition and construction of such transportation facilities. Any such agreement shall not constitute a debt or pledge of the faith and credit of the state, or of any political subdivision of the state, and the lessor shall have no right to have taxes or excises levied by the general assembly, or the taxing authority of any political subdivision of the state, for the payment of rentals thereunder. Any such agreement shall contain a statement to that effect.

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(D) A municipal corporation, township, or county may use 7642

service payments in lieu of taxes credited to special funds or 7643
accounts pursuant to sections 5709.43, 5709.75, and 5709.80 of the 7644
Revised Code to provide its contribution to the cost of a 7645
transportation facility, provided such facility was among the 7646
purposes for which such service payments were authorized. The 7647
contribution may be in the form of a lump sum or periodic 7648
payments. 7649

(E) Pursuant to ~~47 U.S.C. 332,~~ the "Telecommunications Act 7650
of ~~1966~~ 1996," 110 Stat. 152, 47 U.S.C. 332 note, the director may 7651
grant a lease, easement, or license in a transportation facility 7652
to a telecommunications service provider for construction, 7653
placement, or operation of a telecommunications facility. An 7654
interest granted under this ~~section~~ division is subject to all of 7655
the following conditions: 7656

(1) The transportation facility is owned in fee simple or 7657
easement by this state at the time the lease, easement, or license 7658
is granted to the telecommunications provider. 7659

(2) The lease, easement, or license shall be granted on a 7660
competitive basis in accordance with policies and procedures to be 7661
determined by the director. The policies and procedures may 7662
include provisions for master leases for multiple sites. 7663

(3) The telecommunications facility shall be designed to 7664
accommodate the state's multi-agency radio communication system, 7665
the intelligent transportation system, and the department's 7666
communication system as the director may determine is necessary 7667
for highway or other departmental purposes. 7668

(4) The telecommunications facility shall be designed to 7669
accommodate such additional telecommunications equipment as may 7670
feasibly be co-located thereon as determined in the discretion of 7671
the director. 7672

(5) The telecommunications service providers awarded the 7673

lease, easement, or license, agree to permit other 7674
telecommunications service providers to co-locate on the 7675
telecommunications facility, and agree to the terms and conditions 7676
of the co-location as determined in the discretion of the 7677
director. 7678

(6) The director shall require indemnity agreements in favor 7679
of the department as a condition of any lease, easement, or 7680
license granted under this division. Each indemnity agreement 7681
shall secure this state and its agents from liability for damages 7682
arising out of safety hazards, zoning, and any other matter of 7683
public interest the director considers necessary. 7684

(7) The telecommunications service provider fully complies 7685
with any permit issued under section 5515.01 of the Revised Code 7686
pertaining to land that is the subject of the lease, easement, or 7687
license. 7688

(8) All plans and specifications shall meet with the 7689
director's approval. 7690

(9) Any other conditions the director determines necessary. 7691

~~(F) Money received by the department under division (E) of 7692
this section shall be deposited to the credit of the highway 7693
operating fund. 7694~~

~~(G) In accordance with section 5501.031 of the Revised Code, 7695
to further efforts to promote energy conservation and energy 7696
efficiency, the director may grant a lease, easement, or license 7697
in a transportation facility to a utility service provider that 7698
has received its certificate from the Ohio power siting board or 7699
appropriate local entity for construction, placement, or operation 7700
of an alternative energy generating facility service provider as 7701
defined in section 4928.64 of the Revised Code. An interest 7702
granted under this division is subject to all of the following 7703
conditions: 7704~~

(1) The transportation facility is owned in fee simple or in easement by this state at the time the lease, easement, or license is granted to the utility service provider. 7705
7706
7707

(2) The lease, easement, or license shall be granted on a competitive basis in accordance with policies and procedures to be determined by the director. The policies and procedures may include provisions for master leases for multiple sites. 7708
7709
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7711

(3) The alternative energy generating facility shall be designed to provide energy for the department's transportation facilities with the potential for selling excess power on the power grid, as the director may determine is necessary for highway or other departmental purposes. 7712
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(4) The director shall require indemnity agreements in favor of the department as a condition of any lease, easement, or license granted under this division. Each indemnity agreement shall secure this state and its agents from liability for damages arising out of safety hazards, zoning, and any other matter of public interest the director considers necessary. 7717
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(5) The alternative energy service provider fully complies with any permit issued by the Ohio power siting board under Chapter 4906. of the Revised Code and complies with section 5515.01 of the Revised Code pertaining to land that is the subject of the lease, easement, or license. 7723
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(6) All plans and specifications shall meet with the director's approval. 7728
7729

(7) Any other conditions the director determines necessary. 7730

(G) Money the department receives under divisions (E) and (F) of this section shall be deposited into the state treasury to the credit of the highway operating fund. 7731
7732
7733

(H) A lease, easement, or license granted under division (E) 7734

or (F) of this section, and any telecommunications facility or 7735
alternative energy generating facility relating to such interest 7736
in a transportation facility, is hereby deemed to further the 7737
essential highway purpose of building and maintaining a safe, 7738
~~efficient~~ energy-efficient, and accessible transportation system. 7739

Sec. 5501.34. (A) If circumstances alter the highway 7740
requirements after the director of transportation has acquired 7741
property so that the real property or part of the real property is 7742
no longer required for highway purposes, the director, in the name 7743
of the state, may sell all the right, title, and interest of the 7744
state in any of the real property. After determining that a parcel 7745
of real property is no longer required for highway purposes, the 7746
director shall have the parcel appraised by a department 7747
prequalified appraiser. The director may accept a survey or 7748
appraisal from an interested party, however, to facilitate the 7749
disposal of real property no longer required for highway purposes. 7750
Acceptance by the director of a survey or appraisal commissioned 7751
by an interested party does not convey upon that interested party 7752
any special right or standing relative to any other abutting 7753
landowner or member of the general public where the prospective 7754
sale of the real property is concerned. 7755

(B) Except as otherwise provided in this section, the 7756
director shall advertise the sale of real property that is no 7757
longer required for highway purposes in a newspaper of general 7758
circulation in the county in which the real property is situated 7759
for at least two consecutive weeks prior to the date set for the 7760
sale. The real property may be sold at public auction to the 7761
highest bidder for not less than two-thirds of its appraised 7762
value, but the director may reject all bids that are less than the 7763
full appraised value of the real property. However, if no sale has 7764
been effected after an effort to sell under this division, the 7765
director may set aside the appraisal, order a new appraisal, and, 7766

except as otherwise provided in this section, readvertise the 7767
property for sale. 7768

(C) If real property no longer required for highway purposes 7769
is appraised or reappraised as having a current fair market value 7770
of twenty thousand dollars or less, the director may sell the real 7771
property to the sole abutting owner through a private sale at a 7772
price not less than the appraised value. If there is more than one 7773
abutting owner, the director may invite all of the abutting owners 7774
to submit sealed bids and may sell the real property to the 7775
highest bidder at not less than its appraised value. 7776

(D) If real property no longer required for highway purposes 7777
is appraised or reappraised as having a fair market value of ~~two~~ 7778
five thousand dollars or less, and no sale has been effected after 7779
an effort to sell to the abutting owner or owners, the director 7780
may advertise the sale of the real property in accordance with 7781
division (B) of this section. The director may sell the land at 7782
public auction to the highest bidder without regard to its 7783
appraised value, but the director may reject all bids that are 7784
less than the full appraised value of the real property. 7785

(E) The department shall pay all expenses incurred in the 7786
sale of a parcel of real property out of the proceeds of the sale 7787
and shall deposit the balance of the proceeds in the highway fund 7788
used to acquire that parcel of real property. The department shall 7789
not reimburse any interested party for the cost of a survey or 7790
appraisal that the interested party commissions and the director 7791
accepts. 7792

(F) Upon a determination that real property previously 7793
acquired within a highway improvement project corridor no longer 7794
is needed for highway purposes, the director may offer the 7795
unneded property to another landowner located within that 7796
project's corridor as full or partial consideration for other real 7797
property to be acquired from the landowner. If the landowner 7798

accepts the offer, the director shall convey the unneeded property 7799
directly to the landowner at the full fair market value determined 7800
by the department by appraisal. The director shall credit the 7801
value of the unneeded property against the acquisition price of 7802
the property being acquired by the department, and the landowner 7803
shall pay the department the difference if the value of the 7804
unneeded property exceeds the acquisition price of the property 7805
being acquired. 7806

(G) Conveyances of real property under this section shall be 7807
by a deed executed by the governor, bearing the great seal of the 7808
state, and in the form prescribed by the attorney general. The 7809
director shall keep a record of all conveyances of real property 7810
made under this section. This section applies to all real property 7811
acquired by the department, regardless of how or from whom the 7812
property was acquired. 7813

Sec. 5502.03. (A) There is hereby created in the department 7814
of public safety a division of homeland security. 7815

(B) The division shall do all of the following: 7816

(1) Coordinate all homeland security activities of all state 7817
agencies and be the liaison between state agencies and local 7818
entities for the purposes of communicating homeland security 7819
funding and policy initiatives; 7820

(2) Collect, analyze, maintain, and disseminate information 7821
to support local, state, and federal law enforcement agencies, 7822
other government agencies, and private organizations in detecting, 7823
deterring, preventing, preparing for, responding to, and 7824
recovering from threatened or actual terrorist events. This 7825
information is not a public record pursuant to section 149.43 of 7826
the Revised Code. 7827

(3) Coordinate efforts of state and local governments and 7828

private organizations to enhance the security and protection of 7829
critical infrastructure and key assets in this state; 7830

(4) Develop and coordinate policies, protocols, and 7831
strategies that may be used to prevent, detect, prepare for, 7832
respond to, and recover from terrorist acts or threats; 7833

(5) Develop, update, and coordinate the implementation of an 7834
Ohio homeland security strategic plan that will guide state and 7835
local governments in the achievement of homeland security in this 7836
state. 7837

(C) The director of public safety shall appoint an executive 7838
director, who shall be head of the division of homeland security 7839
and who regularly shall advise the governor and the director on 7840
matters pertaining to homeland security. The executive director 7841
shall serve at the pleasure of the director of public safety. To 7842
carry out the duties assigned under this section, the executive 7843
director, subject to the direction and control of the director of 7844
public safety, may appoint and maintain necessary staff and may 7845
enter into any necessary agreements. 7846

(D) Except as otherwise provided by law, nothing in this 7847
section shall be construed to give the director of public safety 7848
or the executive director of the division of homeland security 7849
authority over the incident management structure or 7850
responsibilities of local emergency response personnel. 7851

(E) There is hereby created in the state treasury the 7852
homeland security fund. The fund shall consist of one dollar and 7853
twenty-five cents of each fee collected under sections 4501.34, 7854
4503.26, 4506.08, and 4509.05 of the Revised Code as specified in 7855
those sections, plus on and after October 1, 2009, one dollar and 7856
twenty-five cents of each fee collected under sections 1548.14, 7857
4505.14, and 4519.63 of the Revised Code as specified in those 7858
sections. The fund shall be used to pay the expenses of 7859

administering the law relative to the powers and duties of the 7860
executive director of the division of homeland security, except 7861
that the director of budget and management may transfer excess 7862
money from the homeland security fund to the state highway safety 7863
fund if the director of public safety determines that the amount 7864
of money in the homeland security fund exceeds the amount required 7865
to cover such costs incurred by the division of homeland security 7866
and requests the director of budget and management to make the 7867
transfer. 7868

Sec. 5502.131. There is hereby created in the state treasury 7869
the investigations fund. The fund shall consist of seventy-five 7870
cents of each fee collected under sections 4501.34, 4503.26, 7871
4506.08, and 4509.05 of the Revised Code as specified in those 7872
sections, plus on and after October 1, 2009, seventy-five cents of 7873
each fee collected under sections 1548.14, 4505.14, and 4519.63 of 7874
the Revised Code as specified in those sections. The director of 7875
public safety shall use the money in the fund to pay the operating 7876
expenses of investigations, except that the director of budget and 7877
management may transfer excess money from the investigations fund 7878
to the state highway safety fund if the director of public safety 7879
determines that the amount of money in the investigations fund 7880
exceeds the amount required to cover investigative costs incurred 7881
by the investigative unit and requests the director of budget and 7882
management to make the transfer. 7883

Sec. 5502.39. There is hereby created in the state treasury 7885
the emergency management agency service and reimbursement fund. 7886
The fund shall consist of two dollars and twenty-five cents of 7887
each fee collected under sections 4501.34, 4503.26, 4506.08, and 7888
4509.05 of the Revised Code as specified in those sections, plus 7889
on and after October 1, 2009, two dollars and twenty-five cents of 7890

7884

each fee collected under sections 1548.14, 4505.14, and 4519.63 of 7891
the Revised Code as specified in those sections, and 7892
money collected under sections 5502.21 to 5502.38 of the Revised Code. 7893
All money in the fund shall be used to pay the costs of 7894
administering programs of the emergency management agency, except 7895
that the director of budget and management may transfer excess 7896
money from the emergency management agency service and 7897
reimbursement fund to the state highway safety fund if the 7898
director of public safety determines that the amount of money in 7899
the emergency management agency service and reimbursement fund 7900
exceeds the amount required to cover such costs incurred by the 7901
emergency management agency and requests the director of budget 7902
and management to make the transfer. 7903

Sec. 5502.67. There is hereby created in the state treasury 7904
the justice program services fund. The fund shall consist of the 7905
court costs designated for the fund pursuant to section 2949.094 7906
of the Revised Code, fifty cents of each fee collected under 7907
sections 4501.34, 4503.26, 4506.08, and 4509.05 of the Revised 7908
Code as specified in those sections, plus on and after October 1, 7909
2009, fifty cents of each fee collected under sections 1548.14, 7910
4505.14, and 4519.63 of the Revised Code as specified in those 7911
sections, and all money collected by the division of criminal 7912
justice services for nonfederal purposes, including subscription 7913
fees for participating in the Ohio incident-based reporting system 7914
under division (C) of section 5502.62 of the Revised Code, unless 7915
otherwise designated by law. The justice program services fund 7916
shall be used to pay costs of administering the operations of the 7917
division of criminal justice services, except that the director of 7918
budget and management may transfer excess money from the justice 7919
program services fund to the state highway safety fund if the 7920
director of public safety determines that the amount of money in 7921

the justice program services fund exceeds the amount required to 7922
cover such costs incurred by the office of criminal justice 7923
services and requests the director of budget and management to 7924
make the transfer. 7925

Sec. 5502.68. (A) There is hereby created in the state 7926
treasury the drug law enforcement fund. ~~Three~~ Ninety-seven per 7927
cent of three dollars and fifty cents out of each ten-dollar court 7928
cost imposed pursuant to section 2949.094 of the Revised Code 7929
shall be credited to the fund. Money in the fund shall be used 7930
only in accordance with this section to award grants to counties, 7931
municipal corporations, townships, township police districts, and 7932
joint township police districts to defray the expenses that a drug 7933
task force organized in the county, or in the county in which the 7934
municipal corporation, township, or district is located, incurs in 7935
performing its functions related to the enforcement of the state's 7936
drug laws and other state laws related to illegal drug activity. 7937

The division of criminal justice services shall administer 7939
all money deposited into the drug law enforcement fund and, by 7940
rule adopted under Chapter 119. of the Revised Code, shall 7941
establish procedures for a county, municipal corporation, 7942
township, township police district, or joint township police 7943
district to apply for money from the fund to defray the expenses 7944
that a drug task force organized in the county, or in the county 7945
in which the municipal corporation, township, or district is 7946
located, incurs in performing its functions related to the 7947
enforcement of the state's drug laws and other state laws related 7948
to illegal drug activity, procedures and criteria for determining 7949
eligibility of applicants to be provided money from the fund, and 7950
procedures and criteria for determining the amount of money to be 7951
provided out of the fund to eligible applicants. 7952

(B) The procedures and criteria established under division 7953
(A) of this section for applying for money from the fund shall 7954
include, but shall not be limited to, a provision requiring a 7955
county, municipal corporation, township, township police district, 7956
or joint township police district that applies for money from the 7957
fund to specify in its application the amount of money desired 7958
from the fund, provided that the cumulative amount requested in 7959
all applications submitted for any single drug task force may not 7960
exceed more than two hundred fifty thousand dollars in any 7961
calendar year for that task force. 7962

(C) The procedures and criteria established under division 7963
(A) of this section for determining eligibility of applicants to 7964
be provided money from the fund and for determining the amount of 7965
money to be provided out of the fund to eligible applicants shall 7966
include, but not be limited to, all of the following: 7967

(1) Provisions requiring that, in order to be eligible to be 7968
provided money from the fund, a drug task force that applies for 7969
money from the fund must provide evidence that the drug task force 7970
will receive a local funding match of at least twenty-five per 7971
cent of the task force's projected operating costs in the period 7972
of time covered by the grant; 7973

(2) Provisions requiring that money from the fund be 7974
allocated and provided to drug task forces that apply for money 7975
from the fund in accordance with the following priorities: 7976

(a) Drug task forces that apply, that are in existence on the 7977
date of the application, and that are determined to be eligible 7978
applicants, and to which either of the following applies shall be 7979
given first priority to be provided money from the fund: 7980

(i) Drug task forces that received funding through the 7981
division of criminal justice services in calendar year 2007; 7982

(ii) Drug task forces in a county that has a population that 7983

exceeds seven hundred fifty thousand. 7984

(b) If any moneys remain in the fund after all drug task 7985
forces that apply, that are in existence on the date of the 7986
application, that are determined to be eligible applicants, and 7987
that satisfy the criteria set forth in division (C)(2)(a)(i) or 7988
(ii) of this section are provided money from the fund as described 7989
in division (C)(2)(a) of this section, the following categories of 7990
drug task forces that apply and that are determined to be eligible 7991
applicants shall be given priority to be provided money from the 7992
fund in the order in which they apply for money from the fund: 7993
7994

(i) Drug task forces that are not in existence on the date of 7995
the application; 7996

(ii) Drug task forces that are in existence on the date of 7997
the application but that do not satisfy the criteria set forth in 7998
division (C)(2)(a)(i) or (ii) of this section. 7999

(D) The procedures and criteria established under division 8000
(A) of this section for determining the amount of money to be 8001
provided out of the fund to eligible applicants shall include, but 8002
shall not be limited to, a provision specifying that the 8003
cumulative amount provided to any single drug task force may not 8004
exceed more than two hundred fifty thousand dollars in any 8005
calendar year. 8006

(E) As used in this section, "drug task force" means a drug 8007
task force organized in any county by the sheriff of the county, 8008
the prosecuting attorney of the county, the chief of police of the 8009
organized police department of any municipal corporation or 8010
township in the county, and the chief of police of the police 8011
force of any township police district or joint township police 8012
district in the county to perform functions related to the 8013
enforcement of state drug laws and other state laws related to 8014

illegal drug activity. 8015

Sec. 5515.01. The director of transportation may upon formal 8016
application being made to the director, grant a permit to any 8017
individual, firm, or corporation to use or occupy such portion of 8018
a road or highway on the state highway system as will not 8019
incommode the traveling public. Such permits, when granted, shall 8020
be upon the following conditions: 8021

(A) ~~The occupancy of such roads or highways shall be in the~~ 8022
~~location as prescribed by the director~~ may issue a permit to any 8023
individual, firm, or corporation for any use of a road or highway 8024
on the state highway system that is consistent with applicable 8025
federal law or federal regulations. 8026

(B) Such location shall be changed as prescribed by the 8027
director when the director deems such change necessary for the 8028
convenience of the traveling public, or in connection with or 8029
contemplation of the construction, reconstruction, improvement, 8030
relocating, maintenance, or repair of such road or highway. 8031

(C) The placing of objects or things shall be at a grade and 8032
in accordance with such plans, specifications, or both, as shall 8033
be first approved by the director. 8034

(D) The road or highway in all respects shall be fully 8035
restored to its former condition of usefulness and at the expense 8036
of such individual, firm, or corporation. 8037

(E) Such individual, firm, or corporation shall maintain all 8038
objects and things in a proper manner, promptly repair all damages 8039
resulting to such road or highway on account thereof, and in event 8040
of failure to so repair such road or highway to pay to the state 8041
all costs and expenses which may be expended by the director in 8042
repairing any damage. 8043

(F) Such other conditions as may seem reasonable to the 8044

director, but no condition shall be prescribed which imposes the 8045
payment of a money consideration for the privilege granted. 8046

Nothing in this division prohibits the director from requiring 8047
payment of money consideration for a lease, easement, license, or 8048
other interest in a transportation facility under control of the 8049
department of transportation. 8050

(G) Permits may be revoked by the director at any time for a 8051
noncompliance with the conditions imposed. 8052

(H) As a condition precedent to the issuance of a any permit 8053
~~to a, including for~~ telecommunications ~~service provider or carbon~~ 8054
dioxide infrastructure, the director shall require the applicant 8055
to provide proof it is party to a lease, easement, or license for 8056
the construction, placement, or operation of a ~~telecommunications~~ 8057
facility in or on a transportation facility. 8058

Except as otherwise provided in this section and section 8059
5501.311 of the Revised Code, Chapters 5501., 5503., 5511., 5513., 8060
5515., 5516., 5517., 5519., 5521., 5523., 5525., 5527., 5528., 8061
5529., 5531., 5533., and 5535. of the Revised Code do not prohibit 8062
telegraph, telephone, and electric light and power companies from 8063
constructing, maintaining, and using telegraph, telephone, or 8064
electric light and power lines along and upon such roads or 8065
highways under sections 4931.19, 4933.14, or other sections of the 8066
Revised Code, or to affect existing rights of any such companies, 8067
or to require such companies to obtain a permit from the director, 8068
except with respect to the location of poles, wires, conduits, and 8069
other equipment comprising lines on or beneath the surface of such 8070
road or highways. 8071

This section does not prohibit steam or electric railroad 8072
companies from constructing tracks across such roads or highways, 8073
nor authorize the director to grant permission to any company 8074
owning, operating, controlling, or managing a steam railroad or 8075
interurban railway in this state to build a new line of railroad, 8076

or to change or alter the location of existing tracks across any 8077
road or highway on the state highway system at grade. No such 8078
company shall change the elevation of any of its tracks across 8079
such road or highway except in accordance with plans and 8080
specifications first approved by the director. 8081

This section does not relieve any individual, firm, or 8082
corporation from the obligation of satisfying any claim or demand 8083
of an owner of lands abutting on such road or highway on the state 8084
highway system on account of placing in such road or highway a 8085
burden in addition to public travel. 8086

Sec. 5515.07. (A) The director of transportation, in 8087
accordance with Chapter 119. of the Revised Code, shall adopt 8088
rules consistent with the safety of the traveling public and 8089
consistent with the national policy to govern the use and control 8090
of rest areas within the limits of the right-of-way of interstate 8091
highways and other state highways and in other areas within the 8092
limits of the right-of-way of interstate highways. 8093

(B) Except as provided in division (C) of this section or as 8094
otherwise authorized by applicable federal law or federal 8095
regulations, no person shall engage in selling or offering for 8096
sale or exhibiting for purposes of sale, goods, products, 8097
merchandise, or services within the bounds of rest areas within 8098
the limits of the right-of-way of interstate highways and other 8099
state highways, or in other areas within the limits of the 8100
right-of-way of interstate highways, unless the director issues a 8101
permit in accordance with section 5515.01 of the Revised Code. 8102
Notwithstanding any rules adopted by the director to the contrary 8103
or any other policy changes proposed by the director, each 8104
district deputy director of the department of transportation shall 8105
continue to implement any program allowing organizations to 8106
dispense free coffee or similar items after obtaining a permit 8107

that operated within the district prior to January 1, 1997. Each 8108
district deputy director shall operate such program within the 8109
district in the same manner as the program was operated prior to 8110
that date. 8111

(C) In accordance with rules adopted under division (A) of 8112
this section, the director may cause vending machines to be placed 8113
within each rest area that is able to accommodate the machines. 8114
The vending machines shall dispense food, drink, and other 8115
appropriate articles. 8116

(D) This section does not apply to the sale of goods, 8117
products, merchandise, or services required for the emergency 8118
repair of motor vehicles or emergency medical treatment, or to the 8119
department of transportation as provided in section 5515.08 of the 8120
Revised Code. 8121

Sec. 5517.011. Notwithstanding section 5517.01 of the Revised 8122
Code, the director of transportation may establish a program to 8123
expedite the sale and construction of special projects by 8124
combining the design and construction elements of a highway or 8125
bridge project into a single contract. The director shall prepare 8126
and distribute a scope of work document upon which the bidders 8127
shall base their bids. Except in regard to those requirements 8128
relating to providing plans, the director shall award contracts 8129
under this section in accordance with Chapter 5525. of the Revised 8130
Code. 8131

~~For~~ On the effective date of this amendment and until July 1, 8132
2011, the total dollar value of contracts made under this section 8133
shall not exceed one billion dollars. On and after July 1, 2011, 8134
for each biennium, the total dollar value of contracts made under 8135
this section shall not exceed two hundred fifty million dollars 8136
unless otherwise authorized by the general assembly. 8137

Sec. 5525.01. Before (A) Except as provided in division (G) 8138
of this section, before entering into a contract the director of 8139
transportation shall advertise for bids for two consecutive weeks 8140
in one newspaper of general circulation published in the county in 8141
which the improvement or part thereof is located, but if there is 8142
no such newspaper then in one newspaper having general circulation 8143
in an adjacent county. The director may advertise for bids in such 8144
other publications as the director considers advisable. Such 8145
notices shall state that plans and specifications for the 8146
improvement are on file in the office of the director and the 8147
district deputy director of the district in which the improvement 8148
or part thereof is located and the time within which bids therefor 8149
will be received. 8150

(B) Each bidder shall be required to file with the bidder's 8151
bid a bid guaranty in the form of a certified check, a cashier's 8152
check, or an electronic funds transfer to the treasurer of state 8153
that is evidenced by a receipt or by a certification to the 8154
director of transportation in a form prescribed by the director 8155
that an electronic funds transfer has been made to the treasurer 8156
of state, for an amount equal to five per cent of the bidder's 8157
bid, but in no event more than fifty thousand dollars, or a bid 8158
bond for ten per cent of the bidder's bid, payable to the 8159
director, which check, transferred sum, or bond shall be forthwith 8160
returned to the bidder in case the contract is awarded to another 8161
bidder, or, in case of a successful bidder, when the bidder has 8162
entered into a contract and furnished the bonds required by 8163
section 5525.16 of the Revised Code. In the event the contract is 8164
awarded to a bidder, and the bidder fails or refuses to furnish 8165
the bonds as required by section 5525.16 of the Revised Code, the 8166
check, transferred sum, or bid bond filed with the bidder's bid 8167
shall be forfeited as liquidated damages. No bidder shall be 8168
required either to file a signed contract with the bidder's bid, 8169

to enter into a contract, or to furnish the contract performance 8170
bond and the payment bond required by that section until the bids 8171
have been opened and the bidder has been notified by the director 8172
that the bidder is awarded the contract. 8173

8174

(C) The director shall permit a bidder to withdraw the 8175
bidder's bid from consideration, without forfeiture of the check, 8176
transferred sum, or bid bond filed with the bid, providing a 8177
written request together with a sworn statement of the grounds for 8178
such withdrawal is delivered within forty-eight hours after the 8179
time established for the receipt of bids, and if the price bid was 8180
substantially lower than the other bids, providing the bid was 8181
submitted in good faith, and the reason for the price bid being 8182
substantially lower was a clerical mistake evident on the face of 8183
the bid, as opposed to a judgment mistake, and was actually due to 8184
an unintentional and substantial arithmetic error or an 8185
unintentional omission of a substantial quantity of work, labor, 8186
or material made directly in the compilation of the bid. In the 8187
event the director decides the conditions for withdrawal have not 8188
been met, the director may award the contract to such bidder. If 8189
such bidder does not then enter into a contract and furnish the 8190
contract bond as required by law, the director may declare 8191
forfeited the check, transferred sum, or bid bond as liquidated 8192
damages and award the contract to the next higher bidder or reject 8193
the remaining bids and readvertise the project for bids. Such 8194
bidder may, within thirty days, appeal the decision of the 8195
director to the court of common pleas of Franklin county and the 8196
court may affirm or reverse the decision of the director and may 8197
order the director to refund the amount of the forfeiture. At the 8198
hearing before the common pleas court evidence may be introduced 8199
for and against the decision of the director. The decision of the 8200
common pleas court may be appealed as in other cases. 8201

(D) There is hereby created the ODOT letting fund, which 8202
shall be in the custody of the treasurer of state but shall not be 8203
part of the state treasury. All certified checks and cashiers' 8204
checks received with bidders' bids, and all sums transferred to 8205
the treasurer of state by electronic funds transfer in connection 8206
with bidders' bids, under this section shall be credited to the 8207
fund. All such bid guaranties shall be held in the fund until a 8208
determination is made as to the final disposition of the money. If 8209
the department determines that any such bid guaranty is no longer 8210
required to be held, the amount of the bid guaranty shall be 8211
returned to the appropriate bidder. If the department determines 8212
that a bid guaranty under this section shall be forfeited, the 8213
amount of the bid guaranty shall be transferred or, in the case of 8214
money paid on a forfeited bond, deposited into the state treasury, 8215
to the credit of the highway operating fund. Any investment 8216
earnings of the ODOT letting fund shall be distributed as the 8217
treasurer of state considers appropriate. 8218

(E) The director shall require all bidders to furnish the 8219
director, upon such forms as the director may prescribe, detailed 8220
information with respect to all pending work of the bidder, 8221
whether with the department of transportation or otherwise, 8222
together with such other information as the director considers 8223
necessary. 8224

(F) In the event a bidder fails to submit anything required 8225
to be submitted with the bid and then fails or refuses to so 8226
submit such at the request of the director, the failure or refusal 8227
constitutes grounds for the director, in the director's 8228
discretion, to declare as forfeited the bid guaranty submitted 8229
with the bid. 8230

(G) Notwithstanding any other provisions of this chapter, the 8231
director may use a value-based selection process, combining 8232
technical qualifications and competitive bidding elements, 8233

including consideration for minority or disadvantaged businesses 8234
that may include joint ventures, when letting special projects 8235
that contain both design and construction elements of a highway or 8236
bridge project into a single contract. 8237

(H) The director may reject any or all bids. Except ~~in regard~~ 8238
~~to~~ for contracts let under division (G) of this section and for 8239
environmental remediation and specialty work for which there are 8240
no classes of work set out in the rules adopted by the director, 8241
if the director awards the contract, the director shall award it 8242
to the lowest competent and responsible bidder as defined by rules 8243
adopted by the director under section 5525.05 of the Revised Code, 8244
who is qualified to bid under sections 5525.02 to 5525.09 of the 8245
Revised Code. In regard to contracts for environmental remediation 8246
and specialty work for which there are no classes of work set out 8247
in the rules adopted by the director, the director shall 8248
competitively bid the projects in accordance with this chapter and 8249
shall award the contracts to the lowest and best bidder. 8250

(I) The award for all projects competitively let by the 8252
director under this section shall be made within ten days after 8253
the date on which the bids are opened, and the successful bidder 8254
shall enter into a contract and furnish a contract performance 8255
bond and a payment bond, as provided for in section 5525.16 of the 8256
Revised Code, within ten days after the bidder is notified that 8257
the bidder has been awarded the contract. 8258

(J) The director may insert in any contract awarded under 8259
this chapter a clause providing for value engineering change 8260
proposals, under which a contractor who has been awarded a 8261
contract may propose a change in the plans and specifications of 8262
the project that saves the department time or money on the project 8263
without impairing any of the essential functions and 8264
characteristics of the project such as service life, reliability, 8265

economy of operation, ease of maintenance, safety, and necessary 8266
standardized features. If the director adopts the value 8267
engineering proposal, the savings from the proposal shall be 8268
divided between the department and the contractor according to 8269
guidelines established by the director, provided that the 8270
contractor shall receive at least fifty per cent of the savings 8271
from the proposal. The adoption of a value engineering proposal 8272
does not invalidate the award of the contract or require the 8273
director to rebid the project. 8274

Sec. 5525.012. Notwithstanding section 5525.01 of the Revised 8275
Code, the director of transportation may provide an incentive to 8276
bidders who have adopted business practices that reduce harmful 8277
air emissions and other threats to the environment. The incentive 8278
shall be in the form of a percentage reduction in such a bidder's 8279
lowest competent and responsible bid, but the reduction shall not 8280
exceed five per cent. 8281

Sec. 5525.15. The director of transportation may provide that 8282
the estimate of cost of any project to be constructed by the 8283
department by the taking of bids and awarding of contracts shall 8284
be confidential information and so remain until after all bids on 8285
the project have been received. The total amount of the estimate 8286
then shall be ~~publicly read prior to the opening of the bids of~~ 8287
~~the subject~~ published. 8288

When the director exercises the authority conferred by this 8289
section, all information with respect to the total estimate of 8290
cost of the project to be built by contract and with respect to 8291
the estimate of cost of any particular item of work involved 8292
therein shall be kept and regarded by the director and all the 8293
director's subordinates as confidential, and shall not be revealed 8294
to any person not employed in the department, or by the United 8295
States department of transportation in the case of projects 8296

financed in whole or part by federal funds, until after the bids 8297
on the project have been opened and ~~read~~ published. Section 8298
5517.01 of the Revised Code with respect to the public inspection 8299
of estimates of cost prior to the opening of bids and with respect 8300
to filing estimates of cost in the office of the district deputy 8301
director of transportation does not apply when the authority 8302
conferred by this section is exercised. This section does not 8303
prohibit the department from furnishing estimates of cost to 8304
counties, municipal corporations, or other local political 8305
subdivisions or to railroad or railway companies proposing to pay 8306
any portion of the cost of an improvement. 8307

Section 5525.10 of the Revised Code, which provides that no 8308
contract for any improvement shall be awarded for a greater sum 8309
than the estimated cost thereof plus five per cent, does not apply 8310
in the case of any project with respect to which the authority 8311
conferred by this section is exercised. In cases in which the 8312
authority conferred by this section is exercised and in which the 8313
bid of the successful bidder exceeds the estimate, the director, 8314
before entering into a contract, shall determine that the bid of 8315
the successful bidder is fair and reasonable, and as long as the 8316
federal government imposes regulation on prices charged for 8317
construction service, shall require the successful bidder to 8318
certify that the bidder's bid does not exceed the maximum 8319
permitted by such federal regulation. 8320

Sec. 5531.09. (A) The state infrastructure bank shall consist 8321
of the highway and transit infrastructure bank fund, the aviation 8322
infrastructure bank fund, the rail infrastructure bank fund, ~~and~~ 8323
the infrastructure bank obligations fund, and the new generation 8324
infrastructure bank funds, which are hereby created as funds of 8325
the state treasury, to be administered by the director of 8326
transportation and used for the purposes described in division (B) 8327
of this section. The highway and transit infrastructure bank fund, 8328

the aviation infrastructure bank fund, and the rail infrastructure 8329
bank fund shall consist of federal grants and awards or other 8330
assistance received by the state and eligible for deposit therein 8331
under applicable federal law, payments received by the department 8332
in connection with providing financial assistance for qualifying 8333
projects under division (B) of this section, and such other 8334
amounts as may be provided by law. The infrastructure bank 8335
obligations fund shall consist of such amounts of the proceeds of 8336
obligations issued under section 5531.10 of the Revised Code as 8337
the director of transportation determines with the advice of the 8338
director of budget and management; and such other amounts as may 8339
be provided by law. The new generation infrastructure bank funds 8340
shall consist of such other assistance received by the state as 8341
may be provided by law. The director of budget and management, 8342
upon the request of the director of transportation, may transfer 8343
amounts between the funds created in this division, except the 8344
infrastructure bank obligations fund. The investment earnings of 8345
each fund created by this division shall be credited to such fund. 8346

(B)(1) The director of transportation shall use the state 8347
infrastructure bank, except the new generation infrastructure bank 8348
funds, to encourage public and private investment in 8349
transportation facilities that contribute to the multi-modal and 8350
intermodal transportation capabilities of the state, develop a 8351
variety of financing techniques designed to expand the 8352
availability of funding resources and to reduce direct state 8353
costs, maximize private and local participation in financing 8354
projects, and improve the efficiency of the state transportation 8355
system by using and developing the particular advantages of each 8356
transportation mode to the fullest extent. In furtherance of these 8357
purposes, the director shall use the state infrastructure bank to 8358
provide financial assistance to public or private entities for 8359
qualified projects. Such assistance shall be in the form of loans, 8360
loan guarantees, letters of credit, leases, lease-purchase 8361

agreements, interest rate subsidies, debt service reserves, and 8362
such other forms as the director determines to be appropriate. All 8363
fees, charges, rates of interest, payment schedules, security for, 8364
and other terms and conditions relating to such assistance shall 8365
be determined by the director. ~~The highway and transit 8366
infrastructure bank fund, the aviation infrastructure bank fund, 8367
and the rail infrastructure bank fund may be used to pay debt 8368
service on obligations whose proceeds have been deposited into the 8369
infrastructure bank obligations fund.~~ 8370

(2) The director shall use the new generation infrastructure 8372
bank funds to encourage transportation innovation authorities 8373
created under Chapter 5539. of the Revised Code to invest in 8374
transportation facilities that contribute to the multi-modal and 8375
intermodal transportation capabilities of the state, develop a 8376
variety of financing techniques designed to expand the 8377
availability of funding resources and to reduce direct state 8378
costs, maximize transportation innovation authorities' 8379
participation in financing projects, and improve the efficiency of 8380
the state transportation system by using and developing the 8381
particular advantages of each transportation mode to the fullest 8382
extent. In furtherance of these purposes, the director shall use 8383
the new generation infrastructure bank funds to provide financial 8384
assistance to transportation innovation authorities for qualified 8385
projects. Such assistance shall be in the form of loans, loan 8386
guarantees, letters of credit, leases, lease-purchase agreements, 8387
interest rate subsidies, debt service reserves, and such other 8388
forms of assistance as the director determines to be appropriate. 8389
All fees, charges, rates of interest, payment schedules, security 8390
for, and other terms and conditions relating to such assistance 8391
shall be determined by the director. 8392

(C) The director of transportation shall adopt rules 8393

establishing guidelines necessary for the implementation and 8394
exercise of the authority granted by this section, including rules 8395
for receiving, reviewing, evaluating, and selecting projects for 8396
which financial assistance may be approved. 8397

(D) As used in this section and in section 5531.10 of the 8398
Revised Code, "qualified project" means any public or private 8399
transportation project as determined by the director of 8400
transportation, including, without limitation, planning, 8401
environmental impact studies, engineering, construction, 8402
reconstruction, resurfacing, restoring, rehabilitation, or 8403
replacement of public or private transportation facilities within 8404
the state, studying the feasibility thereof, and the acquisition 8405
of real or personal property or interests therein; any highway, 8406
public transit, aviation, rail, or other transportation project 8407
eligible for financing or aid under any federal or state program; 8408
and any project involving the maintaining, repairing, improving, 8409
or construction of any public or private highway, road, street, 8410
parkway, public transit, aviation, or rail project, and any 8411
related rights-of-way, bridges, tunnels, railroad-highway 8412
crossings, drainage structures, signs, guardrails, or protective 8413
structures. 8414

(E) The general assembly finds that state infrastructure 8415
projects, as defined in division (A)(8) of section 5531.10 of the 8416
Revised Code, and the state infrastructure bank, will materially 8417
contribute to the economic revitalization of areas of the state 8418
and result in improving the economic welfare of all the people of 8419
the state. Accordingly, it is declared to be the public purpose of 8420
the state, through operations under sections 5531.09 and 5531.10 8421
of the Revised Code, and other applicable laws adopted pursuant to 8422
Section 13 of Article VIII, Ohio Constitution, and other authority 8423
vested in the general assembly, to assist in and facilitate the 8424
purposes set forth in division (B) of section 5531.10 of the 8425

Revised Code, and to assist and cooperate with any governmental 8426
agency in achieving such purposes. 8427

Sec. 5531.11. As used in sections 5531.11 to 5531.18 of the 8428
Revised Code: 8429

"Cost" means all costs of constructing, improving, repairing, 8430
maintaining, administering, and operating the Ohio transportation 8431
system, including all costs payable with respect to permanent 8432
improvements as described in division (B) of section 133.15 of the 8433
Revised Code. 8434

"Governmental agency" means any state agency, federal agency, 8435
political subdivision, or other local, interstate, or regional 8436
governmental agency, and any combination of those agencies. 8437

"Highway project" means any project intended for the highway 8438
purpose of supporting the state highway system. A highway project, 8439
whether publicly or privately owned, is a state infrastructure 8440
project as defined in section 5531.10 of the Revised Code for all 8441
purposes of that section and section 5531.09 of the Revised Code 8442
and also is a transportation facility as defined in section 8443
5501.01 of the Revised Code. 8444

"New capacity project" means any tolled project for which 8445
construction is undertaken pursuant to sections 5531.11 to 5531.18 8446
of the Revised Code, including construction on existing public 8447
freeways if the construction increases the total number of lanes, 8448
including tolled and nontolled lanes, and does not decrease the 8449
total number of nontolled lanes at each mile. 8450

"Ohio transportation system" or "system" means all existing 8451
and future transportation projects constructed, operated, 8452
repaired, maintained, administered, and operated under the 8453
jurisdiction of the department of transportation, including tolled 8454
projects and highway capacity projects. 8455

"Public roads" means all public highways, roads, and streets 8456
in the state, whether maintained by a state agency or any other 8457
governmental agency. 8458

"Public utility facilities" means tracks, pipes, mains, 8459
conduits, cables, wires, towers, poles, and other equipment and 8460
appliances of any public utility. 8461

"Revenues" means all nontax revenues coming into the 8462
possession of or under the control of the department by virtue of 8463
sections 5531.11 to 5531.18 of the Revised Code. "Revenues" does 8464
not include proceeds from the sale of obligations but does include 8465
tolls, service revenues, investment income on the Ohio toll fund 8466
established in section 5531.14 of the Revised Code, rentals, 8467
gifts, and grants. 8468

"Service facilities" means service stations, restaurants, and 8469
other facilities for food service, roadside parks and rest areas, 8470
parking, camping, tenting, rest, and sleeping facilities, hotels 8471
or motels, and all similar and other facilities providing services 8472
to the traveling public in connection with the use of a tolled 8473
project and owned, leased, licensed, or operated by the department 8474
of transportation. 8475

"Service revenues" means those revenues of the department 8476
derived from its ownership, leasing, licensing, or operation of 8477
service facilities. 8478

"Tolled project" includes, but is not limited to, any express 8479
or limited access highway, motorway, interchange, service road, 8480
bridge, tunnel, bypass, general purpose lane addition, high 8481
occupancy lane, smart lane, intermodal facility, parking lot, 8482
airport, runway, canal, port, waterway, rail line, railroad 8483
interchange, railway spur, or highway project established, 8484
constructed, reconstructed, maintained, repaired, administered, 8485
operated, or improved, under the jurisdiction of the department of 8486

transportation and pursuant to sections 5531.11 to 5531.18 of the 8487
Revised Code, at a location or locations determined by the 8488
director of transportation, including all bridges, tunnels, 8489
overpasses, underpasses, interchanges, entrance plazas, 8490
approaches, those portions of connecting public roads that serve 8491
interchanges and are determined by the director to be necessary 8492
for the safe merging of traffic between the tolled project and 8493
those nontolled public roads, toll booths, service facilities, and 8494
administration, storage, and other buildings, property, and 8495
facilities that the department considers necessary for the 8496
operation or policing of the tolled project, together with all 8497
property and rights that may be acquired by the department for the 8498
construction, maintenance, repair, administration, improvement, or 8499
operation of the tolled project, and includes any sections or 8500
extensions of a tolled project designated by the department as 8501
such for the particular purpose. Each tolled project may be 8502
separately designated, by name or number, and may be constructed, 8503
improved, or extended in such sections as the department may from 8504
time to time determine pursuant to sections 5531.11 to 5531.18 of 8505
the Revised Code. A tolled project, whether publicly or privately 8506
owned, is a state infrastructure project as defined in section 8507
5531.10 of the Revised Code for all purposes of that section and 8508
section 5531.09 of the Revised Code and also is a transportation 8509
facility as defined in section 5501.01 of the Revised Code. 8510

"Tolls" means tolls, special fees or permit fees, or other 8512
charges by the department to the owners, lessors, lessees, 8513
operators of motor vehicles, or other users of a tolled project 8514
for the operation or use of or the right to operate on a tolled 8515
project. 8516

Sec. 5531.12. In order to remove present and anticipated 8517
handicaps and potential hazards on the highways in this state, to 8518

facilitate vehicular traffic throughout the state, to promote the 8519
agricultural, commercial, recreational, tourism, and industrial 8520
development of the state, and to provide for the general welfare 8521
by the construction, improvement, and maintenance of modern 8522
express highways embodying safety devices, including center 8523
divisions, ample shoulder widths, long sight distances, multiple 8524
lanes in each direction, and grade separations at intersections 8525
with other public roads and railroads, the department of 8526
transportation may construct, improve, maintain, repair, 8527
administer, and operate a system of new capacity projects at 8528
locations in accordance with alignment and design standards that 8529
are approved by the director of transportation. The tolled 8530
projects authorized by sections 5531.11 to 5531.18 of the Revised 8531
Code are part of the Ohio transportation system. 8532

Sec. 5531.13. (A) The director of transportation may acquire 8533
or dispose of any public or private property or interests therein 8534
the director determines to be necessary, convenient, or proper for 8535
the construction, improvement, repair, maintenance, 8536
administration, or operation of tolled projects in the same manner 8537
as the director may acquire or dispose of such property for 8538
transportation facilities or highway purposes, under sections 8539
5501.311 to 5501.34 and 5501.45 and Chapter 5519. of the Revised 8540
Code. 8541

(B) The director may enter into any contracts the director 8542
determines to be necessary, convenient, or proper for the 8543
construction, improvement, repair, maintenance, administration, or 8544
operation of tolled projects in the manner provided in Chapter 8545
5525. of the Revised Code. 8546

(C) The director may enter into any professional contracts 8547
the director determines to be necessary, convenient, or proper for 8548
the construction, improvement, repair, maintenance, 8549

administration, or operation of tolled projects in the manner 8550
provided in Chapter 5526. of the Revised Code. 8551

(D) Tolls and accounts within the Ohio toll fund established 8552
in section 5531.14 of the Revised Code may be used for the 8553
acquisition of property under division (A) of this section or 8554
pursuant to contracts entered into under division (B) or (C) of 8555
this section to the same extent permitted by section 5531.14 of 8556
the Revised Code with respect to obligations. 8557

Sec. 5531.14. (A) To the extent permitted by federal law, the 8558
director of transportation may fix, revise, charge, and collect 8559
tolls for each tolled project, and contract with any person or 8560
governmental agency desiring the use of any part thereof, 8561
including the right-of-way adjoining the paved portion, for 8562
placing thereon telephone, electric light, or power lines, service 8563
facilities, or for any other purpose, and fix the terms, 8564
conditions, rents, and rates of charge for such use; provided, 8565
that no toll, charge, or rental may be made for placing in, on, 8566
along, over, or under the tolled project, equipment or public 8567
utility facilities that are necessary to serve service facilities 8568
or to interconnect any public utility facilities. 8569

In accordance with Chapter 119. of the Revised Code, the 8570
director shall establish a plan, schedule, or system of tolls or 8571
charges and shall declare the purpose, amount, and duration of the 8572
tolls or charges. Any proposal to implement a toll or other charge 8573
under this section may include a plan, schedule, or system of 8574
tolls or charges that is subject to adjustment by the director 8575
within and in accordance with that plan, schedule, or system. 8576

(B) For any toll imposed under this section, the department 8577
of transportation may use a system for toll collection that is 8578
capable of charging an account holder the appropriate toll or 8579
charge by transmission of information from an electronic device on 8580

a motor vehicle to the toll lane, which information is used to 8581
charge the account holder the appropriate toll or charge. 8582

(C) One or more tolls, or a portion of any toll, may be 8583
pledged to the repayment of obligations in the bond proceedings 8584
for those obligations and shall be a pledged receipt for those 8585
obligations to the extent pledged in those bond proceedings. 8586

(D) Tolls shall be so fixed and adjusted as to provide funds 8587
at least sufficient with other revenues of the Ohio transportation 8588
system, if any, to pay: 8589

(1) Any bond service charges on obligations issued to pay 8590
costs of one or more tolled projects as such charges become due 8591
and payable; 8592

(2) The cost of maintaining, improving, repairing, 8593
constructing, and operating tolled projects within the Ohio 8594
transportation system and its different parts and sections, and to 8595
create and maintain any reserves for those purposes. 8596

(E) Except as provided in division (F) of this section, money 8597
received from tolls imposed under this section shall be deposited 8598
to the credit of the Ohio toll fund, which is hereby created in 8599
the state treasury. The treasurer of state may establish separate 8600
subaccounts within the Ohio toll fund as determined to be 8601
necessary or convenient to pay costs of constructing, improving, 8602
repairing, maintaining, administering, and operating tolled 8603
projects within the Ohio transportation system. Any remaining 8604
money deposited into the Ohio toll fund shall be used at the 8605
discretion of the director to support construction, improvement, 8606
repair, maintenance, administration, and operation costs for 8607
approved tolled projects and highway projects within one mile of a 8608
tolled project. All investment earnings of the fund shall be 8609
credited to the fund. 8610

(F) The issuing authority shall, by the fifteenth day of July 8611

of each fiscal year, certify or cause to be certified to the 8612
department of transportation and the office of budget and 8613
management the total amount of money required during the current 8614
fiscal year to meet in full all bond service charges and otherwise 8615
comply with the requirements of any applicable bond proceedings. 8616
The issuing authority shall make or cause to be made supplemental 8617
certifications to the department of transportation and the office 8618
of budget and management for each bond service payment date and at 8619
such other times during each fiscal year as may be provided in the 8620
applicable bond proceedings or required by that department or 8621
office. Bond service charges, costs of credit enhancement 8622
facilities, other financing costs, and any other amounts required 8623
under the applicable bond proceedings shall be set forth 8624
separately in each certification. Money received from tolls and 8625
other pledged receipts shall be deposited to the credit of the 8626
bond service fund at such times and in such amounts as are 8627
necessary to satisfy all those payment requirements of the 8628
applicable bond proceedings. 8629

Sec. 5531.15. (A) The director of transportation, in 8630
accordance with Chapter 119. of the Revised Code, may adopt such 8631
rules as the director considers advisable for the control and 8632
regulation of traffic on any tolled project, for the protection 8633
and preservation of property under the jurisdiction and control of 8634
the department of transportation, for the maintenance and 8635
preservation of good order within the property under its control, 8636
and for the purpose of establishing owner or operator liability 8637
for failure to comply with toll collection rules. 8638

(B) The rules shall provide that public police officers shall 8639
be afforded ready access, while in the performance of their 8640
official duties, to all property under the jurisdiction of the 8641
department of transportation and without the payment of tolls. 8642

(C) No person shall violate any such rules of the department of transportation. 8643
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(D)(1) All fines collected for the violation of applicable laws of the state and the rules of the department of transportation or money arising from bonds forfeited for such violation shall be disposed of in accordance with section 5503.04 of the Revised Code. 8645
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(2) All fees or charges assessed by the department of transportation in accordance with this section against an owner or operator of a vehicle as a civil violation for failure to comply with toll collection rules shall be revenues of the department. 8650
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Sec. 5531.16. (A) Each tolled project shall be maintained and kept in good condition and repair by the department of transportation. Tolled projects shall be operated by toll collectors and other employees and agents that the department employs or contracts for. Tolled projects shall be policed by the state highway patrol in accordance with section 5503.02 of the Revised Code; provided, that the state highway patrol also shall enforce all rules of the department adopted under division (A) of section 5531.15 of the Revised Code that relate to the operation and use of vehicles on a tolled project and that are punishable under division (A) of section 5531.99 of the Revised Code. 8654
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(B) An action for damages against the state for any public or private property damaged or destroyed in carrying out the powers granted by sections 5531.11 to 5531.18 of the Revised Code shall be filed in the court of claims pursuant to Chapter 2743. of the Revised Code. 8665
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(C) All governmental agencies may lease, lend, grant, or convey to the department of transportation at its request, upon terms that the proper authorities of the governmental agencies consider reasonable and fair and without the necessity for an 8670
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advertisement, order of court, or other action or formality, other 8674
than the regular and formal action of the authorities concerned, 8675
any property that is necessary or convenient to the effectuation 8676
of the purposes of sections 5531.11 to 5531.18 of the Revised 8677
Code, including public roads and other property already devoted to 8678
public use. 8679

(D) Each bridge constituting part of a tolled project shall 8680
be considered a bridge on the state highway system for purposes of 8681
sections 5501.47 and 5501.49 of the Revised Code. 8682

(E) In accordance with Chapter 5501. of the Revised Code, the 8683
department of transportation shall make an annual report of its 8684
tolled project activities for the preceding calendar year to the 8685
governor and the general assembly. 8686

Sec. 5531.17. The exercise of the powers granted by sections 8687
5531.11 to 5531.18 of the Revised Code is in all respects for the 8688
benefit of the people of the state, for the increase of their 8689
commerce and prosperity, and for the improvement of their health 8690
and living conditions; and as the construction, operation, and 8691
maintenance of the Ohio toll-way system by the department of 8692
transportation constitute the performance of essential 8693
governmental functions, the department shall not be required to 8694
pay any state or local taxes or assessments upon any tolled 8695
project, or upon revenues or any property acquired or used by the 8696
department under sections 5531.11 to 5531.18 of the Revised Code, 8697
or upon the income therefrom. 8698

Sec. 5531.18. The director of transportation shall establish 8699
a procedure whereby a political subdivision or other governmental 8700
agency or agencies may submit a written application to the 8701
director in accordance with Chapter 5539. of the Revised Code 8702
requesting the department of transportation to construct and 8703

operate a tolled project within the boundaries of the subdivision, 8704
agency, or agencies making the request. The procedure shall 8705
include a requirement that the director send a written reply to 8706
the subdivision, agency, or agencies explaining the disposition of 8707
the request. 8708

Sec. 5531.99. (A) Except as provided in division (B) of this 8709
section, whoever violates division (C) of section 5531.15 of the 8710
Revised Code is guilty of a minor misdemeanor on a first offense; 8711
on each subsequent offense such person is guilty of a misdemeanor 8712
of the fourth degree. 8713

(B) Whoever violates division (C) of section 5531.15 of the 8714
Revised Code when the violation is a civil violation for failure 8715
to comply with toll collection rules is subject to a fee or charge 8716
established by the department of transportation by rule. 8717

Sec. 5537.07. (A) When the cost to the Ohio turnpike 8718
commission under any contract with a person other than a 8719
governmental agency involves an expenditure of more than fifty 8720
thousand dollars, the commission shall make a written contract 8721
with the lowest responsive and responsible bidder in accordance 8722
with section 9.312 of the Revised Code after advertisement for not 8723
less than two consecutive weeks in a newspaper of general 8724
circulation in Franklin county, and in such other publications as 8725
the commission determines, which notice shall state the general 8726
character of the work and the general character of the materials 8727
to be furnished, the place where plans and specifications therefor 8728
may be examined, and the time and place of receiving bids. The 8729
commission may require that the cost estimate for the 8730
construction, demolition, alteration, repair, improvement, 8731
renovation, or reconstruction of roadways and bridges for which 8732
the commission is required to receive bids be kept confidential 8733

and remain confidential until after all bids for the public 8734
improvement have been received or the deadline for receiving bids 8735
has passed. Thereafter, and before opening the bids submitted for 8736
the roadways and bridges, the commission shall make the cost 8737
estimate public knowledge by reading the cost estimate in a public 8738
place. The commission may reject any and all bids. The 8739
requirements of this division do not apply to contracts for the 8740
acquisition of real property or compensation for professional or 8741
other personal services. 8742

(B) Each bid for a contract for construction, demolition, 8743
alteration, repair, improvement, renovation, or reconstruction 8744
shall contain the full name of every person interested in it and 8745
shall meet the requirements of section 153.54 of the Revised Code. 8746

(C) ~~Each bid for a contract, other~~ Other than for a contract 8747
referred to in division (B) of this section, each bid for a 8748
contract that involves an expenditure in excess of one hundred 8749
fifty thousand dollars or any contract with a service facility 8750
operator shall contain the full name of every person interested in 8751
it and shall be accompanied by a sufficient bond or certified 8752
check on a solvent bank that if the bid is accepted a contract 8753
will be entered into and the performance of its proposal secured. 8754

(D) A Other than a contract referred to in division (B) of 8755
this section, a bond with good and sufficient surety, in a form as 8756
prescribed and approved by the commission, shall be required of 8757
every contractor awarded a contract, ~~other than a contract~~ 8758
~~referred to in division (B) of this section,~~ that involves an 8759
expenditure in excess of one hundred fifty thousand dollars or any 8760
contract with a service facility operator. The bond shall be in an 8761
amount equal to at least fifty per cent of the contract price, and 8762
shall be conditioned upon the faithful performance of the 8763
contract. 8764

(E) Notwithstanding any other provisions of this section, the 8765

commission may establish a program to expedite special projects by 8766
combining the design and construction elements of any public 8767
improvement project into a single contract. The commission shall 8768
prepare and distribute a scope of work document upon which the 8769
bidders shall base their bids. At a minimum, bidders shall meet 8770
the requirements of section 4733.161 of the Revised Code. Except 8771
in regard to those requirements relating to providing plans, the 8772
commission shall award contracts following the requirements set 8773
forth in divisions (A), (B), (C), and (D) of this section. 8774

Sec. 5537.99. (A) Except as provided in division (B) of this 8775
section, whoever violates division (C) of section 5537.16 of the 8776
Revised Code is guilty of a minor misdemeanor on a first offense; 8777
on each subsequent offense such person is guilty of a misdemeanor 8778
of the fourth degree. 8779

(B)(1) Whoever violates division (C) of section 5537.16 of 8780
the Revised Code when the violation is a civil violation for 8781
failure to comply with toll collection rules is subject to a fee 8782
or charge established by the commission by rule. 8783

(2) Whoever violates division (C) of section 5537.16 of the 8784
Revised Code in regard to allowable axle or vehicle loads shall be 8785
fined in accordance with division (A) of section 5577.99 of the 8786
Revised Code. 8787

Sec. 5539.01. As used in this chapter: 8788

"Governmental agency" means a county, township, or municipal 8789
corporation, and any agency thereof; any other political 8790
subdivision; any county transit system, regional transit 8791
authority, or regional transit commission created under Chapter 8792
306. of the Revised Code; any new community authority organized 8793
under Chapter 349. of the Revised Code; one or more municipal 8794
corporations and one or more townships acting pursuant to a 8795

cooperative economic development agreement entered into under 8796
section 701.07 of the Revised Code; any joint economic development 8797
zone or joint economic development district organized under 8798
Chapter 715. of the Revised Code; any metropolitan planning 8799
organization; any port authority created under Chapter 4582. of 8800
the Revised Code; any transportation improvement district created 8801
under Chapter 5540. of the Revised Code; the Ohio rail development 8802
commission created under Chapter 4981. of the Revised Code; any 8803
other public corporation, agency, or commission established 8804
pursuant to state law; and any combination of the above. 8805

"Multimodal and intermodal transportation system" means a 8806
system of roads and highways, rail lines, water ports, airports, 8807
bicycle paths, pedestrian walkways, or public transit systems, 8808
including connections between them, and related facilities. 8809

"Passenger rail service" means passenger railroad service 8810
that connects two or more urbanized areas. 8811

"Public transit system" means a system of local 8812
transportation of passengers and their incidental baggage on 8813
scheduled routes by means of a conveyance on an individual 8814
passenger fare-paying basis, and excluding transportation by a 8815
sightseeing bus, taxi, or any vehicle not operated on a scheduled 8816
route basis. 8817

"Transportation innovation authority" means a body corporate 8818
and politic created pursuant to section 5539.03 of the Revised 8819
Code. 8820

"Transportation project" means a project constructed, 8821
improved, operated, or managed under this chapter, including the 8822
construction, reconstruction, alteration, repair, improvement, 8823
operation, or management of any road, highway, bridge, or other 8824
transportation facility as defined in section 5501.01 of the 8825
Revised Code; any multimodal and intermodal systems; any public 8826

transit system; and any freight or intercity passenger rail 8827
system. 8828

Sec. 5539.02. "(A) The director of transportation is hereby 8829
authorized to establish a transportation innovation authority 8830
pilot project and shall approve not more than four transportation 8831
innovation authorities pursuant to division (B) of section 5539.03 8832
of the Revised Code and shall report to the general assembly 8833
pursuant to division (C) of section 5539.07 of the Revised Code. 8834

(B) The purpose of a transportation innovation authority 8835
established under this chapter is to foster and encourage the 8836
investment of public and private resources in the planning and 8837
implementation of innovative transportation projects to enhance 8838
the efficiency of the state's transportation system, enhance 8839
intermodal and multimodal systems to streamline the transportation 8840
of goods and persons, and encourage the improvement and 8841
development of public transit systems and intercity passenger rail 8842
service throughout the state. A transportation innovation 8843
authority shall assist governmental agencies in the identification 8844
of transportation needs that will foster growth and economic 8845
development in the region conducive to the transportation projects 8846
and shall assist in funding priority projects through cooperative 8847
arrangements involving public and private partnerships. 8848

Sec. 5539.03. (A) Subject to approval by the director of 8849
transportation under division (B) of this section, any 8850
governmental agency, by resolution, ordinance, or other formal 8851
action by the appropriate legislative authority of such 8852
governmental agency, as applicable, may enter into an agreement 8853
with one or more other governmental agencies proposing to form a 8854
transportation innovation authority. The agreement between all 8855
participating governmental agencies, at a minimum, shall do all of 8856
the following: 8857

- (1) Identify all members of the authority; 8858
- (2) Designate the geographical area to be included in the jurisdiction of the authority; 8859
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- (3) Identify the transportation needs of the region covered by the authority and define the transportation projects necessary to meet such needs; 8861
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- (4) Provide for the planning, construction, operation, and maintenance of transportation projects proposed to be undertaken by the authority; 8864
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- (5) Establish the dates for the existence and operation of the authority, which shall include a date of creation, the means for determining when the authority shall cease to exist, how the authority may expand its membership, and how a member may end its membership; 8867
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- (6) Allow for and establish the terms of funding arrangements for the identified projects through any combination of funding sources authorized by this chapter or otherwise authorized by law; 8872
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- (7) Subject to section 5539.031 of the Revised Code, require all political subdivisions participating as members of the authority to agree, in a time and manner specified in the agreement, to adopt zoning and land use policies and laws that are consistent with and that complement the transportation innovation authority priorities, objectives, and identified projects. 8875
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- (B) Upon entering into an agreement, a proposed transportation innovation authority shall provide a copy of the agreement to the director of transportation, who shall approve or disapprove the agreement or suggest modifications to ensure consistency with the purposes of this chapter. 8882
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- (C) A transportation innovation authority is deemed to be 8887

created upon the adoption by each participating governmental 8888
agency, acting by resolution, ordinance, or other formal action, 8889
as applicable, of an agreement approved by the director. 8890

Sec. 5539.031. As soon as practicable after approval of an 8891
agreement under division (C) of section 5539.03 of the Revised 8892
Code and before engaging in any transportation project 8893
development, a transportation innovation authority shall develop a 8894
proposed land use plan for the area within the authority that 8895
includes recommended changes to current land use and zoning 8896
policies and other measures that promote land use consistent with 8897
the authority's proposed transportation projects. The proposed 8898
land use plan shall be submitted to each member governmental 8899
agency and the department of transportation. The plan shall 8900
include a document that specifically details the changes required 8901
of each such governmental agency to that agency's current land use 8902
and zoning policies. Upon receipt of the proposed land use plan, 8903
the appropriate legislative authority of the governmental agency, 8904
in the time and manner specified in the agreement adopted under 8905
section 5539.03 of the Revised Code, shall express its intent to 8906
take action to change its land use policies and regulations. 8907

Sec. 5539.04. (A) A transportation innovation authority shall 8908
be governed by a board of directors, the membership of which shall 8909
be established by the governmental agencies comprising the 8910
authority; provided, that there shall be an equal number of board 8911
members representing each governmental agency comprising the 8912
authority. Each member of the board serves at the pleasure of the 8913
member's appointing authority, and the appointing authority may 8914
remove an appointee the appointing authority has appointed at any 8915
time and for any reason. Members of the board shall receive no 8916
compensation but may be reimbursed for their necessary and actual 8917
expenses incurred in the course of duties as board members. The 8918

affirmative vote of a majority of the board is necessary to 8919
transact business. 8920

(B) An authority shall adopt bylaws for the regulation of its 8921
affairs and the conduct of its business and shall provide for 8922
public notice and opportunity for public comment on the 8923
identification of transportation projects and plans for funding 8924
the construction, operation, and maintenance of such projects. 8925

(C) A transportation innovation authority is a body both 8926
corporate and politic, and the exercise by it of the powers 8927
conferred by this chapter are considered to be essential 8928
governmental functions. 8929

Sec. 5539.05. A transportation innovation authority may: 8930

(A) Sue and be sued in its own name, plead, and be impleaded; 8931
provided, any actions against the authority shall be brought in 8932
the court of common pleas in the county in which the authority is 8933
headquartered or in the court of common pleas of the county in 8934
which the cause of action arose, and all summonses and notices of 8935
any kind shall be served on the authority by leaving a copy 8936
thereof at its headquarters; 8937

(B) Purchase, construct, maintain, repair, sell, exchange, 8938
police, operate, or lease a project as defined by this chapter; 8939

(C) Make and enter into all contracts and agreements 8940
necessary or incidental to the performance of its functions in 8941
designing, planning, and implementing a project and the execution 8942
of its powers under this chapter; 8943

(D) Employ, retain, or contract for the services of 8944
consultants, engineers, construction and accounting experts, 8945
financial advisers, trustees, attorneys, or other employees, 8946
independent contractors, or agents as are necessary in its 8947
judgment for the exercise of its powers and performance of its 8948

duties under this chapter; 8949

(E) Acquire, hold, and dispose of property in the exercise of
its powers and the performance of its duties under this chapter; 8950
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(F) Direct its agents or employees, when properly identified
in writing and after reasonable notice, to enter upon lands within
its jurisdiction to make surveys and examinations preliminary to
the location and construction of projects for the authority,
without liability of the authority or its agents or employees
except for actual damages arising solely out of such entry; 8952
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(G) Enter into contracts, agreements, or any other
partnerships with private entities, where appropriate, to
streamline and enhance the planning and implementation and funding
of identified projects; 8958
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(H) Do all acts necessary and proper to carry out the powers
expressly granted in this chapter. 8962
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Sec. 5539.06. The board and members of a transportation
innovation authority created under this chapter shall encourage
the participation of all political subdivisions within the
geographic jurisdiction of the authority. An authority shall
invite the participation of any new community authority, county
transit system, regional transit authority, regional transit
commission, joint economic development zone or joint economic
development district, transportation improvement district, port
authority, or metropolitan planning organization whose
jurisdiction is within or substantially within the jurisdiction
identified by an authority. 8964
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Sec. 5539.07. (A) The director of transportation may provide
grants for planning and project development, funding from the
state infrastructure bank under section 5531.09 of the Revised
Code, and support for the priority transportation projects 8975
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identified by a transportation innovation authority. 8979

(B) In accordance with Chapter 119. of the Revised Code, the 8980
director may adopt rules to assist in the creation and operation 8981
of transportation innovation authorities consistent with the 8982
purposes of this chapter. 8983

(C) The director shall issue an annual report to the general 8984
assembly summarizing the effectiveness of the authorities created 8985
under this chapter in identifying and funding the transportation 8986
needs of the state. 8987

Sec. 5539.08. (A) A transportation innovation authority shall 8988
hold and apply such funds as it considers necessary to carry out 8989
the powers and duties conferred by this chapter and as set forth 8990
in the agreement adopted by the authority. 8991

(B) An authority shall adopt an operating budget to hire 8992
employees, contract for services, and conduct normal business 8993
functions. All funding for such operating budget shall be paid 8994
from contributions from each governmental agency constituting the 8995
authority. No state funds shall be used for the operating budget 8996
of an authority. 8997

(C) An authority shall submit an annual audited financial 8998
report to the general assembly and the director of transportation 8999
setting forth all sources and uses of funds obtained or otherwise 9000
generated by the authority and a detailed breakdown of the 9001
different classes of expenditures made by the authority during 9002
each calendar year of operation. Such report also shall contain 9003
two-year budget projections for the operating expenses for the 9004
authority and specific transportation project funding. 9005

Sec. 5539.09. (A) A transportation innovation authority may 9006
acquire by purchase, lease, lease-purchase, lease with option to 9007

purchase, or otherwise, and in such manner and for such 9008
consideration as it considers proper, any public or private 9009
property necessary, convenient, or proper for the construction, 9010
maintenance, repair, or operation of a transportation project. 9011
Title to real and personal property shall be held in the name of 9012
the authority. Except as otherwise agreed to by the owner, full 9013
compensation shall be paid for public property taken. 9014

(B) A governmental agency may exercise the power of eminent 9015
domain to acquire property necessary for or in connection with a 9016
transportation project, but only to the extent such power is 9017
granted to the governmental agency individually. In any 9018
proceedings for appropriation, the procedure to be followed shall 9019
be in accordance with that provided in sections 163.01 to 163.22 9020
of the Revised Code or as otherwise provided by law for the 9021
governmental agency. Nothing in this chapter shall be construed as 9022
permitting a transportation innovation authority to exercise the 9023
power of eminent domain as a collective entity to acquire property 9024
necessary for or in connection with a transportation project. 9025

(C) This section does not authorize an authority to take or 9026
disturb property or facilities belonging to any public utility or 9027
to a common carrier engaged in interstate commerce if the property 9028
or facilities are required for the proper and convenient operation 9029
of the public utility or common carrier unless provision is made 9030
for the restoration, relocation, replication, or duplication of 9031
the property or facilities elsewhere at the sole cost of the 9032
authority. 9033

(D) Except as otherwise provided in this chapter, disposition 9034
of real property shall be by sale, lease-purchase agreement, lease 9035
with option to purchase, or otherwise in such manner and for such 9036
consideration as the authority determines if to a governmental 9037
agency or to a private entity involved in the transportation 9038

project funding, and otherwise in the manner provided in section 9039
5501.45 of the Revised Code for the disposition of property by the 9040
director of transportation. Disposition of personal property shall 9041
be in such manner and for such consideration as the authority 9042
determines. 9043

Sec. 5539.10. The board of directors of a transportation 9044
innovation authority may acquire real property in fee simple in 9045
the name of the authority in connection with, but in excess of 9046
that needed for, a project, by any method other than appropriation 9047
and hold the property for such period of time as the board 9048
determines. All right, title, and interest of the authority in the 9049
property may be sold at public auction or otherwise, as the board 9050
considers in the best interests of the authority, but in no event 9051
shall the property be sold for less than two-thirds of its 9052
appraised value. Sale at public auction shall be undertaken only 9053
after the board advertises the sale in a newspaper of general 9054
circulation in the area of the jurisdiction of the authority for 9055
at least two weeks prior to the date set for the sale. 9056

Sec. 5539.11. (A) A governmental agency may fund or assist in 9057
funding a transportation project as set forth in this chapter 9058
using the authority granted to any governmental agency 9059
participating as a member of a transportation innovation 9060
authority, but only to the extent such power is granted to the 9061
governmental agency individually. Nothing in this section shall be 9062
construed as permitting a transportation innovation authority or 9063
granting such authority the right to levy any fee, assessment, 9064
payment, or tax as a collective entity. 9065

(B) Projects identified by a transportation innovation 9066
authority under this chapter may be funded through any combination 9067
of revenue generated under the authority granted by this chapter 9068
or under the authority granted to any governmental agency 9069

participating as a member of an authority. Subject to the 9070
following limitations, such funding sources may include special 9071
fees and assessments levied by a governmental agency, fair share 9072
payments, payments in lieu of property tax on improvements, cash 9073
payments by private participants, dedicated portions of local 9074
sales tax and local income tax receipts, loans or grants from 9075
local, state, or federal sources, implementation of tolling 9076
arrangements or other charges as authorized and governed by 9077
sections 5531.11 to 5531.18 of the Revised Code, or any other 9078
revenue raising or tax incentive authority available to an 9079
authority or any governmental agency acting as a member of an 9080
authority: 9081

(1) A transportation innovation authority may participate in 9082
the levy of special assessments by a governmental agency to assist 9083
in the payment of costs for the construction, reconstruction, 9084
alteration, repair, improvement, operation, or management of an 9085
identified transportation project if the authority determines that 9086
the project will benefit the geographic area where the project 9087
will be constructed, reconstructed, altered, repaired, improved, 9088
operated, or maintained. 9089

(2) When it is determined that a project will benefit both a 9090
single political subdivision and the jurisdiction covered by an 9091
authority as a whole, any governmental agency participating as a 9092
member of a transportation innovation authority may exercise its 9093
taxing authority on income, sales, or property under Title LVII of 9094
the Revised Code, or provide for payments in lieu of property tax 9095
on improvements, to benefit the entire jurisdiction covered by the 9096
authority. 9097

(3) A transportation innovation authority may obtain loans or 9098
grants from local, state, or federal sources. Loans or grants from 9099
federal or state sources may be used for funding transportation 9100
projects and may not be applied to the operating expenses of an 9101

authority. 9102

(4) An authority may issue bonds to pay for all or part of the cost of an identified project. 9103
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(5) When it is determined that a project will benefit both a single political subdivision and the jurisdiction covered by an authority as a whole, each governmental agency participating as a member of the authority may issue bonds for a portion of the cost of any project if Chapter 133. of the Revised Code would authorize the issuance of those bonds as if the governmental agency alone were undertaking the project, subject to the same conditions and restrictions. 9105
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(6) Any governmental agency participating as a member of an authority may appropriate money available to the agency to pay costs incurred by the authority in the exercise of its powers and duties. 9113
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(7) An authority may enter into agreements with private entities to assist with the construction, improvement, operation, or management of transportation projects. Such agreements may include fair share payments to be made by the private entities to fund the projects. 9117
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(8) An authority may charge tolls or fees for the use of its transportation projects or facilities pursuant to sections 5531.11 to 5531.18 of the Revised Code. Such revenues shall be deposited in accordance with sections 5531.11 to 5531.18 of the Revised Code and shall be utilized to support construction, improvement, repair, maintenance, administration, and operation costs for transportation projects within the geographical jurisdiction of the authority. All projects for which a toll or fee is proposed to be charged shall be subject to the review and approval of the transportation review advisory council in accordance with Chapter 5512. of the Revised Code. 9122
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Sec. 5735.06. (A) On or before the last day of each month, 9133
each motor fuel dealer shall file with the tax commissioner a 9134
report for the preceding calendar month, on forms prescribed by or 9135
in a form acceptable to the tax commissioner. The report shall 9136
include the following information: 9137

(1) An itemized statement of the number of gallons of all 9138
motor fuel received during the preceding calendar month by such 9139
motor fuel dealer, which has been produced, refined, prepared, 9140
distilled, manufactured, blended, or compounded by such motor fuel 9141
dealer in the state; 9142

(2) An itemized statement of the number of gallons of all 9143
motor fuel received by such motor fuel dealer in the state from 9144
any source during the preceding calendar month, other than motor 9145
fuel included in division (A)(1) of this section, together with a 9146
statement showing the date of receipt of such motor fuel; the name 9147
of the person from whom purchased or received; the date of receipt 9148
of each shipment of motor fuel; the point of origin and the point 9149
of destination of each shipment; the quantity of each of said 9150
purchases or shipments; the name of the carrier; the number of 9151
gallons contained in each car if shipped by rail; the point of 9152
origin, destination, and shipper if shipped by pipe line; or the 9153
name and owner of the boat, barge, or vessel if shipped by water; 9154

(3) An itemized statement of the number of gallons of motor 9155
fuel which such motor fuel dealer has during the preceding 9156
calendar month: 9157

(a) For motor fuel other than gasoline sold for use other 9158
than for operating motor vehicles on the public highways or on 9159
waters within the boundaries of this state; 9160

(b) Exported from this state to any other state or foreign 9161
country as provided in division (A)(4) of section 5735.05 of the 9162
Revised Code; 9163

(c) Sold to the United States government or any of its agencies;	9164 9165
(d) Sold for delivery to motor fuel dealers;	9166
(e) Sold exclusively for use in the operation of aircraft;	9167
(4) Such other information incidental to the enforcement of the motor fuel laws of the state as the commissioner requires.	9168 9169
(B) The report shall show the tax due, computed as follows:	9170
(1) The following deductions shall be made from the total number of gallons of motor fuel received by the motor fuel dealer within the state during the preceding calendar month:	9171 9172 9173
(a) The total number of gallons of motor fuel received by the motor fuel dealer within the state and sold or otherwise disposed of during the preceding calendar month as set forth in section 5735.05 of the Revised Code;	9174 9175 9176 9177
(b) The total number of gallons received during the preceding calendar month and sold or otherwise disposed of to another licensed motor fuel dealer pursuant to section 5735.05 of the Revised Code;	9178 9179 9180 9181
(c) To cover the costs of the motor fuel dealer in compiling the report, and for evaporation, shrinkage, or other unaccounted-for losses:	9182 9183 9184
(i) If the report is timely filed and <u>or</u> the tax is timely paid, three <u>one-half</u> per cent of the total number of gallons of motor fuel received by the motor fuel dealer within the state during the preceding calendar month less the total number of gallons deducted under divisions (B)(1)(a) and (b) of this section, less one <u>fifteen one-hundredths of one</u> per cent of the total number of gallons of motor fuel that were sold to a retail dealer during the preceding calendar month;	9185 9186 9187 9188 9189 9190 9191 9192
(ii) If the report required by division (A) of this section	9193

is not timely filed ~~and~~ or the tax is not timely paid, no 9194
deduction shall be allowed; 9195

(iii) If the report is incomplete, no deduction shall be 9196
allowed for any fuel on which the tax is not timely reported ~~and~~ 9197
or paid. 9198

(2) The number of gallons remaining after the deductions have 9199
been made shall be multiplied separately by each of the following 9200
amounts: 9201

(a) The cents per gallon rate; 9202

(b) Two cents. 9203

The sum of the products obtained in divisions (B)(2)(a) and 9204
(b) of this section shall be the amount of motor fuel tax for the 9205
preceding calendar month. 9206

(C) The report shall be filed ~~together with~~ and payment of 9207
the tax shown on the report to be due, ~~unless shall be made. If~~ 9208
the motor fuel dealer is required by section 5735.062 of the 9209
Revised Code to pay the tax by electronic funds transfer, ~~in which~~ 9210
~~case~~ the dealer shall file the report pursuant to this section and 9211
pay the tax pursuant to section 5735.062 of the Revised Code. The 9212
commissioner may extend the time for filing reports and may remit 9213
all or part of penalties which may become due under sections 9214
5735.01 to 5735.99 of the Revised Code. For purposes of this 9215
section and sections 5735.062 and 5735.12 of the Revised Code, a 9216
report required to be filed under this section is considered filed 9217
when it is received by the tax commissioner, and remittance of the 9218
tax due is considered to be made when the remittance is received 9219
by the tax commissioner or when credited to an account designated 9220
by the treasurer of state and the tax commissioner for the receipt 9221
of tax remittances. The tax commissioner shall immediately forward 9222
to the treasurer of state all amounts received under this section. 9223

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(D) The tax commissioner may require a motor fuel dealer to 9225
file a report for a period other than one month. Such a report, 9226
together with payment of the tax, shall be filed not later than 9227
thirty days after the last day of the prescribed reporting period. 9228

(E) No person required by this section to file a tax report 9229
shall file a false or fraudulent tax report or supporting 9230
schedule. 9231

Sec. 5735.141. Any retail dealer of motor fuel shall receive 9232
a refund for Ohio motor fuel taxes paid on fuel lost by a retail 9233
dealer through shrinkage and evaporation. This refund shall be 9234
fifteen one-hundredths of one per cent of the Ohio motor fuel 9235
taxes paid on fuel purchased during any semiannual period ending 9236
the thirtieth day of June or the thirty-first day of December. 9237

In order to receive a refund, the retail dealer shall file 9238
with the tax commissioner, within one hundred twenty days after 9239
the thirtieth day of June and the thirty-first day of December of 9240
each year, an application for a refund stating the quantity of 9241
motor fuel that was purchased for resale by the applicant during 9242
the preceding semiannual period ending the thirtieth day of June 9243
or the thirty-first day of December and upon which the motor fuel 9244
tax has been paid. No person shall file a claim for the tax on 9245
fewer than one hundred gallons of motor fuel. The form and 9246
contents of the application shall be prescribed by the 9247
commissioner, and the application shall be signed in accordance 9248
with section 5703.25 of the Revised Code. On the filing of the 9249
application, the commissioner shall determine the amount of refund 9250
to which the applicant is entitled. If the amount is not less than 9251
that claimed, the commissioner shall certify the amount to the 9252
director of budget and management and treasurer of state for 9253
payment from the tax refund fund created by section 5703.052 of 9254
the Revised Code. If the amount is less than that claimed, the 9255

commissioner shall proceed in accordance with section 5703.70 of 9256
the Revised Code. 9257

No refund shall be authorized or ordered under this section 9258
for any single claim for the tax on fewer than one hundred gallons 9259
of motor fuel. 9260

The refund authorized by this section or section 5703.70 of 9261
the Revised Code shall be reduced by the cents per gallon amount 9262
of any qualified fuel credit received under section 5735.145 of 9263
the Revised Code, as determined by the commissioner, for each 9264
gallon of qualified fuel included in the total gallonage of motor 9265
fuel upon which the refund is computed. 9266

The right to receive any refund under this section or section 9267
5703.70 of the Revised Code is not assignable. The payment of the 9268
refund shall not be made to any person other than the retail 9269
dealer originally entitled thereto, except that the refund may be 9270
paid to the executor, administrator, receiver, trustee in 9271
bankruptcy, or assignee in insolvency proceedings of such 9272
retailer. 9273

A motor fuel dealer shall be deemed to be a retail dealer 9274
when acting in a retail capacity. 9275

Section 101.02. That existing sections 121.51, 125.11, 9276
133.52, 151.01, 151.09, 151.40, 955.201, 1548.10, 1548.14, 9277
1751.53, 2911.21, 2949.094, 3781.10, 3905.423, 3923.38, 4163.01, 9278
4163.07, 4501.01, 4501.03, 4501.044, 4501.06, 4501.21, 4501.34, 9279
4503.04, 4503.042, 4503.07, 4503.10, 4503.103, 4503.182, 4503.26, 9280
4503.65, 4505.032, 4505.09, 4505.14, 4506.07, 4506.08, 4506.11, 9281
4507.05, 4507.06, 4507.071, 4507.13, 4507.23, 4507.24, 4507.51, 9282
4507.52, 4509.05, 4511.01, 4511.093, 4511.181, 4511.191, 4511.213, 9283
4513.03, 4513.263, 4519.02, 4519.03, 4519.04, 4519.08, 4519.09, 9284
4519.10, 4519.44, 4519.47, 4519.59, 4519.63, 4561.17, 4561.18, 9285
4561.21, 4981.02, 5501.03, 5501.311, 5501.34, 5502.03, 5502.39, 9286

5502.67, 5502.68, 5515.01, 5515.07, 5517.011, 5525.01, 5525.15, 9287
 5531.09, 5537.07, 5537.99, 5735.06, and 5735.141 of the Revised 9288
 Code are hereby repealed. 9289

Section 105.01. That sections 955.202 and 5902.09 of the 9290
 Revised Code are hereby repealed. 9291

Section 105.05. Section 121.53 of the Revised Code is hereby 9292
 repealed, effective September 30, 2013. 9293

Section 201.10. Except as otherwise provided, all 9294
 appropriation items in this act are hereby appropriated out of any 9295
 moneys in the state treasury to the credit of the designated fund 9296
 that are not otherwise appropriated. For all appropriations made 9297
 in this act, the amounts in the first column are for fiscal year 9298
 2010 and the amounts in the second column are for fiscal year 9299
 2011. 9300

Section 203.10. DOT DEPARTMENT OF TRANSPORTATION 9301

FUND	TITLE	FY 2010	FY 2011	
	Highway Operating Fund Group			9302
2120 772426	Highway	\$ 4,018,649	\$ 4,018,649	9303
	Infrastructure Bank -			
	Federal			
2120 772427	Highway	\$ 10,209,272	\$ 10,209,272	9304
	Infrastructure Bank -			
	State			
2120 772429	Highway	\$ 11,499,999	\$ 11,499,999	9305
	Infrastructure Bank -			
	Local			
2120 772430	Infrastructure Debt	\$ 1,500,000	\$ 1,500,000	9306
	Reserve Title 23-49			
2120 775408	Transit	\$ 812,685	\$ 812,685	9307

		Infrastructure Bank - Local				
2120	775455	Title 49	\$	312,795	\$	312,795 9309
		Infrastructure - Bank - State				
2130	772431	Roadway	\$	1,000,000	\$	1,000,000 9310
		Infrastructure Bank - State				
2130	772432	Roadway	\$	6,000,000	\$	6,000,000 9311
		Infrastructure Bank - Local				
2130	772433	Infrastructure Debt Reserve - State	\$	2,000,000	\$	2,000,000 9312
2130	775457	Transit	\$	312,082	\$	312,082 9313
		Infrastructure Bank - State				
2130	775460	Transit	\$	1,000,000	\$	1,000,000 9314
		Infrastructure Bank - Local				
2130	777477	Aviation	\$	3,500,000	\$	3,500,000 9315
		Infrastructure Bank - State				
2130	777478	Aviation	\$	6,000,000	\$	6,000,000 9316
		Infrastructure Bank - Local				
2160	772439	New Generation Highway Loan	\$	50,000,000	\$	0 9317
2160	772440	New Generation Highway Bond	\$	50,000,000	\$	0 9318
2180	775461	New Generation Multi Modal Loan	\$	120,000,000	\$	0 9319
2180	775462	New Generation Multi Modal Bond	\$	120,000,000	\$	0 9320

7002	770003	Administration - State - Debt Service	\$	3,415,700	\$	1,821,000	9321
7002	771411	Planning and Research - State	\$	21,044,516	\$	21,463,169	9322
7002	771412	Planning and Research - Federal	\$	23,970,770	\$	24,214,310	9323
7002	772421	Highway Construction - State	\$	542,801,332	\$	517,419,558	9324
7002	772422	Highway Construction - Federal	\$	1,091,378,700	\$	1,065,737,629	9325
7002	772424	Highway Construction - Other	\$	121,377,011	\$	109,694,836	9326
7002	772437	GARVEE Debt Service - State	\$	21,778,200	\$	27,547,900	9327
7002	772438	GARVEE Debt Service - Federal	\$	131,814,700	\$	136,513,200	9328
7002	773431	Highway Maintenance - State	\$	405,633,542	\$	425,329,858	9329
7002	775452	Public Transportation - Federal	\$	27,060,785	\$	27,060,785	9330
7002	775454	Public Transportation - Other	\$	1,500,000	\$	1,500,000	9331
7002	775459	Elderly and Disabled Special Equipment	\$	4,730,000	\$	4,730,000	9332
7002	776462	Grade Crossings - Federal	\$	15,000,000	\$	15,000,000	9333
7002	777472	Airport Improvements - Federal	\$	405,000	\$	405,000	9334
7002	777475	Aviation Administration	\$	4,945,697	\$	5,186,959	9335
7002	779491	Administration - State	\$	131,087,437	\$	134,889,042	9336
TOTAL HOF Highway Operating							9337

Fund Group		\$ 2,936,108,872	\$ 2,566,678,728	9338
State Special Revenue Fund Group				9339
4N40 776663	Panhandle Lease	\$ 762,600	\$ 764,300	9340
	Reserve Payments			
4N40 776664	Rail Transportation -	\$ 2,111,500	\$ 2,111,500	9341
	Other			
5W90 777615	County Airport	\$ 620,000	\$ 620,000	9342
	Maintenance			
TOTAL SSR State Special Revenue				9343
Fund Group		\$ 3,494,100	\$ 3,495,800	9344
Intrastructure Bank Obligations Fund Group				9345
7045 772428	Highway	\$ 71,000,000	\$ 65,000,000	9346
	Infrastructure Bank -			
	Bonds			
TOTAL 045 Infrastructure Bank				9347
Obligations Fund Group		\$ 71,000,000	\$ 65,000,000	9348
Highway Capital Improvement Fund Group				9349
7042 772723	Highway Construction	\$ 194,000,000	\$ 163,000,000	9350
	- Bonds			
TOTAL 042 Highway Capital				9351
Improvement Fund Group		\$ 194,000,000	\$ 163,000,000	9352
TOTAL ALL BUDGET FUND GROUPS		\$ 3,204,602,972	\$ 2,798,174,528	9353

Section 203.11. PUBLIC ACCESS ROADS FOR DNR FACILITIES 9355

Of the foregoing appropriation item 772421, Highway 9356
Construction - State, \$5,000,000 shall be used in each fiscal year 9357
for the construction, reconstruction, or maintenance of public 9358
access roads, including support features, to and within state 9359
facilities owned or operated by the Department of Natural 9360
Resources. 9361

Section 203.12. PUBLIC ACCESS ROADS FOR PARKS AND EXPOSITIONS 9362

COMMISSION FACILITIES 9363

Notwithstanding section 5511.06 of the Revised Code, of the 9364
foregoing appropriation item 772421, Highway Construction - State, 9365
\$2,228,000 in each fiscal year shall be used for the construction, 9366
reconstruction, or maintenance of park drives or park roads within 9367
the boundaries of metropolitan parks. 9368

The Department of Transportation may use the foregoing 9369
appropriation item 772421, Highway Construction - State, to 9370
perform related road work on behalf of the Ohio Expositions 9371
Commission at the state fairgrounds, including reconstruction or 9372
maintenance of public access roads and support features to and 9373
within fairground facilities, as requested by the Commission and 9374
approved by the Director of Transportation. 9375

Section 203.13. DIRECT INVESTMENT IN PUBLIC TRANSIT 9376

Of the foregoing appropriation item 772422, Highway 9377
Construction - Federal, \$7,500,000 shall be used in each fiscal 9378
year to provide grants to local transit authorities to purchase or 9379
improve public transit vehicles. To provide for a cleaner 9380
environment, new transit vehicles purchased and improvements made 9381
to a local transit authority's existing fleet of vehicles with 9382
funds provided under this section must foster the goals of 9383
increasing fuel efficiency, reducing emissions, and using 9384
alternative fuels, as appropriate. 9385

Section 203.16. DIESEL EMISSIONS REDUCTION PILOT PROJECT 9386

Of the foregoing appropriation item 772422, Highway 9387
Construction - Federal, \$600,000 shall be used in fiscal year 2010 9388
for a truck stop electrification pilot project to reduce diesel 9389
emissions from commercial vehicles. 9390

Section 203.20. ISSUANCE OF BONDS 9391

The Treasurer of State, upon the request of the Director of 9392
Transportation, is authorized to issue and sell, in accordance 9393
with Section 2m of Article VIII, Ohio Constitution, and Chapter 9394
151. and particularly sections 151.01 and 151.06 of the Revised 9395
Code, obligations, including bonds and notes, in the aggregate 9396
amount of \$352,000,000 in addition to the original issuance of 9397
obligations authorized by prior acts of the General Assembly. 9398

The obligations shall be dated, issued, and sold from time to 9399
time in amounts necessary to provide sufficient moneys to the 9400
credit of the Highway Capital Improvement Fund (Fund 7042) created 9401
by section 5528.53 of the Revised Code to pay costs charged to the 9402
fund when due as estimated by the Director of Transportation, 9403
provided, however, that such obligations shall be issued and sold 9404
at such time or times so that not more than \$220,000,000 original 9405
principal amount of obligations, plus the principal amount of 9406
obligations that in prior fiscal years could have been, but were 9407
not, issued within the \$220,000,000 limit, may be issued in any 9408
fiscal year, and not more than \$1,200,000,000 original principal 9409
amount of such obligations are outstanding at any one time. 9410

Section 203.30. TRANSFER OF HIGHWAY OPERATING FUND (FUND 9411
7002) APPROPRIATIONS: PLANNING AND RESEARCH, HIGHWAY CONSTRUCTION, 9412
HIGHWAY MAINTENANCE, RAIL, AVIATION, AND ADMINISTRATION 9413
9414

The Director of Budget and Management may approve requests 9415
from the Director of Transportation for transfer of Highway 9416
Operating Fund (Fund 7002) appropriations for highway planning and 9417
research (appropriation items 771411 and 771412), highway 9418
construction (appropriation items 772421, 772422, 772424, 772437, 9419
and 772438), highway maintenance (appropriation item 773431), rail 9420

grade crossings (appropriation item 776462), aviation 9421
(appropriation item 777475), and administration (appropriation 9422
item 779491). The Director of Budget and Management may not make 9423
transfers out of debt service appropriation items unless the 9424
Director determines that the appropriated amounts exceed the 9425
actual and projected debt service requirements. Transfers of 9426
appropriations may be made upon the written request of the 9427
Director of Transportation and with the approval of the Director 9428
of Budget and Management. The transfers shall be reported to the 9429
Controlling Board at the next regularly scheduled meeting of the 9430
board. 9431

This transfer authority is intended to provide for emergency 9432
situations and flexibility to meet unforeseen conditions that 9433
could arise during the budget period. It also is intended to allow 9434
the department to optimize the use of available resources and 9435
adjust to circumstances affecting the obligation and expenditure 9436
of federal funds. 9437

TRANSFER OF APPROPRIATIONS: FEDERAL HIGHWAY AND FEDERAL AND 9438
LOCAL TRANSIT 9439

The Director of Budget and Management may approve written 9440
requests from the Director of Transportation for the transfer of 9441
appropriations between appropriation items 772422, Highway 9442
Construction - Federal, 775452, Public Transportation - Federal, 9443
775454, Public Transportation - Other, and 775459, Elderly and 9444
Disabled Special Equipment, based upon transit capital projects 9445
meeting Federal Highway Administration and Federal Transit 9446
Administration funding guidelines. The transfers shall be reported 9447
to the Controlling Board at its next regularly scheduled meeting. 9448

TRANSFER OF APPROPRIATIONS AND CASH: STATE INFRASTRUCTURE 9449
BANK 9450

The Director of Budget and Management may approve requests 9451

from the Director of Transportation for transfer of appropriations 9452
and cash of the Infrastructure Bank funds created in section 9453
5531.09 of the Revised Code, including transfers between fiscal 9454
years 2010 and 2011. The transfers shall be reported to the 9455
Controlling Board at its next regularly scheduled meeting. 9456

The Director of Budget and Management may approve requests 9457
from the Director of Transportation for transfer of appropriations 9458
and cash from the Highway Operating Fund (Fund 7002) to the 9459
Infrastructure Bank funds created in section 5531.09 of the 9460
Revised Code. The Director of Budget and Management may transfer 9461
from the Infrastructure Bank funds to the Highway Operating Fund 9462
up to the amounts originally transferred to the Infrastructure 9463
Bank funds under this section. However, the Director may not make 9464
transfers between modes or transfers between different funding 9465
sources. The transfers shall be reported to the Controlling Board 9466
at its next regularly scheduled meeting. 9467

TRANSFER OF APPROPRIATIONS AND CASH: TOLLING FUNDS 9468

The Director of Budget and Management may approve requests 9469
from the Director of Transportation for transfer of appropriations 9470
and cash of the Ohio Tolling Fund and any sub-accounts created in 9471
section 5531.14 of the Revised Code, including transfers between 9472
fiscal years 2010 and 2011. The transfers shall be reported to the 9473
Controlling Board at its next regularly scheduled meeting. 9474

INCREASING APPROPRIATIONS: STATE FUNDS 9475

In the event that receipts or unexpended balances credited to 9476
the Highway Operating Fund (Fund 7002) exceed the estimates upon 9477
which the appropriations have been made in this act, upon the 9478
request of the Director of Transportation, the Controlling Board 9479
may increase those appropriations in the manner prescribed in 9480
section 131.35 of the Revised Code. 9481

INCREASING APPROPRIATIONS: FEDERAL AND LOCAL FUNDS 9482

In the event that receipts or unexpended balances credited to 9483
the Highway Operating Fund (Fund 7002) or apportionments or 9484
allocations made available from the federal and local government 9485
exceed the estimates upon which the appropriations have been made 9486
in this act, upon the request of the Director of Transportation, 9487
the Controlling Board may increase those appropriations in the 9488
manner prescribed in section 131.35 of the Revised Code. 9489

REAPPROPRIATIONS 9490

Upon approval of the Director of Budget and Management, all 9491
appropriations of the Highway Operating Fund (Fund 7002), the 9492
Highway Capital Improvement Fund (Fund 7042), and the 9493
Infrastructure Bank funds created in section 5531.09 of the 9494
Revised Code remaining unencumbered on June 30, 2009, are hereby 9495
reappropriated for the same purpose in fiscal year 2010. 9496

Upon approval of the Director of Budget and Management, all 9497
appropriations of the Highway Operating Fund (Fund 7002), the 9498
Highway Capital Improvement Fund (Fund 7042), and the 9499
Infrastructure Bank funds created in section 5531.09 of the 9500
Revised Code remaining unencumbered on June 30, 2010, are hereby 9501
reappropriated for the same purpose in fiscal year 2011. 9502

Any balances of prior years' appropriations to the Highway 9503
Operating Fund (Fund 7002), the Highway Capital Improvement Fund 9504
(Fund 7042), and the Infrastructure Bank funds created in section 9505
5531.09 of the Revised Code that are unencumbered on June 30, 9506
2009, subject to the availability of revenue as determined by the 9507
Director of Transportation, are hereby reappropriated for the same 9508
purpose in fiscal year 2010 upon the request of the Director of 9509
Transportation and with the approval of the Director of Budget and 9510
Management. The reappropriations shall be reported to the 9511
Controlling Board. 9512

Any balances of prior years' appropriations to the Highway 9513

Operating Fund (Fund 7002), the Highway Capital Improvement Fund 9514
(Fund 7042), and the Infrastructure Bank funds created in section 9515
5531.09 of the Revised Code that are unencumbered on June 30, 9516
2010, subject to the availability of revenue as determined by the 9517
Director of Transportation, are hereby reappropriated for the same 9518
purpose in fiscal year 2011 upon the request of the Director of 9519
Transportation and with the approval of the Director of Budget and 9520
Management. The reappropriations shall be reported to the 9521
Controlling Board. 9522

LIQUIDATION OF UNFORESEEN LIABILITIES 9523

Any appropriation made from the Highway Operating Fund (Fund 9524
7002) not otherwise restricted by law is available to liquidate 9525
unforeseen liabilities arising from contractual agreements of 9526
prior years when the prior year encumbrance is insufficient. 9527

Section 203.40. MAINTENANCE INTERSTATE HIGHWAYS 9528

The Director of Transportation may remove snow and ice and 9529
maintain, repair, improve, or provide lighting upon interstate 9530
highways that are located within the boundaries of municipal 9531
corporations, adequate to meet the requirements of federal law. 9532
When agreed in writing by the Director of Transportation and the 9533
legislative authority of a municipal corporation and 9534
notwithstanding sections 125.01 and 125.11 of the Revised Code, 9535
the Department of Transportation may reimburse a municipal 9536
corporation for all or any part of the costs, as provided by such 9537
agreement, incurred by the municipal corporation in maintaining, 9538
repairing, lighting, and removing snow and ice from the interstate 9539
system. 9540

Section 203.50. PUBLIC TRANSPORTATION HIGHWAY PURPOSE GRANTS 9541

The Director of Transportation may use revenues from the 9542
state motor vehicle fuel tax to match approved federal grants 9543

awarded to the Department of Transportation, regional transit 9544
authorities, or eligible public transportation systems, for public 9545
transportation highway purposes, or to support local or state 9546
funded projects for public transportation highway purposes. Public 9547
transportation highway purposes include: the construction or 9548
repair of high-occupancy vehicle traffic lanes, the acquisition or 9549
construction of park-and-ride facilities, the acquisition or 9550
construction of public transportation vehicle loops, the 9551
construction or repair of bridges used by public transportation 9552
vehicles or that are the responsibility of a regional transit 9553
authority or other public transportation system, or other similar 9554
construction that is designated as an eligible public 9555
transportation highway purpose. Motor vehicle fuel tax revenues 9556
may not be used for operating assistance or for the purchase of 9557
vehicles, equipment, or maintenance facilities. 9558

Section 203.60. RENTAL PAYMENTS - OBA 9559

The foregoing appropriation item 770003, Administration - 9560
State - Debt Service, shall be used to pay rent to the Ohio 9561
Building Authority for the period July 1, 2009, to June 30, 2011, 9562
under the primary leases and agreements for various transportation 9563
related capital facilities financed by obligations issued under 9564
Chapter 152. of the Revised Code. The rental payments shall be 9565
made from revenues received from the motor vehicle fuel tax. The 9566
amounts of any bonds and notes to finance such capital facilities 9567
shall be at the request of the Director of Transportation. 9568
Notwithstanding section 152.24 of the Revised Code, the Ohio 9569
Building Authority may, with approval of the Office of Budget and 9570
Management, lease capital facilities to the Department of 9571
Transportation. 9572

The Director of Transportation shall hold title to any land 9573
purchased and any resulting structures that are attributable to 9574

appropriation item 770003. Notwithstanding section 152.18 of the Revised Code, the Director of Transportation shall administer any purchase of land and any contract for construction, reconstruction, and rehabilitation of facilities as a result of this appropriation.

Should the appropriation and any reappropriations from prior years in appropriation item 770003 exceed the rental payments for fiscal year 2010 or 2011, then prior to June 30, 2011, the balance may be transferred to appropriation item 772421, Highway Construction - State, 773431, Highway Maintenance - State, or 779491, Administration - State, upon the written request of the Director of Transportation and with the approval of the Director of Budget and Management. The transfer shall be reported to the Controlling Board at its next regularly scheduled meeting.

Section 205.10. DPS DEPARTMENT OF PUBLIC SAFETY

State Highway Safety Fund Group				9590
4W40	762321	Operating Expense - BMV	\$ 85,145,103 \$ 89,005,103	9591
4W40	762410	Registrations Supplement	\$ 31,753,145 \$ 32,480,610	9592
5V10	762682	License Plate Contributions	\$ 2,100,000 \$ 2,100,000	9593
7036	761321	Operating Expense - Information and Education	\$ 8,819,954 \$ 8,828,661	9594
7036	761401	Lease Rental Payments	\$ 13,337,000 \$ 11,836,200	9595
7036	764033	Minor Capital Projects	\$ 1,250,000 \$ 1,250,000	9596
7036	764321	Operating Expense - Highway Patrol	\$ 269,887,828 \$ 269,975,259	9597
7036	764605	Motor Carrier	\$ 3,340,468 \$ 3,340,468	9598

		Enforcement Expenses				
8300	761603	Salvage and Exchange	\$	20,800	\$	21,632 9599
		- Administration				
8310	761610	Information and	\$	468,982	\$	468,982 9600
		Education - Federal				
8310	764610	Patrol - Federal	\$	2,455,484	\$	2,455,484 9601
8310	764659	Transportation	\$	6,132,592	\$	6,132,592 9602
		Enforcement - Federal				
8310	765610	EMS - Federal	\$	582,007	\$	582,007 9603
8310	767610	Liquor Enforcement -	\$	514,184	\$	514,184 9604
		Federal				
8310	769610	Food Stamp	\$	1,032,135	\$	1,032,135 9605
		Trafficking				
		Enforcement - Federal				
8310	769631	Homeland Security -	\$	2,100,000	\$	2,184,000 9606
		Federal				
8320	761612	Traffic Safety -	\$	16,577,565	\$	16,577,565 9607
		Federal				
8350	762616	Financial	\$	6,063,600	\$	6,063,600 9608
		Responsibility				
		Compliance				
8370	764602	Turnpike Policing	\$	11,553,959	\$	11,553,959 9609
8380	764606	Patrol Reimbursement	\$	100,000	\$	100,000 9610
83C0	764630	Contraband,	\$	622,894	\$	622,894 9611
		Forfeiture, Other				
83F0	764657	Law Enforcement	\$	10,984,978	\$	9,053,266 9612
		Automated Data System				
83G0	764633	OMVI	\$	650,000	\$	650,000 9613
		Enforcement/Education				
83J0	764693	Highway Patrol	\$	2,100,000	\$	2,100,000 9614
		Justice Contraband				
83M0	765624	Operating Expense -	\$	2,915,113	\$	2,924,562 9615
		Trauma and EMS				

83N0	761611	Elementary School Seat Belt Program	\$	390,000	\$	405,600	9616
83P0	765637	EMS Grants	\$	4,562,912	\$	4,562,912	9617
83R0	762639	Local Immobilization Reimbursement	\$	750,000	\$	750,000	9618
83T0	764694	Highway Patrol Treasury Contraband	\$	21,000	\$	21,000	9619
8400	764607	State Fair Security	\$	1,396,283	\$	1,396,283	9620
8400	764617	Security and Investigations	\$	6,317,530	\$	6,432,686	9621
8400	764626	State Fairgrounds Police Force	\$	830,769	\$	849,883	9622
8400	769632	Homeland Security - Operating	\$	1,552,049	\$	1,614,131	9623
8410	764603	Salvage and Exchange - Highway Patrol	\$	1,339,399	\$	1,339,399	9624
8440	761613	Seat Belt Education Program	\$	400,000	\$	400,000	9625
8460	761625	Motorcycle Safety Education	\$	3,324,987	\$	3,538,903	9626
8490	762627	Automated Title Processing Board	\$	19,240,839	\$	19,240,839	9627
TOTAL	HSF	State Highway Safety Fund Group	\$	520,633,559	\$	522,404,799	9628
		General Services Fund Group					9629
4P60	768601	Justice Program Services	\$	1,070,962	\$	1,109,004	9630
4S30	766661	Hilltop Utility Reimbursement	\$	520,000	\$	540,800	9631
5ET0	768625	Drug Law Enforcement	\$	4,200,000	\$	4,200,000	9632
5Y10	764695	Highway Patrol Continuing Professional Training	\$	280,820	\$	280,820	9633

5Y10	767696	Investigative Unit	\$	15,000	\$	15,000	9634
		Continuing					
		Professional Training					
TOTAL GSF		General Services Fund	\$	6,086,782	\$	6,145,624	9635
Group							
Federal Special Revenue Fund Group							9636
3290	763645	Federal Mitigation	\$	10,801,636	\$	11,233,702	9637
		Program					
3370	763609	Federal Disaster	\$	27,707,636	\$	27,707,636	9638
		Relief					
3390	763647	Emergency Management	\$	84,031,935	\$	84,072,023	9639
		Assistance and					
		Training					
3AY0	768606	Federal Justice	\$	1,020,000	\$	745,000	9640
		Grants					
3CB0	768691	Federal Justice	\$	920,000	\$	795,000	9641
		Grants - FFY06					
3CC0	768609	Justice Assistance	\$	1,450,000	\$	1,215,000	9642
		Grants - FFY07					
3L50	768604	Justice Program	\$	15,856,300	\$	12,256,300	9643
3N50	763644	U.S. Department of	\$	31,358	\$	31,672	9644
		Energy Agreement					
XXXX	768XXX	Justice Assistance	\$	36,146,492	\$	1,902,447	9645
		Grants					
TOTAL FED		Federal Special Revenue	\$	177,965,357	\$	139,958,780	9646
Fund Group							
State Special Revenue Fund Group							9647
4V30	763662	EMA Service and	\$	4,474,751	\$	4,653,743	9648
		Reimbursement					
5390	762614	Motor Vehicle Dealers	\$	200,000	\$	200,000	9649
		Board					
5B90	766632	Private Investigator	\$	1,341,478	\$	1,395,137	9650

		and Security Guard Provider					
5BK0	768687	Criminal Justice	\$	400,000	\$	400,000	9651
		Services - Operating					
5BK0	768689	Family Violence	\$	750,000	\$	750,000	9652
		Shelter Programs					
5CM0	767691	Federal Investigative	\$	642,175	\$	642,175	9653
		Seizure					
5DS0	769630	Homeland Security	\$	517,350	\$	538,044	9654
5FF0	762621	Indigent Interlock	\$	1,600,000	\$	2,750,000	9655
		and Alcohol Monitoring					
5FL0	769634	Investigations	\$	1,172,080	\$	1,195,522	9656
6220	767615	Investigative	\$	375,000	\$	375,000	9657
		Contraband and Forfeiture					
6570	763652	Utility Radiological	\$	1,413,889	\$	1,415,945	9658
		Safety					
6810	763653	SARA Title III HAZMAT	\$	254,794	\$	262,438	9659
		Planning					
8500	767628	Investigative Unit	\$	100,000	\$	100,000	9660
		Salvage					
TOTAL SSR		State Special Revenue	\$	13,241,517	\$	14,678,004	9661
		Fund Group					
		Liquor Control Fund Group					9662
7043	767321	Liquor Enforcement -	\$	12,007,894	\$	11,897,178	9663
		Operating					
TOTAL LCF		Liquor Control Fund Group	\$	12,007,894	\$	11,897,178	9664
		Agency Fund Group					9665
5J90	761678	Federal Salvage/GSA	\$	1,500,000	\$	1,500,000	9666
TOTAL AGY		Agency Fund Group	\$	1,500,000	\$	1,500,000	9667
		Holding Account Redistribution Fund Group					9668

R024 762619	Unidentified Motor	\$	1,885,000	\$	1,885,000	9669
	Vehicle Receipts					
R052 762623	Security Deposits	\$	350,000	\$	350,000	9670
TOTAL 090	Holding Account	\$	2,235,000	\$	2,235,000	9671
Redistribution Fund Group						
TOTAL ALL BUDGET FUND GROUPS		\$	733,670,109	\$	698,819,385	9672

MOTOR VEHICLE REGISTRATION 9673

The Registrar of Motor Vehicles may deposit revenues to meet 9674
the cash needs of the State Bureau of Motor Vehicles Fund (Fund 9675
4W40) established in section 4501.25 of the Revised Code, obtained 9676
under sections 4503.02 and 4504.02 of the Revised Code, less all 9677
other available cash. Revenue deposited pursuant to this paragraph 9678
shall support, in part, appropriations for operating expenses and 9679
defray the cost of manufacturing and distributing license plates 9680
and license plate stickers and enforcing the law relative to the 9681
operation and registration of motor vehicles. Notwithstanding 9682
section 4501.03 of the Revised Code, the revenues shall be paid 9683
into Fund 4W40 before any revenues obtained pursuant to sections 9684
4503.02 and 4504.02 of the Revised Code are paid into any other 9685
fund. The deposit of revenues to meet the aforementioned cash 9686
needs shall be in approximately equal amounts on a monthly basis 9687
or as otherwise determined by the Director of Budget and 9688
Management pursuant to a plan submitted by the Registrar of Motor 9689
Vehicles. 9690

CASH TRANSFERS FROM THE STATE BUREAU OF MOTOR VEHICLES FUND 9691

Notwithstanding any provision of law to the contrary, on July 9692
1, 2009, or as soon as possible thereafter, the Director of Budget 9693
and Management may transfer, from the Bureau of Motor Vehicles 9694
Fund (Fund 4W40), cash in the amounts of up to \$635,293 to the 9695
Justice Program Services Fund (Fund 4P60), up to \$3,284,464 to the 9696
EMA Service and Reimbursement Fund (Fund 4V30), and up to \$879,060 9697
to the Investigations Fund (Fund 5FL0). 9698

CAPITAL PROJECTS 9699

The Registrar of Motor Vehicles may transfer cash from the 9700
State Bureau of Motor Vehicles Fund (Fund 4W40) to the State 9701
Highway Safety Fund (Fund 7036) to meet its obligations for 9702
capital projects CIR-047, Department of Public Safety Office 9703
Building and CIR-049, Warehouse Facility. 9704

OBA BOND AUTHORITY/LEASE RENTAL PAYMENTS 9705

The foregoing appropriation item 761401, Lease Rental 9706
Payments, shall be used for payments to the Ohio Building 9707
Authority for the period July 1, 2009, to June 30, 2011, under the 9708
primary leases and agreements for public safety related buildings 9709
financed by obligations issued under Chapter 152. of the Revised 9710
Code. Notwithstanding section 152.24 of the Revised Code, the Ohio 9711
Building Authority may, with approval of the Director of Budget 9712
and Management, lease capital facilities to the Department of 9713
Public Safety. 9714

HILLTOP TRANSFER 9715

The Director of Public Safety shall determine, per an 9716
agreement with the Director of Transportation, the share of each 9717
debt service payment made out of appropriation item 761401, Lease 9718
Rental Payments, that relates to the Department of 9719
Transportation's portion of the Hilltop Building Project, and 9720
shall certify to the Director of Budget and Management the amounts 9721
of this share. The Director of Budget and Management shall 9722
transfer the amounts of such shares from the Highway Operating 9723
Fund (Fund 7002) to the State Highway Safety Fund (Fund 7036). 9724

CASH TRANSFERS OF SEAT BELT FINE REVENUES 9725

Notwithstanding any provision of law to the contrary, the 9726
Controlling Board, upon request of the Director of Public Safety, 9727
may approve the transfer of cash between the following four funds 9728
that receive fine revenues from enforcement of the mandatory seat 9729

belt law: the Trauma and Emergency Medical Services Fund (Fund 83M0), the Elementary School Program Fund (Fund 83N0), the Trauma and Emergency Medical Services Grants Fund (Fund 83P0), and the Seat Belt Education Fund (Fund 8440).

STATE DISASTER RELIEF

The State Disaster Relief Fund (Fund 5330) may accept transfers of cash and appropriations from Controlling Board appropriation items for Ohio Emergency Management Agency disaster response costs and disaster program management costs, and may also be used for the following purposes:

(A) To accept transfers of cash and appropriations from Controlling Board appropriation items for Ohio Emergency Management Agency public assistance and mitigation program match costs to reimburse eligible local governments and private nonprofit organizations for costs related to disasters;

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

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

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

State Individual Assistance Program.	9761
JUSTICE ASSISTANCE GRANT FUND	9762
The federal payments made to the state for the Byrne Justice	9763
Assistance Grants Program under Title II of Division A of the	9764
American Recovery and Reinvestment Act of 2009 shall be deposited	9765
to the credit of the Justice Assistance Grant Fund (Fund XXXX),	9766
which is hereby created in the state treasury. All investment	9767
earnings of the fund shall be credited to the fund.	9768
JUSTICE ASSISTANCE GRANTS	9769
The foregoing appropriation item 768XXX, Justice Assistance	9770
Grants, shall be used to support activities to prevent and control	9771
crime and to improve the criminal justice system.	9772
FAMILY VIOLENCE PREVENTION FUND	9773
Notwithstanding any provision of law to the contrary, in each	9774
of fiscal years 2010 and 2011, the first \$750,000 received to the	9775
credit of the Family Violence Prevention Fund (Fund 5BK0) in each	9776
of those fiscal years shall be appropriated to appropriation item	9777
768689, Family Violence Shelter Programs, and the next \$400,000	9778
received to the credit of Fund 5BK0 in each of those fiscal years	9779
shall be appropriated to appropriation item 768687, Criminal	9780
Justice Services - Operating. Any moneys received to the credit of	9781
Fund 5BK0 in excess of the aforementioned appropriated amounts in	9782
each fiscal year shall, upon the approval of the Controlling	9783
Board, be used to provide grants to family violence shelters in	9784
Ohio.	9785
SARA TITLE III HAZMAT PLANNING	9786
The SARA Title III HAZMAT Planning Fund (Fund 6810) is	9787
entitled to receive grant funds from the Emergency Response	9788
Commission to implement the Emergency Management Agency's	9789
responsibilities under Chapter 3750. of the Revised Code.	9790

COLLECTIVE BARGAINING INCREASES	9791
Notwithstanding division (D) of section 127.14 and division	9792
(B) of section 131.35 of the Revised Code, except for the General	9793
Revenue Fund, the Controlling Board may, upon the request of	9794
either the Director of Budget and Management, or the Department of	9795
Public Safety with the approval of the Director of Budget and	9796
Management, increase appropriations for any fund, as necessary for	9797
the Department of Public Safety, to assist in paying the costs of	9798
increases in employee compensation that have occurred pursuant to	9799
collective bargaining agreements under Chapter 4117. of the	9800
Revised Code and, for exempt employees, under section 124.152 of	9801
the Revised Code.	9802
CASH BALANCE FUND REVIEW	9803
Not later than the first day of April in each fiscal year of	9804
the biennium, the Director of Budget and Management shall review	9805
the cash balances for each fund, except the State Highway Safety	9806
Fund (Fund 7036) and the State Bureau of Motor Vehicles Fund (Fund	9807
4W40), in the State Highway Safety Fund Group, and shall recommend	9808
to the Controlling Board an amount to be transferred to the credit	9809
of Fund 7036 or Fund 4W40, as appropriate.	9810
Section 207.10. DEV DEPARTMENT OF DEVELOPMENT	9811
State Special Revenue Fund Group	9812
4W00 195629 Roadwork Development \$ 18,699,900 \$ 18,699,900	9813
TOTAL SSR State Special Revenue	9814
Fund Group \$ 18,699,900 \$ 18,699,900	9815
TOTAL ALL BUDGET FUND GROUPS \$ 18,699,900 \$ 18,699,900	9816
ROADWORK DEVELOPMENT FUND	9817
The Roadwork Development Fund shall be used for road	9818
improvements associated with economic development opportunities	9819
that will retain or attract businesses for Ohio. "Road	9820

improvements" are improvements to public roadway facilities 9821
located on, or serving or capable of serving, a project site. 9822

The Department of Transportation, under the direction of the 9823
Department of Development, shall provide these funds in accordance 9824
with all guidelines and requirements established for Department of 9825
Development appropriation item 195412, Business Development, 9826
including Controlling Board review and approval as well as the 9827
requirements for usage of gas tax revenue prescribed in Section 5a 9828
of Article XII, Ohio Constitution. Should the Department of 9829
Development require the assistance of the Department of 9830
Transportation to bring a project to completion, the Department of 9831
Transportation shall use its authority under Title LV of the 9832
Revised Code to provide such assistance and may enter into 9833
contracts on behalf of the Department of Development. In addition, 9834
these funds may be used in conjunction with appropriation item 9835
195412, Business Development, or any other state funds 9836
appropriated for infrastructure improvements. 9837

The Director of Budget and Management, pursuant to a plan 9838
submitted by the Director of Development or as otherwise 9839
determined by the Director of Budget and Management, shall set a 9840
cash transfer schedule to meet the cash needs of the Department of 9841
Development's Roadwork Development Fund (Fund 4W00), less any 9842
other available cash. The Director shall transfer to the Roadwork 9843
Development Fund from the Highway Operating Fund (Fund 7002), 9844
established in section 5735.291 of the Revised Code, such amounts 9845
at such times as determined by the transfer schedule. 9846

TRANSPORTATION IMPROVEMENT DISTRICTS 9847

Notwithstanding section 5540.151 of the Revised Code and any 9848
other restrictions that apply to the distribution of Roadwork 9849
Development Grants, of the foregoing appropriation item 195629, 9850
Roadwork Development, \$250,000 in each fiscal year shall be 9851
distributed by the Director of Development to each of the 9852

Transportation Improvement Districts in Belmont, Butler, Clermont, 9853
 Hamilton, Lorain, Medina, Montgomery, Muskingum, and Stark 9854
 counties, and to the Rossford Transportation Improvement District 9855
 in Wood County. 9856

Section 209.10. PWC PUBLIC WORKS COMMISSION 9857

Local Transportation Improvements Fund Group 9858

7052 150402 Local Transportation \$ 299,001 \$ 306,178 9859
 Improvement Program -
 Operating

7052 150701 Local Transportation \$ 67,317,000 \$ 67,400,000 9860
 Improvement Program

TOTAL 052 Local Transportation 9861

Improvements Fund Group \$ 67,616,001 \$ 67,706,178 9862

Local Infrastructure Improvements Fund Group 9863

7038 150321 State Capital \$ 897,383 \$ 918,912 9864
 Improvements Program
 - Operating Expenses

TOTAL LIF Local Infrastructure 9865

Improvements Fund Group \$ 897,383 \$ 918,912 9866

TOTAL ALL BUDGET FUND GROUPS \$ 68,513,384 \$ 68,625,090 9867

DISTRICT ADMINISTRATION COSTS 9868

The Director of the Public Works Commission is authorized to 9869
 create a District Administration Costs Program from interest 9870
 earnings of the Capital Improvements Fund and Local Transportation 9871
 Improvement Program Fund proceeds. The program shall be used to 9872
 provide for the direct costs of district administration of the 9873
 nineteen public works districts. Districts choosing to participate 9874
 in the program shall only expend State Capital Improvements Fund 9875
 moneys for State Capital Improvements Fund costs and Local 9876
 Transportation Improvement Program Fund moneys for Local 9877
 Transportation Improvement Program Fund costs. The account shall 9878

not exceed \$1,235,000 per fiscal year. Each public works district 9879
may be eligible for up to \$65,000 per fiscal year from its 9880
district allocation as provided in sections 164.08 and 164.14 of 9881
the Revised Code. 9882

The Director, by rule, shall define allowable and 9883
nonallowable costs for the purpose of the District Administration 9884
Costs Program. Nonallowable costs include indirect costs, elected 9885
official salaries and benefits, and project-specific costs. No 9886
district public works committee may participate in the District 9887
Administration Costs Program without the approval of those costs 9888
by the district public works committee under section 164.04 of the 9889
Revised Code. 9890

REAPPROPRIATIONS 9891

All capital appropriations from the Local Transportation 9892
Improvement Program Fund (Fund 7052) in Am. Sub. H.B. 67 of the 9893
127th General Assembly remaining unencumbered as of June 30, 2009, 9894
are reappropriated for use during the period July 1, 2009, through 9895
June 30, 2010, for the same purpose. 9896

Notwithstanding division (B) of section 127.14 of the Revised 9897
Code, all capital appropriations and reappropriations from the 9898
Local Transportation Improvement Program Fund (Fund 7052) in this 9899
act remaining unencumbered as of June 30, 2010, are reappropriated 9900
for use during the period July 1, 2010, through June 30, 2011, for 9901
the same purposes, subject to the availability of revenue as 9902
determined by the Director of the Public Works Commission. 9903

9904

Section 301.10. For all appropriations made in Sections 9905
303.10, 305.10, 307.10, 309.10, 311.10, 313.10, 315.10, 317.10, 9906
319.10, 321.10, and 325.10 of this act, those in the first column 9907
are for fiscal year 2008 and those in the second column are for 9908
fiscal year 2009. The appropriations made in these sections are in 9909

addition to any other appropriations made for fiscal years 2008 9910
and 2009. 9911

Section 303.10. (A) The federal payments made to the state 9912
for the nutrition program under Title VIII of Division A of the 9913
American Recovery and Reinvestment Act of 2009 shall be deposited 9914
to the credit of the Federal Supportive Services Fund (Fund 3M40). 9915
9916

(B) The federal payments made to the state for the senior 9917
community service employment program under Title VIII of Division 9918
A of the American Recovery and Reinvestment Act of 2009 shall be 9919
deposited to the credit of the Federal Aging Grants Fund (Fund 9920
3220). 9921

(C) The items in this section are appropriated as designated 9922
out of any moneys in the state treasury to the credit of their 9923
respective funds that are not otherwise appropriated. 9924

Appropriations

AGE DEPARTMENT OF AGING 9925

Federal Special Revenue Fund Group 9926

3220 490618 Federal Aging Grants \$ 0 \$ 5,278,000 9927

3M40 490612 Federal Supportive \$ 0 \$ 2,991,000 9928

Services

TOTAL FED Federal Special Revenue \$ 0 \$ 8,269,000 9929

Fund Group

TOTAL ALL BUDGET FUND GROUPS \$ 0 \$ 8,269,000 9930

The foregoing appropriation items 490618, Federal Aging 9931
Grants, and 490612, Federal Supportive Services, shall be used in 9932
accordance with the requirements of the American Recovery and 9933
Reinvestment Act of 2009 that apply to the money appropriated. 9934

Section 305.10. (A) The federal payments made to the state 9935

for crime victims assistance grants under Title II of Division A 9936
of the American Recovery and Reinvestment Act of 2009 shall be 9937
deposited to the credit of the Crime Victims Assistance Fund (Fund 9938
3830). 9939

(B) The federal payments made to the state for crime victims 9940
compensation under Title II of Division A of the American Recovery 9941
and Reinvestment Act of 2009 shall be deposited to the credit of 9942
the Reparations Fund (Fund 4020). 9943

(C) The items in this section are appropriated as designated 9944
out of any moneys in the state treasury to the credit of their 9945
respective funds that are not otherwise appropriated. 9946

Appropriations

AGO ATTORNEY GENERAL 9947

Federal Special Revenue Fund Group 9948

3830 055634	Crime Victims	\$	0	\$	1,271,000	9949
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Assistance

TOTAL FED	Federal Special Revenue	\$	0	\$	1,271,000	9950
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Fund Group

State Special Revenue Fund Group 9951

4020 055616	Victims of Crime	\$	0	\$	2,061,000	9952
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TOTAL SSR	State Special Revenue	\$	0	\$	2,061,000	9953
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Fund Group

TOTAL ALL BUDGET FUND GROUPS		\$	0	\$	3,332,000	9954
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The foregoing appropriation items 055634, Crime Victims 9955
Assistance, and 055616, Victims of Crime, shall be used in 9956
accordance with the requirements of the American Recovery and 9957
Reinvestment Act of 2009 that apply to the money appropriated. 9958

Section 307.10. (A) The federal payments made to the state 9959
for the Leaking Underground Storage Tank Trust Fund under Title II 9960
of Division A of the American Recovery and Reinvestment Act of 9961

2009 shall be deposited to the credit of the Leaking Underground Storage Tank Fund (Fund 3480). 9962
 9963

(B) The item in this section is appropriated as designated out of any moneys in the state treasury to the credit of Fund 3480 that are not otherwise appropriated. 9964
 9965
 9966

Appropriations

COM DEPARTMENT OF COMMERCE 9967

Federal Special Revenue Fund Group 9968

3480 800624	Leaking Underground	\$	0	\$	10,000,000	9969
	Storage Tank					

TOTAL FED	Federal Special Revenue	\$	0	\$	10,000,000	9970
Fund Group						

TOTAL ALL BUDGET FUND GROUPS		\$	0	\$	10,000,000	9971
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The foregoing appropriation item 800624, Leaking Underground Storage Tank, shall be used in accordance with the requirements of the American Recovery and Reinvestment Act of 2009 that apply to the money appropriated. 9972
 9973
 9974
 9975

Section 309.10. (A) The federal payments made to the state for the Weatherization Assistance Program and the State Energy Grant Program under Title IV of Division A of the American Recovery and Reinvestment Act of 2009 shall be deposited to the credit of the Federal Special Revenue Fund (Fund 3080). 9976
 9977
 9978
 9979
 9980

(B) The federal payments made to the state for the Community Development Block Grant program under Title XII of Division A of the American Recovery and Reinvestment Act of 2009 shall be deposited to the credit of the Community Development Block Grant Fund (Fund 3K80). 9981
 9982
 9983
 9984
 9985

(C) The federal payments made to the state for community services block grants under Title XII of Division A of the American Recovery and Reinvestment Act of 2009 shall be deposited 9986
 9987
 9988

to the credit of the Community Services Block Grant Fund (Fund 3L00). 9989
 9990

(D) The federal payments made to the state for the Home Investment Partnerships Program under Title XII of Division A of the American Recovery and Reinvestment Act of 2009 shall be deposited to the credit of the HOME Program Fund (Fund 3V10). 9991
 9992
 9993
 9994

(E) The federal payments made to the state for the Energy Star Rebate Program under the American Recovery and Reinvestment Act of 2009 shall be deposited to the credit of the Energy Star Rebate Program Fund (Fund XXXX), which is hereby created in the state treasury. 9995
 9996
 9997
 9998
 9999

(F) The federal payments made to the state for the Energy Efficiency and Conservation Block Grants Program under Title IV of Division A of the American Recovery and Reinvestment Act of 2009 shall be deposited to the credit of the Energy Efficiency and Conservation Block Grants Fund (Fund XXXX), which is hereby created in the state treasury. 10000
 10001
 10002
 10003
 10004
 10005

(G) The items in this division are appropriated as designated out of any moneys in the state treasury to the credit of their respective funds that are not otherwise appropriated. 10006
 10007
 10008

Appropriations

DEV DEPARTMENT OF DEVELOPMENT 10009

Federal Special Revenue Fund Group 10010

3080 195603 Housing and Urban Development \$ 0 \$ 26,205,724 10011

3080 195605 Federal Projects \$ 0 \$ 276,553,000 10012

3080 195618 Energy Federal Grants \$ 0 \$ 122,604,000 10013

3K80 195613 Community Development Block Grant \$ 0 \$ 12,957,527 10014

3L00 195612 Community Services Block Grant \$ 0 \$ 38,979,000 10015

3V10	195601	HOME Program	\$	0	\$	83,484,547	10016
XXXX	195XXX	Federal Stimulus - Energy Star Rebate Program	\$	0	\$	11,000,000	10017
XXXX	195XXX	Federal Stimulus - Energy Efficiency and Conservation Block Grants		0	\$	21,000,000	10018
TOTAL FED	Federal Special Revenue		\$	0	\$	592,783,798	10019
Fund Group							
TOTAL ALL BUDGET FUND GROUPS			\$	0	\$	592,783,798	10020

The foregoing appropriation item 195605, Federal Projects, 10021
shall be used to carry out the Home Weatherization Assistance 10022
Program, subject to any requirements of the American Recovery and 10023
Reinvestment Act of 2009 that apply to the money appropriated. 10024

The foregoing appropriation items 195603, Housing and Urban 10025
Development, 195618, Energy Federal Grants, 195613, Community 10026
Development Block Grant, 195612, Community Services Block Grant, 10027
195601, HOME Program, 195XXX, Federal Stimulus - Energy Star 10028
Rebate Program, and 195XXX, Federal Stimulus - Energy Efficiency 10029
and Conservation Block Grants, shall be used in accordance with 10030
the requirements of the American Recovery and Reinvestment Act of 10031
2009 that apply to the money appropriated. 10032

Section 311.10. (A) The federal payments made to the state 10033
for the McKinney-Vento Homeless Assistance Act under Title VIII of 10034
Division A of the American Recovery and Reinvestment Act of 2009 10035
shall be deposited to the credit of the Consolidated Federal Grant 10036
Administration Fund (Fund 3Z30). 10037

(B) The federal payments made to the state for the national 10038
school lunch program under Title VIII of Division A of the 10039
American Recovery and Reinvestment Act of 2009 shall be deposited 10040

to the credit of the Federal Stimulus School Lunch Fund (Fund 10041
 XXXX), which is hereby created in the state treasury. 10042

(C) The federal payments made to the state for the Head Start 10043
 program under Title VIII of Division A of the American Recovery 10044
 and Reinvestment Act of 2009 shall be deposited to the credit of 10045
 the Federal Stimulus Head Start Fund (Fund XXXX), which is created 10046
 in the state treasury. 10047

(D) The items in this section are appropriated as designated 10048
 out of any moneys in the state treasury to the credit of their 10049
 respective funds that are not otherwise appropriated. 10050

Appropriations

EDU DEPARTMENT OF EDUCATION 10051

Federal Special Revenue Fund Group 10052

3Z30 200645 Consolidated Federal \$ 0 \$ 1,384,000 10053
 Grant Administration

XXXX 200XXX Federal Stimulus - \$ 0 \$ 3,107,000 10054
 School Lunch

XXXX 200XXX Federal Stimulus - \$ 0 \$ 27,338,000 10055
 Head Start

TOTAL FED Federal Special Revenue \$ 0 \$ 31,829,000 10056
 Fund Group

TOTAL ALL BUDGET FUND GROUPS \$ 0 \$ 31,829,000 10057

The foregoing appropriation item 200645, Consolidated Federal 10058
 Grant Administration, 200XXX, Federal Stimulus - School Lunch, and 10059
 200XXX, Federal Stimulus - Head Start shall be used in accordance 10060
 with the requirements of the American Recovery and Reinvestment 10061
 Act of 2009 that apply to the money appropriated. 10062

Section 313.10. (A) The federal payments made to the state 10063
 for clean air under Title VII of Division A of the American 10064
 Recovery and Reinvestment Act of 2009 shall be deposited to the 10065
 credit of the Clean Air Fund (Fund 4K20). 10066

(B) The item in this section is appropriated as designated 10067
 out of any moneys in the state treasury to the credit of Fund 4K20 10068
 that are not otherwise appropriated. 10069

Appropriations

EPA ENVIRONMENTAL PROTECTION AGENCY 10070

State Special Revenue Fund Group 10071

4K20 715648 Clean Air Non-Title V \$ 0 \$ 1,700,000 10072

TOTAL SSR State Special Revenue \$ 0 \$ 1,700,000 10073

Fund Group

TOTAL ALL BUDGET FUND GROUPS \$ 0 \$ 1,700,000 10074

The foregoing appropriation item 715648, Clean Air Non-Title 10075
 V, shall be used in accordance with the requirements of the 10076
 American Recovery and Reinvestment Act of 2009 that apply to the 10077
 money appropriated. 10078

Section 315.10. (A) The federal payments made to the state 10079
 for the education technology program under Title VIII of Division 10080
 A of the American Recovery and Reinvestment Act of 2009 shall be 10081
 deposited to the credit of the Technology Literacy Challenge Fund 10082
 (Fund 3S30). 10083

(B) The item in this section is appropriated as designated 10084
 out of any moneys in the state treasury to the credit of Fund 3S30 10085
 that are not otherwise appropriated. 10086

Appropriations

ETC ETECH OHIO 10087

Federal Special Revenue Fund Group 10088

3S30 935606 Enhancing Educational \$ 0 \$ 23,902,000 10089

Technology

TOTAL FED Federal Special Revenue \$ 0 \$ 23,902,000 10090

Fund Group

TOTAL ALL BUDGET FUND GROUPS \$ 0 \$ 23,902,000 10091

The foregoing appropriation item 935606, Enhancing Educational Technology, shall be used in accordance with the requirements of the American Recovery and Reinvestment Act of 2009 that apply to the money appropriated.

Section 317.10. (A) The federal payments made to the state for the IDEA - Infants and Children Program under Title VIII of Division A of the American Recovery and Reinvestment Act of 2009 shall be deposited to the credit of the Maternal Child Health Block Grant Fund (Fund 3200).

(B) The federal payments made to the state for the Immunization Program under Title VIII of Division A of the American Recovery and Reinvestment Act of 2009 shall be deposited to the credit of the Preventive Health Block Grant Fund (Fund 3870).

(C) The federal payments made to the state for the Special Supplemental Nutrition Program under Title VIII of Division A of the American Recovery and Reinvestment Act of 2009 shall be deposited to the credit of the Women, Infants, and Children Fund (Fund 3890).

(D) The items in this section are appropriated as designated out of any moneys in the state treasury to the credit of their respective funds that are not otherwise appropriated.

Appropriations

DOH DEPARTMENT OF HEALTH				10114
Federal Special Revenue Fund Group				10115
3200	440601	Maternal Child Health	\$ 0 \$ 14,410,000	10116
		Block Grant		
3870	440602	Preventive Health	\$ 0 \$ 9,893,000	10117
		Block Grant		
3890	440604	Women, Infants, and	\$ 0 \$ 2,000,000	10118

Children

TOTAL FED Federal Special Revenue \$ 0 \$ 26,303,000 10119
Fund Group

TOTAL ALL BUDGET FUND GROUPS \$ 0 \$ 26,303,000 10120

The foregoing appropriation items 440601, Maternal Child 10121
Health Block Grant, 440602, Preventive Health Block Grant, and 10122
440604, Women, Infants, and Children, shall be used in accordance 10123
with the requirements of the American Recovery and Reinvestment 10124
Act of 2009 that apply to the money appropriated. 10125

Section 319.10. (A) The federal payments made to the state 10126
for the Supplemental Nutrition Assistance Program under Title VIII 10127
of Division A of the American Recovery and Reinvestment Act of 10128
2009 shall be deposited to the credit of the Food Stamps and State 10129
Administration Fund (Fund 3840). 10130

(B) The federal payments made to the state for the Commodity 10131
Assistance Program under Title VIII of Division A of the American 10132
Recovery and Reinvestment Act of 2009 shall be deposited to the 10133
credit of the Emergency Food Distribution Fund (Fund 3A20). 10134

(C) The federal payments made to the state for the Foster 10135
Care/Adoption Program under Title VIII of Division A of the 10136
American Recovery and Reinvestment Act of 2009 shall be deposited 10137
to the credit of the IV-E Foster Care Maintenance/Pass Through 10138
Fund (Fund 3N00). 10139

(D) The federal payments made to the state for the 10140
Unemployment Insurance Program under Title VIII of Division A of 10141
the American Recovery and Reinvestment Act of 2009 shall be 10142
deposited to the credit of the Unemployment Compensation Review 10143
Commission Fund (Fund 3V40). 10144

(E) The federal payments made to the state for the Medicaid 10145
disproportionate share hospitals under Title VIII of Division A of 10146
the American Recovery and Reinvestment Act of 2009 shall be 10147

deposited to the credit of the Medicaid Program Support Fund (Fund 10148
 5C90). 10149

(F) The items in this section are appropriated as designated 10150
 out of any moneys in the state treasury to the credit of their 10151
 respective funds that are not otherwise appropriated. 10152

Appropriations

JFS DEPARTMENT OF JOB AND FAMILY SERVICES 10153

General Services Fund Group 10154

5C90 600671 Medicaid Program \$ 0 \$ 20,417,000 10155

Support

TOTAL GSF General Services Fund \$ 0 \$ 20,417,000 10156

Group

Federal Special Revenue Fund Group 10157

3840 600610 Food Assistance and \$ 0 \$ 11,200,000 10158

State Administration

3A20 600641 Emergency Food \$ 0 \$ 4,254,000 10159

Distribution

3N00 600628 IV-E Foster Care \$ 0 \$ 40,327,000 10160

Maintenance

3V40 600678 Federal Unemployment \$ 0 \$ 25,545,000 10161

Programs

TOTAL FED Federal Special Revenue \$ 0 \$ 81,326,000 10162

Fund Group

TOTAL ALL BUDGET FUND GROUPS \$ 0 \$ 101,743,000 10163

The foregoing appropriation items 600610, Food Assistance and 10164
 State Administration, 600641, Emergency Food Distribution, 600628, 10165
 IV-E Foster Care Maintenance, 600678, Federal Unemployment 10166
 Programs, and 600671, Medicaid Program Support, shall be used in 10167
 accordance with the requirements of the American Recovery and 10168
 Reinvestment Act of 2009 that apply to the money appropriated. 10169

Section 321.10. (A) The federal payments made to the state 10170

for the Vocational Rehabilitation Program under Title VIII of 10171
 Division A of the American Recovery and Reinvestment Act of 2009 10172
 shall be deposited to the credit of the Consolidated Federal Fund 10173
 (Fund 3790). 10174

(B) The federal payments made to the state for the 10175
 Independent Living Program under Title VIII of Division A of the 10176
 American Recovery and Reinvestment Act of 2009 shall be deposited 10177
 to the credit of the Independent Living/Vocational Rehabilitation 10178
 Fund (Fund 3L40). 10179

(C) The items in this section are appropriated as designated 10180
 out of any moneys in the state treasury to the credit of their 10181
 respective funds that are not otherwise appropriated. 10182

Appropriations

RSC REHABILITATION SERVICES COMMISSION 10183

Federal Special Revenue Fund Group 10184

3790 415616 Federal - Vocational \$ 0 \$ 21,590,000 10185
 Rehabilitation

3L40 415612 Federal Independent \$ 0 \$ 509,000 10186
 Living Centers or
 Services

3L40 415617 Independent \$ 0 \$ 1,392,958 10187
 Living/Vocational
 Rehabilitation
 Programs

TOTAL FED Federal Special Revenue \$ 0 \$ 23,491,958 10188
 Fund Group

TOTAL ALL BUDGET FUND GROUPS \$ 0 \$ 23,491,958 10189

The foregoing appropriation items 415616, Federal - 10190
 Vocational Rehabilitation, 415612, Federal Independent Living 10191
 Centers or Services, and 415617, Independent Living/Vocational 10192
 Rehabilitation Programs, shall be used in accordance with the 10193

requirements of the American Recovery and Reinvestment Act of 2009 10194
 that apply to the money appropriated. 10195

Section 323.10. Expenditures from the appropriations made in 10196
 Sections 303.10, 305.10, 307.10, 309.10, 311.10, 313.10, 315.10, 10197
 317.10, 319.10, 321.10, and 325.10 of this act shall be accounted 10198
 for as though made in the relevant main operating appropriations 10199
 act. The appropriations made in this division are subject to all 10200
 provisions of the relevant main operating appropriations act that 10201
 are generally applicable to the appropriations. 10202

Section 325.10. (A) The federal payments made to the state 10203
 for highway infrastructure under Title XII of Division A of the 10204
 American Recovery and Reinvestment Act of 2009 shall be deposited 10205
 to the credit of the Highway Operating Fund (Fund 7002), which is 10206
 created in section 5735.291 of the Revised Code. 10207

(B) The federal payments made to the state for transit 10208
 agencies under Title XII of Division A of the American Recovery 10209
 and Reinvestment Act of 2009 shall be deposited to the credit of 10210
 the Highway Operating Fund (Fund 7002). 10211

(C) The items in this division are appropriated as designated 10212
 out of any moneys in the state treasury to the credit of their 10213
 respective funds that are not otherwise appropriated. 10214

Appropriations

DOT DEPARTMENT OF TRANSPORTATION	10215
Highway Operating Fund Group	10216
7002 772422 Highway Construction \$ 0 \$ 935,677,000	10217
- Federal	
7002 77XXXX Federal Stimulus - \$ 0 \$ 167,036,000	10218
Transit	
TOTAL HOF Highway Operating Fund \$ 0 \$ 1,102,713,000	10219
Group	

TOTAL ALL BUDGET FUND GROUPS	\$	0 \$ 1,102,713,000	10220
TRANSFER OF APPROPRIATIONS			10221
The Director of Budget and Management may approve written			10222
requests from the Director of Transportation for the transfer of			10223
appropriations between appropriation items 771412, Planning and			10224
Research - Federal, 772422, Highway Construction - Federal,			10225
772424, Highway Construction - Other, 775452, Public			10226
Transportation - Federal, 776462, Grade Crossing - Federal, and			10227
777472, Airport Improvements - Federal, based upon the			10228
requirements of the American Recovery and Reinvestment Act of 2009			10229
that apply to the money appropriated. The transfers shall be			10230
reported to the Controlling Board at its next regularly scheduled			10231
meeting.			10232
Expenditures from appropriations made in this section shall			10233
be accounted for as though made in Am. Sub. H.B. 67 of the 127th			10234
General Assembly. However, law contained the relevant operating			10235
appropriations act that is generally applicable to the			10236
appropriations made in that act also is generally applicable to			10237
the appropriations made in Section 325.10 of this act.			10238
Section 327.10. The unexpended, unencumbered portions of the			10239
appropriation items made in Sections 303.10, 305.10, 307.10,			10240
309.10, 311.10, 313.10, 315.10, 317.10, 319.10, 321.10, and 325.10			10241
at the end of fiscal year 2009 are hereby reappropriated for the			10242
same purposes for fiscal year 2010.			10243
Section 503.10. (A) On July 1, 2009, and on the first day of			10244
the month for every month thereafter, the Treasurer of State,			10245
before making any of the distributions listed in sections 5735.23,			10246
5735.26, 5735.291, and 5735.30 of the Revised Code, shall deposit			10247
the first 2.5 per cent of the amount of motor fuel tax received			10248
for the preceding calendar month to the credit of the Highway			10249

Operating Fund (Fund 7002). 10250

(B) Of the amount transferred to Fund 7002 pursuant to 10251
division (A) of this section, \$43,500,000 in each fiscal year 10252
shall be used to offset the costs in divisions (C) and (D) of this 10253
section, provided that up to \$10,000,000 of that amount in fiscal 10254
year 2010 and up to \$20,000,000 of that amount in fiscal year 2011 10255
shall be used to offset those amounts transferred by the Treasurer 10256
of State to pay for the debt service on state highway capital 10257
improvement bonds. 10258

(C) In fiscal year 2010, the Director of Transportation shall 10259
use proceeds in Fund 7002 for the following purposes, as permitted 10260
by federal law: 10261

(1) Not less than \$14,500,000 shall be used to support public 10262
transit, rail, maritime, and aviation, or any planning and design 10263
activity related to those modes in the state. 10264

(2) Up to \$19,000,000 shall be used for transportation 10265
purposes. 10266

(D) In fiscal year 2011, the Director of Transportation shall 10267
use proceeds in Fund 7002 for the following purposes, as permitted 10268
by federal law: 10269

(1) Not less than \$4,500,000 shall be used to support public 10270
transit, rail, maritime, and aviation, or any planning and design 10271
activity related to those modes in the state. 10272

(2) Up to \$19,000,000 shall be used for transportation 10273
purposes. 10274

Section 503.20. PASSENGER RAIL 10275

The Ohio Rail Development Commission and the Director of 10276
Transportation may compete for federal funding to support the 10277
initiation of passenger rail service in Ohio. Any study used for 10278

planning and developing any intercity passenger rail project shall 10279
include an analysis of market demand, projected ridership, ongoing 10280
operating costs, economic impact, and the relationship with 10281
freight rail. Construction or operation of an intercity passenger 10282
rail project may not begin until the Director of Transportation or 10283
the Ohio Rail Development Commission completes such a study. 10284
Expenditures for the construction or operation of an intercity 10285
passenger rail project shall be approved by the Controlling Board. 10286

Section 509.10. AUTHORIZATION FOR OHIO BUILDING AUTHORITY AND 10287
OBM TO EFFECTUATE CERTAIN LEASE RENTAL PAYMENTS 10288

The Director of Budget and Management shall initiate and 10289
process payments from lease rental payment appropriation items 10290
during the period from July 1, 2009, to June 30, 2011, pursuant to 10291
the lease agreements for bonds or notes issued under Section 2i of 10292
Article VIII of the Ohio Constitution and Chapter 152. of the 10293
Revised Code. Payments shall be made upon certification by the 10294
Ohio Building Authority of the dates and amounts due on those 10295
dates. 10296

Section 509.20. LEASE PAYMENTS TO OBA AND TREASURER 10297

Certain appropriations are in this act for the purpose of 10298
lease payments to the Ohio Building Authority or to the Treasurer 10299
of State under leases and agreements relating to bonds or notes 10300
issued by the Ohio Building Authority or the Treasurer of State 10301
under the Ohio Constitution and acts of the General Assembly. If 10302
it is determined that additional appropriations are necessary for 10303
this purpose, such amounts are hereby appropriated. 10304

Section 512.10. TRANSFERS OF CASH BETWEEN THE HIGHWAY 10305
OPERATING FUND AND THE HIGHWAY CAPITAL IMPROVEMENT FUND 10306

Upon the request of the Director of Transportation, the 10307

Director of Budget and Management may transfer cash from the 10308
Highway Operating Fund (Fund 7002) to the Highway Capital 10309
Improvement Fund (Fund 7042) created in section 5528.53 of the 10310
Revised Code. The Director of Budget and Management may transfer 10311
from Fund 7042 to Fund 7002 up to the amounts previously 10312
transferred to Fund 7042 under this section. 10313

Section 512.20. MONTHLY TRANSFERS TO GASOLINE EXCISE TAX FUND 10314

The Director of Budget and Management shall transfer cash in 10315
equal monthly increments totaling \$183,493,000 in each fiscal year 10316
of the 2010-2011 biennium from the Highway Operating Fund, created 10317
in section 5735.291 of the Revised Code, to the Gasoline Excise 10318
Tax Fund created in division (A) of section 5735.27 of the Revised 10319
Code. The monthly amounts transferred under this section shall be 10320
distributed as follows: 42.86 per cent shall be distributed among 10321
the municipal corporations within the state under division (A)(2) 10322
of section 5735.27 of the Revised Code; 37.14 per cent shall be 10323
distributed among the counties within the state under division 10324
(A)(3) of section 5735.27 of the Revised Code; and 20 per cent 10325
shall be distributed among the townships within the state under 10326
division (A)(5)(b) of section 5735.27 of the Revised Code. 10327

Section 512.30. LOCAL TRANSPORTATION IMPROVEMENT PROGRAM 10328

The Director of Budget and Management is authorized, upon 10329
written request of the Director of the Public Works Commission, to 10330
make periodic transfers of cash from the Highway Operating Fund 10331
created in section 5735.291 of the Revised Code to the Local 10332
Transportation Improvement Program Fund created in section 164.14 10333
of the Revised Code. These periodic transfers must total 10334
\$100,000,000 in fiscal year 2010 and \$100,000,000 in fiscal year 10335
2011 and are intended to fulfill the purposes of Section 18 of Am. 10336
Sub. H.B. 554 of the 127th General Assembly. 10337

Section 512.40. DEPUTY INSPECTOR GENERAL FOR ODOT FUNDING 10338

On July 1, 2009, and on January 1, 2010, respectively, or as 10339
soon as possible thereafter, the Director of Budget and Management 10340
shall transfer \$200,000 in cash, for each period, from the Highway 10341
Operating Fund (Fund 7002) to the Deputy Inspector General for 10342
ODOT Fund (Fund 5FA0). 10343

On July 1, 2010, and on January 1, 2011, or as soon as 10344
possible thereafter, respectively, the Director of Budget and 10345
Management shall transfer \$200,000 in cash, for each period, from 10346
the Highway Operating Fund (Fund 7002) to the Deputy Inspector 10347
General for ODOT Fund (Fund 5FA0). 10348

Should additional amounts be necessary, the Inspector 10349
General, with the consent of the Director of Budget and Management 10350
and with notice to the Director of Transportation, may seek 10351
Controlling Board approval for additional transfers of cash and to 10352
increase the amount appropriated from appropriation item 965603, 10353
Deputy Inspector General for ODOT, in the amount of the additional 10354
transfers. 10355

Section 512.41. DEPUTY INSPECTOR GENERAL FOR FUNDS RECEIVED 10356
THROUGH THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 10357

On July 1, 2009, and on January 1, 2010, or as soon as 10358
possible thereafter, respectively, the Director of Budget and 10359
Management shall transfer \$200,000 in cash, for each period, from 10360
the General Revenue Fund to the Deputy Inspector General for Funds 10361
Received through the American Recovery and Reinvestment Act of 10362
2009 Fund (Fund 5GI0), which is created in section 121.53 of the 10363
Revised Code. 10364

On July 1, 2010, and on January 1, 2011, or as soon as 10365
possible thereafter, respectively, the Director of Budget and 10366
Management shall transfer \$200,000 in cash, for each period, from 10367

the General Revenue Fund to the Deputy Inspector General for Funds 10368
Received through the American Recovery and Reinvestment Act of 10369
2009 Fund (Fund 5GI0). 10370

The amounts transferred in this section shall be appropriated 10371
in the main operating appropriations act of the 128th General 10372
Assembly. 10373

Section 512.43. DIESEL EMISSIONS REDUCTION GRANT PROGRAM 10374

There is established in the Highway Operating Fund (Fund 10375
7002) in the Department of Transportation a Diesel Emissions 10376
Reduction Grant Program. The Director of Development shall 10377
administer the program and shall solicit, evaluate, score, and 10378
select projects submitted by public entities, small business 10379
concerns as the concerns are defined in 13 C.F.R. 121, as amended, 10380
and disadvantaged business enterprises as they are defined in 49 10381
C.F.R. 26 that are eligible for the federal Congestion Mitigation 10382
and Air Quality (CMAQ) Program. The Director of Transportation 10383
shall process Federal Highway Administration-approved projects as 10384
recommended by the Director of Development. 10385

In addition to the allowable expenditures set forth in 10386
section 122.861 of the Revised Code, Diesel Emissions Reduction 10387
Grant Program funds also may be used to fund projects involving 10388
the purchase or use of hybrid and alternative fuel vehicles that 10389
are allowed under guidance developed by the Federal Highway 10390
Administration for the CMAQ Program. 10391

Public entities eligible to receive funds under section 10392
122.861 of the Revised Code and CMAQ shall be reimbursed from the 10393
Department of Transportation's Diesel Emissions Reduction Grant 10394
Program. 10395

Small business concerns and disadvantaged business 10396
enterprises eligible to receive funds under section 122.861 of the 10397

Revised Code and CMAQ shall be reimbursed through transfers of 10398
cash from the Department of Transportation's Diesel Emissions 10399
Reduction Grant Program to the Diesel Emissions Reduction Grant 10400
Fund (Fund 3BD0) used by the Department of Development. Total 10401
expenditures between both the Departments of Development and 10402
Transportation shall not exceed the amounts appropriated in this 10403
section. 10404

Appropriation item 195697, Diesel Emissions Reduction Grants, 10405
is established with an appropriation of \$4,400,000 for fiscal year 10406
2010. 10407

On or before June 30, 2010, any unencumbered balance of the 10408
foregoing appropriation item 195697, Diesel Emissions Reduction 10409
Grants, for fiscal year 2010 is appropriated for the same purposes 10410
in fiscal year 2011. 10411

Any cash transfers or allocations under this section 10412
represent CMAQ program moneys within the Department of 10413
Transportation for use by the Diesel Emissions Reduction Grant 10414
Program by the Department of Development. These allocations shall 10415
not reduce the amount of such moneys designated for metropolitan 10416
planning organizations. 10417

The Director of Development, in consultation with the 10418
Directors of Environmental Protection and Transportation, shall 10419
develop guidance for the distribution of funds and for the 10420
administration of the Diesel Emissions Reduction Grant Program. 10421
The guidance shall include a method of prioritization for 10422
projects, acceptable technologies, and procedures for awarding 10423
grants. 10424

Section 512.50. CASH TRANSFER TO GRF 10425

On July 1, 2009, or as soon as possible thereafter, the 10426
Director of Budget and Management shall transfer the cash balances 10427

of the ODOT Memorial Fund (Fund 4T50) and the Transportation 10428
Building Fund (Fund 7029), as of June 30, 2009, to the General 10429
Revenue Fund. Upon completion of the transfers, Funds 4T50 and 10430
7029 are abolished. 10431

Section 521.10. The federal payments that are made to the 10432
state from the Clean Water State Revolving Fund pursuant to Title 10433
VIII of the American Recovery and Reinvestment Act of 2009 shall 10434
be credited to the Water Pollution Control Loan Fund created in 10435
section 6111.036 of the Revised Code. Notwithstanding the 10436
requirements of section 6111.036 of the Revised Code, money 10437
credited to the Fund under this section shall be used and 10438
administered to provide financial assistance in any manner that is 10439
consistent with the requirements of the Federal Water Pollution 10440
Control Act or the American Recovery and Reinvestment Act of 2009. 10441

Notwithstanding the requirements of section 6111.036 of the 10442
Revised Code, rules adopted under it, and Chapter 3745-47 of the 10443
Administrative Code, the Director of Environmental Protection, for 10444
the purpose of obtaining federal payments pursuant to Title VIII 10445
of the American Recovery and Reinvestment Act of 2009, may impose 10446
alternative public comment procedures for the draft intended use 10447
plan, including alternative time frames for public notice and 10448
comment and the frequency of public meetings. 10449

Section 521.20. The federal payments that are made to the 10450
state from the Drinking Water State Revolving Fund pursuant to 10451
Title VIII of the American Recovery and Reinvestment Act of 2009 10452
shall be credited to the Drinking Water Assistance Fund created in 10453
section 6109.22 of the Revised Code. Notwithstanding the 10454
requirements of section 6109.22 of the Revised Code, money 10455
credited to the Fund under this section shall be used and 10456
administered to provide financial assistance in any manner that is 10457
consistent with the requirements of the Safe Drinking Water Act or 10458

the American Recovery and Reinvestment Act of 2009. 10459

Notwithstanding the requirements of section 6109.22 of the 10460
Revised Code, rules adopted under it, and Chapter 3745-47 of the 10461
Administrative Code, the Director of Environmental Protection, for 10462
the purpose of obtaining federal payments pursuant to Title VIII 10463
of the American Recovery and Reinvestment Act of 2009, may impose 10464
alternative public comment procedures for the draft intended use 10465
plan, including alternative time frames for public notice and 10466
comment and the frequency of public meetings. 10467

Section 521.30. To the extent possible, federal money 10468
received by the state for fiscal stabilization and recovery 10469
purposes shall be used in a manner that encourages the purchase of 10470
supplies and services from Ohio companies and stimulates job 10471
growth and retention in Ohio. 10472

Section 610.10. That Section 229.10 of Am. Sub. H.B. 67 of 10473
the 127th General Assembly, as amended by Am. Sub. H.B. 554 of the 10474
127th General Assembly, be amended to read as follows: 10475

Sec. 229.10. PWC PUBLIC WORKS COMMISSION 10476

Local Transportation Improvements Fund Group 10477

052 150-402	Local Transportation	\$	291,537	\$	306,178	10478
	Improvement Program -					
	Operating					
052 150-701	Local Transportation	\$	67,500,000	\$	267,500,000	10479
	Improvement Program					

TOTAL 052 Local Transportation 10480

Improvements Fund Group	\$	67,791,537	\$	267,806,178	10481
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Local Infrastructure Improvements Fund Group 10482

038 150-321	State Capital	\$	879,237	\$	918,912	10483
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Improvements Program -			
Operating Expenses			
TOTAL LIF Local Infrastructure			10484
Improvements Fund Group	\$ 879,237	\$ 918,912	10485
TOTAL ALL BUDGET FUND GROUPS	\$ 68,670,774	\$ 268,725,090	10486
CASH TRANSFER FROM THE BUDGET STABILIZATION FUND			10487
the Director of Budget and Management shall transfer			10488
\$200,000,000 in cash from the Budget Stabilization Fund to the			10489
Local Transportation Improvement Program Fund created in section			10490
164.14 of the Revised Code.			10491
DISTRICT ADMINISTRATION COSTS			10492
The Director of the Public Works Commission is authorized to			10493
create a District Administration Costs Program from interest			10494
earnings of the Capital Improvements Fund and Local Transportation			10495
Improvement Program Fund proceeds. The program shall be used to			10496
provide for the direct costs of district administration of the			10497
nineteen public works districts. Districts choosing to participate			10498
in the program shall only expend Capital Improvements Fund moneys			10499
for Capital Improvements Fund costs and Local Transportation			10500
Improvement Program Fund moneys for Local Transportation			10501
Improvement Program Fund costs. The account shall not exceed			10502
\$1,235,000 per fiscal year. Each public works district may be			10503
eligible for up to \$65,000 per fiscal year from its district			10504
allocation as provided in sections 164.08 and 164.14 of the			10505
Revised Code.			10506
The Director, by rule, shall define allowable and			10507
nonallowable costs for the purpose of the District Administration			10508
Costs Program. Nonallowable costs include indirect costs, elected			10509
official salaries and benefits, and project-specific costs. No			10510
district public works committee may participate in the District			10511
Administration Costs Program without the approval of those costs			10512
by the district public works committee under section 164.04 of the			10513

Revised Code.	10514
REAPPROPRIATIONS	10515
All capital appropriations from the Local Transportation Improvement Program Fund (Fund 052) in Am. Sub. H.B. 68 of the 126th General Assembly remaining unencumbered as of June 30, 2007, are reappropriated for use during the period July 1, 2007, through June 30, 2008, for the same purpose.	10516 10517 10518 10519 10520
Notwithstanding division (B) of section 127.14 of the Revised Code, all capital appropriations and reappropriations from the Local Transportation Improvement Program Fund (Fund 052) in this act <u>Am. Sub. H.B. 67 of the 127th General Assembly</u> remaining unencumbered as of June 30, 2008, are reappropriated for use during the period July 1, 2008, through June 30, 2009, for the same purposes, subject to the availability of revenue as determined by the Director of the Public Works Commission.	10521 10522 10523 10524 10525 10526 10527 10528
Section 610.11. That existing Section 229.10 of Am. Sub. H.B. 67 of the 127th General Assembly, as amended by Am. Sub. H.B. 554 of the 127th General Assembly, is hereby repealed.	10529 10530 10531
Section 610.20. That Sections 217.10, 217.11, 239.10, 241.10, 243.10, and 243.11 of Am. Sub. H.B. 562 of the 127th General Assembly be amended to read as follows:	10532 10533 10534
Sec. 217.10. The items set forth in this section are hereby appropriated out of any moneys in the state treasury to the credit of the Clean Ohio Revitalization Fund (Fund 7003) that are not otherwise appropriated:	10535 10536 10537 10538
	Appropriations
DEV DEPARTMENT OF DEVELOPMENT	10539
C19500 Clean Ohio Revitalization	\$ 32,000,000 10540
	<u>80,000,000</u>

C19501	Clean Ohio Assistance	\$	8,000,000	10541
			<u>20,000,000</u>	
Total Department of Development		\$	40,000,000	10542
			<u>100,000,000</u>	
TOTAL Clean Ohio Assistance Fund		\$	40,000,000	10543
			<u>100,000,000</u>	

Sec. 217.11. CLEAN OHIO REVITALIZATION 10545

The Treasurer of State is hereby authorized to issue and 10546
sell, in accordance with Section 2o and 2q of Article VIII, Ohio 10547
Constitution, and pursuant to sections 151.01 and 151.40 of the 10548
Revised Code, original obligations in an aggregate principal 10549
amount not to exceed ~~\$40,000,000~~ \$100,000,000 in addition to the 10550
original issuance of obligations heretofore authorized by prior 10551
acts of the General Assembly. These authorized obligations shall 10552
be issued and sold from time to time, subject to applicable 10553
constitutional and statutory limitations, as needed to ensure 10554
sufficient moneys to the credit of the Clean Ohio Revitalization 10555
Fund (Fund 7003) to pay costs of revitalization projects. 10556

Sec. 239.10. The items set forth in this section are hereby 10557
appropriated out of any moneys in the state treasury to the credit 10558
of the Clean Ohio Conservation Fund (Fund 7056) that are not 10559
otherwise appropriated. 10560

Appropriations

	PWC PUBLIC WORKS COMMISSION			10561
C15060	Clean Ohio Conservation	\$	30,000,000	10562
			<u>75,000,000</u>	
Total Public Works Commission		\$	30,000,000	10563
			<u>75,000,000</u>	
TOTAL Clean Ohio Conservation Fund		\$	30,000,000	10564
			<u>75,000,000</u>	

The foregoing appropriation item C15060, Clean Ohio 10565

Conservation, shall be used in accordance with sections 164.20 to 10566
 164.27 of the Revised Code. If the Public Works Commission 10567
 receives refunds due to project overpayments that are discovered 10568
 during the post-project audit, the Director of the Public Works 10569
 Commission may certify to the Director of Budget and Management 10570
 that refunds have been received. If the Director of Budget and 10571
 Management determines that the project refunds are available to 10572
 support additional appropriations, such amounts are hereby 10573
 appropriated. 10574

Sec. 241.10. The items set forth in this section are hereby 10575
 appropriated out of any moneys in the state treasury to the credit 10576
 of the Clean Ohio Agricultural Easement Fund (Fund 7057) that are 10577
 not otherwise appropriated. 10578

Appropriations

AGR DEPARTMENT OF AGRICULTURE			10579
C70009	Clean Ohio Agricultural Easements	\$ 5,000,000	10580
		<u>12,500,000</u>	
Total	Department of Agriculture	\$ 5,000,000	10581
		<u>12,500,000</u>	
TOTAL	Clean Ohio Agricultural Easement Fund	\$ 5,000,000	10582
		<u>12,500,000</u>	

Sec. 243.10. The items set forth in this section are hereby 10584
 appropriated out of any moneys in the state treasury to the credit 10585
 of the Clean Ohio Trail Fund (Fund 7061) that are not otherwise 10586
 appropriated. 10587

Appropriations

DNR DEPARTMENT OF NATURAL RESOURCES			10588
C72514	Clean Ohio Trail - Grants	\$ 5,000,000	10589
		<u>12,500,000</u>	
Total	Department of Natural Resources	\$ 5,000,000	10590
		<u>12,500,000</u>	

GRF 035-407 Legislative Taskforce	\$	0	\$	750,000	10620
on Redistricting					
TOTAL GRF General Revenue Fund	\$	0	\$	950,000	10621
TOTAL ALL BUDGET FUND GROUPS	\$	0	\$	950,000	10622

~~COMMISSION~~ COMMISSIONS ON CUYAHOGA COUNTY GOVERNMENT REFORM 10623
AND LOCAL GOVERNMENT REFORM AND COLLABORATION 10624

The foregoing appropriation item 035-321, Operating Expenses, 10625
shall be used to support the Commission on Cuyahoga County 10626
Government Reform and the Ohio Commission on Local Government 10627
Reform and Collaboration, both created in ~~this act~~ Am. Sub. H.B. 10628
562 of the 127th General Assembly. 10629

An amount equal to the unexpended, unencumbered portion of 10630
the foregoing appropriation item 035-321, Operating Expenses, at 10631
the end of fiscal year 2009, is hereby reappropriated for the same 10632
purpose for fiscal year 2010. 10633

LEGISLATIVE TASKFORCE ON REDISTRICTING 10634

An amount equal to the unexpended, unencumbered portion of 10635
the foregoing appropriation item 035-407, Legislative Taskforce on 10636
Redistricting, at the end of fiscal year 2009 is hereby 10637
reappropriated to the Legislative Service Commission for the same 10638
purpose for fiscal year 2010. 10639

The appropriations made in this section are subject to all 10640
the provisions of Am. Sub. H.B. 119 of the 127th General Assembly 10641
that are generally applicable to such appropriations ~~except for~~ 10642
~~Section 809.03 of Am. Sub. H.B. 119 of the 127th General Assembly.~~ 10643
Expenditures from appropriations contained in this section shall 10644
be accounted for as though made in Am. Sub. H.B. 119 of the 127th 10645
General Assembly. 10646

Section 610.31. That existing Section 503.40 of Am. Sub. H.B. 10647
562 of the 127th General Assembly is hereby repealed. 10648

Section 737.10. The Board of Building Standards shall develop a plan to work to achieve compliance with the commercial and residential building energy codes set forth in section 3781.10 of this act so that, within eight years after the effective date of this act, at least 90 per cent of new and renovated residential and commercial building space will comply with the energy standards of those codes.

Section 755.10. The Director of Transportation may enter into agreements as provided in this section with the United States or any department or agency of the United States, including, but not limited to, the United States Army Corps of Engineers, the United States Forest Service, the United States Environmental Protection Agency, and the United States Fish and Wildlife Service. An agreement entered into pursuant to this section shall be solely for the purpose of dedicating staff to the expeditious and timely review of environmentally related documents submitted by the Director of Transportation, as necessary for the approval of federal permits. The agreements may include provisions for advance payment by the Director of Transportation for labor and all other identifiable costs of the United States or any department or agency of the United States providing the services, as may be estimated by the United States, or the department or agency of the United States. The Director shall submit a request to the Controlling Board indicating the amount of the agreement, the services to be performed by the United States or the department or agency of the United States, and the circumstances giving rise to the agreement.

Section 755.20. As a result of the enactment of the provisions of this act providing for the primary enforcement of seat belt use violations in this state, the Ohio Department of

Transportation shall apply for a one-time federal grant from the 10679
National Highway Traffic Safety Administration offered in the 10680
Safe, Accountable, Flexible and Efficient Transportation Equity 10681
Act of 2003 - A Legacy for Users (SAFETEA-LU). One million dollars 10682
of any such federal grant money ODOT receives shall be transferred 10683
to the Ohio Department of Public Safety and expended on safety 10684
activities in accordance with 23 U.S.C. Chapter 4 and also to pay 10685
the costs the Department of Public Safety incurs in developing a 10686
cultural competency training program for law enforcement agencies 10687
to eliminate practices of differential enforcement. The Ohio 10688
Department of Transportation shall expend all remaining grant 10689
money on eligible transportation safety issues. 10690
10691

Section 755.21. For the period commencing on the effective 10692
date of this section until fifteen months after that date, 10693
whenever a law enforcement officer stops a motor vehicle because 10694
the officer has witnessed a violation of a seat belt use law of 10695
this state or seat belt use ordinance of a municipal corporation 10696
of this state, the officer shall document the stop on a form 10697
prescribed by the Department of Public Safety. The officer shall 10698
indicate on the form the age, sex, and race of the operator of the 10699
motor vehicle involved in the stop, the date, time, and location 10700
of the stop, and whether a ticket, citation, or summons was issued 10701
to any person in the motor vehicle for the seat belt use 10702
violation. The officer also shall include on the form any other 10703
information that the Director of Public Safety may require, but in 10704
no case shall the form include the name of any person who was in 10705
the motor vehicle at the time the vehicle was stopped. The law 10706
enforcement agency that employs the law enforcement officer shall 10707
retain all such forms and make them available to the Department 10708
upon request. 10709

The Department of Public Safety shall enter into an agreement 10710

with an outside entity whereby the entity shall conduct a study 10711
regarding the primary enforcement of the seat belt use law as 10712
permitted by the amendments to section 4513.263 of the Revised 10713
Code contained in this act. The study shall include the collection 10714
and review of information regarding any differential enforcement 10715
that occurs as the result of the change in the enforcement of the 10716
seat belt use law in this state. In conducting its study, the 10717
entity shall review all the forms completed by law enforcement 10718
officers pursuant to this section and analyze and summarize the 10719
information contained therein. The Department shall provide a 10720
report of the study to the General Assembly and the Governor not 10721
later than eighteen months after the effective date of this 10722
section. 10723

Section 755.30. (A) As used in this section: 10724

(1) "Automated speed enforcement system" means a device that 10725
has one or more sensors and, as a motor vehicle proceeds through 10726
an area on a road or highway, is capable of determining the speed 10727
of the motor vehicle and producing a photographic or digitally 10728
recorded image of the motor vehicle, including an image of the 10729
vehicle's front or rear license plate. 10730

(2) "Citation" means any traffic ticket, citation, summons, 10731
or other notice of liability issued in response to an alleged 10732
violation of section 4511.21 of the Revised Code that is detected 10733
by an automated speed enforcement system. 10734

(3) "Construction zone" has the same meaning as in division 10735
(C) of section 5501.27 of the Revised Code. 10736

(4) "Interstate highway" has the same meaning as in division 10737
(H) of section 4519.01 of the Revised Code. 10738

(5) "Motor vehicle leasing dealer" has the same meaning as in 10739
section 4517.01 of the Revised Code. 10740

(6) "Motor vehicle renting dealer" has the same meaning as in section 4549.65 of the Revised Code. 10741
10742

(7) "Operator" has the same meaning as in division (Y) of section 4511.01 of the Revised Code. 10743
10744

(8) "Owner" has the same meaning as in division (V) of section 4501.01 of the Revised Code. 10745
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(B) There is hereby established the Construction Zone Automated Speed Enforcement System Pilot Project. Under the Pilot Project, a violation of section 4511.21 of the Revised Code that occurs within a construction zone that is located on an interstate highway and is detected by an automated speed enforcement system shall constitute a civil offense for which a civil penalty is assessed against the operator of the motor vehicle that was involved in the offense. For purposes of this section there shall be a rebuttable presumption that the owner, lessee, or renter of the motor vehicle is the operator. This presumption may be rebutted by providing evidence that another person was operating the vehicle at the time of the alleged violation in accordance with this section. The Pilot Project shall consist only of properly marked construction zones that are located on interstate highways and no other locations. An automated speed enforcement system that is located within a construction zone that is part of the Pilot Project shall be operational only when workers are present within the construction zone. The Department of Public Safety, with the advice and assistance of the Department of Transportation, shall administer the Pilot Project. 10747
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(C) Under the Pilot Project, if an automated speed enforcement system determines that a motor vehicle has violated section 4511.21 of the Revised Code while traveling within a construction zone that is located on an interstate highway, a State Highway Patrol trooper shall view the motor vehicle image and its speed as recorded by the automated speed enforcement 10767
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system to determine if a violation of section 4511.21 did in fact 10773
occur. If the trooper determines that the violation did occur, the 10774
trooper shall inform the Department of Public Safety or the 10775
Department's designee of that fact. The Department or the 10776
Department's designee shall issue to the motor vehicle owner a 10777
citation for the offense, which shall include at a minimum the 10778
date, time, and location that the alleged violation occurred, the 10779
fact that the violation is being processed under the Pilot Project 10780
not as a criminal offense but as a civil offense, and the amount 10781
of the civil penalty. The citation also shall state clearly the 10782
manners in which the motor vehicle owner is able to challenge the 10783
citation. 10784

(D)(1) A motor vehicle owner who is issued a citation under 10785
the Pilot Project is liable for the violation and for payment of 10786
the resulting civil penalty unless the owner does either of the 10787
following in a timely manner: 10788

(a) Files an objection to the citation and any resulting 10789
civil penalty and appears in person at a nonjudicial, 10790
administrative hearing to challenge the citation; 10791

(b) Submits sufficient reliable, credible evidence that shows 10792
that, more likely than not, at the time of the violation the motor 10793
vehicle was in the care, custody, or control of another person. 10794
Such evidence is required to be submitted by the motor vehicle 10795
owner to the Department of Public Safety or the Department's 10796
designee not later than 30 days after the date the owner is 10797
notified of the violation in order for the evidence to be 10798
considered submitted in a timely manner. The Department shall 10799
adopt rules specifying what evidence is sufficiently reliable and 10800
credible. Upon determination that the owner of the motor vehicle 10801
has presented reliable and credible evidence that the motor 10802
vehicle was in the care, custody, or control of another person at 10803
the time of the offense, the Department or the Department's 10804

designee may issue a citation to the operator in accordance with 10805
this section. 10806

(2) A motor vehicle leasing dealer or motor vehicle renting 10807
dealer that receives a citation for an alleged violation of 10808
section 4511.21 of the Revised Code that was detected by an 10809
automated speed enforcement system is not liable if the citation 10810
was issued for a motor vehicle that was in the care, custody, or 10811
control of a lessee or renter at the time of the alleged 10812
violation. A dealer that receives a citation for such a violation 10813
shall notify the Department of Public Safety or the Department's 10814
designee of the motor vehicle lessee's or renter's name and 10815
address, and the Department or the Department's designee may issue 10816
a citation in accordance with this section. In no case shall the 10817
dealer pay such a citation and then attempt to collect a fee or 10818
assess the lessee or renter a charge for any payment of such a 10819
citation made on behalf of the lessee or renter. 10820

(E) The Department of Public Safety shall establish a 10821
nonjudicial, administrative hearing procedure at which a motor 10822
vehicle owner or operator who receives a citation under the Pilot 10823
Project is able to appear in person to challenge the citation. At 10824
the hearing, the owner or operator shall be able to view all the 10825
evidence that served as the basis for issuance of the citation 10826
against the owner or operator, to introduce evidence on the 10827
owner's or operator's behalf, and to produce, examine, and 10828
cross-examine witnesses. 10829

(F) An owner or operator of a motor vehicle that is involved 10830
in a violation of section 4511.21 of the Revised Code that is 10831
processed under the Pilot Project and who challenges the citation 10832
in accordance with division (D)(1) or (2) of this section may 10833
appeal a decision of the Department of Public Safety or the 10834
Department's designee that imposes liability on the owner or 10835
operator and the civil penalty, within thirty days of the date of 10836

the decision, to the municipal court or county court within whose territorial jurisdiction the violation occurred. The municipal court or county court shall affirm the decision of the Department or the Department's designee if the court finds that the decision is supported by sufficient reliable, credible evidence and is in accordance with the law.

(G)(1) No owner or operator of a motor vehicle that is involved in a violation of section 4511.21 of the Revised Code that is processed under the Pilot Project is liable for the violation and payment of the civil penalty if notification of the violation is given to the motor vehicle owner more than 90 days after the date of the violation.

(2) No owner or operator of a motor vehicle who is issued a ticket, citation, or summons by a law enforcement officer for a violation of section 4511.21 of the Revised Code or a substantially equivalent municipal ordinance that occurs within a construction zone on an interstate highway and is a criminal offense shall be liable for the same violation and payment of a civil penalty under the Pilot Project if the violation also is detected by an automated speed enforcement system.

(3) If the owner or operator of a motor vehicle that is involved in a violation of section 4511.21 of the Revised Code that is processed under the Pilot Project fails to pay the civil penalty or to respond to the citation within the time period specified in the citation, the owner or operator shall be deemed to have waived any right to contest liability for the violation and payment of the civil penalty by law.

(H)(1) A violation of section 4511.21 of the Revised Code that is detected by an automated speed enforcement system and is processed under the Pilot Project is a civil violation for which a civil penalty not exceeding \$250 shall be assessed. The Department of Public Safety shall establish the amount of the civil penalty.

(2) Of the civil penalties collected under the Pilot Project: 10869

(a) Fifty per cent shall be paid into the treasury of the 10870
municipal corporation in which the violation occurred, or if the 10871
violation occurred outside the territorial jurisdiction of a 10872
municipal corporation, into the treasury of the county in which 10873
the violation occurred; 10874

(b) Forty-five per cent shall be deposited into the state 10875
treasury to the credit of the General Revenue Fund; 10876

(c) Five per cent shall be deposited into the state treasury 10877
to the credit of the Trauma and Emergency Medical Services Fund 10878
created by division (E)(4) of section 4513.263 of the Revised 10879
Code. 10880

(3) In addition to the civil penalty that is imposed for a 10881
violation of section 4511.21 of the Revised Code that is processed 10882
under the Pilot Project, the Department also shall impose an 10883
administrative fee in every such case. The Department shall 10884
determine the amount of the fee by rule, and all such fees shall 10885
be deposited into the state treasury to the credit of the 10886
Automated Speed Enforcement System Fund created by division (M) of 10887
this section. 10888

(4) The Department of Public Safety shall adopt rules 10889
establishing procedures for collection of civil penalties imposed 10890
upon persons under the Pilot Project. The rules may provide that, 10891
in the event of nonpayment of a civil penalty or administrative 10892
fee by a person, the Registrar of Motor Vehicles may suspend the 10893
person's driver's or commercial driver's license or permit or 10894
nonresident operating privilege until all outstanding penalties 10895
and fees have been paid. 10896

(5) Each citation issued under the Pilot Project shall 10897
indicate clearly the amount of the civil penalty that is 10898
referenced in divisions (H)(1) and (2) of this section and the 10899

amount of the administrative fee that will be paid to the private 10900
entity, as referenced in division (H)(3) of this section, that 10901
operates the Pilot Project, if any. 10902

(I) No owner or operator of a motor vehicle that is involved 10903
in a violation of section 4511.21 of the Revised Code that is 10904
detected by an automated speed enforcement system and is processed 10905
under the Pilot Project shall have any points assessed against 10906
that person's driver's or commercial driver's license or permit 10907
under section 4510.036 of the Revised Code for the violation. 10908

(J) No municipal corporation, county, or township shall enact 10909
an ordinance or adopt a resolution authorizing the use of an 10910
automated speed enforcement system on any interstate highway 10911
within its boundaries. Nothing in this division shall be construed 10912
as prohibiting a municipal corporation, county, or township from 10913
enacting an ordinance or adopting a resolution authorizing the use 10914
of an automated speed enforcement system on any street or highway 10915
within its boundaries that is not an interstate highway if the 10916
municipal corporation, county, or township otherwise has the power 10917
to do so. 10918

(K)(1) The Department of Public Safety may enter into a 10919
contract with a private entity for the establishment and operation 10920
of the automated speed enforcement system of the Pilot Project. 10921
For purposes of this section, if the Department enters into such a 10922
contract, the private entity is the Department's designee. 10923

(2) The Department of Public Safety and the Department of 10924
Transportation shall enter into an agreement whereby the 10925
Department of Transportation shall grant to the Department of 10926
Public Safety or the Department's designee access to any property 10927
of the Department of Transportation and any permits as may be 10928
necessary for the Department of Public Safety or its designee to 10929
implement the Pilot Project. 10930

(L)(1) The Department of Public Safety shall not use an automated speed enforcement system at any construction zone location unless the proper signs have been erected as required by division (L) of this section.

(2) The Department shall erect signs that shall inform traffic approaching a construction zone that is located on an interstate highway that the construction zone contains an automated speed enforcement system to enforce section 4511.21 of the Revised Code. The Department shall erect the signs not less than one thousand feet and not more than five thousand three hundred feet before the boundary of the construction zone. The signs shall be so erected in each direction of travel on the interstate highway. The Department is responsible for all costs associated with the erection, maintenance, and replacement, if necessary, of the signs. All signs erected under division (L) of this section shall conform in size, color, location, and content to standards contained in the manual adopted by the Department of Transportation pursuant to section 4511.09 of the Revised Code and shall remain in place for as long as the Department of Public Safety utilizes the automated speed enforcement system to enforce section 4511.21 of the Revised Code within the construction zone under the Pilot Project. Any citation issued by or on behalf of the Department for a violation of section 4511.21 of the Revised Code based upon evidence gathered by an automated speed enforcement system device after the effective date of this section but before the signs have been erected is invalid; provided that no citation is invalid if the Department is in substantial compliance with the requirement of division (L) of this section to erect the signs.

(3) The Department is deemed to be in substantial compliance with the requirements of divisions (L)(1) and (2) of this section to erect the advisory signs if the Department does both of the

following: 10963

(a) First erects all signs as required by divisions (L)(1) 10964
and (2) of this section and subsequently maintains and replaces 10965
the signs as needed so that at all times at least 90 per cent of 10966
the required signs are in place and functional; 10967

(b) Annually documents and upon request certifies its 10968
compliance with divisions (L)(1) and (2) of this section. 10969

(M) There is hereby created in the state treasury the 10970
Automated Speed Enforcement System Fund, consisting of the 10971
administrative fees collected pursuant to division (H)(3) of this 10972
section. The Department of Public Safety shall use the money in 10973
the Fund only to pay expenses associated with the Automated Speed 10974
Enforcement System Pilot Project, including paying a private 10975
entity to establish, operate, and administer the Pilot Project. 10976

(N) The Construction Zone Automated Speed Enforcement System 10977
Pilot Project shall terminate on July 1, 2011, and no citations 10978
shall be issued under the Pilot Project on or after that date. 10979
Citations that are issued under the Pilot Project before that date 10980
may be processed after that date, and citation processing and 10981
administrative hearings regarding such citations may continue 10982
after that date until all citations issued under the Pilot Project 10983
have reached final resolution. Upon certification by the Director 10984
of Public Safety to the Director of Budget and Management that all 10985
citations issued under the Pilot Project have reached final 10986
resolution and all payments that are due the Department's designee 10987
have been paid, the Director of Budget and Management shall 10988
transfer all remaining money in the Automated Speed Enforcement 10989
System Fund to the General Revenue Fund. 10990

(O) The Department of Public Safety, in consultation with the 10991
Department of Transportation and in accordance with Chapter 119. 10992
of the Revised Code, shall adopt all rules necessary and proper 10993

for the establishment, implementation, and administration of the 10994
Pilot Project. 10995

Section 755.40. (A) The Department of Public Safety shall 10996
form a study group to conduct a study and make recommendations to 10997
improve services related to vehicle registrations, driver's 10998
license and identification card issuance, and vehicle title 10999
issuance. The study group shall include representatives from the 11000
Department of Public Safety, the Bureau of Motor Vehicles, the 11001
Office of Budget and Management, the Ohio Title Clerks' 11002
Association, the County Auditors' Association, the Ohio Trucking 11003
Association, the Deputy Registrars' Association, the Ohio Auto 11004
Dealers' Association, the County Commissioners' Association, and 11005
the Ohio Municipal League. 11006

(B) In regard to services related to vehicle registrations, 11007
driver's license and identification card issuance, and vehicle 11008
title issuance, the study group shall do all of the following: 11009

(1) Evaluate ways to improve the efficient delivery of 11010
services; 11011

(2) Examine existing statutory authority governing the 11012
supporting processes and infrastructure systems and analyze 11013
methods to improve such processes and systems; 11014

(3) Review demographic data, conduct a financial assessment 11015
of existing procedures, and identify additional services that may 11016
be provided; 11017

(4) Review current business methods and identify new 11018
technology that may improve processes and procedures. 11019

(C) Not later than six months after the effective date of 11020
this section, the study group shall submit its report with 11021
recommendations to the Governor, the Speaker of the House of 11022
Representatives, and the President of the Senate. Upon submitting 11023

its report, the study group shall cease to exist. 11024

Section 755.50. The Department of Transportation shall 11025
compile and produce a report on the financial and policy 11026
implications of the Department assuming primary responsibility for 11027
all state routes throughout Ohio regardless of local government 11028
jurisdiction. The report shall review the range of possible 11029
participation in the paving and maintenance of these routes by the 11030
Department. The Department shall submit the report to the Speaker 11031
of the House of Representatives, the President of the Senate, and 11032
the Governor not later than December 15, 2009. 11033

Section 755.60. The Ohio Turnpike Commission shall conduct a 11034
study to examine ways to increase the application of green 11035
technology, including the reduction of diesel emissions, in the 11036
construction, maintenance, improvement, repair, and operation of 11037
Ohio Turnpike Commission facilities. Additionally, the study shall 11038
evaluate all opportunities to develop energy alternatives, 11039
including solar, geothermal, natural gas, and wind, in cooperation 11040
with the Power Siting Board and the Ohio Department of 11041
Transportation. 11042

Not later than six months after the effective date of this 11043
section, the Ohio Turnpike Commission shall report the results of 11044
its study to the Speaker of the House of Representatives, the 11045
President of the Senate, and the Governor. 11046

Section 755.70. Notwithstanding sections 4519.02, 4519.03, 11047
4519.04, 4519.08, 4519.09, 4519.10, 4519.44, and 4519.47 of the 11048
Revised Code as amended in Section 101.01 of this act, the Bureau 11049
of Motor Vehicles shall not be required to issue license plates 11050
and validation stickers to all-purpose vehicles until one year 11051
after the effective date of this section. 11052

Section 755.80. (A) There is established a MARCS Task Force 11053
to explore and issue recommendations on the organizational 11054
structure and operational and capital funding options for the 11055
long-term sustainability and more ubiquitous utilization of the 11056
MARCS System. 11057

The Task Force shall consist of seventeen members as follows: 11058
three members appointed by the Governor; three members appointed 11059
by the Speaker of the House of Representatives, not more than two 11060
from the same political party; three members appointed by the 11061
President of the Senate, not more than two from the same political 11062
party; one representative from the Department of Public Safety, 11063
appointed by the Director of Public Safety; one representative 11064
from the State Highway Patrol, appointed by the Director of Public 11065
Safety; one representative from the Buckeye State Sheriffs' 11066
Association, appointed by the Governor; one representative from 11067
the Ohio Association of Chiefs of Police, appointed by the 11068
Governor; one representative from the Ohio Fire Chiefs 11069
Association, appointed by the Governor; one representative from 11070
MARCS, appointed by the Director of Administrative Services; one 11071
representative of an emergency management agency, appointed by the 11072
Governor; and the Director of Administrative Services or the 11073
Director's designee. The appointed members shall be appointed not 11074
later than forty-five days after the effective date of this 11075
section. 11076

The Director of Administrative Services or the Director's 11077
designee shall serve as chairperson of the Task Force. 11078

Members of the Task Force shall receive no compensation or 11079
reimbursement for their services. 11080

(B) Not later than nine months after the effective date of 11081
this section, the Task Force shall submit a report to the 11082
Governor, the President of the Senate, and the Speaker of the 11083

House of Representatives. The report shall make recommendations on 11084
the matters outlined in the first paragraph of division (A) of 11085
this section for the MARCS System. 11086

Section 803.10. PROVISIONS OF LAW GENERALLY APPLICABLE TO 11087
APPROPRIATIONS 11088

Law contained in the main operating appropriations act of the 11089
128th General Assembly that is generally applicable to the 11090
appropriations made in the main operating appropriations act also 11091
is generally applicable to the appropriations made in this act. 11092

Section 806.10. The items of law contained in this act, and 11093
their applications, are severable. If any item of law contained in 11094
this act, or if any application of any item of law contained in 11095
this act, is held invalid, the invalidity does not affect other 11096
items of law contained in this act and their applications that can 11097
be given effect without the invalid item or application. 11098

Section 812.10. Except as otherwise provided in this act, the 11099
amendment, enactment, or repeal by this act of a section is 11100
subject to the referendum under Ohio Constitution, Article II, 11101
Section 1c and therefore takes effect on the ninety-first day 11102
after this act is filed with the Secretary of State or, if a later 11103
effective date is specified below, on that date. 11104

Sections 1548.10, 4505.032, 4505.09, and 4519.59 of the 11105
Revised Code, as amended by this act, take effect one year after 11106
the effective date specified in the first paragraph of this 11107
section. 11108

Section 812.20. In this section, an "appropriation" includes 11109
another provision of law in this act that relates to the subject 11110
of the appropriation. 11111

An appropriation of money made in this act is not subject to 11112
the referendum insofar as a contemplated expenditure authorized 11113
thereby is wholly to meet a current expense within the meaning of 11114
Ohio Constitution, Article II, Section 1d and section 1.471 of the 11115
Revised Code. To that extent, the appropriation takes effect 11116
immediately when this act becomes law. Conversely, the 11117
appropriation is subject to the referendum insofar as a 11118
contemplated expenditure authorized thereby is wholly or partly 11119
not to meet a current expense within the meaning of Ohio 11120
Constitution, Article II, Section 1d and section 1.471 of the 11121
Revised code. To that extent, the appropriation takes effect on 11122
the ninety-first day after this act is filed with the Secretary of 11123
State. 11124

Section 812.30. The amendment, enactment, or repeal by this 11125
act of the sections listed below is exempt from the referendum 11126
because it is or relates to an appropriation for current expenses 11127
within the meaning of Ohio Constitution, Article II, Section 1d 11128
and section 1.471 of the Revised Code, or defines a tax levy 11129
within the meaning of Ohio Constitution, Article II, Section 1d, 11130
and therefore takes effect immediately when this act becomes law 11131
or, if a later effective date is specified below, on that date. 11132

R.C. 121.51 and 125.11 11133

The amendment of sections 5735.06 and 5735.141 of the Revised 11134
Code take effect July 1, 2009. 11135

Section 229.10 of Am. Sub. H.B. 67 of the 127th General 11136
Assembly 11137

Sections of this act prefixed with section numbers in the 11138
300's, 500's, 600's, 700's, and 800's, except for Sections 509.10, 11139
610.20, 610.21, and 755.20 of this act. 11140

Section 812.40. The sections that are listed in the left-hand 11141

column of the following table combine amendments by this act that 11142
are and that are not exempt from the referendum under Ohio 11143
Constitution, Article II, Sections 1c and 1d and section 1.471 of 11144
the Revised Code. 11145

The middle column identifies the amendments to the listed 11146
sections that are subject to the referendum under Ohio 11147
Constitution, Article II, Section 1c and therefore take effect on 11148
the ninety-first day after this act is filed with the Secretary of 11149
State or, if a later effective date is specified, on that date. 11150

The right-hand column identifies the amendments to the listed 11151
sections that are exempt from the referendum because they are or 11152
relate to an appropriation for current expenses within the meaning 11153
of Ohio Constitution, Article II, Section 1d and section 1.471 of 11154
the Revised Code, or define a tax levy within the meaning of Ohio 11155
Constitution, Article II, Section 1d, and therefore take effect 11156
immediately when this act becomes law or, if a later effective 11157
date is specified, on that date. 11158

Section of law	Amendments subject to referendum	Amendments exempt from referendum	
R.C. 4561.18	Division (A)	Divisions (D)(1), (D)(3), (H)	11159 11160

Section 815.10. The amendment by this act to sections 11161
4511.093 and 4513.263 of the Revised Code does not affect the 11162
taking effect of amendments previously made to those sections by 11163
Am. Sub. H.B. 320 of the 127th General Assembly, insofar as the 11164
latter amendments are not repealed by the amendments to those 11165
sections by this act. The amendments of Am. Sub. H.B. 320 to the 11166
sections take effect as specified in that act, except insofar as 11167
they are repealed by this act. 11168

Section 815.20. The General Assembly, applying the principle 11169

stated in division (B) of section 1.52 of the Revised Code that 11170
amendments are to be harmonized if reasonably capable of 11171
simultaneous operation, finds that the following sections, 11172
presented in this act as composites of the sections as amended by 11173
the acts indicated, are the resulting versions of the sections in 11174
effect prior to the effective date of the sections as presented in 11175
this act: 11176

Section 4501.21 of the Revised Code as amended by both Am. 11177
Sub. H.B. 273 and Am. Sub. S.B. 129 of the 127th General Assembly. 11178
11179

Section 4506.07 of the Revised Code as amended by both Am. 11180
Sub. H.B. 450 and Sub. H.B. 529 of the 127th General Assembly. 11181

Section 4506.11 of the Revised Code as amended by both Am. 11182
Sub. H.B. 450 and Sub. H.B. 529 of the 127th General Assembly. 11183

Section 4507.06 of the Revised Code as amended by both Am. 11184
Sub. H.B. 450 and Sub. H.B. 529 of the 127th General Assembly. 11185

Section 4507.51 of the Revised Code as amended by Am. Sub. 11186
H.B. 130, Am. Sub. H.B. 450, and Sub. H.B. 529 of the 127th 11187
General Assembly. 11188

Section 4511.181 of the Revised Code as amended by both Am. 11189
Sub. H.B. 562 and Am. Sub. S.B. 17 of the 127th General Assembly. 11190

Section 901.10. The emergency clause contained in this act 11191
applies only to sections 3905.423, 3905.425, and 5517.011 of the 11192
Revised Code. All other provisions of this act take effect as 11193
otherwise provided in this act or the Ohio Constitution. 11194

Section 901.11. This act is hereby declared to be an 11195
emergency measure necessary for the immediate preservation of the 11196
public peace, health, and safety. The reason for such necessity 11197
lies in the need, in these times of job losses and business 11198

defaults, to strengthen the protection people have under certain	11199
vehicle-related contracts and to expedite the use of federal	11200
stimulus dollars. Therefore, this act shall go into immediate	11201
effect.	11202