

As Passed by the House

128th General Assembly

Regular Session

2009-2010

Am. Sub. H. B. No. 2

Representative Ujvagi

**Cosponsors: Representatives Bolon, Boyd, Brown, Carney, Chandler,
DeBose, Domenick, Dyer, Fende, Foley, Garrison, Hagan, Harris, Heard,
Koziura, Letson, Luckie, Mallory, Otterman, Patten, Pillich, Pryor, Stewart,
Sykes, Szollosi, Weddington, Williams, B., Williams, S., Winburn, Yates,
Yuko**

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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
2911.21, 2949.094, 3781.10, 3905.423, 4163.01, 3
4163.07, 4501.01, 4501.03, 4501.044, 4501.06, 4
4501.21, 4501.34, 4503.04, 4503.042, 4503.07, 5
4503.10, 4503.103, 4503.182, 4503.26, 4503.65, 6
4505.032, 4505.09, 4505.14, 4506.07, 4506.08, 7
4506.11, 4507.05, 4507.06, 4507.071, 4507.13, 8
4507.23, 4507.24, 4507.51, 4507.52, 4509.05, 9
4511.01, 4511.093, 4511.181, 4511.191, 4511.213, 10
4513.03, 4513.263, 4519.02, 4519.03, 4519.04, 11
4519.08, 4519.09, 4519.10, 4519.44, 4519.47, 12
4519.59, 4519.63, 4561.17, 4561.18, 4561.21, 13
4981.02, 4981.02, 5501.03, 5501.311, 5501.34, 14
5502.03, 5502.39, 5502.67, 5502.68, 5515.01, 15
5515.07, 5517.011, 5525.01, 5525.15, 5531.09, 16
5537.07, 5537.99, 5735.06, and 5735.141; to enact 17
sections 5.24, 121.53, 122.077, 123.153, 1519.20, 18
3905.425, 4163.08, 4163.09, 4501.026, 4511.108, 19

4981.40, 5502.131, 5525.012, 5531.11, 5531.12, 20
5531.13, 5531.14, 5531.15, 5531.16, 5531.17, 21
5531.18, 5531.99, 5539.01, 5539.02, 5539.03, 22
5539.031, 5539.04, 5539.05, 5539.06, 5539.07, 23
5539.08, 5539.09, 5539.10, and 5539.11; and to 24
repeal sections 955.202 and 5902.09 of the Revised 25
Code and to amend Section 229.10 of Am. Sub. H.B. 26
67 of the 127th General Assembly, as subsequently 27
amended; and to amend Sections 217.10, 217.11, 28
239.10, 241.10, 243.10, 243.11, and 503.40 of Am. 29
Sub. H.B. 562 of the 127th General Assembly to 30
make appropriations for programs related to 31
transportation and public safety for the biennium 32
beginning July 1, 2009, and ending June 30, 2011, 33
to provide authorization and conditions for the 34
operation of those and other programs, to 35
appropriate federal stimulus moneys received under 36
the American Recovery and Reinvestment Act of 37
2009, and to repeal section 121.53 of the Revised 38
Code on September 30, 2013. 39
40

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, 41
151.09, 151.40, 955.201, 1548.10, 1548.14, 2911.21, 2949.094, 42
3781.10, 3905.423, 4163.01, 4163.07, 4501.01, 4501.03, 4501.044, 43
4501.06, 4501.21, 4501.34, 4503.04, 4503.042, 4503.07, 4503.10, 44
4503.103, 4503.182, 4503.26, 4503.65, 4505.032, 4505.09, 4505.14, 45
4506.07, 4506.08, 4506.11, 4507.05, 4507.06, 4507.071, 4507.13, 46
4507.23, 4507.24, 4507.51, 4507.52, 4509.05, 4511.01, 4511.093, 47
4511.181, 4511.191, 4511.213, 4513.03, 4513.263, 4519.02, 4519.03, 48
4519.04, 4519.08, 4519.09, 4519.10, 4519.44, 4519.47, 4519.59, 49

4519.63, 4561.17, 4561.18, 4561.21, 4981.02, 5501.03, 5501.311, 50
5501.34, 5502.03, 5502.39, 5502.67, 5502.68, 5515.01, 5515.07, 51
5517.011, 5525.01, 5525.15, 5531.09, 5537.07, 5537.99, 5735.06, 52
and 5735.141 be amended and sections 5.24, 121.53, 122.077, 53
123.153, 1519.20, 3905.425, 4163.08, 4163.09, 4501.026, 4511.108, 54
4981.40, 5502.131, 5525.012, 5531.11, 5531.12, 5531.13, 5531.14, 55
5531.15, 5531.16, 5531.17, 5531.18, 5531.99, 5539.01, 5539.02, 56
5539.03, 5539.031, 5539.04, 5539.05, 5539.06, 5539.07, 5539.08, 57
5539.09, 5539.10, and 5539.11 of the Revised Code be enacted to 58
read as follows: 59

Sec. 5.24. The city of Dayton and county of Montgomery are 60
hereby designated as an Ohio hub of innovation and opportunity for 61
aerospace and aviation. 62

Sec. 121.51. There is hereby created in the office of the 63
inspector general the position of deputy inspector general for the 64
department of transportation. The inspector general shall appoint 65
the deputy inspector general, and the deputy inspector general 66
shall serve at the pleasure of the inspector general. A person 67
employed as the deputy inspector general shall have the same 68
qualifications as those specified in section 121.49 of the Revised 69
Code for the inspector general. The inspector general shall 70
provide technical, professional, and clerical assistance to the 71
deputy inspector general. ~~The inspector general shall certify to~~ 72
~~the director of budget and management the costs, including the~~ 73
~~salaries of the deputy inspector general and the employees~~ 74
~~assisting the deputy inspector general, that the inspector general~~ 75
~~expects the deputy inspector general to incur during the fiscal~~ 76
~~year or such lesser period for which the certification is made.~~ 77
~~The director of budget and management shall transfer the amounts~~ 78
~~certified to~~ 79

There is hereby created in the state treasury the deputy 80
inspector general for ODOT fund, ~~which is hereby created in the~~ 81
~~state treasury, from the appropriation made to the department of~~ 82
~~transportation from which expenditures for general administrative~~ 83
~~purposes, as distinguished from specific infrastructure projects,~~ 84
~~are made. The transfers shall be made in accordance with a~~ 85
~~schedule that the inspector general considers to be appropriate~~ 86
~~but shall not be in amounts that would create a balance in the~~ 87
~~fund in excess of need or that would exceed the amount~~ 88
~~appropriated from the fund. The fund shall consist of money~~ 89
credited to the fund for the payment of costs incurred by the 90
deputy inspector general in performing the duties of the deputy 91
inspector general as specified in this section. The inspector 92
general shall use the ~~deputy inspector general for ODOT fund~~ to 93
pay costs incurred by the deputy inspector general in performing 94
the duties of the deputy inspector general as required under this 95
section. 96

The deputy inspector general shall investigate all wrongful 97
acts or omissions that have been committed or are being committed 98
by employees of the department. In addition, the deputy inspector 99
general shall conduct a program of random review of the processing 100
of contracts associated with building and maintaining the state's 101
infrastructure. The random review program shall be designed by the 102
inspector general. The program shall be confidential and may be 103
altered by the inspector general at any time. The deputy inspector 104
general has the same powers and duties regarding matters 105
concerning the department as those specified in sections 121.42, 106
121.43, and 121.45 of the Revised Code for the inspector general. 107
Complaints may be filed with the deputy inspector general in the 108
same manner as prescribed for complaints filed with the inspector 109
general under section 121.46 of the Revised Code. All 110
investigations conducted and reports issued by the deputy 111
inspector general are subject to section 121.44 of the Revised 112

Code. 113

All officers and employees of the department shall cooperate 114
with and provide assistance to the deputy inspector general in the 115
performance of any investigation conducted by the deputy inspector 116
general. In particular, those persons shall make their premises, 117
equipment, personnel, books, records, and papers readily available 118
to the deputy inspector general. In the course of an 119
investigation, the deputy inspector general may question any 120
officers or employees of the department and any person transacting 121
business with the department and may inspect and copy any books, 122
records, or papers in the possession of the department, taking 123
care to preserve the confidentiality of information contained in 124
responses to questions or the books, records, or papers that are 125
made confidential by law. In performing any investigation, the 126
deputy inspector general shall avoid interfering with the ongoing 127
operations of the department, except insofar as is reasonably 128
necessary to complete the investigation successfully. 129

At the conclusion of an investigation by the deputy inspector 130
general, the deputy inspector general shall deliver to the 131
director of transportation and the governor any case for which 132
remedial action is necessary. The deputy inspector general shall 133
maintain a public record of the activities of the deputy inspector 134
general to the extent permitted under this section, ensuring that 135
the rights of the parties involved in each case are protected. The 136
inspector general shall include in the annual report required by 137
section 121.48 of the Revised Code a summary of the deputy 138
inspector general's activities during the previous year. 139

No person shall disclose any information that is designated 140
as confidential in accordance with section 121.44 of the Revised 141
Code or any confidential information that is acquired in the 142
course of an investigation conducted under this section to any 143
person who is not legally entitled to disclosure of that 144

information. 145

Sec. 121.53. There is hereby created in the office of the 146
inspector general the position of deputy inspector general for 147
funds received through the American recovery and reinvestment act 148
of 2009. The inspector general shall appoint the deputy inspector 149
general, and the deputy inspector general shall serve at the 150
pleasure of the inspector general. A person employed as the deputy 151
inspector general shall have the same qualifications as those 152
specified in section 121.49 of the Revised Code for the inspector 153
general. The inspector general shall provide technical, 154
professional, and clerical assistance to the deputy inspector 155
general. 156

There is hereby created in the state treasury the deputy 157
inspector general for funds received through the American recovery 158
and reinvestment act of 2009 fund. The fund shall consist of money 159
credited to the fund for the payment of costs incurred by the 160
deputy inspector general for performing the duties of the deputy 161
inspector general as specified in this section. The inspector 162
general shall use the fund to pay costs incurred by the deputy 163
inspector general in performing the duties of the deputy inspector 164
general as required under this section. 165

The deputy inspector general shall investigate all wrongful 166
acts or omissions that have been committed or are being committed 167
with respect to money received from the federal government under 168
the American Recovery and Reinvestment Act of 2009. In addition, 169
the deputy inspector general shall conduct a program of random 170
review of the processing of contracts associated with projects to 171
be paid for with such money. The random review program shall be 172
designed by the inspector general. The program shall be 173
confidential and may be altered by the inspector general at any 174
time. The deputy inspector general has the same powers and duties 175

regarding matters concerning such money as those specified in 176
sections 121.42, 121.43, and 121.45 of the Revised Code for the 177
inspector general. Complaints may be filed with the deputy 178
inspector general in the same manner as prescribed for complaints 179
filed with the inspector general under section 121.46 of the 180
Revised Code. All investigations conducted and reports issued by 181
the deputy inspector general are subject to section 121.44 of the 182
Revised Code. 183

All relevant state agencies shall cooperate with and provide 184
assistance to the deputy inspector general in the performance of 185
any investigation conducted by the deputy inspector general. In 186
particular, those persons shall make their premises, equipment, 187
personnel, books, records, and papers readily available to the 188
deputy inspector general. In the course of an investigation, the 189
deputy inspector general may question any officers or employees of 190
the relevant agency and any person transacting business with the 191
agency and may inspect and copy any books, records, or papers in 192
the possession of the agency, taking care to preserve the 193
confidentiality of information contained in responses to questions 194
or the books, records, or papers that are made confidential by 195
law. In performing any investigation, the deputy inspector general 196
shall avoid interfering with the ongoing operations of the agency, 197
except as is reasonably necessary to complete the investigation 198
successfully. 199

At the conclusion of an investigation by the deputy 200
inspector, the deputy inspector general shall deliver to the 201
speaker and minority leader of the house of representatives, 202
president and minority leader of the senate, governor, and 203
relevant agency any case for which remedial action is necessary. 204
The deputy inspector general shall maintain a public record of the 205
activities of the deputy inspector general to the extent permitted 206
under this section, ensuring that the rights of the parties 207

involved in each case are protected. The inspector general shall 208
include in the annual report required by section 121.48 of the 209
Revised Code a summary of the deputy inspector general's 210
activities during the previous year. 211

No person shall disclose any information that is designated 212
as confidential in accordance with section 121.44 of the Revised 213
Code or any confidential information that is acquired in the 214
course of an investigation conducted under this section to any 215
person who is not legally entitled to disclosure of that 216
information. 217

Notwithstanding anything to the contrary in this section or 218
section 121.51 of the Revised Code, the inspector general shall 219
coordinate and monitor the work of the deputy inspector general 220
for the department of transportation and the deputy inspector 221
general for funds received through the American Recovery and 222
Reinvestment Act of 2009. The objective of the inspector general 223
in this respect shall be to ensure that the work performed by each 224
deputy inspector general is most appropriate to that deputy 225
inspector general, that it does not duplicate work performed by 226
the other deputy inspector general, and that the result is an 227
overall effective and efficient operation within the office of the 228
inspector general. 229

Sec. 122.077. For the purpose of promoting the use of energy 230
efficient products to reduce greenhouse gas emissions in this 231
state, the director of development shall establish an energy star 232
rebate program under which the director may provide rebates to 233
consumers for household devices carrying the energy star label 234
indicating that the device meets the energy efficiency criteria of 235
the energy star program established by the United States 236
department of energy and the United States environmental 237
protection agency. 238

<u>Sec. 123.153. (A) As used in this section:</u>	239
<u>(1) "Minority business enterprise" has the same meaning as in section 123.151 of the Revised Code.</u>	240 241
<u>(2) "EDGE business enterprise" has the same meaning as in section 123.152 of the Revised Code.</u>	242 243
<u>(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.</u>	244 245 246 247 248 249 250 251 252 253 254 255 256 257
<u>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</u>	258 259 260 261 262 263 264 265 266 267 268

maintained by the director of administrative services under 269
section 125.17 of the Revised Code shall be eligible for 270
acceptance. The department of administrative services may accept 271
or reject any or all bids in whole or by items, except that when 272
the contract is for services or products available from a 273
qualified nonprofit agency pursuant to sections 125.60 to 125.6012 274
or 4115.31 to 4115.35 of the Revised Code, the contract shall be 275
awarded to that agency. 276

(B)(1) Prior to awarding a contract under division (A) of 277
this section, the department of administrative services or the 278
state agency responsible for evaluating a contract for the 279
purchase of products shall evaluate the bids received according to 280
the criteria and procedures established pursuant to divisions 281
(C)(1) and (2) of section 125.09 of the Revised Code for 282
determining if a product is produced or mined in the United States 283
and if a product is produced or mined in this state. The 284
department or other state agency shall first remove bids that 285
offer products that have not been or that will not be produced or 286
mined in the United States. From among the remaining bids, the 287
department or other state agency shall select the lowest 288
responsive and responsible bid, in accordance with section 9.312 289
of the Revised Code, from among the bids that offer products that 290
have been produced or mined in this state where sufficient 291
competition can be generated within this state to ensure that 292
compliance with these requirements will not result in an excessive 293
price for the product or acquiring a disproportionately inferior 294
product. If there are two or more qualified bids that offer 295
products that have been produced or mined in this state, it shall 296
be deemed that there is sufficient competition to prevent an 297
excessive price for the product or the acquiring of a 298
disproportionately inferior product. 299

(2) The requirement of division (B)(1) of this section that 300

deems sufficient competition exists does not apply to the 301
acquisition of materials necessary for the removal of snow and ice 302
by the department of transportation under section 5501.41 of the 303
Revised Code. 304

Nothing in this division shall be deemed to conflict with the 305
preferences for United States and Ohio products established in 306
section 125.09 of the Revised Code. 307

(C) Division (B) of this section applies to contracts for 308
which competitive bidding is waived by the controlling board. 309

(D) Division (B) of this section does not apply to the 310
purchase by the division of liquor control of spirituous liquor. 311

(E) The director of administrative services shall publish in 312
the form of a model act for use by counties, townships, municipal 313
corporations, or any other political subdivision described in 314
division (B) of section 125.04 of the Revised Code, a system of 315
preferences for products mined and produced in this state and in 316
the United States and for Ohio-based contractors. The model act 317
shall reflect substantial equivalence to the system of preferences 318
in purchasing and public improvement contracting procedures under 319
which the state operates pursuant to this chapter and section 320
153.012 of the Revised Code. To the maximum extent possible, 321
consistent with the Ohio system of preferences in purchasing and 322
public improvement contracting procedures, the model act shall 323
incorporate all of the requirements of the federal "Buy America 324
Act," 47 Stat. 1520 (1933), 41 U.S.C. 10a to 10d, as amended, and 325
the rules adopted under that act. 326

Before and during the development and promulgation of the 327
model act, the director shall consult with appropriate statewide 328
organizations representing counties, townships, and municipal 329
corporations so as to identify the special requirements and 330
concerns these political subdivisions have in their purchasing and 331

public improvement contracting procedures. The director shall 332
promulgate the model act by rule adopted pursuant to Chapter 119. 333
of the Revised Code and shall revise the act as necessary to 334
reflect changes in this chapter or section 153.012 of the Revised 335
Code. 336

The director shall make available copies of the model act, 337
supporting information, and technical assistance to any township, 338
county, or municipal corporation wishing to incorporate the 339
provisions of the act into its purchasing or public improvement 340
contracting procedure. 341

Sec. 133.52. A county, municipal corporation, or township may 342
issue or incur public obligations, including general obligations, 343
to provide, or assist in providing, grants, loans, loan 344
guarantees, or contributions for conservation and revitalization 345
purposes pursuant to ~~Section~~ Sections 2o and 2q of Article VIII, 346
Ohio Constitution. 347

Sec. 151.01. (A) As used in sections 151.01 to 151.11 and 348
151.40 of the Revised Code and in the applicable bond proceedings 349
unless otherwise provided: 350

(1) "Bond proceedings" means the resolutions, orders, 351
agreements, and credit enhancement facilities, and amendments and 352
supplements to them, or any one or more or combination of them, 353
authorizing, awarding, or providing for the terms and conditions 354
applicable to or providing for the security or liquidity of, the 355
particular obligations, and the provisions contained in those 356
obligations. 357

(2) "Bond service fund" means the respective bond service 358
fund created by section 151.03, 151.04, 151.05, 151.06, 151.07, 359
151.08, 151.09, 151.10, 151.11, or 151.40 of the Revised Code, and 360
any accounts in that fund, including all moneys and investments, 361

and earnings from investments, credited and to be credited to that 362
fund and accounts as and to the extent provided in the applicable 363
bond proceedings. 364

(3) "Capital facilities" means capital facilities or projects 365
as referred to in section 151.03, 151.04, 151.05, 151.06, 151.07, 366
151.08, 151.09, 151.10, 151.11, or 151.40 of the Revised Code. 367

(4) "Costs of capital facilities" means the costs of 368
acquiring, constructing, reconstructing, rehabilitating, 369
remodeling, renovating, enlarging, improving, equipping, or 370
furnishing capital facilities, and of the financing of those 371
costs. "Costs of capital facilities" includes, without limitation, 372
and in addition to costs referred to in section 151.03, 151.04, 373
151.05, 151.06, 151.07, 151.08, 151.09, 151.10, 151.11, or 151.40 374
of the Revised Code, the cost of clearance and preparation of the 375
site and of any land to be used in connection with capital 376
facilities, the cost of any indemnity and surety bonds and 377
premiums on insurance, all related direct administrative expenses 378
and allocable portions of direct costs of the issuing authority, 379
costs of engineering and architectural services, designs, plans, 380
specifications, surveys, and estimates of cost, financing costs, 381
interest on obligations from their date to the time when interest 382
is to be paid from sources other than proceeds of obligations, 383
amounts necessary to establish any reserves as required by the 384
bond proceedings, the reimbursement of all moneys advanced or 385
applied by or borrowed from any person or governmental agency or 386
entity for the payment of any item of costs of capital facilities, 387
and all other expenses necessary or incident to planning or 388
determining feasibility or practicability with respect to capital 389
facilities, and such other expenses as may be necessary or 390
incident to the acquisition, construction, reconstruction, 391
rehabilitation, remodeling, renovation, enlargement, improvement, 392
equipment, and furnishing of capital facilities, the financing of 393

those costs, and the placing of the capital facilities in use and 394
operation, including any one, part of, or combination of those 395
classes of costs and expenses. For purposes of sections 122.085 to 396
122.0820 of the Revised Code, "costs of capital facilities" 397
includes "allowable costs" as defined in section 122.085 of the 398
Revised Code. 399

(5) "Credit enhancement facilities," "financing costs," and 400
"interest" or "interest equivalent" have the same meanings as in 401
section 133.01 of the Revised Code. 402

(6) "Debt service" means principal, including any mandatory 403
sinking fund or redemption requirements for retirement of 404
obligations, interest and other accreted amounts, interest 405
equivalent, and any redemption premium, payable on obligations. If 406
not prohibited by the applicable bond proceedings, debt service 407
may include costs relating to credit enhancement facilities that 408
are related to and represent, or are intended to provide a source 409
of payment of or limitation on, other debt service. 410

(7) "Issuing authority" means the Ohio public facilities 411
commission created in section 151.02 of the Revised Code for 412
obligations issued under section 151.03, 151.04, 151.05, 151.07, 413
151.08, 151.09, 151.10, or 151.11 of the Revised Code, or the 414
treasurer of state, or the officer who by law performs the 415
functions of that office, for obligations issued under section 416
151.06 or 151.40 of the Revised Code. 417

(8) "Net proceeds" means amounts received from the sale of 418
obligations, excluding amounts used to refund or retire 419
outstanding obligations, amounts required to be deposited into 420
special funds pursuant to the applicable bond proceedings, and 421
amounts to be used to pay financing costs. 422

(9) "Obligations" means bonds, notes, or other evidences of 423
obligation of the state, including any appertaining interest 424

coupons, issued under Section 2k, 2l, 2m, 2n, 2o, 2p, 2q, or 15 of 425
Article VIII, Ohio Constitution, and pursuant to sections 151.01 426
to 151.11 or 151.40 of the Revised Code or other general assembly 427
authorization. 428

(10) "Principal amount" means the aggregate of the amount as 429
stated or provided for in the applicable bond proceedings as the 430
amount on which interest or interest equivalent on particular 431
obligations is initially calculated. Principal amount does not 432
include any premium paid to the state by the initial purchaser of 433
the obligations. "Principal amount" of a capital appreciation 434
bond, as defined in division (C) of section 3334.01 of the Revised 435
Code, means its face amount, and "principal amount" of a zero 436
coupon bond, as defined in division (J) of section 3334.01 of the 437
Revised Code, means the discounted offering price at which the 438
bond is initially sold to the public, disregarding any purchase 439
price discount to the original purchaser, if provided for pursuant 440
to the bond proceedings. 441

(11) "Special funds" or "funds," unless the context indicates 442
otherwise, means the bond service fund, and any other funds, 443
including any reserve funds, created under the bond proceedings 444
and stated to be special funds in those proceedings, including 445
moneys and investments, and earnings from investments, credited 446
and to be credited to the particular fund. Special funds do not 447
include the school building program assistance fund created by 448
section 3318.25 of the Revised Code, the higher education 449
improvement fund created by division (F) of section 154.21 of the 450
Revised Code, the highway capital improvement bond fund created by 451
section 5528.53 of the Revised Code, the state parks and natural 452
resources fund created by section 1557.02 of the Revised Code, the 453
coal research and development fund created by section 1555.15 of 454
the Revised Code, the clean Ohio conservation fund created by 455
section 164.27 of the Revised Code, the clean Ohio revitalization 456

fund created by section 122.658 of the Revised Code, the job ready 457
site development fund created by section 122.0820 of the Revised 458
Code, the third frontier research and development fund created by 459
section 184.19 of the Revised Code, the third frontier research 460
and development taxable bond fund created by section 184.191 of 461
the Revised Code, or other funds created by the bond proceedings 462
that are not stated by those proceedings to be special funds. 463

(B) Subject to Section 2l, 2m, 2n, 2o, 2p, 2q, or 15, and 464
Section 17, of Article VIII, Ohio Constitution, the state, by the 465
issuing authority, is authorized to issue and sell, as provided in 466
sections 151.03 to 151.11 or 151.40 of the Revised Code, and in 467
respective aggregate principal amounts as from time to time 468
provided or authorized by the general assembly, general 469
obligations of this state for the purpose of paying costs of 470
capital facilities or projects identified by or pursuant to 471
general assembly action. 472

(C) Each issue of obligations shall be authorized by 473
resolution or order of the issuing authority. The bond proceedings 474
shall provide for or authorize the manner for determining the 475
principal amount or maximum principal amount of obligations of an 476
issue, the principal maturity or maturities, the interest rate or 477
rates, the date of and the dates of payment of interest on the 478
obligations, their denominations, and the place or places of 479
payment of debt service which may be within or outside the state. 480
Unless otherwise provided by law, the latest principal maturity 481
may not be later than the earlier of the thirty-first day of 482
December of the twenty-fifth calendar year after the year of 483
issuance of the particular obligations or of the twenty-fifth 484
calendar year after the year in which the original obligation to 485
pay was issued or entered into. Sections 9.96, 9.98, 9.981, 9.982, 486
and 9.983 of the Revised Code apply to obligations. The purpose of 487
the obligations may be stated in the bond proceedings in general 488

terms, such as, as applicable, "financing or assisting in the 489
financing of projects as provided in Section 2l of Article VIII, 490
Ohio Constitution," "financing or assisting in the financing of 491
highway capital improvement projects as provided in Section 2m of 492
Article VIII, Ohio Constitution," "paying costs of capital 493
facilities for a system of common schools throughout the state as 494
authorized by Section 2n of Article VIII, Ohio Constitution," 495
"paying costs of capital facilities for state-supported and 496
state-assisted institutions of higher education as authorized by 497
Section 2n of Article VIII, Ohio Constitution," "paying costs of 498
coal research and development as authorized by Section 15 of 499
Article VIII, Ohio Constitution," "financing or assisting in the 500
financing of local subdivision capital improvement projects as 501
authorized by Section 2m of Article VIII, Ohio Constitution," 502
"paying costs of conservation projects as authorized by ~~Section~~ 503
Sections 2o and 2q of Article VIII, Ohio Constitution," "paying 504
costs of revitalization projects as authorized by ~~Section~~ Sections 505
2o and 2q of Article VIII, Ohio Constitution," "paying costs of 506
preparing sites for industry, commerce, distribution, or research 507
and development as authorized by Section 2p of Article VIII, Ohio 508
Constitution," or "paying costs of research and development as 509
authorized by Section 2p of Article VIII, Ohio Constitution." 510

(D) The issuing authority may appoint or provide for the 511
appointment of paying agents, bond registrars, securities 512
depositories, clearing corporations, and transfer agents, and may 513
without need for any other approval retain or contract for the 514
services of underwriters, investment bankers, financial advisers, 515
accounting experts, marketing, remarketing, indexing, and 516
administrative agents, other consultants, and independent 517
contractors, including printing services, as are necessary in the 518
judgment of the issuing authority to carry out the issuing 519
authority's functions under this chapter. When the issuing 520
authority is the Ohio public facilities commission, the issuing 521

authority also may without need for any other approval retain or 522
contract for the services of attorneys and other professionals for 523
that purpose. Financing costs are payable, as may be provided in 524
the bond proceedings, from the proceeds of the obligations, from 525
special funds, or from other moneys available for the purpose. 526

(E) The bond proceedings may contain additional provisions 527
customary or appropriate to the financing or to the obligations or 528
to particular obligations including, but not limited to, 529
provisions for: 530

(1) The redemption of obligations prior to maturity at the 531
option of the state or of the holder or upon the occurrence of 532
certain conditions, and at particular price or prices and under 533
particular terms and conditions; 534

(2) The form of and other terms of the obligations; 535

(3) The establishment, deposit, investment, and application 536
of special funds, and the safeguarding of moneys on hand or on 537
deposit, in lieu of the applicability of provisions of Chapter 538
131. or 135. of the Revised Code, but subject to any special 539
provisions of sections 151.01 to 151.11 or 151.40 of the Revised 540
Code with respect to the application of particular funds or 541
moneys. Any financial institution that acts as a depository of any 542
moneys in special funds or other funds under the bond proceedings 543
may furnish indemnifying bonds or pledge securities as required by 544
the issuing authority. 545

(4) Any or every provision of the bond proceedings being 546
binding upon the issuing authority and upon such governmental 547
agency or entity, officer, board, commission, authority, agency, 548
department, institution, district, or other person or body as may 549
from time to time be authorized to take actions as may be 550
necessary to perform all or any part of the duty required by the 551
provision; 552

(5) The maintenance of each pledge or instrument comprising 553
part of the bond proceedings until the state has fully paid or 554
provided for the payment of the debt service on the obligations or 555
met other stated conditions; 556

(6) In the event of default in any payments required to be 557
made by the bond proceedings, or by any other agreement of the 558
issuing authority made as part of a contract under which the 559
obligations were issued or secured, including a credit enhancement 560
facility, the enforcement of those payments by mandamus, a suit in 561
equity, an action at law, or any combination of those remedial 562
actions; 563

(7) The rights and remedies of the holders or owners of 564
obligations or of book-entry interests in them, and of third 565
parties under any credit enhancement facility, and provisions for 566
protecting and enforcing those rights and remedies, including 567
limitations on rights of individual holders or owners; 568

(8) The replacement of mutilated, destroyed, lost, or stolen 569
obligations; 570

(9) The funding, refunding, or advance refunding, or other 571
provision for payment, of obligations that will then no longer be 572
outstanding for purposes of this section or of the applicable bond 573
proceedings; 574

(10) Amendment of the bond proceedings; 575

(11) Any other or additional agreements with the owners of 576
obligations, and such other provisions as the issuing authority 577
determines, including limitations, conditions, or qualifications, 578
relating to any of the foregoing. 579

(F) The great seal of the state or a facsimile of it may be 580
affixed to or printed on the obligations. The obligations 581
requiring execution by or for the issuing authority shall be 582
signed as provided in the bond proceedings. Any obligations may be 583

signed by the individual who on the date of execution is the 584
authorized signer although on the date of these obligations that 585
individual is not an authorized signer. In case the individual 586
whose signature or facsimile signature appears on any obligation 587
ceases to be an authorized signer before delivery of the 588
obligation, that signature or facsimile is nevertheless valid and 589
sufficient for all purposes as if that individual had remained the 590
authorized signer until delivery. 591

(G) Obligations are investment securities under Chapter 1308. 592
of the Revised Code. Obligations may be issued in bearer or in 593
registered form, registrable as to principal alone or as to both 594
principal and interest, or both, or in certificated or 595
uncertificated form, as the issuing authority determines. 596
Provision may be made for the exchange, conversion, or transfer of 597
obligations and for reasonable charges for registration, exchange, 598
conversion, and transfer. Pending preparation of final 599
obligations, the issuing authority may provide for the issuance of 600
interim instruments to be exchanged for the final obligations. 601

(H) Obligations may be sold at public sale or at private 602
sale, in such manner, and at such price at, above or below par, 603
all as determined by and provided by the issuing authority in the 604
bond proceedings. 605

(I) Except to the extent that rights are restricted by the 606
bond proceedings, any owner of obligations or provider of a credit 607
enhancement facility may by any suitable form of legal proceedings 608
protect and enforce any rights relating to obligations or that 609
facility under the laws of this state or granted by the bond 610
proceedings. Those rights include the right to compel the 611
performance of all applicable duties of the issuing authority and 612
the state. Each duty of the issuing authority and that authority's 613
officers, staff, and employees, and of each state entity or 614
agency, or using district or using institution, and its officers, 615

members, staff, or employees, undertaken pursuant to the bond 616
proceedings, is hereby established as a duty of the entity or 617
individual having authority to perform that duty, specifically 618
enjoined by law and resulting from an office, trust, or station 619
within the meaning of section 2731.01 of the Revised Code. The 620
individuals who are from time to time the issuing authority, 621
members or officers of the issuing authority, or those members' 622
designees acting pursuant to section 151.02 of the Revised Code, 623
or the issuing authority's officers, staff, or employees, are not 624
liable in their personal capacities on any obligations or 625
otherwise under the bond proceedings. 626

(J)(1) Subject to Section 2k, 2l, 2m, 2n, 2o, 2p, 2q, or 15, 627
and Section 17, of Article VIII, Ohio Constitution and sections 628
151.01 to 151.11 or 151.40 of the Revised Code, the issuing 629
authority may, in addition to the authority referred to in 630
division (B) of this section, authorize and provide for the 631
issuance of: 632

(a) Obligations in the form of bond anticipation notes, and 633
may provide for the renewal of those notes from time to time by 634
the issuance of new notes. The holders of notes or appertaining 635
interest coupons have the right to have debt service on those 636
notes paid solely from the moneys and special funds that are or 637
may be pledged to that payment, including the proceeds of bonds or 638
renewal notes or both, as the issuing authority provides in the 639
bond proceedings authorizing the notes. Notes may be additionally 640
secured by covenants of the issuing authority to the effect that 641
the issuing authority and the state will do all things necessary 642
for the issuance of bonds or renewal notes in such principal 643
amount and upon such terms as may be necessary to provide moneys 644
to pay when due the debt service on the notes, and apply their 645
proceeds to the extent necessary, to make full and timely payment 646
of debt service on the notes as provided in the applicable bond 647

proceedings. In the bond proceedings authorizing the issuance of 648
bond anticipation notes the issuing authority shall set forth for 649
the bonds anticipated an estimated schedule of annual principal 650
payments the latest of which shall be no later than provided in 651
division (C) of this section. While the notes are outstanding 652
there shall be deposited, as shall be provided in the bond 653
proceedings for those notes, from the sources authorized for 654
payment of debt service on the bonds, amounts sufficient to pay 655
the principal of the bonds anticipated as set forth in that 656
estimated schedule during the time the notes are outstanding, 657
which amounts shall be used solely to pay the principal of those 658
notes or of the bonds anticipated. 659

(b) Obligations for the refunding, including funding and 660
retirement, and advance refunding with or without payment or 661
redemption prior to maturity, of any obligations previously 662
issued. Refunding obligations may be issued in amounts sufficient 663
to pay or to provide for repayment of the principal amount, 664
including principal amounts maturing prior to the redemption of 665
the remaining prior obligations, any redemption premium, and 666
interest accrued or to accrue to the maturity or redemption date 667
or dates, payable on the prior obligations, and related financing 668
costs and any expenses incurred or to be incurred in connection 669
with that issuance and refunding. Subject to the applicable bond 670
proceedings, the portion of the proceeds of the sale of refunding 671
obligations issued under division (J)(1)(b) of this section to be 672
applied to debt service on the prior obligations shall be credited 673
to an appropriate separate account in the bond service fund and 674
held in trust for the purpose by the issuing authority or by a 675
corporate trustee. Obligations authorized under this division 676
shall be considered to be issued for those purposes for which the 677
prior obligations were issued. 678

(2) Except as otherwise provided in sections 151.01 to 151.11 679

or 151.40 of the Revised Code, bonds or notes authorized pursuant 680
to division (J) of this section are subject to the provisions of 681
those sections pertaining to obligations generally. 682

(3) The principal amount of refunding or renewal obligations 683
issued pursuant to division (J) of this section shall be in 684
addition to the amount authorized by the general assembly as 685
referred to in division (B) of the following sections: section 686
151.03, 151.04, 151.05, 151.06, 151.07, 151.08, 151.09, 151.10, 687
151.11, or 151.40 of the Revised Code. 688

(K) Obligations are lawful investments for banks, savings and 689
loan associations, credit union share guaranty corporations, trust 690
companies, trustees, fiduciaries, insurance companies, including 691
domestic for life and domestic not for life, trustees or other 692
officers having charge of sinking and bond retirement or other 693
special funds of the state and political subdivisions and taxing 694
districts of this state, the sinking fund, the administrator of 695
workers' compensation subject to the approval of the workers' 696
compensation board, the state teachers retirement system, the 697
public employees retirement system, the school employees 698
retirement system, and the Ohio police and fire pension fund, 699
notwithstanding any other provisions of the Revised Code or rules 700
adopted pursuant to those provisions by any state agency with 701
respect to investments by them, and are also acceptable as 702
security for the repayment of the deposit of public moneys. The 703
exemptions from taxation in Ohio as provided for in particular 704
sections of the Ohio Constitution and section 5709.76 of the 705
Revised Code apply to the obligations. 706

(L)(1) Unless otherwise provided or provided for in any 707
applicable bond proceedings, moneys to the credit of or in a 708
special fund shall be disbursed on the order of the issuing 709
authority. No such order is required for the payment, from the 710
bond service fund or other special fund, when due of debt service 711

or required payments under credit enhancement facilities. 712

(2) Payments received by the state under interest rate hedges 713
entered into as credit enhancement facilities under this chapter 714
shall be deposited to the credit of the bond service fund for the 715
obligations to which those credit enhancement facilities relate. 716

(M) The full faith and credit, revenue, and taxing power of 717
the state are and shall be pledged to the timely payment of debt 718
service on outstanding obligations as it comes due, all in 719
accordance with Section 2k, 2l, 2m, 2n, 2o, 2p, 2q, or 15 of 720
Article VIII, Ohio Constitution, and section 151.03, 151.04, 721
151.05, 151.06, 151.07, 151.08, 151.09, 151.10, or 151.11 of the 722
Revised Code. Moneys referred to in Section 5a of Article XII, 723
Ohio Constitution, may not be pledged or used for the payment of 724
debt service except on obligations referred to in section 151.06 725
of the Revised Code. Net state lottery proceeds, as provided for 726
and referred to in section 3770.06 of the Revised Code, may not be 727
pledged or used for the payment of debt service except on 728
obligations referred to in section 151.03 of the Revised Code. The 729
state covenants, and that covenant shall be controlling 730
notwithstanding any other provision of law, that the state and the 731
applicable officers and agencies of the state, including the 732
general assembly, shall, so long as any obligations are 733
outstanding in accordance with their terms, maintain statutory 734
authority for and cause to be levied, collected and applied 735
sufficient pledged excises, taxes, and revenues of the state so 736
that the revenues shall be sufficient in amounts to pay debt 737
service when due, to establish and maintain any reserves and other 738
requirements, and to pay financing costs, including costs of or 739
relating to credit enhancement facilities, all as provided for in 740
the bond proceedings. Those excises, taxes, and revenues are and 741
shall be deemed to be levied and collected, in addition to the 742
purposes otherwise provided for by law, to provide for the payment 743

of debt service and financing costs in accordance with sections 744
151.01 to 151.11 of the Revised Code and the bond proceedings. 745

(N) The general assembly may from time to time repeal or 746
reduce any excise, tax, or other source of revenue pledged to the 747
payment of the debt service pursuant to Section 2k, 2l, 2m, 2n, 748
2o, 2p, 2q, or 15 of Article VIII, Ohio Constitution, and sections 749
151.01 to 151.11 or 151.40 of the Revised Code, and may levy, 750
collect and apply any new or increased excise, tax, or revenue to 751
meet the pledge, to the payment of debt service on outstanding 752
obligations, of the state's full faith and credit, revenue and 753
taxing power, or of designated revenues and receipts, except fees, 754
excises or taxes referred to in Section 5a of Article XII, Ohio 755
Constitution, for other than obligations referred to in section 756
151.06 of the Revised Code and except net state lottery proceeds 757
for other than obligations referred to in section 151.03 of the 758
Revised Code. Nothing in division (N) of this section authorizes 759
any impairment of the obligation of this state to levy and collect 760
sufficient excises, taxes, and revenues to pay debt service on 761
obligations outstanding in accordance with their terms. 762

(O) Each bond service fund is a trust fund and is hereby 763
pledged to the payment of debt service on the applicable 764
obligations. Payment of that debt service shall be made or 765
provided for by the issuing authority in accordance with the bond 766
proceedings without necessity for any act of appropriation. The 767
bond proceedings may provide for the establishment of separate 768
accounts in the bond service fund and for the application of those 769
accounts only to debt service on specific obligations, and for 770
other accounts in the bond service fund within the general 771
purposes of that fund. 772

(P) Subject to the bond proceedings pertaining to any 773
obligations then outstanding in accordance with their terms, the 774
issuing authority may in the bond proceedings pledge all, or such 775

portion as the issuing authority determines, of the moneys in the 776
bond service fund to the payment of debt service on particular 777
obligations, and for the establishment and maintenance of any 778
reserves for payment of particular debt service. 779

(Q) The issuing authority shall by the fifteenth day of July 780
of each fiscal year, certify or cause to be certified to the 781
office of budget and management the total amount of moneys 782
required during the current fiscal year to meet in full all debt 783
service on the respective obligations and any related financing 784
costs payable from the applicable bond service fund and not from 785
the proceeds of refunding or renewal obligations. The issuing 786
authority shall make or cause to be made supplemental 787
certifications to the office of budget and management for each 788
debt service payment date and at such other times during each 789
fiscal year as may be provided in the bond proceedings or 790
requested by that office. Debt service, costs of credit 791
enhancement facilities, and other financing costs shall be set 792
forth separately in each certification. If and so long as the 793
moneys to the credit of the bond service fund, together with any 794
other moneys available for the purpose, are insufficient to meet 795
in full all payments when due of the amount required as stated in 796
the certificate or otherwise, the office of budget and management 797
shall at the times as provided in the bond proceedings, and 798
consistent with any particular provisions in sections 151.03 to 799
151.11 and 151.40 of the Revised Code, transfer a sufficient 800
amount to the bond service fund from the pledged revenues in the 801
case of obligations issued pursuant to section 151.40 of the 802
Revised Code, and in the case of other obligations from the 803
revenues derived from excises, taxes, and other revenues, 804
including net state lottery proceeds in the case of obligations 805
referred to in section 151.03 of the Revised Code. 806

(R) Unless otherwise provided in any applicable bond 807

proceedings, moneys to the credit of special funds may be invested 808
by or on behalf of the state only in one or more of the following: 809

(1) Notes, bonds, or other direct obligations of the United 810
States or of any agency or instrumentality of the United States, 811
or in no-front-end-load money market mutual funds consisting 812
exclusively of those obligations, or in repurchase agreements, 813
including those issued by any fiduciary, secured by those 814
obligations, or in collective investment funds consisting 815
exclusively of those obligations; 816

(2) Obligations of this state or any political subdivision of 817
this state; 818

(3) Certificates of deposit of any national bank located in 819
this state and any bank, as defined in section 1101.01 of the 820
Revised Code, subject to inspection by the superintendent of 821
financial institutions; 822

(4) The treasurer of state's pooled investment program under 823
section 135.45 of the Revised Code. 824

The income from investments referred to in division (R) of 825
this section shall, unless otherwise provided in sections 151.01 826
to 151.11 or 151.40 of the Revised Code, be credited to special 827
funds or otherwise as the issuing authority determines in the bond 828
proceedings. Those investments may be sold or exchanged at times 829
as the issuing authority determines, provides for, or authorizes. 830

(S) The treasurer of state shall have responsibility for 831
keeping records, making reports, and making payments, relating to 832
any arbitrage rebate requirements under the applicable bond 833
proceedings. 834

Sec. 151.09. (A) As used in this section: 835

(1) "Costs of conservation projects" includes related direct 836
administrative expenses and allocable portions of the direct costs 837

of those projects of the department of agriculture, the department 838
of natural resources, or the Ohio public works commission. 839

(2) "Obligations" means obligations as defined in section 840
151.01 of the Revised Code issued to pay costs of projects for 841
conservation purposes as referred to in division (A)(1) of Section 842
2o of Article VIII, Ohio Constitution and division (A)(1) of 843
Section 2q of Article VIII, Ohio Constitution. 844

(B)(1) The issuing authority shall issue general obligations 845
of the state to pay costs of conservation projects pursuant to 846
division (B)(1) of Section 2o of Article VIII, Ohio Constitution, 847
division (B)(1) of Section 2q of Article VIII, Ohio Constitution, 848
section 151.01 of the Revised Code, and this section. The issuing 849
authority, upon the certification to it by the Ohio public works 850
commission of amounts needed in and for the purposes of the clean 851
Ohio conservation fund created by section 164.27 of the Revised 852
Code, the clean Ohio agricultural easement fund created by section 853
901.21 of the Revised Code, and the clean Ohio trail fund created 854
by section 1519.05 of the Revised Code, shall issue obligations in 855
the amount determined by the issuing authority to be required for 856
those purposes. Not more than ~~two~~ four hundred million dollars 857
principal amount of obligations issued under this section for 858
conservation purposes may be outstanding at any one time. Not more 859
than fifty million dollars principal amount of obligations, plus 860
the principal amount of obligations that in any prior fiscal year 861
could have been, but were not issued within the 862
fifty-million-dollar fiscal year limit, may be issued in any 863
fiscal year. 864

(2) In making the certification required under division 865
(B)(1) of this section, the Ohio public works commission shall 866
consult with the department of agriculture and the department of 867
natural resources. The commission shall certify amounts that 868
correspond to the distribution of the net proceeds of obligations 869

provided in division (C) of this section. 870

(C) Net proceeds of obligations shall be deposited as 871
follows: 872

(1) Seventy-five per cent into the clean Ohio conservation 873
fund created by section 164.27 of the Revised Code; 874

(2) Twelve and one-half per cent into the clean Ohio 875
agricultural easement fund created by section 901.21 of the 876
Revised Code; 877

(3) Twelve and one-half per cent into the clean Ohio trail 878
fund created by section 1519.05 of the Revised Code. 879

(D) There is hereby created in the state treasury the 880
conservation projects bond service fund. All moneys received by 881
the state and required by the bond proceedings, consistent with 882
section 151.01 of the Revised Code and this section, to be 883
deposited, transferred, or credited to the bond service fund, and 884
all other moneys transferred or allocated to or received for the 885
purposes of that fund, shall be deposited and credited to the bond 886
service fund, subject to any applicable provisions of the bond 887
proceedings, but without necessity for any act of appropriation. 888
During the period beginning with the date of the first issuance of 889
obligations and continuing during the time that any obligations 890
are outstanding in accordance with their terms, so long as moneys 891
in the bond service fund are insufficient to pay debt service when 892
due on those obligations payable from that fund, except the 893
principal amounts of bond anticipation notes payable from the 894
proceeds of renewal notes or bonds anticipated, and due in the 895
particular fiscal year, a sufficient amount of revenues of the 896
state is committed and, without necessity for further act of 897
appropriation, shall be paid to the bond service fund for the 898
purpose of paying that debt service when due. 899

Sec. 151.40. (A) As used in this section:	900
(1) "Bond proceedings" includes any trust agreements, and any amendments or supplements to them, as authorized by this section.	901 902
(2) "Costs of revitalization projects" includes related direct administrative expenses and allocable portions of the direct costs of those projects of the department of development or the environmental protection agency.	903 904 905 906
(3) "Issuing authority" means the treasurer of state.	907
(4) "Obligations" means obligations as defined in section 151.01 of the Revised Code issued to pay the costs of projects for revitalization purposes as referred to in division (A)(2) of Section 2o of Article VIII, Ohio Constitution <u>and division (A)(2) of Section 2q of Article VIII, Ohio Constitution.</u>	908 909 910 911 912
(5) "Pledged liquor profits" means all receipts of the state representing the gross profit on the sale of spirituous liquor, as referred to in division (B)(4) of section 4301.10 of the Revised Code, after paying all costs and expenses of the division of liquor control and providing an adequate working capital reserve for the division of liquor control as provided in that division, but excluding the sum required by the second paragraph of section 4301.12 of the Revised Code, as it was in effect on May 2, 1980, to be paid into the state treasury.	913 914 915 916 917 918 919 920 921
(6) "Pledged receipts" means, as and to the extent provided in bond proceedings:	922 923
(a) Pledged liquor profits. The pledge of pledged liquor profits to obligations is subject to the priority of the pledge of those profits to obligations issued and to be issued pursuant to Chapter 166. of the Revised Code.	924 925 926 927
(b) Moneys accruing to the state from the lease, sale, or other disposition or use of revitalization projects or from the	928 929

repayment, including any interest, of loans or advances made from	930
net proceeds;	931
(c) Accrued interest received from the sale of obligations;	932
(d) Income from the investment of the special funds;	933
(e) Any gifts, grants, donations, or pledges, and receipts	934
therefrom, available for the payment of debt service;	935
(f) Additional or any other specific revenues or receipts	936
lawfully available to be pledged, and pledged, pursuant to further	937
authorization by the general assembly, to the payment of debt	938
service.	939
(B)(1) The issuing authority shall issue obligations of the	940
state to pay costs of revitalization projects pursuant to division	941
(B)(2) of Section 2o of Article VIII, Ohio Constitution, <u>division</u>	942
<u>(B)(2) of Section 2g of Article VIII, Ohio Constitution,</u> section	943
151.01 of the Revised Code as applicable to this section, and this	944
section. The issuing authority, upon the certification to it by	945
the clean Ohio council of the amount of moneys needed in and for	946
the purposes of the clean Ohio revitalization fund created by	947
section 122.658 of the Revised Code, shall issue obligations in	948
the amount determined by the issuing authority to be required for	949
those purposes. Not more than two <u>four</u> hundred million dollars	950
principal amount of obligations issued under this section for	951
revitalization purposes may be outstanding at any one time. Not	952
more than fifty million dollars principal amount of obligations,	953
plus the principal amount of obligations that in any prior fiscal	954
year could have been, but were not issued within the	955
fifty-million-dollar fiscal year limit, may be issued in any	956
fiscal year.	957
(2) The provisions and authorizations in section 151.01 of	958
the Revised Code apply to the obligations and the bond proceedings	959
except as otherwise provided or provided for in those obligations	960

and bond proceedings. 961

(C) Net proceeds of obligations shall be deposited in the 962
clean Ohio revitalization fund created in section 122.658 of the 963
Revised Code. 964

(D) There is hereby created the revitalization projects bond 965
service fund, which shall be in the custody of the treasurer of 966
state, but shall be separate and apart from and not a part of the 967
state treasury. All money received by the state and required by 968
the bond proceedings, consistent with section 151.01 of the 969
Revised Code and this section, to be deposited, transferred, or 970
credited to the bond service fund, and all other money transferred 971
or allocated to or received for the purposes of that fund, shall 972
be deposited and credited to the bond service fund, subject to any 973
applicable provisions of the bond proceedings, but without 974
necessity for any act of appropriation. During the period 975
beginning with the date of the first issuance of obligations and 976
continuing during the time that any obligations are outstanding in 977
accordance with their terms, so long as moneys in the bond service 978
fund are insufficient to pay debt service when due on those 979
obligations payable from that fund, except the principal amounts 980
of bond anticipation notes payable from the proceeds of renewal 981
notes or bonds anticipated, and due in the particular fiscal year, 982
a sufficient amount of pledged receipts is committed and, without 983
necessity for further act of appropriation, shall be paid to the 984
bond service fund for the purpose of paying that debt service when 985
due. 986

(E) The issuing authority may pledge all, or such portion as 987
the issuing authority determines, of the pledged receipts to the 988
payment of the debt service charges on obligations issued under 989
this section, and for the establishment and maintenance of any 990
reserves, as provided in the bond proceedings, and make other 991
provisions in the bond proceedings with respect to pledged 992

receipts as authorized by this section, which provisions are 993
controlling notwithstanding any other provisions of law pertaining 994
to them. 995

(F) The issuing authority may covenant in the bond 996
proceedings, and such covenants shall be controlling 997
notwithstanding any other provision of law, that the state and 998
applicable officers and state agencies, including the general 999
assembly, so long as any obligations issued under this section are 1000
outstanding, shall maintain statutory authority for and cause to 1001
be charged and collected wholesale or retail prices for spirituous 1002
liquor sold by the state or its agents so that the available 1003
pledged receipts are sufficient in time and amount to meet debt 1004
service payable from pledged liquor profits and for the 1005
establishment and maintenance of any reserves and other 1006
requirements provided for in the bond proceedings. 1007

(G) Obligations may be further secured, as determined by the 1008
issuing authority, by a trust agreement between the state and a 1009
corporate trustee, which may be any trust company or bank having a 1010
place of business within the state. Any trust agreement may 1011
contain the resolution or order authorizing the issuance of the 1012
obligations, any provisions that may be contained in any bond 1013
proceedings, and other provisions that are customary or 1014
appropriate in an agreement of that type, including, but not 1015
limited to: 1016

(1) Maintenance of each pledge, trust agreement, or other 1017
instrument comprising part of the bond proceedings until the state 1018
has fully paid or provided for the payment of debt service on the 1019
obligations secured by it; 1020

(2) In the event of default in any payments required to be 1021
made by the bond proceedings, enforcement of those payments or 1022
agreements by mandamus, the appointment of a receiver, suit in 1023
equity, action at law, or any combination of them; 1024

(3) The rights and remedies of the holders or owners of obligations and of the trustee and provisions for protecting and enforcing them, including limitations on rights of individual holders and owners.

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

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

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

(1) Establish eligibility criteria for organizations that may receive financial assistance from the ~~pets program funding board created in section 955.202 of the Revised Code~~ Ohio pet fund.

Those organizations may include any of the following:

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

(b) A local nonprofit veterinary association that operates a

program for the sterilization of dogs and cats; 1055

(c) A charitable organization that is exempt from federal 1056
income taxation under subsection 501(c)(3) of the Internal Revenue 1057
Code and the primary purpose of which is to support programs for 1058
the sterilization of dogs and cats and educational programs 1059
concerning the proper veterinary care of those animals. 1060

(2) Establish procedures for applying for financial 1061
assistance from the ~~pets program funding board~~ Ohio pet fund. 1062
Application procedures shall require eligible organizations to 1063
submit detailed proposals that outline the intended uses of the 1064
moneys sought. 1065

(3) Establish eligibility criteria for sterilization and 1066
educational programs for which moneys from the ~~pets program~~
~~funding board~~ Ohio pet fund may be used and, consistent with 1067
division (C) of this section, establish eligibility criteria for 1068
individuals who seek sterilization for their dogs and cats from 1069
eligible organizations; 1070
1071

(4) Establish procedures for the disbursement of moneys the 1072
~~pets program funding board~~ Ohio pet fund receives from license 1073
plate contributions pursuant to division (C) of section 4503.551 1074
of the Revised Code; 1075

(5) Advertise or otherwise provide notification of the 1076
availability of financial assistance from the ~~pets program funding~~
~~board~~ Ohio pet fund for eligible organizations; 1077
1078

(6) Design markings to be inscribed on "pets" license plates 1079
under section 4503.551 of the Revised Code. 1080

(C)(1) The owner of a dog or cat is eligible for dog or cat 1081
sterilization services from an eligible organization when those 1082
services are subsidized in whole or in part by money from the ~~pets~~
~~program funding board~~ Ohio pet fund if any of the following 1083
applies: 1084
1085

(a) The income of the owner's family does not exceed one hundred fifty per cent of the federal poverty guideline.	1086 1087
(b) The owner, or any member of the owner's family who resides with the owner, is a recipient or beneficiary of one of the following government assistance programs:	1088 1089 1090
(i) Low-income housing assistance under the "United States Housing Act of 1937," 42 U.S.C.A. 1437f, as amended, known as the federal section 8 housing program;	1091 1092 1093
(ii) The Ohio works first program established by Chapter 5107. of the Revised Code;	1094 1095
(iii) Title XIX of the "Social Security Act," 49 Stat. 620 (1935), 42 U.S.C.A. 301, as amended, known as the medical assistance program or medicaid, provided by the department of job and family services under Chapter 5111. of the Revised Code;	1096 1097 1098 1099
(iv) A program or law administered by the United States department of veterans' affairs or veterans' administration for any service-connected disability;	1100 1101 1102
(v) The food stamp program established under the "Food Stamp Act of 1977," 91 Stat. 958, 7 U.S.C.A. 2011, as amended, administered by the department of job and family services under section 5101.54 of the Revised Code;	1103 1104 1105 1106
(vi) The "special supplemental nutrition program for women, infants, and children" established under the "Child Nutrition Act of 1966," 80 Stat. 885, 42 U.S.C. 1786, as amended, administered by the department of health under section 3701.132 of the Revised Code;	1107 1108 1109 1110 1111
(vii) Supplemental security income under Title XVI of the "Social Security Act," 86 Stat. 1475 (1972), 42 U.S.C.A. 1383, as amended;	1112 1113 1114
(viii) Social security disability insurance benefits provided	1115

under Title II of the "Social Security Act," 49 Stat. 620 (1935), 1116
42 U.S.C.A. 401, as amended. 1117

(c) The owner of the dog or cat submits to the eligible 1118
organization operating the sterilization program either of the 1119
following: 1120

(i) A certificate of adoption showing that the dog or cat was 1121
adopted from a licensed animal shelter, a municipal, county, or 1122
regional pound, or a holding and impoundment facility that 1123
contracts with a municipal corporation; 1124

(ii) A certificate of adoption showing that the dog or cat 1125
was adopted through a nonprofit corporation operating an animal 1126
adoption referral service whose holding facility, if any, is 1127
licensed in accordance with state law or a municipal ordinance. 1128

(2) The Ohio pet fund shall determine the type of documentary 1129
evidence that must be presented by the owner of a dog or cat to 1130
show that the income of the owner's family does not exceed one 1131
hundred fifty per cent of the federal poverty guideline or that 1132
the owner is eligible under division (C)(1)(b) of this section. 1133

(D) As used in division (C) of this section, "federal poverty 1134
guideline" means the official poverty guideline as revised 1135
annually by the United States department of health and human 1136
services in accordance with section 673(2) of the "Omnibus Budget 1137
Reconciliation Act of 1981," 95 Stat. 511, 42 U.S.C.A. 9902, as 1138
amended, for a family size equal to the size of the family of the 1139
person whose income is being determined. 1140

Sec. 1519.20. The director of natural resources may create an 1141
Ohio all-purpose vehicle advisory board for the purposes of 1142
providing advice and receiving input regarding all-purpose vehicle 1143
trails and trail maintenance. 1144

Sec. 1548.10. (A) The clerk of the court of common pleas 1145

shall charge a ~~fee of five~~ and retain fees as follows: 1146

(1) Fifteen dollars for each ~~memorandum certificate of title,~~ 1147
~~each non-negotiable evidence of ownership,~~ and each duplicate copy 1148
of a certificate of title. The ~~fees shall be retained by the clerk~~ 1149
shall retain that entire fee. 1150

~~In addition to those fees, the clerk shall charge a fee of~~ 1151
~~five~~ 1152

(2) Fifteen dollars for each certificate of title ~~and for~~ 1153
~~each,~~ which shall include any notation or indication of any lien 1154
or security interest on a certificate of title and any memorandum 1155
certificate of title or non-negotiable evidence of ownership 1156
requested at the time the certificate of title is issued. The 1157
clerk shall retain ~~two~~ ten dollars and fifty cents of ~~the~~ that fee 1158
~~charged for each certificate of title, and three dollars and fifty~~ 1159
~~cents of the fee charged for each notation or indication of any~~ 1160
~~lien or security interest.~~ 1161

(3) Five dollars for each certificate of title with no 1162
security interest noted that is issued to a licensed watercraft 1163
dealer for resale purposes. The clerk shall retain two dollars of 1164
that fee. 1165

(4) Five dollars for each memorandum certificate of title or 1166
non-negotiable evidence of ownership that is applied for 1167
separately. The clerk shall retain that entire fee. 1168

(B) The ~~remaining~~ fees charged for a certificate of title and 1169
the notation or indication of any lien or security interest on a 1170
certificate of title that are not retained by the clerk shall be 1171
paid to the chief of the division of watercraft by monthly 1172
returns, which shall be forwarded to the chief not later than the 1173
fifth day of the month next succeeding that in which the 1174
certificate is forwarded, or that in which the chief is notified 1175
of a lien or security interest or cancellation of a lien or 1176

security interest. 1177

The chief shall deposit one dollar of the amount the chief 1178
receives for each certificate of title in the automated title 1179
processing fund created in section 4505.09 of the Revised Code. 1180
Moneys deposited in that fund under this section shall be used for 1181
the purpose specified in division (B)(3)(b) of that section. 1182

Sec. 1548.14. (A) The chief of the division of watercraft, 1183
upon the application of any person and payment of the proper fees 1184
fee, may prepare and furnish title information in such form and 1185
subject to such territorial division or other classification as he 1186
the chief may direct. The chief may search the records of the 1187
division of watercraft and make furnish reports thereof, and make 1188
photographic copies of the division those records and attestations 1189
thereof under the signature of the chief. In addition, the 1190
registrar of motor vehicles and the clerk of the court of common 1191
pleas, upon the application of any person and payment of the 1192
proper fee, may prepare and furnish title information in such form 1193
and subject to such territorial division or other classification 1194
as the registrar or clerk may direct. The registrar and the clerk 1195
may search the records of the bureau of motor vehicles of 1196
certificates of title issued under this chapter and issue reports 1197
of those records under the signature of the registrar or clerk, as 1198
the case may be. 1199

~~Fees therefor~~ (B) A fee of two dollars shall be charged and 1200
collected as follows: 1201

~~(A) For searches~~ for each report of a search of the records 1202
and reports thereof, two dollars for each name, number, or fact 1203
reported on: 1204

~~(B) For photographic copies of records and attestations~~ 1205
thereof, furnished under the signature of the chief, two dollars 1206
per copy the registrar, or the clerk, except that on and after 1207

October 1, 2009, the fee shall be eight dollars per copy. A copy 1208
of any such report 1209

~~Such copies~~ shall be taken as prima-facie evidence of the 1210
facts therein stated in any court of the state. The chief, the 1211
registrar, and the clerk ~~of the court of common pleas~~ shall 1212
furnish information on any title without charge to state highway 1213
patrol troopers, sheriffs, or chiefs of police. 1214

(C)(1) Fees collected as provided in this section prior to 1215
October 1, 2009, shall be received by the chief, the registrar, or 1216
the clerk, as the case may be. The chief shall pay all such fees 1217
into the state treasury to the credit of the waterways safety fund 1218
established under section 1547.75 of the Revised Code after 1219
complying with section 1548.22 of the Revised Code, the registrar 1220
shall pay all such fees into the state treasury to the credit of 1221
the state bureau of motor vehicles fund established in section 1222
4501.25 of the Revised Code, and the clerk of the court of common 1223
pleas shall deposit all such fees into the certificate of title 1224
administration fund created by section 325.33 of the Revised Code. 1225

(2) On and after October 1, 2009, the following apply: 1226
1227

(a) Of the eight-dollar fee the chief collects under this 1228
section, the chief shall deposit two dollars into the state 1229
treasury to the credit of the waterways safety fund established 1230
under section 1547.75 of the Revised Code after complying with 1231
section 1548.22 of the Revised Code, one dollar and twenty-five 1232
cents into the state treasury to the credit of the trauma and 1233
emergency medical services fund established in section 4513.263 of 1234
the Revised Code, one dollar and twenty-five cents into the state 1235
treasury to the credit of the homeland security fund established 1236
under section 5502.03 of the Revised Code, seventy-five cents into 1237
the state treasury to the credit of the investigations fund 1238
established in section 5502.131 of the Revised Code, two dollars 1239

and twenty-five cents into the state treasury to the credit of the 1240
emergency management agency service and reimbursement fund 1241
established in section 5502.39 of the Revised Code, and fifty 1242
cents into the state treasury to the credit of the justice program 1243
services fund established in section 5502.67 of the Revised Code. 1244
1245

(b) The registrar shall deposit two dollars of each fee the 1246
registrar collects under this section into the state treasury to 1247
the credit of the state bureau of motor vehicles fund established 1248
in section 4501.25 of the Revised Code. Of the remaining six 1249
dollars of each such fee the registrar collects, the registrar 1250
shall deposit one dollar and twenty-five cents into the state 1251
treasury to the credit of the trauma and emergency medical 1252
services fund established in section 4513.263 of the Revised Code, 1253
one dollar and twenty-five cents into the state treasury to the 1254
credit of the homeland security fund established under section 1255
5502.03 of the Revised Code, seventy-five cents into the state 1256
treasury to the credit of the investigations fund established in 1257
section 5502.131 of the Revised Code, two dollars and twenty-five 1258
cents into the state treasury to the credit of the emergency 1259
management agency service and reimbursement fund established in 1260
section 5502.39 of the Revised Code, and fifty cents into the 1261
state treasury to the credit of the justice program services fund 1262
established in section 5502.67 of the Revised Code. 1263

(c) The clerk of the court of common pleas shall deposit two 1264
dollars of each fee the clerk collects under this section into the 1265
certificate of title administration fund created by section 325.33 1266
of the Revised Code. The clerk shall forward the remaining six 1267
dollars to the registrar not later than the fifth day of the month 1268
next succeeding that in which the transaction occurred. Of that 1269
remaining six dollars, the registrar shall deposit one dollar and 1270
twenty-five cents into the state treasury to the credit of the 1271

trauma and emergency medical services fund established in section 1272
4513.263 of the Revised Code, one dollar and twenty-five cents 1273
into the state treasury to the credit of the homeland security 1274
fund established under section 5502.03 of the Revised Code, 1275
seventy-five cents into the state treasury to the credit of the 1276
investigations fund established in section 5502.131 of the Revised 1277
Code, two dollars and twenty-five cents into the state treasury to 1278
the credit of the emergency management agency service and 1279
reimbursement fund established in section 5502.39 of the Revised 1280
Code, and fifty cents into the state treasury to the credit of the 1281
justice program services fund established in section 5502.67 of 1282
the Revised Code. 1283

Sec. 2911.21. (A) No person, without privilege to do so, 1284
shall do any of the following: 1285

(1) Knowingly enter or remain on the land or premises of 1286
another; 1287

(2) Knowingly enter or remain on the land or premises of 1288
another, the use of which is lawfully restricted to certain 1289
persons, purposes, modes, or hours, when the offender knows the 1290
offender is in violation of any such restriction or is reckless in 1291
that regard; 1292

(3) Recklessly enter or remain on the land or premises of 1293
another, as to which notice against unauthorized access or 1294
presence is given by actual communication to the offender, or in a 1295
manner prescribed by law, or by posting in a manner reasonably 1296
calculated to come to the attention of potential intruders, or by 1297
fencing or other enclosure manifestly designed to restrict access; 1298

(4) Being on the land or premises of another, negligently 1299
fail or refuse to leave upon being notified by signage posted in a 1300
conspicuous place or otherwise being notified to do so by the 1301
owner or occupant, or the agent or servant of either. 1302

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

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

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

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

(3) If an offender previously has been convicted of or pleaded guilty to two or more violations of this section or a substantially equivalent municipal ordinance, and the offender, in committing each violation, used an all-purpose vehicle, the court, in addition to or independent of all other penalties imposed for the violation, may impound the certificate of registration and license plate of that all-purpose vehicle for not less than sixty days. In such a case, section 4519.47 of the Revised Code applies.

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

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

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

(2) "Land or premises" includes any land, building, structure, or place belonging to, controlled by, or in custody of

another, and any separate enclosure or room, or portion thereof. 1333

Sec. 2949.094. (A) The court in which any person is convicted 1334
of or pleads guilty to any moving violation shall impose an 1335
additional court cost of ten dollars upon the offender. The court 1336
shall not waive the payment of the ten dollars unless the court 1337
determines that the offender is indigent and waives the payment of 1338
all court costs imposed upon the indigent offender. 1339

The clerk of the court shall transmit thirty-five per cent of 1340
all additional court costs collected pursuant to this division 1341
during a month on or before the twenty-third day of the following 1342
month to the ~~division of criminal justice services, and the~~ 1343
~~division of criminal justice services shall deposit the money so~~ 1344
~~transmitted into state treasury of which ninety-seven per cent~~ 1345
shall be credited to the drug law enforcement fund created under 1346
section 5502.68 of the Revised Code and the remaining three per 1347
cent shall be credited to the justice program services fund 1348
created under section 5502.67 of the Revised Code. The clerk shall 1349
transmit fifteen per cent of all additional court costs so 1350
collected during a month on or before the twenty-third day of the 1351
following month to the county or municipal indigent drivers 1352
alcohol treatment fund under the control of that court, as created 1353
by the county or municipal corporation under division (H) of 1354
section 4511.191 of the Revised Code. The clerk shall transmit 1355
fifty per cent of all additional court costs so collected during a 1356
month on or before the twenty-third day of the following month to 1357
the state treasury to be credited to the indigent defense support 1358
fund created pursuant to section 120.08 of the Revised Code. 1359

(B) The juvenile court in which a child is found to be a 1361
juvenile traffic offender for an act that is a moving violation 1362
shall impose an additional court cost of ten dollars upon the 1363

juvenile traffic offender. The juvenile court shall not waive the 1364
payment of the ten dollars unless the court determines that the 1365
juvenile is indigent and waives the payment of all court costs 1366
imposed upon the indigent offender. 1367

The clerk of the court shall transmit thirty-five per cent of 1368
all additional court costs collected pursuant to this division 1369
during a month on or before the twenty-third day of the following 1370
month to the ~~division of criminal justice services, and the~~ 1371
~~division of criminal justice services shall deposit the money so~~ 1372
~~transmitted into state treasury of which ninety-seven per cent~~ 1373
shall be credited to the drug law enforcement fund created under 1374
section 5502.68 of the Revised Code and the remaining three per 1375
cent shall be credited to the justice program services fund 1376
created under section 5502.67 of the Revised Code. The clerk shall 1377
transmit fifteen per cent of all additional court costs so 1378
collected during a month on or before the twenty-third day of the 1379
following month to the county juvenile indigent drivers alcohol 1380
treatment fund under the control of that court, as created by the 1381
county under division (H) of section 4511.191 of the Revised Code. 1382
The clerk shall transmit fifty per cent of all additional court 1383
costs so collected during a month on or before the twenty-third 1384
day of the following month to the state treasury to be credited to 1385
the indigent defense support fund created pursuant to section 1386
120.08 of the Revised Code. 1387

(C) Whenever a person is charged with any offense that is a 1389
moving violation and posts bail, the court shall add to the amount 1390
of the bail the ten dollars required to be paid by division (A) of 1391
this section. The clerk of the court shall retain the ten dollars 1392
until the person is convicted, pleads guilty, forfeits bail, is 1393
found not guilty, or has the charges dismissed. If the person is 1394
convicted, pleads guilty, or forfeits bail, the clerk shall 1395

transmit three dollars and fifty cents out of the ten dollars to 1396
the ~~division of criminal justice services, and the division of~~ 1397
~~criminal justice services shall deposit the money so transmitted~~ 1398
into state treasury of which ninety-seven per cent shall be 1399
credited to the drug law enforcement fund created under section 1400
5502.68 of the Revised Code and the remaining three per cent shall 1401
be credited to the justice program services fund created under 1402
section 5502.67 of the Revised Code, the clerk shall transmit one 1403
dollar and fifty cents out of the ten dollars to the county, 1404
municipal, or county juvenile indigent drivers alcohol treatment 1405
fund under the control of that court, as created by the county or 1406
municipal corporation under division (H) of section 4511.191 of 1407
the Revised Code, and the clerk shall transmit five dollars out of 1408
the ten dollars to the state treasury to be credited to the 1409
indigent defense support fund created under section 120.08 of the 1410
Revised Code. If the person is found not guilty or the charges are 1411
dismissed, the clerk shall return the ten dollars to the person. 1412

(D) No person shall be placed or held in a detention facility 1414
for failing to pay the court cost or bail that is required to be 1415
paid by this section. 1416

(E) As used in this section: 1417

(1) "Bail" and "moving violation" have the same meanings as 1418
in section 2949.093 of the Revised Code. 1419

(2) "Detention facility" has the same meaning as in section 1420
2921.01 of the Revised Code. 1421

(3) "Division of criminal justice services" means the 1422
division of criminal justice services of the department of public 1423
safety, created by section 5502.62 of the Revised Code. 1424

Sec. 3781.10. (A)(1) The board of building standards shall 1425

formulate and adopt rules governing the erection, construction, 1426
repair, alteration, and maintenance of all buildings or classes of 1427
buildings specified in section 3781.06 of the Revised Code, 1428
including land area incidental to those buildings, the 1429
construction of industrialized units, the installation of 1430
equipment, and the standards or requirements for materials used in 1431
connection with those buildings. The board shall incorporate those 1432
rules into separate residential and nonresidential building codes. 1433
The standards shall relate to the conservation of energy and the 1434
safety and sanitation of those buildings. 1435

(2) The rules governing nonresidential buildings are the 1436
lawful minimum requirements specified for those buildings and 1437
industrialized units, except that no rule other than as provided 1438
in division (C) of section 3781.108 of the Revised Code that 1439
specifies a higher requirement than is imposed by any section of 1440
the Revised Code is enforceable. The rules governing residential 1441
buildings are uniform requirements for residential buildings in 1442
any area with a building department certified to enforce the state 1443
residential building code. In no case shall any local code or 1444
regulation differ from the state residential building code unless 1445
that code or regulation addresses subject matter not addressed by 1446
the state residential building code or is adopted pursuant to 1447
section 3781.01 of the Revised Code. 1448

(3) The rules adopted pursuant to this section are complete, 1449
lawful alternatives to any requirements specified for buildings or 1450
industrialized units in any section of the Revised Code. The board 1451
shall, on its own motion or on application made under sections 1452
3781.12 and 3781.13 of the Revised Code, formulate, propose, 1453
adopt, modify, amend, or repeal the rules to the extent necessary 1454
or desirable to effectuate the purposes of sections 3781.06 to 1455
3781.18 of the Revised Code. 1456

(B) The board shall report to the general assembly proposals 1457

for amendments to existing statutes relating to the purposes 1458
declared in section 3781.06 of the Revised Code that public health 1459
and safety and the development of the arts require and shall 1460
recommend any additional legislation to assist in carrying out 1461
fully, in statutory form, the purposes declared in that section. 1462
The board shall prepare and submit to the general assembly a 1463
summary report of the number, nature, and disposition of the 1464
petitions filed under sections 3781.13 and 3781.14 of the Revised 1465
Code. 1466

(C) On its own motion or on application made under sections 1467
3781.12 and 3781.13 of the Revised Code, and after thorough 1468
testing and evaluation, the board shall determine by rule that any 1469
particular fixture, device, material, process of manufacture, 1470
manufactured unit or component, method of manufacture, system, or 1471
method of construction complies with performance standards adopted 1472
pursuant to section 3781.11 of the Revised Code. The board shall 1473
make its determination with regard to adaptability for safe and 1474
sanitary erection, use, or construction, to that described in any 1475
section of the Revised Code, wherever the use of a fixture, 1476
device, material, method of manufacture, system, or method of 1477
construction described in that section of the Revised Code is 1478
permitted by law. The board shall amend or annul any rule or issue 1479
an authorization for the use of a new material or manufactured 1480
unit on any like application. No department, officer, board, or 1481
commission of the state other than the board of building standards 1482
or the board of building appeals shall permit the use of any 1483
fixture, device, material, method of manufacture, newly designed 1484
product, system, or method of construction at variance with what 1485
is described in any rule the board of building standards adopts or 1486
issues or that is authorized by any section of the Revised Code. 1487
Nothing in this section shall be construed as requiring approval, 1488
by rule, of plans for an industrialized unit that conforms with 1489
the rules the board of building standards adopts pursuant to 1490

section 3781.11 of the Revised Code. 1491

(D) The board shall recommend rules, codes, and standards to 1492
help carry out the purposes of section 3781.06 of the Revised Code 1493
and to help secure uniformity of state administrative rulings and 1494
local legislation and administrative action to the bureau of 1495
workers' compensation, the director of commerce, any other 1496
department, officer, board, or commission of the state, and to 1497
legislative authorities and building departments of counties, 1498
townships, and municipal corporations, and shall recommend that 1499
they audit those recommended rules, codes, and standards by any 1500
appropriate action that they are allowed pursuant to law or the 1501
constitution. 1502

(E)(1) The board shall certify municipal, township, and 1503
county building departments and the personnel of those building 1504
departments, and persons and employees of individuals, firms, or 1505
corporations as described in division (E)(7) of this section to 1506
exercise enforcement authority, to accept and approve plans and 1507
specifications, and to make inspections, pursuant to sections 1508
3781.03, 3791.04, and 4104.43 of the Revised Code. 1509

(2) The board shall certify departments, personnel, and 1510
persons to enforce the state residential building code, to enforce 1511
the nonresidential building code, or to enforce both the 1512
residential and the nonresidential building codes. Any department, 1513
personnel, or person may enforce only the type of building code 1514
for which certified. 1515

(3) The board shall not require a building department, its 1516
personnel, or any persons that it employs to be certified for 1517
residential building code enforcement if that building department 1518
does not enforce the state residential building code. The board 1519
shall specify, in rules adopted pursuant to Chapter 119. of the 1520
Revised Code, the requirements for certification for residential 1521
and nonresidential building code enforcement, which shall be 1522

consistent with this division. The requirements for residential 1523
and nonresidential certification may differ. Except as otherwise 1524
provided in this division, the requirements shall include, but are 1525
not limited to, the satisfactory completion of an initial 1526
examination and, to remain certified, the completion of a 1527
specified number of hours of continuing building code education 1528
within each three-year period following the date of certification 1529
which shall be not less than thirty hours. The rules shall provide 1530
that continuing education credits and certification issued by the 1531
council of American building officials, national model code 1532
organizations, and agencies or entities the board recognizes are 1533
acceptable for purposes of this division. The rules shall specify 1534
requirements that are compatible, to the extent possible, with 1535
requirements the council of American building officials and 1536
national model code organizations establish. 1537

(4) The board shall establish and collect a certification and 1538
renewal fee for building department personnel, and persons and 1539
employees of persons, firms, or corporations as described in this 1540
section, who are certified pursuant to this division. 1541

(5) Any individual certified pursuant to this division shall 1542
complete the number of hours of continuing building code education 1543
that the board requires or, for failure to do so, forfeit 1544
certification. 1545

(6) This division does not require or authorize the board to 1546
certify personnel of municipal, township, and county building 1547
departments, and persons and employees of persons, firms, or 1548
corporations as described in this section, whose responsibilities 1549
do not include the exercise of enforcement authority, the approval 1550
of plans and specifications, or making inspections under the state 1551
residential and nonresidential building codes. 1552

(7) Enforcement authority for approval of plans and 1553
specifications and enforcement authority for inspections may be 1554

exercised, and plans and specifications may be approved and 1555
inspections may be made on behalf of a municipal corporation, 1556
township, or county, by any of the following who the board of 1557
building standards certifies: 1558

(a) Officers or employees of the municipal corporation, 1559
township, or county; 1560

(b) Persons, or employees of persons, firms, or corporations, 1561
pursuant to a contract to furnish architectural, engineering, or 1562
other services to the municipal corporation, township, or county; 1563

(c) Officers or employees of, and persons under contract 1564
with, a municipal corporation, township, county, health district, 1565
or other political subdivision, pursuant to a contract to furnish 1566
architectural, engineering, or other services. 1567

(8) Municipal, township, and county building departments have 1568
jurisdiction within the meaning of sections 3781.03, 3791.04, and 1569
4104.43 of the Revised Code, only with respect to the types of 1570
buildings and subject matters for which they are certified under 1571
this section. 1572

(9) Certification shall be granted upon application by the 1573
municipal corporation, the board of township trustees, or the 1574
board of county commissioners and approval of that application by 1575
the board of building standards. The application shall set forth: 1576

(a) Whether the certification is requested for residential or 1577
nonresidential buildings, or both; 1578

(b) The number and qualifications of the staff composing the 1579
building department; 1580

(c) The names, addresses, and qualifications of persons, 1581
firms, or corporations contracting to furnish work or services 1582
pursuant to division (E)(7)(b) of this section; 1583

(d) The names of any other municipal corporation, township, 1584

county, health district, or political subdivision under contract 1585
to furnish work or services pursuant to division (E)(7) of this 1586
section; 1587

(e) The proposed budget for the operation of the building 1588
department. 1589

(10) The board of building standards shall adopt rules 1590
governing all of the following: 1591

(a) The certification of building department personnel and 1592
persons and employees of persons, firms, or corporations 1593
exercising authority pursuant to division (E)(7) of this section. 1594
The rules shall disqualify any employee of the department or 1595
person who contracts for services with the department from 1596
performing services for the department when that employee or 1597
person would have to pass upon, inspect, or otherwise exercise 1598
authority over any labor, material, or equipment the employee or 1599
person furnishes for the construction, alteration, or maintenance 1600
of a building or the preparation of working drawings or 1601
specifications for work within the jurisdictional area of the 1602
department. The department shall provide other similarly qualified 1603
personnel to enforce the residential and nonresidential building 1604
codes as they pertain to that work. 1605

(b) The minimum services to be provided by a certified 1606
building department. 1607

(11) The board of building standards may revoke or suspend 1608
certification to enforce the residential and nonresidential 1609
building codes, on petition to the board by any person affected by 1610
that enforcement or approval of plans, or by the board on its own 1611
motion. Hearings shall be held and appeals permitted on any 1612
proceedings for certification or revocation or suspension of 1613
certification in the same manner as provided in section 3781.101 1614
of the Revised Code for other proceedings of the board of building 1615

standards. 1616

(12) Upon certification, and until that authority is revoked, 1617
any county or township building department shall enforce the 1618
residential and nonresidential building codes for which it is 1619
certified without regard to limitation upon the authority of 1620
boards of county commissioners under Chapter 307. of the Revised 1621
Code or boards of township trustees under Chapter 505. of the 1622
Revised Code. 1623

(F) In addition to hearings sections 3781.06 to 3781.18 and 1624
3791.04 of the Revised Code require, the board of building 1625
standards shall make investigations and tests, and require from 1626
other state departments, officers, boards, and commissions 1627
information the board considers necessary or desirable to assist 1628
it in the discharge of any duty or the exercise of any power 1629
mentioned in this section or in sections 3781.06 to 3781.18, 1630
3791.04, and 4104.43 of the Revised Code. 1631

(G) The board shall adopt rules and establish reasonable fees 1632
for the review of all applications submitted where the applicant 1633
applies for authority to use a new material, assembly, or product 1634
of a manufacturing process. The fee shall bear some reasonable 1635
relationship to the cost of the review or testing of the 1636
materials, assembly, or products and for the notification of 1637
approval or disapproval as provided in section 3781.12 of the 1638
Revised Code. 1639

(H)(1) The residential construction advisory committee shall 1640
provide the board with a proposal for a state residential building 1641
code that the committee recommends pursuant to division (C)(1) of 1642
section 4740.14 of the Revised Code. Upon receiving a 1643
recommendation from the committee that is acceptable to the board, 1644
the board shall adopt rules establishing that code as the state 1645
residential building code. 1646

(2) With respect to a residential energy code as a component 1647
of the residential building code, the board shall adopt rules to 1648
implement the most recently published international energy 1649
conservation code (IECC) or a code that the board determines 1650
achieves an equivalent or greater energy savings. 1651

(I) The board shall cooperate with the director of job and 1652
family services when the director promulgates rules pursuant to 1653
section 5104.05 of the Revised Code regarding safety and 1654
sanitation in type A family day-care homes. 1655

(J) The board shall adopt rules to implement the requirements 1656
of section 3781.108 of the Revised Code. 1657

(K) With respect to a commercial energy code as a component 1658
of the commercial building code, the board of building standards 1659
shall adopt rules to implement the energy code for buildings 1660
developed by the American national standards institute, the 1661
American society of heating, refrigerating, and air conditioning, 1662
and the illuminating engineering society of North America, known 1663
as the ANSI/ASHRAE/IESNA Standard 90.1-2007, or a code that 1664
achieves equivalent or greater energy savings. 1665

Sec. 3905.423. (A) As used in this section: 1666

(1) "Consumer" has the same meaning as in section 1345.01 of 1667
the Revised Code. 1668

(2) "Consumer goods" means goods sold, leased, assigned, 1669
awarded by chance, or transferred to a consumer in a consumer 1670
transaction. 1671

(3) "Consumer goods service contract" means a contract or 1672
agreement to perform or pay for repairs, replacement, or 1673
maintenance of consumer goods due to a defect in materials or 1674
workmanship, normal wear and tear, power surges, or accidental 1675
damage from handling, that is effective for a specified duration 1676

and paid for by means other than the purchase of the consumer 1677
goods. "Consumer goods service contract" does not include any of 1678
the following: 1679

(a) A contract or agreement to perform or pay for the repair, 1680
replacement, or maintenance of a motor vehicle or utility vehicle, 1681
as defined in section 4501.01 of the Revised Code, due to a defect 1682
in materials or workmanship, normal wear and tear, mechanical or 1683
electrical breakdown, or failure of parts or equipment of a motor 1684
vehicle that is effective for a specified duration and paid for by 1685
means other than the purchase of a motor vehicle or utility 1686
vehicle; 1687

(b) A vehicle protection product ~~as defined in~~ warranty 1688
issued in accordance with section 3905.421 of the Revised Code; 1689

(c) A home service contract as defined in section 3905.422 of 1690
the Revised Code. 1691

(4) "Consumer transaction" has the same meaning as in section 1692
1345.01 of the Revised Code. 1693

(5) "Contract holder" means the consumer who purchased goods 1694
covered by a consumer goods service contract, any authorized 1695
transferee or assignee of the consumer, or any other person 1696
assuming the consumer's rights under the consumer goods service 1697
contract. 1698

(6) "Provider" means a person who is contractually obligated 1699
to a contract holder under the terms of a consumer goods service 1700
contract. 1701

(7) "Reimbursement insurance policy" means a policy of 1702
insurance issued by an insurer authorized or eligible to do 1703
business in this state to a provider to pay, on behalf of the 1704
provider, all covered contractual obligations incurred by the 1705
provider under the terms and conditions of the consumer goods 1706
service contract. 1707

(8) "Supplier" has the same meaning as in section 1345.01 of the Revised Code. 1708
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(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. 1710
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(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: 1715
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(1) Conspicuously state that the obligations of the provider are guaranteed under a reimbursement insurance policy; 1719
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(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 reimbursement insurance policy insurer, including, but not limited to, any obligation in the contract by which the provider must refund the contract holder upon cancellation of a contract; 1721
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(3) Conspicuously state the name, address, and telephone number of the provider's reimbursement insurance policy insurer. 1729
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(D) A reimbursement insurance policy that is required to be issued under this section shall contain a: 1731
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(1) A statement that if a provider fails to perform or make payment due under the terms of the consumer goods service 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 policy insurer, including, but not 1733
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limited to, any obligation in the contract by which the provider 1739
must refund the contract holder upon cancellation of a contract; 1740

(2) A statement that in the event of cancellation of the 1741
provider's reimbursement insurance policy, insurance coverage will 1742
continue for all contract holders whose consumer goods service 1743
contracts were issued by the provider and reported to the insurer 1744
for coverage during the term of the reimbursement insurance 1745
policy. 1746

(E) The sale or issuance of a consumer goods service contract 1747
is a consumer transaction for purposes of sections 1345.01 to 1748
1345.13 of the Revised Code. The provider is the supplier and the 1749
contract holder is the consumer for purposes of those sections. 1750

(F) Unless issued by an insurer authorized or eligible to do 1751
business in this state, a consumer goods service contract does not 1752
constitute a contract substantially amounting to insurance, or the 1753
contract's issuance the business of insurance, under section 1754
3905.42 of the Revised Code. 1755

(G) The rights of a contract holder against a provider's 1756
reimbursement policy insurer as provided in this section apply 1757
only in regard to a reimbursement insurance policy issued under 1758
this section. This section does not create any contractual rights 1759
in favor of a person that does not qualify as an insured under any 1760
other type of insurance policy described in Title XXXIX of the 1761
Revised Code. 1762

Sec. 3905.425. (A) As used in this section: 1763

(1) "Contract holder" means the person who purchased a motor 1764
vehicle tire or wheel road hazard contract, any authorized 1765
transferee or assignee of the purchaser, or any other person 1766
assuming the purchaser's rights under the motor vehicle tire or 1767
wheel road hazard contract. 1768

(2) "Motor vehicle" has the same meaning as in section 1769
4501.01 of the Revised Code and also includes utility vehicles as 1770
defined in that section. 1771

(3) "Motor vehicle tire or wheel road hazard contract" means 1772
a contract or agreement to perform or pay for repairs or 1773
replacement of tires or wheels damaged because of a road hazard, 1774
that is effective for a specified duration and paid for by means 1775
other than the purchase of the motor vehicle tire or wheel. "Motor 1776
vehicle tire or wheel road hazard contract" does not include any 1777
of the following: 1778

(a) A contract or agreement to perform or pay for the repair, 1779
replacement, or maintenance of a motor vehicle due to a defect in 1780
materials or workmanship, normal wear and tear, mechanical or 1781
electrical breakdown, or failure of parts or equipment of a motor 1782
vehicle that is effective for a specified duration and paid for by 1783
means other than the purchase of a motor vehicle; 1784

(b) A vehicle protection product warranty issued in 1785
accordance with section 3905.421 of the Revised Code; 1786

(c) A home service contract as defined in section 3905.422 of 1787
the Revised Code; 1788

(d) A consumer goods service contract as defined in section 1789
3905.423 of the Revised Code. 1790

(4) "Provider" means a person who is contractually obligated 1791
to a contract holder under the terms of a motor vehicle tire or 1792
wheel road hazard contract. 1793

(5) "Reimbursement insurance policy" means a policy of 1794
insurance issued by an insurer authorized or eligible to do 1795
business in this state to a provider to pay, on behalf of the 1796
provider, all covered contractual obligations incurred by the 1797
provider under the terms and conditions of the motor vehicle tire 1798
or wheel road hazard contract. 1799

(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.

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

(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.

(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:

(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."

(2) That the obligations of the provider are guaranteed under a reimbursement insurance policy;

(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;

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

(D) A reimbursement insurance policy that is required to be 1831
issued under this section shall contain: 1832

(1) A statement that if a provider fails to perform or make 1833
payment due under the terms of the motor vehicle tire or wheel 1834
road hazard contract within sixty days after the contract holder 1835
requests performance or payment pursuant to the terms of the 1836
contract, the contract holder may request performance or payment 1837
directly from the provider's reimbursement insurance policy 1838
insurer, including any obligation in the contract by which the 1839
provider must refund the contract holder upon cancellation of a 1840
contract; 1841

(2) A statement that in the event of cancellation of the 1842
provider's reimbursement insurance policy, insurance coverage will 1843
continue for all contract holders whose motor vehicle tire or 1844
wheel road hazard contracts were issued by the provider and 1845
reported to the insurer for coverage during the term of the 1846
reimbursement insurance policy. 1847

(E) The sale or issuance of a motor vehicle tire or wheel 1848
road hazard contract is a consumer transaction for purposes of 1849
sections 1345.01 to 1345.13 of the Revised Code. The provider is 1850
the supplier and the contract holder is the consumer for purposes 1851
of those sections. 1852

(F) Unless issued by an insurer authorized or eligible to do 1853
business in this state, a motor vehicle tire or wheel road hazard 1854
contract does not constitute a contract substantially amounting to 1855
insurance, or the contract's issuance the business of insurance, 1856
under section 3905.42 of the Revised Code. 1857

(G) The rights of a contract holder against a provider's 1858
reimbursement insurance policy insurer as provided in this section 1859
apply only in regard to a reimbursement insurance policy issued 1860
under this section. This section does not create any contractual 1861

rights in favor of a person that does not qualify as an insured 1862
under any other type of insurance policy described in Title XXXIX 1863
of the Revised Code. This section does not prohibit the insurer of 1864
a provider's reimbursement insurance policy from assuming 1865
liability for contracts issued prior to the effective date of the 1866
policy or this statute. 1867

Sec. 4163.01. As used in Chapter 4163. of the Revised Code: 1868

(A) "Atomic energy" means all forms of energy released in the 1869
course of nuclear fission or nuclear transformation. 1870

(B) "By-product material" ~~means any radioactive material~~ 1871
~~(except special nuclear material) yielded in, or made radioactive~~ 1872
~~by exposure to the radiation incident to, the process of producing~~ 1873
~~or utilizing special nuclear materials~~ has the same meaning as in 1874
Section 11(e)(2) of the "Atomic Energy Act of 1954," 68 Stat. 922, 1875
42 U.S.C. 2014, as amended. 1876

(C) "Production facility" means any equipment or device 1877
capable of the production of special nuclear material in such 1878
quantity as to be of significance to the common defense and 1879
security, or in such manner as to affect the health and safety of 1880
the public; or any important component part especially designed 1881
for such equipment or device. 1882

(D) "Special nuclear material" means plutonium or uranium 1883
enriched in the isotope 233 or in the isotope 235, or any other 1884
material which the governor declares by order to be special 1885
nuclear material. 1886

(E) "Utilization facility" means any equipment or device, 1887
except an atomic weapon, capable of making use of special nuclear 1888
materials in such quantity as to be of significance to the common 1889
defense and security, or in such manner as to affect the health 1890
and safety of the public, or peculiarly adapted for making use of 1891

atomic energy in such quantity as to be of significance to the 1892
common defense and security, or in such manner as to affect the 1893
health and safety of the public; or any important component part 1894
especially designed for such equipment or device. 1895

(F) "Radiation" means gamma rays and X-rays, alpha and beta 1896
particles, high-speed electrons, neutrons, protons, and other 1897
nuclear particles; but not sound or radio waves, or visible, 1898
infrared, or ultraviolet light. 1899

(G) ~~"Large quantity" has the meaning set forth in Part 71 of~~ 1900
~~Title 10, section 71.4(f), of the Code of Federal Regulations~~ 1901
"Highway route controlled quantity" has the same meaning as in 49 1902
C.F.R. 173.403. 1903

(H) "High-level radioactive waste" means any of the 1904
following: 1905

(1) Irradiated reactor fuel; 1906

(2) Liquid wastes resulting from the operation of the first 1907
cycle solvent extraction system, or equivalent, and the 1908
concentrated wastes from subsequent extraction cycles, or 1909
equivalent, in a facility for reprocessing irradiated reactor 1910
fuel; 1911

(3) Solids into which such liquid wastes have been converted; 1912

(4) Any other highly radioactive waste material that the 1913
United States nuclear regulatory commission or the United States 1914
department of energy determines by law requires permanent 1915
isolation; 1916

(5) Any by-product material. 1917

(I) "Spent nuclear fuel" means fuel that has been withdrawn 1918
from a nuclear reactor following irradiation, the constituent 1919
elements of which have not been separated by reprocessing. 1920

(J) "Transuranic waste" means material containing elements 1921

that have an atomic number greater than ninety-two, including 1922
neptunium, plutonium, americium, and curium, and that are in 1923
concentrations greater than ten nanocuries per gram or in other 1924
concentrations that the United States nuclear regulatory 1925
commission may prescribe. 1926

Sec. 4163.07. (A)(1) Prior to transporting any ~~large~~ 1927
high-level radioactive waste, spent nuclear fuel, transuranic 1928
waste, or any quantity of special nuclear material ~~or by product~~ 1929
material that meets or exceeds the highway route controlled 1930
quantity, within, into, or through the state, the carrier or 1931
shipper of the material shall notify the executive director of the 1932
emergency management agency established under section 5502.22 of 1933
the Revised Code of the shipment. The notice shall be in writing 1934
and be sent by certified mail and shall include the name of the 1935
shipper; the name of the carrier; the type and quantity of the 1936
~~special nuclear material or by product material~~; the 1937
transportation mode of the shipment; the proposed date and time of 1938
shipment of the material within, into, or through the state; and 1939
the starting point, termination or exit point, scheduled route, 1940
and each alternate route, if any, of the shipment. In order to 1941
constitute effective notification under division (A)(1) of this 1942
section, notification shall be received by the executive director 1943
at least ~~forty eight hours~~ four days prior to ~~entry of the~~ 1944
shipment within, into, or through the state. 1945

(2) The carrier or shipper of any shipment subject to 1946
division (A)(1) of this section shall immediately notify the 1947
executive director of any change in the date and time of the 1948
shipment or in the route of the shipment within, into, or through 1949
the state. 1950

(B) Upon receipt of a notice of any shipment of ~~a large~~ 1951
~~quantity of special nuclear material or by product material~~ that 1952

is subject to division (A)(1) of this section within, into, or 1953
through the state, the executive director of the emergency 1954
management agency shall immediately notify the director of public 1955
safety, the director of environmental protection, the chairperson 1956
of the public utilities commission, and the sheriff of each county 1957
along the proposed route, or any alternate route, of the shipment. 1958

(C) The executive director of the emergency management agency 1959
shall not disclose to any person other than those persons 1960
enumerated in division (B) of this section any information 1961
pertaining to any shipment of special nuclear material or 1962
by-product material prior to the time that the shipment is 1963
completed. 1964

(D) This section does not apply to radioactive materials, 1965
other than by-products, shipped by or for the United States 1966
department of defense and United States department of energy for 1967
military or national defense purposes. Nothing in this section 1968
requires the disclosure of any defense information or restricted 1969
data as defined in the "Atomic Energy Act of 1954," 68 Stat. 919, 1970
42 U.S.C.A. 2011, as amended. 1971

(E) No person shall transport or cause to be transported 1972
within, into, or through the state any large quantity of special 1973
or by-product material that is subject to division (A)(1) of this 1974
section without first providing the notice required in that 1975
division ~~(A) of this section~~. 1976

(F) Whoever violates division (E) of this section, in 1977
addition to any penalty imposed under section 4163.99 of the 1978
Revised Code, is liable for a civil penalty in an amount not to 1979
exceed ten times the amount of the fee due under section 4163.08 1980
of the Revised Code. The attorney general, upon the request of the 1981
executive director of the emergency management agency, shall bring 1982
a civil action to collect the penalty. Fines collected pursuant to 1983
this section shall be deposited into the state treasury to the 1984

credit of the radiation response fund. 1985

Sec. 4163.08. (A) No person shall transport or cause to be 1986
transported high-level radioactive waste, spent nuclear fuel, 1987
transuranic waste, or any quantity of special nuclear material 1988
that meets or exceeds the highway route controlled quantity, 1989
within, into, or through this state by rail or motor carrier 1990
unless the person, at least four days prior to the date of the 1991
shipment, pays the department of public safety the following fees 1992
for each shipment of high-level radioactive waste, spent nuclear 1993
fuel, transuranic waste, or any quantity of special nuclear 1994
material that meets or exceeds the highway route controlled 1995
quantity, as applicable: 1996

(1) Two thousand five hundred dollars for each shipment by 1997
motor carrier; 1998

(2) Four thousand five hundred dollars for the first cask 1999
designated for transport by rail and three thousand dollars for 2000
each additional cask designated for transport by rail that is 2001
shipped by the same person or entity in the same shipment. 2002

(B) This section does not apply to any shipment of high-level 2003
radioactive waste, spent nuclear fuel, transuranic waste, or any 2004
quantity of special nuclear material that meets or exceeds the 2005
highway route controlled quantity by or for the United States 2006
government for military or national defense purposes. This section 2007
applies to all other shipments of high-level radioactive waste, 2008
spent nuclear fuel, transuranic waste, or any quantity of special 2009
nuclear material that meets or exceeds the highway route 2010
controlled quantity by or for the United States government, to the 2011
extent permitted by federal law. 2012

(C) Whoever violates division (A) of this section is liable 2013
for a civil penalty in an amount not to exceed ten times the 2014
amount of the fee due under this section. The attorney general, 2015

upon the request of the director of public safety, shall bring a 2016
civil action to collect the penalty. Fines collected pursuant to 2017
this section shall be deposited into the state treasury to the 2018
credit of the radiation response fund. 2019

Sec. 4163.09. (A)(1) The department of public safety shall 2020
deposit all fees collected under section 4163.08 of the Revised 2021
Code in the radiation response fund, which is hereby created in 2022
the state treasury. All investment earnings of the fund shall be 2023
credited to it. 2024

(2) Money in the radiation response fund shall be used only 2025
for the following purposes, as determined by the director of 2026
public safety: 2027

(a) State and local expenses related to the shipment of 2028
high-level radioactive waste, spent nuclear fuel, transuranic 2029
waste, or any quantity of special nuclear material that meets or 2030
exceeds the highway route controlled quantity in this state, 2031
including inspections, escorts, security, emergency management 2032
services, and accident response; 2033

(b) Planning, coordination, education, and training of 2034
emergency response providers, law enforcement agencies, and other 2035
appropriate state or local entities; 2036

(c) Purchase and maintenance of monitoring, medical, safety, 2037
or emergency response equipment and supplies; 2038

(d) Administrative costs of the department and other state or 2039
local entities related to the shipping of high-level radioactive 2040
waste, spent nuclear fuel, transuranic waste, or any quantity of 2041
special nuclear material that meets or exceeds the highway route 2042
controlled quantity; 2043

(e) Other similar expenses determined by the director to be 2044
appropriate. 2045

(B)(1) The director may adopt rules as necessary to implement sections 4163.08 and 4163.09 of the Revised Code. 2046
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(2) In administering section 4163.08 of the Revised Code, the director shall work with any department or agency of federal, state, or local government that also regulates the shipment of high-level radioactive waste, spent nuclear fuel, transuranic waste, or any quantity of special nuclear material that meets or exceeds the highway route controlled quantity. 2048
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(3) Subject to division (C) of section 4163.07 of the Revised Code, the department, consistent with national security requirements, may notify any law enforcement agency or other state or local entity affected by the shipment, as the director considers necessary for public safety. 2054
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(4) Beginning December 31, 2010, and every two years thereafter, the director shall prepare and submit to both houses of the general assembly a report on the radiation response fund. The report shall include information on the fees received and expenditures made from the fund. 2059
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Sec. 4501.01. As used in this chapter and Chapters 4503., 4505., 4507., 4509., 4510., 4511., 4513., 4515., and 4517. of the Revised Code, and in the penal laws, except as otherwise provided: 2064
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(A) "Vehicles" means everything on wheels or runners, including motorized bicycles, but does not mean electric personal assistive mobility devices, vehicles that are operated exclusively on rails or tracks or from overhead electric trolley wires, and vehicles that belong to any police department, municipal fire department, or volunteer fire department, or that are used by such a department in the discharge of its functions. 2067
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(B) "Motor vehicle" means any vehicle, including mobile homes and recreational vehicles, that is propelled or drawn by power 2074
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other than muscular power or power collected from overhead 2076
electric trolley wires. "Motor vehicle" does not include utility 2077
vehicles as defined in division (VV) of this section, motorized 2078
bicycles, road rollers, traction engines, power shovels, power 2079
cranes, and other equipment used in construction work and not 2080
designed for or employed in general highway transportation, 2081
well-drilling machinery, ditch-digging machinery, farm machinery, 2082
and trailers that are designed and used exclusively to transport a 2083
boat between a place of storage and a marina, or in and around a 2084
marina, when drawn or towed on a public road or highway for a 2085
distance of no more than ten miles and at a speed of twenty-five 2086
miles per hour or less. 2087

(C) "Agricultural tractor" and "traction engine" mean any 2088
self-propelling vehicle that is designed or used for drawing other 2089
vehicles or wheeled machinery, but has no provisions for carrying 2090
loads independently of such other vehicles, and that is used 2091
principally for agricultural purposes. 2092

(D) "Commercial tractor," except as defined in division (C) 2093
of this section, means any motor vehicle that has motive power and 2094
either is designed or used for drawing other motor vehicles, or is 2095
designed or used for drawing another motor vehicle while carrying 2096
a portion of the other motor vehicle or its load, or both. 2097

(E) "Passenger car" means any motor vehicle that is designed 2098
and used for carrying not more than nine persons and includes any 2099
motor vehicle that is designed and used for carrying not more than 2100
fifteen persons in a ridesharing arrangement. 2101

(F) "Collector's vehicle" means any motor vehicle or 2102
agricultural tractor or traction engine that is of special 2103
interest, that has a fair market value of one hundred dollars or 2104
more, whether operable or not, and that is owned, operated, 2105
collected, preserved, restored, maintained, or used essentially as 2106
a collector's item, leisure pursuit, or investment, but not as the 2107

owner's principal means of transportation. "Licensed collector's vehicle" means a collector's vehicle, other than an agricultural tractor or traction engine, that displays current, valid license tags issued under section 4503.45 of the Revised Code, or a similar type of motor vehicle that displays current, valid license tags issued under substantially equivalent provisions in the laws of other states.

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

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

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

(J) "Commercial car" or "truck" means any motor vehicle that has motor power and is designed and used for carrying merchandise or freight, or that is used as a commercial tractor.

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

(L) "Motorized bicycle" means any vehicle that either has two

tandem wheels or one wheel in the front and two wheels in the rear, that is capable of being pedaled, and that is equipped with a helper motor of not more than fifty cubic centimeters piston displacement that produces no more than one brake horsepower and is capable of propelling the vehicle at a speed of no greater than twenty miles per hour on a level surface.

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

(N) "Noncommercial trailer" means any trailer, except a travel trailer or trailer that is used to transport a boat as described in division (B) of this section, but, where applicable, includes a vehicle that is used to transport a boat as described in division (M) of this section, that has a gross weight of no more than three thousand pounds, and that is used exclusively for purposes other than engaging in business for a profit.

(O) "Mobile home" means a building unit or assembly of closed construction that is fabricated in an off-site facility, is more than thirty-five body feet in length or, when erected on site, is three hundred twenty or more square feet, is built on a permanent

chassis, is transportable in one or more sections, and does not 2171
qualify as a manufactured home as defined in division (C)(4) of 2172
section 3781.06 of the Revised Code or as an industrialized unit 2173
as defined in division (C)(3) of section 3781.06 of the Revised 2174
Code. 2175

(P) "Semitrailer" means any vehicle of the trailer type that 2176
does not have motive power and is so designed or used with another 2177
and separate motor vehicle that in operation a part of its own 2178
weight or that of its load, or both, rests upon and is carried by 2179
the other vehicle furnishing the motive power for propelling 2180
itself and the vehicle referred to in this division, and includes, 2181
for the purpose only of registration and taxation under those 2182
chapters, any vehicle of the dolly type, such as a trailer dolly, 2183
that is designed or used for the conversion of a semitrailer into 2184
a trailer. 2185

(Q) "Recreational vehicle" means a vehicular portable 2186
structure that meets all of the following conditions: 2187

(1) It is designed for the sole purpose of recreational 2188
travel. 2189

(2) It is not used for the purpose of engaging in business 2190
for profit. 2191

(3) It is not used for the purpose of engaging in intrastate 2192
commerce. 2193

(4) It is not used for the purpose of commerce as defined in 2194
49 C.F.R. 383.5, as amended. 2195

(5) It is not regulated by the public utilities commission 2196
pursuant to Chapter 4919., 4921., or 4923. of the Revised Code. 2197

(6) It is classed as one of the following: 2198

(a) "Travel trailer" means a nonself-propelled recreational 2199
vehicle that does not exceed an overall length of thirty-five 2200

feet, exclusive of bumper and tongue or coupling, and contains 2201
less than three hundred twenty square feet of space when erected 2202
on site. "Travel trailer" includes a tent-type fold-out camping 2203
trailer as defined in section 4517.01 of the Revised Code. 2204

(b) "Motor home" means a self-propelled recreational vehicle 2205
that has no fifth wheel and is constructed with permanently 2206
installed facilities for cold storage, cooking and consuming of 2207
food, and for sleeping. 2208

(c) "Truck camper" means a nonself-propelled recreational 2209
vehicle that does not have wheels for road use and is designed to 2210
be placed upon and attached to a motor vehicle. "Truck camper" 2211
does not include truck covers that consist of walls and a roof, 2212
but do not have floors and facilities enabling them to be used as 2213
a dwelling. 2214

(d) "Fifth wheel trailer" means a vehicle that is of such 2215
size and weight as to be movable without a special highway permit, 2216
that has a gross trailer area of four hundred square feet or less, 2217
that is constructed with a raised forward section that allows a 2218
bi-level floor plan, and that is designed to be towed by a vehicle 2219
equipped with a fifth-wheel hitch ordinarily installed in the bed 2220
of a truck. 2221

(e) "Park trailer" means a vehicle that is commonly known as 2222
a park model recreational vehicle, meets the American national 2223
standard institute standard A119.5 (1988) for park trailers, is 2224
built on a single chassis, has a gross trailer area of four 2225
hundred square feet or less when set up, is designed for seasonal 2226
or temporary living quarters, and may be connected to utilities 2227
necessary for the operation of installed features and appliances. 2228

(R) "Pneumatic tires" means tires of rubber and fabric or 2229
tires of similar material, that are inflated with air. 2230

(S) "Solid tires" means tires of rubber or similar elastic 2231

material that are not dependent upon confined air for support of 2232
the load. 2233

(T) "Solid tire vehicle" means any vehicle that is equipped 2234
with two or more solid tires. 2235

(U) "Farm machinery" means all machines and tools that are 2236
used in the production, harvesting, and care of farm products, and 2237
includes trailers that are used to transport agricultural produce 2238
or agricultural production materials between a local place of 2239
storage or supply and the farm, agricultural tractors, threshing 2240
machinery, hay-baling machinery, corn shellers, hammermills, and 2241
machinery used in the production of horticultural, agricultural, 2242
and vegetable products. 2243

(V) "Owner" includes any person or firm, other than a 2244
manufacturer or dealer, that has title to a motor vehicle, except 2245
that, in sections 4505.01 to 4505.19 of the Revised Code, "owner" 2246
includes in addition manufacturers and dealers. 2247

(W) "Manufacturer" and "dealer" include all persons and firms 2248
that are regularly engaged in the business of manufacturing, 2249
selling, displaying, offering for sale, or dealing in motor 2250
vehicles, at an established place of business that is used 2251
exclusively for the purpose of manufacturing, selling, displaying, 2252
offering for sale, or dealing in motor vehicles. A place of 2253
business that is used for manufacturing, selling, displaying, 2254
offering for sale, or dealing in motor vehicles shall be deemed to 2255
be used exclusively for those purposes even though snowmobiles or 2256
all-purpose vehicles are sold or displayed for sale thereat, even 2257
though farm machinery is sold or displayed for sale thereat, or 2258
even though repair, accessory, gasoline and oil, storage, parts, 2259
service, or paint departments are maintained thereat, or, in any 2260
county having a population of less than seventy-five thousand at 2261
the last federal census, even though a department in a place of 2262
business is used to dismantle, salvage, or rebuild motor vehicles 2263

by means of used parts, if such departments are operated for the 2264
purpose of furthering and assisting in the business of 2265
manufacturing, selling, displaying, offering for sale, or dealing 2266
in motor vehicles. Places of business or departments in a place of 2267
business used to dismantle, salvage, or rebuild motor vehicles by 2268
means of using used parts are not considered as being maintained 2269
for the purpose of assisting or furthering the manufacturing, 2270
selling, displaying, and offering for sale or dealing in motor 2271
vehicles. 2272

(X) "Operator" includes any person who drives or operates a 2273
motor vehicle upon the public highways. 2274

(Y) "Chauffeur" means any operator who operates a motor 2275
vehicle, other than a taxicab, as an employee for hire; or any 2276
operator whether or not the owner of a motor vehicle, other than a 2277
taxicab, who operates such vehicle for transporting, for gain, 2278
compensation, or profit, either persons or property owned by 2279
another. Any operator of a motor vehicle who is voluntarily 2280
involved in a ridesharing arrangement is not considered an 2281
employee for hire or operating such vehicle for gain, 2282
compensation, or profit. 2283

(Z) "State" includes the territories and federal districts of 2284
the United States, and the provinces of Canada. 2285

(AA) "Public roads and highways" for vehicles includes all 2286
public thoroughfares, bridges, and culverts. 2287

(BB) "Manufacturer's number" means the manufacturer's 2288
original serial number that is affixed to or imprinted upon the 2289
chassis or other part of the motor vehicle. 2290

(CC) "Motor number" means the manufacturer's original number 2291
that is affixed to or imprinted upon the engine or motor of the 2292
vehicle. 2293

(DD) "Distributor" means any person who is authorized by a 2294

motor vehicle manufacturer to distribute new motor vehicles to 2295
licensed motor vehicle dealers at an established place of business 2296
that is used exclusively for the purpose of distributing new motor 2297
vehicles to licensed motor vehicle dealers, except when the 2298
distributor also is a new motor vehicle dealer, in which case the 2299
distributor may distribute at the location of the distributor's 2300
licensed dealership. 2301

(EE) "Ridesharing arrangement" means the transportation of 2302
persons in a motor vehicle where the transportation is incidental 2303
to another purpose of a volunteer driver and includes ridesharing 2304
arrangements known as carpools, vanpools, and buspools. 2305

(FF) "Apportionable vehicle" means any vehicle that is used 2306
or intended for use in two or more international registration plan 2307
member jurisdictions that allocate or proportionally register 2308
vehicles, that is used for the transportation of persons for hire 2309
or designed, used, or maintained primarily for the transportation 2310
of property, and that meets any of the following qualifications: 2311

(1) Is a power unit having a gross vehicle weight in excess 2312
of twenty-six thousand pounds; 2313

(2) Is a power unit having three or more axles, regardless of 2314
the gross vehicle weight; 2315

(3) Is a combination vehicle with a gross vehicle weight in 2316
excess of twenty-six thousand pounds. 2317

"Apportionable vehicle" does not include recreational 2318
vehicles, vehicles displaying restricted plates, city pick-up and 2319
delivery vehicles, buses used for the transportation of chartered 2320
parties, or vehicles owned and operated by the United States, this 2321
state, or any political subdivisions thereof. 2322

(GG) "Chartered party" means a group of persons who contract 2323
as a group to acquire the exclusive use of a passenger-carrying 2324
motor vehicle at a fixed charge for the vehicle in accordance with 2325

the carrier's tariff, lawfully on file with the United States 2326
department of transportation, for the purpose of group travel to a 2327
specified destination or for a particular itinerary, either agreed 2328
upon in advance or modified by the chartered group after having 2329
left the place of origin. 2330

(HH) "International registration plan" means a reciprocal 2331
agreement of member jurisdictions that is endorsed by the American 2332
association of motor vehicle administrators, and that promotes and 2333
encourages the fullest possible use of the highway system by 2334
authorizing apportioned registration of fleets of vehicles and 2335
recognizing registration of vehicles apportioned in member 2336
jurisdictions. 2337

(II) "Restricted plate" means a license plate that has a 2338
restriction of time, geographic area, mileage, or commodity, and 2339
includes license plates issued to farm trucks under division (J) 2340
of section 4503.04 of the Revised Code. 2341

(JJ) "Gross vehicle weight," with regard to any commercial 2342
car, trailer, semitrailer, or bus that is taxed at the rates 2343
established under section 4503.042 or 4503.65 of the Revised Code, 2344
means the unladen weight of the vehicle fully equipped plus the 2345
maximum weight of the load to be carried on the vehicle. 2346

(KK) "Combined gross vehicle weight" with regard to any 2347
combination of a commercial car, trailer, and semitrailer, that is 2348
taxed at the rates established under section 4503.042 or 4503.65 2349
of the Revised Code, means the total unladen weight of the 2350
combination of vehicles fully equipped plus the maximum weight of 2351
the load to be carried on that combination of vehicles. 2352

(LL) "Chauffeured limousine" means a motor vehicle that is 2353
designed to carry nine or fewer passengers and is operated for 2354
hire on an hourly basis pursuant to a prearranged contract for the 2355
transportation of passengers on public roads and highways along a 2356

route under the control of the person hiring the vehicle and not 2357
over a defined and regular route. "Prearranged contract" means an 2358
agreement, made in advance of boarding, to provide transportation 2359
from a specific location in a chauffeured limousine at a fixed 2360
rate per hour or trip. "Chauffeured limousine" does not include 2361
any vehicle that is used exclusively in the business of funeral 2362
directing. 2363

(MM) "Manufactured home" has the same meaning as in division 2364
(C)(4) of section 3781.06 of the Revised Code. 2365

(NN) "Acquired situs," with respect to a manufactured home or 2366
a mobile home, means to become located in this state by the 2367
placement of the home on real property, but does not include the 2368
placement of a manufactured home or a mobile home in the inventory 2369
of a new motor vehicle dealer or the inventory of a manufacturer, 2370
remanufacturer, or distributor of manufactured or mobile homes. 2371

(OO) "Electronic" includes electrical, digital, magnetic, 2372
optical, electromagnetic, or any other form of technology that 2373
entails capabilities similar to these technologies. 2374

(PP) "Electronic record" means a record generated, 2375
communicated, received, or stored by electronic means for use in 2376
an information system or for transmission from one information 2377
system to another. 2378

(QQ) "Electronic signature" means a signature in electronic 2379
form attached to or logically associated with an electronic 2380
record. 2381

(RR) "Financial transaction device" has the same meaning as 2382
in division (A) of section 113.40 of the Revised Code. 2383

(SS) "Electronic motor vehicle dealer" means a motor vehicle 2384
dealer licensed under Chapter 4517. of the Revised Code whom the 2385
registrar of motor vehicles determines meets the criteria 2386
designated in section 4503.035 of the Revised Code for electronic 2387

motor vehicle dealers and designates as an electronic motor 2388
vehicle dealer under that section. 2389

(TT) "Electric personal assistive mobility device" means a 2390
self-balancing two non-tandem wheeled device that is designed to 2391
transport only one person, has an electric propulsion system of an 2392
average of seven hundred fifty watts, and when ridden on a paved 2393
level surface by an operator who weighs one hundred seventy pounds 2394
has a maximum speed of less than twenty miles per hour. 2395

(UU) "Limited driving privileges" means the privilege to 2396
operate a motor vehicle that a court grants under section 4510.021 2397
of the Revised Code to a person whose driver's or commercial 2398
driver's license or permit or nonresident operating privilege has 2399
been suspended. 2400

(VV) "Utility vehicle" means a self-propelled vehicle 2401
designed with a bed, principally for the purpose of transporting 2402
material or cargo in connection with construction, agricultural, 2403
forestry, grounds maintenance, lawn and garden, materials 2404
handling, or similar activities. "Utility vehicle" includes a 2405
vehicle with a maximum attainable speed of twenty miles per hour 2406
or less that is used exclusively within the boundaries of state 2407
parks by state park employees or volunteers for the operation or 2408
maintenance of state park facilities. 2409

Sec. 4501.026. The registrar of motor vehicles or a deputy 2410
registrar shall ask an individual with whom the registrar or 2411
deputy registrar conducts driver's license or identification card 2412
transactions if the individual is a veteran or is currently 2413
servng in the armed forces of the United States or any reserve 2414
component of the armed forces of the United States or the Ohio 2415
national guard. If the individual claims to be a veteran or to be 2416
currently servng in the armed forces of the United States or any 2417
reserve component of the armed forces of the United States or the 2418

Ohio national guard, the registrar or deputy registrar shall 2419
provide the individual's name, address, and military status to the 2420
department of veterans services for official government purposes 2421
regarding benefits and services. 2422

Sec. 4501.03. The registrar of motor vehicles shall open an 2423
account with each county and district of registration in the 2424
state, and may assign each county and district of registration in 2425
the state a unique code for identification purposes. Except as 2426
provided in section 4501.044 or division ~~(B)~~(A) (1) of section 2427
4501.045 of the Revised Code, the registrar shall pay all moneys 2428
the registrar receives under sections 4503.02, 4503.12, and 2429
4504.09 of the Revised Code into the state treasury to the credit 2430
of the auto registration distribution fund, which is hereby 2431
created, for distribution in the manner provided for in this 2432
section and sections 4501.04, 4501.041, 4501.042, and 4501.043 of 2433
the Revised Code. All other moneys received by the registrar shall 2434
be deposited in the state bureau of motor vehicles fund 2435
established in section 4501.25 of the Revised Code for the 2436
purposes enumerated in that section, unless otherwise provided by 2437
law. 2438

All moneys credited to the auto registration distribution 2439
fund shall be distributed to the counties and districts of 2440
registration, except for funds received by the registrar under 2441
section 4504.09 of the Revised Code, after receipt of 2442
certifications from the commissioners of the sinking fund 2443
certifying, as required by sections 5528.15 and 5528.35 of the 2444
Revised Code, that there are sufficient moneys to the credit of 2445
the highway improvement bond retirement fund created by section 2446
5528.12 of the Revised Code to meet in full all payments of 2447
interest, principal, and charges for the retirement of bonds and 2448
other obligations issued pursuant to Section 2g of Article VIII, 2449

Ohio Constitution, and sections 5528.10 and 5528.11 of the Revised 2450
Code due and payable during the current calendar year, and that 2451
there are sufficient moneys to the credit of the highway 2452
obligations bond retirement fund created by section 5528.32 of the 2453
Revised Code to meet in full all payments of interest, principal, 2454
and charges for the retirement of highway obligations issued 2455
pursuant to Section 2i of Article VIII, Ohio Constitution, and 2456
sections 5528.30 and 5528.31 of the Revised Code due and payable 2457
during the current calendar year, in the manner provided in 2458
section 4501.04 of the Revised Code. 2459

The treasurer of state may invest any portion of the moneys 2460
credited to the auto registration distribution fund, in the same 2461
manner and subject to all the laws with respect to the investment 2462
of state funds by the treasurer of state, and all investment 2463
earnings of the fund shall be credited to the fund. 2464

Once each month the registrar shall prepare vouchers in favor 2465
of the county auditor of each county for the amount of the tax 2466
collection pursuant to sections 4503.02 and 4503.12 of the Revised 2467
Code apportioned to the county and to the districts of 2468
registration located wholly or in part in the county auditor's 2469
county. The county auditor shall distribute the proceeds of the 2470
tax collections due the county and the districts of registration 2471
in the manner provided in section 4501.04 of the Revised Code. 2472

Once each month the registrar also shall prepare vouchers in 2473
favor of the county auditor of each county levying a county motor 2474
vehicle license tax pursuant to section 4504.02, 4504.15, or 2475
4504.16 of the Revised Code and of each county in which is located 2476
one or more townships levying a township motor vehicle license tax 2477
pursuant to section 4504.18 of the Revised Code for the amount of 2478
the tax due the county or townships in the county. 2479

All moneys received by the registrar under sections 4503.02, 2480
4503.12, and 4504.09 of the Revised Code shall be distributed to 2481

counties, townships, and municipal corporations within thirty days 2482
of the expiration of the registration year, except that a sum 2483
equal to five per cent of the total amount received under sections 2484
4503.02 and 4503.12 of the Revised Code may be reserved to make 2485
final adjustments in accordance with the formula for distribution 2486
set forth in section 4501.04 of the Revised Code. If amounts set 2487
aside to make the adjustments are inadequate, necessary 2488
adjustments shall be made immediately out of funds available for 2489
distribution for the following two registration years. 2490

Sec. 4501.044. (A) All moneys received under section 4503.65 2491
of the Revised Code and from the tax imposed by section 4503.02 of 2492
the Revised Code on vehicles that are apportionable and to which 2493
the rates specified in divisions (A)(1) to (21) and division (B) 2494
of section 4503.042 of the Revised Code apply shall be paid into 2495
the international registration plan distribution fund, which is 2496
hereby created in the state treasury, and distributed as follows: 2497

(1) First, to make payments to other states that are members 2498
of the international registration plan of the portions of 2499
registration taxes the states are eligible to receive because of 2500
the operation within their borders of apportionable vehicles that 2501
are registered in Ohio; 2502

(2) Second, two and five-tenths per cent of all the moneys 2503
received from apportionable vehicles under section 4503.65 of the 2504
Revised Code that are collected from other international 2505
registration plan jurisdictions commencing on and after October 1, 2506
2009, shall be deposited into the state highway safety fund 2507
established in section 4501.06 of the Revised Code; 2508

(3) Third, forty-two and six-tenths per cent of the moneys 2509
received from apportionable vehicles under divisions (A)(8) to 2510
(21) of section 4503.042 and forty-two and six-tenths per cent of 2511
the balance remaining from the moneys received under section 2512

4503.65 of the Revised Code after distribution under division 2513
(A)(2) of this section shall be deposited in the state treasury to 2514
the credit of the highway obligations bond retirement fund created 2515
by section 5528.32 of the Revised Code and used solely for the 2516
purposes set forth in that section, except that, from the date the 2517
commissioners of the sinking fund make the certification to the 2518
treasurer of state on the sufficiency of funds in the highway 2519
obligation bond retirement fund as required by section 5528.38 of 2520
the Revised Code, and until the thirty-first day of December of 2521
the year in which the certification is made, the amounts 2522
distributed under division ~~(A)(2)~~(3) of this section shall be 2523
credited to the highway operating fund created by section 5735.291 2524
of the Revised Code; 2525

~~(3) Third~~ (4) Fourth, an amount estimated as the annual costs 2526
that the department of taxation will incur in conducting audits of 2527
persons who have registered motor vehicles under the international 2528
registration plan, one-twelfth of which amount shall be paid by 2529
the registrar of motor vehicles into the international 2530
registration plan auditing fund created by section 5703.12 of the 2531
Revised Code by the fifteenth day of each month; 2532

~~(4) Fourth~~ (5) Fifth, to the state bureau of motor vehicles 2533
fund established in section 4501.25 of the Revised Code, to offset 2534
operating expenses incurred by the bureau of motor vehicles in 2535
administering the international registration plan; 2536

~~(5)(6)~~ Any moneys remaining in the international registration 2537
plan distribution fund after distribution under divisions (A)(1) 2538
to ~~(4)(5)~~ of this section shall be distributed in accordance with 2539
division (B) of this section. 2540

(B)(1) Moneys received from the tax imposed by section 2541
4503.02 of the Revised Code on vehicles that are apportionable and 2542
to which the rates specified in divisions (A)(1) to (21) and 2543
division (B) of section 4503.042 of the Revised Code apply shall 2544

be distributed and used in the manner provided in section 4501.04 2545
of the Revised Code and rules adopted by the registrar of motor 2546
vehicles for moneys deposited to the credit of the auto 2547
registration distribution fund. 2548

(2) Moneys received from collections under section 4503.65 of 2549
the Revised Code shall be distributed under divisions (B)(2) and 2550
(3) of this section. 2551

Each county, township, and municipal corporation shall 2552
receive an amount such that the ratio that the amount of moneys 2553
received by that county, township, or municipal corporation under 2554
division (B)(1) of this section from apportionable vehicles 2555
registered in Ohio and under section 4503.65 of the Revised Code 2556
from apportionable vehicles registered in other international 2557
registration plan jurisdictions bears to the total amount of 2558
moneys received by all counties, townships, and municipal 2559
corporations under division (B)(1) of this section from 2560
apportionable vehicles registered in Ohio and under section 2561
4503.65 of the Revised Code from apportionable vehicles registered 2562
in other international registration plan jurisdictions equals the 2563
ratio that the amount of moneys that the county, township, or 2564
municipal corporation would receive from apportionable vehicles 2565
registered in Ohio were the moneys from such vehicles distributed 2566
under section 4501.04 of the Revised Code, based solely on the 2567
weight schedules contained in section 4503.042 of the Revised 2568
Code, bears to the total amount of money that all counties, 2569
townships, and municipal corporations would receive from 2570
apportionable vehicles registered in Ohio were the moneys from 2571
such vehicles distributed under section 4501.04 of the Revised 2572
Code, based solely on the weight schedules contained in section 2573
4503.042 of the Revised Code. 2574

No county, township, or municipal corporation shall receive 2575
under division (B)(2) of this section an amount greater than the 2576

amount of money that that county, township, or municipal 2577
corporation would receive from apportionable vehicles registered 2578
in Ohio were the money from the taxation of such vehicles 2579
distributed under section 4501.04 of the Revised Code based solely 2580
on the weight schedules contained in section 4503.042 of the 2581
Revised Code. 2582

(3) If, at the end of the distribution year, the total of all 2583
moneys received under section 4503.65 of the Revised Code exceeds 2584
the total moneys subject to distribution under division (B)(2) of 2585
this section, the registrar shall distribute to each county, 2586
township, and municipal corporation a portion of the excess. The 2587
excess shall be distributed to counties, townships, and municipal 2588
corporations in the same proportion that the revenues received by 2589
each county, township, and municipal corporation from collections 2590
under section 4503.02 and from collections under section 4503.65 2591
of the Revised Code during that distribution year bears to the 2592
total revenues received by counties, townships, and municipal 2593
corporations from taxes levied under section 4503.02 and from 2594
collections under section 4503.65 of the Revised Code during that 2595
distribution year. 2596

(C) All moneys received from the administrative fee imposed 2597
by division (C) of section 4503.042 of the Revised Code shall be 2598
deposited to the credit of the state bureau of motor vehicles fund 2599
established in section 4501.25 of the Revised Code, to offset 2600
operating expenses incurred by the bureau of motor vehicles in 2601
administering the international registration plan. 2602

(D) All investment earnings of the international registration 2603
plan distribution fund shall be credited to the fund. 2604

Sec. 4501.06. The taxes, fees, and fines levied, charged, or 2605
referred to in division (O) of section 4503.04, division (E) of 2606
section 4503.042, division (B) of section 4503.07, division (C)(1) 2607

of section 4503.10, division (D) of section 4503.182, division 2608
(D)(2) of section 4507.24, division (A) of section 4508.06, and 2609
sections 4505.11, 4505.111, 4506.08, 4506.09, 4507.23, 4508.05, 2610
4923.12, and 5502.12 of the Revised Code, and the taxes charged in 2611
section 4503.65 that are distributed in accordance with division 2612
(A)(2) of section 4501.044 of the Revised Code unless otherwise 2613
designated by law, shall be deposited in the state treasury to the 2614
credit of the state highway safety fund, which is hereby created, 2615
and shall, after receipt of certifications from the commissioners 2616
of the sinking fund certifying, as required by sections 5528.15 2617
and 5528.35 of the Revised Code, that there are sufficient moneys 2618
to the credit of the highway improvement bond retirement fund 2619
created by section 5528.12 of the Revised Code to meet in full all 2620
payments of interest, principal, and charges for the retirement of 2621
bonds and other obligations issued pursuant to Section 2g of 2622
Article VIII, Ohio Constitution, and sections 5528.10 and 5528.11 2623
of the Revised Code due and payable during the current calendar 2624
year, and that there are sufficient moneys to the credit of the 2625
highway obligations bond retirement fund created by section 2626
5528.32 of the Revised Code to meet in full all payments of 2627
interest, principal, and charges for the retirement of highway 2628
obligations issued pursuant to Section 2i of Article VIII, Ohio 2629
Constitution, and sections 5528.30 and 5528.31 of the Revised Code 2630
due and payable during the current calendar year, be used for the 2631
purpose of enforcing and paying the expenses of administering the 2632
law relative to the registration and operation of motor vehicles 2633
on the public roads or highways. Amounts credited to the fund may 2634
also be used to pay the expenses of administering and enforcing 2635
the laws under which such fees were collected. All investment 2636
earnings of the state highway safety fund shall be credited to the 2637
fund. 2638

Sec. 4501.21. (A) There is hereby created in the state 2639

treasury the license plate contribution fund. The fund shall 2640
consist of all contributions paid by motor vehicle registrants and 2641
collected by the registrar of motor vehicles pursuant to sections 2642
4503.491, 4503.493, 4503.50, 4503.501, 4503.502, 4503.51, 2643
4503.522, 4503.523, 4503.545, 4503.55, 4503.551, 4503.552, 2644
4503.553, 4503.561, 4503.562, 4503.591, 4503.67, 4503.68, 4503.69, 2645
4503.71, 4503.711, 4503.712, 4503.72, 4503.73, 4503.74, 4503.75, 2646
4503.85, and 4503.92 of the Revised Code. 2647

(B) The registrar shall pay the contributions the registrar 2648
collects in the fund as follows: 2649

The registrar shall pay the contributions received pursuant 2650
to section 4503.491 of the Revised Code to the breast cancer fund 2651
of Ohio, which shall use that money only to pay for programs that 2652
provide assistance and education to Ohio breast cancer patients 2653
and that improve access for such patients to quality health care 2654
and clinical trials and shall not use any of the money for 2655
abortion information, counseling, services, or other 2656
abortion-related activities. 2657

The registrar shall pay the contributions received pursuant 2658
to section 4503.493 of the Revised Code to the autism society of 2659
Ohio, which shall use the contributions for programs and autism 2660
awareness efforts throughout the state. 2661

The registrar shall pay the contributions the registrar 2662
receives pursuant to section 4503.50 of the Revised Code to the 2663
future farmers of America foundation, which shall deposit the 2664
contributions into its general account to be used for educational 2665
and scholarship purposes of the future farmers of America 2666
foundation. 2667

The registrar shall pay the contributions the registrar 2668
receives pursuant to section 4503.501 of the Revised Code to the 2669
4-H youth development program of the Ohio state university 2670

extension program, which shall use those contributions to pay the 2671
expenses it incurs in conducting its educational activities. 2672

The registrar shall pay the contributions received pursuant 2673
to section 4503.502 of the Revised Code to the Ohio cattlemen's 2674
foundation, which shall use those contributions for scholarships 2675
and other educational activities. 2676

The registrar shall pay each contribution the registrar 2677
receives pursuant to section 4503.51 of the Revised Code to the 2678
university or college whose name or marking or design appears on 2679
collegiate license plates that are issued to a person under that 2680
section. A university or college that receives contributions from 2681
the fund shall deposit the contributions into its general 2682
scholarship fund. 2683

The registrar shall pay the contributions the registrar 2684
receives pursuant to section 4503.522 of the Revised Code to the 2685
"friends of Perry's victory and international peace memorial, 2686
incorporated," a nonprofit corporation organized under the laws of 2687
this state, to assist that organization in paying the expenses it 2688
incurs in sponsoring or holding charitable, educational, and 2689
cultural events at the monument. 2690

The registrar shall pay the contributions the registrar 2691
receives pursuant to section 4503.523 of the Revised Code to the 2692
fairport lights foundation, which shall use the money to pay for 2693
the restoration, maintenance, and preservation of the lighthouses 2694
of fairport harbor. 2695

The registrar shall pay the contributions the registrar 2696
receives pursuant to section 4503.55 of the Revised Code to the 2697
pro football hall of fame, which shall deposit the contributions 2698
into a special bank account that it establishes and which shall be 2699
separate and distinct from any other account the pro football hall 2700
of fame maintains, to be used exclusively for the purpose of 2701

promoting the pro football hall of fame as a travel destination. 2702

The registrar shall pay the contributions that are paid to 2703
the registrar pursuant to section 4503.545 of the Revised Code to 2704
the national rifle association foundation, which shall use the 2705
money to pay the costs of the educational activities and programs 2706
the foundation holds or sponsors in this state. 2707

~~In accordance with section 955.202 of the Revised Code, the~~ 2708
The registrar shall pay to the Ohio pet fund the contributions the 2709
registrar receives pursuant to section 4503.551 of the Revised 2710
Code and any other money from any other source, including 2711
donations, gifts, and grants, that is designated by the source to 2712
be paid to the Ohio pet fund. The Ohio pet fund shall use the 2713
moneys it receives under this section only to support programs for 2714
the sterilization of dogs and cats and for educational programs 2715
concerning the proper veterinary care of those animals, and for 2716
expenses of the Ohio pet fund that are reasonably necessary for it 2717
to obtain and maintain its tax-exempt status and to perform its 2718
duties. 2719

The registrar shall pay the contributions the registrar 2720
receives pursuant to section 4503.552 of the Revised Code to the 2721
rock and roll hall of fame and museum, incorporated. 2722

The registrar shall pay the contributions the registrar 2723
receives pursuant to section 4503.553 of the Revised Code to the 2724
Ohio coalition for animals, incorporated, a nonprofit corporation. 2725
Except as provided in division (B) of this section, the coalition 2726
shall distribute the money to its members, and the members shall 2727
use the money only to pay for educational, charitable, and other 2728
programs of each coalition member that provide care for unwanted, 2729
abused, and neglected horses. The Ohio coalition for animals may 2730
use a portion of the money to pay for reasonable marketing costs 2731
incurred in the design and promotion of the license plate and for 2732
administrative costs incurred in the disbursement and management 2733

of funds received under this section. 2734

The registrar shall pay the contributions the registrar 2735
receives pursuant to section 4503.561 of the Revised Code to the 2736
state of Ohio chapter of ducks unlimited, inc., which shall 2737
deposit the contributions into a special bank account that it 2738
establishes. The special bank account shall be separate and 2739
distinct from any other account the state of Ohio chapter of ducks 2740
unlimited, inc., maintains and shall be used exclusively for the 2741
purpose of protecting, enhancing, restoring, and managing wetlands 2742
and conserving wildlife habitat. The state of Ohio chapter of 2743
ducks unlimited, inc., annually shall notify the registrar in 2744
writing of the name, address, and account to which such payments 2745
are to be made. 2746

The registrar shall pay the contributions the registrar 2747
receives pursuant to section 4503.562 of the Revised Code to the 2748
Mahoning river consortium, which shall use the money to pay the 2749
expenses it incurs in restoring and maintaining the Mahoning river 2750
watershed. 2751

The registrar shall pay to a sports commission created 2752
pursuant to section 4503.591 of the Revised Code each contribution 2753
the registrar receives under that section that an applicant pays 2754
to obtain license plates that bear the logo of a professional 2755
sports team located in the county of that sports commission and 2756
that is participating in the license plate program pursuant to 2757
division (E) of that section, irrespective of the county of 2758
residence of an applicant. 2759

The registrar shall pay to a community charity each 2760
contribution the registrar receives under section 4503.591 of the 2761
Revised Code that an applicant pays to obtain license plates that 2762
bear the logo of a professional sports team that is participating 2763
in the license plate program pursuant to division (G) of that 2764
section. 2765

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

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

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

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

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 2797
enforcement officers who are killed in the line of duty. 2798

The registrar shall pay the contributions the registrar 2799
receives pursuant to section 4503.72 of the Revised Code to the 2800
organization known on March 31, 2003, as the Ohio CASA/GAL 2801
association, a private, nonprofit corporation organized under 2802
Chapter 1702. of the Revised Code. The Ohio CASA/GAL association 2803
shall use these contributions to pay the expenses it incurs in 2804
administering a program to secure the proper representation in the 2805
courts of this state of abused, neglected, and dependent children, 2806
and for the training and supervision of persons participating in 2807
that program. 2808

The registrar shall pay the contributions the registrar 2809
receives pursuant to section 4503.73 of the Revised Code to Wright 2810
B. Flyer, incorporated, which shall deposit the contributions into 2811
its general account to be used for purposes of Wright B. Flyer, 2812
incorporated. 2813

The registrar shall pay the contributions the registrar 2814
receives pursuant to section 4503.74 of the Revised Code to the 2815
Columbus zoological park association, which shall disburse the 2816
moneys to Ohio's major metropolitan zoos, as defined in section 2817
4503.74 of the Revised Code, in accordance with a written 2818
agreement entered into by the major metropolitan zoos. 2819

The registrar shall pay the contributions the registrar 2820
receives pursuant to section 4503.75 of the Revised Code to the 2821
rotary foundation, located on March 31, 2003, in Evanston, 2822
Illinois, to be placed in a fund known as the permanent fund and 2823
used to endow educational and humanitarian programs of the rotary 2824
foundation. 2825

The registrar shall pay the contributions the registrar 2826
receives pursuant to section 4503.85 of the Revised Code to the 2827

Ohio sea grant college program to be used for Lake Erie area 2828
research projects. 2829

The registrar shall pay the contributions received pursuant 2830
to section 4503.92 of the Revised Code to support our troops, 2831
incorporated, a national nonprofit corporation, which shall use 2832
those contributions in accordance with its articles of 2833
incorporation and for the benefit of servicemembers of the armed 2834
forces of the United States and their families when they are in 2835
financial need. 2836

(C) All investment earnings of the license plate contribution 2837
fund shall be credited to the fund. Not later than the first day 2838
of May of every year, the registrar shall distribute to each 2839
entity described in division (B) of this section the investment 2840
income the fund earned the previous calendar year. The amount of 2841
such a distribution paid to an entity shall be proportionate to 2842
the amount of money the entity received from the fund during the 2843
previous calendar year. 2844

Sec. 4501.34. (A) The registrar of motor vehicles may adopt 2845
and publish rules to govern the registrar's proceedings. All 2846
proceedings of the registrar shall be open to the public, and all 2847
documents in the registrar's possession are public records. The 2848
registrar shall adopt a seal bearing the inscription: "Motor 2849
Vehicle Registrar of Ohio." The seal shall be affixed to all writs 2850
and authenticated copies of records, and, when it has been so 2851
attached, the copies shall be received in evidence with the same 2852
effect as other public records. All courts shall take judicial 2853
notice of the seal. 2854

(B) Upon the request of any person accompanied by a 2855
nonrefundable fee of ~~two~~ eight dollars per name, the registrar may 2856
furnish lists of names and addresses as they appear upon the 2857
applications for driver's licenses, provided that any further 2858

information contained in the applications shall not be disclosed. 2859
The registrar shall pay ~~all the fees~~ two dollars of each fee 2860
collected into the state treasury to the credit of the state 2861
bureau of motor vehicles fund established in section 4501.25 of 2862
the Revised Code. Of the remaining six dollars of each such fee 2863
the registrar collects, the registrar shall deposit one dollar and 2864
twenty-five cents into the state treasury to the credit of the 2865
trauma and emergency medical services fund established in section 2866
4513.263 of the Revised Code, one dollar and twenty-five cents 2867
into the state treasury to the credit of the homeland security 2868
fund established in section 5502.03 of the Revised Code, 2869
seventy-five cents into the state treasury to the credit of the 2870
investigations fund established in section 5502.131 of the Revised 2871
Code, two dollars and twenty-five cents into the state treasury to 2872
the credit of the emergency management agency service and 2873
reimbursement fund established in section 5502.39 of the Revised 2874
Code, and fifty cents into the state treasury to the credit of the 2875
justice program services fund established in section 5502.67 of 2876
the Revised Code. 2877

This division does not apply to the list of qualified driver 2878
licensees required to be compiled and filed pursuant to section 2879
2313.06 of the Revised Code. 2880

Sec. 4503.04. Except as provided in ~~section~~ sections 4503.042 2881
and 4503.65 of the Revised Code for the registration of commercial 2882
cars, trailers, semitrailers, and certain buses, the rates of the 2883
taxes imposed by section 4503.02 of the Revised Code shall be as 2884
follows: 2885

(A) For motor vehicles having three wheels or less, the 2886
license tax is: 2887

(1) For each motorized bicycle, ten dollars; 2888

(2) For each motorcycle, fourteen dollars. 2889

(B) For each passenger car, twenty dollars;	2890
(C) For each manufactured home, each mobile home, and each travel trailer, ten dollars;	2891 2892
(D) For each noncommercial motor vehicle designed by the manufacturer to carry a load of no more than three-quarters of one ton and for each motor home, thirty-five dollars; for each noncommercial motor vehicle designed by the manufacturer to carry a load of more than three-quarters of one ton, but not more than one ton, seventy dollars;	2893 2894 2895 2896 2897 2898
(E) For each noncommercial trailer, the license tax is:	2899
(1) Eighty-five cents for each one hundred pounds or part thereof for the first two thousand pounds or part thereof of weight of vehicle fully equipped;	2900 2901 2902
(2) One dollar and forty cents for each one hundred pounds or part thereof in excess of two thousand pounds up to and including three thousand pounds.	2903 2904 2905
(F) Notwithstanding its weight, twelve dollars for any:	2906
(1) Vehicle equipped, owned, and used by a charitable or nonprofit corporation exclusively for the purpose of administering chest x-rays or receiving blood donations;	2907 2908 2909
(2) Van used principally for the transportation of handicapped persons that has been modified by being equipped with adaptive equipment to facilitate the movement of such persons into and out of the van;	2910 2911 2912 2913
(3) Bus used principally for the transportation of handicapped persons or persons sixty-five years of age or older;	2914 2915
(G) Notwithstanding its weight, twenty dollars for any bus used principally for the transportation of persons in a ridesharing arrangement.	2916 2917 2918
(H) For each transit bus having motor power the license tax	2919

is twelve dollars. 2920

"Transit bus" means either a motor vehicle having a seating 2921
capacity of more than seven persons which is operated and used by 2922
any person in the rendition of a public mass transportation 2923
service primarily in a municipal corporation or municipal 2924
corporations and provided at least seventy-five per cent of the 2925
annual mileage of such service and use is within such municipal 2926
corporation or municipal corporations or a motor vehicle having a 2927
seating capacity of more than seven persons which is operated 2928
solely for the transportation of persons associated with a 2929
charitable or nonprofit corporation, but does not mean any motor 2930
vehicle having a seating capacity of more than seven persons when 2931
such vehicle is used in a ridesharing capacity or any bus 2932
described by division (F)(3) of this section. 2933

The application for registration of such transit bus shall be 2934
accompanied by an affidavit prescribed by the registrar of motor 2935
vehicles and signed by the person or an agent of the firm or 2936
corporation operating such bus stating that the bus has a seating 2937
capacity of more than seven persons, and that it is either to be 2938
operated and used in the rendition of a public mass transportation 2939
service and that at least seventy-five per cent of the annual 2940
mileage of such operation and use shall be within one or more 2941
municipal corporations or that it is to be operated solely for the 2942
transportation of persons associated with a charitable or 2943
nonprofit corporation. 2944

The form of the license plate, and the manner of its 2945
attachment to the vehicle, shall be prescribed by the registrar of 2946
motor vehicles. 2947

(I) The minimum tax for any vehicle having motor power other 2948
than a farm truck, a motorized bicycle, or motorcycle is ten 2949
dollars and eighty cents, and for each noncommercial trailer, five 2950
dollars. 2951

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

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

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

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

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

(e) Two dollars and twenty-five cents for each one hundred pounds or part thereof in excess of ten thousand pounds;

(f) The minimum license tax for any farm truck shall be twelve dollars.

(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.

(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 2982
fee of ten dollars, provided such license plates shall not be 2983
issued for more than any two ninety-day periods in any calendar 2984
year. Such use does not include the operation of trucks by 2985
commercial processors of agricultural products. 2986

(4) License plates for farm trucks and for farm buses shall 2987
have some distinguishing marks, letters, colors, or other 2988
characteristics to be determined by the director of public safety. 2989

(5) Every person registering a farm truck or bus under this 2990
section shall furnish an affidavit certifying that the truck or 2991
bus licensed to that person is to be so used as to meet the 2992
requirements necessary for the farm truck or farm bus 2993
classification. 2994

Any farmer may use a truck owned by the farmer for commercial 2995
purposes by paying the difference between the commercial truck 2996
registration fee and the farm truck registration fee for the 2997
remaining part of the registration period for which the truck is 2998
registered. Such remainder shall be calculated from the beginning 2999
of the semiannual period in which application for such commercial 3000
license is made. 3001

Taxes at the rates provided in this section are in lieu of 3002
all taxes on or with respect to the ownership of such motor 3003
vehicles, except as provided in section 4503.042 and section 3004
4503.06 of the Revised Code. 3005

(K) Other than trucks registered under the international 3006
registration plan in another jurisdiction and for which this state 3007
has received an apportioned registration fee, the license tax for 3008
each truck which is owned, controlled, or operated by a 3009
nonresident, and licensed in another state, and which is used 3010
exclusively for the transportation of nonprocessed agricultural 3011
products intrastate, from the place of production to the place of 3012

processing, is twenty-four dollars. 3013

"Truck," as used in this division, means any pickup truck, 3014
straight truck, semitrailer, or trailer other than a travel 3015
trailer. Nonprocessed agricultural products, as used in this 3016
division, does not include livestock or grain. 3017

A license issued under this division shall be issued for a 3018
period of one hundred thirty days in the same manner in which all 3019
other licenses are issued under this section, provided that no 3020
truck shall be so licensed for more than one 3021
one-hundred-thirty-day period during any calendar year. 3022

The license issued pursuant to this division shall consist of 3023
a windshield decal to be designed by the director of public 3024
safety. 3025

Every person registering a truck under this division shall 3026
furnish an affidavit certifying that the truck licensed to the 3027
person is to be used exclusively for the purposes specified in 3028
this division. 3029

(L) Every person registering a motor vehicle as a 3030
noncommercial motor vehicle as defined in section 4501.01 of the 3031
Revised Code, or registering a trailer as a noncommercial trailer 3032
as defined in that section, shall furnish an affidavit certifying 3033
that the motor vehicle or trailer so licensed to the person is to 3034
be so used as to meet the requirements necessary for the 3035
noncommercial vehicle classification. 3036

(M) Every person registering a van or bus as provided in 3037
divisions (F)(2) and (3) of this section shall furnish a notarized 3038
statement certifying that the van or bus licensed to the person is 3039
to be used for the purposes specified in those divisions. The form 3040
of the license plate issued for such motor vehicles shall be 3041
prescribed by the registrar. 3042

(N) Every person registering as a passenger car a motor 3043

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

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

(P) As used in this section:

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

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

(3) "Farm truck" means a truck used in the transportation 3075
from the farm of products of the farm, including livestock and its 3076
products, poultry and its products, floricultural and 3077
horticultural products, and in the transportation to the farm of 3078
supplies for the farm, including tile, fence, and every other 3079
thing or commodity used in agricultural, floricultural, 3080
horticultural, livestock, and poultry production and livestock, 3081
poultry, and other animals and things used for breeding, feeding, 3082
or other purposes connected with the operation of the farm. 3083

(4) "Farm bus" means a bus used only for the transportation 3084
of agricultural employees and used only in the transportation of 3085
such employees as are necessary in the operation of the farm. 3086

(5) "Farm supplies" includes fuel used exclusively in the 3087
operation of a farm, including one or more homes located on and 3088
used in the operation of one or more farms, and furniture and 3089
other things used in and around such homes. 3090

Sec. 4503.042. The registrar of motor vehicles shall adopt 3091
rules establishing the date, subsequent to this state's entry into 3092
membership in the international registration plan, when the rates 3093
established by this section become operative. 3094

(A) The rates of the taxes imposed by section 4503.02 of the 3095
Revised Code are as follows for commercial cars having a gross 3096
vehicle weight or combined gross vehicle weight of: 3097

(1) Not more than two thousand pounds, forty-five dollars; 3098

(2) More than two thousand but not more than six thousand 3099
pounds, seventy dollars; 3100

(3) More than six thousand but not more than ten thousand 3101
pounds, eighty-five dollars; 3102

(4) More than ten thousand but not more than fourteen 3103
thousand pounds, one hundred five dollars; 3104

(5) More than fourteen thousand but not more than eighteen thousand pounds, one hundred twenty-five dollars;	3105 3106
(6) More than eighteen thousand but not more than twenty-two thousand pounds, one hundred fifty dollars;	3107 3108
(7) More than twenty-two thousand but not more than twenty-six thousand pounds, one hundred seventy-five dollars;	3109 3110
(8) More than twenty-six thousand but not more than thirty thousand pounds, three hundred fifty-five dollars;	3111 3112
(9) More than thirty thousand but not more than thirty-four thousand pounds, four hundred twenty dollars;	3113 3114
(10) More than thirty-four thousand but not more than thirty-eight thousand pounds, four hundred eighty dollars;	3115 3116
(11) More than thirty-eight thousand but not more than forty-two thousand pounds, five hundred forty dollars;	3117 3118
(12) More than forty-two thousand but not more than forty-six thousand pounds, six hundred dollars;	3119 3120
(13) More than forty-six thousand but not more than fifty thousand pounds, six hundred sixty dollars;	3121 3122
(14) More than fifty thousand but not more than fifty-four thousand pounds, seven hundred twenty-five dollars;	3123 3124
(15) More than fifty-four thousand but not more than fifty-eight thousand pounds, seven hundred eighty-five dollars;	3125 3126
(16) More than fifty-eight thousand but not more than sixty-two thousand pounds, eight hundred fifty-five dollars;	3127 3128
(17) More than sixty-two thousand but not more than sixty-six thousand pounds, nine hundred twenty-five dollars;	3129 3130
(18) More than sixty-six thousand but not more than seventy thousand pounds, nine hundred ninety-five dollars;	3131 3132
(19) More than seventy thousand but not more than	3133

seventy-four thousand pounds, one thousand eighty dollars;	3134
(20) More than seventy-four thousand but not more than	3135
seventy-eight thousand pounds, one thousand two hundred dollars;	3136
(21) More than seventy-eight thousand pounds, one thousand	3137
three hundred forty dollars.	3138
(B) The rates of the taxes imposed by section 4503.02 of the	3139
Revised Code are as follows for buses having a gross vehicle	3140
weight or combined gross vehicle weight of:	3141
(1) Not more than two thousand pounds, ten dollars;	3142
(2) More than two thousand but not more than six thousand	3143
pounds, forty dollars;	3144
(3) More than six thousand but not more than ten thousand	3145
pounds, one hundred dollars;	3146
(4) More than ten thousand but not more than fourteen	3147
thousand pounds, one hundred eighty dollars;	3148
(5) More than fourteen thousand but not more than eighteen	3149
thousand pounds, two hundred sixty dollars;	3150
(6) More than eighteen thousand but not more than twenty-two	3151
thousand pounds, three hundred forty dollars;	3152
(7) More than twenty-two thousand but not more than	3153
twenty-six thousand pounds, four hundred twenty dollars;	3154
(8) More than twenty-six thousand but not more than thirty	3155
thousand pounds, five hundred dollars;	3156
(9) More than thirty thousand but not more than thirty-four	3157
thousand pounds, five hundred eighty dollars;	3158
(10) More than thirty-four thousand but not more than	3159
thirty-eight thousand pounds, six hundred sixty dollars;	3160
(11) More than thirty-eight thousand but not more than	3161
forty-two thousand pounds, seven hundred forty dollars;	3162

(12) More than forty-two thousand but not more than forty-six thousand pounds, eight hundred twenty dollars;	3163 3164
(13) More than forty-six thousand but not more than fifty thousand pounds, nine hundred forty dollars;	3165 3166
(14) More than fifty thousand but not more than fifty-four thousand pounds, one thousand dollars;	3167 3168
(15) More than fifty-four thousand but not more than fifty-eight thousand pounds, one thousand ninety dollars;	3169 3170
(16) More than fifty-eight thousand but not more than sixty-two thousand pounds, one thousand one hundred eighty dollars;	3171 3172 3173
(17) More than sixty-two thousand but not more than sixty-six thousand pounds, one thousand two hundred seventy dollars;	3174 3175
(18) More than sixty-six thousand but not more than seventy thousand pounds, one thousand three hundred sixty dollars;	3176 3177
(19) More than seventy thousand but not more than seventy-four thousand pounds, one thousand four hundred fifty dollars;	3178 3179 3180
(20) More than seventy-four thousand but not more than seventy-eight thousand pounds, one thousand five hundred forty dollars;	3181 3182 3183
(21) More than seventy-eight thousand pounds, one thousand six hundred thirty dollars.	3184 3185
(C) In addition to the license taxes imposed at the rates specified in divisions (A) and (B) of this section, an administrative fee of three dollars and twenty-five <u>fifty</u> cents, plus an appropriate amount to cover the cost of postage, shall be collected by the registrar for each international registration plan license processed by the registrar. If the deputy registrar fees are increased on January 1, 2004, in accordance with section	3186 3187 3188 3189 3190 3191 3192

~~4503.034 of the Revised Code, the administrative fee collected 3193
under this section is three dollars and fifty cents, commencing on 3194
that date, plus postage. 3195~~

(D) The rate of the tax for each trailer and semitrailer is 3196
twenty-five dollars. 3197

(E) Commencing on October 1, 2009, if an application for 3198
registration renewal is not applied for prior to the expiration 3199
date of the registration, the registrar or deputy registrar shall 3200
collect a fee of ten dollars for the issuance of the vehicle 3201
registration, but may waive the fee for good cause shown if the 3202
application is accompanied by supporting evidence as the registrar 3203
may require. The fee shall be in addition to all other fees 3204
established by this section. A deputy registrar shall retain fifty 3205
cents of the fee and shall transmit the remaining amount to the 3206
registrar at the time and in the manner provided by section 3207
4503.10 of the Revised Code. The registrar shall deposit all 3208
moneys received under this division into the state highway safety 3209
fund established in section 4501.06 of the Revised Code. 3210

(F) The rates established by this section shall not apply to 3211
any of the following: 3212

(1) Vehicles equipped, owned, and used by a charitable or 3213
nonprofit corporation exclusively for the purpose of administering 3214
chest x-rays or receiving blood donations; 3215

(2) Vans used principally for the transportation of 3216
handicapped persons that have been modified by being equipped with 3217
adaptive equipment to facilitate the movement of such persons into 3218
and out of the vans; 3219

(3) Buses used principally for the transportation of 3220
handicapped persons or persons sixty-five years of age or older; 3221

(4) Buses used principally for the transportation of persons 3222
in a ridesharing arrangement; 3223

(5) Transit buses having motor power;	3224
(6) Noncommercial trailers, mobile homes, or manufactured homes.	3225 3226
Sec. 4503.07. (A) In lieu of the schedule of rates for commercial cars fixed in section 4503.04 of the Revised Code, the fee shall be ten dollars for each church bus used exclusively to transport members of a church congregation to and from church services or church functions or to transport children and their authorized supervisors to and from any camping function sponsored by a nonprofit, tax-exempt, charitable or philanthropic organization. A church within the meaning of this section is an organized religious group, duly constituted with officers and a board of trustees, regularly holding religious services, and presided over or administered to by a properly accredited ecclesiastical officer, whose name and standing is published in the official publication of the officer's religious group.	3227 3228 3229 3230 3231 3232 3233 3234 3235 3236 3237 3238 3239
<u>(B) Commencing on October 1, 2009, if an application for registration renewal is not applied for prior to the expiration date of the registration, the registrar or deputy registrar shall collect a fee of ten dollars for the issuance of the vehicle registration, but may waive the fee for good cause shown if the application is accompanied by supporting evidence as the registrar may require. The fee shall be in addition to all other fees established by this section. A deputy registrar shall retain fifty cents of the fee and shall transmit the remaining amount to the registrar at the time and in the manner provided by section 4503.10 of the Revised Code. The registrar shall deposit all moneys received under this division into the state highway safety fund established in section 4501.06 of the Revised Code.</u>	3240 3241 3242 3243 3244 3245 3246 3247 3248 3249 3250 3251 3252
<u>(C)</u> The application for registration of such bus shall be accompanied by the following, as applicable:	3253 3254

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

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

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

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

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

Sec. 4503.10. (A) The owner of every snowmobile, off-highway motorcycle, and all-purpose vehicle required to be registered under section 4519.02 of the Revised Code shall file an application for registration under section 4519.03 of the Revised Code. The owner of a motor vehicle, other than a snowmobile, off-highway motorcycle, or all-purpose vehicle, that is not designed and constructed by the manufacturer for operation on a street or highway may not register it under this chapter except upon certification of inspection pursuant to section 4513.02 of the Revised Code by the sheriff, or the chief of police of the municipal corporation or township, with jurisdiction over the political subdivision in which the owner of the motor vehicle

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

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

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

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

(a) In case the motor vehicle to be registered is used for

hire or principally in connection with any established business or 3318
branch business, conducted at a particular place, the district of 3319
registration is the municipal corporation in which that place is 3320
located or, if not located in any municipal corporation, the 3321
county and township in which that place is located. 3322

(b) In case the vehicle is not so used, the district of 3323
registration is the municipal corporation or county in which the 3324
owner resides at the time of making the application. 3325

(4) Whether the motor vehicle is a new or used motor vehicle; 3326

(5) The date of purchase of the motor vehicle; 3327

(6) Whether the fees required to be paid for the registration 3328
or transfer of the motor vehicle, during the preceding 3329
registration year and during the preceding period of the current 3330
registration year, have been paid. Each application for 3331
registration shall be signed by the owner, either manually or by 3332
electronic signature, or pursuant to obtaining a limited power of 3333
attorney authorized by the registrar for registration, or other 3334
document authorizing such signature. If the owner elects to apply 3335
for or renew the motor vehicle registration with the registrar by 3336
electronic means, the owner's manual signature is not required. 3337

(7) The owner's social security number, driver's license 3338
number, or state identification number, or, where a motor vehicle 3339
to be registered is used for hire or principally in connection 3340
with any established business, the owner's federal taxpayer 3341
identification number. The bureau of motor vehicles shall retain 3342
in its records all social security numbers provided under this 3343
section, but the bureau shall not place social security numbers on 3344
motor vehicle certificates of registration. 3345

(B) Except as otherwise provided in this division, each time 3346
an applicant first registers a motor vehicle in the applicant's 3347
name, the applicant shall present for inspection a physical 3348

certificate of title or memorandum certificate showing title to 3349
the motor vehicle to be registered in the name of the applicant if 3350
a physical certificate of title or memorandum certificate has been 3351
issued by a clerk of a court of common pleas. If, under sections 3352
4505.021, 4505.06, and 4505.08 of the Revised Code, a clerk 3353
instead has issued an electronic certificate of title for the 3354
applicant's motor vehicle, that certificate may be presented for 3355
inspection at the time of first registration in a manner 3356
prescribed by rules adopted by the registrar. An applicant is not 3357
required to present a certificate of title to an electronic motor 3358
vehicle dealer acting as a limited authority deputy registrar in 3359
accordance with rules adopted by the registrar. When a motor 3360
vehicle inspection and maintenance program is in effect under 3361
section 3704.14 of the Revised Code and rules adopted under it, 3362
each application for registration for a vehicle required to be 3363
inspected under that section and those rules shall be accompanied 3364
by an inspection certificate for the motor vehicle issued in 3365
accordance with that section. The application shall be refused if 3366
any of the following applies: 3367

(1) The application is not in proper form. 3368

(2) The application is prohibited from being accepted by 3369
division (D) of section 2935.27, division (A) of section 2937.221, 3370
division (A) of section 4503.13, division (B) of section 4510.22, 3371
or division (B)(1) of section 4521.10 of the Revised Code. 3372

(3) A certificate of title or memorandum certificate of title 3373
is required but does not accompany the application or, in the case 3374
of an electronic certificate of title, is required but is not 3375
presented in a manner prescribed by the registrar's rules. 3376

(4) All registration and transfer fees for the motor vehicle, 3377
for the preceding year or the preceding period of the current 3378
registration year, have not been paid. 3379

(5) The owner or lessee does not have an inspection 3380
certificate for the motor vehicle as provided in section 3704.14 3381
of the Revised Code, and rules adopted under it, if that section 3382
is applicable. 3383

This section does not require the payment of license or 3384
registration taxes on a motor vehicle for any preceding year, or 3385
for any preceding period of a year, if the motor vehicle was not 3386
taxable for that preceding year or period under sections 4503.02, 3387
4503.04, 4503.11, 4503.12, and 4503.16 or Chapter 4504. of the 3388
Revised Code. When a certificate of registration is issued upon 3389
the first registration of a motor vehicle by or on behalf of the 3390
owner, the official issuing the certificate shall indicate the 3391
issuance with a stamp on the certificate of title or memorandum 3392
certificate or, in the case of an electronic certificate of title, 3393
an electronic stamp or other notation as specified in rules 3394
adopted by the registrar, and with a stamp on the inspection 3395
certificate for the motor vehicle, if any. The official also shall 3396
indicate, by a stamp or by other means the registrar prescribes, 3397
on the registration certificate issued upon the first registration 3398
of a motor vehicle by or on behalf of the owner the odometer 3399
reading of the motor vehicle as shown in the odometer statement 3400
included in or attached to the certificate of title. Upon each 3401
subsequent registration of the motor vehicle by or on behalf of 3402
the same owner, the official also shall so indicate the odometer 3403
reading of the motor vehicle as shown on the immediately preceding 3404
certificate of registration. 3405

The registrar shall include in the permanent registration 3406
record of any vehicle required to be inspected under section 3407
3704.14 of the Revised Code the inspection certificate number from 3408
the inspection certificate that is presented at the time of 3409
registration of the vehicle as required under this division. 3410

(C)(1) ~~Commencing with~~ For each registration renewal with an 3411

expiration date ~~on or after~~ before October 1, 2003 2009, and for 3412
each initial application for registration received ~~on and after~~ 3413
before that date, the registrar and each deputy registrar shall 3414
collect an additional fee of eleven dollars for each application 3415
for registration and registration renewal received. Except for 3416
vehicles specified in divisions (A)(1) to (21) of section 4503.042 3417
of the Revised Code, commencing with each registration renewal 3418
with an expiration date on or after October 1, 2009, and for each 3419
initial application for registration received on or after that 3420
date, the registrar and each deputy registrar shall collect an 3421
additional fee of sixteen dollars and seventy-five cents for each 3422
application for registration and registration renewal received. 3423
For vehicles specified in divisions (A)(1) to (21) of section 3424
4503.042 of the Revised Code, commencing with each registration 3425
renewal with an expiration date on or after October 1, 2009, and 3426
for each initial application received on or after that date, the 3427
registrar and deputy registrar shall collect an additional fee of 3428
thirty dollars for each application for registration and 3429
registration renewal received. The additional fee is for the 3430
purpose of defraying the department of public safety's costs 3431
associated with the administration and enforcement of the motor 3432
vehicle and traffic laws of Ohio. Each deputy registrar shall 3433
transmit the fees collected under division (C)(1) of this section 3434
in the time and manner provided in this section. The registrar 3435
shall deposit all moneys received under division (C)(1) of this 3436
section into the state highway safety fund established in section 3437
4501.06 of the Revised Code. 3438

(2) In addition, a charge of twenty-five cents shall be made 3439
for each reflectorized safety license plate issued, and a single 3440
charge of twenty-five cents shall be made for each county 3441
identification sticker or each set of county identification 3442
stickers issued, as the case may be, to cover the cost of 3443
producing the license plates and stickers, including material, 3444

manufacturing, and administrative costs. Those fees shall be in 3445
addition to the license tax. If the total cost of producing the 3446
plates is less than twenty-five cents per plate, or if the total 3447
cost of producing the stickers is less than twenty-five cents per 3448
sticker or per set issued, any excess moneys accruing from the 3449
fees shall be distributed in the same manner as provided by 3450
section 4501.04 of the Revised Code for the distribution of 3451
license tax moneys. If the total cost of producing the plates 3452
exceeds twenty-five cents per plate, or if the total cost of 3453
producing the stickers exceeds twenty-five cents per sticker or 3454
per set issued, the difference shall be paid from the license tax 3455
moneys collected pursuant to section 4503.02 of the Revised Code. 3456

(D) Each deputy registrar shall be allowed a fee of ~~two~~ 3457
~~dollars and seventy five cents commencing on July 1, 2001, three~~ 3458
~~dollars and twenty five cents commencing on January 1, 2003, and~~ 3459
three dollars and fifty cents ~~commencing on January 1, 2004,~~ for 3460
each application for registration and registration renewal notice 3461
the deputy registrar receives, which shall be for the purpose of 3462
compensating the deputy registrar for the deputy registrar's 3463
services, and such office and rental expenses, as may be necessary 3464
for the proper discharge of the deputy registrar's duties in the 3465
receiving of applications and renewal notices and the issuing of 3466
registrations. 3467

(E) Upon the certification of the registrar, the county 3468
sheriff or local police officials shall recover license plates 3469
erroneously or fraudulently issued. 3470

(F) Each deputy registrar, upon receipt of any application 3471
for registration or registration renewal notice, together with the 3472
license fee and any local motor vehicle license tax levied 3473
pursuant to Chapter 4504. of the Revised Code, shall transmit that 3474
fee and tax, if any, in the manner provided in this section, 3475
together with the original and duplicate copy of the application, 3476

to the registrar. The registrar, subject to the approval of the 3477
director of public safety, may deposit the funds collected by 3478
those deputies in a local bank or depository to the credit of the 3479
"state of Ohio, bureau of motor vehicles." Where a local bank or 3480
depository has been designated by the registrar, each deputy 3481
registrar shall deposit all moneys collected by the deputy 3482
registrar into that bank or depository not more than one business 3483
day after their collection and shall make reports to the registrar 3484
of the amounts so deposited, together with any other information, 3485
some of which may be prescribed by the treasurer of state, as the 3486
registrar may require and as prescribed by the registrar by rule. 3487
The registrar, within three days after receipt of notification of 3488
the deposit of funds by a deputy registrar in a local bank or 3489
depository, shall draw on that account in favor of the treasurer 3490
of state. The registrar, subject to the approval of the director 3491
and the treasurer of state, may make reasonable rules necessary 3492
for the prompt transmittal of fees and for safeguarding the 3493
interests of the state and of counties, townships, municipal 3494
corporations, and transportation improvement districts levying 3495
local motor vehicle license taxes. The registrar may pay service 3496
charges usually collected by banks and depositories for such 3497
service. If deputy registrars are located in communities where 3498
banking facilities are not available, they shall transmit the fees 3499
forthwith, by money order or otherwise, as the registrar, by rule 3500
approved by the director and the treasurer of state, may 3501
prescribe. The registrar may pay the usual and customary fees for 3502
such service. 3503

(G) This section does not prevent any person from making an 3504
application for a motor vehicle license directly to the registrar 3505
by mail, by electronic means, or in person at any of the 3506
registrar's offices, upon payment of a service fee of ~~two dollars~~ 3507
~~and seventy five cents commencing on July 1, 2001, three dollars~~ 3508
~~and twenty five cents commencing on January 1, 2003, and three~~ 3509

dollars and fifty cents ~~commencing on January 1, 2004,~~ for each 3510
application. 3511

(H) No person shall make a false statement as to the district 3512
of registration in an application required by division (A) of this 3513
section. Violation of this division is falsification under section 3514
2921.13 of the Revised Code and punishable as specified in that 3515
section. 3516

(I)(1) Where applicable, the requirements of division (B) of 3517
this section relating to the presentation of an inspection 3518
certificate issued under section 3704.14 of the Revised Code and 3519
rules adopted under it for a motor vehicle, the refusal of a 3520
license for failure to present an inspection certificate, and the 3521
stamping of the inspection certificate by the official issuing the 3522
certificate of registration apply to the registration of and 3523
issuance of license plates for a motor vehicle under sections 3524
4503.102, 4503.12, 4503.14, 4503.15, 4503.16, 4503.171, 4503.172, 3525
4503.19, 4503.40, 4503.41, 4503.42, 4503.43, 4503.44, 4503.46, 3526
4503.47, and 4503.51 of the Revised Code. 3527

(2)(a) The registrar shall adopt rules ensuring that each 3528
owner registering a motor vehicle in a county where a motor 3529
vehicle inspection and maintenance program is in effect under 3530
section 3704.14 of the Revised Code and rules adopted under it 3531
receives information about the requirements established in that 3532
section and those rules and about the need in those counties to 3533
present an inspection certificate with an application for 3534
registration or preregistration. 3535

(b) Upon request, the registrar shall provide the director of 3536
environmental protection, or any person that has been awarded a 3537
contract under division (D) of section 3704.14 of the Revised 3538
Code, an on-line computer data link to registration information 3539
for all passenger cars, noncommercial motor vehicles, and 3540
commercial cars that are subject to that section. The registrar 3541

also shall provide to the director of environmental protection a 3542
magnetic data tape containing registration information regarding 3543
passenger cars, noncommercial motor vehicles, and commercial cars 3544
for which a multi-year registration is in effect under section 3545
4503.103 of the Revised Code or rules adopted under it, including, 3546
without limitation, the date of issuance of the multi-year 3547
registration, the registration deadline established under rules 3548
adopted under section 4503.101 of the Revised Code that was 3549
applicable in the year in which the multi-year registration was 3550
issued, and the registration deadline for renewal of the 3551
multi-year registration. 3552

(J) Application for registration under the international 3553
registration plan, as set forth in sections 4503.60 to 4503.66 of 3554
the Revised Code, shall be made to the registrar on forms 3555
furnished by the registrar. In accordance with international 3556
registration plan guidelines and pursuant to rules adopted by the 3557
registrar, the forms shall include the following: 3558

(1) A uniform mileage schedule; 3559

(2) The gross vehicle weight of the vehicle or combined gross 3560
vehicle weight of the combination vehicle as declared by the 3561
registrant; 3562

(3) Any other information the registrar requires by rule. 3563

Sec. 4503.103. (A)(1)(a)(i) The registrar of motor vehicles 3564
may adopt rules to permit any person or lessee, other than a 3565
person receiving an apportioned license plate under the 3566
international registration plan, who owns or leases one or more 3567
motor vehicles to file a written application for registration for 3568
no more than five succeeding registration years. The rules adopted 3569
by the registrar may designate the classes of motor vehicles that 3570
are eligible for such registration. At the time of application, 3571
all annual taxes and fees shall be paid for each year for which 3572

the person is registering. 3573

(ii) ~~The~~ Not later than October 1, 2009, the registrar shall 3574
adopt rules to permit any person or lessee who owns or leases two 3575
or more trailers or semitrailers that are subject to the tax rates 3576
prescribed in section 4503.042 of the Revised Code for such 3577
trailers or semitrailers to file a written application for 3578
registration for not more than five succeeding registration years. 3579
At the time of application, all annual taxes and fees shall be 3580
paid for each year for which the person is registering. 3581

(b)(i) Except as provided in division (A)(1)(b)(ii) of this 3582
section, the registrar shall adopt rules to permit any person who 3583
owns a motor vehicle to file an application for registration for 3584
the next two succeeding registration years. At the time of 3585
application, the person shall pay the annual taxes and fees for 3586
each registration year, calculated in accordance with division (C) 3587
of section 4503.11 of the Revised Code. A person who is 3588
registering a vehicle under division (A)(1)(b) of this section 3589
shall pay for each year of registration the additional fee 3590
established under division (C)(1) of section 4503.10 of the 3591
Revised Code. The person shall also pay one and one-half times the 3592
amount of the deputy registrar service fee specified in division 3593
(D) of section 4503.10 of the Revised Code or the bureau of motor 3594
vehicles service fee specified in division (G) of that section, as 3595
applicable. 3596

(ii) Division (A)(1)(b)(i) of this section does not apply to 3597
a person receiving an apportioned license plate under the 3598
international registration plan, or the owner of a commercial car 3599
used solely in intrastate commerce, or the owner of a bus as 3600
defined in section 4513.50 of the Revised Code. 3601

(2) No person applying for a multi-year registration under 3602
division (A)(1) of this section is entitled to a refund of any 3603
taxes or fees paid. 3604

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

(B) Upon receipt from the director of environmental
protection of a notice issued under rules adopted under section
3704.14 of the Revised Code indicating that an owner of a motor
vehicle that is required to be inspected under that section who
obtained a multi-year registration for the vehicle under division
(A) of this section or rules adopted under that division has not
obtained a required inspection certificate for the vehicle, the
registrar in accordance with Chapter 119. of the Revised Code
shall issue an order to the owner impounding the certificate of
registration and identification license plates for the vehicle.
The order also shall prohibit the owner from obtaining or renewing
a multi-year registration for any vehicle that is required to be
inspected under that section, the district of registration of
which is or is located in the same county as the county named in
the order during the number of years after expiration of the
current multi-year registration that equals the number of years
for which the current multi-year registration was issued.

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

(C) Upon the occurrence of either of the following 3637
circumstances, the registrar in accordance with Chapter 119. of 3638
the Revised Code shall issue to the owner a modified order 3639
rescinding the provisions of the order issued under division (B) 3640
of this section impounding the certificate of registration and 3641
license plates for the vehicle named in that original order: 3642

(1) Receipt from the director of environmental protection of 3643
a subsequent notice under rules adopted under section 3704.14 of 3644
the Revised Code that the owner has obtained the inspection 3645
certificate for the vehicle as required under those rules; 3646

(2) Presentation to the registrar by the owner of the 3647
required inspection certificate for the vehicle. 3648

(D) The owner of a motor vehicle for which the certificate of 3649
registration and license plates have been impounded pursuant to an 3650
order issued under division (B) of this section, upon issuance of 3651
a modified order under division (C) of this section, may apply to 3652
the registrar for their return. A fee of two dollars and fifty 3653
cents shall be charged for the return of the certificate of 3654
registration and license plates for each vehicle named in the 3655
application. 3656

Sec. 4503.182. (A) A purchaser of a motor vehicle, upon 3657
application and proof of purchase of the vehicle, may be issued a 3658
temporary license placard or windshield sticker for the motor 3659
vehicle. 3660

The purchaser of a vehicle applying for a temporary license 3661
placard or windshield sticker under this section shall execute an 3662
affidavit stating that the purchaser has not been issued 3663
previously during the current registration year a license plate 3664
that could legally be transferred to the vehicle. 3665

Placards or windshield stickers shall be issued only for the 3666

applicant's use of the vehicle to enable the applicant to legally 3667
operate the motor vehicle while proper title, license plates, and 3668
a certificate of registration are being obtained, and shall be 3669
displayed on no other motor vehicle. 3670

Placards or windshield stickers issued under this section are 3671
valid for a period of thirty days from date of issuance and are 3672
not transferable or renewable. 3673

The fee for the placards or windshield stickers issued under 3674
this section is two dollars plus a service fee of ~~two dollars and~~ 3675
~~seventy five cents commencing on July 1, 2001, three dollars and~~ 3676
~~twenty five cents commencing on January 1, 2003, and three dollars~~ 3677
and fifty cents ~~commencing on January 1, 2004.~~ 3678

(B)(1) The registrar of motor vehicles may issue to a 3679
motorized bicycle dealer or a licensed motor vehicle dealer 3680
temporary license placards to be issued to purchasers for use on 3681
vehicles sold by the dealer, in accordance with rules prescribed 3682
by the registrar. The dealer shall notify the registrar, within 3683
forty-eight hours, of the issuance of a placard by electronic 3684
means via computer equipment purchased and maintained by the 3685
dealer or in any other manner prescribed by the registrar. 3686

(2) The fee for each placard issued by the registrar to a 3687
dealer is ~~seven~~ twelve dollars, of which ~~five~~ ten dollars shall be 3688
deposited and used in accordance with division (D) of this 3689
section. The registrar shall charge an additional three dollars 3690
and fifty cents for each placard issued to a dealer who notifies 3691
the registrar of the issuance of the placards in a manner other 3692
than by approved electronic means. 3693

(3) When a dealer issues a temporary license placard to a 3694
purchaser, the dealer shall collect and retain the fees 3695
established under divisions (A) and (D) of this section. 3696

(C) The registrar of motor vehicles, at the registrar's 3697

discretion, may issue a temporary license placard. Such a placard 3698
may be issued in the case of extreme hardship encountered by a 3699
citizen from this state or another state who has attempted to 3700
comply with all registration laws, but for extreme circumstances 3701
is unable to properly register the citizen's vehicle. 3702

(D) In addition to the fees charged under divisions (A) and 3703
(B) of this section, commencing on October 1, 2003, the registrar 3704
and each deputy registrar shall collect a fee of five dollars and 3705
commencing on October 1, 2009, a fee of ten dollars, for each 3706
temporary license placard issued. The additional fee is for the 3707
purpose of defraying the department of public safety's costs 3708
associated with the administration and enforcement of the motor 3709
vehicle and traffic laws of Ohio. Each deputy registrar shall 3710
transmit the fees collected under this division in the same manner 3711
as provided for transmission of fees collected under division (A) 3712
of this section. The registrar shall deposit all moneys received 3713
under this division into the state highway safety fund established 3714
in section 4501.06 of the Revised Code. 3715

(E) The registrar shall adopt rules, in accordance with 3716
division (B) of section 111.15 of the Revised Code, to specify the 3717
procedures for reporting the information from applications for 3718
temporary license placards and windshield stickers and for 3719
providing the information from these applications to law 3720
enforcement agencies. 3721

(F) Temporary license placards issued under this section 3722
shall bear a distinctive combination of seven letters, numerals, 3723
or letters and numerals, and shall incorporate a security feature 3724
that, to the greatest degree possible, prevents tampering with any 3725
of the information that is entered upon a placard when it is 3726
issued. 3727

(G) Whoever violates division (A) of this section is guilty 3728
of a misdemeanor of the fourth degree. Whoever violates division 3729

(B) of this section is guilty of a misdemeanor of the first 3730
degree. 3731

(H) As used in this section, "motorized bicycle dealer" means 3732
any person engaged in the business of selling at retail, 3733
displaying, offering for sale, or dealing in motorized bicycles 3734
who is not subject to section 4503.09 of the Revised Code. 3735

Sec. 4503.26. (A) As used in this section, "registration 3736
information" means information in license plate applications on 3737
file with the bureau of motor vehicles. 3738

(B) The director of public safety may advertise for and 3739
accept sealed bids for the preparation of lists containing 3740
registration information in such form as the director authorizes. 3741
Where the expenditure is more than five hundred dollars, the 3742
director shall give notice to bidders as provided in section 3743
5513.01 of the Revised Code as for purchases by the department of 3744
transportation. The notice shall include the latest date, as 3745
determined by the director, on which bids will be accepted and the 3746
date, also determined by the director, on which bids will be 3747
opened by the director at the central office of the department of 3748
public safety. The contract to prepare the list shall be awarded 3749
to the lowest responsive and responsible bidder, in accordance 3750
with section 9.312 of the Revised Code, provided there is 3751
compliance with the specifications. Such contract shall not extend 3752
beyond twenty-four consecutive registration periods as provided in 3753
section 4503.101 of the Revised Code. The successful bidder shall 3754
furnish without charge a complete list to the bureau of motor 3755
vehicles, and shall also furnish without charge to the county 3756
sheriffs or chiefs of police in cities, at such times and in such 3757
manner as the director determines necessary, lists of registration 3758
information for the county in which they are situated. The 3759
registrar shall provide to the successful bidder all necessary 3760

information for the preparation of such lists. 3761

The registrar ~~may~~, upon application of any person and payment 3762
of the proper fee, may search the records of the bureau and ~~make~~ 3763
furnish reports thereof, ~~and make photographic copies of the~~ 3764
bureau those records and attestations thereof under the signature 3765
of the registrar. 3766

~~Fees therefor are as follows:~~ 3767

~~(A) For searches (C) A fee of eight dollars shall be charged~~ 3768
and collected for each search of the records and ~~written reports~~ 3769
~~thereof, two dollars for each name, number, or fact searched or~~ 3770
~~reported on;~~ 3771

~~(B) For photographic copies of records and attestations~~ 3772
~~thereof, report of those records furnished~~ under the signature and 3773
seal of the registrar, ~~two dollars a copy. Such~~ A copy of any such 3774
report is prima-facie evidence of the facts therein stated, in any 3775
court. 3776

The registrar shall receive these fees and deposit ~~them~~ two 3777
dollars of each such fee into the state treasury to the credit of 3778
the state bureau of motor vehicles fund established in section 3779
4501.25 of the Revised Code. Of the remaining six dollars of each 3780
such fee the registrar collects, the registrar shall deposit one 3781
dollar and twenty-five cents into the state treasury to the credit 3782
of the trauma and emergency medical services fund established in 3783
section 4513.263 of the Revised Code, one dollar and twenty-five 3784
cents into the state treasury to the credit of the homeland 3785
security fund established under section 5502.03 of the Revised 3786
Code, seventy-five cents into the state treasury to the credit of 3787
the investigations fund established in section 5502.131 of the 3788
Revised Code, two dollars and twenty-five cents into the state 3789
treasury to the credit of the emergency management agency service 3790
and reimbursement fund established in section 5502.39 of the 3791

Revised Code, and fifty cents into the state treasury to the 3792
credit of the justice program services fund established in section 3793
5502.67 of the Revised Code. 3794

Sec. 4503.65. The registrar of motor vehicles shall take all 3795
steps necessary to determine and collect, ~~at the tax rates~~ 3796
~~established under section 4503.042 of the Revised Code,~~ the 3797
apportioned registration tax due for vehicles registered in 3798
another international registration plan jurisdiction that lists 3799
Ohio for apportionment purposes on a uniform mileage schedule. The 3800
registration taxes to be charged shall be determined on the basis 3801
of the annual tax otherwise due on the motor vehicle, prorated in 3802
accordance with the number of months for which the motor vehicle 3803
is registered. Until October 1, 2009, such vehicles shall be taxed 3804
at the rates established under section 4503.042 of the Revised 3805
Code. The rates in this section become effective on and after 3806
October 1, 2009. 3807

(A) The rates of the taxes imposed by this section are as 3808
follows for commercial cars having a gross vehicle weight or 3809
combined gross vehicle weight of: 3810

(1) Not more than two thousand pounds, forty-seven dollars; 3811

(2) More than two thousand but not more than six thousand 3812
pounds, seventy-two dollars; 3813

(3) More than six thousand but not more than ten thousand 3814
pounds, eighty-eight dollars; 3815

(4) More than ten thousand but not more than fourteen 3816
thousand pounds, one hundred eight dollars; 3817

(5) More than fourteen thousand but not more than eighteen 3818
thousand pounds, one hundred twenty-nine dollars; 3819

(6) More than eighteen thousand but not more than twenty-two 3820
thousand pounds, one hundred fifty-four dollars; 3821

<u>(7) More than twenty-two thousand but not more than</u>	3822
<u>twenty-six thousand pounds, one hundred eighty dollars;</u>	3823
<u>(8) More than twenty-six thousand but not more than thirty</u>	3824
<u>thousand pounds, three hundred sixty-four dollars;</u>	3825
<u>(9) More than thirty thousand but not more than thirty-four</u>	3826
<u>thousand pounds, four hundred thirty-one dollars;</u>	3827
<u>(10) More than thirty-four thousand but not more than</u>	3828
<u>thirty-eight thousand pounds, four hundred ninety-two dollars;</u>	3829
<u>(11) More than thirty-eight thousand but not more than</u>	3830
<u>forty-two thousand pounds, five hundred fifty-four dollars;</u>	3831
<u>(12) More than forty-two thousand but not more than forty-six</u>	3832
<u>thousand pounds, six hundred fifteen dollars;</u>	3833
<u>(13) More than forty-six thousand but not more than fifty</u>	3834
<u>thousand pounds, six hundred seventy-seven dollars;</u>	3835
<u>(14) More than fifty thousand but not more than fifty-four</u>	3836
<u>thousand pounds, seven hundred forty-four dollars;</u>	3837
<u>(15) More than fifty-four thousand but not more than</u>	3838
<u>fifty-eight thousand pounds, eight hundred five dollars;</u>	3839
<u>(16) More than fifty-eight thousand but not more than</u>	3840
<u>sixty-two thousand pounds, eight hundred seventy-seven dollars;</u>	3841
<u>(17) More than sixty-two thousand but not more than sixty-six</u>	3842
<u>thousand pounds, nine hundred forty-nine dollars;</u>	3843
<u>(18) More than sixty-six thousand but not more than seventy</u>	3844
<u>thousand pounds, one thousand twenty dollars;</u>	3845
<u>(19) More than seventy thousand but not more than</u>	3846
<u>seventy-four thousand pounds, one thousand one hundred seven</u>	3847
<u>dollars;</u>	3848
<u>(20) More than seventy-four thousand but not more than</u>	3849
<u>seventy-eight thousand pounds, one thousand two hundred thirty</u>	3850

<u>dollars;</u>	3851
<u>(21) More than seventy-eight thousand pounds, one thousand</u>	3852
<u>three hundred seventy-three dollars and fifty cents.</u>	3853
<u>(B) The rates of the taxes imposed by this section are as</u>	3854
<u>follows for buses having a gross vehicle weight or combined gross</u>	3855
<u>vehicle weight of:</u>	3856
<u>(1) Not more than two thousand pounds, eleven dollars;</u>	3857
<u>(2) More than two thousand but not more than six thousand</u>	3858
<u>pounds, forty-one dollars;</u>	3859
<u>(3) More than six thousand but not more than ten thousand</u>	3860
<u>pounds, one hundred three dollars;</u>	3861
<u>(4) More than ten thousand but not more than fourteen</u>	3862
<u>thousand pounds, one hundred eighty-five dollars;</u>	3863
<u>(5) More than fourteen thousand but not more than eighteen</u>	3864
<u>thousand pounds, two hundred sixty-seven dollars;</u>	3865
<u>(6) More than eighteen thousand but not more than twenty-two</u>	3866
<u>thousand pounds, three hundred forty-nine dollars;</u>	3867
<u>(7) More than twenty-two thousand but not more than</u>	3868
<u>twenty-six thousand pounds, four hundred thirty-one dollars;</u>	3869
<u>(8) More than twenty-six thousand but not more than thirty</u>	3870
<u>thousand pounds, five hundred thirteen dollars;</u>	3871
<u>(9) More than thirty thousand but not more than thirty-four</u>	3872
<u>thousand pounds, five hundred ninety-five dollars;</u>	3873
<u>(10) More than thirty-four thousand but not more than</u>	3874
<u>thirty-eight thousand pounds, six hundred seventy-seven dollars;</u>	3875
<u>(11) More than thirty-eight thousand but not more than</u>	3876
<u>forty-two thousand pounds, seven hundred fifty-nine dollars;</u>	3877
<u>(12) More than forty-two thousand but not more than forty-six</u>	3878
<u>thousand pounds, eight hundred forty dollars and twenty-five</u>	3879

<u>cents;</u>	3880
<u>(13) More than forty-six thousand but not more than fifty</u>	3881
<u>thousand pounds, nine hundred sixty dollars and twenty-five cents;</u>	3882
<u>(14) More than fifty thousand but not more than fifty-four</u>	3883
<u>thousand pounds, one thousand twenty dollars and twenty-five</u>	3884
<u>cents;</u>	3885
<u>(15) More than fifty-four thousand but not more than</u>	3886
<u>fifty-eight thousand pounds, one thousand one hundred ten dollars</u>	3887
<u>and twenty-five cents;</u>	3888
<u>(16) More than fifty-eight thousand but not more than</u>	3889
<u>sixty-two thousand pounds, one thousand two hundred dollars and</u>	3890
<u>twenty-five cents;</u>	3891
<u>(17) More than sixty-two thousand but not more than sixty-six</u>	3892
<u>thousand pounds, one thousand two hundred ninety dollars and</u>	3893
<u>twenty-five cents;</u>	3894
<u>(18) More than sixty-six thousand but not more than seventy</u>	3895
<u>thousand pounds, one thousand three hundred eighty dollars and</u>	3896
<u>twenty-five cents;</u>	3897
<u>(19) More than seventy thousand but not more than</u>	3898
<u>seventy-four thousand pounds, one thousand four hundred seventy</u>	3899
<u>dollars and twenty-five cents;</u>	3900
<u>(20) More than seventy-four thousand but not more than</u>	3901
<u>seventy-eight thousand pounds, one thousand five hundred sixty</u>	3902
<u>dollars and twenty-five cents;</u>	3903
<u>(21) More than seventy-eight thousand pounds, one thousand</u>	3904
<u>six hundred fifty dollars and twenty-five cents.</u>	3905
Sec. 4505.032. (A)(1) If a person who is not an electronic	3906
motor vehicle dealer owns a motor vehicle for which a physical	3907
certificate of title has not been issued by a clerk of a court of	3908

common pleas and the person sells the motor vehicle to a motor 3909
vehicle dealer licensed under Chapter 4517. of the Revised Code, 3910
the person is not required to obtain a physical certificate of 3911
title to the motor vehicle in order to transfer ownership to the 3912
dealer. The person shall present the dealer, in a manner approved 3913
by the registrar of motor vehicles, with sufficient proof of the 3914
person's identity and complete and sign a form prescribed by the 3915
registrar attesting to the person's identity and assigning the 3916
motor vehicle to the dealer. Except as otherwise provided in this 3917
section, the motor vehicle dealer shall present the assignment 3918
form to any clerk of a court of common pleas together with an 3919
application for a certificate of title and payment of the fees 3920
prescribed by section 4505.09 of the Revised Code. 3921

In a case in which an electronic certificate of title has 3922
been issued and either the buyer or seller of the motor vehicle is 3923
an electronic motor vehicle dealer, the electronic motor vehicle 3924
dealer instead may inform a clerk of a court of common pleas via 3925
electronic means of the sale of the motor vehicle and assignment 3926
of ownership of the vehicle. The clerk shall enter the information 3927
relating to the assignment, including, but not limited to, the 3928
odometer disclosure statement required by section 4505.06 of the 3929
Revised Code, into the automated title processing system, and 3930
ownership of the vehicle passes to the applicant when the clerk 3931
enters this information into the system. The dealer is not 3932
required to obtain a physical certificate of title to the vehicle 3933
in the dealer's name. 3934

(2) A (a) Except as provided in division (A)(2)(b) of this 3935
section, a clerk shall charge and collect from a dealer a fee of 3936
five fifteen dollars for each motor vehicle assignment sent by the 3937
dealer to the clerk under division (A)(1) of this section. 3938

(b) A clerk shall charge and collect from the dealer a fee of 3939

five dollars for each motor vehicle assignment sent by the dealer 3940
to the clerk for resale purposes. 3941

(3) The ~~fee~~ fees shall be distributed in accordance with 3942
section 4505.09 of the Revised Code. 3943

(B) If a person who is not an electronic motor vehicle dealer 3944
owns a motor vehicle for which a physical certificate of title has 3945
not been issued by a clerk of a court of common pleas and the 3946
person sells the motor vehicle to a person who is not a motor 3947
vehicle dealer licensed under Chapter 4517. of the Revised Code, 3948
the person shall obtain a physical certificate of title to the 3949
motor vehicle in order to transfer ownership of the vehicle to 3950
that person. 3951

Sec. 4505.09. (A) (1) The clerk of a court of common pleas 3952
shall charge a ~~fee of five~~ and retain fees as follows: 3953

(a) Five dollars for each certificate of title that is not 3954
applied for within thirty days after the later of the assignment 3955
or delivery of the motor vehicle described in it. The ~~fees~~ entire
fee shall be retained by the clerk. 3956
3957

~~In addition to those fees, the clerk shall charge a fee of~~ 3958
~~five~~ (b) Fifteen dollars for each certificate of title, ~~or~~ 3959
~~duplicate certificate of title,~~ including the issuance of a 3960
~~memorandum certificate of title,~~ or authorization to print a 3961
non-negotiable evidence of ownership described in division (G) of 3962
section 4505.08 of the Revised Code, non-negotiable evidence of 3963
ownership printed by the clerk under division (H) of that section, 3964
and notation of any lien on a certificate of title that is applied 3965
for at the same time as the certificate of title. The clerk shall 3966
retain ~~two~~ eleven dollars and ~~twenty-five~~ fifty cents of ~~the~~ that 3967
~~fee charged for each certificate of title, four dollars and~~ 3968
~~seventy-five cents of the fee charged for each duplicate~~ 3969
~~certificate of title, all of the fees charged for each memorandum~~ 3970

~~certificate, authorization to print a non negotiable evidence of 3971
ownership, or non negotiable evidence of ownership printed by the 3972
clerk, and four dollars and twenty five cents of the fee charged 3973
for each notation of a lien. 3974~~

(c) Five dollars for each certificate of title with no 3975
security interest noted that is issued to a licensed motor vehicle 3976
dealer for resale purposes. The clerk shall retain two dollars and 3977
twenty-five cents of that fee. 3978

(d) Five dollars for each memorandum certificate of title or 3979
non-negotiable evidence of ownership that is applied for 3980
separately. The clerk shall retain that entire fee. 3981

(2) The remaining two dollars and seventy five cents charged 3982
for the certificate of title, the remaining twenty five cents 3983
charged for the duplicate certificate of title, and the remaining 3984
seventy five cents charged for the notation of any lien on a 3985
certificate of title fees that are not retained by the clerk shall 3986
be paid to the registrar of motor vehicles by monthly returns, 3987
which shall be forwarded to the registrar not later than the fifth 3988
day of the month next succeeding that in which the certificate is 3989
issued or that in which the registrar is notified of a lien or 3990
cancellation of a lien. 3991

(B)(1) The registrar shall pay twenty-five cents of the 3992
amount received for each certificate of title and all of the 3993
amounts received for each notation of any lien and each duplicate 3994
certificate issued to a motor vehicle dealer for resale and one 3995
dollar for all other certificates of title issued into the state 3996
bureau of motor vehicles fund established in section 4501.25 of 3997
the Revised Code. 3998

(2) Fifty cents of the amount received for each certificate 3999
of title shall be paid by the registrar as follows: 4000

(a) Four cents shall be paid into the state treasury to the 4001

credit of the motor vehicle dealers board fund, which is hereby 4002
created. All investment earnings of the fund shall be credited to 4003
the fund. The moneys in the motor vehicle dealers board fund shall 4004
be used by the motor vehicle dealers board created under section 4005
4517.30 of the Revised Code, together with other moneys 4006
appropriated to it, in the exercise of its powers and the 4007
performance of its duties under Chapter 4517. of the Revised Code, 4008
except that the director of budget and management may transfer 4009
excess money from the motor vehicle dealers board fund to the 4010
bureau of motor vehicles fund if the registrar determines that the 4011
amount of money in the motor vehicle dealers board fund, together 4012
with other moneys appropriated to the board, exceeds the amount 4013
required for the exercise of its powers and the performance of its 4014
duties under Chapter 4517. of the Revised Code and requests the 4015
director to make the transfer. 4016

(b) Twenty-one cents shall be paid into the highway operating 4017
fund. 4018

(c) Twenty-five cents shall be paid into the state treasury 4019
to the credit of the motor vehicle sales audit fund, which is 4020
hereby created. The moneys in the fund shall be used by the tax 4021
commissioner together with other funds available to the 4022
commissioner to conduct a continuing investigation of sales and 4023
use tax returns filed for motor vehicles in order to determine if 4024
sales and use tax liability has been satisfied. The commissioner 4025
shall refer cases of apparent violations of section 2921.13 of the 4026
Revised Code made in connection with the titling or sale of a 4027
motor vehicle and cases of any other apparent violations of the 4028
sales or use tax law to the appropriate county prosecutor whenever 4029
the commissioner considers it advisable. 4030

(3) Two dollars of the amount received by the registrar for 4031
each certificate of title shall be paid into the state treasury to 4032
the credit of the automated title processing fund, which is hereby 4033

created and which shall consist of moneys collected under division 4034
(B)(3) of this section and under sections 1548.10 and 4519.59 of 4035
the Revised Code. All investment earnings of the fund shall be 4036
credited to the fund. The moneys in the fund shall be used as 4037
follows: 4038

(a) Except for moneys collected under section 1548.10 of the 4039
Revised Code and as provided in division (B)(3)(c) of this 4040
section, moneys collected under division (B)(3) of this section 4041
shall be used to implement and maintain an automated title 4042
processing system for the issuance of motor vehicle, off-highway 4043
motorcycle, and all-purpose vehicle certificates of title in the 4044
offices of the clerks of the courts of common pleas. 4045

(b) Moneys collected under section 1548.10 of the Revised 4046
Code shall be used to issue marine certificates of title in the 4047
offices of the clerks of the courts of common pleas as provided in 4048
Chapter 1548. of the Revised Code. 4049

(c) Moneys collected under division (B)(3) of this section 4050
shall be used in accordance with section 4505.25 of the Revised 4051
Code to implement Sub. S.B. 59 of the 124th general assembly. 4052

(C)(1) The automated title processing board is hereby created 4053
consisting of the registrar or the registrar's representative, a 4054
person selected by the registrar, the president of the Ohio clerks 4055
of court association or the president's representative, and two 4056
clerks of courts of common pleas appointed by the governor. The 4057
director of budget and management or the director's designee, the 4058
chief of the division of watercraft in the department of natural 4059
resources or the chief's designee, and the tax commissioner or the 4060
commissioner's designee shall be nonvoting members of the board. 4061
The purpose of the board is to facilitate the operation and 4062
maintenance of an automated title processing system and approve 4063
the procurement of automated title processing system equipment. 4064
Voting members of the board, excluding the registrar or the 4065

registrar's representative, shall serve without compensation, but 4066
shall be reimbursed for travel and other necessary expenses 4067
incurred in the conduct of their official duties. The registrar or 4068
the registrar's representative shall receive neither compensation 4069
nor reimbursement as a board member. 4070

4071

(2) The automated title processing board shall determine each 4072
of the following: 4073

(a) The automated title processing equipment and certificates 4074
of title requirements for each county; 4075

(b) The payment of expenses that may be incurred by the 4076
counties in implementing an automated title processing system; 4077

(c) The repayment to the counties for existing title 4078
processing equipment. 4079

(3) The registrar shall purchase, lease, or otherwise acquire 4080
any automated title processing equipment and certificates of title 4081
that the board determines are necessary from moneys in the 4082
automated title processing fund established by division (B)(3) of 4083
this section. 4084

(D) All counties shall conform to the requirements of the 4085
registrar regarding the operation of their automated title 4086
processing system for motor vehicle titles, certificates of title 4087
for off-highway motorcycles and all-purpose vehicles, and 4088
certificates of title for watercraft and outboard motors. 4089

Sec. 4505.14. (A) The registrar of motor vehicles, or the 4090
clerk of the court of common pleas, upon the application of any 4091
person and payment of the proper ~~fees~~ fee, may prepare and furnish 4092
lists containing title information in such form and subject to 4093
such territorial division or other classification as they may 4094
direct. The registrar or the clerk may search the records of the 4095

bureau of motor vehicles and ~~the clerk and make~~ furnish reports 4096
thereof, ~~and make copies of their title information and~~ 4097
~~attestations thereof~~ those records under the signature of the 4098
registrar or the clerk. 4099

(B)(1) Fees therefor for lists containing title information 4100
shall be charged and collected as follows: 4101

~~(A)(a)~~ For lists containing three thousand titles or more, 4102
twenty-five dollars per thousand or part thereof; 4103

~~(B)(b)~~ For searches each report of a search of the records 4104
~~and written reports thereof, two dollars for each name, number, or~~ 4105
~~fact searched or reported on.~~ 4106

~~(C)~~ For copies of records and attestations thereof, two 4107
dollars per copy except that on and after October 1, 2009, the fee 4108
shall be eight dollars per copy. The registrar and the clerk may 4109
certify copies of records generated by an automated title 4110
processing system. 4111

~~Such copies~~ (2) A copy of any such report shall be taken as 4112
prima-facie evidence of the facts therein stated, in any court of 4113
the state. The registrar and the clerk shall furnish information 4114
on any title without charge to the state highway patrol, sheriffs, 4115
chiefs of police, or the attorney general. The clerk also may 4116
provide a copy of a certificate of title to a public agency 4117
without charge. 4118

(C)(1) Those fees collected by the registrar as provided in 4119
division (B)(1)(a) of this section shall be paid to the treasurer 4120
of state to the credit of the state bureau of motor vehicles fund 4121
established in section 4501.25 of the Revised Code. Those fees 4122
collected by the clerk as provided in division (B)(1)(a) of this 4123
section shall be paid to the certificate of title administration 4124
fund created by section 325.33 of the Revised Code. 4125

(2) Prior to October 1, 2009, the registrar shall pay those 4126

fees the registrar collects under division (B)(1)(b) of this 4127
section into the state treasury to the credit of the state bureau 4128
of motor vehicles fund established in section 4501.25 of the 4129
Revised Code. Prior to October 1, 2009, the clerk shall pay those 4130
fees the clerk collects under division (B)(1)(b) of this section 4131
to the certificate of title administration fund created by section 4132
325.33 of the Revised Code. 4133

(3) On and after October 1, 2009, the registrar shall pay two 4134
dollars of each fee the registrar collects under division 4135
(B)(1)(b) of this section into the state treasury to the credit of 4136
the state bureau of motor vehicles fund established in section 4137
4501.25 of the Revised Code. Of the remaining six dollars of each 4138
such fee the registrar collects, the registrar shall deposit one 4139
dollar and twenty-five cents into the state treasury to the credit 4140
of the trauma and emergency medical services fund established in 4141
section 4513.263 of the Revised Code, one dollar and twenty-five 4142
cents into the state treasury to the credit of the homeland 4143
security fund established under section 5502.03 of the Revised 4144
Code, seventy-five cents into the state treasury to the credit of 4145
the investigations fund established in section 5502.131 of the 4146
Revised Code, two dollars and twenty-five cents into the state 4147
treasury to the credit of the emergency management agency service 4148
and reimbursement fund established in section 5502.39 of the 4149
Revised Code, and fifty cents into the state treasury to the 4150
credit of the justice program services fund established in section 4151
5502.67 of the Revised Code. 4152

(4) On and after October 1, 2009, the clerk of the court of 4153
common pleas shall retain two dollars of each fee the clerk 4154
collects under division (B)(1)(b) of this section and deposit that 4155
two dollars into the certificate of title administration fund 4156
created by section 325.33 of the Revised Code. The clerk shall 4157
forward the remaining six dollars to the registrar not later than 4158

the fifth day of the month next succeeding that in which the 4159
transaction occurred. Of that remaining six dollars, the registrar 4160
shall deposit one dollar and twenty-five cents into the state 4161
treasury to the credit of the trauma and emergency medical 4162
services fund established in section 4513.263 of the Revised Code, 4163
one dollar and twenty-five cents into the state treasury to the 4164
credit of the homeland security fund established under section 4165
5502.03 of the Revised Code, seventy-five cents into the state 4166
treasury to the credit of the investigations fund established in 4167
section 5502.131 of the Revised Code, two dollars and twenty-five 4168
cents into the state treasury to the credit of the emergency 4169
management agency service and reimbursement fund established in 4170
section 5502.39 of the Revised Code, and fifty cents into the 4171
state treasury to the credit of the justice program services fund 4172
established in section 5502.67 of the Revised Code. 4173

Sec. 4506.07. (A) Every application for a commercial driver's 4174
license, restricted commercial driver's license, or a commercial 4175
driver's temporary instruction permit, or a duplicate of such a 4176
license, shall be made upon a form approved and furnished by the 4177
registrar of motor vehicles. Except as provided in section 4506.24 4178
of the Revised Code in regard to a restricted commercial driver's 4179
license, the application shall be signed by the applicant and 4180
shall contain the following information: 4181

(1) The applicant's name, date of birth, social security 4182
account number, sex, general description including height, weight, 4183
and color of hair and eyes, current residence, duration of 4184
residence in this state, country of citizenship, and occupation; 4185

(2) Whether the applicant previously has been licensed to 4186
operate a commercial motor vehicle or any other type of motor 4187
vehicle in another state or a foreign jurisdiction and, if so, 4188
when, by what state, and whether the license or driving privileges 4189

currently are suspended or revoked in any jurisdiction, or the applicant otherwise has been disqualified from operating a commercial motor vehicle, or is subject to an out-of-service order issued under this chapter or any similar law of another state or a foreign jurisdiction and, if so, the date of, locations involved, and reason for the suspension, revocation, disqualification, or out-of-service order;

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

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

(5) Whether the applicant has pending a citation for violation of any motor vehicle law or ordinance except a parking violation and, if so, a description of the citation, the court having jurisdiction of the offense, and the date when the offense occurred;

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

(7) On and after May 1, 1993, 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 license issued to indicate that the applicant
has executed the instrument;

(8) On and after ~~the date that is fifteen months after the~~
~~effective date of this amendment~~ October 7, 2009, 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 license issued to indicate that the applicant
is ~~an honorably discharged~~ a veteran, active duty, or reservist of
the armed forces of the United States by a military designation on
the license.

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

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

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

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

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

(D) The registrar or a deputy registrar, in accordance with 4252
section 3503.11 of the Revised Code, shall register as an elector 4253
any applicant for a commercial driver's license or for a renewal 4254
or duplicate of such a license under this chapter, if the 4255
applicant is eligible and wishes to be registered as an elector. 4256
The decision of an applicant whether to register as an elector 4257
shall be given no consideration in the decision of whether to 4258
issue the applicant a license or a renewal or duplicate. 4259

(E) The registrar or a deputy registrar, in accordance with 4260
section 3503.11 of the Revised Code, shall offer the opportunity 4261
of completing a notice of change of residence or change of name to 4262
any applicant for a commercial driver's license or for a renewal 4263
or duplicate of such a license who is a resident of this state, if 4264
the applicant is a registered elector who has changed the 4265
applicant's residence or name and has not filed such a notice. 4266

(F) In considering any application submitted pursuant to this 4267
section, the bureau of motor vehicles may conduct any inquiries 4268
necessary to ensure that issuance or renewal of a commercial 4269
driver's license would not violate any provision of the Revised 4270
Code or federal law. 4271

(G) In addition to any other information it contains, on and 4272
~~after the date that is fifteen months after the effective date of~~ 4273
~~this amendment~~ October 7, 2009, the form approved and furnished by 4274
the registrar of motor vehicles for an application for a 4275
commercial driver's license, restricted commercial driver's 4276
license, or a commercial driver's temporary instruction permit or 4277
an application for a duplicate of such a license shall inform 4278
applicants that the applicant must present a copy of the 4279
applicant's DD-214 or an equivalent document in order to qualify 4280
to have the license or duplicate indicate that the applicant is ~~an~~ 4281
~~honorably discharged~~ a veteran, active duty, or reservist of the 4282
armed forces of the United States based on a request made pursuant 4283

to division (A)(8) of this section. 4284

Sec. 4506.08. (A)(1) Each application for a commercial 4285
driver's license temporary instruction permit shall be accompanied 4286
by a fee of ten dollars. Each application for a commercial 4287
driver's license, restricted commercial driver's license, renewal 4288
of such a license, or waiver for farm-related service industries 4289
shall be accompanied by a fee of twenty-five dollars, except that 4290
an application for a commercial driver's license or restricted 4291
commercial driver's license received pursuant to division (A)(3) 4292
of section 4506.14 of the Revised Code shall be accompanied by a 4293
fee of eighteen dollars and seventy-five cents if the license will 4294
expire on the licensee's birthday three years after the date of 4295
issuance, a fee of twelve dollars and fifty cents if the license 4296
will expire on the licensee's birthday two years after the date of 4297
issuance, and a fee of six dollars and twenty-five cents if the 4298
license will expire on the licensee's birthday one year after the 4299
date of issuance. Each application for a duplicate commercial 4300
driver's license shall be accompanied by a fee of ten dollars. 4301

(2) In addition, the registrar of motor vehicles or deputy 4302
registrar may collect and retain an additional fee of no more than 4303
~~two dollars and seventy five cents commencing on July 1, 2001,~~ 4304
~~three dollars and twenty five cents commencing on January 1, 2003,~~ 4305
~~and three dollars and fifty cents commencing on January 1, 2004,~~ 4306
for each application for a commercial driver's license temporary 4307
instruction permit, commercial driver's license, renewal of a 4308
commercial driver's license, or duplicate commercial driver's 4309
license received by the registrar or deputy. 4310

(B) ~~Each deputy registrar shall transmit the fees collected~~ 4311
~~under division (A)(1) of this section to the registrar at the time~~ 4312
~~and in the manner prescribed by the registrar by rule. The~~ 4313
~~registrar shall pay the fees into the state highway safety fund~~ 4314

~~established in section 4501.06 of the Revised Code.~~ 4315

~~(C)~~ In addition to the fees imposed under division (A) of 4316
this section, the registrar of motor vehicles or deputy registrar 4317
shall collect a fee of twelve dollars ~~commencing on October 1,~~ 4318
~~2003,~~ for each application for a commercial driver's license 4319
temporary instruction permit, commercial driver's license, or 4320
duplicate commercial driver's license and for each application for 4321
renewal of a commercial driver's license ~~with an expiration date~~ 4322
~~on or after that date received by the registrar or deputy~~ 4323
~~registrar.~~ The additional fee is for the purpose of defraying the 4324
department of public safety's costs associated with the 4325
administration and enforcement of the motor vehicle and traffic 4326
laws of Ohio. ~~Each~~ 4327

(C) Commencing on October 1, 2009, if an application for a 4328
commercial driver's license made by a person who previously held 4329
such a license is not applied for within the period specified in 4330
section 4506.14 of the Revised Code, the registrar or deputy 4331
registrar shall collect a fee of ten dollars for the issuance of 4332
the commercial driver's license, but may waive the fee for good 4333
cause shown if the application is accompanied by supporting 4334
evidence as the registrar may require. The fee is in addition to 4335
all other fees established by this section. A deputy registrar 4336
shall retain fifty cents of the fee and shall transmit the 4337
remaining amount in accordance with division (D) of this section. 4338

(D) Each deputy registrar shall transmit the fees collected 4339
under ~~division~~ divisions (A)(1), (B), and (C) of this section in 4340
the time and manner prescribed by the registrar. The registrar 4341
shall deposit all moneys received under division ~~(C)~~ (D) of this 4342
section into the state highway safety fund established in section 4343
4501.06 of the Revised Code. 4344

~~(D)~~(E) Information regarding the driving record of any person 4345
holding a commercial driver's license issued by this state shall 4346

be furnished by the registrar, upon request and payment of a fee 4347
of ~~two~~ eight dollars, to the employer or prospective employer of 4348
such a person and to any insurer. 4349

Of each eight-dollar fee the registrar collects under this 4350
division, the registrar shall pay two dollars into the state 4351
treasury to the credit of the state bureau of motor vehicles fund 4352
established in section 4501.25 of the Revised Code, one dollar and 4353
twenty-five cents into the state treasury to the credit of the 4354
trauma and emergency medical services fund established in section 4355
4513.263 of the Revised Code, one dollar and twenty-five cents 4356
into the state treasury to the credit of the homeland security 4357
fund established in section 5502.03 of the Revised Code, 4358
seventy-five cents into the state treasury to the credit of the 4359
investigations fund established in section 5502.131 of the Revised 4360
Code, two dollars and twenty-five cents into the state treasury to 4361
the credit of the emergency management agency service and 4362
reimbursement fund established in section 5502.39 of the Revised 4363
Code, and fifty cents into the state treasury to the credit of the 4364
justice program services fund established in section 5502.67 of 4365
the Revised Code. 4366

Sec. 4506.11. (A) Every commercial driver's license shall be 4367
marked "commercial driver's license" or "CDL" and shall be of such 4368
material and so designed as to prevent its reproduction or 4369
alteration without ready detection, and, to this end, shall be 4370
laminated with a transparent plastic material. The commercial 4371
driver's license for licensees under twenty-one years of age shall 4372
have characteristics prescribed by the registrar of motor vehicles 4373
distinguishing it from that issued to a licensee who is twenty-one 4374
years of age or older. Every commercial driver's license shall 4375
display all of the following information: 4376

(1) The name and residence address of the licensee; 4377

(2) A color photograph of the licensee showing the licensee's uncovered face;	4378 4379
(3) A physical description of the licensee, including sex, height, weight, and color of eyes and hair;	4380 4381
(4) The licensee's date of birth;	4382
(5) The licensee's social security number if the person has requested that the number be displayed in accordance with section 4501.31 of the Revised Code or if federal law requires the social security number to be displayed and any number or other identifier the director of public safety considers appropriate and establishes by rules adopted under Chapter 119. of the Revised Code and in compliance with federal law;	4383 4384 4385 4386 4387 4388 4389
(6) The licensee's signature;	4390
(7) The classes of commercial motor vehicles the licensee is authorized to drive and any endorsements or restrictions relating to the licensee's driving of those vehicles;	4391 4392 4393
(8) The name of this state;	4394
(9) The dates of issuance and of expiration of the license;	4395
(10) If the licensee has certified willingness to make an anatomical gift under section 2108.05 of the Revised Code, any symbol chosen by the registrar of motor vehicles to indicate that the licensee has certified that willingness;	4396 4397 4398 4399
(11) If the licensee has executed a durable power of attorney for health care or a declaration governing the use or continuation, or the withholding or withdrawal, of life-sustaining treatment and has specified that the licensee wishes the license to indicate that the licensee has executed either type of instrument, any symbol chosen by the registrar to indicate that the licensee has executed either type of instrument;	4400 4401 4402 4403 4404 4405 4406
(12) On and after the date that is fifteen months after the	4407

~~effective date of this amendment~~ October 7, 2009, if the licensee 4408
has specified that the licensee wishes the license to indicate 4409
that the licensee is ~~an honorably discharged~~ a veteran, active 4410
duty, or reservist of the armed forces of the United States and 4411
has presented a copy of the licensee's DD-214 form or an 4412
equivalent document, any symbol chosen by the registrar to 4413
indicate that the licensee is ~~an honorably discharged~~ a veteran, 4414
active duty, or reservist of the armed forces of the United 4415
States; 4416

(13) Any other information the registrar considers advisable 4417
and requires by rule. 4418

(B) The registrar may establish and maintain a file of 4419
negatives of photographs taken for the purposes of this section. 4420

(C) Neither the registrar nor any deputy registrar shall 4421
issue a commercial driver's license to anyone under twenty-one 4422
years of age that does not have the characteristics prescribed by 4423
the registrar distinguishing it from the commercial driver's 4424
license issued to persons who are twenty-one years of age or 4425
older. 4426

(D) Whoever violates division (C) of this section is guilty 4427
of a minor misdemeanor. 4428

Sec. 4507.05. (A) The registrar of motor vehicles, or a 4429
deputy registrar, upon receiving an application for a temporary 4430
instruction permit and a temporary instruction permit 4431
identification card for a driver's license from any person who is 4432
at least fifteen years six months of age, may issue such a permit 4433
and identification card entitling the applicant to drive a motor 4434
vehicle, other than a commercial motor vehicle, upon the highways 4435
under the following conditions: 4436

(1) If the permit is issued to a person who is at least 4437

fifteen years six months of age, but less than sixteen years of age: 4438
4439

(a) The permit and identification card are in the holder's immediate possession; 4440
4441

(b) The holder is accompanied by an eligible adult who actually occupies the 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; 4442
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(c) The total number of occupants of the vehicle does not exceed the total number of occupant restraining devices originally installed in the motor vehicle by its manufacturer, and each occupant of the vehicle is wearing all of the available elements of a properly adjusted occupant restraining device. 4447
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(2) If the permit is issued to a person who is at least sixteen years of age: 4452
4453

(a) The permit and identification card are in the holder's immediate possession; 4454
4455

(b) The holder is accompanied by a licensed operator who is at least twenty-one years of age, is actually occupying a seat beside the driver, 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; 4456
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(c) The total number of occupants of the vehicle does not exceed the total number of occupant restraining devices originally installed in the motor vehicle by its manufacturer, and each occupant of the vehicle is wearing all of the available elements of a properly adjusted occupant restraining device. 4462
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(B) The registrar or a deputy registrar, upon receiving from 4467

any person an application for a temporary instruction permit and 4468
temporary instruction permit identification card to operate a 4469
motorcycle or motorized bicycle, may issue such a permit and 4470
identification card entitling the applicant, while having the 4471
permit and identification card in the applicant's immediate 4472
possession, to drive a motorcycle or motorized bicycle under 4473
restrictions determined by the registrar. A temporary instruction 4474
permit and temporary instruction permit identification card to 4475
operate a motorized bicycle may be issued to a person fourteen or 4476
fifteen years old. 4477

(C) Any permit and identification card issued under this 4478
section shall be issued in the same manner as a driver's license, 4479
upon a form to be furnished by the registrar. A temporary 4480
instruction permit to drive a motor vehicle other than a 4481
commercial motor vehicle shall be valid for a period of one year. 4482

(D) Any person having in the person's possession a valid and 4483
current driver's license or motorcycle operator's license or 4484
endorsement issued to the person by another jurisdiction 4485
recognized by this state is exempt from obtaining a temporary 4486
instruction permit for a driver's license, but shall submit to the 4487
regular examination in obtaining a driver's license or motorcycle 4488
operator's endorsement in this state. 4489

(E) The registrar may adopt rules governing the use of 4490
temporary instruction permits and temporary instruction permit 4491
identification cards. 4492

(F)(1) No holder of a permit issued under division (A) of 4493
this section shall operate a motor vehicle upon a highway or any 4494
public or private property used by the public for purposes of 4495
vehicular travel or parking in violation of the conditions 4496
established under division (A) of this section. 4497

(2) Except as provided in division (F)(2) of this section, no 4498

holder of a permit that is issued under division (A) of this 4499
section and that is issued on or after July 1, 1998, and who has 4500
not attained the age of eighteen years, shall operate a motor 4501
vehicle upon a highway or any public or private property used by 4502
the public for purposes of vehicular travel or parking between the 4503
hours of midnight and six a.m. 4504

The holder of a permit issued under division (A) of this 4505
section on or after July 1, 1998, who has not attained the age of 4506
eighteen years, may operate a motor vehicle upon a highway or any 4507
public or private property used by the public for purposes of 4508
vehicular travel or parking between the hours of midnight and six 4509
a.m. if, at the time of such operation, the holder is accompanied 4510
by the holder's parent, guardian, or custodian, and the parent, 4511
guardian, or custodian holds a current valid driver's or 4512
commercial driver's license issued by this state, is actually 4513
occupying a seat beside the permit holder, and does not have a 4514
prohibited concentration of alcohol in the whole blood, blood 4515
serum or plasma, breath, or urine as provided in division (A) of 4516
section 4511.19 of the Revised Code. 4517

~~(G)(1) Notwithstanding any other provision of law to the 4518
contrary, no law enforcement officer shall cause the operator of a 4519
motor vehicle being operated on any street or highway to stop the 4520
motor vehicle for the sole purpose of determining whether each 4521
occupant of the motor vehicle is wearing all of the available 4522
elements of a properly adjusted occupant restraining device as 4523
required by division (A) of this section, or for the sole purpose 4524
of issuing a ticket, citation, or summons if the requirement in 4525
that division has been or is being violated, or for causing the 4526
arrest of or commencing a prosecution of a person for a violation 4527
of that requirement. 4528~~

~~(2) Notwithstanding any other provision of law to the 4529
contrary, no law enforcement officer shall cause the operator of a 4530~~

motor vehicle being operated on any street or highway to stop the 4531
motor vehicle for the sole purpose of determining whether a 4532
violation of division (F)(2) of this section has been or is being 4533
committed or for the sole purpose of issuing a ticket, citation, 4534
or summons for such a violation or for causing the arrest of or 4535
commencing a prosecution of a person for such violation. 4536

(H) As used in this section: 4537

(1) "Eligible adult" means any of the following: 4538

(a) An instructor of a driver training course approved by the 4539
department of public safety; 4540

(b) Any of the following persons who holds a current valid 4541
driver's or commercial driver's license issued by this state: 4542

(i) A parent, guardian, or custodian of the permit holder; 4543

(ii) A person twenty-one years of age or older who acts in 4544
loco parentis of the permit holder. 4545

(2) "Occupant restraining device" has the same meaning as in 4546
section 4513.263 of the Revised Code. 4547

(I) Whoever violates division (F)(1) or (2) of this section 4548
is guilty of a minor misdemeanor. 4549

Sec. 4507.06. (A)(1) Every application for a driver's license 4550
or motorcycle operator's license or endorsement, or duplicate of 4551
any such license or endorsement, shall be made upon the approved 4552
form furnished by the registrar of motor vehicles and shall be 4553
signed by the applicant. 4554

Every application shall state the following: 4555

(a) The applicant's name, date of birth, social security 4556
number if such has been assigned, sex, general description, 4557
including height, weight, color of hair, and eyes, residence 4558
address, including county of residence, duration of residence in 4559

this state, and country of citizenship; 4560

(b) Whether the applicant previously has been licensed as an 4561
operator, chauffeur, driver, commercial driver, or motorcycle 4562
operator and, if so, when, by what state, and whether such license 4563
is suspended or canceled at the present time and, if so, the date 4564
of and reason for the suspension or cancellation; 4565

(c) Whether the applicant is now or ever has been afflicted 4566
with epilepsy, or whether the applicant now is suffering from any 4567
physical or mental disability or disease and, if so, the nature 4568
and extent of the disability or disease, giving the names and 4569
addresses of physicians then or previously in attendance upon the 4570
applicant; 4571

(d) Whether an applicant for a duplicate driver's license, or 4572
duplicate license containing a motorcycle operator endorsement has 4573
pending a citation for violation of any motor vehicle law or 4574
ordinance, a description of any such citation pending, and the 4575
date of the citation; 4576

(e) Whether the applicant wishes to certify willingness to 4577
make an anatomical gift under section 2108.05 of the Revised Code, 4578
which shall be given no consideration in the issuance of a license 4579
or endorsement; 4580

(f) Whether the applicant has executed a valid durable power 4581
of attorney for health care pursuant to sections 1337.11 to 4582
1337.17 of the Revised Code or has executed a declaration 4583
governing the use or continuation, or the withholding or 4584
withdrawal, of life-sustaining treatment pursuant to sections 4585
2133.01 to 2133.15 of the Revised Code and, if the applicant has 4586
executed either type of instrument, whether the applicant wishes 4587
the applicant's license to indicate that the applicant has 4588
executed the instrument; 4589

(g) On and after ~~the date that is fifteen months after the~~ 4590

~~effective date of this amendment~~ October 7, 2009, whether the 4591
applicant is ~~an honorably discharged~~ a veteran, active duty, or 4592
reservist of the armed forces of the United States and, if the 4593
applicant is such ~~an honorably discharged veteran~~, whether the 4594
applicant wishes the applicant's license to indicate that the 4595
applicant is ~~an honorably discharged~~ a veteran, active duty, or 4596
reservist of the armed forces of the United States by a military 4597
designation on the license. 4598

(2) Every applicant for a driver's license shall be 4599
photographed in color at the time the application for the license 4600
is made. The application shall state any additional information 4601
that the registrar requires. 4602

(B) The registrar or a deputy registrar, in accordance with 4603
section 3503.11 of the Revised Code, shall register as an elector 4604
any person who applies for a driver's license or motorcycle 4605
operator's license or endorsement under division (A) of this 4606
section, or for a renewal or duplicate of the license or 4607
endorsement, if the applicant is eligible and wishes to be 4608
registered as an elector. The decision of an applicant whether to 4609
register as an elector shall be given no consideration in the 4610
decision of whether to issue the applicant a license or 4611
endorsement, or a renewal or duplicate. 4612

(C) The registrar or a deputy registrar, in accordance with 4613
section 3503.11 of the Revised Code, shall offer the opportunity 4614
of completing a notice of change of residence or change of name to 4615
any applicant for a driver's license or endorsement under division 4616
(A) of this section, or for a renewal or duplicate of the license 4617
or endorsement, if the applicant is a registered elector who has 4618
changed the applicant's residence or name and has not filed such a 4619
notice. 4620

(D) In addition to any other information it contains, on and 4621
~~after the date that is fifteen months after the effective date of~~ 4622

~~this amendment~~ October 7, 2009, the approved form furnished by the registrar of motor vehicles for an application for a driver's license or motorcycle operator's license or endorsement or an application for a duplicate of any such license or endorsement 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)(1)(g) of this section.

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

(B)(1)(a) No holder of a probationary driver's license who has not attained the age of seventeen 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. unless the holder is accompanied by the holder's parent or guardian.

(b) No holder of a probationary driver's license who has attained the age of seventeen years but 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 one a.m. and five a.m. unless the holder is accompanied by the holder's parent or guardian.

(2)(a) Subject to division (D)(1)(a) of this section, division (B)(1)(a) of this section does not apply to the holder of

a probationary driver's license who is traveling to or from work 4654
between the hours of midnight and six a.m. and has in the holder's 4655
immediate possession written documentation from the holder's 4656
employer. 4657

(b) Division (B)(1)(b) of this section does not apply to the 4658
holder of a probationary driver's license who is traveling to or 4659
from work between the hours of one a.m. and five a.m. and has in 4660
the holder's immediate possession written documentation from the 4661
holder's employer. 4662

(3) An employer is not liable in damages in a civil action 4663
for any injury, death, or loss to person or property that 4664
allegedly arises from, or is related to, the fact that the 4665
employer provided an employee who is the holder of a probationary 4666
driver's license with the written documentation described in 4667
division (B)(2) of this section. 4668

The registrar of motor vehicles shall make available at no 4669
cost a form to serve as the written documentation described in 4670
division (B)(2) of this section, and employers and holders of 4671
probationary driver's licenses may utilize that form or may choose 4672
to utilize any other written documentation to meet the 4673
requirements of that division. 4674

(4) No holder of a probationary driver's license who is less 4675
than seventeen years of age shall operate a motor vehicle upon a 4676
highway or any public or private property used by the public for 4677
purposes of vehicular travel or parking with more than one person 4678
who is not a family member occupying the vehicle unless the 4679
probationary license holder is accompanied by the probationary 4680
license holder's parent, guardian, or custodian. 4681

(C) It is an affirmative defense to a violation of division 4682
(B)(1)(a) or (b) of this section if, at the time of the violation, 4683
the holder of the probationary driver's license was traveling to 4684

or from an official function sponsored by the school the holder 4685
attends, or an emergency existed that required the holder to 4686
operate a motor vehicle in violation of division (B)(1)(a) or (b) 4687
of this section, or the holder was an emancipated minor. 4688

(D)(1)(a) Except as otherwise provided in division (D)(2) of 4689
this section, if a person is issued a probationary driver's 4690
license prior to attaining the age of seventeen years and the 4691
person pleads guilty to, is convicted of, or is adjudicated in 4692
juvenile court of having committed a moving violation during the 4693
six-month period commencing on the date on which the person is 4694
issued the probationary driver's license, the holder must be 4695
accompanied by the holder's parent or guardian whenever the holder 4696
is operating a motor vehicle upon a highway or any public or 4697
private property used by the public for purposes of vehicular 4698
travel or parking during whichever of the following time periods 4699
applies: 4700

(i) If, on the date the holder of the probationary driver's 4701
license pleads guilty to, is convicted of, or is adjudicated in 4702
juvenile court of having committed the moving violation, the 4703
holder has not attained the age of sixteen years six months, 4704
during the six-month period commencing on that date; 4705

(ii) If, on the date the holder pleads guilty to, is 4706
convicted of, or is adjudicated in juvenile court of having 4707
committed the moving violation, the holder has attained the age of 4708
sixteen years six months but not seventeen years, until the person 4709
attains the age of seventeen years. 4710

(b) If the holder of a probationary driver's license commits 4711
a moving violation during the six-month period after the person is 4712
issued the probationary driver's license and before the person 4713
attains the age of seventeen years and on the date the person 4714
pleads guilty to, is convicted of, or is adjudicated in juvenile 4715
court of having committed the moving violation the person has 4716

attained the age of seventeen years, or if the person commits the 4717
moving violation during the six-month period after the person is 4718
issued the probationary driver's license and after the person 4719
attains the age of seventeen years, the holder is not subject to 4720
the restriction described in divisions (D)(1)(a)(i) and (ii) of 4721
this section unless the court or juvenile court imposes such a 4722
restriction upon the holder. 4723

(2) Any person who is subject to the operating restrictions 4724
established under division (D)(1) of this section as a result of a 4725
first moving violation may petition the court for occupational or 4726
educational driving privileges without being accompanied by the 4727
holder's parent or guardian during the period of time specified in 4728
that division. The court may grant the person such driving 4729
privileges if the court finds reasonable cause to believe that the 4730
restrictions established in division (D)(1) will seriously affect 4731
the person's ability to continue in employment or educational 4732
training or will cause undue hardship on the license holder or a 4733
family member of the license holder. In granting the driving 4734
privileges, the court shall specify the purposes, times, and 4735
places of the privileges and shall issue the person appropriate 4736
forms setting forth the privileges granted. Occupational or 4737
educational driving privileges under this division shall not be 4738
granted to the same person more than once. If a person is 4739
convicted of, pleads guilty to, or is adjudicated in juvenile 4740
court of having committed a second or subsequent moving violation, 4741
any driving privileges previously granted under this division are 4742
terminated upon the subsequent conviction, plea, or adjudication. 4743

(3) No person shall violate division (D)(1)(a) of this 4745
section. 4746

(E) No holder of a probationary license shall operate a motor 4747
vehicle upon a highway or any public or private property used by 4748

the public for purposes of vehicular travel or parking unless the 4749
total number of occupants of the vehicle does not exceed the total 4750
number of occupant restraining devices originally installed in the 4751
motor vehicle by its manufacturer, and each occupant of the 4752
vehicle is wearing all of the available elements of a properly 4753
adjusted occupant restraining device. 4754

(F) A restricted license may be issued to a person who is 4755
fourteen or fifteen years of age upon proof of hardship 4756
satisfactory to the registrar of motor vehicles. 4757

~~(G) Notwithstanding any other provision of law to the 4758
contrary, no law enforcement officer shall cause the operator of a 4759
motor vehicle being operated on any street or highway to stop the 4760
motor vehicle for the sole purpose of determining whether each 4761
occupant of the motor vehicle is wearing all of the available 4762
elements of a properly adjusted occupant restraining device as 4763
required by division (E) of this section, or for the sole purpose 4764
of issuing a ticket, citation, or summons if the requirement in 4765
that division has been or is being violated, or for causing the 4766
arrest of or commencing a prosecution of a person for a violation 4767
of that requirement. 4768~~

~~(H)~~ Notwithstanding any other provision of law to the 4769
contrary, no law enforcement officer shall cause the operator of a 4770
motor vehicle being operated on any street or highway to stop the 4771
motor vehicle for the sole purpose of determining whether a 4772
violation of division (B)(1)(a) or (b) of this section has been or 4773
is being committed or for the sole purpose of issuing a ticket, 4774
citation, or summons for such a violation or for causing the 4775
arrest of or commencing a prosecution of a person for such 4776
violation. 4777

~~(I)~~(H) As used in this section: 4778

(1) "Occupant restraining device" has the same meaning as in 4779

section 4513.263 of the Revised Code. 4780

(2) "Family member" of a probationary license holder includes 4781
any of the following: 4782

(a) A spouse; 4783

(b) A child or stepchild; 4784

(c) A parent, stepparent, grandparent, or parent-in-law; 4785

(d) An aunt or uncle; 4786

(e) A sibling, whether of the whole or half blood or by 4787
adoption, a brother-in-law, or a sister-in-law; 4788

(f) A son or daughter of the probationary license holder's 4789
stepparent if the stepparent has not adopted the probationary 4790
license holder; 4791

(g) An eligible adult, as defined in section 4507.05 of the 4792
Revised Code. 4793

(3) "Moving violation" means any violation of any statute or 4794
ordinance that regulates the operation of vehicles, streetcars, or 4795
trackless trolleys on the highways or streets. "Moving violation" 4796
does not include a violation of section 4513.263 of the Revised 4797
Code or a substantially equivalent municipal ordinance, or a 4798
violation of any statute or ordinance regulating pedestrians or 4799
the parking of vehicles, vehicle size or load limitations, vehicle 4800
fitness requirements, or vehicle registration. 4801

~~(F)~~(I) Whoever violates division (B)(1) or (4), (D)(3), or 4802
(E) of this section is guilty of a minor misdemeanor. 4803

Sec. 4507.13. (A) The registrar of motor vehicles shall issue 4804
a driver's license to every person licensed as an operator of 4805
motor vehicles other than commercial motor vehicles. No person 4806
licensed as a commercial motor vehicle driver under Chapter 4506. 4807
of the Revised Code need procure a driver's license, but no person 4808

shall drive any commercial motor vehicle unless licensed as a 4809
commercial motor vehicle driver. 4810

Every driver's license shall display on it the distinguishing 4811
number assigned to the licensee and shall display the licensee's 4812
name and date of birth; the licensee's residence address and 4813
county of residence; a color photograph of the licensee; a brief 4814
description of the licensee for the purpose of identification; a 4815
facsimile of the signature of the licensee as it appears on the 4816
application for the license; a notation, in a manner prescribed by 4817
the registrar, indicating any condition described in division 4818
(D)(3) of section 4507.08 of the Revised Code to which the 4819
licensee is subject; if the licensee has executed a durable power 4820
of attorney for health care or a declaration governing the use or 4821
continuation, or the withholding or withdrawal, of life-sustaining 4822
treatment and has specified that the licensee wishes the license 4823
to indicate that the licensee has executed either type of 4824
instrument, any symbol chosen by the registrar to indicate that 4825
the licensee has executed either type of instrument; on and after 4826
~~the date that is fifteen months after the effective date of this~~ 4827
~~amendment~~ October 7, 2009, if the licensee has specified that the 4828
licensee wishes the license to indicate that the licensee is ~~an~~ 4829
~~honorably discharged~~ a veteran, active duty, or reservist of the 4830
armed forces of the United States and has presented a copy of the 4831
licensee's DD-214 form or an equivalent document, any symbol 4832
chosen by the registrar to indicate that the licensee is ~~an~~ 4833
~~honorably discharged~~ a veteran, active duty, or reservist of the 4834
armed forces of the United States; and any additional information 4835
that the registrar requires by rule. No license shall display the 4836
licensee's social security number unless the licensee specifically 4837
requests that the licensee's social security number be displayed 4838
on the license. If federal law requires the licensee's social 4839
security number to be displayed on the license, the social 4840
security number shall be displayed on the license notwithstanding 4841

this section. 4842

The driver's license for licensees under twenty-one years of 4843
age shall have characteristics prescribed by the registrar 4844
distinguishing it from that issued to a licensee who is twenty-one 4845
years of age or older, except that a driver's license issued to a 4846
person who applies no more than thirty days before the applicant's 4847
twenty-first birthday shall have the characteristics of a license 4848
issued to a person who is twenty-one years of age or older. 4849

The driver's license issued to a temporary resident shall 4850
contain the word "nonrenewable" and shall have any additional 4851
characteristics prescribed by the registrar distinguishing it from 4852
a license issued to a resident. 4853

Every driver's or commercial driver's license displaying a 4854
motorcycle operator's endorsement and every restricted license to 4855
operate a motor vehicle also shall display the designation 4856
"novice," if the endorsement or license is issued to a person who 4857
is eighteen years of age or older and previously has not been 4858
licensed to operate a motorcycle by this state or another 4859
jurisdiction recognized by this state. The "novice" designation 4860
shall be effective for one year after the date of issuance of the 4861
motorcycle operator's endorsement or license. 4862

Each license issued under this section shall be of such 4863
material and so designed as to prevent its reproduction or 4864
alteration without ready detection and, to this end, shall be 4865
laminated with a transparent plastic material. 4866

(B) Except in regard to a driver's license issued to a person 4867
who applies no more than thirty days before the applicant's 4868
twenty-first birthday, neither the registrar nor any deputy 4869
registrar shall issue a driver's license to anyone under 4870
twenty-one years of age that does not have the characteristics 4871
prescribed by the registrar distinguishing it from the driver's 4872

license issued to persons who are twenty-one years of age or 4873
older. 4874

(C) Whoever violates division (B) of this section is guilty 4875
of a minor misdemeanor. 4876

Sec. 4507.23. (A) Except as provided in division ~~(I)~~(J) of 4877
this section, each application for a temporary instruction permit 4878
and examination shall be accompanied by a fee of five dollars. 4879

(B) Except as provided in division ~~(I)~~(J) of this section, 4880
each application for a driver's license made by a person who 4881
previously held such a license and whose license has expired not 4882
more than two years prior to the date of application, and who is 4883
required under this chapter to give an actual demonstration of the 4884
person's ability to drive, shall be accompanied by a fee of three 4885
dollars in addition to any other fees. 4886

(C) Except as provided in divisions (E) and ~~(I)~~(J) of this 4887
section, each application for a driver's license, or motorcycle 4888
operator's endorsement, or renewal of a driver's license shall be 4889
accompanied by a fee of six dollars. Except as provided in 4890
division (I) of this section, each application for a duplicate 4891
driver's license shall be accompanied by a fee of two dollars and 4892
fifty cents. The duplicate driver's licenses issued under this 4893
section shall be distributed by the deputy registrar in accordance 4894
with rules adopted by the registrar of motor vehicles. 4895

(D) Except as provided in division ~~(I)~~(J) of this section, 4896
each application for a motorized bicycle license or duplicate 4897
thereof shall be accompanied by a fee of two dollars and fifty 4898
cents. 4899

(E) Except as provided in division ~~(I)~~(J) of this section, 4900
each application for a driver's license or renewal of a driver's 4901
license that will be issued to a person who is less than 4902

twenty-one years of age shall be accompanied by whichever of the 4903
following fees is applicable: 4904

(1) If the person is sixteen years of age or older, but less 4905
than seventeen years of age, a fee of seven dollars and 4906
twenty-five cents; 4907

(2) If the person is seventeen years of age or older, but 4908
less than eighteen years of age, a fee of six dollars; 4909

(3) If the person is eighteen years of age or older, but less 4910
than nineteen years of age, a fee of four dollars and seventy-five 4911
cents; 4912

(4) If the person is nineteen years of age or older, but less 4913
than twenty years of age, a fee of three dollars and fifty cents; 4914

(5) If the person is twenty years of age or older, but less 4915
than twenty-one years of age, a fee of two dollars and twenty-five 4916
cents. 4917

(F) Neither the registrar nor any deputy registrar shall 4918
charge a fee in excess of one dollar and fifty cents for 4919
laminating a driver's license, motorized bicycle license, or 4920
temporary instruction permit identification cards as required by 4921
sections 4507.13 and 4511.521 of the Revised Code. A deputy 4922
registrar laminating a driver's license, motorized bicycle 4923
license, or temporary instruction permit identification cards 4924
shall retain the entire amount of the fee charged for lamination, 4925
less the actual cost to the registrar of the laminating materials 4926
used for that lamination, as specified in the contract executed by 4927
the bureau for the laminating materials and laminating equipment. 4928
The deputy registrar shall forward the amount of the cost of the 4929
laminating materials to the registrar for deposit as provided in 4930
this section. 4931

(G) Except as provided in division ~~(I)~~(J) of this section and 4932
except for the renewal of a driver's license, commencing on 4933

October 1, 2003, each transaction described in divisions (A), (B), 4934
(C), (D), and (E) of this section shall be accompanied by an 4935
additional fee of twelve dollars. A transaction involving the 4936
renewal of a driver's license with an expiration date on or after 4937
that date shall be accompanied by an additional fee of twelve 4938
dollars. The additional fee is for the purpose of defraying the 4939
department of public safety's costs associated with the 4940
administration and enforcement of the motor vehicle and traffic 4941
laws of Ohio. 4942

(H) Except as provided in division (J) of this section, 4943
commencing on October 1, 2009, if an application for a driver's 4944
license or motorcycle operator's endorsement made by a person who 4945
previously held such a license is not applied for within the 4946
period specified in section 4507.09 of the Revised Code, the 4947
registrar or deputy registrar shall collect a fee of ten dollars 4948
for the issuance of the driver's license or motorcycle 4949
endorsement, but may waive the fee for good cause shown if the 4950
application is accompanied by supporting evidence as the registrar 4951
may require. The fee shall be in addition to all other fees 4952
established by this section. A deputy registrar collecting this 4953
ten dollar fee shall retain fifty cents and send the remaining fee 4954
to the registrar as specified in division (I) of this section. 4955

(I) At the time and in the manner provided by section 4503.10 4957
of the Revised Code, the deputy registrar shall transmit the fees 4958
collected under divisions (A), (B), (C), (D), and (E), those 4959
portions of the fees specified in and collected under division 4960
(F), and the additional fee under ~~division~~ divisions (G) and (H) 4961
of this section to the registrar. The registrar shall pay two 4962
dollars and fifty cents of each fee collected under divisions (A), 4963
(B), (C), (D), and (E)(1) to (4) of this section, and the entire 4964
fee collected under division (E)(5) of this section, into the 4965

state highway safety fund established in section 4501.06 of the Revised Code, and such fees shall be used for the sole purpose of supporting driver licensing activities. The registrar also shall pay the entire fee collected under ~~division~~ divisions (G) and (H) of this section into the state highway safety fund created in section 4501.06 of the Revised Code. The remaining fees collected by the registrar under this section shall be paid into the state bureau of motor vehicles fund established in section 4501.25 of the Revised Code.

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

(1) A temporary instruction permit and examination;

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

(3) A motorcycle operator's endorsement;

(4) A motorized bicycle license or duplicate thereof;

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

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

~~If the driver's license, motorized bicycle license, or temporary instruction permit identification card of a disabled veteran described in division (I) of this section is laminated by a deputy registrar who is acting as a deputy registrar pursuant to a contract with the registrar that is in effect on October 14, 1997, the disabled veteran shall be required to pay the deputy~~

~~registrar the lamination fee provided in division (F) of this 4996
section. If the driver's license, motorized bicycle license, or 4997
temporary instruction permit identification card of such a 4998
disabled veteran is laminated by a deputy registrar who is acting 4999
as a deputy registrar pursuant to a contract with the registrar 5000
that is executed after October 14, 1997, the disabled veteran is 5001
not required to pay the deputy registrar the lamination fee 5002
provided in division (F) of this section. 5003~~

A disabled veteran whose driver's license, motorized bicycle 5004
license, or temporary instruction permit identification card is 5005
laminated by the registrar or deputy registrar is not required to 5006
pay the registrar any lamination fee. 5007

An application made under division ~~(I)~~(J) of this section 5008
shall be accompanied by such documentary evidence of disability as 5009
the registrar may require by rule. 5010

Sec. 4507.24. (A) Except as provided in division ~~(B)~~(C) of 5011
this section, ~~each~~ the registrar of motor vehicles or a deputy 5012
registrar may collect a fee not to exceed the following: 5013

~~(1) Three dollars and seventy five cents commencing on July 1, 5014
2001, four dollars and twenty five cents commencing on January 1, 5015
2003, and four Four dollars and fifty cents commencing on January 5016
1, 2004, and five dollars and fifty cents commencing on October 1, 5017
2009, for each application for renewal of a driver's license 5018
received by the deputy registrar, when the applicant is required 5019
to submit to a screening of the applicant's vision under section 5020
4507.12 of the Revised Code; 5021~~

~~(2) Two dollars and seventy five cents commencing on July 1, 5022
2001, three dollars and twenty five cents commencing on January 1, 5023
2003, and three Three dollars and fifty cents commencing on 5024
January 1, 2004, for each application for a driver's license, or 5025
motorized bicycle license, or for renewal of such a license, 5026~~

received by the deputy registrar, when the applicant is not 5027
required to submit to a screening of the applicant's vision under 5028
section 4507.12 of the Revised Code. 5029

(B) The fees prescribed by division (A) of this section shall 5030
be in addition to the fee for a temporary instruction permit and 5031
examination, a driver's license, a motorized bicycle license, or 5032
duplicates thereof, ~~and~~. The fees retained by a deputy registrar 5033
shall compensate the deputy registrar for the deputy registrar's 5034
services, for office and rental expense, and for costs as provided 5035
in division ~~(C)~~ (D) of this section, as are necessary for the 5036
proper discharge of the deputy registrar's duties under sections 5037
4507.01 to 4507.39 of the Revised Code. 5038

(C) A disabled veteran who has a service-connected disability 5039
rated at one hundred per cent by the veterans' administration is 5040
required to pay the applicable fee prescribed in division (A) of 5041
this section if the disabled veteran submits an application for a 5042
driver's license or motorized bicycle license or a renewal of 5043
either of these licenses to a deputy registrar who is acting as a 5044
deputy registrar pursuant to a contract with the registrar that is 5045
in effect on the effective date of this amendment. The disabled 5046
veteran also is required to submit with the disabled veteran's 5047
application such documentary evidence of disability as the 5048
registrar may require by rule. 5049

A disabled veteran who submits an application described in 5050
this division is not required to pay either of the fees prescribed 5051
in division (A) of this section if the disabled veteran submits 5052
the application to a deputy registrar who is acting as a deputy 5053
registrar pursuant to a contract with the registrar that is 5054
executed after the effective date of this amendment. The disabled 5055
veteran still is required to submit with the disabled veteran's 5056
application such documentary evidence of disability as the 5057
registrar may require by rule. 5058

A disabled veteran who submits an application described in 5059
this division directly to the registrar is not required to pay 5060
either of the fees prescribed in division (A) of this section if 5061
the disabled veteran submits with the disabled veteran's 5062
application such documentary evidence of disability as the 5063
registrar may require by rule. 5064

~~(C)~~(D)(1) Each deputy registrar shall transmit to the 5065
registrar of motor vehicles, at such time and in such manner as 5066
the registrar shall require by rule, an amount of each fee 5067
collected under division (A)(1) of this section as shall be 5068
determined by the registrar. The registrar shall pay all such 5069
moneys so received into the state bureau of motor vehicles fund 5070
created in section 4501.25 of the Revised Code. 5071

(2) Commencing on October 1, 2009, each deputy registrar 5072
shall transmit one dollar of each fee collected under division 5073
(A)(1) of this section to the registrar at the time and in the 5074
manner provided by section 4503.10 of the Revised Code. The 5075
registrar shall deposit all moneys received under division (D)(2) 5076
of this section into the state highway safety fund established in 5077
section 4501.06 of the Revised Code. 5078

Sec. 4507.51. (A)(1) Every application for an identification 5079
card or duplicate shall be made on a form furnished by the 5080
registrar of motor vehicles, shall be signed by the applicant, and 5081
by the applicant's parent or guardian if the applicant is under 5082
eighteen years of age, and shall contain the following information 5083
pertaining to the applicant: name, date of birth, sex, general 5084
description including the applicant's height, weight, hair color, 5085
and eye color, address, and social security number. The 5086
application also shall state whether an applicant wishes to 5087
certify willingness to make an anatomical gift under section 5088
2108.05 of the Revised Code and shall include information about 5089

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 honorably discharged~~ a veteran, active duty, or reservist of the armed forces of the United States by a military designation on the identification card.

(3) The registrar or deputy registrar, in accordance with section 3503.11 of the Revised Code, shall register as an elector any person who applies for an identification card or duplicate if the applicant is eligible and wishes to be registered as an elector. The decision of an applicant whether to register as an elector shall be given no consideration in the decision of whether to issue the applicant an identification card or duplicate.

(B) The application for an identification card or duplicate 5122
shall be filed in the office of the registrar or deputy registrar. 5123
Each applicant shall present documentary evidence as required by 5124
the registrar of the applicant's age and identity, and the 5125
applicant shall swear that all information given is true. An 5126
identification card issued by the department of rehabilitation and 5127
correction under section 5120.59 of the Revised Code shall be 5128
sufficient documentary evidence under this division. Upon issuing 5129
an identification card under this section for a person who has 5130
been issued an identification card under section 5120.59 of the 5131
Revised Code, the registrar or deputy registrar shall destroy the 5132
identification card issued under section 5120.59 of the Revised 5133
Code. 5134

All applications for an identification card or duplicate 5135
shall be filed in duplicate, and if submitted to a deputy 5136
registrar, a copy shall be forwarded to the registrar. The 5137
registrar shall prescribe rules for the manner in which a deputy 5138
registrar is to file and maintain applications and other records. 5139
The registrar shall maintain a suitable, indexed record of all 5140
applications denied and cards issued or canceled. 5141

(C) In addition to any other information it contains, on and 5142
after the date that is fifteen months after the effective date of 5143
this amendment, the form furnished by the registrar of motor 5144
vehicles for an application for an identification card or 5145
duplicate shall inform applicants that the applicant must present 5146
a copy of the applicant's DD-214 or an equivalent document in 5147
order to qualify to have the card or duplicate indicate that the 5148
applicant is an honorably discharged veteran of the armed forces 5149
of the United States based on a request made pursuant to division 5150
(A)(2)(b) of this section. 5151

Sec. 4507.52. (A) Each identification card issued by the 5152

registrar of motor vehicles or a deputy registrar shall display a 5153
distinguishing number assigned to the cardholder, and shall 5154
display the following inscription: 5155

"STATE OF OHIO IDENTIFICATION CARD 5156

This card is not valid for the purpose of operating a motor 5157
vehicle. It is provided solely for the purpose of establishing the 5158
identity of the bearer described on the card, who currently is not 5159
licensed to operate a motor vehicle in the state of Ohio." 5160

The identification card shall display substantially the same 5161
information as contained in the application and as described in 5162
division (A)(1) of section 4507.51 of the Revised Code, but shall 5163
not display the cardholder's social security number unless the 5164
cardholder specifically requests that the cardholder's social 5165
security number be displayed on the card. If federal law requires 5166
the cardholder's social security number to be displayed on the 5167
identification card, the social security number shall be displayed 5168
on the card notwithstanding this section. The identification card 5169
also shall display the color photograph of the cardholder. If the 5170
cardholder has executed a durable power of attorney for health 5171
care or a declaration governing the use or continuation, or the 5172
withholding or withdrawal, of life-sustaining treatment and has 5173
specified that the cardholder wishes the identification card to 5174
indicate that the cardholder has executed either type of 5175
instrument, the card also shall display any symbol chosen by the 5176
registrar to indicate that the cardholder has executed either type 5177
of instrument. On and after ~~the date that is fifteen months after~~ 5178
~~the effective date of this amendment~~ October 7, 2009, if the 5179
cardholder has specified that the cardholder wishes the 5180
identification card to indicate that the cardholder is ~~an~~ 5181
~~honorably discharged~~ a veteran, active duty, or reservist of the 5182
armed forces of the United States and has presented a copy of the 5183
cardholder's DD-214 form or an equivalent document, the card also 5184

shall display any symbol chosen by the registrar to indicate that 5185
the cardholder is ~~an honorably discharged~~ a veteran, active duty, 5186
or reservist of the armed forces of the United States. The card 5187
shall be sealed in transparent plastic or similar material and 5188
shall be so designed as to prevent its reproduction or alteration 5189
without ready detection. 5190

The identification card for persons under twenty-one years of 5191
age shall have characteristics prescribed by the registrar 5192
distinguishing it from that issued to a person who is twenty-one 5193
years of age or older, except that an identification card issued 5194
to a person who applies no more than thirty days before the 5195
applicant's twenty-first birthday shall have the characteristics 5196
of an identification card issued to a person who is twenty-one 5197
years of age or older. 5198

Every identification card issued to a resident of this state 5199
shall expire, unless canceled or surrendered earlier, on the 5200
birthday of the cardholder in the fourth year after the date on 5201
which it is issued. Every identification card issued to a 5202
temporary resident shall expire in accordance with rules adopted 5203
by the registrar and is nonrenewable, but may be replaced with a 5204
new identification card upon the applicant's compliance with all 5205
applicable requirements. A cardholder may renew the cardholder's 5206
identification card within ninety days prior to the day on which 5207
it expires by filing an application and paying the prescribed fee 5208
in accordance with section 4507.50 of the Revised Code. 5209

If a cardholder applies for a driver's or commercial driver's 5210
license in this state or another licensing jurisdiction, the 5211
cardholder shall surrender the cardholder's identification card to 5212
the registrar or any deputy registrar before the license is 5213
issued. 5214

(B) If a card is lost, destroyed, or mutilated, the person to 5215
whom the card was issued may obtain a duplicate by doing both of 5216

the following: 5217

(1) Furnishing suitable proof of the loss, destruction, or 5218
mutilation to the registrar or a deputy registrar; 5219

(2) Filing an application and presenting documentary evidence 5220
under section 4507.51 of the Revised Code. 5221

Any person who loses a card and, after obtaining a duplicate, 5222
finds the original, immediately shall surrender the original to 5223
the registrar or a deputy registrar. 5224

A cardholder may obtain a replacement identification card 5225
that reflects any change of the cardholder's name by furnishing 5226
suitable proof of the change to the registrar or a deputy 5227
registrar and surrendering the cardholder's existing card. 5228

When a cardholder applies for a duplicate or obtains a 5229
replacement identification card, the cardholder shall pay a fee of 5230
two dollars and fifty cents. A deputy registrar shall be allowed 5231
an additional fee of two dollars and seventy-five cents commencing 5232
on July 1, 2001, three dollars and twenty-five cents commencing on 5233
January 1, 2003, and three dollars and fifty cents commencing on 5234
January 1, 2004, for issuing a duplicate or replacement 5235
identification card. A disabled veteran who is a cardholder and 5236
has a service-connected disability rated at one hundred per cent 5237
by the veterans' administration may apply to the registrar or a 5238
deputy registrar for the issuance of a duplicate or replacement 5239
identification card without payment of any fee prescribed in this 5240
section, and without payment of any lamination fee if the disabled 5241
veteran would not be required to pay a lamination fee in 5242
connection with the issuance of an identification card or 5243
temporary identification card as provided in division (B) of 5244
section 4507.50 of the Revised Code. 5245

A duplicate or replacement identification card shall expire 5246
on the same date as the card it replaces. 5247

(C) The registrar shall cancel any card upon determining that 5248
the card was obtained unlawfully, issued in error, or was altered. 5249
The registrar also shall cancel any card that is surrendered to 5250
the registrar or to a deputy registrar after the holder has 5251
obtained a duplicate, replacement, or driver's or commercial 5252
driver's license. 5253

(D)(1) No agent of the state or its political subdivisions 5254
shall condition the granting of any benefit, service, right, or 5255
privilege upon the possession by any person of an identification 5256
card. Nothing in this section shall preclude any publicly operated 5257
or franchised transit system from using an identification card for 5258
the purpose of granting benefits or services of the system. 5259

(2) No person shall be required to apply for, carry, or 5260
possess an identification card. 5261

(E) Except in regard to an identification card issued to a 5262
person who applies no more than thirty days before the applicant's 5263
twenty-first birthday, neither the registrar nor any deputy 5264
registrar shall issue an identification card to a person under 5265
twenty-one years of age that does not have the characteristics 5266
prescribed by the registrar distinguishing it from the 5267
identification card issued to persons who are twenty-one years of 5268
age or older. 5269

(F) Whoever violates division (E) of this section is guilty 5270
of a minor misdemeanor. 5271

Sec. 4509.05. (A) Upon request, the registrar of motor 5272
vehicles shall search and furnish a certified abstract of the 5273
following information with respect to any person: 5274

(1) An enumeration of the motor vehicle accidents in which 5275
such person has been involved except accidents certified as 5276
described in division (D) of section 3937.41 of the Revised Code; 5277

(2) Such person's record of convictions for violation of the motor vehicle laws. 5278
5279

(B) The registrar shall collect for each abstract a fee of ~~two~~ eight dollars. 5280
5281

(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.~~ 5282
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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 established in section 4501.25 of the Revised Code, one dollar and twenty-five cents into the state treasury to the credit of the trauma and emergency medical services fund established in section 4513.263 of the Revised Code, one dollar and twenty-five cent into the state treasury to the credit of the homeland security fund established in section 5502.03 of the Revised Code, seventy-five cents into the state treasury to the credit of the investigations fund established in section 5502.131 of the Revised Code, two dollars and twenty-five cents into the state treasury to the credit of the emergency management agency service and reimbursement fund established in section 5502.39 of the Revised Code, and fifty cents into the state treasury to the credit of the 5295
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justice program services fund established in section 5502.67 of 5310
the Revised Code. 5311

Sec. 4511.01. As used in this chapter and in Chapter 4513. of 5312
the Revised Code: 5313

(A) "Vehicle" means every device, including a motorized 5314
bicycle, in, upon, or by which any person or property may be 5315
transported or drawn upon a highway, except that "vehicle" does 5316
not include any motorized wheelchair, any electric personal 5317
assistive mobility device, any device that is moved by power 5318
collected from overhead electric trolley wires or that is used 5319
exclusively upon stationary rails or tracks, or any device, other 5320
than a bicycle, that is moved by human power. 5321

(B) "Motor vehicle" means every vehicle propelled or drawn by 5322
power other than muscular power or power collected from overhead 5323
electric trolley wires, except motorized bicycles, road rollers, 5324
traction engines, power shovels, power cranes, and other equipment 5325
used in construction work and not designed for or employed in 5326
general highway transportation, hole-digging machinery, 5327
well-drilling machinery, ditch-digging machinery, farm machinery, 5328
and trailers designed and used exclusively to transport a boat 5329
between a place of storage and a marina, or in and around a 5330
marina, when drawn or towed on a street or highway for a distance 5331
of no more than ten miles and at a speed of twenty-five miles per 5332
hour or less. 5333

(C) "Motorcycle" means every motor vehicle, other than a 5334
tractor, having a seat or saddle for the use of the operator and 5335
designed to travel on not more than three wheels in contact with 5336
the ground, including, but not limited to, motor vehicles known as 5337
"motor-driven cycle," "motor scooter," or "motorcycle" without 5338
regard to weight or brake horsepower. 5339

(D) "Emergency vehicle" means emergency vehicles of 5340

municipal, township, or county departments or public utility 5341
corporations when identified as such as required by law, the 5342
director of public safety, or local authorities, and motor 5343
vehicles when commandeered by a police officer. 5344

(E) "Public safety vehicle" means any of the following: 5345

(1) Ambulances, including private ambulance companies under 5346
contract to a municipal corporation, township, or county, and 5347
private ambulances and nontransport vehicles bearing license 5348
plates issued under section 4503.49 of the Revised Code; 5349

(2) Motor vehicles used by public law enforcement officers or 5350
other persons sworn to enforce the criminal and traffic laws of 5351
the state; 5352

(3) Any motor vehicle when properly identified as required by 5353
the director of public safety, when used in response to fire 5354
emergency calls or to provide emergency medical service to ill or 5355
injured persons, and when operated by a duly qualified person who 5356
is a member of a volunteer rescue service or a volunteer fire 5357
department, and who is on duty pursuant to the rules or directives 5358
of that service. The state fire marshal shall be designated by the 5359
director of public safety as the certifying agency for all public 5360
safety vehicles described in division (E)(3) of this section. 5361

(4) Vehicles used by fire departments, including motor 5362
vehicles when used by volunteer fire fighters responding to 5363
emergency calls in the fire department service when identified as 5364
required by the director of public safety. 5365

Any vehicle used to transport or provide emergency medical 5366
service to an ill or injured person, when certified as a public 5367
safety vehicle, shall be considered a public safety vehicle when 5368
transporting an ill or injured person to a hospital regardless of 5369
whether such vehicle has already passed a hospital. 5370

(5) Vehicles used by the motor carrier enforcement unit for 5371

the enforcement of orders and rules of the public utilities 5372
commission as specified in section 5503.34 of the Revised Code. 5373

(F) "School bus" means every bus designed for carrying more 5374
than nine passengers that is owned by a public, private, or 5375
governmental agency or institution of learning and operated for 5376
the transportation of children to or from a school session or a 5377
school function, or owned by a private person and operated for 5378
compensation for the transportation of children to or from a 5379
school session or a school function, provided "school bus" does 5380
not include a bus operated by a municipally owned transportation 5381
system, a mass transit company operating exclusively within the 5382
territorial limits of a municipal corporation, or within such 5383
limits and the territorial limits of municipal corporations 5384
immediately contiguous to such municipal corporation, nor a common 5385
passenger carrier certified by the public utilities commission 5386
unless such bus is devoted exclusively to the transportation of 5387
children to and from a school session or a school function, and 5388
"school bus" does not include a van or bus used by a licensed 5389
child day-care center or type A family day-care home to transport 5390
children from the child day-care center or type A family day-care 5391
home to a school if the van or bus does not have more than fifteen 5392
children in the van or bus at any time. 5393

(G) "Bicycle" means every device, other than a tricycle 5394
designed solely for use as a play vehicle by a child, propelled 5395
solely by human power upon which any person may ride having either 5396
two tandem wheels, or one wheel in the front and two wheels in the 5397
rear, any of which is more than fourteen inches in diameter. 5398

(H) "Motorized bicycle" means any vehicle having either two 5399
tandem wheels or one wheel in the front and two wheels in the 5400
rear, that is capable of being pedaled and is equipped with a 5401
helper motor of not more than fifty cubic centimeters piston 5402
displacement that produces no more than one brake horsepower and 5403

is capable of propelling the vehicle at a speed of no greater than 5404
twenty miles per hour on a level surface. 5405

(I) "Commercial tractor" means every motor vehicle having 5406
motive power designed or used for drawing other vehicles and not 5407
so constructed as to carry any load thereon, or designed or used 5408
for drawing other vehicles while carrying a portion of such other 5409
vehicles, or load thereon, or both. 5410

(J) "Agricultural tractor" means every self-propelling 5411
vehicle designed or used for drawing other vehicles or wheeled 5412
machinery but having no provision for carrying loads independently 5413
of such other vehicles, and used principally for agricultural 5414
purposes. 5415

(K) "Truck" means every motor vehicle, except trailers and 5416
semitrailers, designed and used to carry property. 5417

(L) "Bus" means every motor vehicle designed for carrying 5418
more than nine passengers and used for the transportation of 5419
persons other than in a ridesharing arrangement, and every motor 5420
vehicle, automobile for hire, or funeral car, other than a taxicab 5421
or motor vehicle used in a ridesharing arrangement, designed and 5422
used for the transportation of persons for compensation. 5423

(M) "Trailer" means every vehicle designed or used for 5424
carrying persons or property wholly on its own structure and for 5425
being drawn by a motor vehicle, including any such vehicle when 5426
formed by or operated as a combination of a "semitrailer" and a 5427
vehicle of the dolly type, such as that commonly known as a 5428
"trailer dolly," a vehicle used to transport agricultural produce 5429
or agricultural production materials between a local place of 5430
storage or supply and the farm when drawn or towed on a street or 5431
highway at a speed greater than twenty-five miles per hour, and a 5432
vehicle designed and used exclusively to transport a boat between 5433
a place of storage and a marina, or in and around a marina, when 5434

drawn or towed on a street or highway for a distance of more than 5435
ten miles or at a speed of more than twenty-five miles per hour. 5436

(N) "Semitrailer" means every vehicle designed or used for 5437
carrying persons or property with another and separate motor 5438
vehicle so that in operation a part of its own weight or that of 5439
its load, or both, rests upon and is carried by another vehicle. 5440

(O) "Pole trailer" means every trailer or semitrailer 5441
attached to the towing vehicle by means of a reach, pole, or by 5442
being boomed or otherwise secured to the towing vehicle, and 5443
ordinarily used for transporting long or irregular shaped loads 5444
such as poles, pipes, or structural members capable, generally, of 5445
sustaining themselves as beams between the supporting connections. 5446

(P) "Railroad" means a carrier of persons or property 5447
operating upon rails placed principally on a private right-of-way. 5448

(Q) "Railroad train" means a steam engine or an electric or 5449
other motor, with or without cars coupled thereto, operated by a 5450
railroad. 5451

(R) "Streetcar" means a car, other than a railroad train, for 5452
transporting persons or property, operated upon rails principally 5453
within a street or highway. 5454

(S) "Trackless trolley" means every car that collects its 5455
power from overhead electric trolley wires and that is not 5456
operated upon rails or tracks. 5457

(T) "Explosives" means any chemical compound or mechanical 5458
mixture that is intended for the purpose of producing an explosion 5459
that contains any oxidizing and combustible units or other 5460
ingredients in such proportions, quantities, or packing that an 5461
ignition by fire, by friction, by concussion, by percussion, or by 5462
a detonator of any part of the compound or mixture may cause such 5463
a sudden generation of highly heated gases that the resultant 5464
gaseous pressures are capable of producing destructive effects on 5465

contiguous objects, or of destroying life or limb. Manufactured 5466
articles shall not be held to be explosives when the individual 5467
units contain explosives in such limited quantities, of such 5468
nature, or in such packing, that it is impossible to procure a 5469
simultaneous or a destructive explosion of such units, to the 5470
injury of life, limb, or property by fire, by friction, by 5471
concussion, by percussion, or by a detonator, such as fixed 5472
ammunition for small arms, firecrackers, or safety fuse matches. 5473

(U) "Flammable liquid" means any liquid that has a flash 5474
point of seventy degrees fahrenheit, or less, as determined by a 5475
tagliabue or equivalent closed cup test device. 5476

(V) "Gross weight" means the weight of a vehicle plus the 5477
weight of any load thereon. 5478

(W) "Person" means every natural person, firm, 5479
co-partnership, association, or corporation. 5480

(X) "Pedestrian" means any natural person afoot. 5481

(Y) "Driver or operator" means every person who drives or is 5482
in actual physical control of a vehicle, trackless trolley, or 5483
streetcar. 5484

(Z) "Police officer" means every officer authorized to direct 5485
or regulate traffic, or to make arrests for violations of traffic 5486
regulations. 5487

(AA) "Local authorities" means every county, municipal, and 5488
other local board or body having authority to adopt police 5489
regulations under the constitution and laws of this state. 5490

(BB) "Street" or "highway" means the entire width between the 5491
boundary lines of every way open to the use of the public as a 5492
thoroughfare for purposes of vehicular travel. 5493

(CC) "Controlled-access highway" means every street or 5494
highway in respect to which owners or occupants of abutting lands 5495

and other persons have no legal right of access to or from the 5496
same except at such points only and in such manner as may be 5497
determined by the public authority having jurisdiction over such 5498
street or highway. 5499

(DD) "Private road or driveway" means every way or place in 5500
private ownership used for vehicular travel by the owner and those 5501
having express or implied permission from the owner but not by 5502
other persons. 5503

(EE) "Roadway" means that portion of a highway improved, 5504
designed, or ordinarily used for vehicular travel, except the berm 5505
or shoulder. If a highway includes two or more separate roadways 5506
the term "roadway" means any such roadway separately but not all 5507
such roadways collectively. 5508

(FF) "Sidewalk" means that portion of a street between the 5509
curb lines, or the lateral lines of a roadway, and the adjacent 5510
property lines, intended for the use of pedestrians. 5511

(GG) "Laned highway" means a highway the roadway of which is 5512
divided into two or more clearly marked lanes for vehicular 5513
traffic. 5514

(HH) "Through highway" means every street or highway as 5515
provided in section 4511.65 of the Revised Code. 5516

(II) "State highway" means a highway under the jurisdiction 5517
of the department of transportation, outside the limits of 5518
municipal corporations, provided that the authority conferred upon 5519
the director of transportation in section 5511.01 of the Revised 5520
Code to erect state highway route markers and signs directing 5521
traffic shall not be modified by sections 4511.01 to 4511.79 and 5522
4511.99 of the Revised Code. 5523

(JJ) "State route" means every highway that is designated 5524
with an official state route number and so marked. 5525

(KK) "Intersection" means: 5526

(1) The area embraced within the prolongation or connection 5527
of the lateral curb lines, or, if none, then the lateral boundary 5528
lines of the roadways of two highways which join one another at, 5529
or approximately at, right angles, or the area within which 5530
vehicles traveling upon different highways joining at any other 5531
angle may come in conflict. 5532

(2) Where a highway includes two roadways thirty feet or more 5533
apart, then every crossing of each roadway of such divided highway 5534
by an intersecting highway shall be regarded as a separate 5535
intersection. If an intersecting highway also includes two 5536
roadways thirty feet or more apart, then every crossing of two 5537
roadways of such highways shall be regarded as a separate 5538
intersection. 5539

(3) The junction of an alley with a street or highway, or 5540
with another alley, shall not constitute an intersection. 5541

(LL) "Crosswalk" means: 5542

(1) That part of a roadway at intersections ordinarily 5543
included within the real or projected prolongation of property 5544
lines and curb lines or, in the absence of curbs, the edges of the 5545
traversable roadway; 5546

(2) Any portion of a roadway at an intersection or elsewhere, 5547
distinctly indicated for pedestrian crossing by lines or other 5548
markings on the surface; 5549

(3) Notwithstanding divisions (LL)(1) and (2) of this 5550
section, there shall not be a crosswalk where local authorities 5551
have placed signs indicating no crossing. 5552

(MM) "Safety zone" means the area or space officially set 5553
apart within a roadway for the exclusive use of pedestrians and 5554
protected or marked or indicated by adequate signs as to be 5555

plainly visible at all times. 5556

(NN) "Business district" means the territory fronting upon a 5557
street or highway, including the street or highway, between 5558
successive intersections within municipal corporations where fifty 5559
per cent or more of the frontage between such successive 5560
intersections is occupied by buildings in use for business, or 5561
within or outside municipal corporations where fifty per cent or 5562
more of the frontage for a distance of three hundred feet or more 5563
is occupied by buildings in use for business, and the character of 5564
such territory is indicated by official traffic control devices. 5565

(OO) "Residence district" means the territory, not comprising 5566
a business district, fronting on a street or highway, including 5567
the street or highway, where, for a distance of three hundred feet 5568
or more, the frontage is improved with residences or residences 5569
and buildings in use for business. 5570

(PP) "Urban district" means the territory contiguous to and 5571
including any street or highway which is built up with structures 5572
devoted to business, industry, or dwelling houses situated at 5573
intervals of less than one hundred feet for a distance of a 5574
quarter of a mile or more, and the character of such territory is 5575
indicated by official traffic control devices. 5576

(QQ) "Traffic control devices" means all flaggers, signs, 5577
signals, markings, and devices placed or erected by authority of a 5578
public body or official having jurisdiction, for the purpose of 5579
regulating, warning, or guiding traffic, including signs denoting 5580
names of streets and highways. 5581

(RR) "Traffic control signal" means any device, whether 5582
manually, electrically, or mechanically operated, by which traffic 5583
is alternately directed to stop, to proceed, to change direction, 5584
or not to change direction. 5585

(SS) "Railroad sign or signal" means any sign, signal, or 5586

device erected by authority of a public body or official or by a 5587
railroad and intended to give notice of the presence of railroad 5588
tracks or the approach of a railroad train. 5589

(TT) "Traffic" means pedestrians, ridden or herded animals, 5590
vehicles, streetcars, trackless trolleys, and other devices, 5591
either singly or together, while using any highway for purposes of 5592
travel. 5593

(UU) "Right-of-way" means either of the following, as the 5594
context requires: 5595

(1) The right of a vehicle, streetcar, trackless trolley, or 5596
pedestrian to proceed uninterruptedly in a lawful manner in the 5597
direction in which it or the individual is moving in preference to 5598
another vehicle, streetcar, trackless trolley, or pedestrian 5599
approaching from a different direction into its or the 5600
individual's path; 5601

(2) A general term denoting land, property, or the interest 5602
therein, usually in the configuration of a strip, acquired for or 5603
devoted to transportation purposes. When used in this context, 5604
right-of-way includes the roadway, shoulders or berm, ditch, and 5605
slopes extending to the right-of-way limits under the control of 5606
the state or local authority. 5607

(VV) "Rural mail delivery vehicle" means every vehicle used 5608
to deliver United States mail on a rural mail delivery route. 5609

(WW) "Funeral escort vehicle" means any motor vehicle, 5610
including a funeral hearse, while used to facilitate the movement 5611
of a funeral procession. 5612

(XX) "Alley" means a street or highway intended to provide 5613
access to the rear or side of lots or buildings in urban districts 5614
and not intended for the purpose of through vehicular traffic, and 5615
includes any street or highway that has been declared an "alley" 5616
by the legislative authority of the municipal corporation in which 5617

such street or highway is located. 5618

(YY) "Freeway" means a divided multi-lane highway for through 5619
traffic with all crossroads separated in grade and with full 5620
control of access. 5621

(ZZ) "Expressway" means a divided arterial highway for 5622
through traffic with full or partial control of access with an 5623
excess of fifty per cent of all crossroads separated in grade. 5624

(AAA) "Thruway" means a through highway whose entire roadway 5625
is reserved for through traffic and on which roadway parking is 5626
prohibited. 5627

(BBB) "Stop intersection" means any intersection at one or 5628
more entrances of which stop signs are erected. 5629

(CCC) "Arterial street" means any United States or state 5630
numbered route, controlled access highway, or other major radial 5631
or circumferential street or highway designated by local 5632
authorities within their respective jurisdictions as part of a 5633
major arterial system of streets or highways. 5634

(DDD) "Ridesharing arrangement" means the transportation of 5635
persons in a motor vehicle where such transportation is incidental 5636
to another purpose of a volunteer driver and includes ridesharing 5637
arrangements known as carpools, vanpools, and buspools. 5638

(EEE) "Motorized wheelchair" means any self-propelled vehicle 5639
designed for, and used by, a handicapped person and that is 5640
incapable of a speed in excess of eight miles per hour. 5641

(FFF) "Child day-care center" and "type A family day-care 5642
home" have the same meanings as in section 5104.01 of the Revised 5643
Code. 5644

(GGG) "Multi-wheel agricultural tractor" means a type of 5645
agricultural tractor that has two or more wheels or tires on each 5646
side of one axle at the rear of the tractor, is designed or used 5647

for drawing other vehicles or wheeled machinery, has no provision 5648
for carrying loads independently of the drawn vehicles or 5649
machinery, and is used principally for agricultural purposes. 5650

(HHH) "Operate" means to cause or have caused movement of a 5651
vehicle, streetcar, or trackless trolley. 5652

(III) "Predicate motor vehicle or traffic offense" means any 5653
of the following: 5654

(1) A violation of section 4511.03, 4511.051, 4511.12, 5655
4511.132, 4511.16, 4511.20, 4511.201, 4511.21, 4511.211, 4511.213, 5656
4511.22, 4511.23, 4511.25, 4511.26, 4511.27, 4511.28, 4511.29, 5657
4511.30, 4511.31, 4511.32, 4511.33, 4511.34, 4511.35, 4511.36, 5658
4511.37, 4511.38, 4511.39, 4511.40, 4511.41, 4511.42, 4511.43, 5659
4511.431, 4511.432, 4511.44, 4511.441, 4511.451, 4511.452, 5660
4511.46, 4511.47, 4511.48, 4511.481, 4511.49, 4511.50, 4511.511, 5661
4511.53, 4511.54, 4511.55, 4511.56, 4511.57, 4511.58, 4511.59, 5662
4511.60, 4511.61, 4511.64, 4511.66, 4511.661, 4511.68, 4511.70, 5663
4511.701, 4511.71, 4511.711, 4511.712, 4511.713, 4511.72, 4511.73, 5664
4511.763, 4511.771, 4511.78, or 4511.84 of the Revised Code; 5665

(2) A violation of division (A)(2) of section 4511.17, 5666
divisions (A) to (D) of section 4511.51, or division (A) of 5667
section 4511.74 of the Revised Code; 5668

(3) A violation of any provision of sections 4511.01 to 5669
4511.76 of the Revised Code for which no penalty otherwise is 5670
provided in the section that contains the provision violated; 5671

(4) A violation of a municipal ordinance that is 5672
substantially similar to any section or provision set forth or 5673
described in division (III)(1), (2), or (3) of this section. 5674

(JJJ) "Road service vehicle" means wreckers, utility repair 5675
vehicles, and state, county, and municipal service vehicles 5676
equipped with visual signals by means of flashing, rotating, or 5677
oscillating lights. 5678

Sec. 4511.093. (A)(1) No law enforcement officer who stops 5679
the operator of a motor vehicle in the course of an authorized 5680
sobriety or other motor vehicle checkpoint operation or a motor 5681
vehicle safety inspection shall issue a ticket, citation, or 5682
summons for a secondary traffic offense unless in the course of 5683
the checkpoint operation or safety inspection the officer first 5684
determines that an offense other than a secondary traffic offense 5685
has occurred and either places the operator or a vehicle occupant 5686
under arrest or issues a ticket, citation, or summons to the 5687
operator or a vehicle occupant for an offense other than a 5688
secondary offense. 5689

(2) A law enforcement agency that operates a motor vehicle 5690
checkpoint for an express purpose related to a secondary traffic 5691
offense shall not issue a ticket, citation, or summons for any 5692
secondary traffic offense at such a checkpoint, but may use such a 5693
checkpoint operation to conduct a public awareness campaign and 5694
distribute information. 5695

(B) As used in this section, "secondary traffic offense" 5696
means a violation of division ~~(A) or~~ (F)(2) of section 4507.05, 5697
division (B)(1)(a) or (b) ~~or (E)~~ of section 4507.071, or division 5698
(C) or (D) of section 4511.81, ~~or division (B) of section 4513.263~~ 5699
of the Revised Code. 5700

Sec. 4511.108. The director of transportation shall establish 5701
a traffic generator sign program and shall set forth in the 5702
traffic engineering manual the specifications for a uniform system 5703
of traffic generator signs and the criteria for participation in 5704
the program. The department of transportation shall operate, 5705
construct, and maintain the program. The director shall establish, 5706
and may revise at any time, an annual fee to be charged for a 5707
qualifying private business to participate in the traffic 5708
generator sign program. Money paid by the qualifying private 5709

business shall be remitted to the department and shall be 5710
deposited into the highway operating fund. 5711

Sec. 4511.181. As used in sections 4511.181 to ~~4511.199~~ 5712
4511.198 of the Revised Code: 5713

(A) "Equivalent offense" means any of the following: 5714

(1) A violation of division (A) or (B) of section 4511.19 of 5715
the Revised Code; 5716

(2) A violation of a municipal OVI ordinance; 5717

(3) A violation of section 2903.04 of the Revised Code in a 5718
case in which the offender was subject to the sanctions described 5719
in division (D) of that section; 5720

(4) A violation of division (A)(1) of section 2903.06 or 5721
2903.08 of the Revised Code or a municipal ordinance that is 5722
substantially equivalent to either of those divisions; 5723

(5) A violation of division (A)(2), (3), or (4) of section 5724
2903.06, division (A)(2) of section 2903.08, or former section 5725
2903.07 of the Revised Code, or a municipal ordinance that is 5726
substantially equivalent to any of those divisions or that former 5727
section, in a case in which a judge or jury as the trier of fact 5728
found that the offender was under the influence of alcohol, a drug 5729
of abuse, or a combination of them; 5730

(6) A violation of division (A) or (B) of section 1547.11 of 5731
the Revised Code; 5732

(7) A violation of a municipal ordinance prohibiting a person 5733
from operating or being in physical control of any vessel underway 5734
or from manipulating any water skis, aquaplane, or similar device 5735
on the waters of this state while under the influence of alcohol, 5736
a drug of abuse, or a combination of them or prohibiting a person 5737
from operating or being in physical control of any vessel underway 5738

or from manipulating any water skis, aquaplane, or similar device 5739
on the waters of this state with a prohibited concentration of 5740
alcohol, a controlled substance, or a metabolite of a controlled 5741
substance in the whole blood, blood serum or plasma, breath, or 5742
urine; 5743

(8) A violation of an existing or former municipal ordinance, 5744
law of another state, or law of the United States that is 5745
substantially equivalent to division (A) or (B) of section 4511.19 5746
or division (A) or (B) of section 1547.11 of the Revised Code; 5747

(9) A violation of a former law of this state that was 5748
substantially equivalent to division (A) or (B) of section 4511.19 5749
or division (A) or (B) of section 1547.11 of the Revised Code. 5750

(B) "Mandatory jail term" means the mandatory term in jail of 5751
three, six, ten, twenty, thirty, or sixty days that must be 5752
imposed under division (G)(1)(a), (b), or (c) of section 4511.19 5753
of the Revised Code upon an offender convicted of a violation of 5754
division (A) of that section and in relation to which all of the 5755
following apply: 5756

(1) Except as specifically authorized under section 4511.19 5757
of the Revised Code, the term must be served in a jail. 5758

(2) Except as specifically authorized under section 4511.19 5759
of the Revised Code, the term cannot be suspended, reduced, or 5760
otherwise modified pursuant to sections 2929.21 to 2929.28 or any 5761
other provision of the Revised Code. 5762

(C) "Municipal OVI ordinance" and "municipal OVI offense" 5763
mean any municipal ordinance prohibiting a person from operating a 5764
vehicle while under the influence of alcohol, a drug of abuse, or 5765
a combination of them or prohibiting a person from operating a 5766
vehicle with a prohibited concentration of alcohol, a controlled 5767
substance, or a metabolite of a controlled substance in the whole 5768
blood, blood serum or plasma, breath, or urine. 5769

(D) "Community residential sanction," "continuous alcohol monitoring," "jail," "mandatory prison term," "mandatory term of local incarceration," "sanction," and "prison term" have the same meanings as in section 2929.01 of the Revised Code.

(E) "Drug of abuse" has the same meaning as in section 4506.01 of the Revised Code.

(F) "Equivalent offense that is vehicle-related" means an equivalent offense that is any of the following:

(1) A violation described in division (A)(1), (2), (3), (4), or (5) of this section;

(2) A violation of an existing or former municipal ordinance, law of another state, or law of the United States that is substantially equivalent to division (A) or (B) of section 4511.19 of the Revised Code;

(3) A violation of a former law of this state that was substantially equivalent to division (A) or (B) of section 4511.19 of the Revised Code.

Sec. 4511.191. (A)(1) As used in this section:

(a) "Physical control" has the same meaning as in section 4511.194 of the Revised Code.

(b) "Alcohol monitoring device" means any device that provides for continuous alcohol monitoring, any ignition interlock device, any immobilizing or disabling device other than an ignition interlock device that is constantly available to monitor the concentration of alcohol in a person's system, or any other device that provides for the automatic testing and periodic reporting of alcohol consumption by a person and that a court orders a person to use as a sanction imposed as a result of the person's conviction of or plea of guilty to an offense.

(2) Any person who operates a vehicle, streetcar, or

trackless trolley upon a highway or any public or private property 5800
used by the public for vehicular travel or parking within this 5801
state or who is in physical control of a vehicle, streetcar, or 5802
trackless trolley shall be deemed to have given consent to a 5803
chemical test or tests of the person's whole blood, blood serum or 5804
plasma, breath, or urine to determine the alcohol, drug of abuse, 5805
controlled substance, metabolite of a controlled substance, or 5806
combination content of the person's whole blood, blood serum or 5807
plasma, breath, or urine if arrested for a violation of division 5808
(A) or (B) of section 4511.19 of the Revised Code, section 5809
4511.194 of the Revised Code or a substantially equivalent 5810
municipal ordinance, or a municipal OVI ordinance. 5811

(3) The chemical test or tests under division (A)(2) of this 5812
section shall be administered at the request of a law enforcement 5813
officer having reasonable grounds to believe the person was 5814
operating or in physical control of a vehicle, streetcar, or 5815
trackless trolley in violation of a division, section, or 5816
ordinance identified in division (A)(2) of this section. The law 5817
enforcement agency by which the officer is employed shall 5818
designate which of the tests shall be administered. 5819

(4) Any person who is dead or unconscious, or who otherwise 5820
is in a condition rendering the person incapable of refusal, shall 5821
be deemed to have consented as provided in division (A)(2) of this 5822
section, and the test or tests may be administered, subject to 5823
sections 313.12 to 313.16 of the Revised Code. 5824

(5)(a) If a law enforcement officer arrests a person for a 5825
violation of division (A) or (B) of section 4511.19 of the Revised 5826
Code, section 4511.194 of the Revised Code or a substantially 5827
equivalent municipal ordinance, or a municipal OVI ordinance and 5828
if the person if convicted would be required to be sentenced under 5829
division (G)(1)(c), (d), or (e) of section 4511.19 of the Revised 5830
Code, the law enforcement officer shall request the person to 5831

submit, and the person shall submit, to a chemical test or tests 5832
of the person's whole blood, blood serum or plasma, breath, or 5833
urine for the purpose of determining the alcohol, drug of abuse, 5834
controlled substance, metabolite of a controlled substance, or 5835
combination content of the person's whole blood, blood serum or 5836
plasma, breath, or urine. A law enforcement officer who makes a 5837
request pursuant to this division that a person submit to a 5838
chemical test or tests is not required to advise the person of the 5839
consequences of submitting to, or refusing to submit to, the test 5840
or tests and is not required to give the person the form described 5841
in division (B) of section 4511.192 of the Revised Code, but the 5842
officer shall advise the person at the time of the arrest that if 5843
the person refuses to take a chemical test the officer may employ 5844
whatever reasonable means are necessary to ensure that the person 5845
submits to a chemical test of the person's whole blood or blood 5846
serum or plasma. The officer shall also advise the person at the 5847
time of the arrest that the person may have an independent 5848
chemical test taken at the person's own expense. Divisions (A)(3) 5849
and (4) of this section apply to the administration of a chemical 5850
test or tests pursuant to this division. 5851

5852

(b) If a person refuses to submit to a chemical test upon a 5853
request made pursuant to division (A)(5)(a) of this section, the 5854
law enforcement officer who made the request may employ whatever 5855
reasonable means are necessary to ensure that the person submits 5856
to a chemical test of the person's whole blood or blood serum or 5857
plasma. A law enforcement officer who acts pursuant to this 5858
division to ensure that a person submits to a chemical test of the 5859
person's whole blood or blood serum or plasma is immune from 5860
criminal and civil liability based upon a claim for assault and 5861
battery or any other claim for the acts, unless the officer so 5862
acted with malicious purpose, in bad faith, or in a wanton or 5863
reckless manner. 5864

(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.

(b) If the arrested person, within six years of the date on which the person refused the request to consent to the chemical test, had refused one previous request to consent to a chemical test or had been convicted of or pleaded guilty to one violation of division (A) or (B) of section 4511.19 of the Revised Code or one other equivalent offense, the suspension shall be a class B suspension imposed for the period of time specified in division (B)(2) of section 4510.02 of the Revised Code.

(c) If the arrested person, within six years of the date on which the person refused the request to consent to the chemical test, had refused two previous requests to consent to a chemical

test, had been convicted of or pleaded guilty to two violations of 5897
division (A) or (B) of section 4511.19 of the Revised Code or 5898
other equivalent offenses, or had refused one previous request to 5899
consent to a chemical test and also had been convicted of or 5900
pleaded guilty to one violation of division (A) or (B) of section 5901
4511.19 of the Revised Code or other equivalent offenses, which 5902
violation or offense arose from an incident other than the 5903
incident that led to the refusal, the suspension shall be a class 5904
A suspension imposed for the period of time specified in division 5905
(B)(1) of section 4510.02 of the Revised Code. 5906

(d) If the arrested person, within six years of the date on 5907
which the person refused the request to consent to the chemical 5908
test, had refused three or more previous requests to consent to a 5909
chemical test, had been convicted of or pleaded guilty to three or 5910
more violations of division (A) or (B) of section 4511.19 of the 5911
Revised Code or other equivalent offenses, or had refused a number 5912
of previous requests to consent to a chemical test and also had 5913
been convicted of or pleaded guilty to a number of violations of 5914
division (A) or (B) of section 4511.19 of the Revised Code or 5915
other equivalent offenses that cumulatively total three or more 5916
such refusals, convictions, and guilty pleas, the suspension shall 5917
be for five years. 5918

(2) The registrar shall terminate a suspension of the 5919
driver's or commercial driver's license or permit of a resident or 5920
of the operating privilege of a nonresident, or a denial of a 5921
driver's or commercial driver's license or permit, imposed 5922
pursuant to division (B)(1) of this section upon receipt of notice 5923
that the person has entered a plea of guilty to, or that the 5924
person has been convicted after entering a plea of no contest to, 5925
operating a vehicle in violation of section 4511.19 of the Revised 5926
Code or in violation of a municipal OVI ordinance, if the offense 5927
for which the conviction is had or the plea is entered arose from 5928

the same incident that led to the suspension or denial. 5929

The registrar shall credit against any judicial suspension of 5930
a person's driver's or commercial driver's license or permit or 5931
nonresident operating privilege imposed pursuant to section 5932
4511.19 of the Revised Code, or pursuant to section 4510.07 of the 5933
Revised Code for a violation of a municipal OVI ordinance, any 5934
time during which the person serves a related suspension imposed 5935
pursuant to division (B)(1) of this section. 5936

(C)(1) Upon receipt of the sworn report of the law 5937
enforcement officer who arrested a person for a violation of 5938
division (A) or (B) of section 4511.19 of the Revised Code or a 5939
municipal OVI ordinance that was completed and sent to the 5940
registrar and a court pursuant to section 4511.192 of the Revised 5941
Code in regard to a person whose test results indicate that the 5942
person's whole blood, blood serum or plasma, breath, or urine 5943
contained at least the concentration of alcohol specified in 5944
division (A)(1)(b), (c), (d), or (e) of section 4511.19 of the 5945
Revised Code or at least the concentration of a listed controlled 5946
substance or a listed metabolite of a controlled substance 5947
specified in division (A)(1)(j) of section 4511.19 of the Revised 5948
Code, the registrar shall enter into the registrar's records the 5949
fact that the person's driver's or commercial driver's license or 5950
permit or nonresident operating privilege was suspended by the 5951
arresting officer under this division and section 4511.192 of the 5952
Revised Code and the period of the suspension, as determined under 5953
divisions (C)(1)(a) to (d) of this section. The suspension shall 5954
be subject to appeal as provided in section 4511.197 of the 5955
Revised Code. The suspension described in this division does not 5956
apply to, and shall not be imposed upon, a person arrested for a 5957
violation of section 4511.194 of the Revised Code or a 5958
substantially equivalent municipal ordinance who submits to a 5959
designated chemical test. The suspension shall be for whichever of 5960

the following periods applies: 5961

(a) Except when division (C)(1)(b), (c), or (d) of this 5962
section applies and specifies a different period, the suspension 5963
shall be a class E suspension imposed for the period of time 5964
specified in division (B)(5) of section 4510.02 of the Revised 5965
Code. 5966

(b) The suspension shall be a class C suspension for the 5967
period of time specified in division (B)(3) of section 4510.02 of 5968
the Revised Code if the person has been convicted of or pleaded 5969
guilty to, within six years of the date the test was conducted, 5970
one violation of division (A) or (B) of section 4511.19 of the 5971
Revised Code or one other equivalent offense. 5972

(c) If, within six years of the date the test was conducted, 5973
the person has been convicted of or pleaded guilty to two 5974
violations of a statute or ordinance described in division 5975
(C)(1)(b) of this section, the suspension shall be a class B 5976
suspension imposed for the period of time specified in division 5977
(B)(2) of section 4510.02 of the Revised Code. 5978

(d) If, within six years of the date the test was conducted, 5979
the person has been convicted of or pleaded guilty to more than 5980
two violations of a statute or ordinance described in division 5981
(C)(1)(b) of this section, the suspension shall be a class A 5982
suspension imposed for the period of time specified in division 5983
(B)(1) of section 4510.02 of the Revised Code. 5984

(2) The registrar shall terminate a suspension of the 5985
driver's or commercial driver's license or permit of a resident or 5986
of the operating privilege of a nonresident, or a denial of a 5987
driver's or commercial driver's license or permit, imposed 5988
pursuant to division (C)(1) of this section upon receipt of notice 5989
that the person has entered a plea of guilty to, or that the 5990
person has been convicted after entering a plea of no contest to, 5991

operating a vehicle in violation of section 4511.19 of the Revised Code or in violation of a municipal OVI ordinance, if the offense for which the conviction is had or the plea is entered arose from the same incident that led to the suspension or denial.

The registrar shall credit against any judicial suspension of a person's driver's or commercial driver's license or permit or nonresident operating privilege imposed pursuant to section 4511.19 of the Revised Code, or pursuant to section 4510.07 of the Revised Code for a violation of a municipal OVI ordinance, any time during which the person serves a related suspension imposed pursuant to division (C)(1) of this section.

(D)(1) A suspension of a person's driver's or commercial driver's license or permit or nonresident operating privilege under this section for the time described in division (B) or (C) of this section is effective immediately from the time at which the arresting officer serves the notice of suspension upon the arrested person. Any subsequent finding that the person is not guilty of the charge that resulted in the person being requested to take the chemical test or tests under division (A) of this section does not affect the suspension.

(2) If a person is arrested for operating a vehicle, streetcar, or trackless trolley in violation of division (A) or (B) of section 4511.19 of the Revised Code or a municipal OVI ordinance, or for being in physical control of a vehicle, streetcar, or trackless trolley in violation of section 4511.194 of the Revised Code or a substantially equivalent municipal ordinance, regardless of whether the person's driver's or commercial driver's license or permit or nonresident operating privilege is or is not suspended under division (B) or (C) of this section or Chapter 4510. of the Revised Code, the person's initial appearance on the charge resulting from the arrest shall be held within five days of the person's arrest or the issuance of the

citation to the person, subject to any continuance granted by the court pursuant to section 4511.197 of the Revised Code regarding the issues specified in that division.

(E) When it finally has been determined under the procedures of this section and sections 4511.192 to 4511.197 of the Revised Code that a nonresident's privilege to operate a vehicle within this state has been suspended, the registrar shall give information in writing of the action taken to the motor vehicle administrator of the state of the person's residence and of any state in which the person has a license.

(F) At the end of a suspension period under this section, under section 4511.194, section 4511.196, or division (G) of section 4511.19 of the Revised Code, or under section 4510.07 of the Revised Code for a violation of a municipal OVI ordinance and upon the request of the person whose driver's or commercial driver's license or permit was suspended and who is not otherwise subject to suspension, cancellation, or disqualification, the registrar shall return the driver's or commercial driver's license or permit to the person upon the occurrence of all of the conditions specified in divisions (F)(1) and (2) of this section:

(1) A showing that the person has proof of financial responsibility, a policy of liability insurance in effect that meets the minimum standards set forth in section 4509.51 of the Revised Code, or proof, to the satisfaction of the registrar, that the person is able to respond in damages in an amount at least equal to the minimum amounts specified in section 4509.51 of the Revised Code.

(2) Subject to the limitation contained in division (F)(3) of this section, payment by the person to the bureau of motor vehicles of a license reinstatement fee of four hundred seventy-five dollars, which fee shall be deposited in the state treasury and credited as follows:

(a) One hundred twelve dollars and fifty cents shall be 6056
credited to the statewide treatment and prevention fund created by 6057
section 4301.30 of the Revised Code. The fund shall be used to pay 6058
the costs of driver treatment and intervention programs operated 6059
pursuant to sections 3793.02 and 3793.10 of the Revised Code. The 6060
director of alcohol and drug addiction services shall determine 6061
the share of the fund that is to be allocated to alcohol and drug 6062
addiction programs authorized by section 3793.02 of the Revised 6063
Code, and the share of the fund that is to be allocated to 6064
drivers' intervention programs authorized by section 3793.10 of 6065
the Revised Code. 6066

(b) Seventy-five dollars shall be credited to the reparations 6067
fund created by section 2743.191 of the Revised Code. 6068

(c) Thirty-seven dollars and fifty cents shall be credited to 6069
the indigent drivers alcohol treatment fund, which is hereby 6070
established. Except as otherwise provided in division (F)(2)(c) of 6071
this section, moneys in the fund shall be distributed by the 6072
department of alcohol and drug addiction services to the county 6073
indigent drivers alcohol treatment funds, the county juvenile 6074
indigent drivers alcohol treatment funds, and the municipal 6075
indigent drivers alcohol treatment funds that are required to be 6076
established by counties and municipal corporations pursuant to 6077
this section, and shall be used only to pay the cost of an alcohol 6078
and drug addiction treatment program attended by an offender or 6079
juvenile traffic offender who is ordered to attend an alcohol and 6080
drug addiction treatment program by a county, juvenile, or 6081
municipal court judge and who is determined by the county, 6082
juvenile, or municipal court judge not to have the means to pay 6083
for the person's attendance at the program or to pay the costs 6084
specified in division (H)(4) of this section in accordance with 6085
that division. In addition, a county, juvenile, or municipal court 6086
judge may use moneys in the county indigent drivers alcohol 6087

treatment fund, county juvenile indigent drivers alcohol treatment 6088
fund, or municipal indigent drivers alcohol treatment fund to pay 6089
for the cost of the continued use of an alcohol monitoring device 6090
as described in divisions (H)(3) and (4) of this section. Moneys 6091
in the fund that are not distributed to a county indigent drivers 6092
alcohol treatment fund, a county juvenile indigent drivers alcohol 6093
treatment fund, or a municipal indigent drivers alcohol treatment 6094
fund under division (H) of this section because the director of 6095
alcohol and drug addiction services does not have the information 6096
necessary to identify the county or municipal corporation where 6097
the offender or juvenile offender was arrested may be transferred 6098
by the director of budget and management to the statewide 6099
treatment and prevention fund created by section 4301.30 of the 6100
Revised Code, upon certification of the amount by the director of 6101
alcohol and drug addiction services. 6102

(d) Seventy-five dollars shall be credited to the Ohio 6103
rehabilitation services commission established by section 3304.12 6104
of the Revised Code, to the services for rehabilitation fund, 6105
which is hereby established. The fund shall be used to match 6106
available federal matching funds where appropriate, and for any 6107
other purpose or program of the commission to rehabilitate people 6108
with disabilities to help them become employed and independent. 6109

(e) Seventy-five dollars shall be deposited into the state 6110
treasury and credited to the drug abuse resistance education 6111
programs fund, which is hereby established, to be used by the 6112
attorney general for the purposes specified in division (F)(4) of 6113
this section. 6114

(f) Thirty dollars shall be credited to the state bureau of 6115
motor vehicles fund created by section 4501.25 of the Revised 6116
Code. 6117

(g) Twenty dollars shall be credited to the trauma and 6118
emergency medical services grants fund created by section 4513.263 6119

of the Revised Code. 6120

(h) Fifty dollars shall be credited to the indigent drivers 6121
interlock and alcohol monitoring fund, which is hereby established 6122
in the state treasury. Monies in the fund shall be distributed by 6123
the department of public safety to the county indigent drivers 6124
interlock and alcohol monitoring funds, the county juvenile 6125
indigent drivers interlock and alcohol monitoring funds, and the 6126
municipal indigent drivers interlock and alcohol monitoring funds 6127
that are required to be established by counties and municipal 6128
corporations pursuant to this section, and shall be used only to 6129
pay the cost of an immobilizing or disabling device, including a 6130
certified ignition interlock device, or an alcohol monitoring 6131
device used by an offender or juvenile offender who is ordered to 6132
use the device by a county, juvenile, or municipal court judge and 6133
who is determined by the county, juvenile, or municipal court 6134
judge not to have the means to pay for the person's use of the 6135
device. 6136

(3) If a person's driver's or commercial driver's license or 6137
permit is suspended under this section, under section 4511.196 or 6138
division (G) of section 4511.19 of the Revised Code, under section 6139
4510.07 of the Revised Code for a violation of a municipal OVI 6140
ordinance or under any combination of the suspensions described in 6141
division (F)(3) of this section, and if the suspensions arise from 6142
a single incident or a single set of facts and circumstances, the 6143
person is liable for payment of, and shall be required to pay to 6144
the bureau, only one reinstatement fee of four hundred ~~twenty-five~~ 6145
seventy-five dollars. The reinstatement fee shall be distributed 6146
by the bureau in accordance with division (F)(2) of this section. 6147

(4) The attorney general shall use amounts in the drug abuse 6148
resistance education programs fund to award grants to law 6149
enforcement agencies to establish and implement drug abuse 6150
resistance education programs in public schools. Grants awarded to 6151

a law enforcement agency under this section shall be used by the 6152
agency to pay for not more than fifty per cent of the amount of 6153
the salaries of law enforcement officers who conduct drug abuse 6154
resistance education programs in public schools. The attorney 6155
general shall not use more than six per cent of the amounts the 6156
attorney general's office receives under division (F)(2)(e) of 6157
this section to pay the costs it incurs in administering the grant 6158
program established by division (F)(2)(e) of this section and in 6159
providing training and materials relating to drug abuse resistance 6160
education programs. 6161

The attorney general shall report to the governor and the 6162
general assembly each fiscal year on the progress made in 6163
establishing and implementing drug abuse resistance education 6164
programs. These reports shall include an evaluation of the 6165
effectiveness of these programs. 6166

(G) Suspension of a commercial driver's license under 6167
division (B) or (C) of this section shall be concurrent with any 6168
period of disqualification under section 3123.611 or 4506.16 of 6169
the Revised Code or any period of suspension under section 3123.58 6170
of the Revised Code. No person who is disqualified for life from 6171
holding a commercial driver's license under section 4506.16 of the 6172
Revised Code shall be issued a driver's license under Chapter 6173
4507. of the Revised Code during the period for which the 6174
commercial driver's license was suspended under division (B) or 6175
(C) of this section. No person whose commercial driver's license 6176
is suspended under division (B) or (C) of this section shall be 6177
issued a driver's license under Chapter 4507. of the Revised Code 6178
during the period of the suspension. 6179

(H)(1) Each county shall establish an indigent drivers 6180
alcohol treatment fund, each county shall establish a juvenile 6181
indigent drivers alcohol treatment fund, and each municipal 6182
corporation in which there is a municipal court shall establish an 6183

indigent drivers alcohol treatment fund. All revenue that the 6184
general assembly appropriates to the indigent drivers alcohol 6185
treatment fund for transfer to a county indigent drivers alcohol 6186
treatment fund, a county juvenile indigent drivers alcohol 6187
treatment fund, or a municipal indigent drivers alcohol treatment 6188
fund, all portions of fees that are paid under division (F) of 6189
this section and that are credited under that division to the 6190
indigent drivers alcohol treatment fund in the state treasury for 6191
a county indigent drivers alcohol treatment fund, a county 6192
juvenile indigent drivers alcohol treatment fund, or a municipal 6193
indigent drivers alcohol treatment fund, all portions of 6194
additional costs imposed under section 2949.094 of the Revised 6195
Code that are specified for deposit into a county, county 6196
juvenile, or municipal indigent drivers alcohol treatment fund by 6197
that section, and all portions of fines that are specified for 6198
deposit into a county or municipal indigent drivers alcohol 6199
treatment fund by section 4511.193 of the Revised Code shall be 6200
deposited into that county indigent drivers alcohol treatment 6201
fund, county juvenile indigent drivers alcohol treatment fund, or 6202
municipal indigent drivers alcohol treatment fund. The portions of 6203
the fees paid under division (F) of this section that are to be so 6204
deposited shall be determined in accordance with division (H)(2) 6205
of this section. Additionally, all portions of fines that are paid 6206
for a violation of section 4511.19 of the Revised Code or of any 6207
prohibition contained in Chapter 4510. of the Revised Code, and 6208
that are required under section 4511.19 or any provision of 6209
Chapter 4510. of the Revised Code to be deposited into a county 6210
indigent drivers alcohol treatment fund or municipal indigent 6211
drivers alcohol treatment fund shall be deposited into the 6212
appropriate fund in accordance with the applicable division of the 6213
section or provision. 6214

(2) That portion of the license reinstatement fee that is 6215
paid under division (F) of this section and that is credited under 6216

that division to the indigent drivers alcohol treatment fund shall 6217
be deposited into a county indigent drivers alcohol treatment 6218
fund, a county juvenile indigent drivers alcohol treatment fund, 6219
or a municipal indigent drivers alcohol treatment fund as follows: 6220
6221

(a) Regarding a suspension imposed under this section, that 6222
portion of the fee shall be deposited as follows: 6223

(i) If the fee is paid by a person who was charged in a 6224
county court with the violation that resulted in the suspension or 6225
in the imposition of the court costs, the portion shall be 6226
deposited into the county indigent drivers alcohol treatment fund 6227
under the control of that court; 6228

(ii) If the fee is paid by a person who was charged in a 6229
juvenile court with the violation that resulted in the suspension 6230
or in the imposition of the court costs, the portion shall be 6231
deposited into the county juvenile indigent drivers alcohol 6232
treatment fund established in the county served by the court; 6233

(iii) If the fee is paid by a person who was charged in a 6234
municipal court with the violation that resulted in the suspension 6235
or in the imposition of the court costs, the portion shall be 6236
deposited into the municipal indigent drivers alcohol treatment 6237
fund under the control of that court. 6238

(b) Regarding a suspension imposed under section 4511.19 of 6239
the Revised Code or under section 4510.07 of the Revised Code for 6240
a violation of a municipal OVI ordinance, that portion of the fee 6241
shall be deposited as follows: 6242

(i) If the fee is paid by a person whose license or permit 6243
was suspended by a county court, the portion shall be deposited 6244
into the county indigent drivers alcohol treatment fund under the 6245
control of that court; 6246

(ii) If the fee is paid by a person whose license or permit 6247

was suspended by a municipal court, the portion shall be deposited 6248
into the municipal indigent drivers alcohol treatment fund under 6249
the control of that court. 6250

(3) Expenditures from a county indigent drivers alcohol 6251
treatment fund, a county juvenile indigent drivers alcohol 6252
treatment fund, or a municipal indigent drivers alcohol treatment 6253
fund shall be made only upon the order of a county, juvenile, or 6254
municipal court judge and only for payment of the cost of an 6255
assessment or the cost of the attendance at an alcohol and drug 6256
addiction treatment program of a person who is convicted of, or 6257
found to be a juvenile traffic offender by reason of, a violation 6258
of division (A) of section 4511.19 of the Revised Code or a 6259
substantially similar municipal ordinance, who is ordered by the 6260
court to attend the alcohol and drug addiction treatment program, 6261
and who is determined by the court to be unable to pay the cost of 6262
the assessment or the cost of attendance at the treatment program 6263
or for payment of the costs specified in division (H)(4) of this 6264
section in accordance with that division. The alcohol and drug 6265
addiction services board or the board of alcohol, drug addiction, 6266
and mental health services established pursuant to section 340.02 6267
or 340.021 of the Revised Code and serving the alcohol, drug 6268
addiction, and mental health service district in which the court 6269
is located shall administer the indigent drivers alcohol treatment 6270
program of the court. When a court orders an offender or juvenile 6271
traffic offender to obtain an assessment or attend an alcohol and 6272
drug addiction treatment program, the board shall determine which 6273
program is suitable to meet the needs of the offender or juvenile 6274
traffic offender, and when a suitable program is located and space 6275
is available at the program, the offender or juvenile traffic 6276
offender shall attend the program designated by the board. A 6277
reasonable amount not to exceed five per cent of the amounts 6278
credited to and deposited into the county indigent drivers alcohol 6279
treatment fund, the county juvenile indigent drivers alcohol 6280

treatment fund, or the municipal indigent drivers alcohol 6281
treatment fund serving every court whose program is administered 6282
by that board shall be paid to the board to cover the costs it 6283
incurs in administering those indigent drivers alcohol treatment 6284
programs. 6285

In addition, upon exhaustion of moneys in the indigent 6286
drivers interlock and alcohol monitoring fund for the use of an 6287
alcohol monitoring device, a county, juvenile, or municipal court 6288
judge may use moneys in the county indigent drivers alcohol 6289
treatment fund, county juvenile indigent drivers alcohol treatment 6290
fund, or municipal indigent drivers alcohol treatment fund in the 6291
following manners: 6292

(a) If the source of the moneys was an appropriation of the 6293
general assembly, a portion of a fee that was paid under division 6294
(F) of this section, a portion of a fine that was specified for 6295
deposit into the fund by section 4511.193 of the Revised Code, or 6296
a portion of a fine that was paid for a violation of section 6297
4511.19 of the Revised Code or of a provision contained in Chapter 6298
4510. of the Revised Code that was required to be deposited into 6299
the fund, to pay for the continued use of an alcohol monitoring 6300
device by an offender or juvenile traffic offender, in conjunction 6301
with a treatment program approved by the department of alcohol and 6302
drug addiction services, when such use is determined clinically 6303
necessary by the treatment program and when the court determines 6304
that the offender or juvenile traffic offender is unable to pay 6305
all or part of the daily monitoring or cost of the device; 6306

(b) If the source of the moneys was a portion of an 6307
additional court cost imposed under section 2949.094 of the 6308
Revised Code, to pay for the continued use of an alcohol 6309
monitoring device by an offender or juvenile traffic offender when 6310
the court determines that the offender or juvenile traffic 6311
6312

offender is unable to pay all or part of the daily monitoring or 6313
cost of the device. The moneys may be used for a device as 6314
described in this division if the use of the device is in 6315
conjunction with a treatment program approved by the department of 6316
alcohol and drug addiction services, when the use of the device is 6317
determined clinically necessary by the treatment program, but the 6318
use of a device is not required to be in conjunction with a 6319
treatment program approved by the department in order for the 6320
moneys to be used for the device as described in this division. 6321

(4) If a county, juvenile, or municipal court determines, in 6322
consultation with the alcohol and drug addiction services board or 6323
the board of alcohol, drug addiction, and mental health services 6324
established pursuant to section 340.02 or 340.021 of the Revised 6325
Code and serving the alcohol, drug addiction, and mental health 6326
district in which the court is located, that the funds in the 6327
county indigent drivers alcohol treatment fund, the county 6328
juvenile indigent drivers alcohol treatment fund, or the municipal 6329
indigent drivers alcohol treatment fund under the control of the 6330
court are more than sufficient to satisfy the purpose for which 6331
the fund was established, as specified in divisions (H)(1) to (3) 6332
of this section, the court may declare a surplus in the fund. If 6333
the court declares a surplus in the fund, the court may expend the 6334
amount of the surplus in the fund for: 6335

(a) Alcohol and drug abuse assessment and treatment of 6336
persons who are charged in the court with committing a criminal 6337
offense or with being a delinquent child or juvenile traffic 6338
offender and in relation to whom both of the following apply: 6339

(i) The court determines that substance abuse was a 6340
contributing factor leading to the criminal or delinquent activity 6341
or the juvenile traffic offense with which the person is charged. 6342

(ii) The court determines that the person is unable to pay 6343
the cost of the alcohol and drug abuse assessment and treatment 6344

for which the surplus money will be used. 6345

(b) All or part of the cost of purchasing alcohol monitoring 6346
devices to be used in conjunction with division (H)(3) of this 6347
section, upon exhaustion of moneys in the indigent drivers 6348
interlock and alcohol monitoring fund for the use of an alcohol 6349
monitoring device. 6350

(5) For the purpose of determining as described in division 6351
(F)(2)(c) of this section whether an offender does not have the 6352
means to pay for the offender's attendance at an alcohol and drug 6353
addiction treatment program or whether an alleged offender or 6354
delinquent child is unable to pay the costs specified in division 6355
(H)(4) of this section, the court shall use the indigent client 6356
eligibility guidelines and the standards of indigency established 6357
by the state public defender to make the determination. 6358

(6) The court shall identify and refer any alcohol and drug 6359
addiction program that is not certified under section 3793.06 of 6360
the Revised Code and that is interested in receiving amounts from 6361
the surplus in the fund declared under division (H)(4) of this 6362
section to the department of alcohol and drug addiction services 6363
in order for the program to become a certified alcohol and drug 6364
addiction program. The department shall keep a record of applicant 6365
referrals received pursuant to this division and shall submit a 6366
report on the referrals each year to the general assembly. If a 6367
program interested in becoming certified makes an application to 6368
become certified pursuant to section 3793.06 of the Revised Code, 6369
the program is eligible to receive surplus funds as long as the 6370
application is pending with the department. The department of 6371
alcohol and drug addiction services must offer technical 6372
assistance to the applicant. If the interested program withdraws 6373
the certification application, the department must notify the 6374
court, and the court shall not provide the interested program with 6375
any further surplus funds. 6376

(I)(1) Each county shall establish an indigent drivers 6377
interlock and alcohol monitoring fund and a juvenile indigent 6378
drivers interlock and alcohol treatment fund, and each municipal 6379
corporation in which there is a municipal court shall establish an 6380
indigent drivers interlock and alcohol monitoring fund. All 6381
revenue that the general assembly appropriates to the indigent 6382
drivers interlock and alcohol monitoring fund for transfer to a 6383
county indigent drivers interlock and alcohol monitoring fund, a 6384
county juvenile indigent drivers interlock and alcohol monitoring 6385
fund, or a municipal indigent drivers interlock and alcohol 6386
monitoring fund, all portions of license reinstatement fees that 6387
are paid under division (F)(2) of this section and that are 6388
credited under that division to the indigent drivers interlock and 6389
alcohol monitoring fund in the state treasury, and all portions of 6390
fines that are paid under division (G) of section 4511.19 of the 6391
Revised Code and that are credited by division (G)(5)(e) of that 6392
section to the indigent drivers interlock and alcohol monitoring 6393
fund in the state treasury shall be deposited in the appropriate 6394
fund in accordance with division (I)(2) of this section. 6395

(2) That portion of the license reinstatement fee that is 6396
paid under division (F) of this section and that portion of the 6397
fine paid under division (G) of section 4511.19 of the Revised 6398
Code and that is credited under either division to the indigent 6399
drivers interlock and alcohol monitoring fund shall be deposited 6400
into a county indigent drivers interlock and alcohol monitoring 6401
fund, a county juvenile indigent drivers interlock and alcohol 6402
monitoring fund, or a municipal indigent drivers interlock and 6403
alcohol monitoring fund as follows: 6404

(a) If the fee or fine is paid by a person who was charged in 6405
a county court with the violation that resulted in the suspension 6406
or fine, the portion shall be deposited into the county indigent 6407
drivers interlock and alcohol monitoring fund under the control of 6408

that court. 6409

(b) If the fee or fine is paid by a person who was charged in 6410
a juvenile court with the violation that resulted in the 6411
suspension or fine, the portion shall be deposited into the county 6412
juvenile indigent drivers interlock and alcohol monitoring fund 6413
established in the county served by the court. 6414

(c) If the fee or fine is paid by a person who was charged in 6415
a municipal court with the violation that resulted in the 6416
suspension, the portion shall be deposited into the municipal 6417
indigent drivers interlock and alcohol monitoring fund under the 6418
control of that court. 6419

Sec. 4511.213. (A) The driver of a motor vehicle, upon 6420
approaching a stationary public safety vehicle, an emergency 6421
vehicle, or a road service vehicle that is displaying a ~~flashing~~ 6422
~~red light, flashing combination red and white light, oscillating~~ 6423
~~or rotating red light, oscillating or rotating combination red and~~ 6424
~~white light, flashing blue light, the appropriate visual signals~~ 6425
by means of flashing combination blue and white light, oscillating 6426
~~or rotating blue light, or, oscillating, or rotating combination~~ 6427
~~blue and white light lights, as prescribed in section 4513.17 of~~ 6428
the Revised Code, shall do either of the following: 6429

(1) If the driver of the motor vehicle is traveling on a 6430
highway that consists of at least two lanes that carry traffic in 6431
the same direction of travel as that of the driver's motor 6432
vehicle, the driver shall proceed with due caution and, if 6433
possible and with due regard to the road, weather, and traffic 6434
conditions, shall change lanes into a lane that is not adjacent to 6435
that of the stationary public safety vehicle, an emergency 6436
vehicle, or a road service vehicle. 6437

(2) If the driver is not traveling on a highway of a type 6438
described in division (A)(1) of this section, or if the driver is 6439

traveling on a highway of that type but it is not possible to 6440
change lanes or if to do so would be unsafe, the driver shall 6441
proceed with due caution, reduce the speed of the motor vehicle, 6442
and maintain a safe speed for the road, weather, and traffic 6443
conditions. 6444

(B) This section does not relieve the driver of a public 6445
safety vehicle, an emergency vehicle, or a road service vehicle 6446
from the duty to drive with due regard for the safety of all 6447
persons and property upon the highway. 6448

(C) No person shall fail to drive a motor vehicle in 6449
compliance with division (A)(1) or (2) of this section when so 6450
required by division (A) of this section. 6451

(D)(1) Except as otherwise provided in this division, whoever 6452
violates this section is guilty of a minor misdemeanor. If, within 6453
one year of the offense, the offender previously has been 6454
convicted of or pleaded guilty to one predicate motor vehicle or 6455
traffic offense, whoever violates this section is guilty of a 6456
misdemeanor of the fourth degree. If, within one year of the 6457
offense, the offender previously has been convicted of two or more 6458
predicate motor vehicle or traffic offenses, whoever violates this 6459
section is guilty of a misdemeanor of the third degree. 6460

(2) Notwithstanding section 2929.28 of the Revised Code, upon 6461
a finding that a person operated a motor vehicle in violation of 6462
division (C) of this section, the court, in addition to all other 6463
penalties provided by law, shall impose a fine of two times the 6464
usual amount imposed for the violation. 6465

~~(E) As used in this section, "public safety vehicle" has the 6466
same meaning as in section 4511.01 of the Revised Code. 6467~~

Sec. 4513.03. (A) Every vehicle, other than a motorized 6468
bicycle, operated upon a street or highway within this state shall 6469

display lighted lights and illuminating devices as required by 6470
sections 4513.04 to 4513.37 of the Revised Code during all of the 6471
following times: 6472

(1) The time from sunset to sunrise, and at; 6473

(2) At any other time when there are, due to insufficient 6474
natural light or unfavorable atmospheric conditions or when there 6475
is not sufficient natural light to render discernible, 6476
persons, 6477
vehicles, and substantial objects on the highway are not 6477
discernible at a distance of one thousand feet ahead, shall 6478
display lighted lights and illuminating devices as required by 6479
sections 4513.04 to 4513.37 of the Revised Code, for different 6480
classes of vehicles; except that every; 6481

(3) At any time when the windshield wipers of the vehicle are 6482
in use because of precipitation on the windshield. 6483

Every motorized bicycle shall display at such times lighted 6484
lights meeting the rules adopted by the director of public safety 6485
under section 4511.521 of the Revised Code. No motor vehicle, 6486
during ~~such times~~ any time specified in this section, shall be 6487
operated upon a street or highway within this state using only 6488
parking lights as illumination. 6489

Whenever in such sections a requirement is declared as to the 6490
distance from which certain lamps and devices shall render objects 6491
visible, or within which such lamps or devices shall be visible, 6492
such distance shall be measured upon a straight level unlighted 6493
highway under normal atmospheric conditions unless a different 6494
condition is expressly stated. 6495

Whenever in such sections a requirement is declared as to the 6496
mounted height of lights or devices, it shall mean from the center 6497
of such light or device to the level ground upon which the vehicle 6498
stands. 6499

(B) Whoever violates this section shall be punished as 6500

provided in section 4513.99 of the Revised Code. 6501

Sec. 4513.263. (A) As used in this section and in section 6502
4513.99 of the Revised Code: 6503

(1) "Automobile" means any commercial tractor, passenger car, 6504
commercial car, or truck that is required to be factory-equipped 6505
with an occupant restraining device for the operator or any 6506
passenger by regulations adopted by the United States secretary of 6507
transportation pursuant to the "National Traffic and Motor Vehicle 6508
Safety Act of 1966," 80 Stat. 719, 15 U.S.C.A. 1392. 6509

(2) "Occupant restraining device" means a seat safety belt, 6510
shoulder belt, harness, or other safety device for restraining a 6511
person who is an operator of or passenger in an automobile and 6512
that satisfies the minimum federal vehicle safety standards 6513
established by the United States department of transportation. 6514

(3) "Passenger" means any person in an automobile, other than 6515
a child and other than its operator, who is occupying a seating 6516
position ~~for which an occupant restraining device is provided.~~ 6517

(4) "Child" means any person under the age of sixteen years 6518
who is occupying a seating position. 6519

(5) "Seating position" means any motor vehicle interior 6520
space. 6521

(6) "Commercial tractor," "passenger car," and "commercial 6522
car" have the same meanings as in section 4501.01 of the Revised 6523
Code. 6524

~~(5)~~(7) "Vehicle" and "motor vehicle," as used in the 6525
definitions of the terms set forth in division (A)~~(4)~~(6) of this 6526
section, have the same meanings as in section 4511.01 of the 6527
Revised Code. 6528

~~(6)~~(8) "Tort action" means a civil action for damages for 6529
injury, death, or loss to person or property. "Tort action" 6530

includes a product liability claim, as defined in section 2307.71 6531
of the Revised Code, and an asbestos claim, as defined in section 6532
2307.91 of the Revised Code, but does not include a civil action 6533
for damages for breach of contract or another agreement between 6534
persons. 6535

(B) No person shall do any of the following: 6536

(1) Operate an automobile on any street or highway unless 6537
that person is wearing all of the available elements of a properly 6538
adjusted occupant restraining device, or operate a school bus that 6539
has an occupant restraining device installed for use in its 6540
operator's seat unless that person is wearing all of the available 6541
elements of the device, as properly adjusted; 6542

(2) Operate an automobile on any street or highway unless 6543
each passenger in the automobile ~~who is subject to occupying a~~ 6544
~~seating position in the requirement set forth in division (B)(3)~~ 6545
~~of this section~~ front seat area of the automobile is wearing all 6546
of the available elements of a properly adjusted occupant 6547
restraining device; 6548

(3) Operate an automobile on any street or highway unless 6549
each child occupying a seating position in the front seat area of 6550
an automobile is secured in a child restraint device, secured in a 6551
booster seat, or restrained either in accordance with the 6552
manufacturer's instructions in a child restraint system that meets 6553
federal motor vehicle safety standards or in an occupant 6554
restraining device. 6555

~~(4)~~ Occupy, as a passenger, a seating position ~~on~~ in the 6556
front seat area of an automobile being operated on any street or 6557
highway unless that person is wearing all of the available 6558
elements of a properly adjusted occupant restraining device; 6559

~~(4)~~(5) Operate a taxicab on any street or highway unless all 6560
factory-equipped occupant restraining devices in the taxicab are 6561

maintained in usable form. 6562

(C) Division (B)(3) of this section ~~does not apply~~ applies to 6563
~~a person who is required by~~ any child occupying a seating position 6564
in the front seat area of an automobile, notwithstanding any 6565
provision of law to the contrary, including section 4511.81 of the 6566
Revised Code ~~to be secured in a child restraint device or booster~~ 6567
~~seat~~. Division (B)(1) of this section does not apply to a person 6568
who is an employee of the United States postal service or of a 6569
newspaper home delivery service, during any period in which the 6570
person is engaged in the operation of an automobile to deliver 6571
mail or newspapers to addressees. Divisions (B)(1) and ~~(3)~~(4) of 6572
this section do not apply to a person who has an affidavit signed 6573
by a physician licensed to practice in this state under Chapter 6574
4731. of the Revised Code or a chiropractor licensed to practice 6575
in this state under Chapter 4734. of the Revised Code that states 6576
that the person has a physical impairment that makes use of an 6577
occupant restraining device impossible or impractical. 6578

(D) ~~Notwithstanding any provision of law to the contrary, no~~ 6579
A law enforcement officer shall may cause an the operator of an 6580
automobile being operated on any street or highway to stop the 6581
automobile ~~for solely because the sole purpose of determining~~ 6582
whether officer observes that a violation of division (B) of this 6583
section has been or is being committed ~~or for the sole purpose of~~ 6584
~~issuing a ticket, citation, or summons for a violation of that~~ 6585
~~nature or causing the arrest of or commencing a prosecution of a~~ 6586
~~person for a violation of that nature, and no law enforcement~~ 6587
~~officer shall view the interior or visually inspect any automobile~~ 6588
~~being operated on any street or highway for the sole purpose of~~ 6589
~~determining whether a~~ in the same manner as any other motor 6590
vehicle traffic violation of that nature has been or is being 6591
committed. A stop of an automobile by a law enforcement officer 6592
for a violation of division (B) of this section does not by itself 6593

constitute probable cause to conduct a search of the automobile. 6594

(E) All fines collected for violations of division (B) of 6595
this section, or for violations of any ordinance or resolution of 6596
a political subdivision that is substantively comparable to that 6597
division, shall be forwarded to the treasurer of state for deposit 6598
as follows: 6599

(1) Eight per cent shall be deposited into the seat belt 6600
education fund, which is hereby created in the state treasury, and 6601
shall be used by the department of public safety to establish a 6602
seat belt education program. 6603

(2) Eight per cent shall be deposited into the elementary 6604
school program fund, which is hereby created in the state 6605
treasury, and shall be used by the department of public safety to 6606
establish and administer elementary school programs that encourage 6607
seat safety belt use. 6608

(3) Two per cent shall be deposited into the occupational 6609
licensing and regulatory fund created by section 4743.05 of the 6610
Revised Code. 6611

(4) Twenty-eight per cent, plus one dollar and twenty-five 6612
cents of each fee collected under sections 4501.34, 4503.26, 6613
4506.08, and 4509.05, plus on and after October 1, 2009, one 6614
dollar and twenty-five cents of each fee collected under sections 6615
1548.14, 4505.14, and 4519.63 of the Revised Code as specified in 6616
those sections, shall be deposited into the trauma and emergency 6617
medical services fund, which is hereby created in the state 6618
treasury, and shall be used by the department of public safety for 6619
the administration of the division of emergency medical services 6620
and the state board of emergency medical services, except that the 6621
director of budget and management may transfer excess money from 6622
the trauma and emergency medical services fund to the state 6623
highway safety fund if the director of public safety determines 6624

that the amount of money in the trauma and emergency medical 6625
services fund exceeds the amount required to cover such costs 6626
incurred by the emergency medical services agency and requests the 6627
director of budget and management to make the transfer. 6628

(5) Fifty-four per cent shall be deposited into the trauma 6629
and emergency medical services grants fund, which is hereby 6630
created in the state treasury, and shall be used by the state 6631
board of emergency medical services to make grants, in accordance 6632
with section 4765.07 of the Revised Code and rules the board 6633
adopts under section 4765.11 of the Revised Code. 6634

(F)(1) Subject to division (F)(2) of this section, the 6635
failure of a person to wear all of the available elements of a 6636
properly adjusted occupant restraining device in violation of 6637
division (B)(1) or ~~(3)~~(4) of this section or the failure of a 6638
person to ensure that each minor who is a passenger of an 6639
automobile being operated by that person is wearing all of the 6640
available elements of a properly adjusted occupant restraining 6641
device in violation of division (B)(2) of this section shall not 6642
be considered or used by the trier of fact in a tort action as 6643
evidence of negligence or contributory negligence. But, the trier 6644
of fact may determine based on evidence admitted consistent with 6645
the Ohio Rules of Evidence that the failure contributed to the 6646
harm alleged in the tort action and may diminish a recovery of 6647
compensatory damages that represents noneconomic loss, as defined 6648
in section 2307.011 of the Revised Code, in a tort action that 6649
could have been recovered but for the plaintiff's failure to wear 6650
all of the available elements of a properly adjusted occupant 6651
restraining device. Evidence of that failure shall not be used as 6652
a basis for a criminal prosecution of the person other than a 6653
prosecution for a violation of this section; and shall not be 6654
admissible as evidence in a criminal action involving the person 6655
other than a prosecution for a violation of this section. 6656

(2) If, at the time of an accident involving a passenger car 6657
equipped with occupant restraining devices, any occupant of the 6658
passenger car who sustained injury or death was not wearing an 6659
available occupant restraining device, was not wearing all of the 6660
available elements of such a device, or was not wearing such a 6661
device as properly adjusted, then, consistent with the Rules of 6662
Evidence, the fact that the occupant was not wearing the available 6663
occupant restraining device, was not wearing all of the available 6664
elements of such a device, or was not wearing such a device as 6665
properly adjusted is admissible in evidence in relation to any 6666
claim for relief in a tort action to the extent that the claim for 6667
relief satisfies all of the following: 6668

(a) It seeks to recover damages for injury or death to the 6669
occupant. 6670

(b) The defendant in question is the manufacturer, designer, 6671
distributor, or seller of the passenger car. 6672

(c) The claim for relief against the defendant in question is 6673
that the injury or death sustained by the occupant was enhanced or 6674
aggravated by some design defect in the passenger car or that the 6675
passenger car was not crashworthy. 6676

(G)(1) Whoever violates division (B)(1), (2), or (4) of this 6677
section shall be fined thirty dollars. 6678

(2) Whoever violates division (B)(3) of this section is 6679
guilty of a minor misdemeanor and shall be fined ~~twenty~~ not less 6680
than twenty-five dollars. If the offender previously has been 6681
convicted of or pleaded guilty to a violation of division (B)(3) 6682
of this section, section 4511.81 of the Revised Code, or a 6683
municipal ordinance that is substantially similar to that division 6684
or section, the offender is guilty of a misdemeanor of the fourth 6685
degree. 6686

(3) Except as otherwise provided in this division, whoever 6687

violates division (B)~~(4)~~(5) of this section is guilty of a minor 6688
misdemeanor. If the offender previously has been convicted of or 6689
pleaded guilty to a violation of division (B)~~(4)~~(5) of this 6690
section, whoever violates division (B)~~(4)~~(5) of this section is 6691
guilty of a misdemeanor of the third degree. 6692

Sec. 4519.02. (A) Except as provided in divisions (B), (C), 6693
and (D) of this section, no person shall operate any snowmobile, 6694
off-highway motorcycle, or all-purpose vehicle within this state 6695
unless the snowmobile, off-highway motorcycle, or all-purpose 6696
vehicle is registered and numbered in accordance with sections 6697
4519.03 and 4519.04 of the Revised Code. 6698

(B)(1) No registration is required for a snowmobile, or 6699
off-highway motorcycle, ~~or all-purpose vehicle~~ that is operated 6700
exclusively upon lands owned by the owner of the snowmobile, or 6701
off-highway motorcycle, ~~or all-purpose vehicle~~, or on lands to 6702
which the owner of the snowmobile or off-highway motorcycle has a 6703
contractual right. 6704

(2) No registration is required for an all-purpose vehicle 6705
that is used primarily on a farm as a farm implement. 6706

(C) No registration is required for a snowmobile, off-highway 6707
motorcycle, or all-purpose vehicle owned and used in this state by 6708
a resident of another state whenever that state has in effect a 6709
registration law similar to this chapter and the snowmobile, 6710
off-highway motorcycle, or all-purpose vehicle is properly 6711
registered under that state's law. Any snowmobile, off-highway 6712
motorcycle, or all-purpose vehicle owned and used in this state by 6713
a resident of a state not having a registration law similar to 6714
this chapter shall comply with section 4519.09 of the Revised 6715
Code. 6716

(D) No registration is required for a snowmobile, off-highway 6717
motorcycle, or all-purpose vehicle owned and used in this state by 6718

the United States, another state, or a political subdivision 6719
thereof, but the snowmobile, off-highway motorcycle, or 6720
all-purpose vehicle shall display the name of the owner thereon. 6721

(E) The owner or operator of any all-purpose vehicle operated 6722
or used upon the waters in this state shall comply with Chapters 6723
1547. and 1548. of the Revised Code relative to the operation of 6724
watercraft. 6725

(F) Except as otherwise provided in this division, whoever 6726
violates division (A) of this section shall be fined not ~~more~~ less 6727
than ~~twenty five~~ fifty dollars but not more than one hundred 6728
dollars. ~~If the offender previously has been convicted of or~~ 6729
~~pleaded guilty to a violation of division (A) of this section,~~ 6730
~~whoever violates division (A) of this section shall be fined not~~ 6731
~~less than twenty five nor more than fifty dollars.~~ 6732

Sec. 4519.03. (A) The owner of every snowmobile, off-highway 6733
motorcycle, and all-purpose vehicle required to be registered 6734
under section 4519.02 of the Revised Code shall file an 6735
application for registration with the registrar of motor vehicles 6736
or a deputy registrar, on blanks furnished by the registrar for 6737
that purpose and containing all of the following information: 6738

(1) A brief description of the snowmobile, off-highway 6739
motorcycle, or all-purpose vehicle, including the year, make, 6740
model, and the vehicle identification number; 6741

(2) The name, residence, and business address of the owner; 6742

(3) A statement that the snowmobile, off-highway motorcycle, 6743
or all-purpose vehicle is equipped as required by section 4519.20 6744
of the Revised Code and any rule adopted under that section. The 6745
statement shall include a check list of the required equipment 6746
items in the form the registrar shall prescribe. 6747

The application shall be signed by the owner of the 6748

snowmobile, off-highway motorcycle, or all-purpose vehicle and 6749
shall be accompanied by a fee as provided in division (C) of 6750
section 4519.04 of the Revised Code. 6751

If the application is not in proper form, or if the vehicle 6752
for which registration is sought does not appear to be equipped as 6753
required by section 4519.20 of the Revised Code or any rule 6754
adopted under that section, the registration shall be refused, and 6755
no registration sticker, license plate, or validation sticker 6756
shall be issued. 6757

(B) On and after July 1, 1999, no certificate of registration 6758
or renewal of a certificate of registration shall be issued for an 6759
off-highway motorcycle or all-purpose vehicle required to be 6760
registered under section 4519.02 of the Revised Code, and no 6761
certificate of registration issued under this chapter for an 6762
off-highway motorcycle or all-purpose vehicle that is sold or 6763
otherwise transferred shall be transferred to the new owner of the 6764
off-highway motorcycle or all-purpose vehicle as permitted by 6765
division (B) of section 4519.05 of the Revised Code, unless a 6766
certificate of title has been issued under this chapter for the 6767
motorcycle or vehicle, and the owner or new owner, as the case may 6768
be, presents a physical certificate of title or memorandum 6769
certificate of title for inspection at the time the owner or new 6770
owner first submits a registration application, registration 6771
renewal application, or registration transfer application for the 6772
motorcycle or vehicle on or after July 1, 1999, if a physical 6773
certificate of title or memorandum certificate has been issued by 6774
a clerk of a court of common pleas. If, under sections 4519.512 6775
and 4519.58 of the Revised Code, a clerk instead has issued an 6776
electronic certificate of title for the applicant's off-highway 6777
motorcycle or all-purpose vehicle, that certificate may be 6778
presented for inspection at the time of first registration in a 6779
manner prescribed by rules adopted by the registrar. 6780

(C) When the owner of an off-highway motorcycle or 6781
all-purpose vehicle first registers it in the owner's name, and a 6782
certificate of title has been issued for the motorcycle or 6783
vehicle, the owner shall present for inspection a physical 6784
certificate of title or memorandum certificate of title showing 6785
title to the off-highway motorcycle or all-purpose vehicle in the 6786
name of the owner if a physical certificate of title or memorandum 6787
certificate has been issued by a clerk of a court of common pleas. 6788
If, under sections 4519.512 and 4519.58 of the Revised Code, a 6789
clerk instead has issued an electronic certificate of title for 6790
the applicant's off-highway motorcycle or all-purpose vehicle, 6791
that certificate may be presented for inspection at the time of 6792
first registration in a manner prescribed by rules adopted by the 6793
registrar. If, when the owner of such an off-highway motorcycle or 6794
all-purpose vehicle first makes application to register it in the 6795
owner's name, the application is not in proper form or the 6796
certificate of title or memorandum certificate of title does not 6797
accompany the registration or, in the case of an electronic 6798
certificate of title, is not presented in a manner prescribed by 6799
the registrar, the registration shall be refused, and neither a 6800
certificate of registration nor a registration sticker, license 6801
plate, or validation sticker shall be issued. When a certificate 6802
of registration and registration sticker, license plate, or 6803
validation sticker are issued upon the first registration of an 6804
off-highway motorcycle or all-purpose vehicle by or on behalf of 6805
the owner, the official issuing them shall indicate the issuance 6806
with a stamp on the certificate of title or memorandum certificate 6807
of title or, in the case of an electronic certificate of title, an 6808
electronic stamp or other notation as specified in rules adopted 6809
by the registrar. 6810

(D) Each deputy registrar shall be allowed a fee of ~~two~~ 6811
~~dollars and seventy five cents commencing on July 1, 2001, three~~ 6812
~~dollars and twenty five cents commencing on January 1, 2003, and~~ 6813

three dollars and fifty cents ~~commencing on January 1, 2004,~~ for 6814
each application or renewal application received by the deputy 6815
registrar, which shall be for the purpose of compensating the 6816
deputy registrar for services, and office and rental expense, as 6817
may be necessary for the proper discharge of the deputy 6818
registrar's duties in the receiving of applications and the 6819
issuing of certificates of registration. 6820

Each deputy registrar, upon receipt of any application for 6821
registration, together with the registration fee, shall transmit 6822
the fee, together with the original and duplicate copy of the 6823
application, to the registrar in the manner and at the times the 6824
registrar, subject to the approval of the director of public 6825
safety and the treasurer of state, shall prescribe by rule. 6826

Sec. 4519.04. (A) Upon the filing of an application for 6827
registration of a snowmobile, off-highway motorcycle, or 6828
all-purpose vehicle and the payment of the tax therefor, the 6829
registrar of motor vehicles or a deputy registrar shall assign to 6830
the snowmobile, off-highway motorcycle, or all-purpose vehicle a 6831
distinctive number and issue and deliver to the owner in such 6832
manner as the registrar may select, a certificate of registration, 6833
in such form as the registrar shall prescribe. Any number so 6834
assigned to a snowmobile, off-highway motorcycle, or all-purpose 6835
vehicle shall be a permanent number, and shall not be issued to 6836
any other snowmobile, off-highway motorcycle, or all-purpose 6837
vehicle. 6838

(B)(1) In addition to the certificate of registration, the 6839
registrar or deputy registrar also shall issue to the owner of ~~the~~ 6840
~~a snowmobile, or~~ off-highway motorcycle, ~~or all-purpose vehicle~~ a 6841
registration sticker. The registrar shall prescribe the color and 6842
size of the sticker, the combination of numerals and letters 6843
displayed on it, and placement of the sticker on the snowmobile, 6844

or off-highway motorcycle, or all-purpose vehicle. 6845

(B) Upon receipt of a certificate of registration for a 6846
snowmobile, the owner shall paint or otherwise attach upon each 6847
side of the forward cowling of the snowmobile the identifying 6848
registration number, in block characters of not less than two 6849
inches in height and of such color as to be distinctly visible and 6850
legible. 6851

(2) The registrar or deputy registrar also shall issue to the 6852
owner of an all-purpose vehicle, in addition to the certificate of 6853
registration, one license plate and a validation sticker, or a 6854
validation sticker alone when applicable upon a registration 6855
renewal. The license plate and validation sticker shall be 6856
displayed on the all-purpose vehicle so that they are distinctly 6857
visible, in accordance with such rules as the registrar adopts. 6858
The validation sticker shall indicate the expiration date of the 6859
registration period of the all-purpose vehicle. During each 6860
succeeding registration period following the issuance of the 6861
license plate and validation sticker, upon the filing of an 6862
application for registration and payment of the fee specified in 6863
division (C) of this section, a validation sticker alone shall be 6864
issued. 6865

(C) Unless previously canceled, each certificate of 6866
registration issued for a snowmobile, off-highway motorcycle, or 6867
all-purpose vehicle expires upon the thirty-first day of December 6868
in the third year after the date it is issued. Application for 6869
renewal of a certificate may be made not earlier than ninety days 6870
preceding the expiration date, and shall be accompanied by a fee 6871
of ~~five~~ thirty-one dollars and twenty-five cents. 6872

Notwithstanding section 4519.11 of the Revised Code, of each 6873
thirty-one dollar and twenty-five-cent fee collected for the 6874
registration of an all-purpose vehicle, the registrar shall retain 6875
not more than five dollars to pay for the licensing and 6876

registration costs the bureau of motor vehicles incurs in 6877
registering the all-purpose vehicle. The remainder of the fee 6878
shall be deposited into the state treasury to the credit of the 6879
state recreational vehicle fund created by section 4519.11 of the 6880
Revised Code. 6881

Sec. 4519.08. Any snowmobile, off-highway motorcycle, or 6882
all-purpose vehicle owned or leased by the state, by any of its 6883
political subdivisions, or by any volunteer organization that uses 6884
such vehicles exclusively for emergency purposes shall be 6885
registered free of charge. The registration number and 6886
registration sticker assigned to each such snowmobile, or 6887
off-highway motorcycle, ~~or~~ and the license plate and validation 6888
sticker assigned to such an all-purpose vehicle, shall be 6889
displayed as required by section 4519.04 of the Revised Code. 6890

Sec. 4519.09. Every owner or operator of a snowmobile, 6891
off-highway motorcycle, or all-purpose vehicle who is a resident 6892
of a state not having a registration law similar to this chapter, 6893
and who expects to use the snowmobile, off-highway motorcycle, or 6894
all-purpose vehicle in Ohio, shall apply to the registrar of motor 6895
vehicles or a deputy registrar for a temporary operating permit. 6896
The temporary operating permit shall be issued for a period not to 6897
exceed ~~fifteen days~~ one year from the date of issuance, shall be 6898
in such form as the registrar determines, shall include the name 6899
and address of the owner and operator of the snowmobile, 6900
off-highway motorcycle, or all-purpose vehicle, and any other 6901
information as the registrar considers necessary, and shall be 6902
issued upon payment of a fee of ~~five~~ eleven dollars and 6903
twenty-five cents. Every owner or operator receiving a temporary 6904
operating permit shall display it upon the reasonable request of 6905
any law enforcement officer or other person as authorized by 6906
sections 4519.42 and 4519.43 of the Revised Code. 6907

Sec. 4519.10. (A) The purchaser of an off-highway motorcycle 6908
or all-purpose vehicle, upon application and proof of purchase, 6909
may obtain a temporary license placard for it. The application for 6910
such a placard shall be signed by the purchaser of the off-highway 6911
motorcycle or all-purpose vehicle. The temporary license placard 6912
shall be issued only for the applicant's use of the off-highway 6913
motorcycle or all-purpose vehicle to enable the applicant to 6914
operate it legally while proper title and a registration sticker 6915
or license plate and validation sticker are being obtained and 6916
shall be displayed on no other off-highway motorcycle or 6917
all-purpose vehicle. A temporary license placard issued under this 6918
section shall be in a form prescribed by the registrar of motor 6919
vehicles, shall differ in some distinctive manner from a placard 6920
issued under section 4503.182 of the Revised Code, shall be valid 6921
for a period of thirty days from the date of issuance, and shall 6922
not be transferable or renewable. The placard either shall consist 6923
of or be coated with such material as will enable it to remain 6924
legible and relatively intact despite the environmental conditions 6925
to which the placard is likely to be exposed during the thirty-day 6926
period for which it is valid. The purchaser of an off-highway 6927
motorcycle or all-purpose vehicle shall attach the temporary 6928
license placard to it, in a manner prescribed by rules the 6929
registrar shall adopt, so that the placard numerals or letters are 6930
clearly visible. 6931

The fee for a temporary license placard issued under this 6932
section shall be two dollars. If the placard is issued by a deputy 6933
registrar, the deputy registrar shall charge an additional fee of 6934
~~two dollars and seventy five cents commencing on July 1, 2001,~~ 6935
~~three dollars and twenty five cents commencing on January 1, 2003,~~ 6936
and three dollars and fifty cents commencing on January 1, 2004, 6937
which the deputy registrar shall retain. The deputy registrar 6938
shall transmit each two-dollar fee received by the deputy 6939

registrar under this section to the registrar, who shall pay the 6940
two dollars to the treasurer of state for deposit into the state 6941
bureau of motor vehicles fund established by section 4501.25 of 6942
the Revised Code. 6943

(B) The registrar may issue temporary license placards to a 6944
dealer to be issued to purchasers for use on vehicles sold by the 6945
dealer, in accordance with rules prescribed by the registrar. The 6946
dealer shall notify the registrar within forty-eight hours of 6947
proof of issuance on a form prescribed by the registrar. 6948

The fee for each such placard issued by the registrar to a 6949
dealer shall be two dollars plus a fee of ~~two dollars and~~ 6950
~~seventy five cents commencing on July 1, 2001, three dollars and~~ 6951
~~twenty five cents commencing on January 1, 2003, and three dollars~~ 6952
and fifty cents ~~commencing on January 1, 2004.~~ 6953

Sec. 4519.44. (A) No person who does not hold a valid, 6954
current motor vehicle driver's or commercial driver's license, 6955
motorcycle operator's endorsement, or probationary license, issued 6956
under Chapter 4506. or 4507. of the Revised Code or a valid, 6957
current driver's license issued by another jurisdiction, shall 6958
operate a snowmobile, off-highway motorcycle, or all-purpose 6959
vehicle on any street or highway in this state, on any portion of 6960
the right-of-way thereof, or on any public land or waters. 6961

(B) No person who is less than sixteen years of age shall 6962
operate a snowmobile, off-highway motorcycle, or all-purpose 6963
vehicle on any land or waters other than private property or 6964
waters owned by or leased to the person's parent or guardian, 6965
unless accompanied by another person who is eighteen years of age, 6966
or older, and who holds a license as provided in division (A) of 6967
this section, except that the department of natural resources may 6968
permit such operation on state controlled land under its 6969
jurisdiction when such person is less than sixteen years of age, 6970

but is twelve years of age or older and is accompanied by a parent 6971
or guardian who is a licensed driver eighteen years of age or 6972
older. 6973

(C) Whoever violates this section shall be fined not less 6974
than fifty nor more than five hundred dollars, imprisoned not less 6975
than three nor more than thirty days, or both. 6976

Sec. 4519.47. (A) Whenever a person is found guilty of 6977
operating a snowmobile, off-highway motorcycle, or all-purpose 6978
vehicle in violation of any rule authorized to be adopted under 6979
section 4519.21 or 4519.42 of the Revised Code, the trial judge of 6980
any court of record, in addition to or independent of any other 6981
penalties provided by law, may impound for not less than sixty 6982
days the certificate of registration and license plate, if 6983
applicable, of that snowmobile, off-highway motorcycle, or 6984
all-purpose vehicle. The court shall send the impounded 6985
certificate of registration and license plate, if applicable, to 6986
the registrar of motor vehicles, who shall retain the certificate 6987
of registration and license plate, if applicable, until the 6988
expiration of the period of impoundment. 6989

(B) If a court impounds the certificate of registration and 6990
license plate of an all-purpose vehicle pursuant to section 6991
2911.21 of the Revised Code, the court shall send the impounded 6992
certificate of registration and license plate to the registrar, 6993
who shall retain them until the expiration of the period of 6994
impoundment. 6995

Sec. 4519.59. (A)(1) The clerk of a court of common pleas 6996
shall charge a fee of five and retain fees as follows: 6997

(a) Fifteen dollars for each certificate of title, or 6998
duplicate certificate of title, including the issuance of a 6999
memorandum certificate of title, authorization to print a 7000

non-negotiable evidence of ownership described in division (D) of 7001
section 4519.58 of the Revised Code, non-negotiable evidence of 7002
ownership printed by the clerk under division (E) of that section, 7003
and notation of any lien on a certificate of title that is applied 7004
for at the same time as the certificate of title. The clerk shall 7005
retain ~~two~~ eleven dollars and ~~twenty-five~~ fifty cents of the that 7006
fee charged for each certificate of title, four dollars and 7007
seventy-five cents of the fee charged for each duplicate 7008
certificate of title, all of the fees charged for each memorandum 7009
certificate, authorization to print a non negotiable evidence of 7010
ownership, or non negotiable evidence of ownership printed by the 7011
clerk, and four dollars and twenty-five cents of the fee charged 7012
for each notation of a lien. 7013

(b) Five dollars for each certificate of title with no 7014
security interest noted that is issued to a licensed motor vehicle 7015
dealer for resale purposes. The clerk shall retain two dollars and 7016
twenty-five cents of that fee. 7017

(c) Five dollars for each memorandum certificate of title or 7018
non-negotiable evidence of ownership that is applied for 7019
separately. The clerk shall retain that entire fee. 7020

(2) The remaining two dollars and seventy-five cents charged 7021
for the certificate of title, the remaining twenty-five cents 7022
charged for the duplicate certificate of title, and the remaining 7023
seventy-five cents charged for the notation of any lien on a 7024
certificate of title fees that are not retained by the clerk shall 7025
be paid to the registrar of motor vehicles by monthly returns, 7026
which shall be forwarded to the registrar not later than the fifth 7027
day of the month next succeeding that in which the certificate is 7028
forwarded or that in which the registrar is notified of a lien or 7029
cancellation of a lien. 7030

(B)(1) The registrar shall pay twenty-five cents of the 7031
amount received for each certificate of title ~~and all of the~~ 7032

~~amounts received for each notation of any lien and each duplicate~~ 7033
~~certificate that is issued to a motor vehicle dealer for resale~~ 7034
~~and one dollar for all other certificates of title issued~~ into the 7035
state bureau of motor vehicles fund established in section 4501.25 7036
of the Revised Code. 7037

(2) Fifty cents of the amount received for each certificate 7038
of title shall be paid by the registrar as follows: 7039

(a) Four cents shall be paid into the state treasury to the 7040
credit of the motor vehicle dealers board fund created in section 7041
4505.09 of the Revised Code, for use as described in division 7042
(B)(2)(a) of that section. 7043

(b) Twenty-one cents shall be paid into the highway operating 7044
fund. 7045

(c) Twenty-five cents shall be paid into the state treasury 7046
to the credit of the motor vehicle sales audit fund created in 7047
section 4505.09 of the Revised Code, for use as described in 7048
division (B)(2)(c) of that section. 7049

(3) Two dollars of the amount received by the registrar for 7050
each certificate of title shall be paid into the state treasury to 7051
the credit of the automated title processing fund created in 7052
section 4505.09 of the Revised Code, for use as described in 7053
divisions (B)(3)(a) and (c) of that section. 7054

Sec. 4519.63. (A) The registrar of motor vehicles or the 7055
clerk of the court of common pleas, upon the application of any 7056
person and payment of the proper ~~fees~~ fee, may prepare and furnish 7057
title information regarding off-highway motorcycles and 7058
all-purpose vehicles in the form and subject to any territorial 7059
division or other classification as they may direct. The registrar 7060
or the clerk may search the records of the bureau of motor 7061
vehicles ~~and the clerk~~ regarding off-highway motorcycles and 7062

all-purpose vehicles and ~~make~~ furnish reports thereof, ~~and make~~ 7063
~~copies of their title information and attestations thereof~~ those 7064
records under the signature of the registrar or the clerk. 7065

(B)(1) Fees therefor for lists containing title information 7066
shall be charged and collected as follows: 7067

~~(A)~~(a) For lists containing three thousand titles or more, 7068
twenty-five dollars per thousand or part thereof; 7069

~~(B)~~(b) For ~~searches~~ each report of a search of the records 7070
~~and written reports thereof, two dollars for each name, number, or~~ 7071
~~fact searched or reported on;~~ 7072

~~(C) For copies of records and attestations thereof, two~~ 7073
dollars per copy except that on and after October 1, 2009, the fee 7074
shall be eight dollars per copy. The registrar and clerk may 7075
certify copies of records generated by an automated title 7076
processing system. 7077

~~Such copies~~ (2) A copy of any such report shall be taken as 7078
prima-facie evidence of the facts therein stated in any court of 7079
the state. The registrar and the clerk shall furnish information 7080
on any title without charge to state highway patrol troopers, 7081
sheriffs, chiefs of police, or the attorney general. The clerk 7082
also may provide a copy of a certificate of title to a public 7083
agency without charge. 7084

(C)(1) Those fees collected by the registrar as provided in 7085
division (B)(1)(a) of this section shall be paid to the treasurer 7086
of state to the credit of the state bureau of motor vehicles fund 7087
established in section 4501.25 of the Revised Code. Those fees 7088
collected by the clerk as provided in division (B)(1)(a) of this 7089
section shall be paid to the certificate of title administration 7090
fund created by section 325.33 of the Revised Code. 7091

(2) Prior to October 1, 2009, the registrar shall pay those 7092
fees the registrar collects under division (B)(1)(b) of this 7093

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

(3) On and after October 1, 2009, the registrar shall pay two dollars of each fee the registrar collects under division (B)(1)(b) of this section into the state treasury to the credit of the state bureau of motor vehicles fund established in section 4501.25 of the Revised Code. Of the remaining six dollars of each such fee the registrar collects, the registrar shall deposit one dollar and twenty-five cents into the state treasury to the credit of the trauma and emergency medical services fund established in section 4513.263 of the Revised Code, one dollar and twenty-five cents into the state treasury to the credit of the homeland security fund established under section 5502.03 of the Revised Code, seventy-five cents into the state treasury to the credit of the investigations fund established in section 5502.131 of the Revised Code, two dollars and twenty-five cents into the state treasury to the credit of the emergency management agency service and reimbursement fund established in section 5502.39 of the Revised Code, and fifty cents into the state treasury to the credit of the justice program services fund established in section 5502.67 of the Revised Code.

(4) On and after October 1, 2009, the clerk of the court of common pleas shall retain two dollars of each fee the clerk collects under division (B)(1)(b) of this section and deposit that two dollars into the certificate of title administration fund created by section 325.33 of the Revised Code. The clerk shall forward the remaining six dollars to the registrar not later than the fifth day of the month next succeeding that in which the

transaction occurred. Of that remaining six dollars, the registrar 7126
shall deposit one dollar and twenty-five cents into the state 7127
treasury to the credit of the trauma and emergency medical 7128
services fund established in section 4513.263 of the Revised Code, 7129
one dollar and twenty-five cents into the state treasury to the 7130
credit of the homeland security fund established under section 7131
5502.03 of the Revised Code, seventy-five cents into the state 7132
treasury to the credit of the investigations fund established in 7133
section 5502.131 of the Revised Code, two dollars and twenty-five 7134
cents into the state treasury to the credit of the emergency 7135
management agency service and reimbursement fund established in 7136
section 5502.39 of the Revised Code, and fifty cents into the 7137
state treasury to the credit of the justice program services fund 7138
established in section 5502.67 of the Revised Code. 7139

Sec. 4561.17. (A) To provide revenue for administering 7140
sections 4561.17 to 4561.22 of the Revised Code relative to the 7141
registration of aircraft, for the surveying of and the 7142
establishment, checking, maintenance, and repair of aviation air 7143
marking and of air navigation facilities, for the acquiring, 7144
maintaining, and repairing of equipment necessary for those 7145
purposes, and for the cost of creating and distributing Ohio 7146
aeronautical charts and Ohio airport and landing field 7147
directories, an annual license tax is hereby levied upon all 7148
aircraft based in this state for which an aircraft worthiness 7149
certificate issued by the federal aviation administration is in 7150
effect except the following: 7151

(1) Aircraft owned by the United States or any territory of 7152
the United States; 7153

(2) Aircraft owned by any foreign government; 7154

(3) Aircraft owned by any state or any political subdivision 7155
of a state; 7156

~~(4) Aircraft operated under a certificate of convenience and necessity issued by the civil aeronautics board or any successor to that board;~~ 7157
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~~(5)~~ Aircraft owned by aircraft manufacturers or aircraft engine manufacturers and operated only for purposes of testing, delivery, or demonstration; 7160
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~~(6)~~(5) Aircraft operated for hire over regularly scheduled routes within the state. 7163
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(B) The license tax this section requires shall be at the rates specified in section 4561.18 of the Revised Code, and shall be paid to and collected by the director of transportation at the time of making application as provided in that section. 7165
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Sec. 4561.18. (A) The owner of any aircraft that is based in this state and that is not of a type specified in divisions (A)(1) to ~~(6)~~(5) of section 4561.17 of the Revised Code, shall register that aircraft with the department of transportation pursuant to this section. 7169
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(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. 7174
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(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. 7180
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(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.

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

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

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

Sec. 4561.21. (A) The director of transportation shall 7218
deposit all aircraft transfer fees in the state treasury to the 7219
credit of the general fund. 7220

(B) The director shall deposit all aircraft license taxes and 7221
fines in the state treasury to the credit of the airport 7222
assistance fund, which is hereby created. Money in the fund shall 7223
be used for maintenance and capital improvements to publicly owned 7224
airports, and the director shall distribute the money to eligible 7225
recipients in accordance with such procedures, guidelines, and 7226
criteria as the director shall establish. 7227

Sec. 4981.02. (A) There is hereby created the Ohio rail 7228
development commission, as an independent agency of the state 7229
within the department of transportation, consisting of ~~six~~ seven 7230
members appointed by the governor with the advice and consent of 7231
the senate, two members of the Ohio senate, one of whom shall be 7232
appointed by and serve at the pleasure of the president of the 7233
senate and one of whom shall be appointed by and serve at the 7234
pleasure of the minority leader of the senate, two members of the 7235
Ohio house of representatives, one of whom shall be appointed by 7236
and serve at the pleasure of the speaker of the house of 7237
representatives and one of whom shall be appointed by and serve at 7238
the pleasure of the minority leader of the house of 7239
representatives, and two members representing the general public, 7240
one of whom shall be appointed by the president of the senate and 7241
one of whom shall be appointed by the speaker of the house of 7242
representatives. The director of transportation and the director 7243
of development, or their designees, shall be ex officio members of 7244
the commission. Of the members appointed by the governor, one 7245
shall serve as chairman of the commission, one shall represent the 7246
interests of a freight rail company, one shall represent the 7247
interests of passenger rail service, one shall have expertise in 7248

infrastructure financing, one shall represent the interests of 7249
organized labor, one shall represent the interests of 7250
manufacturers and have contracting responsibility for rail and 7251
nonrail freight transportation, and one shall represent the 7252
general public. All members shall be reimbursed for actual 7253
expenses incurred in the performance of their duties. The members 7254
of the commission from the Ohio senate and the Ohio house of 7255
representatives shall serve as nonvoting members. No more than 7256
four members of the ~~six~~ seven appointed to the commission by the 7257
governor shall be from the same political party. Each member of 7258
the commission shall be a resident of this state. 7259

(B) Within sixty days after the effective date of this 7260
amendment, the governor shall make initial appointments to the 7261
commission. Of the initial appointments made to the commission, 7262
three shall be for a term ending three years after the effective 7263
date of this amendment, and three shall be for a term ending six 7264
years after that date. Terms for all other appointments made to 7265
the commission shall be for six years. Vacancies shall be filled 7266
in the manner provided for original appointments. Any member 7267
appointed to fill a vacancy shall have the same qualifications as 7268
his predecessor. Each term shall end on the same day of the same 7269
month of the year as did the term which it succeeds. Each 7270
appointed member shall hold office from the date of his 7271
appointment until the end of the term for which he was appointed. 7272
Any member appointed to fill a vacancy before the expiration of 7273
the term for which his predecessor was appointed shall hold office 7274
for the remainder of that term. Any appointed member shall 7275
continue in office subsequent to the expiration date of his term 7276
until his successor takes office, or for a period of sixty days, 7277
whichever occurs first. All members shall be eligible for 7278
reappointment. 7279

(C) The commission may employ an executive director, who 7280

shall have appropriate experience as determined by the commission, 7281
and a secretary-treasurer and other employees that the commission 7282
considers appropriate. The commission may fix the compensation of 7283
the employees. 7284

(D) Six members of the commission shall constitute a quorum, 7285
and the affirmative vote of ~~five~~ six members shall be necessary 7286
for any action taken by the commission. No vacancy in the 7287
membership of the commission shall impair the rights of a quorum 7288
to exercise all the rights and perform all the duties of the 7289
commission. 7290

(E) All members of the commission are subject to Chapter 102. 7291
of the Revised Code. 7292

(F) The department of transportation may use all appropriate 7293
sources of revenue to assist the commission in developing and 7294
implementing rail service. 7295

(G) All public funds acquired by the commission shall be used 7296
for developing, implementing, and regulating rail service and not 7297
for operating rail service unless the general assembly 7298
specifically approves the expenditure of funds for operating rail 7299
service. 7300

Sec. 4981.40. In any overall programmatic environmental 7301
impact study or other comprehensive high-speed rail project 7302
development study, the department of transportation and the rail 7303
development commission shall include all federally designated 7304
high-speed rail corridors in Ohio and all passenger rail corridors 7305
in the Ohio hub study. 7306

The department of transportation and the rail development 7307
commission shall work with Amtrak to improve existing service 7308
between Toledo and Cleveland with a goal of creating optimum 7309
service to connect the planned Cleveland, Columbus, Dayton, and 7310

Cincinnati service. 7311

The department of transportation and the rail development 7312
commission shall examine the financial and economic feasibility of 7313
developing a passenger rail system between Toledo and Columbus, 7314
including necessary characteristics of a viable connection between 7315
the cities. 7316

Sec. 5501.03. (A) The department of transportation shall: 7317

(1) Exercise and perform such other duties, powers, and 7318
functions as are conferred by law on the director, the department, 7319
the assistant directors, the deputy directors, or on the divisions 7320
of the department; 7321

(2) Coordinate and develop, in cooperation with local, 7322
regional, state, and federal planning agencies and authorities, 7323
comprehensive and balanced state policy and planning to meet 7324
present and future needs for adequate transportation facilities in 7325
this state, including recommendations for adequate funding of the 7326
implementation of such planning; 7327

(3) Coordinate its activities with those of other appropriate 7328
state departments, public agencies, and authorities, and enter 7329
into any contracts with such departments, agencies, and 7330
authorities as may be necessary to carry out its duties, powers, 7331
and functions; 7332

(4) Cooperate with and assist the public utilities commission 7333
in the commission's administration of sections 4907.47 to 4907.476 7334
of the Revised Code, particularly with respect to the federal 7335
highway administration-;i 7336

(5) Cooperate with and assist the Ohio power siting board in 7337
the board's administration of Chapter 4906. of the Revised Code; 7338

(6) Give particular consideration to the development of 7339
policy and planning for public transportation facilities, and to 7340

the coordination of associated activities relating thereto, as 7341
prescribed under divisions (A)(2) and (3) of this section; 7342

~~(6)~~(7) Conduct, in cooperation with the Ohio legislative 7343
service commission, any studies or comparisons of state traffic 7344
laws and local traffic ordinances with model laws and ordinances 7345
that may be required to meet program standards adopted by the 7346
United States department of transportation pursuant to the 7347
"Highway Safety Act of 1966," 80 Stat. 731, U.S.C.A. 401; 7348

~~(7)~~(8) Prepare, print, distribute, and advertise books, maps, 7349
pamphlets, and other information that, in the judgment of the 7350
director, will inform the public and other governmental 7351
departments, agencies, and authorities as to the duties, powers, 7352
and functions of the department; 7353

~~(8)~~(9) In its research and development program, consider 7354
technologies for improving roadways, including construction 7355
techniques and materials to prolong project life, being used or 7356
developed by other states that have geographic, geologic, or 7357
climatic features similar to this state's, and collaborate with 7358
those states in that development. 7359

(B) Nothing contained in division (A)(1) of this section 7360
shall be held to in any manner affect, limit, restrict, or 7361
otherwise interfere with the exercise of powers relating to 7362
transportation facilities by appropriate agencies of the federal 7363
government, or by counties, municipal corporations, or other 7364
political subdivisions or special districts in this state 7365
authorized by law to exercise such powers. 7366

~~(B)~~(C) The department may use all appropriate sources of 7367
revenue to assist in the development and implementation of rail 7368
service as defined by division (C) of section 4981.01 of the 7369
Revised Code. 7370

~~(C)~~(D) The director of transportation may enter into 7371

contracts with public agencies including political subdivisions, 7372
other state agencies, boards, commissions, regional transit 7373
authorities, county transit boards, ~~and~~ port authorities, 7374
transportation innovation authorities, and any corporation 7375
organized under the laws of Ohio, to administer the design, 7376
qualification of bidders, competitive bid letting, construction 7377
inspection, and acceptance of any projects administered by the 7378
department, provided the administration of such projects is 7379
performed in accordance with all applicable state and federal laws 7380
and regulations with oversight by the department. 7381

Sec. 5501.311. (A) Notwithstanding sections 123.01 and 127.16 7382
of the Revised Code the director of transportation may lease or 7383
lease-purchase all or any part of a transportation facility to or 7384
from one or more persons, one or more governmental agencies, a 7385
transportation improvement district, transportation innovation 7386
authority, or any combination thereof, and, ~~in conjunction~~ 7387
~~therewith,~~ may grant leases, easements, or licenses for lands 7388
under the control of the department of transportation. The 7389
director may adopt rules necessary to give effect to this section. 7390
7391

(B) Plans and specifications for the construction of a 7392
transportation facility under a lease or lease-purchase agreement 7393
are subject to approval of the director and must meet or exceed 7394
all applicable standards of the department. 7395

(C) Any lease or lease-purchase agreement under which the 7396
department is the lessee shall be for a period not exceeding the 7397
then current two-year period for which appropriations have been 7398
made by the general assembly to the department, and such agreement 7399
may contain such other terms as the department and the other 7400
parties thereto agree, notwithstanding any other provision of law, 7401
including provisions that rental payments in amounts sufficient to 7402

pay bond service charges payable during the current two-year lease 7403
term shall be an absolute and unconditional obligation of the 7404
department independent of all other duties under the agreement 7405
without set-off or deduction or any other similar rights or 7406
defenses. Any such agreement may provide for renewal of the 7407
agreement at the end of each term for another term, not exceeding 7408
two years, provided that no renewal shall be effective until the 7409
effective date of an appropriation enacted by the general assembly 7410
from which the department may lawfully pay rentals under such 7411
agreement. Any such agreement may include, without limitation, any 7412
agreement by the department with respect to any costs of 7413
transportation facilities to be included prior to acquisition and 7414
construction of such transportation facilities. Any such agreement 7415
shall not constitute a debt or pledge of the faith and credit of 7416
the state, or of any political subdivision of the state, and the 7417
lessor shall have no right to have taxes or excises levied by the 7418
general assembly, or the taxing authority of any political 7419
subdivision of the state, for the payment of rentals thereunder. 7420
Any such agreement shall contain a statement to that effect. 7421

(D) A municipal corporation, township, or county may use 7422
service payments in lieu of taxes credited to special funds or 7423
accounts pursuant to sections 5709.43, 5709.75, and 5709.80 of the 7424
Revised Code to provide its contribution to the cost of a 7425
transportation facility, provided such facility was among the 7426
purposes for which such service payments were authorized. The 7427
contribution may be in the form of a lump sum or periodic 7428
payments. 7429

(E) Pursuant to ~~47 U.S.C. 332,~~ the "Telecommunications Act 7430
of ~~1966~~ 1996," 110 Stat. 152, 47 U.S.C. 332 note, the director may 7431
grant a lease, easement, or license in a transportation facility 7432
to a telecommunications service provider for construction, 7433
placement, or operation of a telecommunications facility. An 7434

interest granted under this ~~section~~ division is subject to all of 7435
the following conditions: 7436

(1) The transportation facility is owned in fee simple or 7437
easement by this state at the time the lease, easement, or license 7438
is granted to the telecommunications provider. 7439

(2) The lease, easement, or license shall be granted on a 7440
competitive basis in accordance with policies and procedures to be 7441
determined by the director. The policies and procedures may 7442
include provisions for master leases for multiple sites. 7443

(3) The telecommunications facility shall be designed to 7444
accommodate the state's multi-agency radio communication system, 7445
the intelligent transportation system, and the department's 7446
communication system as the director may determine is necessary 7447
for highway or other departmental purposes. 7448

(4) The telecommunications facility shall be designed to 7449
accommodate such additional telecommunications equipment as may 7450
feasibly be co-located thereon as determined in the discretion of 7451
the director. 7452

(5) The telecommunications service providers awarded the 7453
lease, easement, or license, agree to permit other 7454
telecommunications service providers to co-locate on the 7455
telecommunications facility, and agree to the terms and conditions 7456
of the co-location as determined in the discretion of the 7457
director. 7458

(6) The director shall require indemnity agreements in favor 7459
of the department as a condition of any lease, easement, or 7460
license granted under this division. Each indemnity agreement 7461
shall secure this state and its agents from liability for damages 7462
arising out of safety hazards, zoning, and any other matter of 7463
public interest the director considers necessary. 7464

(7) The telecommunications service provider fully complies 7465

with any permit issued under section 5515.01 of the Revised Code 7466
pertaining to land that is the subject of the lease, easement, or 7467
license. 7468

(8) All plans and specifications shall meet with the 7469
director's approval. 7470

(9) Any other conditions the director determines necessary. 7471

~~(F) Money received by the department under division (E) of 7472
this section shall be deposited to the credit of the highway 7473
operating fund. 7474~~

~~(G) In accordance with section 5501.031 of the Revised Code, 7475
to further efforts to promote energy conservation and energy 7476
efficiency, the director may grant a lease, easement, or license 7477
in a transportation facility to a utility service provider that 7478
has received its certificate from the Ohio power siting board or 7479
appropriate local entity for construction, placement, or operation 7480
of an alternative energy generating facility service provider as 7481
defined in section 4928.64 of the Revised Code. An interest 7482
granted under this division is subject to all of the following 7483
conditions: 7484~~

~~(1) The transportation facility is owned in fee simple or in 7485
easement by this state at the time the lease, easement, or license 7486
is granted to the utility service provider. 7487~~

~~(2) The lease, easement, or license shall be granted on a 7488
competitive basis in accordance with policies and procedures to be 7489
determined by the director. The policies and procedures may 7490
include provisions for master leases for multiple sites. 7491~~

~~(3) The alternative energy generating facility shall be 7492
designed to provide energy for the department's transportation 7493
facilities with the potential for selling excess power on the 7494
power grid, as the director may determine is necessary for highway 7495
or other departmental purposes. 7496~~

(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. 7497
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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. 7503
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(6) All plans and specifications shall meet with the director's approval. 7508
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(7) Any other conditions the director determines necessary. 7510

(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. 7511
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(H) A lease, easement, or license granted under division (E) or (F) of this section, and any telecommunications facility or alternative energy generating facility relating to such interest in a transportation facility, is hereby deemed to further the essential highway purpose of building and maintaining a safe, efficient energy-efficient, and accessible transportation system. 7514
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Sec. 5501.34. (A) If circumstances alter the highway requirements after the director of transportation has acquired property so that the real property or part of the real property is no longer required for highway purposes, the director, in the name of the state, may sell all the right, title, and interest of the state in any of the real property. After determining that a parcel of real property is no longer required for highway purposes, the 7520
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director shall have the parcel appraised by a department 7527
prequalified appraiser. The director may accept a survey or 7528
appraisal from an interested party, however, to facilitate the 7529
disposal of real property no longer required for highway purposes. 7530
Acceptance by the director of a survey or appraisal commissioned 7531
by an interested party does not convey upon that interested party 7532
any special right or standing relative to any other abutting 7533
landowner or member of the general public where the prospective 7534
sale of the real property is concerned. 7535

(B) Except as otherwise provided in this section, the 7536
director shall advertise the sale of real property that is no 7537
longer required for highway purposes in a newspaper of general 7538
circulation in the county in which the real property is situated 7539
for at least two consecutive weeks prior to the date set for the 7540
sale. The real property may be sold at public auction to the 7541
highest bidder for not less than two-thirds of its appraised 7542
value, but the director may reject all bids that are less than the 7543
full appraised value of the real property. However, if no sale has 7544
been effected after an effort to sell under this division, the 7545
director may set aside the appraisal, order a new appraisal, and, 7546
except as otherwise provided in this section, readvertise the 7547
property for sale. 7548

(C) If real property no longer required for highway purposes 7549
is appraised or reappraised as having a current fair market value 7550
of twenty thousand dollars or less, the director may sell the real 7551
property to the sole abutting owner through a private sale at a 7552
price not less than the appraised value. If there is more than one 7553
abutting owner, the director may invite all of the abutting owners 7554
to submit sealed bids and may sell the real property to the 7555
highest bidder at not less than its appraised value. 7556

(D) If real property no longer required for highway purposes 7557

is appraised or reappraised as having a fair market value of ~~two~~ 7558
five thousand dollars or less, and no sale has been effected after 7559
an effort to sell to the abutting owner or owners, the director 7560
may advertise the sale of the real property in accordance with 7561
division (B) of this section. The director may sell the land at 7562
public auction to the highest bidder without regard to its 7563
appraised value, but the director may reject all bids that are 7564
less than the full appraised value of the real property. 7565

(E) The department shall pay all expenses incurred in the 7566
sale of a parcel of real property out of the proceeds of the sale 7567
and shall deposit the balance of the proceeds in the highway fund 7568
used to acquire that parcel of real property. The department shall 7569
not reimburse any interested party for the cost of a survey or 7570
appraisal that the interested party commissions and the director 7571
accepts. 7572

(F) Upon a determination that real property previously 7573
acquired within a highway improvement project corridor no longer 7574
is needed for highway purposes, the director may offer the 7575
unneeded property to another landowner located within that 7576
project's corridor as full or partial consideration for other real 7577
property to be acquired from the landowner. If the landowner 7578
accepts the offer, the director shall convey the unneeded property 7579
directly to the landowner at the full fair market value determined 7580
by the department by appraisal. The director shall credit the 7581
value of the unneeded property against the acquisition price of 7582
the property being acquired by the department, and the landowner 7583
shall pay the department the difference if the value of the 7584
unneeded property exceeds the acquisition price of the property 7585
being acquired. 7586

(G) Conveyances of real property under this section shall be 7587
by a deed executed by the governor, bearing the great seal of the 7588
state, and in the form prescribed by the attorney general. The 7589

director shall keep a record of all conveyances of real property 7590
made under this section. This section applies to all real property 7591
acquired by the department, regardless of how or from whom the 7592
property was acquired. 7593

Sec. 5502.03. (A) There is hereby created in the department 7594
of public safety a division of homeland security. 7595

(B) The division shall do all of the following: 7596

(1) Coordinate all homeland security activities of all state 7597
agencies and be the liaison between state agencies and local 7598
entities for the purposes of communicating homeland security 7599
funding and policy initiatives; 7600

(2) Collect, analyze, maintain, and disseminate information 7601
to support local, state, and federal law enforcement agencies, 7602
other government agencies, and private organizations in detecting, 7603
deterring, preventing, preparing for, responding to, and 7604
recovering from threatened or actual terrorist events. This 7605
information is not a public record pursuant to section 149.43 of 7606
the Revised Code. 7607

(3) Coordinate efforts of state and local governments and 7608
private organizations to enhance the security and protection of 7609
critical infrastructure and key assets in this state; 7610

(4) Develop and coordinate policies, protocols, and 7611
strategies that may be used to prevent, detect, prepare for, 7612
respond to, and recover from terrorist acts or threats; 7613

(5) Develop, update, and coordinate the implementation of an 7614
Ohio homeland security strategic plan that will guide state and 7615
local governments in the achievement of homeland security in this 7616
state. 7617

(C) The director of public safety shall appoint an executive 7618
director, who shall be head of the division of homeland security 7619

and who regularly shall advise the governor and the director on 7620
matters pertaining to homeland security. The executive director 7621
shall serve at the pleasure of the director of public safety. To 7622
carry out the duties assigned under this section, the executive 7623
director, subject to the direction and control of the director of 7624
public safety, may appoint and maintain necessary staff and may 7625
enter into any necessary agreements. 7626

(D) Except as otherwise provided by law, nothing in this 7627
section shall be construed to give the director of public safety 7628
or the executive director of the division of homeland security 7629
authority over the incident management structure or 7630
responsibilities of local emergency response personnel. 7631

(E) There is hereby created in the state treasury the 7632
homeland security fund. The fund shall consist of one dollar and 7633
twenty-five cents of each fee collected under sections 4501.34, 7634
4503.26, 4506.08, and 4509.05 of the Revised Code as specified in 7635
those sections, plus on and after October 1, 2009, one dollar and 7636
twenty-five cents of each fee collected under sections 1548.14, 7637
4505.14, and 4519.63 of the Revised Code as specified in those 7638
sections. The fund shall be used to pay the expenses of 7639
administering the law relative to the powers and duties of the 7640
executive director of the division of homeland security, except 7641
that the director of budget and management may transfer excess 7642
money from the homeland security fund to the state highway safety 7643
fund if the director of public safety determines that the amount 7644
of money in the homeland security fund exceeds the amount required 7645
to cover such costs incurred by the division of homeland security 7646
and requests the director of budget and management to make the 7647
transfer. 7648

Sec. 5502.131. There is hereby created in the state treasury 7649
the investigations fund. The fund shall consist of seventy-five 7650

cents of each fee collected under sections 4501.34, 4503.26, 7651
4506.08, and 4509.05 of the Revised Code as specified in those 7652
sections, plus on and after October 1, 2009, seventy-five cents of 7653
each fee collected under sections 1548.14, 4505.14, and 4519.63 of 7654
the Revised Code as specified in those sections. The director of 7655
public safety shall use the money in the fund to pay the operating 7656
expenses of investigations, except that the director of budget and 7657
management may transfer excess money from the investigations fund 7658
to the state highway safety fund if the director of public safety 7659
determines that the amount of money in the investigations fund 7660
exceeds the amount required to cover investigative costs incurred 7661
by the investigative unit and requests the director of budget and 7662
management to make the transfer. 7663

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Sec. 5502.39. There is hereby created in the state treasury 7665
the emergency management agency service and reimbursement fund. 7666
The fund shall consist of two dollars and twenty-five cents of 7667
each fee collected under sections 4501.34, 4503.26, 4506.08, and 7668
4509.05 of the Revised Code as specified in those sections, plus 7669
on and after October 1, 2009, two dollars and twenty-five cents of 7670
each fee collected under sections 1548.14, 4505.14, and 4519.63 of 7671
the Revised Code as specified in those sections, and money 7672
collected under sections 5502.21 to 5502.38 of the Revised Code. 7673
All money in the fund shall be used to pay the costs of 7674
administering programs of the emergency management agency, except 7675
that the director of budget and management may transfer excess 7676
money from the emergency management agency service and 7677
reimbursement fund to the state highway safety fund if the 7678
director of public safety determines that the amount of money in 7679
the emergency management agency service and reimbursement fund 7680
exceeds the amount required to cover such costs incurred by the 7681

emergency management agency and requests the director of budget 7682
and management to make the transfer. 7683

Sec. 5502.67. There is hereby created in the state treasury 7684
the justice program services fund. The fund shall consist of the 7685
court costs designated for the fund pursuant to section 2949.094 7686
of the Revised Code, fifty cents of each fee collected under 7687
sections 4501.34, 4503.26, 4506.08, and 4509.05 of the Revised 7688
Code as specified in those sections, plus on and after October 1, 7689
2009, fifty cents of each fee collected under sections 1548.14, 7690
4505.14, and 4519.63 of the Revised Code as specified in those 7691
sections, and all money collected by the division of criminal 7692
justice services for nonfederal purposes, including subscription 7693
fees for participating in the Ohio incident-based reporting system 7694
under division (C) of section 5502.62 of the Revised Code, unless 7695
otherwise designated by law. The justice program services fund 7696
shall be used to pay costs of administering the operations of the 7697
division of criminal justice services, except that the director of 7698
budget and management may transfer excess money from the justice 7699
program services fund to the state highway safety fund if the 7700
director of public safety determines that the amount of money in 7701
the justice program services fund exceeds the amount required to 7702
cover such costs incurred by the office of criminal justice 7703
services and requests the director of budget and management to 7704
make the transfer. 7705

Sec. 5502.68. (A) There is hereby created in the state 7706
treasury the drug law enforcement fund. Three Ninety-seven per 7707
cent of three dollars and fifty cents out of each ten-dollar court 7708
cost imposed pursuant to section 2949.094 of the Revised Code 7709
shall be credited to the fund. Money in the fund shall be used 7710
only in accordance with this section to award grants to counties, 7711

municipal corporations, townships, township police districts, and 7712
joint township police districts to defray the expenses that a drug 7713
task force organized in the county, or in the county in which the 7714
municipal corporation, township, or district is located, incurs in 7715
performing its functions related to the enforcement of the state's 7716
drug laws and other state laws related to illegal drug activity. 7717

7718

The division of criminal justice services shall administer 7719
all money deposited into the drug law enforcement fund and, by 7720
rule adopted under Chapter 119. of the Revised Code, shall 7721
establish procedures for a county, municipal corporation, 7722
township, township police district, or joint township police 7723
district to apply for money from the fund to defray the expenses 7724
that a drug task force organized in the county, or in the county 7725
in which the municipal corporation, township, or district is 7726
located, incurs in performing its functions related to the 7727
enforcement of the state's drug laws and other state laws related 7728
to illegal drug activity, procedures and criteria for determining 7729
eligibility of applicants to be provided money from the fund, and 7730
procedures and criteria for determining the amount of money to be 7731
provided out of the fund to eligible applicants. 7732

(B) The procedures and criteria established under division 7733
(A) of this section for applying for money from the fund shall 7734
include, but shall not be limited to, a provision requiring a 7735
county, municipal corporation, township, township police district, 7736
or joint township police district that applies for money from the 7737
fund to specify in its application the amount of money desired 7738
from the fund, provided that the cumulative amount requested in 7739
all applications submitted for any single drug task force may not 7740
exceed more than two hundred fifty thousand dollars in any 7741
calendar year for that task force. 7742

(C) The procedures and criteria established under division 7743
(A) of this section for determining eligibility of applicants to 7744
be provided money from the fund and for determining the amount of 7745
money to be provided out of the fund to eligible applicants shall 7746
include, but not be limited to, all of the following: 7747

(1) Provisions requiring that, in order to be eligible to be 7748
provided money from the fund, a drug task force that applies for 7749
money from the fund must provide evidence that the drug task force 7750
will receive a local funding match of at least twenty-five per 7751
cent of the task force's projected operating costs in the period 7752
of time covered by the grant; 7753

(2) Provisions requiring that money from the fund be 7754
allocated and provided to drug task forces that apply for money 7755
from the fund in accordance with the following priorities: 7756

(a) Drug task forces that apply, that are in existence on the 7757
date of the application, and that are determined to be eligible 7758
applicants, and to which either of the following applies shall be 7759
given first priority to be provided money from the fund: 7760

(i) Drug task forces that received funding through the 7761
division of criminal justice services in calendar year 2007; 7762

(ii) Drug task forces in a county that has a population that 7763
exceeds seven hundred fifty thousand. 7764

(b) If any moneys remain in the fund after all drug task 7765
forces that apply, that are in existence on the date of the 7766
application, that are determined to be eligible applicants, and 7767
that satisfy the criteria set forth in division (C)(2)(a)(i) or 7768
(ii) of this section are provided money from the fund as described 7769
in division (C)(2)(a) of this section, the following categories of 7770
drug task forces that apply and that are determined to be eligible 7771
applicants shall be given priority to be provided money from the 7772
fund in the order in which they apply for money from the fund: 7773

7774

(i) Drug task forces that are not in existence on the date of the application; 7775
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(ii) Drug task forces that are in existence on the date of the application but that do not satisfy the criteria set forth in division (C)(2)(a)(i) or (ii) of this section. 7777
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(D) The procedures and criteria established under division (A) of this section for determining the amount of money to be provided out of the fund to eligible applicants shall include, but shall not be limited to, a provision specifying that the cumulative amount provided to any single drug task force may not exceed more than two hundred fifty thousand dollars in any calendar year. 7780
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(E) As used in this section, "drug task force" means a drug task force organized in any county by the sheriff of the county, the prosecuting attorney of the county, the chief of police of the organized police department of any municipal corporation or township in the county, and the chief of police of the police force of any township police district or joint township police district in the county to perform functions related to the enforcement of state drug laws and other state laws related to illegal drug activity. 7787
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Sec. 5515.01. The director of transportation may upon formal application being made to the director, grant a permit to any individual, firm, or corporation to use or occupy such portion of a road or highway on the state highway system as will not incommode the traveling public. Such permits, when granted, shall be upon the following conditions: 7796
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(A) ~~The occupancy of such roads or highways shall be in the location as prescribed by the director~~ may issue a permit to any 7802
7803

individual, firm, or corporation for any use of a road or highway 7804
on the state highway system that is consistent with applicable 7805
federal law or federal regulations. 7806

(B) Such location shall be changed as prescribed by the 7807
director when the director deems such change necessary for the 7808
convenience of the traveling public, or in connection with or 7809
contemplation of the construction, reconstruction, improvement, 7810
relocating, maintenance, or repair of such road or highway. 7811

(C) The placing of objects or things shall be at a grade and 7812
in accordance with such plans, specifications, or both, as shall 7813
be first approved by the director. 7814

(D) The road or highway in all respects shall be fully 7815
restored to its former condition of usefulness and at the expense 7816
of such individual, firm, or corporation. 7817

(E) Such individual, firm, or corporation shall maintain all 7818
objects and things in a proper manner, promptly repair all damages 7819
resulting to such road or highway on account thereof, and in event 7820
of failure to so repair such road or highway to pay to the state 7821
all costs and expenses which may be expended by the director in 7822
repairing any damage. 7823

(F) Such other conditions as may seem reasonable to the 7824
director, but no condition shall be prescribed which imposes the 7825
payment of a money consideration for the privilege granted. 7826
Nothing in this division prohibits the director from requiring 7827
payment of money consideration for a lease, easement, license, or 7828
other interest in a transportation facility under control of the 7829
department of transportation. 7830

(G) Permits may be revoked by the director at any time for a 7831
noncompliance with the conditions imposed. 7832

(H) As a condition precedent to the issuance of a any permit 7833
~~to a, including for telecommunications service provider or carbon~~ 7834

dioxide infrastructure, the director shall require the applicant 7835
to provide proof it is party to a lease, easement, or license for 7836
the construction, placement, or operation of a ~~telecommunications~~ 7837
facility in or on a transportation facility. 7838

Except as otherwise provided in this section and section 7839
5501.311 of the Revised Code, Chapters 5501., 5503., 5511., 5513., 7840
5515., 5516., 5517., 5519., 5521., 5523., 5525., 5527., 5528., 7841
5529., 5531., 5533., and 5535. of the Revised Code do not prohibit 7842
telegraph, telephone, and electric light and power companies from 7843
constructing, maintaining, and using telegraph, telephone, or 7844
electric light and power lines along and upon such roads or 7845
highways under sections 4931.19, 4933.14, or other sections of the 7846
Revised Code, or to affect existing rights of any such companies, 7847
or to require such companies to obtain a permit from the director, 7848
except with respect to the location of poles, wires, conduits, and 7849
other equipment comprising lines on or beneath the surface of such 7850
road or highways. 7851

This section does not prohibit steam or electric railroad 7852
companies from constructing tracks across such roads or highways, 7853
nor authorize the director to grant permission to any company 7854
owning, operating, controlling, or managing a steam railroad or 7855
interurban railway in this state to build a new line of railroad, 7856
or to change or alter the location of existing tracks across any 7857
road or highway on the state highway system at grade. No such 7858
company shall change the elevation of any of its tracks across 7859
such road or highway except in accordance with plans and 7860
specifications first approved by the director. 7861

This section does not relieve any individual, firm, or 7862
corporation from the obligation of satisfying any claim or demand 7863
of an owner of lands abutting on such road or highway on the state 7864
highway system on account of placing in such road or highway a 7865
burden in addition to public travel. 7866

Sec. 5515.07. (A) The director of transportation, in 7867
accordance with Chapter 119. of the Revised Code, shall adopt 7868
rules consistent with the safety of the traveling public and 7869
consistent with the national policy to govern the use and control 7870
of rest areas within the limits of the right-of-way of interstate 7871
highways and other state highways and in other areas within the 7872
limits of the right-of-way of interstate highways. 7873

(B) Except as provided in division (C) of this section or as 7874
otherwise authorized by applicable federal law or federal 7875
regulations, no person shall engage in selling or offering for 7876
sale or exhibiting for purposes of sale, goods, products, 7877
merchandise, or services within the bounds of rest areas within 7878
the limits of the right-of-way of interstate highways and other 7879
state highways, or in other areas within the limits of the 7880
right-of-way of interstate highways, unless the director issues a 7881
permit in accordance with section 5515.01 of the Revised Code. 7882
Notwithstanding any rules adopted by the director to the contrary 7883
or any other policy changes proposed by the director, each 7884
district deputy director of the department of transportation shall 7885
continue to implement any program allowing organizations to 7886
dispense free coffee or similar items after obtaining a permit 7887
that operated within the district prior to January 1, 1997. Each 7888
district deputy director shall operate such program within the 7889
district in the same manner as the program was operated prior to 7890
that date. 7891

(C) In accordance with rules adopted under division (A) of 7892
this section, the director may cause vending machines to be placed 7893
within each rest area that is able to accommodate the machines. 7894
The vending machines shall dispense food, drink, and other 7895
appropriate articles. 7896

(D) This section does not apply to the sale of goods, 7897

products, merchandise, or services required for the emergency 7898
repair of motor vehicles or emergency medical treatment, or to the 7899
department of transportation as provided in section 5515.08 of the 7900
Revised Code. 7901

Sec. 5517.011. Notwithstanding section 5517.01 of the Revised 7902
Code, the director of transportation may establish a program to 7903
expedite the sale and construction of special projects by 7904
combining the design and construction elements of a highway or 7905
bridge project into a single contract. The director shall prepare 7906
and distribute a scope of work document upon which the bidders 7907
shall base their bids. Except in regard to those requirements 7908
relating to providing plans, the director shall award contracts 7909
under this section in accordance with Chapter 5525. of the Revised 7910
Code. 7911

~~For~~ On the effective date of this amendment and until July 1, 7912
2011, the total dollar value of contracts made under this section 7913
shall not exceed one billion dollars. On and after July 1, 2011, 7914
for each biennium, the total dollar value of contracts made under 7915
this section shall not exceed two hundred fifty million dollars 7916
unless otherwise authorized by the general assembly. 7917

Sec. 5525.01. ~~Before~~ (A) Except as provided in division (G) 7918
of this section, before entering into a contract the director of 7919
transportation shall advertise for bids for two consecutive weeks 7920
in one newspaper of general circulation published in the county in 7921
which the improvement or part thereof is located, but if there is 7922
no such newspaper then in one newspaper having general circulation 7923
in an adjacent county. The director may advertise for bids in such 7924
other publications as the director considers advisable. Such 7925
notices shall state that plans and specifications for the 7926
improvement are on file in the office of the director and the 7927
district deputy director of the district in which the improvement 7928

or part thereof is located and the time within which bids therefor 7929
will be received. 7930

(B) Each bidder shall be required to file with the bidder's 7931
bid a bid guaranty in the form of a certified check, a cashier's 7932
check, or an electronic funds transfer to the treasurer of state 7933
that is evidenced by a receipt or by a certification to the 7934
director of transportation in a form prescribed by the director 7935
that an electronic funds transfer has been made to the treasurer 7936
of state, for an amount equal to five per cent of the bidder's 7937
bid, but in no event more than fifty thousand dollars, or a bid 7938
bond for ten per cent of the bidder's bid, payable to the 7939
director, which check, transferred sum, or bond shall be forthwith 7940
returned to the bidder in case the contract is awarded to another 7941
bidder, or, in case of a successful bidder, when the bidder has 7942
entered into a contract and furnished the bonds required by 7943
section 5525.16 of the Revised Code. In the event the contract is 7944
awarded to a bidder, and the bidder fails or refuses to furnish 7945
the bonds as required by section 5525.16 of the Revised Code, the 7946
check, transferred sum, or bid bond filed with the bidder's bid 7947
shall be forfeited as liquidated damages. No bidder shall be 7948
required either to file a signed contract with the bidder's bid, 7949
to enter into a contract, or to furnish the contract performance 7950
bond and the payment bond required by that section until the bids 7951
have been opened and the bidder has been notified by the director 7952
that the bidder is awarded the contract. 7953

(C) The director shall permit a bidder to withdraw the 7955
bidder's bid from consideration, without forfeiture of the check, 7956
transferred sum, or bid bond filed with the bid, providing a 7957
written request together with a sworn statement of the grounds for 7958
such withdrawal is delivered within forty-eight hours after the 7959
time established for the receipt of bids, and if the price bid was 7960

substantially lower than the other bids, providing the bid was 7961
submitted in good faith, and the reason for the price bid being 7962
substantially lower was a clerical mistake evident on the face of 7963
the bid, as opposed to a judgment mistake, and was actually due to 7964
an unintentional and substantial arithmetic error or an 7965
unintentional omission of a substantial quantity of work, labor, 7966
or material made directly in the compilation of the bid. In the 7967
event the director decides the conditions for withdrawal have not 7968
been met, the director may award the contract to such bidder. If 7969
such bidder does not then enter into a contract and furnish the 7970
contract bond as required by law, the director may declare 7971
forfeited the check, transferred sum, or bid bond as liquidated 7972
damages and award the contract to the next higher bidder or reject 7973
the remaining bids and readvertise the project for bids. Such 7974
bidder may, within thirty days, appeal the decision of the 7975
director to the court of common pleas of Franklin county and the 7976
court may affirm or reverse the decision of the director and may 7977
order the director to refund the amount of the forfeiture. At the 7978
hearing before the common pleas court evidence may be introduced 7979
for and against the decision of the director. The decision of the 7980
common pleas court may be appealed as in other cases. 7981

(D) There is hereby created the ODOT letting fund, which 7982
shall be in the custody of the treasurer of state but shall not be 7983
part of the state treasury. All certified checks and cashiers' 7984
checks received with bidders' bids, and all sums transferred to 7985
the treasurer of state by electronic funds transfer in connection 7986
with bidders' bids, under this section shall be credited to the 7987
fund. All such bid guaranties shall be held in the fund until a 7988
determination is made as to the final disposition of the money. If 7989
the department determines that any such bid guaranty is no longer 7990
required to be held, the amount of the bid guaranty shall be 7991
returned to the appropriate bidder. If the department determines 7992
that a bid guaranty under this section shall be forfeited, the 7993

amount of the bid guaranty shall be transferred or, in the case of 7994
money paid on a forfeited bond, deposited into the state treasury, 7995
to the credit of the highway operating fund. Any investment 7996
earnings of the ODOT letting fund shall be distributed as the 7997
treasurer of state considers appropriate. 7998

(E) The director shall require all bidders to furnish the 7999
director, upon such forms as the director may prescribe, detailed 8000
information with respect to all pending work of the bidder, 8001
whether with the department of transportation or otherwise, 8002
together with such other information as the director considers 8003
necessary. 8004

(F) In the event a bidder fails to submit anything required 8005
to be submitted with the bid and then fails or refuses to so 8006
submit such at the request of the director, the failure or refusal 8007
constitutes grounds for the director, in the director's 8008
discretion, to declare as forfeited the bid guaranty submitted 8009
with the bid. 8010

(G) Notwithstanding any other provisions of this chapter, the 8011
director may use a value-based selection process, combining 8012
technical qualifications and competitive bidding elements, 8013
including consideration for minority or disadvantaged businesses 8014
that may include joint ventures, when letting special projects 8015
that contain both design and construction elements of a highway or 8016
bridge project into a single contract. 8017

(H) The director may reject any or all bids. Except ~~in regard~~ 8018
~~to~~ for contracts let under division (G) of this section and for 8019
environmental remediation and specialty work for which there are 8020
no classes of work set out in the rules adopted by the director, 8021
if the director awards the contract, the director shall award it 8022
to the lowest competent and responsible bidder as defined by rules 8023
adopted by the director under section 5525.05 of the Revised Code, 8024
who is qualified to bid under sections 5525.02 to 5525.09 of the 8025

Revised Code. In regard to contracts for environmental remediation 8026
and specialty work for which there are no classes of work set out 8027
in the rules adopted by the director, the director shall 8028
competitively bid the projects in accordance with this chapter and 8029
shall award the contracts to the lowest and best bidder. 8030
8031

(I) The award for all projects competitively let by the 8032
director under this section shall be made within ten days after 8033
the date on which the bids are opened, and the successful bidder 8034
shall enter into a contract and furnish a contract performance 8035
bond and a payment bond, as provided for in section 5525.16 of the 8036
Revised Code, within ten days after the bidder is notified that 8037
the bidder has been awarded the contract. 8038

(J) The director may insert in any contract awarded under 8039
this chapter a clause providing for value engineering change 8040
proposals, under which a contractor who has been awarded a 8041
contract may propose a change in the plans and specifications of 8042
the project that saves the department time or money on the project 8043
without impairing any of the essential functions and 8044
characteristics of the project such as service life, reliability, 8045
economy of operation, ease of maintenance, safety, and necessary 8046
standardized features. If the director adopts the value 8047
engineering proposal, the savings from the proposal shall be 8048
divided between the department and the contractor according to 8049
guidelines established by the director, provided that the 8050
contractor shall receive at least fifty per cent of the savings 8051
from the proposal. The adoption of a value engineering proposal 8052
does not invalidate the award of the contract or require the 8053
director to rebid the project. 8054

Sec. 5525.012. Notwithstanding section 5525.01 of the Revised 8055
Code, the director of transportation may provide an incentive to 8056

bidder's who have adopted business practices that reduce harmful 8057
air emissions and other threats to the environment. The incentive 8058
shall be in the form of a percentage reduction in such a bidder's 8059
lowest competent and responsible bid, but the reduction shall not 8060
exceed five per cent. 8061

Sec. 5525.15. The director of transportation may provide that 8062
the estimate of cost of any project to be constructed by the 8063
department by the taking of bids and awarding of contracts shall 8064
be confidential information and so remain until after all bids on 8065
the project have been received. The total amount of the estimate 8066
then shall be ~~publicly read prior to the opening of the bids of~~ 8067
~~the subject~~ published. 8068

When the director exercises the authority conferred by this 8069
section, all information with respect to the total estimate of 8070
cost of the project to be built by contract and with respect to 8071
the estimate of cost of any particular item of work involved 8072
therein shall be kept and regarded by the director and all the 8073
director's subordinates as confidential, and shall not be revealed 8074
to any person not employed in the department, or by the United 8075
States department of transportation in the case of projects 8076
financed in whole or part by federal funds, until after the bids 8077
on the project have been opened and ~~read~~ published. Section 8078
5517.01 of the Revised Code with respect to the public inspection 8079
of estimates of cost prior to the opening of bids and with respect 8080
to filing estimates of cost in the office of the district deputy 8081
director of transportation does not apply when the authority 8082
conferred by this section is exercised. This section does not 8083
prohibit the department from furnishing estimates of cost to 8084
counties, municipal corporations, or other local political 8085
subdivisions or to railroad or railway companies proposing to pay 8086
any portion of the cost of an improvement. 8087

Section 5525.10 of the Revised Code, which provides that no 8088
contract for any improvement shall be awarded for a greater sum 8089
than the estimated cost thereof plus five per cent, does not apply 8090
in the case of any project with respect to which the authority 8091
conferred by this section is exercised. In cases in which the 8092
authority conferred by this section is exercised and in which the 8093
bid of the successful bidder exceeds the estimate, the director, 8094
before entering into a contract, shall determine that the bid of 8095
the successful bidder is fair and reasonable, and as long as the 8096
federal government imposes regulation on prices charged for 8097
construction service, shall require the successful bidder to 8098
certify that the bidder's bid does not exceed the maximum 8099
permitted by such federal regulation. 8100

Sec. 5531.09. (A) The state infrastructure bank shall consist 8101
of the highway and transit infrastructure bank fund, the aviation 8102
infrastructure bank fund, the rail infrastructure bank fund, ~~and~~ 8103
the infrastructure bank obligations fund, and the new generation 8104
infrastructure bank funds, which are hereby created as funds of 8105
the state treasury, to be administered by the director of 8106
transportation and used for the purposes described in division (B) 8107
of this section. The highway and transit infrastructure bank fund, 8108
the aviation infrastructure bank fund, and the rail infrastructure 8109
bank fund shall consist of federal grants and awards or other 8110
assistance received by the state and eligible for deposit therein 8111
under applicable federal law, payments received by the department 8112
in connection with providing financial assistance for qualifying 8113
projects under division (B) of this section, and such other 8114
amounts as may be provided by law. The infrastructure bank 8115
obligations fund shall consist of such amounts of the proceeds of 8116
obligations issued under section 5531.10 of the Revised Code as 8117
the director of transportation determines with the advice of the 8118
director of budget and management; and such other amounts as may 8119

be provided by law. The new generation infrastructure bank funds 8120
shall consist of such other assistance received by the state as 8121
may be provided by law. The director of budget and management, 8122
upon the request of the director of transportation, may transfer 8123
amounts between the funds created in this division, except the 8124
infrastructure bank obligations fund. The investment earnings of 8125
each fund created by this division shall be credited to such fund. 8126

(B)(1) The director of transportation shall use the state 8127
infrastructure bank, except the new generation infrastructure bank 8128
funds, to encourage public and private investment in 8129
transportation facilities that contribute to the multi-modal and 8130
intermodal transportation capabilities of the state, develop a 8131
variety of financing techniques designed to expand the 8132
availability of funding resources and to reduce direct state 8133
costs, maximize private and local participation in financing 8134
projects, and improve the efficiency of the state transportation 8135
system by using and developing the particular advantages of each 8136
transportation mode to the fullest extent. In furtherance of these 8137
purposes, the director shall use the state infrastructure bank to 8138
provide financial assistance to public or private entities for 8139
qualified projects. Such assistance shall be in the form of loans, 8140
loan guarantees, letters of credit, leases, lease-purchase 8141
agreements, interest rate subsidies, debt service reserves, and 8142
such other forms as the director determines to be appropriate. All 8143
fees, charges, rates of interest, payment schedules, security for, 8144
and other terms and conditions relating to such assistance shall 8145
be determined by the director. ~~The highway and transit~~ 8146
~~infrastructure bank fund, the aviation infrastructure bank fund,~~ 8147
~~and the rail infrastructure bank fund may be used to pay debt~~ 8148
~~service on obligations whose proceeds have been deposited into the~~ 8149
~~infrastructure bank obligations fund.~~ 8150

8151

(2) The director shall use the new generation infrastructure bank funds to encourage transportation innovation authorities created under Chapter 5539. of the Revised Code to invest in transportation facilities that contribute to the multi-modal and intermodal transportation capabilities of the state, develop a variety of financing techniques designed to expand the availability of funding resources and to reduce direct state costs, maximize transportation innovation authorities' participation in financing projects, and improve the efficiency of the state transportation system by using and developing the particular advantages of each transportation mode to the fullest extent. In furtherance of these purposes, the director shall use the new generation infrastructure bank funds to provide financial assistance to transportation innovation authorities for qualified projects. Such assistance shall be in the form of loans, loan guarantees, letters of credit, leases, lease-purchase agreements, interest rate subsidies, debt service reserves, and such other forms of assistance as the director determines to be appropriate. All fees, charges, rates of interest, payment schedules, security for, and other terms and conditions relating to such assistance shall be determined by the director.

(C) The director of transportation shall adopt rules establishing guidelines necessary for the implementation and exercise of the authority granted by this section, including rules for receiving, reviewing, evaluating, and selecting projects for which financial assistance may be approved.

(D) As used in this section and in section 5531.10 of the Revised Code, "qualified project" means any public or private transportation project as determined by the director of transportation, including, without limitation, planning, environmental impact studies, engineering, construction, reconstruction, resurfacing, restoring, rehabilitation, or

replacement of public or private transportation facilities within 8184
the state, studying the feasibility thereof, and the acquisition 8185
of real or personal property or interests therein; any highway, 8186
public transit, aviation, rail, or other transportation project 8187
eligible for financing or aid under any federal or state program; 8188
and any project involving the maintaining, repairing, improving, 8189
or construction of any public or private highway, road, street, 8190
parkway, public transit, aviation, or rail project, and any 8191
related rights-of-way, bridges, tunnels, railroad-highway 8192
crossings, drainage structures, signs, guardrails, or protective 8193
structures. 8194

(E) The general assembly finds that state infrastructure 8195
projects, as defined in division (A)(8) of section 5531.10 of the 8196
Revised Code, and the state infrastructure bank, will materially 8197
contribute to the economic revitalization of areas of the state 8198
and result in improving the economic welfare of all the people of 8199
the state. Accordingly, it is declared to be the public purpose of 8200
the state, through operations under sections 5531.09 and 5531.10 8201
of the Revised Code, and other applicable laws adopted pursuant to 8202
Section 13 of Article VIII, Ohio Constitution, and other authority 8203
vested in the general assembly, to assist in and facilitate the 8204
purposes set forth in division (B) of section 5531.10 of the 8205
Revised Code, and to assist and cooperate with any governmental 8206
agency in achieving such purposes. 8207

Sec. 5531.11. As used in sections 5531.11 to 5531.18 of the 8208
Revised Code: 8209

"Cost" means all costs of constructing, improving, repairing, 8210
maintaining, administering, and operating the Ohio transportation 8211
system, including all costs payable with respect to permanent 8212
improvements as described in division (B) of section 133.15 of the 8213
Revised Code. 8214

"Governmental agency" means any state agency, federal agency, political subdivision, or other local, interstate, or regional governmental agency, and any combination of those agencies. 8215
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"Highway project" means any project intended for the highway purpose of supporting the state highway system. A highway project, whether publicly or privately owned, is a state infrastructure project as defined in section 5531.10 of the Revised Code for all purposes of that section and section 5531.09 of the Revised Code and also is a transportation facility as defined in section 5501.01 of the Revised Code. 8218
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"New capacity project" means any tolled project for which construction is undertaken pursuant to sections 5531.11 to 5531.18 of the Revised Code, including construction on existing public freeways if the construction increases the total number of lanes, including tolled and nontolled lanes, and does not decrease the total number of nontolled lanes at each mile. 8225
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"Ohio transportation system" or "system" means all existing and future transportation projects constructed, operated, repaired, maintained, administered, and operated under the jurisdiction of the department of transportation, including tolled projects and highway capacity projects. 8231
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"Public roads" means all public highways, roads, and streets in the state, whether maintained by a state agency or any other governmental agency. 8236
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"Public utility facilities" means tracks, pipes, mains, conduits, cables, wires, towers, poles, and other equipment and appliances of any public utility. 8239
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"Revenues" means all nontax revenues coming into the possession of or under the control of the department by virtue of sections 5531.11 to 5531.18 of the Revised Code. "Revenues" does not include proceeds from the sale of obligations but does include 8242
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tolls, service revenues, investment income on the Ohio toll fund 8246
established in section 5531.14 of the Revised Code, rentals, 8247
gifts, and grants. 8248

"Service facilities" means service stations, restaurants, and 8249
other facilities for food service, roadside parks and rest areas, 8250
parking, camping, tenting, rest, and sleeping facilities, hotels 8251
or motels, and all similar and other facilities providing services 8252
to the traveling public in connection with the use of a tolled 8253
project and owned, leased, licensed, or operated by the department 8254
of transportation. 8255

"Service revenues" means those revenues of the department 8256
derived from its ownership, leasing, licensing, or operation of 8257
service facilities. 8258

"Tolled project" includes, but is not limited to, any express 8259
or limited access highway, motorway, interchange, service road, 8260
bridge, tunnel, bypass, general purpose lane addition, high 8261
occupancy lane, smart lane, intermodal facility, parking lot, 8262
airport, runway, canal, port, waterway, rail line, railroad 8263
interchange, railway spur, or highway project established, 8264
constructed, reconstructed, maintained, repaired, administered, 8265
operated, or improved, under the jurisdiction of the department of 8266
transportation and pursuant to sections 5531.11 to 5531.18 of the 8267
Revised Code, at a location or locations determined by the 8268
director of transportation, including all bridges, tunnels, 8269
overpasses, underpasses, interchanges, entrance plazas, 8270
approaches, those portions of connecting public roads that serve 8271
interchanges and are determined by the director to be necessary 8272
for the safe merging of traffic between the tolled project and 8273
those nontolled public roads, toll booths, service facilities, and 8274
administration, storage, and other buildings, property, and 8275
facilities that the department considers necessary for the 8276
operation or policing of the tolled project, together with all 8277

property and rights that may be acquired by the department for the 8278
construction, maintenance, repair, administration, improvement, or 8279
operation of the tolled project, and includes any sections or 8280
extensions of a tolled project designated by the department as 8281
such for the particular purpose. Each tolled project may be 8282
separately designated, by name or number, and may be constructed, 8283
improved, or extended in such sections as the department may from 8284
time to time determine pursuant to sections 5531.11 to 5531.18 of 8285
the Revised Code. A tolled project, whether publicly or privately 8286
owned, is a state infrastructure project as defined in section 8287
5531.10 of the Revised Code for all purposes of that section and 8288
section 5531.09 of the Revised Code and also is a transportation 8289
facility as defined in section 5501.01 of the Revised Code. 8290

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"Tolls" means tolls, special fees or permit fees, or other 8292
charges by the department to the owners, lessors, lessees, 8293
operators of motor vehicles, or other users of a tolled project 8294
for the operation or use of or the right to operate on a tolled 8295
project. 8296

Sec. 5531.12. In order to remove present and anticipated 8297
handicaps and potential hazards on the highways in this state, to 8298
facilitate vehicular traffic throughout the state, to promote the 8299
agricultural, commercial, recreational, tourism, and industrial 8300
development of the state, and to provide for the general welfare 8301
by the construction, improvement, and maintenance of modern 8302
express highways embodying safety devices, including center 8303
divisions, ample shoulder widths, long sight distances, multiple 8304
lanes in each direction, and grade separations at intersections 8305
with other public roads and railroads, the department of 8306
transportation may construct, improve, maintain, repair, 8307
administer, and operate a system of new capacity projects at 8308
locations in accordance with alignment and design standards that 8309

are approved by the director of transportation. The tolled 8310
projects authorized by sections 5531.11 to 5531.18 of the Revised 8311
Code are part of the Ohio transportation system. 8312

Sec. 5531.13. (A) The director of transportation may acquire 8313
or dispose of any public or private property or interests therein 8314
the director determines to be necessary, convenient, or proper for 8315
the construction, improvement, repair, maintenance, 8316
administration, or operation of tolled projects in the same manner 8317
as the director may acquire or dispose of such property for 8318
transportation facilities or highway purposes, under sections 8319
5501.311 to 5501.34 and 5501.45 and Chapter 5519. of the Revised 8320
Code. 8321

(B) The director may enter into any contracts the director 8322
determines to be necessary, convenient, or proper for the 8323
construction, improvement, repair, maintenance, administration, or 8324
operation of tolled projects in the manner provided in Chapter 8325
5525. of the Revised Code. 8326

(C) The director may enter into any professional contracts 8327
the director determines to be necessary, convenient, or proper for 8328
the construction, improvement, repair, maintenance, 8329
administration, or operation of tolled projects in the manner 8330
provided in Chapter 5526. of the Revised Code. 8331

(D) Tolls and accounts within the Ohio toll fund established 8332
in section 5531.14 of the Revised Code may be used for the 8333
acquisition of property under division (A) of this section or 8334
pursuant to contracts entered into under division (B) or (C) of 8335
this section to the same extent permitted by section 5531.14 of 8336
the Revised Code with respect to obligations. 8337

Sec. 5531.14. (A) To the extent permitted by federal law, the 8338
director of transportation may fix, revise, charge, and collect 8339

tolls for each tolled project, and contract with any person or 8340
governmental agency desiring the use of any part thereof, 8341
including the right-of-way adjoining the paved portion, for 8342
placing thereon telephone, electric light, or power lines, service 8343
facilities, or for any other purpose, and fix the terms, 8344
conditions, rents, and rates of charge for such use; provided, 8345
that no toll, charge, or rental may be made for placing in, on, 8346
along, over, or under the tolled project, equipment or public 8347
utility facilities that are necessary to serve service facilities 8348
or to interconnect any public utility facilities. 8349

In accordance with Chapter 119. of the Revised Code, the 8350
director shall establish a plan, schedule, or system of tolls or 8351
charges and shall declare the purpose, amount, and duration of the 8352
tolls or charges. Any proposal to implement a toll or other charge 8353
under this section may include a plan, schedule, or system of 8354
tolls or charges that is subject to adjustment by the director 8355
within and in accordance with that plan, schedule, or system. 8356

(B) For any toll imposed under this section, the department 8357
of transportation may use a system for toll collection that is 8358
capable of charging an account holder the appropriate toll or 8359
charge by transmission of information from an electronic device on 8360
a motor vehicle to the toll lane, which information is used to 8361
charge the account holder the appropriate toll or charge. 8362

(C) One or more tolls, or a portion of any toll, may be 8363
pledged to the repayment of obligations in the bond proceedings 8364
for those obligations and shall be a pledged receipt for those 8365
obligations to the extent pledged in those bond proceedings. 8366

(D) Tolls shall be so fixed and adjusted as to provide funds 8367
at least sufficient with other revenues of the Ohio transportation 8368
system, if any, to pay: 8369

(1) Any bond service charges on obligations issued to pay 8370

costs of one or more tolled projects as such charges become due 8371
and payable; 8372

(2) The cost of maintaining, improving, repairing, 8373
constructing, and operating tolled projects within the Ohio 8374
transportation system and its different parts and sections, and to 8375
create and maintain any reserves for those purposes. 8376

(E) Except as provided in division (F) of this section, money 8377
received from tolls imposed under this section shall be deposited 8378
to the credit of the Ohio toll fund, which is hereby created in 8379
the state treasury. The treasurer of state may establish separate 8380
subaccounts within the Ohio toll fund as determined to be 8381
necessary or convenient to pay costs of constructing, improving, 8382
repairing, maintaining, administering, and operating tolled 8383
projects within the Ohio transportation system. Any remaining 8384
money deposited into the Ohio toll fund shall be used at the 8385
discretion of the director to support construction, improvement, 8386
repair, maintenance, administration, and operation costs for 8387
approved tolled projects and highway projects within one mile of a 8388
tolled project. All investment earnings of the fund shall be 8389
credited to the fund. 8390

(F) The issuing authority shall, by the fifteenth day of July 8391
of each fiscal year, certify or cause to be certified to the 8392
department of transportation and the office of budget and 8393
management the total amount of money required during the current 8394
fiscal year to meet in full all bond service charges and otherwise 8395
comply with the requirements of any applicable bond proceedings. 8396
The issuing authority shall make or cause to be made supplemental 8397
certifications to the department of transportation and the office 8398
of budget and management for each bond service payment date and at 8399
such other times during each fiscal year as may be provided in the 8400
applicable bond proceedings or required by that department or 8401
office. Bond service charges, costs of credit enhancement 8402

facilities, other financing costs, and any other amounts required 8403
under the applicable bond proceedings shall be set forth 8404
separately in each certification. Money received from tolls and 8405
other pledged receipts shall be deposited to the credit of the 8406
bond service fund at such times and in such amounts as are 8407
necessary to satisfy all those payment requirements of the 8408
applicable bond proceedings. 8409

Sec. 5531.15. (A) The director of transportation, in 8410
accordance with Chapter 119. of the Revised Code, may adopt such 8411
rules as the director considers advisable for the control and 8412
regulation of traffic on any tolled project, for the protection 8413
and preservation of property under the jurisdiction and control of 8414
the department of transportation, for the maintenance and 8415
preservation of good order within the property under its control, 8416
and for the purpose of establishing owner or operator liability 8417
for failure to comply with toll collection rules. 8418

(B) The rules shall provide that public police officers shall 8419
be afforded ready access, while in the performance of their 8420
official duties, to all property under the jurisdiction of the 8421
department of transportation and without the payment of tolls. 8422

(C) No person shall violate any such rules of the department 8423
of transportation. 8424

(D)(1) All fines collected for the violation of applicable 8425
laws of the state and the rules of the department of 8426
transportation or money arising from bonds forfeited for such 8427
violation shall be disposed of in accordance with section 5503.04 8428
of the Revised Code. 8429

(2) All fees or charges assessed by the department of 8430
transportation in accordance with this section against an owner or 8431
operator of a vehicle as a civil violation for failure to comply 8432
with toll collection rules shall be revenues of the department. 8433

Sec. 5531.16. (A) Each tolled project shall be maintained and 8434
kept in good condition and repair by the department of 8435
transportation. Tolled projects shall be operated by toll 8436
collectors and other employees and agents that the department 8437
employs or contracts for. Tolled projects shall be policed by the 8438
state highway patrol in accordance with section 5503.02 of the 8439
Revised Code; provided, that the state highway patrol also shall 8440
enforce all rules of the department adopted under division (A) of 8441
section 5531.15 of the Revised Code that relate to the operation 8442
and use of vehicles on a tolled project and that are punishable 8443
under division (A) of section 5531.99 of the Revised Code. 8444

(B) An action for damages against the state for any public or 8445
private property damaged or destroyed in carrying out the powers 8446
granted by sections 5531.11 to 5531.18 of the Revised Code shall 8447
be filed in the court of claims pursuant to Chapter 2743. of the 8448
Revised Code. 8449

(C) All governmental agencies may lease, lend, grant, or 8450
convey to the department of transportation at its request, upon 8451
terms that the proper authorities of the governmental agencies 8452
consider reasonable and fair and without the necessity for an 8453
advertisement, order of court, or other action or formality, other 8454
than the regular and formal action of the authorities concerned, 8455
any property that is necessary or convenient to the effectuation 8456
of the purposes of sections 5531.11 to 5531.18 of the Revised 8457
Code, including public roads and other property already devoted to 8458
public use. 8459

(D) Each bridge constituting part of a tolled project shall 8460
be considered a bridge on the state highway system for purposes of 8461
sections 5501.47 and 5501.49 of the Revised Code. 8462

(E) In accordance with Chapter 5501. of the Revised Code, the 8463
department of transportation shall make an annual report of its 8464

tolled project activities for the preceding calendar year to the 8465
governor and the general assembly. 8466

Sec. 5531.17. The exercise of the powers granted by sections 8467
5531.11 to 5531.18 of the Revised Code is in all respects for the 8468
benefit of the people of the state, for the increase of their 8469
commerce and prosperity, and for the improvement of their health 8470
and living conditions; and as the construction, operation, and 8471
maintenance of the Ohio toll-way system by the department of 8472
transportation constitute the performance of essential 8473
governmental functions, the department shall not be required to 8474
pay any state or local taxes or assessments upon any tolled 8475
project, or upon revenues or any property acquired or used by the 8476
department under sections 5531.11 to 5531.18 of the Revised Code, 8477
or upon the income therefrom. 8478

Sec. 5531.18. The director of transportation shall establish 8479
a procedure whereby a political subdivision or other governmental 8480
agency or agencies may submit a written application to the 8481
director in accordance with Chapter 5539. of the Revised Code 8482
requesting the department of transportation to construct and 8483
operate a tolled project within the boundaries of the subdivision, 8484
agency, or agencies making the request. The procedure shall 8485
include a requirement that the director send a written reply to 8486
the subdivision, agency, or agencies explaining the disposition of 8487
the request. 8488

Sec. 5531.99. (A) Except as provided in division (B) of this 8489
section, whoever violates division (C) of section 5531.15 of the 8490
Revised Code is guilty of a minor misdemeanor on a first offense; 8491
on each subsequent offense such person is guilty of a misdemeanor 8492
of the fourth degree. 8493

(B) Whoever violates division (C) of section 5531.15 of the 8494

Revised Code when the violation is a civil violation for failure 8495
to comply with toll collection rules is subject to a fee or charge 8496
established by the department of transportation by rule. 8497

Sec. 5537.07. (A) When the cost to the Ohio turnpike 8498
commission under any contract with a person other than a 8499
governmental agency involves an expenditure of more than fifty 8500
thousand dollars, the commission shall make a written contract 8501
with the lowest responsive and responsible bidder in accordance 8502
with section 9.312 of the Revised Code after advertisement for not 8503
less than two consecutive weeks in a newspaper of general 8504
circulation in Franklin county, and in such other publications as 8505
the commission determines, which notice shall state the general 8506
character of the work and the general character of the materials 8507
to be furnished, the place where plans and specifications therefor 8508
may be examined, and the time and place of receiving bids. The 8509
commission may require that the cost estimate for the 8510
construction, demolition, alteration, repair, improvement, 8511
renovation, or reconstruction of roadways and bridges for which 8512
the commission is required to receive bids be kept confidential 8513
and remain confidential until after all bids for the public 8514
improvement have been received or the deadline for receiving bids 8515
has passed. Thereafter, and before opening the bids submitted for 8516
the roadways and bridges, the commission shall make the cost 8517
estimate public knowledge by reading the cost estimate in a public 8518
place. The commission may reject any and all bids. The 8519
requirements of this division do not apply to contracts for the 8520
acquisition of real property or compensation for professional or 8521
other personal services. 8522

(B) Each bid for a contract for construction, demolition, 8523
alteration, repair, improvement, renovation, or reconstruction 8524
shall contain the full name of every person interested in it and 8525
shall meet the requirements of section 153.54 of the Revised Code. 8526

(C) ~~Each bid for a contract, other~~ Other than for a contract 8527
referred to in division (B) of this section, each bid for a 8528
contract that involves an expenditure in excess of one hundred 8529
fifty thousand dollars or any contract with a service facility 8530
operator shall contain the full name of every person interested in 8531
it and shall be accompanied by a sufficient bond or certified 8532
check on a solvent bank that if the bid is accepted a contract 8533
will be entered into and the performance of its proposal secured. 8534

(D) ~~A~~ Other than a contract referred to in division (B) of 8535
this section, a bond with good and sufficient surety, in a form as 8536
prescribed and approved by the commission, shall be required of 8537
every contractor awarded a contract, ~~other than a contract~~ 8538
~~referred to in division (B) of this section,~~ that involves an 8539
expenditure in excess of one hundred fifty thousand dollars or any 8540
contract with a service facility operator. The bond shall be in an 8541
amount equal to at least fifty per cent of the contract price, and 8542
shall be conditioned upon the faithful performance of the 8543
contract. 8544

(E) Notwithstanding any other provisions of this section, the 8545
commission may establish a program to expedite special projects by 8546
combining the design and construction elements of any public 8547
improvement project into a single contract. The commission shall 8548
prepare and distribute a scope of work document upon which the 8549
bidders shall base their bids. At a minimum, bidders shall meet 8550
the requirements of section 4733.161 of the Revised Code. Except 8551
in regard to those requirements relating to providing plans, the 8552
commission shall award contracts following the requirements set 8553
forth in divisions (A), (B), (C), and (D) of this section. 8554

Sec. 5537.99. (A) Except as provided in division (B) of this 8555
section, whoever violates division (C) of section 5537.16 of the 8556
Revised Code is guilty of a minor misdemeanor on a first offense; 8557

on each subsequent offense such person is guilty of a misdemeanor 8558
of the fourth degree. 8559

(B)(1) Whoever violates division (C) of section 5537.16 of 8560
the Revised Code when the violation is a civil violation for 8561
failure to comply with toll collection rules is subject to a fee 8562
or charge established by the commission by rule. 8563

(2) Whoever violates division (C) of section 5537.16 of the 8564
Revised Code in regard to allowable axle or vehicle loads shall be 8565
fined in accordance with division (A) of section 5577.99 of the 8566
Revised Code. 8567

Sec. 5539.01. As used in this chapter: 8568

"Governmental agency" means a county, township, or municipal 8569
corporation, and any agency thereof; any other political 8570
subdivision; any county transit system, regional transit 8571
authority, or regional transit commission created under Chapter 8572
306. of the Revised Code; any new community authority organized 8573
under Chapter 349. of the Revised Code; one or more municipal 8574
corporations and one or more townships acting pursuant to a 8575
cooperative economic development agreement entered into under 8576
section 701.07 of the Revised Code; any joint economic development 8577
zone or joint economic development district organized under 8578
Chapter 715. of the Revised Code; any metropolitan planning 8579
organization; any port authority created under Chapter 4582. of 8580
the Revised Code; any transportation improvement district created 8581
under Chapter 5540. of the Revised Code; the Ohio rail development 8582
commission created under Chapter 4981. of the Revised Code; any 8583
other public corporation, agency, or commission established 8584
pursuant to state law; and any combination of the above. 8585

"Multimodal and intermodal transportation system" means a 8586
system of roads and highways, rail lines, water ports, airports, 8587
bicycle paths, pedestrian walkways, or public transit systems, 8588

including connections between them, and related facilities. 8589

"Passenger rail service" means passenger railroad service 8590
that connects two or more urbanized areas. 8591

"Public transit system" means a system of local 8592
transportation of passengers and their incidental baggage on 8593
scheduled routes by means of a conveyance on an individual 8594
passenger fare-paying basis, and excluding transportation by a 8595
sightseeing bus, taxi, or any vehicle not operated on a scheduled 8596
route basis. 8597

"Transportation innovation authority" means a body corporate 8598
and politic created pursuant to section 5539.03 of the Revised 8599
Code. 8600

"Transportation project" means a project constructed, 8601
improved, operated, or managed under this chapter, including the 8602
construction, reconstruction, alteration, repair, improvement, 8603
operation, or management of any road, highway, bridge, or other 8604
transportation facility as defined in section 5501.01 of the 8605
Revised Code; any multimodal and intermodal systems; any public 8606
transit system; and any freight or intercity passenger rail 8607
system. 8608

Sec. 5539.02. "(A) The director of transportation is hereby 8609
authorized to establish a transportation innovation authority 8610
pilot project and shall approve not more than four transportation 8611
innovation authorities pursuant to division (B) of section 5539.03 8612
of the Revised Code and shall report to the general assembly 8613
pursuant to division (C) of section 5539.07 of the Revised Code. 8614

(B) The purpose of a transportation innovation authority 8615
established under this chapter is to foster and encourage the 8616
investment of public and private resources in the planning and 8617
implementation of innovative transportation projects to enhance 8618

the efficiency of the state's transportation system, enhance 8619
intermodal and multimodal systems to streamline the transportation 8620
of goods and persons, and encourage the improvement and 8621
development of public transit systems and intercity passenger rail 8622
service throughout the state. A transportation innovation 8623
authority shall assist governmental agencies in the identification 8624
of transportation needs that will foster growth and economic 8625
development in the region conducive to the transportation projects 8626
and shall assist in funding priority projects through cooperative 8627
arrangements involving public and private partnerships. 8628

Sec. 5539.03. (A) Subject to approval by the director of 8629
transportation under division (B) of this section, any 8630
governmental agency, by resolution, ordinance, or other formal 8631
action by the appropriate legislative authority of such 8632
governmental agency, as applicable, may enter into an agreement 8633
with one or more other governmental agencies proposing to form a 8634
transportation innovation authority. The agreement between all 8635
participating governmental agencies, at a minimum, shall do all of 8636
the following: 8637

(1) Identify all members of the authority; 8638

(2) Designate the geographical area to be included in the 8639
jurisdiction of the authority; 8640

(3) Identify the transportation needs of the region covered 8641
by the authority and define the transportation projects necessary 8642
to meet such needs; 8643

(4) Provide for the planning, construction, operation, and 8644
maintenance of transportation projects proposed to be undertaken 8645
by the authority; 8646

(5) Establish the dates for the existence and operation of 8647
the authority, which shall include a date of creation, the means 8648

for determining when the authority shall cease to exist, how the 8649
authority may expand its membership, and how a member may end its 8650
membership; 8651

(6) Allow for and establish the terms of funding arrangements 8652
for the identified projects through any combination of funding 8653
sources authorized by this chapter or otherwise authorized by law; 8654

(7) Subject to section 5539.031 of the Revised Code, require 8655
all political subdivisions participating as members of the 8656
authority to agree, in a time and manner specified in the 8657
agreement, to adopt zoning and land use policies and laws that are 8658
consistent with and that complement the transportation innovation 8659
authority priorities, objectives, and identified projects. 8660

(B) Upon entering into an agreement, a proposed 8661
transportation innovation authority shall provide a copy of the 8662
agreement to the director of transportation, who shall approve or 8663
disapprove the agreement or suggest modifications to ensure 8664
consistency with the purposes of this chapter. 8665
8666

(C) A transportation innovation authority is deemed to be 8667
created upon the adoption by each participating governmental 8668
agency, acting by resolution, ordinance, or other formal action, 8669
as applicable, of an agreement approved by the director. 8670

Sec. 5539.031. As soon as practicable after approval of an 8671
agreement under division (C) of section 5539.03 of the Revised 8672
Code and before engaging in any transportation project 8673
development, a transportation innovation authority shall develop a 8674
proposed land use plan for the area within the authority that 8675
includes recommended changes to current land use and zoning 8676
policies and other measures that promote land use consistent with 8677
the authority's proposed transportation projects. The proposed 8678
land use plan shall be submitted to each member governmental 8679

agency and the department of transportation. The plan shall 8680
include a document that specifically details the changes required 8681
of each such governmental agency to that agency's current land use 8682
and zoning policies. Upon receipt of the proposed land use plan, 8683
the appropriate legislative authority of the governmental agency, 8684
in the time and manner specified in the agreement adopted under 8685
section 5539.03 of the Revised Code, shall express its intent to 8686
take action to change its land use policies and regulations. 8687

Sec. 5539.04. (A) A transportation innovation authority shall 8688
be governed by a board of directors, the membership of which shall 8689
be established by the governmental agencies comprising the 8690
authority; provided, that there shall be an equal number of board 8691
members representing each governmental agency comprising the 8692
authority. Each member of the board serves at the pleasure of the 8693
member's appointing authority, and the appointing authority may 8694
remove an appointee the appointing authority has appointed at any 8695
time and for any reason. Members of the board shall receive no 8696
compensation but may be reimbursed for their necessary and actual 8697
expenses incurred in the course of duties as board members. The 8698
affirmative vote of a majority of the board is necessary to 8699
transact business. 8700

(B) An authority shall adopt bylaws for the regulation of its 8701
affairs and the conduct of its business and shall provide for 8702
public notice and opportunity for public comment on the 8703
identification of transportation projects and plans for funding 8704
the construction, operation, and maintenance of such projects. 8705

(C) A transportation innovation authority is a body both 8706
corporate and politic, and the exercise by it of the powers 8707
conferred by this chapter are considered to be essential 8708
governmental functions. 8709

Sec. 5539.05. A transportation innovation authority may: 8710

(A) Sue and be sued in its own name, plead, and be impleaded; 8711
provided, any actions against the authority shall be brought in 8712
the court of common pleas in the county in which the authority is 8713
headquartered or in the court of common pleas of the county in 8714
which the cause of action arose, and all summonses and notices of 8715
any kind shall be served on the authority by leaving a copy 8716
thereof at its headquarters; 8717

(B) Purchase, construct, maintain, repair, sell, exchange, 8718
police, operate, or lease a project as defined by this chapter; 8719

(C) Make and enter into all contracts and agreements 8720
necessary or incidental to the performance of its functions in 8721
designing, planning, and implementing a project and the execution 8722
of its powers under this chapter; 8723

(D) Employ, retain, or contract for the services of 8724
consultants, engineers, construction and accounting experts, 8725
financial advisers, trustees, attorneys, or other employees, 8726
independent contractors, or agents as are necessary in its 8727
judgment for the exercise of its powers and performance of its 8728
duties under this chapter; 8729

(E) Acquire, hold, and dispose of property in the exercise of 8730
its powers and the performance of its duties under this chapter; 8731

(F) Direct its agents or employees, when properly identified 8732
in writing and after reasonable notice, to enter upon lands within 8733
its jurisdiction to make surveys and examinations preliminary to 8734
the location and construction of projects for the authority, 8735
without liability of the authority or its agents or employees 8736
except for actual damages arising solely out of such entry; 8737

(G) Enter into contracts, agreements, or any other 8738
partnerships with private entities, where appropriate, to 8739

streamline and enhance the planning and implementation and funding 8740
of identified projects; 8741

(H) Do all acts necessary and proper to carry out the powers 8742
expressly granted in this chapter. 8743

Sec. 5539.06. The board and members of a transportation 8744
innovation authority created under this chapter shall encourage 8745
the participation of all political subdivisions within the 8746
geographic jurisdiction of the authority. An authority shall 8747
invite the participation of any new community authority, county 8748
transit system, regional transit authority, regional transit 8749
commission, joint economic development zone or joint economic 8750
development district, transportation improvement district, port 8751
authority, or metropolitan planning organization whose 8752
jurisdiction is within or substantially within the jurisdiction 8753
identified by an authority. 8754

Sec. 5539.07. (A) The director of transportation may provide 8755
grants for planning and project development, funding from the 8756
state infrastructure bank under section 5531.09 of the Revised 8757
Code, and support for the priority transportation projects 8758
identified by a transportation innovation authority. 8759

(B) In accordance with Chapter 119. of the Revised Code, the 8760
director may adopt rules to assist in the creation and operation 8761
of transportation innovation authorities consistent with the 8762
purposes of this chapter. 8763

(C) The director shall issue an annual report to the general 8764
assembly summarizing the effectiveness of the authorities created 8765
under this chapter in identifying and funding the transportation 8766
needs of the state. 8767

Sec. 5539.08. (A) A transportation innovation authority shall 8768

hold and apply such funds as it considers necessary to carry out 8769
the powers and duties conferred by this chapter and as set forth 8770
in the agreement adopted by the authority. 8771

(B) An authority shall adopt an operating budget to hire 8772
employees, contract for services, and conduct normal business 8773
functions. All funding for such operating budget shall be paid 8774
from contributions from each governmental agency constituting the 8775
authority. No state funds shall be used for the operating budget 8776
of an authority. 8777

(C) An authority shall submit an annual audited financial 8778
report to the general assembly and the director of transportation 8779
setting forth all sources and uses of funds obtained or otherwise 8780
generated by the authority and a detailed breakdown of the 8781
different classes of expenditures made by the authority during 8782
each calendar year of operation. Such report also shall contain 8783
two-year budget projections for the operating expenses for the 8784
authority and specific transportation project funding. 8785

Sec. 5539.09. (A) A transportation innovation authority may 8786
acquire by purchase, lease, lease-purchase, lease with option to 8787
purchase, or otherwise, and in such manner and for such 8788
consideration as it considers proper, any public or private 8789
property necessary, convenient, or proper for the construction, 8790
maintenance, repair, or operation of a transportation project. 8791
Title to real and personal property shall be held in the name of 8792
the authority. Except as otherwise agreed to by the owner, full 8793
compensation shall be paid for public property taken. 8794

(B) A governmental agency may exercise the power of eminent 8795
domain to acquire property necessary for or in connection with a 8796
transportation project, but only to the extent such power is 8797
granted to the governmental agency individually. In any 8798

proceedings for appropriation, the procedure to be followed shall 8799
be in accordance with that provided in sections 163.01 to 163.22 8800
of the Revised Code or as otherwise provided by law for the 8801
governmental agency. Nothing in this chapter shall be construed as 8802
permitting a transportation innovation authority to exercise the 8803
power of eminent domain as a collective entity to acquire property 8804
necessary for or in connection with a transportation project. 8805

(C) This section does not authorize an authority to take or 8806
disturb property or facilities belonging to any public utility or 8807
to a common carrier engaged in interstate commerce if the property 8808
or facilities are required for the proper and convenient operation 8809
of the public utility or common carrier unless provision is made 8810
for the restoration, relocation, replication, or duplication of 8811
the property or facilities elsewhere at the sole cost of the 8812
authority. 8813

(D) Except as otherwise provided in this chapter, disposition 8814
of real property shall be by sale, lease-purchase agreement, lease 8815
with option to purchase, or otherwise in such manner and for such 8816
consideration as the authority determines if to a governmental 8817
agency or to a private entity involved in the transportation 8818
project funding, and otherwise in the manner provided in section 8819
5501.45 of the Revised Code for the disposition of property by the 8820
director of transportation. Disposition of personal property shall 8821
be in such manner and for such consideration as the authority 8822
determines. 8823

Sec. 5539.10. The board of directors of a transportation 8824
innovation authority may acquire real property in fee simple in 8825
the name of the authority in connection with, but in excess of 8826
that needed for, a project, by any method other than appropriation 8827
and hold the property for such period of time as the board 8828
determines. All right, title, and interest of the authority in the 8829

property may be sold at public auction or otherwise, as the board 8830
considers in the best interests of the authority, but in no event 8831
shall the property be sold for less than two-thirds of its 8832
appraised value. Sale at public auction shall be undertaken only 8833
after the board advertises the sale in a newspaper of general 8834
circulation in the area of the jurisdiction of the authority for 8835
at least two weeks prior to the date set for the sale. 8836

Sec. 5539.11. (A) A governmental agency may fund or assist in 8837
funding a transportation project as set forth in this chapter 8838
using the authority granted to any governmental agency 8839
participating as a member of a transportation innovation 8840
authority, but only to the extent such power is granted to the 8841
governmental agency individually. Nothing in this section shall be 8842
construed as permitting a transportation innovation authority or 8843
granting such authority the right to levy any fee, assessment, 8844
payment, or tax as a collective entity. 8845

(B) Projects identified by a transportation innovation 8846
authority under this chapter may be funded through any combination 8847
of revenue generated under the authority granted by this chapter 8848
or under the authority granted to any governmental agency 8849
participating as a member of an authority. Subject to the 8850
following limitations, such funding sources may include special 8851
fees and assessments levied by a governmental agency, fair share 8852
payments, payments in lieu of property tax on improvements, cash 8853
payments by private participants, dedicated portions of local 8854
sales tax and local income tax receipts, loans or grants from 8855
local, state, or federal sources, implementation of tolling 8856
arrangements or other charges as authorized and governed by 8857
sections 5531.11 to 5531.18 of the Revised Code, or any other 8858
revenue raising or tax incentive authority available to an 8859
authority or any governmental agency acting as a member of an 8860

authority: 8861

(1) A transportation innovation authority may participate in the levy of special assessments by a governmental agency to assist in the payment of costs for the construction, reconstruction, alteration, repair, improvement, operation, or management of an identified transportation project if the authority determines that the project will benefit the geographic area where the project will be constructed, reconstructed, altered, repaired, improved, operated, or maintained. 8862
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(2) When it is determined that a project will benefit both a single political subdivision and the jurisdiction covered by an authority as a whole, any governmental agency participating as a member of a transportation innovation authority may exercise its taxing authority on income, sales, or property under Title LVII of the Revised Code, or provide for payments in lieu of property tax on improvements, to benefit the entire jurisdiction covered by the authority. 8870
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(3) A transportation innovation authority may obtain loans or grants from local, state, or federal sources. Loans or grants from federal or state sources may be used for funding transportation projects and may not be applied to the operating expenses of an authority. 8878
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(4) An authority may issue bonds to pay for all or part of the cost of an identified project. 8883
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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 8885
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restrictions. 8892

(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. 8893
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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. 8897
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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. 8902
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Sec. 5735.06. (A) On or before the last day of each month, each motor fuel dealer shall file with the tax commissioner a report for the preceding calendar month, on forms prescribed by or in a form acceptable to the tax commissioner. The report shall include the following information: 8913
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(1) An itemized statement of the number of gallons of all motor fuel received during the preceding calendar month by such motor fuel dealer, which has been produced, refined, prepared, distilled, manufactured, blended, or compounded by such motor fuel dealer in the state; 8918
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(2) An itemized statement of the number of gallons of all motor fuel received by such motor fuel dealer in the state from any source during the preceding calendar month, other than motor fuel included in division (A)(1) of this section, together with a statement showing the date of receipt of such motor fuel; the name of the person from whom purchased or received; the date of receipt of each shipment of motor fuel; the point of origin and the point of destination of each shipment; the quantity of each of said purchases or shipments; the name of the carrier; the number of gallons contained in each car if shipped by rail; the point of origin, destination, and shipper if shipped by pipe line; or the name and owner of the boat, barge, or vessel if shipped by water; 8923
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(3) An itemized statement of the number of gallons of motor fuel which such motor fuel dealer has during the preceding calendar month: 8935
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(a) For motor fuel other than gasoline sold for use other than for operating motor vehicles on the public highways or on waters within the boundaries of this state; 8938
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(b) Exported from this state to any other state or foreign country as provided in division (A)(4) of section 5735.05 of the Revised Code; 8941
8942
8943

(c) Sold to the United States government or any of its agencies; 8944
8945

(d) Sold for delivery to motor fuel dealers; 8946

(e) Sold exclusively for use in the operation of aircraft; 8947

(4) Such other information incidental to the enforcement of the motor fuel laws of the state as the commissioner requires. 8948
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(B) The report shall show the tax due, computed as follows: 8950

(1) The following deductions shall be made from the total number of gallons of motor fuel received by the motor fuel dealer 8951
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within the state during the preceding calendar month: 8953

(a) The total number of gallons of motor fuel received by the 8954
motor fuel dealer within the state and sold or otherwise disposed 8955
of during the preceding calendar month as set forth in section 8956
5735.05 of the Revised Code; 8957

(b) The total number of gallons received during the preceding 8958
calendar month and sold or otherwise disposed of to another 8959
licensed motor fuel dealer pursuant to section 5735.05 of the 8960
Revised Code; 8961

(c) To cover the costs of the motor fuel dealer ~~in compiling~~ 8962
~~the report, and for~~ evaporation, shrinkage, or other 8963
unaccounted-for losses: 8964

(i) If the report is timely filed ~~and~~ or the tax is timely 8965
paid, ~~three~~ one-half per cent of the total number of gallons of 8966
motor fuel received by the motor fuel dealer within the state 8967
during the preceding calendar month less the total number of 8968
gallons deducted under divisions (B)(1)(a) and (b) of this 8969
section, less ~~one~~ fifteen one-hundredths of one per cent of the 8970
total number of gallons of motor fuel that were sold to a retail 8971
dealer during the preceding calendar month; 8972

(ii) If the report required by division (A) of this section 8973
is not timely filed ~~and~~ or the tax is not timely paid, no 8974
deduction shall be allowed; 8975

(iii) If the report is incomplete, no deduction shall be 8976
allowed for any fuel on which the tax is not timely reported ~~and~~ 8977
or paid~~+~~. 8978

(2) The number of gallons remaining after the deductions have 8979
been made shall be multiplied separately by each of the following 8980
amounts: 8981

(a) The cents per gallon rate; 8982

(b) Two cents. 8983

The sum of the products obtained in divisions (B)(2)(a) and 8984
(b) of this section shall be the amount of motor fuel tax for the 8985
preceding calendar month. 8986

(C) The report shall be filed ~~together with~~ and payment of 8987
the tax shown on the report to be due, ~~unless~~ shall be made. If 8988
the motor fuel dealer is required by section 5735.062 of the 8989
Revised Code to pay the tax by electronic funds transfer, ~~in which~~ 8990
~~ease~~ the dealer shall file the report pursuant to this section and 8991
pay the tax pursuant to section 5735.062 of the Revised Code. The 8992
commissioner may extend the time for filing reports and may remit 8993
all or part of penalties which may become due under sections 8994
5735.01 to 5735.99 of the Revised Code. For purposes of this 8995
section and sections 5735.062 and 5735.12 of the Revised Code, a 8996
report required to be filed under this section is considered filed 8997
when it is received by the tax commissioner, and remittance of the 8998
tax due is considered to be made when the remittance is received 8999
by the tax commissioner or when credited to an account designated 9000
by the treasurer of state and the tax commissioner for the receipt 9001
of tax remittances. The tax commissioner shall immediately forward 9002
to the treasurer of state all amounts received under this section. 9003
9004

(D) The tax commissioner may require a motor fuel dealer to 9005
file a report for a period other than one month. Such a report, 9006
together with payment of the tax, shall be filed not later than 9007
thirty days after the last day of the prescribed reporting period. 9008

(E) No person required by this section to file a tax report 9009
shall file a false or fraudulent tax report or supporting 9010
schedule. 9011

Sec. 5735.141. Any retail dealer of motor fuel shall receive 9012
a refund for Ohio motor fuel taxes paid on fuel lost by a retail 9013

dealer through shrinkage and evaporation. This refund shall be 9014
fifteen one-hundredths of one per cent of the Ohio motor fuel 9015
taxes paid on fuel purchased during any semiannual period ending 9016
the thirtieth day of June or the thirty-first day of December. 9017

In order to receive a refund, the retail dealer shall file 9018
with the tax commissioner, within one hundred twenty days after 9019
the thirtieth day of June and the thirty-first day of December of 9020
each year, an application for a refund stating the quantity of 9021
motor fuel that was purchased for resale by the applicant during 9022
the preceding semiannual period ending the thirtieth day of June 9023
or the thirty-first day of December and upon which the motor fuel 9024
tax has been paid. No person shall file a claim for the tax on 9025
fewer than one hundred gallons of motor fuel. The form and 9026
contents of the application shall be prescribed by the 9027
commissioner, and the application shall be signed in accordance 9028
with section 5703.25 of the Revised Code. On the filing of the 9029
application, the commissioner shall determine the amount of refund 9030
to which the applicant is entitled. If the amount is not less than 9031
that claimed, the commissioner shall certify the amount to the 9032
director of budget and management and treasurer of state for 9033
payment from the tax refund fund created by section 5703.052 of 9034
the Revised Code. If the amount is less than that claimed, the 9035
commissioner shall proceed in accordance with section 5703.70 of 9036
the Revised Code. 9037

No refund shall be authorized or ordered under this section 9038
for any single claim for the tax on fewer than one hundred gallons 9039
of motor fuel. 9040

The refund authorized by this section or section 5703.70 of 9041
the Revised Code shall be reduced by the cents per gallon amount 9042
of any qualified fuel credit received under section 5735.145 of 9043
the Revised Code, as determined by the commissioner, for each 9044
gallon of qualified fuel included in the total gallonage of motor 9045

fuel upon which the refund is computed. 9046

The right to receive any refund under this section or section 9047
5703.70 of the Revised Code is not assignable. The payment of the 9048
refund shall not be made to any person other than the retail 9049
dealer originally entitled thereto, except that the refund may be 9050
paid to the executor, administrator, receiver, trustee in 9051
bankruptcy, or assignee in insolvency proceedings of such 9052
retailer. 9053

A motor fuel dealer shall be deemed to be a retail dealer 9054
when acting in a retail capacity. 9055

Section 101.02. That existing sections 121.51, 125.11, 9056
133.52, 151.01, 151.09, 151.40, 955.201, 1548.10, 1548.14, 9057
2911.21, 2949.094, 3781.10, 3905.423, 4163.01, 4163.07, 4501.01, 9058
4501.03, 4501.044, 4501.06, 4501.21, 4501.34, 4503.04, 4503.042, 9059
4503.07, 4503.10, 4503.103, 4503.182, 4503.26, 4503.65, 4505.032, 9060
4505.09, 4505.14, 4506.07, 4506.08, 4506.11, 4507.05, 4507.06, 9061
4507.071, 4507.13, 4507.23, 4507.24, 4507.51, 4507.52, 4509.05, 9062
4511.01, 4511.093, 4511.181, 4511.191, 4511.213, 4513.03, 9063
4513.263, 4519.02, 4519.03, 4519.04, 4519.08, 4519.09, 4519.10, 9064
4519.44, 4519.47, 4519.59, 4519.63, 4561.17, 4561.18, 4561.21, 9065
4981.02, 5501.03, 5501.311, 5501.34, 5502.03, 5502.39, 5502.67, 9066
5502.68, 5515.01, 5515.07, 5517.011, 5525.01, 5525.15, 5531.09, 9067
5537.07, 5537.99, 5735.06, and 5735.141 of the Revised Code are 9068
hereby repealed. 9069

Section 105.01. That sections 955.202 and 5902.09 of the 9070
Revised Code are hereby repealed. 9071

Section 105.05. Section 121.53 of the Revised Code is hereby 9072
repealed, effective September 30, 2013. 9073

Section 201.10. Except as otherwise provided, all 9074

appropriation items in this act are hereby appropriated out of any 9075
moneys in the state treasury to the credit of the designated fund 9076
that are not otherwise appropriated. For all appropriations made 9077
in this act, the amounts in the first column are for fiscal year 9078
2010 and the amounts in the second column are for fiscal year 9079
2011. 9080

Section 203.10. DOT DEPARTMENT OF TRANSPORTATION 9081

FUND	TITLE	FY 2010	FY 2011	
	Highway Operating Fund Group			9083
2120 772426	Highway Infrastructure Bank - Federal	\$ 4,018,649	\$ 4,018,649	9084
2120 772427	Highway Infrastructure Bank - State	\$ 10,209,272	\$ 10,209,272	9085
2120 772429	Highway Infrastructure Bank - Local	\$ 11,499,999	\$ 11,499,999	9086
2120 772430	Infrastructure Debt Reserve Title 23-49	\$ 1,500,000	\$ 1,500,000	9087
2120 775408	Transit Infrastructure Bank - Local	\$ 812,685	\$ 812,685	9088
2120 775455	Title 49 Infrastructure - Bank - State	\$ 312,795	\$ 312,795	9089
2130 772431	Roadway Infrastructure Bank - State	\$ 1,000,000	\$ 1,000,000	9090
2130 772432	Roadway Infrastructure Bank -	\$ 6,000,000	\$ 6,000,000	9091

		Local				
2130	772433	Infrastructure Debt	\$	2,000,000	\$	2,000,000 9092
		Reserve - State				
2130	775457	Transit	\$	312,082	\$	312,082 9093
		Infrastructure Bank -				
		State				
2130	775460	Transit	\$	1,000,000	\$	1,000,000 9094
		Infrastructure Bank -				
		Local				
2130	777477	Aviation	\$	3,500,000	\$	3,500,000 9095
		Infrastructure Bank -				
		State				
2130	777478	Aviation	\$	6,000,000	\$	6,000,000 9096
		Infrastructure Bank -				
		Local				
2160	772439	New Generation	\$	50,000,000	\$	0 9097
		Highway Loan				
2160	772440	New Generation	\$	50,000,000	\$	0 9098
		Highway Bond				
2180	775461	New Generation Multi	\$	120,000,000	\$	0 9099
		Modal Loan				
2180	775462	New Generation Multi	\$	120,000,000	\$	0 9100
		Modal Bond				
7002	770003	Administration -	\$	3,415,700	\$	1,821,000 9101
		State - Debt Service				
7002	771411	Planning and Research	\$	21,044,516	\$	21,463,169 9102
		- State				
7002	771412	Planning and Research	\$	23,970,770	\$	24,214,310 9103
		- Federal				
7002	772421	Highway Construction	\$	542,801,332	\$	517,419,558 9104
		- State				
7002	772422	Highway Construction	\$	1,091,378,700	\$	1,065,737,629 9105
		- Federal				

7002	772424	Highway Construction	\$	121,377,011	\$	109,694,836	9106
		- Other					
7002	772437	GARVEE Debt Service -	\$	21,778,200	\$	27,547,900	9107
		State					
7002	772438	GARVEE Debt Service -	\$	131,814,700	\$	136,513,200	9108
		Federal					
7002	773431	Highway Maintenance -	\$	405,633,542	\$	425,329,858	9109
		State					
7002	775452	Public Transportation	\$	27,060,785	\$	27,060,785	9110
		- Federal					
7002	775454	Public Transportation	\$	1,500,000	\$	1,500,000	9111
		- Other					
7002	775459	Elderly and Disabled	\$	4,730,000	\$	4,730,000	9112
		Special Equipment					
7002	776462	Grade Crossings -	\$	15,000,000	\$	15,000,000	9113
		Federal					
7002	777472	Airport Improvements	\$	405,000	\$	405,000	9114
		- Federal					
7002	777475	Aviation	\$	4,945,697	\$	5,186,959	9115
		Administration					
7002	779491	Administration -	\$	131,087,437	\$	134,889,042	9116
		State					
TOTAL HOF Highway Operating							9117
Fund Group			\$	2,936,108,872	\$	2,566,678,728	9118
State Special Revenue Fund Group							9119
4N40	776663	Panhandle Lease	\$	762,600	\$	764,300	9120
		Reserve Payments					
4N40	776664	Rail Transportation -	\$	2,111,500	\$	2,111,500	9121
		Other					
5W90	777615	County Airport	\$	620,000	\$	620,000	9122
		Maintenance					
TOTAL SSR State Special Revenue							9123
Fund Group			\$	3,494,100	\$	3,495,800	9124

Inrastructure Bank Obligations Fund Group					9125
7045 772428 Highway	\$	71,000,000	\$	65,000,000	9126
Infrastructure Bank -					
Bonds					
TOTAL 045 Infrastructure Bank					9127
Obligations Fund Group	\$	71,000,000	\$	65,000,000	9128
Highway Capital Improvement Fund Group					9129
7042 772723 Highway Construction	\$	194,000,000	\$	163,000,000	9130
- Bonds					
TOTAL 042 Highway Capital					9131
Improvement Fund Group	\$	194,000,000	\$	163,000,000	9132
TOTAL ALL BUDGET FUND GROUPS	\$	3,204,602,972	\$	2,798,174,528	9133

Section 203.11. PUBLIC ACCESS ROADS FOR DNR FACILITIES 9135

Of the foregoing appropriation item 772421, Highway 9136
Construction - State, \$5,000,000 shall be used in each fiscal year 9137
for the construction, reconstruction, or maintenance of public 9138
access roads, including support features, to and within state 9139
facilities owned or operated by the Department of Natural 9140
Resources. 9141

Section 203.12. PUBLIC ACCESS ROADS FOR PARKS AND EXPOSITIONS 9142
COMMISSION FACILITIES 9143

Notwithstanding section 5511.06 of the Revised Code, of the 9144
foregoing appropriation item 772421, Highway Construction - State, 9145
\$2,228,000 in each fiscal year shall be used for the construction, 9146
reconstruction, or maintenance of park drives or park roads within 9147
the boundaries of metropolitan parks. 9148

The Department of Transportation may use the foregoing 9149
appropriation item 772421, Highway Construction - State, to 9150
perform related road work on behalf of the Ohio Expositions 9151
Commission at the state fairgrounds, including reconstruction or 9152

maintenance of public access roads and support features to and 9153
within fairground facilities, as requested by the Commission and 9154
approved by the Director of Transportation. 9155

Section 203.13. DIRECT INVESTMENT IN PUBLIC TRANSIT 9156

Of the foregoing appropriation item 772422, Highway 9157
Construction - Federal, \$7,500,000 shall be used in each fiscal 9158
year to provide grants to local transit authorities to purchase or 9159
improve public transit vehicles. To provide for a cleaner 9160
environment, new transit vehicles purchased and improvements made 9161
to a local transit authority's existing fleet of vehicles with 9162
funds provided under this section must foster the goals of 9163
increasing fuel efficiency, reducing emissions, and using 9164
alternative fuels, as appropriate. 9165

Section 203.16. DIESEL EMISSIONS REDUCTION PILOT PROJECT 9166

Of the foregoing appropriation item 772422, Highway 9167
Construction - Federal, \$600,000 shall be used in fiscal year 2010 9168
for a truck stop electrification pilot project to reduce diesel 9169
emissions from commercial vehicles. 9170

Section 203.20. ISSUANCE OF BONDS 9171

The Treasurer of State, upon the request of the Director of 9172
Transportation, is authorized to issue and sell, in accordance 9173
with Section 2m of Article VIII, Ohio Constitution, and Chapter 9174
151. and particularly sections 151.01 and 151.06 of the Revised 9175
Code, obligations, including bonds and notes, in the aggregate 9176
amount of \$352,000,000 in addition to the original issuance of 9177
obligations authorized by prior acts of the General Assembly. 9178

The obligations shall be dated, issued, and sold from time to 9179
time in amounts necessary to provide sufficient moneys to the 9180
credit of the Highway Capital Improvement Fund (Fund 7042) created 9181

by section 5528.53 of the Revised Code to pay costs charged to the 9182
fund when due as estimated by the Director of Transportation, 9183
provided, however, that such obligations shall be issued and sold 9184
at such time or times so that not more than \$220,000,000 original 9185
principal amount of obligations, plus the principal amount of 9186
obligations that in prior fiscal years could have been, but were 9187
not, issued within the \$220,000,000 limit, may be issued in any 9188
fiscal year, and not more than \$1,200,000,000 original principal 9189
amount of such obligations are outstanding at any one time. 9190

Section 203.30. TRANSFER OF HIGHWAY OPERATING FUND (FUND 9191
7002) APPROPRIATIONS: PLANNING AND RESEARCH, HIGHWAY CONSTRUCTION, 9192
HIGHWAY MAINTENANCE, RAIL, AVIATION, AND ADMINISTRATION 9193
9194

The Director of Budget and Management may approve requests 9195
from the Director of Transportation for transfer of Highway 9196
Operating Fund (Fund 7002) appropriations for highway planning and 9197
research (appropriation items 771411 and 771412), highway 9198
construction (appropriation items 772421, 772422, 772424, 772437, 9199
and 772438), highway maintenance (appropriation item 773431), rail 9200
grade crossings (appropriation item 776462), aviation 9201
(appropriation item 777475), and administration (appropriation 9202
item 779491). The Director of Budget and Management may not make 9203
transfers out of debt service appropriation items unless the 9204
Director determines that the appropriated amounts exceed the 9205
actual and projected debt service requirements. Transfers of 9206
appropriations may be made upon the written request of the 9207
Director of Transportation and with the approval of the Director 9208
of Budget and Management. The transfers shall be reported to the 9209
Controlling Board at the next regularly scheduled meeting of the 9210
board. 9211

This transfer authority is intended to provide for emergency 9212

situations and flexibility to meet unforeseen conditions that 9213
could arise during the budget period. It also is intended to allow 9214
the department to optimize the use of available resources and 9215
adjust to circumstances affecting the obligation and expenditure 9216
of federal funds. 9217

TRANSFER OF APPROPRIATIONS: FEDERAL HIGHWAY AND FEDERAL AND 9218
LOCAL TRANSIT 9219

The Director of Budget and Management may approve written 9220
requests from the Director of Transportation for the transfer of 9221
appropriations between appropriation items 772422, Highway 9222
Construction - Federal, 775452, Public Transportation - Federal, 9223
775454, Public Transportation - Other, and 775459, Elderly and 9224
Disabled Special Equipment, based upon transit capital projects 9225
meeting Federal Highway Administration and Federal Transit 9226
Administration funding guidelines. The transfers shall be reported 9227
to the Controlling Board at its next regularly scheduled meeting. 9228

TRANSFER OF APPROPRIATIONS AND CASH: STATE INFRASTRUCTURE 9229
BANK 9230

The Director of Budget and Management may approve requests 9231
from the Director of Transportation for transfer of appropriations 9232
and cash of the Infrastructure Bank funds created in section 9233
5531.09 of the Revised Code, including transfers between fiscal 9234
years 2010 and 2011. The transfers shall be reported to the 9235
Controlling Board at its next regularly scheduled meeting. 9236

The Director of Budget and Management may approve requests 9237
from the Director of Transportation for transfer of appropriations 9238
and cash from the Highway Operating Fund (Fund 7002) to the 9239
Infrastructure Bank funds created in section 5531.09 of the 9240
Revised Code. The Director of Budget and Management may transfer 9241
from the Infrastructure Bank funds to the Highway Operating Fund 9242
up to the amounts originally transferred to the Infrastructure 9243

Bank funds under this section. However, the Director may not make 9244
transfers between modes or transfers between different funding 9245
sources. The transfers shall be reported to the Controlling Board 9246
at its next regularly scheduled meeting. 9247

TRANSFER OF APPROPRIATIONS AND CASH: TOLLING FUNDS 9248

The Director of Budget and Management may approve requests 9249
from the Director of Transportation for transfer of appropriations 9250
and cash of the Ohio Tolling Fund and any sub-accounts created in 9251
section 5531.14 of the Revised Code, including transfers between 9252
fiscal years 2010 and 2011. The transfers shall be reported to the 9253
Controlling Board at its next regularly scheduled meeting. 9254

INCREASING APPROPRIATIONS: STATE FUNDS 9255

In the event that receipts or unexpended balances credited to 9256
the Highway Operating Fund (Fund 7002) exceed the estimates upon 9257
which the appropriations have been made in this act, upon the 9258
request of the Director of Transportation, the Controlling Board 9259
may increase those appropriations in the manner prescribed in 9260
section 131.35 of the Revised Code. 9261

INCREASING APPROPRIATIONS: FEDERAL AND LOCAL FUNDS 9262

In the event that receipts or unexpended balances credited to 9263
the Highway Operating Fund (Fund 7002) or apportionments or 9264
allocations made available from the federal and local government 9265
exceed the estimates upon which the appropriations have been made 9266
in this act, upon the request of the Director of Transportation, 9267
the Controlling Board may increase those appropriations in the 9268
manner prescribed in section 131.35 of the Revised Code. 9269

REAPPROPRIATIONS 9270

Upon approval of the Director of Budget and Management, all 9271
appropriations of the Highway Operating Fund (Fund 7002), the 9272
Highway Capital Improvement Fund (Fund 7042), and the 9273

Infrastructure Bank funds created in section 5531.09 of the 9274
Revised Code remaining unencumbered on June 30, 2009, are hereby 9275
reappropriated for the same purpose in fiscal year 2010. 9276

Upon approval of the Director of Budget and Management, all 9277
appropriations of the Highway Operating Fund (Fund 7002), the 9278
Highway Capital Improvement Fund (Fund 7042), and the 9279
Infrastructure Bank funds created in section 5531.09 of the 9280
Revised Code remaining unencumbered on June 30, 2010, are hereby 9281
reappropriated for the same purpose in fiscal year 2011. 9282

Any balances of prior years' appropriations to the Highway 9283
Operating Fund (Fund 7002), the Highway Capital Improvement Fund 9284
(Fund 7042), and the Infrastructure Bank funds created in section 9285
5531.09 of the Revised Code that are unencumbered on June 30, 9286
2009, subject to the availability of revenue as determined by the 9287
Director of Transportation, are hereby reappropriated for the same 9288
purpose in fiscal year 2010 upon the request of the Director of 9289
Transportation and with the approval of the Director of Budget and 9290
Management. The reappropriations shall be reported to the 9291
Controlling Board. 9292

Any balances of prior years' appropriations to the Highway 9293
Operating Fund (Fund 7002), the Highway Capital Improvement Fund 9294
(Fund 7042), and the Infrastructure Bank funds created in section 9295
5531.09 of the Revised Code that are unencumbered on June 30, 9296
2010, subject to the availability of revenue as determined by the 9297
Director of Transportation, are hereby reappropriated for the same 9298
purpose in fiscal year 2011 upon the request of the Director of 9299
Transportation and with the approval of the Director of Budget and 9300
Management. The reappropriations shall be reported to the 9301
Controlling Board. 9302

LIQUIDATION OF UNFORESEEN LIABILITIES 9303

Any appropriation made from the Highway Operating Fund (Fund 9304

7002) not otherwise restricted by law is available to liquidate 9305
unforeseen liabilities arising from contractual agreements of 9306
prior years when the prior year encumbrance is insufficient. 9307

Section 203.40. MAINTENANCE INTERSTATE HIGHWAYS 9308

The Director of Transportation may remove snow and ice and 9309
maintain, repair, improve, or provide lighting upon interstate 9310
highways that are located within the boundaries of municipal 9311
corporations, adequate to meet the requirements of federal law. 9312
When agreed in writing by the Director of Transportation and the 9313
legislative authority of a municipal corporation and 9314
notwithstanding sections 125.01 and 125.11 of the Revised Code, 9315
the Department of Transportation may reimburse a municipal 9316
corporation for all or any part of the costs, as provided by such 9317
agreement, incurred by the municipal corporation in maintaining, 9318
repairing, lighting, and removing snow and ice from the interstate 9319
system. 9320

Section 203.50. PUBLIC TRANSPORTATION HIGHWAY PURPOSE GRANTS 9321

The Director of Transportation may use revenues from the 9322
state motor vehicle fuel tax to match approved federal grants 9323
awarded to the Department of Transportation, regional transit 9324
authorities, or eligible public transportation systems, for public 9325
transportation highway purposes, or to support local or state 9326
funded projects for public transportation highway purposes. Public 9327
transportation highway purposes include: the construction or 9328
repair of high-occupancy vehicle traffic lanes, the acquisition or 9329
construction of park-and-ride facilities, the acquisition or 9330
construction of public transportation vehicle loops, the 9331
construction or repair of bridges used by public transportation 9332
vehicles or that are the responsibility of a regional transit 9333
authority or other public transportation system, or other similar 9334

construction that is designated as an eligible public 9335
transportation highway purpose. Motor vehicle fuel tax revenues 9336
may not be used for operating assistance or for the purchase of 9337
vehicles, equipment, or maintenance facilities. 9338

Section 203.60. RENTAL PAYMENTS - OBA 9339

The foregoing appropriation item 770003, Administration - 9340
State - Debt Service, shall be used to pay rent to the Ohio 9341
Building Authority for the period July 1, 2009, to June 30, 2011, 9342
under the primary leases and agreements for various transportation 9343
related capital facilities financed by obligations issued under 9344
Chapter 152. of the Revised Code. The rental payments shall be 9345
made from revenues received from the motor vehicle fuel tax. The 9346
amounts of any bonds and notes to finance such capital facilities 9347
shall be at the request of the Director of Transportation. 9348
Notwithstanding section 152.24 of the Revised Code, the Ohio 9349
Building Authority may, with approval of the Office of Budget and 9350
Management, lease capital facilities to the Department of 9351
Transportation. 9352

The Director of Transportation shall hold title to any land 9353
purchased and any resulting structures that are attributable to 9354
appropriation item 770003. Notwithstanding section 152.18 of the 9355
Revised Code, the Director of Transportation shall administer any 9356
purchase of land and any contract for construction, 9357
reconstruction, and rehabilitation of facilities as a result of 9358
this appropriation. 9359

Should the appropriation and any reappropriations from prior 9360
years in appropriation item 770003 exceed the rental payments for 9361
fiscal year 2010 or 2011, then prior to June 30, 2011, the balance 9362
may be transferred to appropriation item 772421, Highway 9363
Construction - State, 773431, Highway Maintenance - State, or 9364
779491, Administration - State, upon the written request of the 9365

Director of Transportation and with the approval of the Director 9366
of Budget and Management. The transfer shall be reported to the 9367
Controlling Board at its next regularly scheduled meeting. 9368

Section 205.10. DPS DEPARTMENT OF PUBLIC SAFETY 9369

State Highway Safety Fund Group 9370

4W40 762321 Operating Expense - \$ 85,145,103 \$ 89,005,103 9371
BMV

4W40 762410 Registrations \$ 31,753,145 \$ 32,480,610 9372
Supplement

5V10 762682 License Plate \$ 2,100,000 \$ 2,100,000 9373
Contributions

7036 761321 Operating Expense - \$ 8,819,954 \$ 8,828,661 9374
Information and
Education

7036 761401 Lease Rental Payments \$ 13,337,000 \$ 11,836,200 9375

7036 764033 Minor Capital \$ 1,250,000 \$ 1,250,000 9376
Projects

7036 764321 Operating Expense - \$ 269,887,828 \$ 269,975,259 9377
Highway Patrol

7036 764605 Motor Carrier \$ 3,340,468 \$ 3,340,468 9378
Enforcement Expenses

8300 761603 Salvage and Exchange \$ 20,800 \$ 21,632 9379
- Administration

8310 761610 Information and \$ 468,982 \$ 468,982 9380
Education - Federal

8310 764610 Patrol - Federal \$ 2,455,484 \$ 2,455,484 9381

8310 764659 Transportation \$ 6,132,592 \$ 6,132,592 9382
Enforcement - Federal

8310 765610 EMS - Federal \$ 582,007 \$ 582,007 9383

8310 767610 Liquor Enforcement - \$ 514,184 \$ 514,184 9384
Federal

8310	769610	Food Stamp Trafficking Enforcement - Federal	\$	1,032,135	\$	1,032,135	9385
8310	769631	Homeland Security - Federal	\$	2,100,000	\$	2,184,000	9386
8320	761612	Traffic Safety - Federal	\$	16,577,565	\$	16,577,565	9387
8350	762616	Financial Responsibility Compliance	\$	6,063,600	\$	6,063,600	9388
8370	764602	Turnpike Policing	\$	11,553,959	\$	11,553,959	9389
8380	764606	Patrol Reimbursement	\$	100,000	\$	100,000	9390
83C0	764630	Contraband, Forfeiture, Other	\$	622,894	\$	622,894	9391
83F0	764657	Law Enforcement Automated Data System	\$	10,984,978	\$	9,053,266	9392
83G0	764633	OMVI Enforcement/Education	\$	650,000	\$	650,000	9393
83J0	764693	Highway Patrol Justice Contraband	\$	2,100,000	\$	2,100,000	9394
83M0	765624	Operating Expense - Trauma and EMS	\$	2,915,113	\$	2,924,562	9395
83N0	761611	Elementary School Seat Belt Program	\$	390,000	\$	405,600	9396
83P0	765637	EMS Grants	\$	4,562,912	\$	4,562,912	9397
83R0	762639	Local Immobilization Reimbursement	\$	750,000	\$	750,000	9398
83T0	764694	Highway Patrol Treasury Contraband	\$	21,000	\$	21,000	9399
8400	764607	State Fair Security	\$	1,396,283	\$	1,396,283	9400
8400	764617	Security and Investigations	\$	6,317,530	\$	6,432,686	9401
8400	764626	State Fairgrounds	\$	830,769	\$	849,883	9402

		Police Force					
8400	769632	Homeland Security -	\$	1,552,049	\$	1,614,131	9403
		Operating					
8410	764603	Salvage and Exchange	\$	1,339,399	\$	1,339,399	9404
		- Highway Patrol					
8440	761613	Seat Belt Education	\$	400,000	\$	400,000	9405
		Program					
8460	761625	Motorcycle Safety	\$	3,324,987	\$	3,538,903	9406
		Education					
8490	762627	Automated Title	\$	19,240,839	\$	19,240,839	9407
		Processing Board					
TOTAL HSF		State Highway Safety Fund	\$	520,633,559	\$	522,404,799	9408
Group							
General Services Fund Group							9409
4P60	768601	Justice Program	\$	1,070,962	\$	1,109,004	9410
		Services					
4S30	766661	Hilltop Utility	\$	520,000	\$	540,800	9411
		Reimbursement					
5ET0	768625	Drug Law Enforcement	\$	4,200,000	\$	4,200,000	9412
5Y10	764695	Highway Patrol	\$	280,820	\$	280,820	9413
		Continuing					
		Professional Training					
5Y10	767696	Investigative Unit	\$	15,000	\$	15,000	9414
		Continuing					
		Professional Training					
TOTAL GSF		General Services Fund	\$	6,086,782	\$	6,145,624	9415
Group							
Federal Special Revenue Fund Group							9416
3290	763645	Federal Mitigation	\$	10,801,636	\$	11,233,702	9417
		Program					
3370	763609	Federal Disaster	\$	27,707,636	\$	27,707,636	9418
		Relief					

3390	763647	Emergency Management Assistance and Training	\$	84,031,935	\$	84,072,023	9419
3AY0	768606	Federal Justice Grants	\$	1,020,000	\$	745,000	9420
3CB0	768691	Federal Justice Grants - FFY06	\$	920,000	\$	795,000	9421
3CC0	768609	Justice Assistance Grants - FFY07	\$	1,450,000	\$	1,215,000	9422
3L50	768604	Justice Program	\$	15,856,300	\$	12,256,300	9423
3N50	763644	U.S. Department of Energy Agreement	\$	31,358	\$	31,672	9424
XXXX	768XXX	Justice Assistance Grants	\$	36,146,492	\$	1,902,447	9425
TOTAL FED	Federal Special Revenue Fund Group		\$	177,965,357	\$	139,958,780	9426
	State Special Revenue Fund Group						9427
4V30	763662	EMA Service and Reimbursement	\$	4,474,751	\$	4,653,743	9428
5390	762614	Motor Vehicle Dealers Board	\$	200,000	\$	200,000	9429
5B90	766632	Private Investigator and Security Guard Provider	\$	1,341,478	\$	1,395,137	9430
5BK0	768687	Criminal Justice Services - Operating	\$	400,000	\$	400,000	9431
5BK0	768689	Family Violence Shelter Programs	\$	750,000	\$	750,000	9432
5CM0	767691	Federal Investigative Seizure	\$	642,175	\$	642,175	9433
5DS0	769630	Homeland Security	\$	517,350	\$	538,044	9434
5FF0	762621	Indigent Interlock and Alcohol	\$	1,600,000	\$	2,750,000	9435

		Monitoring					
5FL0	769634	Investigations	\$	1,172,080	\$	1,195,522	9436
6220	767615	Investigative	\$	375,000	\$	375,000	9437
		Contraband and Forfeiture					
6570	763652	Utility Radiological Safety	\$	1,413,889	\$	1,415,945	9438
6810	763653	SARA Title III HAZMAT Planning	\$	254,794	\$	262,438	9439
8500	767628	Investigative Unit Salvage	\$	100,000	\$	100,000	9440
TOTAL SSR		State Special Revenue	\$	13,241,517	\$	14,678,004	9441
		Fund Group					
		Liquor Control Fund Group					9442
7043	767321	Liquor Enforcement - Operating	\$	12,007,894	\$	11,897,178	9443
TOTAL LCF		Liquor Control Fund Group	\$	12,007,894	\$	11,897,178	9444
		Agency Fund Group					9445
5J90	761678	Federal Salvage/GSA	\$	1,500,000	\$	1,500,000	9446
TOTAL AGY		Agency Fund Group	\$	1,500,000	\$	1,500,000	9447
		Holding Account Redistribution Fund Group					9448
R024	762619	Unidentified Motor Vehicle Receipts	\$	1,885,000	\$	1,885,000	9449
R052	762623	Security Deposits	\$	350,000	\$	350,000	9450
TOTAL 090		Holding Account	\$	2,235,000	\$	2,235,000	9451
		Redistribution Fund Group					
TOTAL ALL BUDGET FUND GROUPS			\$	733,670,109	\$	698,819,385	9452
		MOTOR VEHICLE REGISTRATION					9453
		The Registrar of Motor Vehicles may deposit revenues to meet					9454
		the cash needs of the State Bureau of Motor Vehicles Fund (Fund					9455
		4W40) established in section 4501.25 of the Revised Code, obtained					9456
		under sections 4503.02 and 4504.02 of the Revised Code, less all					9457

other available cash. Revenue deposited pursuant to this paragraph 9458
shall support, in part, appropriations for operating expenses and 9459
defray the cost of manufacturing and distributing license plates 9460
and license plate stickers and enforcing the law relative to the 9461
operation and registration of motor vehicles. Notwithstanding 9462
section 4501.03 of the Revised Code, the revenues shall be paid 9463
into Fund 4W40 before any revenues obtained pursuant to sections 9464
4503.02 and 4504.02 of the Revised Code are paid into any other 9465
fund. The deposit of revenues to meet the aforementioned cash 9466
needs shall be in approximately equal amounts on a monthly basis 9467
or as otherwise determined by the Director of Budget and 9468
Management pursuant to a plan submitted by the Registrar of Motor 9469
Vehicles. 9470

CASH TRANSFERS FROM THE STATE BUREAU OF MOTOR VEHICLES FUND 9471

Notwithstanding any provision of law to the contrary, on July 9472
1, 2009, or as soon as possible thereafter, the Director of Budget 9473
and Management may transfer, from the Bureau of Motor Vehicles 9474
Fund (Fund 4W40), cash in the amounts of up to \$635,293 to the 9475
Justice Program Services Fund (Fund 4P60), up to \$3,284,464 to the 9476
EMA Service and Reimbursement Fund (Fund 4V30), and up to \$879,060 9477
to the Investigations Fund (Fund 5FL0). 9478

CAPITAL PROJECTS 9479

The Registrar of Motor Vehicles may transfer cash from the 9480
State Bureau of Motor Vehicles Fund (Fund 4W40) to the State 9481
Highway Safety Fund (Fund 7036) to meet its obligations for 9482
capital projects CIR-047, Department of Public Safety Office 9483
Building and CIR-049, Warehouse Facility. 9484

OBA BOND AUTHORITY/LEASE RENTAL PAYMENTS 9485

The foregoing appropriation item 761401, Lease Rental 9486
Payments, shall be used for payments to the Ohio Building 9487
Authority for the period July 1, 2009, to June 30, 2011, under the 9488

primary leases and agreements for public safety related buildings 9489
financed by obligations issued under Chapter 152. of the Revised 9490
Code. Notwithstanding section 152.24 of the Revised Code, the Ohio 9491
Building Authority may, with approval of the Director of Budget 9492
and Management, lease capital facilities to the Department of 9493
Public Safety. 9494

HILLTOP TRANSFER 9495

The Director of Public Safety shall determine, per an 9496
agreement with the Director of Transportation, the share of each 9497
debt service payment made out of appropriation item 761401, Lease 9498
Rental Payments, that relates to the Department of 9499
Transportation's portion of the Hilltop Building Project, and 9500
shall certify to the Director of Budget and Management the amounts 9501
of this share. The Director of Budget and Management shall 9502
transfer the amounts of such shares from the Highway Operating 9503
Fund (Fund 7002) to the State Highway Safety Fund (Fund 7036). 9504

CASH TRANSFERS OF SEAT BELT FINE REVENUES 9505

Notwithstanding any provision of law to the contrary, the 9506
Controlling Board, upon request of the Director of Public Safety, 9507
may approve the transfer of cash between the following four funds 9508
that receive fine revenues from enforcement of the mandatory seat 9509
belt law: the Trauma and Emergency Medical Services Fund (Fund 9510
83M0), the Elementary School Program Fund (Fund 83N0), the Trauma 9511
and Emergency Medical Services Grants Fund (Fund 83P0), and the 9512
Seat Belt Education Fund (Fund 8440). 9513

STATE DISASTER RELIEF 9514

The State Disaster Relief Fund (Fund 5330) may accept 9515
transfers of cash and appropriations from Controlling Board 9516
appropriation items for Ohio Emergency Management Agency disaster 9517
response costs and disaster program management costs, and may also 9518
be used for the following purposes: 9519

(A) To accept transfers of cash and appropriations from 9520
Controlling Board appropriation items for Ohio Emergency 9521
Management Agency public assistance and mitigation program match 9522
costs to reimburse eligible local governments and private 9523
nonprofit organizations for costs related to disasters; 9524

(B) To accept and transfer cash to reimburse the costs 9525
associated with Emergency Management Assistance Compact (EMAC) 9526
deployments; 9527

(C) To accept disaster related reimbursement from federal, 9528
state, and local governments. The Director of Budget and 9529
Management may transfer cash from reimbursements received by this 9530
fund to other funds of the state from which transfers were 9531
originally approved by the Controlling Board. 9532

(D) To accept transfers of cash and appropriations from 9533
Controlling Board appropriation items to fund the State Disaster 9534
Relief Program, for disasters that have been declared by the 9535
Governor, and the State Individual Assistance Program for 9536
disasters that have been declared by the Governor and the federal 9537
Small Business Administration. The Ohio Emergency Management 9538
Agency shall publish and make available application packets 9539
outlining procedures for the State Disaster Relief Program and the 9540
State Individual Assistance Program. 9541

JUSTICE ASSISTANCE GRANT FUND 9542

The federal payments made to the state for the Byrne Justice 9543
Assistance Grants Program under Title II of Division A of the 9544
American Recovery and Reinvestment Act of 2009 shall be deposited 9545
to the credit of the Justice Assistance Grant Fund (Fund XXXX), 9546
which is hereby created in the state treasury. All investment 9547
earnings of the fund shall be credited to the fund. 9548

JUSTICE ASSISTANCE GRANTS 9549

The foregoing appropriation item 768XXX, Justice Assistance 9550

Grants, shall be used to support activities to prevent and control 9551
crime and to improve the criminal justice system. 9552

FAMILY VIOLENCE PREVENTION FUND 9553

Notwithstanding any provision of law to the contrary, in each 9554
of fiscal years 2010 and 2011, the first \$750,000 received to the 9555
credit of the Family Violence Prevention Fund (Fund 5BK0) in each 9556
of those fiscal years shall be appropriated to appropriation item 9557
768689, Family Violence Shelter Programs, and the next \$400,000 9558
received to the credit of Fund 5BK0 in each of those fiscal years 9559
shall be appropriated to appropriation item 768687, Criminal 9560
Justice Services - Operating. Any moneys received to the credit of 9561
Fund 5BK0 in excess of the aforementioned appropriated amounts in 9562
each fiscal year shall, upon the approval of the Controlling 9563
Board, be used to provide grants to family violence shelters in 9564
Ohio. 9565

SARA TITLE III HAZMAT PLANNING 9566

The SARA Title III HAZMAT Planning Fund (Fund 6810) is 9567
entitled to receive grant funds from the Emergency Response 9568
Commission to implement the Emergency Management Agency's 9569
responsibilities under Chapter 3750. of the Revised Code. 9570

COLLECTIVE BARGAINING INCREASES 9571

Notwithstanding division (D) of section 127.14 and division 9572
(B) of section 131.35 of the Revised Code, except for the General 9573
Revenue Fund, the Controlling Board may, upon the request of 9574
either the Director of Budget and Management, or the Department of 9575
Public Safety with the approval of the Director of Budget and 9576
Management, increase appropriations for any fund, as necessary for 9577
the Department of Public Safety, to assist in paying the costs of 9578
increases in employee compensation that have occurred pursuant to 9579
collective bargaining agreements under Chapter 4117. of the 9580
Revised Code and, for exempt employees, under section 124.152 of 9581

the Revised Code. 9582

CASH BALANCE FUND REVIEW 9583

Not later than the first day of April in each fiscal year of 9584
the biennium, the Director of Budget and Management shall review 9585
the cash balances for each fund, except the State Highway Safety 9586
Fund (Fund 7036) and the State Bureau of Motor Vehicles Fund (Fund 9587
4W40), in the State Highway Safety Fund Group, and shall recommend 9588
to the Controlling Board an amount to be transferred to the credit 9589
of Fund 7036 or Fund 4W40, as appropriate. 9590

Section 207.10. DEV DEPARTMENT OF DEVELOPMENT 9591

State Special Revenue Fund Group					9592
4W00 195629 Roadwork Development	\$	18,699,900	\$	18,699,900	9593
TOTAL SSR State Special Revenue					9594
Fund Group	\$	18,699,900	\$	18,699,900	9595
TOTAL ALL BUDGET FUND GROUPS	\$	18,699,900	\$	18,699,900	9596

ROADWORK DEVELOPMENT FUND 9597

The Roadwork Development Fund shall be used for road 9598
improvements associated with economic development opportunities 9599
that will retain or attract businesses for Ohio. "Road 9600
improvements" are improvements to public roadway facilities 9601
located on, or serving or capable of serving, a project site. 9602

The Department of Transportation, under the direction of the 9603
Department of Development, shall provide these funds in accordance 9604
with all guidelines and requirements established for Department of 9605
Development appropriation item 195412, Business Development, 9606
including Controlling Board review and approval as well as the 9607
requirements for usage of gas tax revenue prescribed in Section 5a 9608
of Article XII, Ohio Constitution. Should the Department of 9609
Development require the assistance of the Department of 9610
Transportation to bring a project to completion, the Department of 9611

Transportation shall use its authority under Title LV of the Revised Code to provide such assistance and may enter into contracts on behalf of the Department of Development. In addition, these funds may be used in conjunction with appropriation item 195412, Business Development, or any other state funds appropriated for infrastructure improvements.

The Director of Budget and Management, pursuant to a plan submitted by the Director of Development or as otherwise determined by the Director of Budget and Management, shall set a cash transfer schedule to meet the cash needs of the Department of Development's Roadwork Development Fund (Fund 4W00), less any other available cash. The Director shall transfer to the Roadwork Development Fund from the Highway Operating Fund (Fund 7002), established in section 5735.291 of the Revised Code, such amounts at such times as determined by the transfer schedule.

TRANSPORTATION IMPROVEMENT DISTRICTS

Notwithstanding section 5540.151 of the Revised Code and any other restrictions that apply to the distribution of Roadwork Development Grants, of the foregoing appropriation item 195629, Roadwork Development, \$250,000 in each fiscal year shall be distributed by the Director of Development to each of the Transportation Improvement Districts in Belmont, Butler, Clermont, Hamilton, Lorain, Medina, Montgomery, Muskingum, and Stark counties, and to the Rossford Transportation Improvement District in Wood County.

Section 209.10. PWC PUBLIC WORKS COMMISSION

Local Transportation Improvements Fund Group
7052 150402 Local Transportation \$ 299,001 \$ 306,178
Improvement Program -
Operating

7052 150701	Local Transportation	\$	67,317,000	\$	67,400,000	9640
	Improvement Program					
TOTAL 052	Local Transportation					9641
Improvements	Fund Group	\$	67,616,001	\$	67,706,178	9642
Local Infrastructure	Improvements Fund Group					9643
7038 150321	State Capital	\$	897,383	\$	918,912	9644
	Improvements Program					
	- Operating Expenses					
TOTAL LIF	Local Infrastructure					9645
Improvements	Fund Group	\$	897,383	\$	918,912	9646
TOTAL ALL BUDGET	FUND GROUPS	\$	68,513,384	\$	68,625,090	9647

DISTRICT ADMINISTRATION COSTS 9648

The Director of the Public Works Commission is authorized to 9649
create a District Administration Costs Program from interest 9650
earnings of the Capital Improvements Fund and Local Transportation 9651
Improvement Program Fund proceeds. The program shall be used to 9652
provide for the direct costs of district administration of the 9653
nineteen public works districts. Districts choosing to participate 9654
in the program shall only expend State Capital Improvements Fund 9655
moneys for State Capital Improvements Fund costs and Local 9656
Transportation Improvement Program Fund moneys for Local 9657
Transportation Improvement Program Fund costs. The account shall 9658
not exceed \$1,235,000 per fiscal year. Each public works district 9659
may be eligible for up to \$65,000 per fiscal year from its 9660
district allocation as provided in sections 164.08 and 164.14 of 9661
the Revised Code. 9662

The Director, by rule, shall define allowable and 9663
nonallowable costs for the purpose of the District Administration 9664
Costs Program. Nonallowable costs include indirect costs, elected 9665
official salaries and benefits, and project-specific costs. No 9666
district public works committee may participate in the District 9667
Administration Costs Program without the approval of those costs 9668

by the district public works committee under section 164.04 of the Revised Code.

REAPPROPRIATIONS

All capital appropriations from the Local Transportation Improvement Program Fund (Fund 7052) in Am. Sub. H.B. 67 of the 127th General Assembly remaining unencumbered as of June 30, 2009, are reappropriated for use during the period July 1, 2009, through June 30, 2010, for the same purpose.

Notwithstanding division (B) of section 127.14 of the Revised Code, all capital appropriations and reappropriations from the Local Transportation Improvement Program Fund (Fund 7052) in this act remaining unencumbered as of June 30, 2010, are reappropriated for use during the period July 1, 2010, through June 30, 2011, for the same purposes, subject to the availability of revenue as determined by the Director of the Public Works Commission.

Section 301.10. For all appropriations made in Sections 303.10, 305.10, 307.10, 309.10, 311.10, 313.10, 315.10, 317.10, 319.10, 321.10, and 325.10 of this act, those in the first column are for fiscal year 2008 and those in the second column are for fiscal year 2009. The appropriations made in these sections are in addition to any other appropriations made for fiscal years 2008 and 2009.

Section 303.10. (A) The federal payments made to the state for the 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 Federal Supportive Services Fund (Fund 3M40).

(B) The federal payments made to the state for the senior community service employment program under Title VIII of Division

A of the American Recovery and Reinvestment Act of 2009 shall be 9699
deposited to the credit of the Federal Aging Grants Fund (Fund 9700
3220). 9701

(C) The items in this section are appropriated as designated 9702
out of any moneys in the state treasury to the credit of their 9703
respective funds that are not otherwise appropriated. 9704

Appropriations

AGE DEPARTMENT OF AGING 9705

Federal Special Revenue Fund Group 9706

3220 490618 Federal Aging Grants \$ 0 \$ 5,278,000 9707

3M40 490612 Federal Supportive \$ 0 \$ 2,991,000 9708

Services

TOTAL FED Federal Special Revenue \$ 0 \$ 8,269,000 9709

Fund Group

TOTAL ALL BUDGET FUND GROUPS \$ 0 \$ 8,269,000 9710

The foregoing appropriation items 490618, Federal Aging 9711
Grants, and 490612, Federal Supportive Services, shall be used in 9712
accordance with the requirements of the American Recovery and 9713
Reinvestment Act of 2009 that apply to the money appropriated. 9714

Section 305.10. (A) The federal payments made to the state 9715
for crime victims assistance grants under Title II of Division A 9716
of the American Recovery and Reinvestment Act of 2009 shall be 9717
deposited to the credit of the Crime Victims Assistance Fund (Fund 9718
3830). 9719

(B) The federal payments made to the state for crime victims 9720
compensation under Title II of Division A of the American Recovery 9721
and Reinvestment Act of 2009 shall be deposited to the credit of 9722
the Reparations Fund (Fund 4020). 9723

(C) The items in this section are appropriated as designated 9724
out of any moneys in the state treasury to the credit of their 9725

respective funds that are not otherwise appropriated. 9726

Appropriations

AGO ATTORNEY GENERAL 9727

Federal Special Revenue Fund Group 9728

3830 055634 Crime Victims \$ 0 \$ 1,271,000 9729

Assistance

TOTAL FED Federal Special Revenue \$ 0 \$ 1,271,000 9730

Fund Group

State Special Revenue Fund Group 9731

4020 055616 Victims of Crime \$ 0 \$ 2,061,000 9732

TOTAL SSR State Special Revenue \$ 0 \$ 2,061,000 9733

Fund Group

TOTAL ALL BUDGET FUND GROUPS \$ 0 \$ 3,332,000 9734

The foregoing appropriation items 055634, Crime Victims 9735

Assistance, and 055616, Victims of Crime, shall be used in 9736

accordance with the requirements of the American Recovery and 9737

Reinvestment Act of 2009 that apply to the money appropriated. 9738

Section 307.10. (A) The federal payments made to the state 9739

for the Leaking Underground Storage Tank Trust Fund under Title II 9740

of Division A of the American Recovery and Reinvestment Act of 9741

2009 shall be deposited to the credit of the Leaking Underground 9742

Storage Tank Fund (Fund 3480). 9743

(B) The item in this section is appropriated as designated 9744

out of any moneys in the state treasury to the credit of Fund 3480 9745

that are not otherwise appropriated. 9746

Appropriations

COM DEPARTMENT OF COMMERCE 9747

Federal Special Revenue Fund Group 9748

3480 800624 Leaking Underground \$ 0 \$ 10,000,000 9749

Storage Tank

TOTAL FED Federal Special Revenue	\$	0	\$	10,000,000	9750
Fund Group					
TOTAL ALL BUDGET FUND GROUPS	\$	0	\$	10,000,000	9751

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.

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).

(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).

(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 to the credit of the Community Services Block Grant Fund (Fund 3L00).

(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).

(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.

(F) The federal payments made to the state for the Energy 9780
Efficiency and Conservation Block Grants Program under Title IV of 9781
Division A of the American Recovery and Reinvestment Act of 2009 9782
shall be deposited to the credit of the Energy Efficiency and 9783
Conservation Block Grants Fund (Fund XXXX), which is hereby 9784
created in the state treasury. 9785

(G) The items in this division are appropriated as designated 9786
out of any moneys in the state treasury to the credit of their 9787
respective funds that are not otherwise appropriated. 9788

Appropriations

DEV DEPARTMENT OF DEVELOPMENT 9789

Federal Special Revenue Fund Group 9790

3080	195603	Housing and Urban	\$	0	\$	26,205,724	9791
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Development

3080	195605	Federal Projects	\$	0	\$	276,553,000	9792
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3080	195618	Energy Federal Grants	\$	0	\$	122,604,000	9793
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3K80	195613	Community Development	\$	0	\$	12,957,527	9794
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Block Grant

3L00	195612	Community Services	\$	0	\$	38,979,000	9795
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Block Grant

3V10	195601	HOME Program	\$	0	\$	83,484,547	9796
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XXXX	195XXX	Federal Stimulus -	\$	0	\$	11,000,000	9797
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Energy Star Rebate
Program

XXXX	195XXX	Federal Stimulus -		0	\$	21,000,000	9798
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Energy Efficiency and
Conservation Block
Grants

TOTAL FED	Federal Special Revenue	\$	0	\$	592,783,798	9799
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Fund Group

TOTAL ALL BUDGET FUND GROUPS		\$	0	\$	592,783,798	9800
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The foregoing appropriation item 195605, Federal Projects, 9801

shall be used to carry out the Home Weatherization Assistance 9802
Program, subject to any requirements of the American Recovery and 9803
Reinvestment Act of 2009 that apply to the money appropriated. 9804

The foregoing appropriation items 195603, Housing and Urban 9805
Development, 195618, Energy Federal Grants, 195613, Community 9806
Development Block Grant, 195612, Community Services Block Grant, 9807
195601, HOME Program, 195XXX, Federal Stimulus - Energy Star 9808
Rebate Program, and 195XXX, Federal Stimulus - Energy Efficiency 9809
and Conservation Block Grants, shall be used in accordance with 9810
the requirements of the American Recovery and Reinvestment Act of 9811
2009 that apply to the money appropriated. 9812

Section 311.10. (A) The federal payments made to the state 9813
for the McKinney-Vento Homeless Assistance Act under Title VIII of 9814
Division A of the American Recovery and Reinvestment Act of 2009 9815
shall be deposited to the credit of the Consolidated Federal Grant 9816
Administration Fund (Fund 3Z30). 9817

(B) The federal payments made to the state for the national 9818
school lunch program under Title VIII of Division A of the 9819
American Recovery and Reinvestment Act of 2009 shall be deposited 9820
to the credit of the Federal Stimulus School Lunch Fund (Fund 9821
XXXX), which is hereby created in the state treasury. 9822

(C) The federal payments made to the state for the Head Start 9823
program under Title VIII of Division A of the American Recovery 9824
and Reinvestment Act of 2009 shall be deposited to the credit of 9825
the Federal Stimulus Head Start Fund (Fund XXXX), which is created 9826
in the state treasury. 9827

(D) The items in this section are appropriated as designated 9828
out of any moneys in the state treasury to the credit of their 9829
respective funds that are not otherwise appropriated. 9830

EDU DEPARTMENT OF EDUCATION				9831
Federal Special Revenue Fund Group				9832
3Z30	200645	Consolidated Federal Grant Administration	\$ 0 \$ 1,384,000	9833
XXXX	200XXX	Federal Stimulus - School Lunch	\$ 0 \$ 3,107,000	9834
XXXX	200XXX	Federal Stimulus - Head Start	\$ 0 \$ 27,338,000	9835
TOTAL FED		Federal Special Revenue Fund Group	\$ 0 \$ 31,829,000	9836
TOTAL ALL BUDGET FUND GROUPS			\$ 0 \$ 31,829,000	9837
<p>The foregoing appropriation item 200645, Consolidated Federal Grant Administration, 200XXX, Federal Stimulus - School Lunch, and 200XXX, Federal Stimulus - Head Start shall be used in accordance with the requirements of the American Recovery and Reinvestment Act of 2009 that apply to the money appropriated.</p>				9838 9839 9840 9841 9842
<p>Section 313.10. (A) The federal payments made to the state for clean air under Title VII of Division A of the American Recovery and Reinvestment Act of 2009 shall be deposited to the credit of the Clean Air Fund (Fund 4K20).</p>				9843 9844 9845 9846
<p>(B) The item in this section is appropriated as designated out of any moneys in the state treasury to the credit of Fund 4K20 that are not otherwise appropriated.</p>				9847 9848 9849
Appropriations				
EPA ENVIRONMENTAL PROTECTION AGENCY				9850
State Special Revenue Fund Group				9851
4K20	715648	Clean Air Non-Title V	\$ 0 \$ 1,700,000	9852
TOTAL SSR		State Special Revenue Fund Group	\$ 0 \$ 1,700,000	9853
TOTAL ALL BUDGET FUND GROUPS			\$ 0 \$ 1,700,000	9854
<p>The foregoing appropriation item 715648, Clean Air Non-Title</p>				9855

V, shall be used in accordance with the requirements of the 9856
American Recovery and Reinvestment Act of 2009 that apply to the 9857
money appropriated. 9858

Section 315.10. (A) The federal payments made to the state 9859
for the education technology program under Title VIII of Division 9860
A of the American Recovery and Reinvestment Act of 2009 shall be 9861
deposited to the credit of the Technology Literacy Challenge Fund 9862
(Fund 3S30). 9863

(B) The item in this section is appropriated as designated 9864
out of any moneys in the state treasury to the credit of Fund 3S30 9865
that are not otherwise appropriated. 9866

Appropriations

ETC ETECH OHIO				9867
Federal Special Revenue Fund Group				9868
3S30	935606	Enhancing Educational Technology	\$ 0 \$ 23,902,000	9869
TOTAL FED Federal Special Revenue Fund Group				9870
\$ 0 \$ 23,902,000				9871
TOTAL ALL BUDGET FUND GROUPS				9871
\$ 0 \$ 23,902,000				9871

The foregoing appropriation item 935606, Enhancing 9872
Educational Technology, shall be used in accordance with the 9873
requirements of the American Recovery and Reinvestment Act of 2009 9874
that apply to the money appropriated. 9875

Section 317.10. (A) The federal payments made to the state 9876
for the IDEA - Infants and Children Program under Title VIII of 9877
Division A of the American Recovery and Reinvestment Act of 2009 9878
shall be deposited to the credit of the Maternal Child Health 9879
Block Grant Fund (Fund 3200). 9880

(B) The federal payments made to the state for the 9881
Immunization Program under Title VIII of Division A of the 9882

American Recovery and Reinvestment Act of 2009 shall be deposited 9883
to the credit of the Preventive Health Block Grant Fund (Fund 9884
3870). 9885

(C) The federal payments made to the state for the Special 9886
Supplemental Nutrition Program under Title VIII of Division A of 9887
the American Recovery and Reinvestment Act of 2009 shall be 9888
deposited to the credit of the Women, Infants, and Children Fund 9889
(Fund 3890). 9890

(D) The items in this section are appropriated as designated 9891
out of any moneys in the state treasury to the credit of their 9892
respective funds that are not otherwise appropriated. 9893

Appropriations

DOH DEPARTMENT OF HEALTH 9894

Federal Special Revenue Fund Group 9895

3200 440601 Maternal Child Health \$ 0 \$ 14,410,000 9896
Block Grant

3870 440602 Preventive Health \$ 0 \$ 9,893,000 9897
Block Grant

3890 440604 Women, Infants, and \$ 0 \$ 2,000,000 9898
Children

TOTAL FED Federal Special Revenue \$ 0 \$ 26,303,000 9899
Fund Group

TOTAL ALL BUDGET FUND GROUPS \$ 0 \$ 26,303,000 9900

The foregoing appropriation items 440601, Maternal Child 9901
Health Block Grant, 440602, Preventive Health Block Grant, and 9902
440604, Women, Infants, and Children, shall be used in accordance 9903
with the requirements of the American Recovery and Reinvestment 9904
Act of 2009 that apply to the money appropriated. 9905

Section 319.10. (A) The federal payments made to the state 9906
for the Supplemental Nutrition Assistance Program under Title VIII 9907
of Division A of the American Recovery and Reinvestment Act of 9908

2009 shall be deposited to the credit of the Food Stamps and State Administration Fund (Fund 3840). 9909
9910

(B) The federal payments made to the state for the Commodity Assistance Program under Title VIII of Division A of the American Recovery and Reinvestment Act of 2009 shall be deposited to the credit of the Emergency Food Distribution Fund (Fund 3A20). 9911
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(C) The federal payments made to the state for the Foster Care/Adoption Program under Title VIII of Division A of the American Recovery and Reinvestment Act of 2009 shall be deposited to the credit of the IV-E Foster Care Maintenance/Pass Through Fund (Fund 3N00). 9915
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(D) The federal payments made to the state for the Unemployment Insurance Program under Title VIII of Division A of the American Recovery and Reinvestment Act of 2009 shall be deposited to the credit of the Unemployment Compensation Review Commission Fund (Fund 3V40). 9920
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9924

(E) The federal payments made to the state for the Medicaid disproportionate share hospitals under Title VIII of Division A of the American Recovery and Reinvestment Act of 2009 shall be deposited to the credit of the Medicaid Program Support Fund (Fund 5C90). 9925
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(F) 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. 9930
9931
9932

Appropriations

JFS DEPARTMENT OF JOB AND FAMILY SERVICES 9933

General Services Fund Group 9934

5C90 600671 Medicaid Program \$ 0 \$ 20,417,000 9935

Support

TOTAL GSF General Services Fund \$ 0 \$ 20,417,000 9936

Group

Federal Special Revenue Fund Group					9937
3840 600610	Food Assistance and	\$	0	\$ 11,200,000	9938
	State Administration				
3A20 600641	Emergency Food	\$	0	\$ 4,254,000	9939
	Distribution				
3N00 600628	IV-E Foster Care	\$	0	\$ 40,327,000	9940
	Maintenance				
3V40 600678	Federal Unemployment	\$	0	\$ 25,545,000	9941
	Programs				
TOTAL FED	Federal Special Revenue	\$	0	\$ 81,326,000	9942
Fund Group					
TOTAL ALL BUDGET FUND GROUPS		\$	0	\$ 101,743,000	9943

The foregoing appropriation items 600610, Food Assistance and 9944
State Administration, 600641, Emergency Food Distribution, 600628, 9945
IV-E Foster Care Maintenance, 600678, Federal Unemployment 9946
Programs, and 600671, Medicaid Program Support, shall be used in 9947
accordance with the requirements of the American Recovery and 9948
Reinvestment Act of 2009 that apply to the money appropriated. 9949

Section 321.10. (A) The federal payments made to the state 9950
for the Vocational Rehabilitation Program under Title VIII of 9951
Division A of the American Recovery and Reinvestment Act of 2009 9952
shall be deposited to the credit of the Consolidated Federal Fund 9953
(Fund 3790). 9954

(B) The federal payments made to the state for the 9955
Independent Living Program under Title VIII of Division A of the 9956
American Recovery and Reinvestment Act of 2009 shall be deposited 9957
to the credit of the Independent Living/Vocational Rehabilitation 9958
Fund (Fund 3L40). 9959

(C) The items in this section are appropriated as designated 9960
out of any moneys in the state treasury to the credit of their 9961

respective funds that are not otherwise appropriated.				9962
			Appropriations	
		RSC REHABILITATION SERVICES COMMISSION		9963
Federal Special Revenue Fund Group				9964
3790 415616	Federal - Vocational	\$	0 \$ 21,590,000	9965
	Rehabilitation			
3L40 415612	Federal Independent	\$	0 \$ 509,000	9966
	Living Centers or			
	Services			
3L40 415617	Independent	\$	0 \$ 1,392,958	9967
	Living/Vocational			
	Rehabilitation			
	Programs			
TOTAL FED	Federal Special Revenue	\$	0 \$ 23,491,958	9968
Fund Group				
TOTAL ALL BUDGET FUND GROUPS		\$	0 \$ 23,491,958	9969

The foregoing appropriation items 415616, Federal - 9970
Vocational Rehabilitation, 415612, Federal Independent Living 9971
Centers or Services, and 415617, Independent Living/Vocational 9972
Rehabilitation Programs, shall be used in accordance with the 9973
requirements of the American Recovery and Reinvestment Act of 2009 9974
that apply to the money appropriated. 9975

Section 323.10. Expenditures from the appropriations made in 9976
Sections 303.10, 305.10, 307.10, 309.10, 311.10, 313.10, 315.10, 9977
317.10, 319.10, 321.10, and 325.10 of this act shall be accounted 9978
for as though made in the relevant main operating appropriations 9979
act. The appropriations made in this division are subject to all 9980
provisions of the relevant main operating appropriations act that 9981
are generally applicable to the appropriations. 9982

Section 325.10. (A) The federal payments made to the state 9983

for highway infrastructure under Title XII of Division A of the 9984
American Recovery and Reinvestment Act of 2009 shall be deposited 9985
to the credit of the Highway Operating Fund (Fund 7002), which is 9986
created in section 5735.291 of the Revised Code. 9987

(B) The federal payments made to the state for transit 9988
agencies under Title XII of Division A of the American Recovery 9989
and Reinvestment Act of 2009 shall be deposited to the credit of 9990
the Highway Operating Fund (Fund 7002). 9991

(C) The items in this division are appropriated as designated 9992
out of any moneys in the state treasury to the credit of their 9993
respective funds that are not otherwise appropriated. 9994

Appropriations

DOT DEPARTMENT OF TRANSPORTATION 9995

Highway Operating Fund Group 9996

7002 772422 Highway Construction \$ 0 \$ 935,677,000 9997
- Federal

7002 77XXXX Federal Stimulus - \$ 0 \$ 167,036,000 9998
Transit

TOTAL HOF Highway Operating Fund \$ 0 \$ 1,102,713,000 9999
Group

TOTAL ALL BUDGET FUND GROUPS \$ 0 \$ 1,102,713,000 10000

TRANSFER OF APPROPRIATIONS 10001

The Director of Budget and Management may approve written 10002
requests from the Director of Transportation for the transfer of 10003
appropriations between appropriation items 771412, Planning and 10004
Research - Federal, 772422, Highway Construction - Federal, 10005
772424, Highway Construction - Other, 775452, Public 10006
Transportation - Federal, 776462, Grade Crossing - Federal, and 10007
777472, Airport Improvements - Federal, based upon the 10008
requirements of the American Recovery and Reinvestment Act of 2009 10009
that apply to the money appropriated. The transfers shall be 10010

reported to the Controlling Board at its next regularly scheduled meeting. 10011
10012

Expenditures from appropriations made in this section shall be accounted for as though made in Am. Sub. H.B. 67 of the 127th General Assembly. However, law contained the relevant operating appropriations act that is generally applicable to the appropriations made in that act also is generally applicable to the appropriations made in Section 325.10 of this act. 10013
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Section 327.10. The unexpended, unencumbered portions of the appropriation items made in Sections 303.10, 305.10, 307.10, 309.10, 311.10, 313.10, 315.10, 317.10, 319.10, 321.10, and 325.10 at the end of fiscal year 2009 are hereby reappropriated for the same purposes for fiscal year 2010. 10019
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Section 503.10. (A) On July 1, 2009, and on the first day of the month for every month thereafter, the Treasurer of State, before making any of the distributions listed in sections 5735.23, 5735.26, 5735.291, and 5735.30 of the Revised Code, shall deposit the first 2.5 per cent of the amount of motor fuel tax received for the preceding calendar month to the credit of the Highway Operating Fund (Fund 7002). 10024
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(B) Of the amount transferred to Fund 7002 pursuant to division (A) of this section, \$43,500,000 in each fiscal year shall be used to offset the costs in divisions (C) and (D) of this section, provided that up to \$10,000,000 of that amount in fiscal year 2010 and up to \$20,000,000 of that amount in fiscal year 2011 shall be used to offset those amounts transferred by the Treasurer of State to pay for the debt service on state highway capital improvement bonds. 10031
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(C) In fiscal year 2010, the Director of Transportation shall use proceeds in Fund 7002 for the following purposes, as permitted 10039
10040

by federal law:	10041
(1) Not less than \$14,500,000 shall be used to support public transit, rail, maritime, and aviation, or any planning and design activity related to those modes in the state.	10042 10043 10044
(2) Up to \$19,000,000 shall be used for transportation purposes.	10045 10046
(D) In fiscal year 2011, the Director of Transportation shall use proceeds in Fund 7002 for the following purposes, as permitted by federal law:	10047 10048 10049
(1) Not less than \$4,500,000 shall be used to support public transit, rail, maritime, and aviation, or any planning and design activity related to those modes in the state.	10050 10051 10052
(2) Up to \$19,000,000 shall be used for transportation purposes.	10053 10054
Section 503.20. PASSENGER RAIL	10055
The Ohio Rail Development Commission and the Director of Transportation may compete for federal funding to support the initiation of passenger rail service in Ohio. Any study used for planning and developing any intercity passenger rail project shall include an analysis of market demand, projected ridership, ongoing operating costs, economic impact, and the relationship with freight rail. Construction or operation of an intercity passenger rail project may not begin until the Director of Transportation or the Ohio Rail Development Commission completes such a study. Expenditures for the construction or operation of an intercity passenger rail project shall be approved by the Controlling Board.	10056 10057 10058 10059 10060 10061 10062 10063 10064 10065 10066
Section 509.10. AUTHORIZATION FOR OHIO BUILDING AUTHORITY AND OBM TO EFFECTUATE CERTAIN LEASE RENTAL PAYMENTS	10067 10068
The Director of Budget and Management shall initiate and	10069

process payments from lease rental payment appropriation items 10070
during the period from July 1, 2009, to June 30, 2011, pursuant to 10071
the lease agreements for bonds or notes issued under Section 2i of 10072
Article VIII of the Ohio Constitution and Chapter 152. of the 10073
Revised Code. Payments shall be made upon certification by the 10074
Ohio Building Authority of the dates and amounts due on those 10075
dates. 10076

Section 509.20. LEASE PAYMENTS TO OBA AND TREASURER 10077

Certain appropriations are in this act for the purpose of 10078
lease payments to the Ohio Building Authority or to the Treasurer 10079
of State under leases and agreements relating to bonds or notes 10080
issued by the Ohio Building Authority or the Treasurer of State 10081
under the Ohio Constitution and acts of the General Assembly. If 10082
it is determined that additional appropriations are necessary for 10083
this purpose, such amounts are hereby appropriated. 10084

Section 512.10. TRANSFERS OF CASH BETWEEN THE HIGHWAY 10085
OPERATING FUND AND THE HIGHWAY CAPITAL IMPROVEMENT FUND 10086

Upon the request of the Director of Transportation, the 10087
Director of Budget and Management may transfer cash from the 10088
Highway Operating Fund (Fund 7002) to the Highway Capital 10089
Improvement Fund (Fund 7042) created in section 5528.53 of the 10090
Revised Code. The Director of Budget and Management may transfer 10091
from Fund 7042 to Fund 7002 up to the amounts previously 10092
transferred to Fund 7042 under this section. 10093

Section 512.20. MONTHLY TRANSFERS TO GASOLINE EXCISE TAX FUND 10094

The Director of Budget and Management shall transfer cash in 10095
equal monthly increments totaling \$183,493,000 in each fiscal year 10096
of the 2010-2011 biennium from the Highway Operating Fund, created 10097
in section 5735.291 of the Revised Code, to the Gasoline Excise 10098

Tax Fund created in division (A) of section 5735.27 of the Revised Code. The monthly amounts transferred under this section shall be distributed as follows: 42.86 per cent shall be distributed among the municipal corporations within the state under division (A)(2) of section 5735.27 of the Revised Code; 37.14 per cent shall be distributed among the counties within the state under division (A)(3) of section 5735.27 of the Revised Code; and 20 per cent shall be distributed among the townships within the state under division (A)(5)(b) of section 5735.27 of the Revised Code.

Section 512.30. LOCAL TRANSPORTATION IMPROVEMENT PROGRAM

The Director of Budget and Management is authorized, upon written request of the Director of the Public Works Commission, to make periodic transfers of cash from the Highway Operating Fund created in section 5735.291 of the Revised Code to the Local Transportation Improvement Program Fund created in section 164.14 of the Revised Code. These periodic transfers must total \$100,000,000 in fiscal year 2010 and \$100,000,000 in fiscal year 2011 and are intended to fulfill the purposes of Section 18 of Am. Sub. H.B. 554 of the 127th General Assembly.

Section 512.40. DEPUTY INSPECTOR GENERAL FOR ODOT FUNDING

On July 1, 2009, and on January 1, 2010, respectively, or as soon as possible thereafter, the Director of Budget and Management shall transfer \$200,000 in cash, for each period, from the Highway Operating Fund (Fund 7002) to the Deputy Inspector General for ODOT Fund (Fund 5FA0).

On July 1, 2010, and on January 1, 2011, or as soon as possible thereafter, respectively, the Director of Budget and Management shall transfer \$200,000 in cash, for each period, from the Highway Operating Fund (Fund 7002) to the Deputy Inspector General for ODOT Fund (Fund 5FA0).

Should additional amounts be necessary, the Inspector 10129
General, with the consent of the Director of Budget and Management 10130
and with notice to the Director of Transportation, may seek 10131
Controlling Board approval for additional transfers of cash and to 10132
increase the amount appropriated from appropriation item 965603, 10133
Deputy Inspector General for ODOT, in the amount of the additional 10134
transfers. 10135

Section 512.41. DEPUTY INSPECTOR GENERAL FOR FUNDS RECEIVED 10136
THROUGH THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 10137

On July 1, 2009, and on January 1, 2010, or as soon as 10138
possible thereafter, respectively, the Director of Budget and 10139
Management shall transfer \$200,000 in cash, for each period, from 10140
the General Revenue Fund to the Deputy Inspector General for Funds 10141
Received through the American Recovery and Reinvestment Act of 10142
2009 Fund (Fund 5GI0), which is created in section 121.53 of the 10143
Revised Code. 10144

On July 1, 2010, and on January 1, 2011, or as soon as 10145
possible thereafter, respectively, the Director of Budget and 10146
Management shall transfer \$200,000 in cash, for each period, from 10147
the General Revenue Fund to the Deputy Inspector General for Funds 10148
Received through the American Recovery and Reinvestment Act of 10149
2009 Fund (Fund 5GI0). 10150

The amounts transferred in this section shall be appropriated 10151
in the main operating appropriations act of the 128th General 10152
Assembly. 10153

Section 512.43. DIESEL EMISSIONS REDUCTION GRANT PROGRAM 10154

There is established in the Highway Operating Fund (Fund 10155
7002) in the Department of Transportation a Diesel Emissions 10156
Reduction Grant Program. The Director of Development shall 10157
administer the program and shall solicit, evaluate, score, and 10158

select projects submitted by public entities, small business 10159
concerns as the concerns are defined in 13 C.F.R. 121, as amended, 10160
and disadvantaged business enterprises as they are defined in 49 10161
C.F.R. 26 that are eligible for the federal Congestion Mitigation 10162
and Air Quality (CMAQ) Program. The Director of Transportation 10163
shall process Federal Highway Administration-approved projects as 10164
recommended by the Director of Development. 10165

In addition to the allowable expenditures set forth in 10166
section 122.861 of the Revised Code, Diesel Emissions Reduction 10167
Grant Program funds also may be used to fund projects involving 10168
the purchase or use of hybrid and alternative fuel vehicles that 10169
are allowed under guidance developed by the Federal Highway 10170
Administration for the CMAQ Program. 10171

Public entities eligible to receive funds under section 10172
122.861 of the Revised Code and CMAQ shall be reimbursed from the 10173
Department of Transportation's Diesel Emissions Reduction Grant 10174
Program. 10175

Small business concerns and disadvantaged business 10176
enterprises eligible to receive funds under section 122.861 of the 10177
Revised Code and CMAQ shall be reimbursed through transfers of 10178
cash from the Department of Transportation's Diesel Emissions 10179
Reduction Grant Program to the Diesel Emissions Reduction Grant 10180
Fund (Fund 3BD0) used by the Department of Development. Total 10181
expenditures between both the Departments of Development and 10182
Transportation shall not exceed the amounts appropriated in this 10183
section. 10184

Appropriation item 195697, Diesel Emissions Reduction Grants, 10185
is established with an appropriation of \$4,400,000 for fiscal year 10186
2010. 10187

On or before June 30, 2010, any unencumbered balance of the 10188
foregoing appropriation item 195697, Diesel Emissions Reduction 10189

Grants, for fiscal year 2010 is appropriated for the same purposes 10190
in fiscal year 2011. 10191

Any cash transfers or allocations under this section 10192
represent CMAQ program moneys within the Department of 10193
Transportation for use by the Diesel Emissions Reduction Grant 10194
Program by the Department of Development. These allocations shall 10195
not reduce the amount of such moneys designated for metropolitan 10196
planning organizations. 10197

The Director of Development, in consultation with the 10198
Directors of Environmental Protection and Transportation, shall 10199
develop guidance for the distribution of funds and for the 10200
administration of the Diesel Emissions Reduction Grant Program. 10201
The guidance shall include a method of prioritization for 10202
projects, acceptable technologies, and procedures for awarding 10203
grants. 10204

Section 512.50. CASH TRANSFER TO GRF 10205

On July 1, 2009, or as soon as possible thereafter, the 10206
Director of Budget and Management shall transfer the cash balances 10207
of the ODOT Memorial Fund (Fund 4T50) and the Transportation 10208
Building Fund (Fund 7029), as of June 30, 2009, to the General 10209
Revenue Fund. Upon completion of the transfers, Funds 4T50 and 10210
7029 are abolished. 10211

Section 521.10. The federal payments that are made to the 10212
state from the Clean Water State Revolving Fund pursuant to Title 10213
VIII of the American Recovery and Reinvestment Act of 2009 shall 10214
be credited to the Water Pollution Control Loan Fund created in 10215
section 6111.036 of the Revised Code. Notwithstanding the 10216
requirements of section 6111.036 of the Revised Code, money 10217
credited to the Fund under this section shall be used and 10218
administered to provide financial assistance in any manner that is 10219

consistent with the requirements of the Federal Water Pollution 10220
Control Act or the American Recovery and Reinvestment Act of 2009. 10221

Notwithstanding the requirements of section 6111.036 of the 10222
Revised Code, rules adopted under it, and Chapter 3745-47 of the 10223
Administrative Code, the Director of Environmental Protection, for 10224
the purpose of obtaining federal payments pursuant to Title VIII 10225
of the American Recovery and Reinvestment Act of 2009, may impose 10226
alternative public comment procedures for the draft intended use 10227
plan, including alternative time frames for public notice and 10228
comment and the frequency of public meetings. 10229

Section 521.20. The federal payments that are made to the 10230
state from the Drinking Water State Revolving Fund pursuant to 10231
Title VIII of the American Recovery and Reinvestment Act of 2009 10232
shall be credited to the Drinking Water Assistance Fund created in 10233
section 6109.22 of the Revised Code. Notwithstanding the 10234
requirements of section 6109.22 of the Revised Code, money 10235
credited to the Fund under this section shall be used and 10236
administered to provide financial assistance in any manner that is 10237
consistent with the requirements of the Safe Drinking Water Act or 10238
the American Recovery and Reinvestment Act of 2009. 10239

Notwithstanding the requirements of section 6109.22 of the 10240
Revised Code, rules adopted under it, and Chapter 3745-47 of the 10241
Administrative Code, the Director of Environmental Protection, for 10242
the purpose of obtaining federal payments pursuant to Title VIII 10243
of the American Recovery and Reinvestment Act of 2009, may impose 10244
alternative public comment procedures for the draft intended use 10245
plan, including alternative time frames for public notice and 10246
comment and the frequency of public meetings. 10247

Section 521.30. To the extent possible, federal money 10248
received by the state for fiscal stabilization and recovery 10249

purposes shall be used in a manner that encourages the purchase of 10250
supplies and services from Ohio companies and stimulates job 10251
growth and retention in Ohio. 10252

Section 610.10. That Section 229.10 of Am. Sub. H.B. 67 of 10253
the 127th General Assembly, as amended by Am. Sub. H.B. 554 of the 10254
127th General Assembly, be amended to read as follows: 10255

Sec. 229.10. PWC PUBLIC WORKS COMMISSION 10256

Local Transportation Improvements Fund Group 10257

052 150-402 Local Transportation \$ 291,537 \$ 306,178 10258
Improvement Program -
Operating

052 150-701 Local Transportation \$ 67,500,000 \$ 267,500,000 10259
Improvement Program

TOTAL 052 Local Transportation 10260

Improvements Fund Group \$ 67,791,537 \$ 267,806,178 10261

Local Infrastructure Improvements Fund Group 10262

038 150-321 State Capital \$ 879,237 \$ 918,912 10263
Improvements Program -
Operating Expenses

TOTAL LIF Local Infrastructure 10264

Improvements Fund Group \$ 879,237 \$ 918,912 10265

TOTAL ALL BUDGET FUND GROUPS \$ 68,670,774 \$ 268,725,090 10266

~~CASH TRANSFER FROM THE BUDGET STABILIZATION FUND 10267~~

~~the Director of Budget and Management shall transfer 10268
\$200,000,000 in cash from the Budget Stabilization Fund to the 10269
Local Transportation Improvement Program Fund created in section 10270
164.14 of the Revised Code. 10271~~

DISTRICT ADMINISTRATION COSTS 10272

The Director of the Public Works Commission is authorized to 10273

create a District Administration Costs Program from interest 10274
earnings of the Capital Improvements Fund and Local Transportation 10275
Improvement Program Fund proceeds. The program shall be used to 10276
provide for the direct costs of district administration of the 10277
nineteen public works districts. Districts choosing to participate 10278
in the program shall only expend Capital Improvements Fund moneys 10279
for Capital Improvements Fund costs and Local Transportation 10280
Improvement Program Fund moneys for Local Transportation 10281
Improvement Program Fund costs. The account shall not exceed 10282
\$1,235,000 per fiscal year. Each public works district may be 10283
eligible for up to \$65,000 per fiscal year from its district 10284
allocation as provided in sections 164.08 and 164.14 of the 10285
Revised Code. 10286

The Director, by rule, shall define allowable and 10287
nonallowable costs for the purpose of the District Administration 10288
Costs Program. Nonallowable costs include indirect costs, elected 10289
official salaries and benefits, and project-specific costs. No 10290
district public works committee may participate in the District 10291
Administration Costs Program without the approval of those costs 10292
by the district public works committee under section 164.04 of the 10293
Revised Code. 10294

REAPPROPRIATIONS 10295

All capital appropriations from the Local Transportation 10296
Improvement Program Fund (Fund 052) in Am. Sub. H.B. 68 of the 10297
126th General Assembly remaining unencumbered as of June 30, 2007, 10298
are reappropriated for use during the period July 1, 2007, through 10299
June 30, 2008, for the same purpose. 10300

Notwithstanding division (B) of section 127.14 of the Revised 10301
Code, all capital appropriations and reappropriations from the 10302
Local Transportation Improvement Program Fund (Fund 052) in ~~this~~ 10303
~~act~~ Am. Sub. H.B. 67 of the 127th General Assembly remaining 10304
unencumbered as of June 30, 2008, are reappropriated for use 10305

during the period July 1, 2008, through June 30, 2009, for the 10306
same purposes, subject to the availability of revenue as 10307
determined by the Director of the Public Works Commission. 10308

Section 610.11. That existing Section 229.10 of Am. Sub. H.B. 10309
67 of the 127th General Assembly, as amended by Am. Sub. H.B. 554 10310
of the 127th General Assembly, is hereby repealed. 10311

Section 610.20. That Sections 217.10, 217.11, 239.10, 241.10, 10312
243.10, and 243.11 of Am. Sub. H.B. 562 of the 127th General 10313
Assembly be amended to read as follows: 10314

Sec. 217.10. The items set forth in this section are hereby 10315
appropriated out of any moneys in the state treasury to the credit 10316
of the Clean Ohio Revitalization Fund (Fund 7003) that are not 10317
otherwise appropriated: 10318

		Appropriations	
DEV DEPARTMENT OF DEVELOPMENT			10319
C19500	Clean Ohio Revitalization	\$ 32,000,000	10320
		<u>80,000,000</u>	
C19501	Clean Ohio Assistance	\$ 8,000,000	10321
		<u>20,000,000</u>	
Total Department of Development		\$ 40,000,000	10322
		<u>100,000,000</u>	
TOTAL Clean Ohio Assistance Fund		\$ 40,000,000	10323
		<u>100,000,000</u>	

Sec. 217.11. CLEAN OHIO REVITALIZATION 10325

The Treasurer of State is hereby authorized to issue and 10326
sell, in accordance with Section 2o and 2q of Article VIII, Ohio 10327
Constitution, and pursuant to sections 151.01 and 151.40 of the 10328
Revised Code, original obligations in an aggregate principal 10329
amount not to exceed ~~\$40,000,000~~ \$100,000,000 in addition to the 10330

original issuance of obligations heretofore authorized by prior 10331
acts of the General Assembly. These authorized obligations shall 10332
be issued and sold from time to time, subject to applicable 10333
constitutional and statutory limitations, as needed to ensure 10334
sufficient moneys to the credit of the Clean Ohio Revitalization 10335
Fund (Fund 7003) to pay costs of revitalization projects. 10336

Sec. 239.10. The items set forth in this section are hereby 10337
appropriated out of any moneys in the state treasury to the credit 10338
of the Clean Ohio Conservation Fund (Fund 7056) that are not 10339
otherwise appropriated. 10340

		Appropriations	
	PWC PUBLIC WORKS COMMISSION		10341
C15060	Clean Ohio Conservation	\$ 30,000,000 <u>75,000,000</u>	10342
Total Public Works Commission		\$ 30,000,000 <u>75,000,000</u>	10343
TOTAL Clean Ohio Conservation Fund		\$ 30,000,000 <u>75,000,000</u>	10344

The foregoing appropriation item C15060, Clean Ohio 10345
Conservation, shall be used in accordance with sections 164.20 to 10346
164.27 of the Revised Code. If the Public Works Commission 10347
receives refunds due to project overpayments that are discovered 10348
during the post-project audit, the Director of the Public Works 10349
Commission may certify to the Director of Budget and Management 10350
that refunds have been received. If the Director of Budget and 10351
Management determines that the project refunds are available to 10352
support additional appropriations, such amounts are hereby 10353
appropriated. 10354

Sec. 241.10. The items set forth in this section are hereby 10355
appropriated out of any moneys in the state treasury to the credit 10356
of the Clean Ohio Agricultural Easement Fund (Fund 7057) that are 10357

not otherwise appropriated. 10358

Appropriations

AGR DEPARTMENT OF AGRICULTURE 10359

C70009 Clean Ohio Agricultural Easements \$ ~~5,000,000~~ 10360

12,500,000

Total Department of Agriculture \$ ~~5,000,000~~ 10361

12,500,000

TOTAL Clean Ohio Agricultural Easement Fund \$ ~~5,000,000~~ 10362

12,500,000

Sec. 243.10. The items set forth in this section are hereby 10364
appropriated out of any moneys in the state treasury to the credit 10365
of the Clean Ohio Trail Fund (Fund 7061) that are not otherwise 10366
appropriated. 10367

Appropriations

DNR DEPARTMENT OF NATURAL RESOURCES 10368

C72514 Clean Ohio Trail - Grants \$ ~~5,000,000~~ 10369

12,500,000

Total Department of Natural Resources \$ ~~5,000,000~~ 10370

12,500,000

TOTAL Clean Ohio Trail Fund \$ ~~5,000,000~~ 10371

12,500,000

Sec. 243.11. The Ohio Public Facilities Commission is hereby 10373
authorized to issue and sell, in accordance with Section 2o and 2q 10374
of Article VIII, Ohio Constitution, and pursuant to sections 10375
151.01 and 151.09 of the Revised Code, original obligations of the 10376
state in an aggregate principal amount not to exceed ~~\$40,000,000~~ 10377
\$100,000,000 in addition to the original issuance of obligations 10378
heretofore authorized by prior acts of the General Assembly. These 10379
authorized obligations shall be issued and sold from time to time, 10380
subject to applicable constitutional and statutory limitations, as 10381

needed to ensure sufficient moneys to the credit of the Clean Ohio 10382
Conservation Fund (Fund 7056), the Clean Ohio Agricultural 10383
Easement Fund (Fund 7057), and the Clean Ohio Trail Fund (Fund 10384
7061) to pay costs of conservation projects. 10385
10386

Section 610.21. That existing Sections 217.10, 217.11, 10387
239.10, 241.10, 243.10, and 243.11 of Am. Sub. H.B. 562 of the 10388
127th General Assembly are hereby repealed. 10389

Section 610.30. That Section 503.40 of Am. Sub. H.B. 562 of 10390
the 127th General Assembly be amended to read as follows: 10391

Sec. 503.40. All appropriation items in this section are 10392
appropriated out of the money in the state treasury to the credit 10393
of the designated fund. For all appropriations made in this 10394
section, the amounts in the first column are for fiscal year 2008 10395
and the amounts in the second column are for fiscal year 2009. 10396

LSC LEGISLATIVE SERVICE COMMISSION 10397

General Revenue Fund 10398

GRF 035-321 Operating Expenses \$ 0 \$ 200,000 10399

GRF 035-407 Legislative Taskforce \$ 0 \$ 750,000 10400

on Redistricting

TOTAL GRF General Revenue Fund \$ 0 \$ 950,000 10401

TOTAL ALL BUDGET FUND GROUPS \$ 0 \$ 950,000 10402

~~COMMISSION~~ COMMISSIONS ON CUYAHOGA COUNTY GOVERNMENT REFORM 10403

AND LOCAL GOVERNMENT REFORM AND COLLABORATION 10404

The foregoing appropriation item 035-321, Operating Expenses, 10405

shall be used to support the Commission on Cuyahoga County 10406

Government Reform and the Ohio Commission on Local Government 10407

Reform and Collaboration, both created in this act Am. Sub. H.B. 10408

562 of the 127th General Assembly. 10409

An amount equal to the unexpended, unencumbered portion of 10410
the foregoing appropriation item 035-321, Operating Expenses, at 10411
the end of fiscal year 2009, is hereby reappropriated for the same 10412
purpose for fiscal year 2010. 10413

LEGISLATIVE TASKFORCE ON REDISTRICTING 10414

An amount equal to the unexpended, unencumbered portion of 10415
the foregoing appropriation item 035-407, Legislative Taskforce on 10416
Redistricting, at the end of fiscal year 2009 is hereby 10417
reappropriated to the Legislative Service Commission for the same 10418
purpose for fiscal year 2010. 10419

The appropriations made in this section are subject to all 10420
the provisions of Am. Sub. H.B. 119 of the 127th General Assembly 10421
that are generally applicable to such appropriations ~~except for~~ 10422
~~Section 809.03 of Am. Sub. H.B. 119 of the 127th General Assembly.~~ 10423
Expenditures from appropriations contained in this section shall 10424
be accounted for as though made in Am. Sub. H.B. 119 of the 127th 10425
General Assembly. 10426

Section 610.31. That existing Section 503.40 of Am. Sub. H.B. 10427
562 of the 127th General Assembly is hereby repealed. 10428

Section 737.10. The Board of Building Standards shall develop 10429
a plan to work to achieve compliance with the commercial and 10430
residential building energy codes set forth in section 3781.10 of 10431
this act so that, within eight years after the effective date of 10432
this act, at least 90 per cent of new and renovated residential 10433
and commercial building space will comply with the energy 10434
standards of those codes. 10435

Section 755.10. The Director of Transportation may enter into 10436
agreements as provided in this section with the United States or 10437
any department or agency of the United States, including, but not 10438

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 National Highway Traffic Safety Administration offered in the Safe, Accountable, Flexible and Efficient Transportation Equity Act of 2003 - A Legacy for Users (SAFETEA-LU). One million dollars of any such federal grant money ODOT receives shall be transferred to the Ohio Department of Public Safety and expended on safety activities in accordance with 23 U.S.C. Chapter 4 and also to pay the costs the Department of Public Safety incurs in developing a cultural competency training program for law enforcement agencies to eliminate practices of differential enforcement. The Ohio Department of Transportation shall expend all remaining grant

money on eligible transportation safety issues. 10470

10471

Section 755.21. For the period commencing on the effective 10472
date of this section until fifteen months after that date, 10473
whenever a law enforcement officer stops a motor vehicle because 10474
the officer has witnessed a violation of a seat belt use law of 10475
this state or seat belt use ordinance of a municipal corporation 10476
of this state, the officer shall document the stop on a form 10477
prescribed by the Department of Public Safety. The officer shall 10478
indicate on the form the age, sex, and race of the operator of the 10479
motor vehicle involved in the stop, the date, time, and location 10480
of the stop, and whether a ticket, citation, or summons was issued 10481
to any person in the motor vehicle for the seat belt use 10482
violation. The officer also shall include on the form any other 10483
information that the Director of Public Safety may require, but in 10484
no case shall the form include the name of any person who was in 10485
the motor vehicle at the time the vehicle was stopped. The law 10486
enforcement agency that employs the law enforcement officer shall 10487
retain all such forms and make them available to the Department 10488
upon request. 10489

The Department of Public Safety shall enter into an agreement 10490
with an outside entity whereby the entity shall conduct a study 10491
regarding the primary enforcement of the seat belt use law as 10492
permitted by the amendments to section 4513.263 of the Revised 10493
Code contained in this act. The study shall include the collection 10494
and review of information regarding any differential enforcement 10495
that occurs as the result of the change in the enforcement of the 10496
seat belt use law in this state. In conducting its study, the 10497
entity shall review all the forms completed by law enforcement 10498
officers pursuant to this section and analyze and summarize the 10499
information contained therein. The Department shall provide a 10500
report of the study to the General Assembly and the Governor not 10501

later than eighteen months after the effective date of this 10502
section. 10503

Section 755.30. (A) As used in this section: 10504

(1) "Automated speed enforcement system" means a device that 10505
has one or more sensors and, as a motor vehicle proceeds through 10506
an area on a road or highway, is capable of determining the speed 10507
of the motor vehicle and producing a photographic or digitally 10508
recorded image of the motor vehicle, including an image of the 10509
vehicle's front or rear license plate. 10510

(2) "Citation" means any traffic ticket, citation, summons, 10511
or other notice of liability issued in response to an alleged 10512
violation of section 4511.21 of the Revised Code that is detected 10513
by an automated speed enforcement system. 10514

(3) "Construction zone" has the same meaning as in division 10515
(C) of section 5501.27 of the Revised Code. 10516

(4) "Interstate highway" has the same meaning as in division 10517
(H) of section 4519.01 of the Revised Code. 10518

(5) "Motor vehicle leasing dealer" has the same meaning as in 10519
section 4517.01 of the Revised Code. 10520

(6) "Motor vehicle renting dealer" has the same meaning as in 10521
section 4549.65 of the Revised Code. 10522

(7) "Operator" has the same meaning as in division (Y) of 10523
section 4511.01 of the Revised Code. 10524

(8) "Owner" has the same meaning as in division (V) of 10525
section 4501.01 of the Revised Code. 10526

(B) There is hereby established the Construction Zone 10527
Automated Speed Enforcement System Pilot Project. Under the Pilot 10528
Project, a violation of section 4511.21 of the Revised Code that 10529
occurs within a construction zone that is located on an interstate 10530

highway and is detected by an automated speed enforcement system 10531
shall constitute a civil offense for which a civil penalty is 10532
assessed against the operator of the motor vehicle that was 10533
involved in the offense. For purposes of this section there shall 10534
be a rebuttable presumption that the owner, lessee, or renter of 10535
the motor vehicle is the operator. This presumption may be 10536
rebutted by providing evidence that another person was operating 10537
the vehicle at the time of the alleged violation in accordance 10538
with this section. The Pilot Project shall consist only of 10539
properly marked construction zones that are located on interstate 10540
highways and no other locations. An automated speed enforcement 10541
system that is located within a construction zone that is part of 10542
the Pilot Project shall be operational only when workers are 10543
present within the construction zone. The Department of Public 10544
Safety, with the advice and assistance of the Department of 10545
Transportation, shall administer the Pilot Project. 10546

(C) Under the Pilot Project, if an automated speed 10547
enforcement system determines that a motor vehicle has violated 10548
section 4511.21 of the Revised Code while traveling within a 10549
construction zone that is located on an interstate highway, a 10550
State Highway Patrol trooper shall view the motor vehicle image 10551
and its speed as recorded by the automated speed enforcement 10552
system to determine if a violation of section 4511.21 did in fact 10553
occur. If the trooper determines that the violation did occur, the 10554
trooper shall inform the Department of Public Safety or the 10555
Department's designee of that fact. The Department or the 10556
Department's designee shall issue to the motor vehicle owner a 10557
citation for the offense, which shall include at a minimum the 10558
date, time, and location that the alleged violation occurred, the 10559
fact that the violation is being processed under the Pilot Project 10560
not as a criminal offense but as a civil offense, and the amount 10561
of the civil penalty. The citation also shall state clearly the 10562
manners in which the motor vehicle owner is able to challenge the 10563

citation. 10564

(D)(1) A motor vehicle owner who is issued a citation under 10565
the Pilot Project is liable for the violation and for payment of 10566
the resulting civil penalty unless the owner does either of the 10567
following in a timely manner: 10568

(a) Files an objection to the citation and any resulting 10569
civil penalty and appears in person at a nonjudicial, 10570
administrative hearing to challenge the citation; 10571

(b) Submits sufficient reliable, credible evidence that shows 10572
that, more likely than not, at the time of the violation the motor 10573
vehicle was in the care, custody, or control of another person. 10574
Such evidence is required to be submitted by the motor vehicle 10575
owner to the Department of Public Safety or the Department's 10576
designee not later than 30 days after the date the owner is 10577
notified of the violation in order for the evidence to be 10578
considered submitted in a timely manner. The Department shall 10579
adopt rules specifying what evidence is sufficiently reliable and 10580
credible. Upon determination that the owner of the motor vehicle 10581
has presented reliable and credible evidence that the motor 10582
vehicle was in the care, custody, or control of another person at 10583
the time of the offense, the Department or the Department's 10584
designee may issue a citation to the operator in accordance with 10585
this section. 10586

(2) A motor vehicle leasing dealer or motor vehicle renting 10587
dealer that receives a citation for an alleged violation of 10588
section 4511.21 of the Revised Code that was detected by an 10589
automated speed enforcement system is not liable if the citation 10590
was issued for a motor vehicle that was in the care, custody, or 10591
control of a lessee or renter at the time of the alleged 10592
violation. A dealer that receives a citation for such a violation 10593
shall notify the Department of Public Safety or the Department's 10594
designee of the motor vehicle lessee's or renter's name and 10595

address, and the Department or the Department's designee may issue 10596
a citation in accordance with this section. In no case shall the 10597
dealer pay such a citation and then attempt to collect a fee or 10598
assess the lessee or renter a charge for any payment of such a 10599
citation made on behalf of the lessee or renter. 10600

(E) The Department of Public Safety shall establish a 10601
nonjudicial, administrative hearing procedure at which a motor 10602
vehicle owner or operator who receives a citation under the Pilot 10603
Project is able to appear in person to challenge the citation. At 10604
the hearing, the owner or operator shall be able to view all the 10605
evidence that served as the basis for issuance of the citation 10606
against the owner or operator, to introduce evidence on the 10607
owner's or operator's behalf, and to produce, examine, and 10608
cross-examine witnesses. 10609

(F) An owner or operator of a motor vehicle that is involved 10610
in a violation of section 4511.21 of the Revised Code that is 10611
processed under the Pilot Project and who challenges the citation 10612
in accordance with division (D)(1) or (2) of this section may 10613
appeal a decision of the Department of Public Safety or the 10614
Department's designee that imposes liability on the owner or 10615
operator and the civil penalty, within thirty days of the date of 10616
the decision, to the municipal court or county court within whose 10617
territorial jurisdiction the violation occurred. The municipal 10618
court or county court shall affirm the decision of the Department 10619
or the Department's designee if the court finds that the decision 10620
is supported by sufficient reliable, credible evidence and is in 10621
accordance with the law. 10622

(G)(1) No owner or operator of a motor vehicle that is 10623
involved in a violation of section 4511.21 of the Revised Code 10624
that is processed under the Pilot Project is liable for the 10625
violation and payment of the civil penalty if notification of the 10626
violation is given to the motor vehicle owner more than 90 days 10627

after the date of the violation. 10628

(2) No owner or operator of a motor vehicle who is issued a 10629
ticket, citation, or summons by a law enforcement officer for a 10630
violation of section 4511.21 of the Revised Code or a 10631
substantially equivalent municipal ordinance that occurs within a 10632
construction zone on an interstate highway and is a criminal 10633
offense shall be liable for the same violation and payment of a 10634
civil penalty under the Pilot Project if the violation also is 10635
detected by an automated speed enforcement system. 10636

(3) If the owner or operator of a motor vehicle that is 10637
involved in a violation of section 4511.21 of the Revised Code 10638
that is processed under the Pilot Project fails to pay the civil 10639
penalty or to respond to the citation within the time period 10640
specified in the citation, the owner or operator shall be deemed 10641
to have waived any right to contest liability for the violation 10642
and payment of the civil penalty by law. 10643

(H)(1) A violation of section 4511.21 of the Revised Code 10644
that is detected by an automated speed enforcement system and is 10645
processed under the Pilot Project is a civil violation for which a 10646
civil penalty not exceeding \$250 shall be assessed. The Department 10647
of Public Safety shall establish the amount of the civil penalty. 10648

(2) Of the civil penalties collected under the Pilot Project: 10649

(a) Fifty per cent shall be paid into the treasury of the 10650
municipal corporation in which the violation occurred, or if the 10651
violation occurred outside the territorial jurisdiction of a 10652
municipal corporation, into the treasury of the county in which 10653
the violation occurred; 10654

(b) Forty-five per cent shall be deposited into the state 10655
treasury to the credit of the General Revenue Fund; 10656

(c) Five per cent shall be deposited into the state treasury 10657
to the credit of the Trauma and Emergency Medical Services Fund 10658

created by division (E)(4) of section 4513.263 of the Revised Code. 10659
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(3) In addition to the civil penalty that is imposed for a violation of section 4511.21 of the Revised Code that is processed under the Pilot Project, the Department also shall impose an administrative fee in every such case. The Department shall determine the amount of the fee by rule, and all such fees shall be deposited into the state treasury to the credit of the Automated Speed Enforcement System Fund created by division (M) of this section. 10661
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(4) The Department of Public Safety shall adopt rules establishing procedures for collection of civil penalties imposed upon persons under the Pilot Project. The rules may provide that, in the event of nonpayment of a civil penalty or administrative fee by a person, the Registrar of Motor Vehicles may suspend the person's driver's or commercial driver's license or permit or nonresident operating privilege until all outstanding penalties and fees have been paid. 10669
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(5) Each citation issued under the Pilot Project shall indicate clearly the amount of the civil penalty that is referenced in divisions (H)(1) and (2) of this section and the amount of the administrative fee that will be paid to the private entity, as referenced in division (H)(3) of this section, that operates the Pilot Project, if any. 10677
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(I) No owner or operator of a motor vehicle that is involved in 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 shall have any points assessed against that person's driver's or commercial driver's license or permit under section 4510.036 of the Revised Code for the violation. 10683
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(J) No municipal corporation, county, or township shall enact 10689

an ordinance or adopt a resolution authorizing the use of an 10690
automated speed enforcement system on any interstate highway 10691
within its boundaries. Nothing in this division shall be construed 10692
as prohibiting a municipal corporation, county, or township from 10693
enacting an ordinance or adopting a resolution authorizing the use 10694
of an automated speed enforcement system on any street or highway 10695
within its boundaries that is not an interstate highway if the 10696
municipal corporation, county, or township otherwise has the power 10697
to do so. 10698

(K)(1) The Department of Public Safety may enter into a 10699
contract with a private entity for the establishment and operation 10700
of the automated speed enforcement system of the Pilot Project. 10701
For purposes of this section, if the Department enters into such a 10702
contract, the private entity is the Department's designee. 10703

(2) The Department of Public Safety and the Department of 10704
Transportation shall enter into an agreement whereby the 10705
Department of Transportation shall grant to the Department of 10706
Public Safety or the Department's designee access to any property 10707
of the Department of Transportation and any permits as may be 10708
necessary for the Department of Public Safety or its designee to 10709
implement the Pilot Project. 10710

(L)(1) The Department of Public Safety shall not use an 10711
automated speed enforcement system at any construction zone 10712
location unless the proper signs have been erected as required by 10713
division (L) of this section. 10714

(2) The Department shall erect signs that shall inform 10715
traffic approaching a construction zone that is located on an 10716
interstate highway that the construction zone contains an 10717
automated speed enforcement system to enforce section 4511.21 of 10718
the Revised Code. The Department shall erect the signs not less 10719
than one thousand feet and not more than five thousand three 10720
hundred feet before the boundary of the construction zone. The 10721

signs shall be so erected in each direction of travel on the 10722
interstate highway. The Department is responsible for all costs 10723
associated with the erection, maintenance, and replacement, if 10724
necessary, of the signs. All signs erected under division (L) of 10725
this section shall conform in size, color, location, and content 10726
to standards contained in the manual adopted by the Department of 10727
Transportation pursuant to section 4511.09 of the Revised Code and 10728
shall remain in place for as long as the Department of Public 10729
Safety utilizes the automated speed enforcement system to enforce 10730
section 4511.21 of the Revised Code within the construction zone 10731
under the Pilot Project. Any citation issued by or on behalf of 10732
the Department for a violation of section 4511.21 of the Revised 10733
Code based upon evidence gathered by an automated speed 10734
enforcement system device after the effective date of this section 10735
but before the signs have been erected is invalid; provided that 10736
no citation is invalid if the Department is in substantial 10737
compliance with the requirement of division (L) of this section to 10738
erect the signs. 10739

(3) The Department is deemed to be in substantial compliance 10740
with the requirements of divisions (L)(1) and (2) of this section 10741
to erect the advisory signs if the Department does both of the 10742
following: 10743

(a) First erects all signs as required by divisions (L)(1) 10744
and (2) of this section and subsequently maintains and replaces 10745
the signs as needed so that at all times at least 90 per cent of 10746
the required signs are in place and functional; 10747

(b) Annually documents and upon request certifies its 10748
compliance with divisions (L)(1) and (2) of this section. 10749

(M) There is hereby created in the state treasury the 10750
Automated Speed Enforcement System Fund, consisting of the 10751
administrative fees collected pursuant to division (H)(3) of this 10752
section. The Department of Public Safety shall use the money in 10753

the Fund only to pay expenses associated with the Automated Speed Enforcement System Pilot Project, including paying a private entity to establish, operate, and administer the Pilot Project.

(N) The Construction Zone Automated Speed Enforcement System Pilot Project shall terminate on July 1, 2011, and no citations shall be issued under the Pilot Project on or after that date. Citations that are issued under the Pilot Project before that date may be processed after that date, and citation processing and administrative hearings regarding such citations may continue after that date until all citations issued under the Pilot Project have reached final resolution. Upon certification by the Director of Public Safety to the Director of Budget and Management that all citations issued under the Pilot Project have reached final resolution and all payments that are due the Department's designee have been paid, the Director of Budget and Management shall transfer all remaining money in the Automated Speed Enforcement System Fund to the General Revenue Fund.

(O) The Department of Public Safety, in consultation with the Department of Transportation and in accordance with Chapter 119. of the Revised Code, shall adopt all rules necessary and proper for the establishment, implementation, and administration of the Pilot Project.

Section 755.40. (A) The Department of Public Safety shall form a study group to conduct a study and make recommendations to improve services related to vehicle registrations, driver's license and identification card issuance, and vehicle title issuance. The study group shall include representatives from the Department of Public Safety, the Bureau of Motor Vehicles, the Office of Budget and Management, the Ohio Title Clerks' Association, the County Auditors' Association, the Ohio Trucking Association, the Deputy Registrars' Association, the Ohio Auto

Dealers' Association, the County Commissioners' Association, and 10785
the Ohio Municipal League. 10786

(B) In regard to services related to vehicle registrations, 10787
driver's license and identification card issuance, and vehicle 10788
title issuance, the study group shall do all of the following: 10789

(1) Evaluate ways to improve the efficient delivery of 10790
services; 10791

(2) Examine existing statutory authority governing the 10792
supporting processes and infrastructure systems and analyze 10793
methods to improve such processes and systems; 10794

(3) Review demographic data, conduct a financial assessment 10795
of existing procedures, and identify additional services that may 10796
be provided; 10797

(4) Review current business methods and identify new 10798
technology that may improve processes and procedures. 10799

(C) Not later than six months after the effective date of 10800
this section, the study group shall submit its report with 10801
recommendations to the Governor, the Speaker of the House of 10802
Representatives, and the President of the Senate. Upon submitting 10803
its report, the study group shall cease to exist. 10804

Section 755.50. The Department of Transportation shall 10805
compile and produce a report on the financial and policy 10806
implications of the Department assuming primary responsibility for 10807
all state routes throughout Ohio regardless of local government 10808
jurisdiction. The report shall review the range of possible 10809
participation in the paving and maintenance of these routes by the 10810
Department. The Department shall submit the report to the Speaker 10811
of the House of Representatives, the President of the Senate, and 10812
the Governor not later than December 15, 2009. 10813

Section 755.60. The Ohio Turnpike Commission shall conduct a study to examine ways to increase the application of green technology, including the reduction of diesel emissions, in the construction, maintenance, improvement, repair, and operation of Ohio Turnpike Commission facilities. Additionally, the study shall evaluate all opportunities to develop energy alternatives, including solar, geothermal, natural gas, and wind, in cooperation with the Power Siting Board and the Ohio Department of Transportation.

Not later than six months after the effective date of this section, the Ohio Turnpike Commission shall report the results of its study to the Speaker of the House of Representatives, the President of the Senate, and the Governor.

Section 755.70. Notwithstanding sections 4519.02, 4519.03, 4519.04, 4519.08, 4519.09, 4519.10, 4519.44, and 4519.47 of the Revised Code as amended in Section 101.01 of this act, the Bureau of Motor Vehicles shall not be required to issue license plates and validation stickers to all-purpose vehicles until one year after the effective date of this section.

Section 755.80. (A) There is established a MARCS Task Force to explore and issue recommendations on the organizational structure and operational and capital funding options for the long-term sustainability and more ubiquitous utilization of the MARCS System.

The Task Force shall consist of seventeen members as follows: three members appointed by the Governor; three members appointed by the Speaker of the House of Representatives, not more than two from the same political party; three members appointed by the President of the Senate, not more than two from the same political party; one representative from the Department of Public Safety,

appointed by the Director of Public Safety; one representative 10844
from the State Highway Patrol, appointed by the Director of Public 10845
Safety; one representative from the Buckeye State Sheriffs' 10846
Association, appointed by the Governor; one representative from 10847
the Ohio Association of Chiefs of Police, appointed by the 10848
Governor; one representative from the Ohio Fire Chiefs 10849
Association, appointed by the Governor; one representative from 10850
MARCS, appointed by the Director of Administrative Services; one 10851
representative of an emergency management agency, appointed by the 10852
Governor; and the Director of Administrative Services or the 10853
Director's designee. The appointed members shall be appointed not 10854
later than forty-five days after the effective date of this 10855
section. 10856

The Director of Administrative Services or the Director's 10857
designee shall serve as chairperson of the Task Force. 10858

Members of the Task Force shall receive no compensation or 10859
reimbursement for their services. 10860

(B) Not later than nine months after the effective date of 10861
this section, the Task Force shall submit a report to the 10862
Governor, the President of the Senate, and the Speaker of the 10863
House of Representatives. The report shall make recommendations on 10864
the matters outlined in the first paragraph of division (A) of 10865
this section for the MARCS System. 10866

Section 803.10. PROVISIONS OF LAW GENERALLY APPLICABLE TO 10867
APPROPRIATIONS 10868

Law contained in the main operating appropriations act of the 10869
128th General Assembly that is generally applicable to the 10870
appropriations made in the main operating appropriations act also 10871
is generally applicable to the appropriations made in this act. 10872

Section 806.10. The items of law contained in this act, and 10873

their applications, are severable. If any item of law contained in 10874
this act, or if any application of any item of law contained in 10875
this act, is held invalid, the invalidity does not affect other 10876
items of law contained in this act and their applications that can 10877
be given effect without the invalid item or application. 10878

Section 812.10. Except as otherwise provided in this act, the 10879
amendment, enactment, or repeal by this act of a section is 10880
subject to the referendum under Ohio Constitution, Article II, 10881
Section 1c and therefore takes effect on the ninety-first day 10882
after this act is filed with the Secretary of State or, if a later 10883
effective date is specified below, on that date. 10884

Sections 1548.10, 4505.032, 4505.09, and 4519.59 of the 10885
Revised Code, as amended by this act, take effect one year after 10886
the effective date specified in the first paragraph of this 10887
section. 10888

Section 812.20. In this section, an "appropriation" includes 10889
another provision of law in this act that relates to the subject 10890
of the appropriation. 10891

An appropriation of money made in this act is not subject to 10892
the referendum insofar as a contemplated expenditure authorized 10893
thereby is wholly to meet a current expense within the meaning of 10894
Ohio Constitution, Article II, Section 1d and section 1.471 of the 10895
Revised Code. To that extent, the appropriation takes effect 10896
immediately when this act becomes law. Conversely, the 10897
appropriation is subject to the referendum insofar as a 10898
contemplated expenditure authorized thereby is wholly or partly 10899
not to meet a current expense within the meaning of Ohio 10900
Constitution, Article II, Section 1d and section 1.471 of the 10901
Revised code. To that extent, the appropriation takes effect on 10902
the ninety-first day after this act is filed with the Secretary of 10903

State.	10904
Section 812.30. The amendment, enactment, or repeal by this	10905
act of the sections listed below is exempt from the referendum	10906
because it is or relates to an appropriation for current expenses	10907
within the meaning of Ohio Constitution, Article II, Section 1d	10908
and section 1.471 of the Revised Code, or defines a tax levy	10909
within the meaning of Ohio Constitution, Article II, Section 1d,	10910
and therefore takes effect immediately when this act becomes law	10911
or, if a later effective date is specified below, on that date.	10912
R.C. 121.51 and 125.11	10913
The amendment of sections 5735.06 and 5735.141 of the Revised	10914
Code take effect July 1, 2009.	10915
Section 229.10 of Am. Sub. H.B. 67 of the 127th General	10916
Assembly	10917
Sections of this act prefixed with section numbers in the	10918
300's, 500's, 600's, 700's, and 800's, except for Sections 509.10,	10919
610.20, 610.21, and 755.20 of this act.	10920
Section 812.40. The sections that are listed in the left-hand	10921
column of the following table combine amendments by this act that	10922
are and that are not exempt from the referendum under Ohio	10923
Constitution, Article II, Sections 1c and 1d and section 1.471 of	10924
the Revised Code.	10925
The middle column identifies the amendments to the listed	10926
sections that are subject to the referendum under Ohio	10927
Constitution, Article II, Section 1c and therefore take effect on	10928
the ninety-first day after this act is filed with the Secretary of	10929
State or, if a later effective date is specified, on that date.	10930
The right-hand column identifies the amendments to the listed	10931
sections that are exempt from the referendum because they are or	10932

relate to an appropriation for current expenses within the meaning 10933
of Ohio Constitution, Article II, Section 1d and section 1.471 of 10934
the Revised Code, or define a tax levy within the meaning of Ohio 10935
Constitution, Article II, Section 1d, and therefore take effect 10936
immediately when this act becomes law or, if a later effective 10937
date is specified, on that date. 10938

Section of law	Amendments subject to	Amendments exempt from	10939
	referendum	referendum	
R.C. 4561.18	Division (A)	Divisions (D)(1),	10940
		(D)(3), (H)	

Section 815.10. The amendment by this act to sections 10941
4511.093 and 4513.263 of the Revised Code does not affect the 10942
taking effect of amendments previously made to those sections by 10943
Am. Sub. H.B. 320 of the 127th General Assembly, insofar as the 10944
latter amendments are not repealed by the amendments to those 10945
sections by this act. The amendments of Am. Sub. H.B. 320 to the 10946
sections take effect as specified in that act, except insofar as 10947
they are repealed by this act. 10948

Section 815.20. The General Assembly, applying the principle 10949
stated in division (B) of section 1.52 of the Revised Code that 10950
amendments are to be harmonized if reasonably capable of 10951
simultaneous operation, finds that the following sections, 10952
presented in this act as composites of the sections as amended by 10953
the acts indicated, are the resulting versions of the sections in 10954
effect prior to the effective date of the sections as presented in 10955
this act: 10956

Section 4501.21 of the Revised Code as amended by both Am. 10957
Sub. H.B. 273 and Am. Sub. S.B. 129 of the 127th General Assembly. 10958
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Section 4506.07 of the Revised Code as amended by both Am. 10960
Sub. H.B. 450 and Sub. H.B. 529 of the 127th General Assembly. 10961

Section 4506.11 of the Revised Code as amended by both Am.	10962
Sub. H.B. 450 and Sub. H.B. 529 of the 127th General Assembly.	10963
Section 4507.06 of the Revised Code as amended by both Am.	10964
Sub. H.B. 450 and Sub. H.B. 529 of the 127th General Assembly.	10965
Section 4507.51 of the Revised Code as amended by Am. Sub.	10966
H.B. 130, Am. Sub. H.B. 450, and Sub. H.B. 529 of the 127th	10967
General Assembly.	10968
Section 4511.181 of the Revised Code as amended by both Am.	10969
Sub. H.B. 562 and Am. Sub. S.B. 17 of the 127th General Assembly.	10970