

**As Reported by the Committee of Conference**

**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**

**Senators Fedor, Gillmor, Goodman, Kearney, Miller, D., Miller, R., Morano,  
Patton, Sawyer, Schiavoni, Smith, Strahorn, Turner, Wilson, Harris, Cafaro**

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**A B I L L**

To amend sections 121.51, 133.52, 151.01, 151.09,	1
151.40, 955.201, 1548.10, 1751.53, 2911.21,	2
2949.094, 3304.14, 3719.21, 3905.423, 3923.38,	3
4141.242, 4141.301, 4163.01, 4163.07, 4501.01,	4
4501.03, 4501.044, 4501.06, 4501.21, 4501.34,	5
4503.04, 4503.042, 4503.07, 4503.10, 4503.103,	6
4503.182, 4503.19, 4503.191, 4503.26, 4503.40,	7
4503.42, 4503.65, 4505.032, 4505.09, 4505.14,	8
4506.07, 4506.08, 4506.11, 4507.06, 4507.13,	9
4507.23, 4507.24, 4507.51, 4507.52, 4509.05,	10
4511.01, 4511.093, 4511.181, 4511.191, 4511.21,	11
4511.213, 4513.03, 4513.263, 4513.34, 4517.021,	12
4519.02, 4519.03, 4519.04, 4519.08, 4519.09,	13
4519.10, 4519.44, 4519.47, 4519.59, 4519.63,	14
4561.17, 4561.18, 4561.21, 4729.42, 4729.99,	15
4776.02, 4776.04, 4928.64, 4928.65, 4981.02,	16
5501.03, 5501.311, 5501.34, 5502.03, 5502.39,	17

5502.67, 5502.68, 5515.01, 5515.07, 5517.011, 18  
5525.15, 5531.09, 5537.07, 5537.99, 5541.05, and 19  
5571.20; to enact sections 5.24, 121.53, 122.077, 20  
123.153, 3905.425, 3905.426, 4501.026, 4511.108, 21  
4905.801, 4905.802, 4981.40, 5501.60, 5502.131, 22  
5531.11, 5531.12, 5531.13, 5531.14, 5531.15, 23  
5531.16, 5531.17, 5531.18, 5531.99, and 5537.30; 24  
to repeal sections 955.202 and 5902.09 of the 25  
Revised Code; to amend Section 229.10 of Am. Sub. 26  
H.B. 67 of the 127th General Assembly, as 27  
subsequently amended; and to amend Sections 28  
217.10, 217.11, 239.10, 241.10, 243.10, 243.11, 29  
and 503.40 of Am. Sub. H.B. 562 of the 127th 30  
General Assembly to make appropriations for 31  
programs related to transportation and public 32  
safety for the biennium beginning July 1, 2009, 33  
and ending June 30, 2011, to provide authorization 34  
and conditions for the operation of those and 35  
other programs, to appropriate federal stimulus 36  
moneys received under the American Recovery 37  
Reinvestment Act of 2009, to repeal section 121.53 38  
of the Revised Code on September 30, 2013, to 39  
further amend sections 1751.53 and 3923.38 of the 40  
Revised Code, effective January 1, 2010, to revive 41  
the law as it existed prior to this act, and to 42  
declare an emergency. 43  
44

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

**Section 101.01.** That sections 121.51, 133.52, 151.01, 151.09, 45  
151.40, 955.201, 1548.10, 1751.53, 2911.21, 2949.094, 3304.14, 46  
3719.21, 3905.423, 3923.38, 4141.242, 4141.301, 4163.01, 4163.07, 47

4501.01, 4501.03, 4501.044, 4501.06, 4501.21, 4501.34, 4503.04, 48  
4503.042, 4503.07, 4503.10, 4503.103, 4503.182, 4503.19, 4503.191, 49  
4503.26, 4503.40, 4503.42, 4503.65, 4505.032, 4505.09, 4505.14, 50  
4506.07, 4506.08, 4506.11, 4507.06, 4507.13, 4507.23, 4507.24, 51  
4507.51, 4507.52, 4509.05, 4511.01, 4511.093, 4511.181, 4511.191, 52  
4511.21, 4511.213, 4513.03, 4513.263, 4513.34, 4517.021, 4519.02, 53  
4519.03, 4519.04, 4519.08, 4519.09, 4519.10, 4519.44, 4519.47, 54  
4519.59, 4519.63, 4561.17, 4561.18, 4561.21, 4729.42, 4729.99, 55  
4776.02, 4776.04, 4928.64, 4928.65, 4981.02, 5501.03, 5501.311, 56  
5501.34, 5502.03, 5502.39, 5502.67, 5502.68, 5515.01, 5515.07, 57  
5517.011, 5525.15, 5531.09, 5537.07, 5537.99, 5541.05, and 5571.20 58  
be amended and sections 5.24, 121.53, 122.077, 123.153, 3905.425, 59  
3905.426, 4501.026, 4511.108, 4905.801, 4905.802, 4981.40, 60  
5501.60, 5502.131, 5531.11, 5531.12, 5531.13, 5531.14, 5531.15, 61  
5531.16, 5531.17, 5531.18, 5531.99, and 5537.30 of the Revised 62  
Code be enacted to read as follows: 63

Sec. 5.24. The city of Dayton and county of Montgomery are 65  
hereby designated as an Ohio hub of innovation and opportunity for 66  
aerospace and aviation. 67

**Sec. 121.51.** There is hereby created in the office of the 68  
inspector general the position of deputy inspector general for the 69  
department of transportation. The inspector general shall appoint 70  
the deputy inspector general, and the deputy inspector general 71  
shall serve at the pleasure of the inspector general. A person 72  
employed as the deputy inspector general shall have the same 73  
qualifications as those specified in section 121.49 of the Revised 74  
Code for the inspector general. The inspector general shall 75  
provide technical, professional, and clerical assistance to the 76  
deputy inspector general. ~~The inspector general shall certify to~~ 77

~~the director of budget and management the costs, including the 78  
salaries of the deputy inspector general and the employees 79  
assisting the deputy inspector general, that the inspector general 80  
expects the deputy inspector general to incur during the fiscal 81  
year or such lesser period for which the certification is made. 82  
The director of budget and management shall transfer the amounts 83  
certified to 84~~

There is hereby created in the state treasury the deputy 85  
inspector general for ODOT fund, which is hereby created in the 86  
state treasury, from the appropriation made to the department of 87  
transportation from which expenditures for general administrative 88  
purposes, as distinguished from specific infrastructure projects, 89  
are made. The transfers shall be made in accordance with a 90  
schedule that the inspector general considers to be appropriate 91  
but shall not be in amounts that would create a balance in the 92  
fund in excess of need or that would exceed the amount 93  
appropriated from the fund. The fund shall consist of money 94  
credited to the fund for the payment of costs incurred by the 95  
deputy inspector general in performing the duties of the deputy 96  
inspector general as specified in this section. The inspector 97  
general shall use the ~~deputy inspector general for ODOT fund to 98  
pay costs incurred by the deputy inspector general in performing 99  
the duties of the deputy inspector general as required under this 100  
section. 101~~

The deputy inspector general shall investigate all wrongful 102  
acts or omissions that have been committed or are being committed 103  
by employees of the department. In addition, the deputy inspector 104  
general shall conduct a program of random review of the processing 105  
of contracts associated with building and maintaining the state's 106  
infrastructure. The random review program shall be designed by the 107  
inspector general. The program shall be confidential and may be 108  
altered by the inspector general at any time. The deputy inspector 109

general has the same powers and duties regarding matters 110  
concerning the department as those specified in sections 121.42, 111  
121.43, and 121.45 of the Revised Code for the inspector general. 112  
Complaints may be filed with the deputy inspector general in the 113  
same manner as prescribed for complaints filed with the inspector 114  
general under section 121.46 of the Revised Code. All 115  
investigations conducted and reports issued by the deputy 116  
inspector general are subject to section 121.44 of the Revised 117  
Code. 118

All officers and employees of the department shall cooperate 119  
with and provide assistance to the deputy inspector general in the 120  
performance of any investigation conducted by the deputy inspector 121  
general. In particular, those persons shall make their premises, 122  
equipment, personnel, books, records, and papers readily available 123  
to the deputy inspector general. In the course of an 124  
investigation, the deputy inspector general may question any 125  
officers or employees of the department and any person transacting 126  
business with the department and may inspect and copy any books, 127  
records, or papers in the possession of the department, taking 128  
care to preserve the confidentiality of information contained in 129  
responses to questions or the books, records, or papers that are 130  
made confidential by law. In performing any investigation, the 131  
deputy inspector general shall avoid interfering with the ongoing 132  
operations of the department, except insofar as is reasonably 133  
necessary to complete the investigation successfully. 134

At the conclusion of an investigation by the deputy inspector 135  
general, the deputy inspector general shall deliver to the 136  
director of transportation and the governor any case for which 137  
remedial action is necessary. The deputy inspector general shall 138  
maintain a public record of the activities of the deputy inspector 139  
general to the extent permitted under this section, ensuring that 140  
the rights of the parties involved in each case are protected. The 141

inspector general shall include in the annual report required by 142  
section 121.48 of the Revised Code a summary of the deputy 143  
inspector general's activities during the previous year. 144

No person shall disclose any information that is designated 145  
as confidential in accordance with section 121.44 of the Revised 146  
Code or any confidential information that is acquired in the 147  
course of an investigation conducted under this section to any 148  
person who is not legally entitled to disclosure of that 149  
information. 150

Sec. 121.53. There is hereby created in the office of the 151  
inspector general the position of deputy inspector general for 152  
funds received through the American Recovery and Reinvestment Act 153  
of 2009. The inspector general shall appoint the deputy inspector 154  
general, and the deputy inspector general shall serve at the 155  
pleasure of the inspector general. A person employed as the deputy 156  
inspector general shall have the same qualifications as those 157  
specified in section 121.49 of the Revised Code for the inspector 158  
general. The inspector general shall provide technical, 159  
professional, and clerical assistance to the deputy inspector 160  
general. 161

There is hereby created in the state treasury the deputy 162  
inspector general for funds received through the American recovery 163  
and reinvestment act of 2009 fund. The fund shall consist of money 164  
credited to the fund for the payment of costs incurred by the 165  
deputy inspector general for performing the duties of the deputy 166  
inspector general as specified in this section. The inspector 167  
general shall use the fund to pay costs incurred by the deputy 168  
inspector general in performing the duties of the deputy inspector 169  
general as required under this section. 170

The deputy inspector general shall monitor relevant state 171  
agencies' distribution of funds received from the federal 172

government under the "American Recovery and Reinvestment Act of 173  
2009," Pub. Law 111-5, 123 Stat. 115 and shall investigate all 174  
wrongful acts or omissions that have been committed or are being 175  
committed by officers or employees of, or contractors with, 176  
relevant state agencies with respect to money received from the 177  
federal government under the American Recovery and Reinvestment 178  
Act of 2009. In addition, the deputy inspector general shall 179  
conduct a program of random review of the processing of contracts 180  
associated with projects to be paid for with such money. The 181  
random review program shall be designed by the inspector general. 182  
The program shall be confidential and may be altered by the 183  
inspector general at any time. The deputy inspector general has 184  
the same powers and duties regarding matters concerning such money 185  
as those specified in sections 121.42, 121.43, and 121.45 of the 186  
Revised Code for the inspector general. Complaints may be filed 187  
with the deputy inspector general in the same manner as prescribed 188  
for complaints filed with the inspector general under section 189  
121.46 of the Revised Code. All investigations conducted and 190  
reports issued by the deputy inspector general are subject to 191  
section 121.44 of the Revised Code. 192

All relevant state agencies shall cooperate with and provide 194  
assistance to the deputy inspector general in the performance of 195  
any investigation conducted by the deputy inspector general. In 196  
particular, those persons shall make their premises, equipment, 197  
personnel, books, records, and papers readily available to the 198  
deputy inspector general. In the course of an investigation, the 199  
deputy inspector general may question any officers or employees of 200  
the relevant agency and any person transacting business with the 201  
agency and may inspect and copy any books, records, or papers in 202  
the possession of the agency, taking care to preserve the 203  
confidentiality of information contained in responses to questions 204  
or the books, records, or papers that are made confidential by 205

law. In performing any investigation, the deputy inspector general 206  
shall avoid interfering with the ongoing operations of the agency, 207  
except as is reasonably necessary to complete the investigation 208  
successfully. 209

At the conclusion of an investigation by the deputy 210  
inspector, the deputy inspector general shall deliver to the 211  
speaker and minority leader of the house of representatives, 212  
president and minority leader of the senate, governor, and 213  
relevant agency any case for which remedial action is necessary. 214  
The deputy inspector general shall maintain a public record of the 215  
activities of the deputy inspector general to the extent permitted 216  
under this section, ensuring that the rights of the parties 217  
involved in each case are protected. The inspector general shall 218  
include in the annual report required by section 121.48 of the 219  
Revised Code a summary of the deputy inspector general's 220  
activities during the previous year. 221

No person shall disclose any information that is designated 222  
as confidential in accordance with section 121.44 of the Revised 223  
Code or any confidential information that is acquired in the 224  
course of an investigation conducted under this section to any 225  
person who is not legally entitled to disclosure of that 226  
information. 227

As used in this section, "relevant state agencies" has the 228  
same meaning as "state agency" in section 121.41 of the Revised 229  
Code insofar as those agencies are the recipients or distributors 230  
of funds apportioned under the "American Recovery and Reinvestment 231  
Act of 2009," Pub. Law 111-5, 123 Stat. 115. 232

In this section, "American Recovery and Reinvestment Act of 233  
2009" means the "American Recovery and Reinvestment Act of 2009, " 234  
Pub. L. No. 111-5, 123 Stat. 115. 235



Sec. 122.077. For the purpose of promoting the use of energy 236  
efficient products to reduce greenhouse gas emissions in this 237  
state, the director of development shall establish an energy star 238  
rebate program under which the director may provide rebates to 239  
consumers for household devices carrying the energy star label 240  
indicating that the device meets the energy efficiency criteria of 241  
the energy star program established by the United States 242  
department of energy and the United States environmental 243  
protection agency. The director shall adopt rules under Chapter 244  
119. of the Revised Code that are necessary for successful and 245  
efficient administration of the energy star rebate program and 246  
shall specify in the rules that grant availability is limited to 247  
federal stimulus funds or any other funds specifically 248  
appropriated for such a program. 249

Sec. 123.153. (A) As used in this section: 250

(1) "Minority business enterprise" has the same meaning as in 251  
section 123.151 of the Revised Code. 252

(2) "EDGE business enterprise" has the same meaning as in 253  
section 123.152 of the Revised Code. 254

(B) Beginning October 1, 2009, and on the first day of 255  
October in each year thereafter, the director of administrative 256  
services shall submit a written report to the governor and to each 257  
member of the general assembly describing the progress made by 258  
state agencies in advancing the minority business enterprise 259  
program and the encouraging diversity, growth, and equity program. 260  
The report shall highlight the initiatives implemented to 261  
encourage participation of minority-owned, as well as socially and 262  
economically disadvantaged, businesses in programs funded by 263  
federal money received by the state for fiscal stabilization and 264  
recovery purposes. The report shall also include the total number 265

of procurement contracts each agency has entered into with 266  
certified minority business enterprises and EDGE business 267  
enterprises. 268

**Sec. 133.52.** A county, municipal corporation, or township may 269  
issue or incur public obligations, including general obligations, 270  
to provide, or assist in providing, grants, loans, loan 271  
guarantees, or contributions for conservation and revitalization 272  
purposes pursuant to ~~Section~~ Sections 2o and 2q of Article VIII, 273  
Ohio Constitution. 274

**Sec. 151.01.** (A) As used in sections 151.01 to 151.11 and 275  
151.40 of the Revised Code and in the applicable bond proceedings 276  
unless otherwise provided: 277

(1) "Bond proceedings" means the resolutions, orders, 278  
agreements, and credit enhancement facilities, and amendments and 279  
supplements to them, or any one or more or combination of them, 280  
authorizing, awarding, or providing for the terms and conditions 281  
applicable to or providing for the security or liquidity of, the 282  
particular obligations, and the provisions contained in those 283  
obligations. 284

(2) "Bond service fund" means the respective bond service 285  
fund created by section 151.03, 151.04, 151.05, 151.06, 151.07, 286  
151.08, 151.09, 151.10, 151.11, or 151.40 of the Revised Code, and 287  
any accounts in that fund, including all moneys and investments, 288  
and earnings from investments, credited and to be credited to that 289  
fund and accounts as and to the extent provided in the applicable 290  
bond proceedings. 291

(3) "Capital facilities" means capital facilities or projects 292  
as referred to in section 151.03, 151.04, 151.05, 151.06, 151.07, 293  
151.08, 151.09, 151.10, 151.11, or 151.40 of the Revised Code. 294

(4) "Costs of capital facilities" means the costs of 295

acquiring, constructing, reconstructing, rehabilitating, 296  
remodeling, renovating, enlarging, improving, equipping, or 297  
furnishing capital facilities, and of the financing of those 298  
costs. "Costs of capital facilities" includes, without limitation, 299  
and in addition to costs referred to in section 151.03, 151.04, 300  
151.05, 151.06, 151.07, 151.08, 151.09, 151.10, 151.11, or 151.40 301  
of the Revised Code, the cost of clearance and preparation of the 302  
site and of any land to be used in connection with capital 303  
facilities, the cost of any indemnity and surety bonds and 304  
premiums on insurance, all related direct administrative expenses 305  
and allocable portions of direct costs of the issuing authority, 306  
costs of engineering and architectural services, designs, plans, 307  
specifications, surveys, and estimates of cost, financing costs, 308  
interest on obligations from their date to the time when interest 309  
is to be paid from sources other than proceeds of obligations, 310  
amounts necessary to establish any reserves as required by the 311  
bond proceedings, the reimbursement of all moneys advanced or 312  
applied by or borrowed from any person or governmental agency or 313  
entity for the payment of any item of costs of capital facilities, 314  
and all other expenses necessary or incident to planning or 315  
determining feasibility or practicability with respect to capital 316  
facilities, and such other expenses as may be necessary or 317  
incident to the acquisition, construction, reconstruction, 318  
rehabilitation, remodeling, renovation, enlargement, improvement, 319  
equipment, and furnishing of capital facilities, the financing of 320  
those costs, and the placing of the capital facilities in use and 321  
operation, including any one, part of, or combination of those 322  
classes of costs and expenses. For purposes of sections 122.085 to 323  
122.0820 of the Revised Code, "costs of capital facilities" 324  
includes "allowable costs" as defined in section 122.085 of the 325  
Revised Code. 326

(5) "Credit enhancement facilities," "financing costs," and 327  
"interest" or "interest equivalent" have the same meanings as in 328

section 133.01 of the Revised Code. 329

(6) "Debt service" means principal, including any mandatory 330  
sinking fund or redemption requirements for retirement of 331  
obligations, interest and other accreted amounts, interest 332  
equivalent, and any redemption premium, payable on obligations. If 333  
not prohibited by the applicable bond proceedings, debt service 334  
may include costs relating to credit enhancement facilities that 335  
are related to and represent, or are intended to provide a source 336  
of payment of or limitation on, other debt service. 337

(7) "Issuing authority" means the Ohio public facilities 338  
commission created in section 151.02 of the Revised Code for 339  
obligations issued under section 151.03, 151.04, 151.05, 151.07, 340  
151.08, 151.09, 151.10, or 151.11 of the Revised Code, or the 341  
treasurer of state, or the officer who by law performs the 342  
functions of that office, for obligations issued under section 343  
151.06 or 151.40 of the Revised Code. 344

(8) "Net proceeds" means amounts received from the sale of 345  
obligations, excluding amounts used to refund or retire 346  
outstanding obligations, amounts required to be deposited into 347  
special funds pursuant to the applicable bond proceedings, and 348  
amounts to be used to pay financing costs. 349

(9) "Obligations" means bonds, notes, or other evidences of 350  
obligation of the state, including any appertaining interest 351  
coupons, issued under Section 2k, 2l, 2m, 2n, 2o, 2p, 2q, or 15 of 352  
Article VIII, Ohio Constitution, and pursuant to sections 151.01 353  
to 151.11 or 151.40 of the Revised Code or other general assembly 354  
authorization. 355

(10) "Principal amount" means the aggregate of the amount as 356  
stated or provided for in the applicable bond proceedings as the 357  
amount on which interest or interest equivalent on particular 358  
obligations is initially calculated. Principal amount does not 359

include any premium paid to the state by the initial purchaser of 360  
the obligations. "Principal amount" of a capital appreciation 361  
bond, as defined in division (C) of section 3334.01 of the Revised 362  
Code, means its face amount, and "principal amount" of a zero 363  
coupon bond, as defined in division (J) of section 3334.01 of the 364  
Revised Code, means the discounted offering price at which the 365  
bond is initially sold to the public, disregarding any purchase 366  
price discount to the original purchaser, if provided for pursuant 367  
to the bond proceedings. 368

(11) "Special funds" or "funds," unless the context indicates 369  
otherwise, means the bond service fund, and any other funds, 370  
including any reserve funds, created under the bond proceedings 371  
and stated to be special funds in those proceedings, including 372  
moneys and investments, and earnings from investments, credited 373  
and to be credited to the particular fund. Special funds do not 374  
include the school building program assistance fund created by 375  
section 3318.25 of the Revised Code, the higher education 376  
improvement fund created by division (F) of section 154.21 of the 377  
Revised Code, the highway capital improvement bond fund created by 378  
section 5528.53 of the Revised Code, the state parks and natural 379  
resources fund created by section 1557.02 of the Revised Code, the 380  
coal research and development fund created by section 1555.15 of 381  
the Revised Code, the clean Ohio conservation fund created by 382  
section 164.27 of the Revised Code, the clean Ohio revitalization 383  
fund created by section 122.658 of the Revised Code, the job ready 384  
site development fund created by section 122.0820 of the Revised 385  
Code, the third frontier research and development fund created by 386  
section 184.19 of the Revised Code, the third frontier research 387  
and development taxable bond fund created by section 184.191 of 388  
the Revised Code, or other funds created by the bond proceedings 389  
that are not stated by those proceedings to be special funds. 390

(B) Subject to Section 2l, 2m, 2n, 2o, 2p, 2q, or 15, and 391

Section 17, of Article VIII, Ohio Constitution, the state, by the 392  
issuing authority, is authorized to issue and sell, as provided in 393  
sections 151.03 to 151.11 or 151.40 of the Revised Code, and in 394  
respective aggregate principal amounts as from time to time 395  
provided or authorized by the general assembly, general 396  
obligations of this state for the purpose of paying costs of 397  
capital facilities or projects identified by or pursuant to 398  
general assembly action. 399

(C) Each issue of obligations shall be authorized by 400  
resolution or order of the issuing authority. The bond proceedings 401  
shall provide for or authorize the manner for determining the 402  
principal amount or maximum principal amount of obligations of an 403  
issue, the principal maturity or maturities, the interest rate or 404  
rates, the date of and the dates of payment of interest on the 405  
obligations, their denominations, and the place or places of 406  
payment of debt service which may be within or outside the state. 407  
Unless otherwise provided by law, the latest principal maturity 408  
may not be later than the earlier of the thirty-first day of 409  
December of the twenty-fifth calendar year after the year of 410  
issuance of the particular obligations or of the twenty-fifth 411  
calendar year after the year in which the original obligation to 412  
pay was issued or entered into. Sections 9.96, 9.98, 9.981, 9.982, 413  
and 9.983 of the Revised Code apply to obligations. The purpose of 414  
the obligations may be stated in the bond proceedings in general 415  
terms, such as, as applicable, "financing or assisting in the 416  
financing of projects as provided in Section 2l of Article VIII, 417  
Ohio Constitution," "financing or assisting in the financing of 418  
highway capital improvement projects as provided in Section 2m of 419  
Article VIII, Ohio Constitution," "paying costs of capital 420  
facilities for a system of common schools throughout the state as 421  
authorized by Section 2n of Article VIII, Ohio Constitution," 422  
"paying costs of capital facilities for state-supported and 423  
state-assisted institutions of higher education as authorized by 424

Section 2n of Article VIII, Ohio Constitution," "paying costs of 425  
coal research and development as authorized by Section 15 of 426  
Article VIII, Ohio Constitution," "financing or assisting in the 427  
financing of local subdivision capital improvement projects as 428  
authorized by Section 2m of Article VIII, Ohio Constitution," 429  
"paying costs of conservation projects as authorized by ~~Section~~ 430  
Sections 2o and 2q of Article VIII, Ohio Constitution," "paying 431  
costs of revitalization projects as authorized by ~~Section~~ Sections 432  
2o and 2q of Article VIII, Ohio Constitution," "paying costs of 433  
preparing sites for industry, commerce, distribution, or research 434  
and development as authorized by Section 2p of Article VIII, Ohio 435  
Constitution," or "paying costs of research and development as 436  
authorized by Section 2p of Article VIII, Ohio Constitution." 437

(D) The issuing authority may appoint or provide for the 438  
appointment of paying agents, bond registrars, securities 439  
depositories, clearing corporations, and transfer agents, and may 440  
without need for any other approval retain or contract for the 441  
services of underwriters, investment bankers, financial advisers, 442  
accounting experts, marketing, remarketing, indexing, and 443  
administrative agents, other consultants, and independent 444  
contractors, including printing services, as are necessary in the 445  
judgment of the issuing authority to carry out the issuing 446  
authority's functions under this chapter. When the issuing 447  
authority is the Ohio public facilities commission, the issuing 448  
authority also may without need for any other approval retain or 449  
contract for the services of attorneys and other professionals for 450  
that purpose. Financing costs are payable, as may be provided in 451  
the bond proceedings, from the proceeds of the obligations, from 452  
special funds, or from other moneys available for the purpose. 453

(E) The bond proceedings may contain additional provisions 454  
customary or appropriate to the financing or to the obligations or 455  
to particular obligations including, but not limited to, 456

provisions for:	457
(1) The redemption of obligations prior to maturity at the	458
option of the state or of the holder or upon the occurrence of	459
certain conditions, and at particular price or prices and under	460
particular terms and conditions;	461
(2) The form of and other terms of the obligations;	462
(3) The establishment, deposit, investment, and application	463
of special funds, and the safeguarding of moneys on hand or on	464
deposit, in lieu of the applicability of provisions of Chapter	465
131. or 135. of the Revised Code, but subject to any special	466
provisions of sections 151.01 to 151.11 or 151.40 of the Revised	467
Code with respect to the application of particular funds or	468
moneys. Any financial institution that acts as a depository of any	469
moneys in special funds or other funds under the bond proceedings	470
may furnish indemnifying bonds or pledge securities as required by	471
the issuing authority.	472
(4) Any or every provision of the bond proceedings being	473
binding upon the issuing authority and upon such governmental	474
agency or entity, officer, board, commission, authority, agency,	475
department, institution, district, or other person or body as may	476
from time to time be authorized to take actions as may be	477
necessary to perform all or any part of the duty required by the	478
provision;	479
(5) The maintenance of each pledge or instrument comprising	480
part of the bond proceedings until the state has fully paid or	481
provided for the payment of the debt service on the obligations or	482
met other stated conditions;	483
(6) In the event of default in any payments required to be	484
made by the bond proceedings, or by any other agreement of the	485
issuing authority made as part of a contract under which the	486
obligations were issued or secured, including a credit enhancement	487



facility, the enforcement of those payments by mandamus, a suit in equity, an action at law, or any combination of those remedial actions;

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

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

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

(10) Amendment of the bond proceedings;

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

(F) The great seal of the state or a facsimile of it may be affixed to or printed on the obligations. The obligations requiring execution by or for the issuing authority shall be signed as provided in the bond proceedings. Any obligations may be signed by the individual who on the date of execution is the authorized signer although on the date of these obligations that individual is not an authorized signer. In case the individual whose signature or facsimile signature appears on any obligation ceases to be an authorized signer before delivery of the obligation, that signature or facsimile is nevertheless valid and sufficient for all purposes as if that individual had remained the authorized signer until delivery.

(G) Obligations are investment securities under Chapter 1308. 519  
of the Revised Code. Obligations may be issued in bearer or in 520  
registered form, registrable as to principal alone or as to both 521  
principal and interest, or both, or in certificated or 522  
uncertificated form, as the issuing authority determines. 523  
Provision may be made for the exchange, conversion, or transfer of 524  
obligations and for reasonable charges for registration, exchange, 525  
conversion, and transfer. Pending preparation of final 526  
obligations, the issuing authority may provide for the issuance of 527  
interim instruments to be exchanged for the final obligations. 528

(H) Obligations may be sold at public sale or at private 529  
sale, in such manner, and at such price at, above or below par, 530  
all as determined by and provided by the issuing authority in the 531  
bond proceedings. 532

(I) Except to the extent that rights are restricted by the 533  
bond proceedings, any owner of obligations or provider of a credit 534  
enhancement facility may by any suitable form of legal proceedings 535  
protect and enforce any rights relating to obligations or that 536  
facility under the laws of this state or granted by the bond 537  
proceedings. Those rights include the right to compel the 538  
performance of all applicable duties of the issuing authority and 539  
the state. Each duty of the issuing authority and that authority's 540  
officers, staff, and employees, and of each state entity or 541  
agency, or using district or using institution, and its officers, 542  
members, staff, or employees, undertaken pursuant to the bond 543  
proceedings, is hereby established as a duty of the entity or 544  
individual having authority to perform that duty, specifically 545  
enjoined by law and resulting from an office, trust, or station 546  
within the meaning of section 2731.01 of the Revised Code. The 547  
individuals who are from time to time the issuing authority, 548  
members or officers of the issuing authority, or those members' 549  
designees acting pursuant to section 151.02 of the Revised Code, 550

or the issuing authority's officers, staff, or employees, are not 551  
liable in their personal capacities on any obligations or 552  
otherwise under the bond proceedings. 553

(J)(1) Subject to Section 2k, 2l, 2m, 2n, 2o, 2p, 2q, or 15, 554  
and Section 17, of Article VIII, Ohio Constitution and sections 555  
151.01 to 151.11 or 151.40 of the Revised Code, the issuing 556  
authority may, in addition to the authority referred to in 557  
division (B) of this section, authorize and provide for the 558  
issuance of: 559

(a) Obligations in the form of bond anticipation notes, and 560  
may provide for the renewal of those notes from time to time by 561  
the issuance of new notes. The holders of notes or appertaining 562  
interest coupons have the right to have debt service on those 563  
notes paid solely from the moneys and special funds that are or 564  
may be pledged to that payment, including the proceeds of bonds or 565  
renewal notes or both, as the issuing authority provides in the 566  
bond proceedings authorizing the notes. Notes may be additionally 567  
secured by covenants of the issuing authority to the effect that 568  
the issuing authority and the state will do all things necessary 569  
for the issuance of bonds or renewal notes in such principal 570  
amount and upon such terms as may be necessary to provide moneys 571  
to pay when due the debt service on the notes, and apply their 572  
proceeds to the extent necessary, to make full and timely payment 573  
of debt service on the notes as provided in the applicable bond 574  
proceedings. In the bond proceedings authorizing the issuance of 575  
bond anticipation notes the issuing authority shall set forth for 576  
the bonds anticipated an estimated schedule of annual principal 577  
payments the latest of which shall be no later than provided in 578  
division (C) of this section. While the notes are outstanding 579  
there shall be deposited, as shall be provided in the bond 580  
proceedings for those notes, from the sources authorized for 581  
payment of debt service on the bonds, amounts sufficient to pay 582

the principal of the bonds anticipated as set forth in that 583  
estimated schedule during the time the notes are outstanding, 584  
which amounts shall be used solely to pay the principal of those 585  
notes or of the bonds anticipated. 586

(b) Obligations for the refunding, including funding and 587  
retirement, and advance refunding with or without payment or 588  
redemption prior to maturity, of any obligations previously 589  
issued. Refunding obligations may be issued in amounts sufficient 590  
to pay or to provide for repayment of the principal amount, 591  
including principal amounts maturing prior to the redemption of 592  
the remaining prior obligations, any redemption premium, and 593  
interest accrued or to accrue to the maturity or redemption date 594  
or dates, payable on the prior obligations, and related financing 595  
costs and any expenses incurred or to be incurred in connection 596  
with that issuance and refunding. Subject to the applicable bond 597  
proceedings, the portion of the proceeds of the sale of refunding 598  
obligations issued under division (J)(1)(b) of this section to be 599  
applied to debt service on the prior obligations shall be credited 600  
to an appropriate separate account in the bond service fund and 601  
held in trust for the purpose by the issuing authority or by a 602  
corporate trustee. Obligations authorized under this division 603  
shall be considered to be issued for those purposes for which the 604  
prior obligations were issued. 605

(2) Except as otherwise provided in sections 151.01 to 151.11 606  
or 151.40 of the Revised Code, bonds or notes authorized pursuant 607  
to division (J) of this section are subject to the provisions of 608  
those sections pertaining to obligations generally. 609

(3) The principal amount of refunding or renewal obligations 610  
issued pursuant to division (J) of this section shall be in 611  
addition to the amount authorized by the general assembly as 612  
referred to in division (B) of the following sections: section 613  
151.03, 151.04, 151.05, 151.06, 151.07, 151.08, 151.09, 151.10, 614

151.11, or 151.40 of the Revised Code. 615

(K) Obligations are lawful investments for banks, savings and 616  
loan associations, credit union share guaranty corporations, trust 617  
companies, trustees, fiduciaries, insurance companies, including 618  
domestic for life and domestic not for life, trustees or other 619  
officers having charge of sinking and bond retirement or other 620  
special funds of the state and political subdivisions and taxing 621  
districts of this state, the sinking fund, the administrator of 622  
workers' compensation subject to the approval of the workers' 623  
compensation board, the state teachers retirement system, the 624  
public employees retirement system, the school employees 625  
retirement system, and the Ohio police and fire pension fund, 626  
notwithstanding any other provisions of the Revised Code or rules 627  
adopted pursuant to those provisions by any state agency with 628  
respect to investments by them, and are also acceptable as 629  
security for the repayment of the deposit of public moneys. The 630  
exemptions from taxation in Ohio as provided for in particular 631  
sections of the Ohio Constitution and section 5709.76 of the 632  
Revised Code apply to the obligations. 633

(L)(1) Unless otherwise provided or provided for in any 634  
applicable bond proceedings, moneys to the credit of or in a 635  
special fund shall be disbursed on the order of the issuing 636  
authority. No such order is required for the payment, from the 637  
bond service fund or other special fund, when due of debt service 638  
or required payments under credit enhancement facilities. 639

(2) Payments received by the state under interest rate hedges 640  
entered into as credit enhancement facilities under this chapter 641  
shall be deposited to the credit of the bond service fund for the 642  
obligations to which those credit enhancement facilities relate. 643

(M) The full faith and credit, revenue, and taxing power of 644  
the state are and shall be pledged to the timely payment of debt 645  
service on outstanding obligations as it comes due, all in 646

accordance with Section 2k, 2l, 2m, 2n, 2o, 2p, 2q, or 15 of 647  
Article VIII, Ohio Constitution, and section 151.03, 151.04, 648  
151.05, 151.06, 151.07, 151.08, 151.09, 151.10, or 151.11 of the 649  
Revised Code. Moneys referred to in Section 5a of Article XII, 650  
Ohio Constitution, may not be pledged or used for the payment of 651  
debt service except on obligations referred to in section 151.06 652  
of the Revised Code. Net state lottery proceeds, as provided for 653  
and referred to in section 3770.06 of the Revised Code, may not be 654  
pledged or used for the payment of debt service except on 655  
obligations referred to in section 151.03 of the Revised Code. The 656  
state covenants, and that covenant shall be controlling 657  
notwithstanding any other provision of law, that the state and the 658  
applicable officers and agencies of the state, including the 659  
general assembly, shall, so long as any obligations are 660  
outstanding in accordance with their terms, maintain statutory 661  
authority for and cause to be levied, collected and applied 662  
sufficient pledged excises, taxes, and revenues of the state so 663  
that the revenues shall be sufficient in amounts to pay debt 664  
service when due, to establish and maintain any reserves and other 665  
requirements, and to pay financing costs, including costs of or 666  
relating to credit enhancement facilities, all as provided for in 667  
the bond proceedings. Those excises, taxes, and revenues are and 668  
shall be deemed to be levied and collected, in addition to the 669  
purposes otherwise provided for by law, to provide for the payment 670  
of debt service and financing costs in accordance with sections 671  
151.01 to 151.11 of the Revised Code and the bond proceedings. 672

(N) The general assembly may from time to time repeal or 673  
reduce any excise, tax, or other source of revenue pledged to the 674  
payment of the debt service pursuant to Section 2k, 2l, 2m, 2n, 675  
2o, 2p, 2q, or 15 of Article VIII, Ohio Constitution, and sections 676  
151.01 to 151.11 or 151.40 of the Revised Code, and may levy, 677  
collect and apply any new or increased excise, tax, or revenue to 678  
meet the pledge, to the payment of debt service on outstanding 679

obligations, of the state's full faith and credit, revenue and 680  
taxing power, or of designated revenues and receipts, except fees, 681  
excises or taxes referred to in Section 5a of Article XII, Ohio 682  
Constitution, for other than obligations referred to in section 683  
151.06 of the Revised Code and except net state lottery proceeds 684  
for other than obligations referred to in section 151.03 of the 685  
Revised Code. Nothing in division (N) of this section authorizes 686  
any impairment of the obligation of this state to levy and collect 687  
sufficient excises, taxes, and revenues to pay debt service on 688  
obligations outstanding in accordance with their terms. 689

(O) Each bond service fund is a trust fund and is hereby 690  
pledged to the payment of debt service on the applicable 691  
obligations. Payment of that debt service shall be made or 692  
provided for by the issuing authority in accordance with the bond 693  
proceedings without necessity for any act of appropriation. The 694  
bond proceedings may provide for the establishment of separate 695  
accounts in the bond service fund and for the application of those 696  
accounts only to debt service on specific obligations, and for 697  
other accounts in the bond service fund within the general 698  
purposes of that fund. 699

(P) Subject to the bond proceedings pertaining to any 700  
obligations then outstanding in accordance with their terms, the 701  
issuing authority may in the bond proceedings pledge all, or such 702  
portion as the issuing authority determines, of the moneys in the 703  
bond service fund to the payment of debt service on particular 704  
obligations, and for the establishment and maintenance of any 705  
reserves for payment of particular debt service. 706

(Q) The issuing authority shall by the fifteenth day of July 707  
of each fiscal year, certify or cause to be certified to the 708  
office of budget and management the total amount of moneys 709  
required during the current fiscal year to meet in full all debt 710  
service on the respective obligations and any related financing 711

costs payable from the applicable bond service fund and not from 712  
the proceeds of refunding or renewal obligations. The issuing 713  
authority shall make or cause to be made supplemental 714  
certifications to the office of budget and management for each 715  
debt service payment date and at such other times during each 716  
fiscal year as may be provided in the bond proceedings or 717  
requested by that office. Debt service, costs of credit 718  
enhancement facilities, and other financing costs shall be set 719  
forth separately in each certification. If and so long as the 720  
moneys to the credit of the bond service fund, together with any 721  
other moneys available for the purpose, are insufficient to meet 722  
in full all payments when due of the amount required as stated in 723  
the certificate or otherwise, the office of budget and management 724  
shall at the times as provided in the bond proceedings, and 725  
consistent with any particular provisions in sections 151.03 to 726  
151.11 and 151.40 of the Revised Code, transfer a sufficient 727  
amount to the bond service fund from the pledged revenues in the 728  
case of obligations issued pursuant to section 151.40 of the 729  
Revised Code, and in the case of other obligations from the 730  
revenues derived from excises, taxes, and other revenues, 731  
including net state lottery proceeds in the case of obligations 732  
referred to in section 151.03 of the Revised Code. 733

(R) Unless otherwise provided in any applicable bond 734  
proceedings, moneys to the credit of special funds may be invested 735  
by or on behalf of the state only in one or more of the following: 736

(1) Notes, bonds, or other direct obligations of the United 737  
States or of any agency or instrumentality of the United States, 738  
or in no-front-end-load money market mutual funds consisting 739  
exclusively of those obligations, or in repurchase agreements, 740  
including those issued by any fiduciary, secured by those 741  
obligations, or in collective investment funds consisting 742  
exclusively of those obligations; 743



(2) Obligations of this state or any political subdivision of this state; 744  
745

(3) Certificates of deposit of any national bank located in this state and any bank, as defined in section 1101.01 of the Revised Code, subject to inspection by the superintendent of financial institutions; 746  
747  
748  
749

(4) The treasurer of state's pooled investment program under section 135.45 of the Revised Code. 750  
751

The income from investments referred to in division (R) of this section shall, unless otherwise provided in sections 151.01 to 151.11 or 151.40 of the Revised Code, be credited to special funds or otherwise as the issuing authority determines in the bond proceedings. Those investments may be sold or exchanged at times as the issuing authority determines, provides for, or authorizes. 752  
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(S) The treasurer of state shall have responsibility for keeping records, making reports, and making payments, relating to any arbitrage rebate requirements under the applicable bond proceedings. 758  
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**Sec. 151.09.** (A) As used in this section: 762

(1) "Costs of conservation projects" includes related direct administrative expenses and allocable portions of the direct costs of those projects of the department of agriculture, the department of natural resources, or the Ohio public works commission. 763  
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(2) "Obligations" means obligations as defined in section 151.01 of the Revised Code issued to pay costs of projects for conservation purposes as referred to in division (A)(1) of Section 2o of Article VIII, Ohio Constitution and division (A)(1) of Section 2q of Article VIII, Ohio Constitution. 767  
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(B)(1) The issuing authority shall issue general obligations of the state to pay costs of conservation projects pursuant to 772  
773

division (B)(1) of Section 2o of Article VIII, Ohio Constitution, 774  
division (B)(1) of Section 2g of Article VIII, Ohio Constitution, 775  
section 151.01 of the Revised Code, and this section. The issuing 776  
authority, upon the certification to it by the Ohio public works 777  
commission of amounts needed in and for the purposes of the clean 778  
Ohio conservation fund created by section 164.27 of the Revised 779  
Code, the clean Ohio agricultural easement fund created by section 780  
901.21 of the Revised Code, and the clean Ohio trail fund created 781  
by section 1519.05 of the Revised Code, shall issue obligations in 782  
the amount determined by the issuing authority to be required for 783  
those purposes. Not more than ~~two~~ four hundred million dollars 784  
principal amount of obligations issued under this section for 785  
conservation purposes may be outstanding at any one time. Not more 786  
than fifty million dollars principal amount of obligations, plus 787  
the principal amount of obligations that in any prior fiscal year 788  
could have been, but were not issued within the 789  
fifty-million-dollar fiscal year limit, may be issued in any 790  
fiscal year. 791

(2) In making the certification required under division 792  
(B)(1) of this section, the Ohio public works commission shall 793  
consult with the department of agriculture and the department of 794  
natural resources. The commission shall certify amounts that 795  
correspond to the distribution of the net proceeds of obligations 796  
provided in division (C) of this section. 797

(C) Net proceeds of obligations shall be deposited as 798  
follows: 799

(1) Seventy-five per cent into the clean Ohio conservation 800  
fund created by section 164.27 of the Revised Code; 801

(2) Twelve and one-half per cent into the clean Ohio 802  
agricultural easement fund created by section 901.21 of the 803  
Revised Code; 804

(3) Twelve and one-half per cent into the clean Ohio trail 805  
fund created by section 1519.05 of the Revised Code. 806

(D) There is hereby created in the state treasury the 807  
conservation projects bond service fund. All moneys received by 808  
the state and required by the bond proceedings, consistent with 809  
section 151.01 of the Revised Code and this section, to be 810  
deposited, transferred, or credited to the bond service fund, and 811  
all other moneys transferred or allocated to or received for the 812  
purposes of that fund, shall be deposited and credited to the bond 813  
service fund, subject to any applicable provisions of the bond 814  
proceedings, but without necessity for any act of appropriation. 815  
During the period beginning with the date of the first issuance of 816  
obligations and continuing during the time that any obligations 817  
are outstanding in accordance with their terms, so long as moneys 818  
in the bond service fund are insufficient to pay debt service when 819  
due on those obligations payable from that fund, except the 820  
principal amounts of bond anticipation notes payable from the 821  
proceeds of renewal notes or bonds anticipated, and due in the 822  
particular fiscal year, a sufficient amount of revenues of the 823  
state is committed and, without necessity for further act of 824  
appropriation, shall be paid to the bond service fund for the 825  
purpose of paying that debt service when due. 826

**Sec. 151.40.** (A) As used in this section: 827

(1) "Bond proceedings" includes any trust agreements, and any 828  
amendments or supplements to them, as authorized by this section. 829

(2) "Costs of revitalization projects" includes related 830  
direct administrative expenses and allocable portions of the 831  
direct costs of those projects of the department of development or 832  
the environmental protection agency. 833

(3) "Issuing authority" means the treasurer of state. 834

(4) "Obligations" means obligations as defined in section 835  
151.01 of the Revised Code issued to pay the costs of projects for 836  
revitalization purposes as referred to in division (A)(2) of 837  
Section 2o of Article VIII, Ohio Constitution and division (A)(2) 838  
of Section 2q of Article VIII, Ohio Constitution. 839

(5) "Pledged liquor profits" means all receipts of the state 840  
representing the gross profit on the sale of spirituous liquor, as 841  
referred to in division (B)(4) of section 4301.10 of the Revised 842  
Code, after paying all costs and expenses of the division of 843  
liquor control and providing an adequate working capital reserve 844  
for the division of liquor control as provided in that division, 845  
but excluding the sum required by the second paragraph of section 846  
4301.12 of the Revised Code, as it was in effect on May 2, 1980, 847  
to be paid into the state treasury. 848

(6) "Pledged receipts" means, as and to the extent provided 849  
in bond proceedings: 850

(a) Pledged liquor profits. The pledge of pledged liquor 851  
profits to obligations is subject to the priority of the pledge of 852  
those profits to obligations issued and to be issued pursuant to 853  
Chapter 166. of the Revised Code. 854

(b) Moneys accruing to the state from the lease, sale, or 855  
other disposition or use of revitalization projects or from the 856  
repayment, including any interest, of loans or advances made from 857  
net proceeds; 858

(c) Accrued interest received from the sale of obligations; 859

(d) Income from the investment of the special funds; 860

(e) Any gifts, grants, donations, or pledges, and receipts 861  
therefrom, available for the payment of debt service; 862

(f) Additional or any other specific revenues or receipts 863  
lawfully available to be pledged, and pledged, pursuant to further 864

authorization by the general assembly, to the payment of debt 865  
service. 866

(B)(1) The issuing authority shall issue obligations of the 867  
state to pay costs of revitalization projects pursuant to division 868  
(B)(2) of Section 2o of Article VIII, Ohio Constitution, division 869  
(B)(2) of Section 2q of Article VIII, Ohio Constitution, section 870  
151.01 of the Revised Code as applicable to this section, and this 871  
section. The issuing authority, upon the certification to it by 872  
the clean Ohio council of the amount of moneys needed in and for 873  
the purposes of the clean Ohio revitalization fund created by 874  
section 122.658 of the Revised Code, shall issue obligations in 875  
the amount determined by the issuing authority to be required for 876  
those purposes. Not more than ~~two~~ four hundred million dollars 877  
principal amount of obligations issued under this section for 878  
revitalization purposes may be outstanding at any one time. Not 879  
more than fifty million dollars principal amount of obligations, 880  
plus the principal amount of obligations that in any prior fiscal 881  
year could have been, but were not issued within the 882  
fifty-million-dollar fiscal year limit, may be issued in any 883  
fiscal year. 884

(2) The provisions and authorizations in section 151.01 of 885  
the Revised Code apply to the obligations and the bond proceedings 886  
except as otherwise provided or provided for in those obligations 887  
and bond proceedings. 888

(C) Net proceeds of obligations shall be deposited in the 889  
clean Ohio revitalization fund created in section 122.658 of the 890  
Revised Code. 891

(D) There is hereby created the revitalization projects bond 892  
service fund, which shall be in the custody of the treasurer of 893  
state, but shall be separate and apart from and not a part of the 894  
state treasury. All money received by the state and required by 895  
the bond proceedings, consistent with section 151.01 of the 896

Revised Code and this section, to be deposited, transferred, or 897  
credited to the bond service fund, and all other money transferred 898  
or allocated to or received for the purposes of that fund, shall 899  
be deposited and credited to the bond service fund, subject to any 900  
applicable provisions of the bond proceedings, but without 901  
necessity for any act of appropriation. During the period 902  
beginning with the date of the first issuance of obligations and 903  
continuing during the time that any obligations are outstanding in 904  
accordance with their terms, so long as moneys in the bond service 905  
fund are insufficient to pay debt service when due on those 906  
obligations payable from that fund, except the principal amounts 907  
of bond anticipation notes payable from the proceeds of renewal 908  
notes or bonds anticipated, and due in the particular fiscal year, 909  
a sufficient amount of pledged receipts is committed and, without 910  
necessity for further act of appropriation, shall be paid to the 911  
bond service fund for the purpose of paying that debt service when 912  
due. 913

(E) The issuing authority may pledge all, or such portion as 914  
the issuing authority determines, of the pledged receipts to the 915  
payment of the debt service charges on obligations issued under 916  
this section, and for the establishment and maintenance of any 917  
reserves, as provided in the bond proceedings, and make other 918  
provisions in the bond proceedings with respect to pledged 919  
receipts as authorized by this section, which provisions are 920  
controlling notwithstanding any other provisions of law pertaining 921  
to them. 922

(F) The issuing authority may covenant in the bond 923  
proceedings, and such covenants shall be controlling 924  
notwithstanding any other provision of law, that the state and 925  
applicable officers and state agencies, including the general 926  
assembly, so long as any obligations issued under this section are 927  
outstanding, shall maintain statutory authority for and cause to 928

be charged and collected wholesale or retail prices for spirituous 929  
liquor sold by the state or its agents so that the available 930  
pledged receipts are sufficient in time and amount to meet debt 931  
service payable from pledged liquor profits and for the 932  
establishment and maintenance of any reserves and other 933  
requirements provided for in the bond proceedings. 934

(G) Obligations may be further secured, as determined by the 935  
issuing authority, by a trust agreement between the state and a 936  
corporate trustee, which may be any trust company or bank having a 937  
place of business within the state. Any trust agreement may 938  
contain the resolution or order authorizing the issuance of the 939  
obligations, any provisions that may be contained in any bond 940  
proceedings, and other provisions that are customary or 941  
appropriate in an agreement of that type, including, but not 942  
limited to: 943

(1) Maintenance of each pledge, trust agreement, or other 944  
instrument comprising part of the bond proceedings until the state 945  
has fully paid or provided for the payment of debt service on the 946  
obligations secured by it; 947

(2) In the event of default in any payments required to be 948  
made by the bond proceedings, enforcement of those payments or 949  
agreements by mandamus, the appointment of a receiver, suit in 950  
equity, action at law, or any combination of them; 951

(3) The rights and remedies of the holders or owners of 952  
obligations and of the trustee and provisions for protecting and 953  
enforcing them, including limitations on rights of individual 954  
holders and owners. 955

(H) The obligations shall not be general obligations of the 956  
state and the full faith and credit, revenue, and taxing power of 957  
the state shall not be pledged to the payment of debt service on 958  
them. The holders or owners of the obligations shall have no right 959

to have any moneys obligated or pledged for the payment of debt 960  
service except as provided in this section and in the applicable 961  
bond proceedings. The rights of the holders and owners to payment 962  
of debt service are limited to all or that portion of the pledged 963  
receipts, and those special funds, pledged to the payment of debt 964  
service pursuant to the bond proceedings in accordance with this 965  
section, and each obligation shall bear on its face a statement to 966  
that effect. 967

**Sec. 955.201.** (A) As used in this section and in section 968  
955.202 of the Revised Code, "Ohio pet fund" means a nonprofit 969  
corporation organized by that name under Chapter 1702. of the 970  
Revised Code that consists of humane societies, veterinarians, 971  
animal shelters, companion animal breeders, dog wardens, and 972  
similar individuals and entities. 973

(B) The Ohio pet fund shall do all of the following: 974

(1) Establish eligibility criteria for organizations that may 975  
receive financial assistance from the ~~pets program funding board~~ 976  
~~created in section 955.202 of the Revised Code~~ Ohio pet fund. 977  
Those organizations may include any of the following: 978

(a) An animal shelter as defined in section 4729.01 of the 979  
Revised Code; 980

(b) A local nonprofit veterinary association that operates a 981  
program for the sterilization of dogs and cats; 982

(c) A charitable organization that is exempt from federal 983  
income taxation under subsection 501(c)(3) of the Internal Revenue 984  
Code and the primary purpose of which is to support programs for 985  
the sterilization of dogs and cats and educational programs 986  
concerning the proper veterinary care of those animals. 987

(2) Establish procedures for applying for financial 988  
assistance from the ~~pets program funding board~~ Ohio pet fund. 989



Application procedures shall require eligible organizations to 990  
submit detailed proposals that outline the intended uses of the 991  
moneys sought. 992

(3) Establish eligibility criteria for sterilization and 993  
educational programs for which moneys from the ~~pets program~~ 994  
~~funding board~~ Ohio pet fund may be used and, consistent with 995  
division (C) of this section, establish eligibility criteria for 996  
individuals who seek sterilization for their dogs and cats from 997  
eligible organizations; 998

(4) Establish procedures for the disbursement of moneys the 999  
~~pets program funding board~~ Ohio pet fund receives from license 1000  
plate contributions pursuant to division (C) of section 4503.551 1001  
of the Revised Code; 1002

(5) Advertise or otherwise provide notification of the 1003  
availability of financial assistance from the ~~pets program funding~~ 1004  
~~board~~ Ohio pet fund for eligible organizations; 1005

(6) Design markings to be inscribed on "pets" license plates 1006  
under section 4503.551 of the Revised Code. 1007

(C)(1) The owner of a dog or cat is eligible for dog or cat 1008  
sterilization services from an eligible organization when those 1009  
services are subsidized in whole or in part by money from the ~~pets~~ 1010  
~~program funding board~~ Ohio pet fund if any of the following 1011  
applies: 1012

(a) The income of the owner's family does not exceed one 1013  
hundred fifty per cent of the federal poverty guideline. 1014

(b) The owner, or any member of the owner's family who 1015  
resides with the owner, is a recipient or beneficiary of one of 1016  
the following government assistance programs: 1017

(i) Low-income housing assistance under the "United States 1018  
Housing Act of 1937," 42 U.S.C.A. 1437f, as amended, known as the 1019

federal section 8 housing program;	1020
(ii) The Ohio works first program established by Chapter 5107. of the Revised Code;	1021 1022
(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;	1023 1024 1025 1026
(iv) A program or law administered by the United States department of veterans' affairs or veterans' administration for any service-connected disability;	1027 1028 1029
(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;	1030 1031 1032 1033
(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;	1034 1035 1036 1037 1038
(vii) Supplemental security income under Title XVI of the "Social Security Act," 86 Stat. 1475 (1972), 42 U.S.C.A. 1383, as amended;	1039 1040 1041
(viii) Social security disability insurance benefits provided under Title II of the "Social Security Act," 49 Stat. 620 (1935), 42 U.S.C.A. 401, as amended.	1042 1043 1044
(c) The owner of the dog or cat submits to the eligible organization operating the sterilization program either of the following:	1045 1046 1047
(i) A certificate of adoption showing that the dog or cat was adopted from a licensed animal shelter, a municipal, county, or	1048 1049

regional pound, or a holding and impoundment facility that 1050  
contracts with a municipal corporation; 1051

(ii) A certificate of adoption showing that the dog or cat 1052  
was adopted through a nonprofit corporation operating an animal 1053  
adoption referral service whose holding facility, if any, is 1054  
licensed in accordance with state law or a municipal ordinance. 1055

(2) The Ohio pet fund shall determine the type of documentary 1056  
evidence that must be presented by the owner of a dog or cat to 1057  
show that the income of the owner's family does not exceed one 1058  
hundred fifty per cent of the federal poverty guideline or that 1059  
the owner is eligible under division (C)(1)(b) of this section. 1060

(D) As used in division (C) of this section, "federal poverty 1061  
guideline" means the official poverty guideline as revised 1062  
annually by the United States department of health and human 1063  
services in accordance with section 673(2) of the "Omnibus Budget 1064  
Reconciliation Act of 1981," 95 Stat. 511, 42 U.S.C.A. 9902, as 1065  
amended, for a family size equal to the size of the family of the 1066  
person whose income is being determined. 1067

**Sec. 1548.10.** (A) The clerk of the court of common pleas 1069  
shall charge a fee of five and retain fees as follows: 1070

(1) Fifteen dollars for each memorandum certificate of title, 1071  
each non-negotiable evidence of ownership, and each duplicate copy 1072  
of a certificate of title. The fees shall be retained by the clerk 1073  
shall retain that entire fee. 1074

~~In addition to those fees, the clerk shall charge a fee of~~ 1075  
~~five~~ 1076

(2) Fifteen dollars for each certificate of title ~~and for~~ 1077  
~~each, which shall include any~~ notation or indication of any lien 1078  
or security interest on a certificate of title and any memorandum 1079  
certificate of title or non-negotiable evidence of ownership 1080

requested at the time the certificate of title is issued. The 1081  
clerk shall retain ~~two~~ ten dollars and fifty cents of ~~the~~ that fee 1082  
~~charged for each certificate of title, and three dollars and fifty~~ 1083  
~~cents of the fee charged for each notation or indication of any~~ 1084  
~~lien or security interest.~~ 1085

(3) Five dollars for each certificate of title with no 1086  
security interest noted that is issued to a licensed watercraft 1087  
dealer for resale purposes. The clerk shall retain two dollars of 1088  
that fee. 1089

(4) Five dollars for each memorandum certificate of title or 1090  
non-negotiable evidence of ownership that is applied for 1091  
separately. The clerk shall retain that entire fee. 1092

(B) The remaining fees charged for a certificate of title and 1093  
the notation or indication of any lien or security interest on a 1094  
certificate of title that are not retained by the clerk shall be 1095  
paid to the chief of the division of watercraft by monthly 1096  
returns, which shall be forwarded to the chief not later than the 1097  
fifth day of the month next succeeding that in which the 1098  
certificate is forwarded, or that in which the chief is notified 1099  
of a lien or security interest or cancellation of a lien or 1100  
security interest. 1101

The chief shall deposit one dollar of the amount the chief 1102  
receives for each certificate of title in the automated title 1103  
processing fund created in section 4505.09 of the Revised Code. 1104  
Moneys deposited in that fund under this section shall be used for 1105  
the purpose specified in division (B)(3)(b) of that section. 1106

**Sec. 1751.53.** (A) As used in this section: 1107

(1) "Group contract" means a group health insuring 1108  
corporation contract covering employees that meets either of the 1109  
following conditions: 1110

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

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

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

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

(b) ~~The employee is entitled, at the time of the termination of this employment, to unemployment compensation benefits under Chapter 4141. of the Revised Code~~ The employee did not voluntarily terminate the employee's employment and the termination of employment is not a result of any gross misconduct on the part of the employee.

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

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

termination of the continuation of coverage. 1142

(B) A group contract shall provide that any eligible employee 1143  
may continue the coverage under the contract, for the employee and 1144  
the employee's eligible dependents, for a period of ~~six~~ twelve 1145  
months after the date that the group coverage would otherwise 1146  
terminate by reason of the termination of the employee's 1147  
employment. Each certificate of coverage issued to employees under 1148  
the contract shall include a notice of the employee's privilege of 1149  
continuation. 1150

(C) All of the following apply to the continuation of group 1151  
coverage required under division (B) of this section: 1152

(1) Continuation need not include any supplemental health 1153  
care services benefits or specialty health care services benefits 1154  
provided by the group contract. 1155

(2) The employer shall notify the employee of the right of 1156  
continuation at the time the employer notifies the employee of the 1157  
termination of employment. The notice shall inform the employee of 1158  
the amount of contribution required by the employer under division 1159  
(C)(4) of this section. 1160

(3) The employee shall file a written election of 1161  
continuation with the employer and pay the employer the first 1162  
contribution required under division (C)(4) of this section. The 1163  
request and payment must be received by the employer no later than 1164  
the earlier of any of the following dates: 1165

(a) Thirty-one days after the date on which the employee's 1166  
coverage would otherwise terminate; 1167

(b) Ten days after the date on which the employee's coverage 1168  
would otherwise terminate, if the employer has notified the 1169  
employee of the right of continuation prior to this date; 1170

(c) Ten days after the employer notifies the employee of the 1171

right of continuation, if the notice is given after the date on 1172  
which the employee's coverage would otherwise terminate. 1173

(4) The employee must pay to the employer, on a monthly 1174  
basis, in advance, the amount of contribution required by the 1175  
employer. The amount required shall not exceed the group rate for 1176  
the insurance being continued under the policy on the due date of 1177  
each payment. 1178

(5) The employee's privilege to continue coverage and the 1179  
coverage under any continuation ceases if any of the following 1180  
occurs: 1181

(a) The employee ceases to be an eligible employee under 1182  
division (A)(2)(c) or (d) of this section; 1183

(b) A period of ~~six~~ twelve months expires after the date that 1184  
the employee's coverage under the group contract would otherwise 1185  
have terminated because of the termination of employment; 1186

(c) The employee fails to make a timely payment of a required 1187  
contribution, in which event the coverage shall cease at the end 1188  
of the coverage for which contributions were made; 1189

(d) The group contract is terminated, or the employer 1190  
terminates participation under the contract, unless the employer 1191  
replaces the coverage by similar coverage under another contract 1192  
or other group health arrangement. If the employer replaces the 1193  
contract with similar group health coverage, all of the following 1194  
apply: 1195

(i) The member shall be covered under the replacement 1196  
coverage, for the balance of the period that the member would have 1197  
remained covered under the terminated coverage if it had not been 1198  
terminated. 1199

(ii) The minimum level of benefits under the replacement 1200  
coverage shall be the applicable level of benefits of the contract 1201

replaced reduced by any benefits payable under the contract 1202  
replaced. 1203

(iii) The contract replaced shall continue to provide 1204  
benefits to the extent of its accrued liabilities and extensions 1205  
of benefits as if the replacement had not occurred. 1206

(D) This section does not apply to any group contract 1207  
offering only supplemental health care services or specialty 1208  
health care services. 1209

(E) An employer shall notify the health insuring corporation 1210  
if the employee elects continuation of coverage under this 1211  
section. The health insuring corporation may require the employer 1212  
to provide documentation if the employee elects continuation of 1213  
coverage and is seeking premium assistance for the continuation of 1214  
coverage under the "American Recovery and Investment Act of 2009," 1215  
Pub. L. No. 111-5, 123 Stat. 115. The director of insurance shall 1216  
publish guidance for employers and health insuring corporations 1217  
regarding the contents of such documentation. 1218

**Sec. 2911.21.** (A) No person, without privilege to do so, 1219  
shall do any of the following: 1220

(1) Knowingly enter or remain on the land or premises of 1221  
another; 1222

(2) Knowingly enter or remain on the land or premises of 1223  
another, the use of which is lawfully restricted to certain 1224  
persons, purposes, modes, or hours, when the offender knows the 1225  
offender is in violation of any such restriction or is reckless in 1226  
that regard; 1227

(3) Recklessly enter or remain on the land or premises of 1228  
another, as to which notice against unauthorized access or 1229  
presence is given by actual communication to the offender, or in a 1230  
manner prescribed by law, or by posting in a manner reasonably 1231



calculated to come to the attention of potential intruders, or by fencing or other enclosure manifestly designed to restrict access;

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

(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, <del>"land:</del>	1263
(1) <u>"All-purpose vehicle" has the same meaning as in section 4519.01 of the Revised Code.</u>	1264 1265
(2) <u>"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.</u>	1266 1267 1268
<b>Sec. 2949.094.</b> (A) The court in which any person is convicted of or pleads guilty to any moving violation shall impose an additional court cost of ten dollars upon the offender. The court shall not waive the payment of the ten dollars unless the court determines that the offender is indigent and waives the payment of all court costs imposed upon the indigent offender.	1269 1270 1271 1272 1273 1274
The clerk of the court shall transmit thirty-five per cent of all additional court costs collected pursuant to this division during a month on or before the twenty-third day of the following month to the <del>division of criminal justice services, and the division of criminal justice services shall deposit the money so transmitted into</del> <u>state treasury of which ninety-seven per cent shall be credited to</u> the drug law enforcement fund created under section 5502.68 of the Revised Code <u>and the remaining three per cent shall be credited to the justice program services fund created under section 5502.67 of the Revised Code.</u> The clerk shall transmit fifteen per cent of all additional court costs so collected during a month on or before the twenty-third day of the following month to the county or municipal indigent drivers alcohol treatment fund under the control of that court, as created by the county or municipal corporation under division (H) of section 4511.191 of the Revised Code. The clerk shall transmit fifty per cent of all additional court costs so collected during a month on or before the twenty-third day of the following month to the state treasury to be credited to the indigent defense support	1275 1276 1277 1278 1279 1280 1281 1282 1283 1284 1285 1286 1287 1288 1289 1290 1291 1292 1293

fund created pursuant to section 120.08 of the Revised Code. 1294

1295

(B) The juvenile court in which a child is found to be a 1296  
juvenile traffic offender for an act that is a moving violation 1297  
shall impose an additional court cost of ten dollars upon the 1298  
juvenile traffic offender. The juvenile court shall not waive the 1299  
payment of the ten dollars unless the court determines that the 1300  
juvenile is indigent and waives the payment of all court costs 1301  
imposed upon the indigent offender. 1302

The clerk of the court shall transmit thirty-five per cent of 1303  
all additional court costs collected pursuant to this division 1304  
during a month on or before the twenty-third day of the following 1305  
month to the ~~division of criminal justice services, and the~~ 1306  
~~division of criminal justice services shall deposit the money so~~ 1307  
~~transmitted into~~ state treasury of which ninety-seven per cent 1308  
shall be credited to the drug law enforcement fund created under 1309  
section 5502.68 of the Revised Code and the remaining three per 1310  
cent shall be credited to the justice program services fund 1311  
created under section 5502.67 of the Revised Code. The clerk shall 1312  
transmit fifteen per cent of all additional court costs so 1313  
collected during a month on or before the twenty-third day of the 1314  
following month to the county juvenile indigent drivers alcohol 1315  
treatment fund under the control of that court, as created by the 1316  
county under division (H) of section 4511.191 of the Revised Code. 1317  
The clerk shall transmit fifty per cent of all additional court 1318  
costs so collected during a month on or before the twenty-third 1319  
day of the following month to the state treasury to be credited to 1320  
the indigent defense support fund created pursuant to section 1321  
120.08 of the Revised Code. 1322

1323

(C) Whenever a person is charged with any offense that is a 1324  
moving violation and posts bail, the court shall add to the amount 1325

of the bail the ten dollars required to be paid by division (A) of 1326  
this section. The clerk of the court shall retain the ten dollars 1327  
until the person is convicted, pleads guilty, forfeits bail, is 1328  
found not guilty, or has the charges dismissed. If the person is 1329  
convicted, pleads guilty, or forfeits bail, the clerk shall 1330  
transmit three dollars and fifty cents out of the ten dollars to 1331  
the ~~division of criminal justice services, and the division of~~ 1332  
~~eriminal justice services shall deposit the money so transmitted~~ 1333  
~~into~~ state treasury of which ninety-seven per cent shall be 1334  
credited to the drug law enforcement fund created under section 1335  
5502.68 of the Revised Code and the remaining three per cent shall 1336  
be credited to the justice program services fund created under 1337  
section 5502.67 of the Revised Code, the clerk shall transmit one 1338  
dollar and fifty cents out of the ten dollars to the county, 1339  
municipal, or county juvenile indigent drivers alcohol treatment 1340  
fund under the control of that court, as created by the county or 1341  
municipal corporation under division (H) of section 4511.191 of 1342  
the Revised Code, and the clerk shall transmit five dollars out of 1343  
the ten dollars to the state treasury to be credited to the 1344  
indigent defense support fund created under section 120.08 of the 1345  
Revised Code. If the person is found not guilty or the charges are 1346  
dismissed, the clerk shall return the ten dollars to the person. 1347

(D) No person shall be placed or held in a detention facility 1349  
for failing to pay the court cost or bail that is required to be 1350  
paid by this section. 1351

(E) As used in this section: 1352

(1) "Bail" and "moving violation" have the same meanings as 1353  
in section 2949.093 of the Revised Code. 1354

(2) "Detention facility" has the same meaning as in section 1355  
2921.01 of the Revised Code. 1356

(3) "Division of criminal justice services" means the 1357  
division of criminal justice services of the department of public 1358  
safety, created by section 5502.62 of the Revised Code. 1359

**Sec. 3304.14.** The ~~rehabilitation services commission~~ governor 1360  
shall appoint an administrator of the rehabilitation services 1361  
commission to serve at the pleasure of the ~~commission~~ governor and 1362  
shall fix ~~his~~ the administrator's compensation. The administrator 1363  
shall devote ~~his~~ the administrator's entire time to the duties of 1364  
~~his~~ the administrator's office, shall hold no other office or 1365  
position of trust and profit, and shall engage in no other 1366  
business during ~~his~~ the administrator's term of office. The 1367  
~~commission~~ governor may ~~delegate to grant~~ the administrator the 1368  
authority to appoint, remove, and discipline without regard to 1369  
sex, race, creed, color, age, or national origin, such other 1370  
professional, administrative, and clerical staff members as are 1371  
necessary to carry out the functions and duties of the commission. 1372  
1373

**Sec. 3719.21.** Except as provided in division (C) of section 1374  
2923.42, division (B) of section 2923.44, divisions (D)(1), (F), 1375  
and (H) of section 2925.03, division (D)(1) of section 2925.02, 1376  
2925.04, or 2925.05, division (E)(1) of section 2925.11, division 1377  
(F) of section 2925.13, division (F) of section 2925.36, division 1378  
(D) of section 2925.22, division (H) of section 2925.23, division 1379  
(M) of section 2925.37, division (B) of section 2925.42, division 1380  
(B) of section 2929.18, division (D) of section 3719.99, division 1381  
(B)(1) of section 4729.65, division (E)(3) of section 4729.99, and 1382  
division (I)~~(3)~~(4) of section 4729.99 of the Revised Code, the 1383  
clerk of the court shall pay all fines or forfeited bail assessed 1384  
and collected under prosecutions or prosecutions commenced for 1385  
violations of this chapter, section 2923.42 of the Revised Code, 1386  
or Chapter 2925. of the Revised Code, within thirty days, to the 1387

executive director of the state board of pharmacy, and the 1388  
executive director shall deposit the fines into the state treasury 1389  
to the credit of the occupational licensing and regulatory fund. 1390

1391

**Sec. 3905.423.** (A) As used in this section: 1392

(1) "Consumer" has the same meaning as in section 1345.01 of 1393  
the Revised Code. 1394

(2) "Consumer goods" means goods sold, leased, assigned, 1395  
awarded by chance, or transferred to a consumer in a consumer 1396  
transaction. 1397

(3) "Consumer goods service contract" means a contract or 1398  
agreement to perform or pay for repairs, replacement, or 1399  
maintenance of consumer goods due to a defect in materials or 1400  
workmanship, normal wear and tear, power surges, or accidental 1401  
damage from handling, that is effective for a specified duration 1402  
and paid for by means other than the purchase of the consumer 1403  
goods. "Consumer goods service contract" does not include any of 1404  
the following: 1405

(a) A contract or agreement to perform or pay for the repair, 1406  
replacement, or maintenance of a motor vehicle or utility vehicle, 1407  
as defined in section 4501.01 of the Revised Code, due to a defect 1408  
in materials or workmanship, normal wear and tear, mechanical or 1409  
electrical breakdown, or failure of parts or equipment of a motor 1410  
vehicle that is effective for a specified duration and paid for by 1411  
means other than the purchase of a motor vehicle or utility 1412  
vehicle; 1413

(b) A vehicle protection product as defined in section 1414  
3905.421 of the Revised Code; 1415

(c) A home service contract as defined in section 3905.422 of 1416  
the Revised Code; 1417

<u>(d) A motor vehicle tire or wheel road hazard contract as</u>	1418
<u>defined in section 3905.425 of the Revised Code;</u>	1419
<u>(e) A motor vehicle ancillary product protection contract as</u>	1420
<u>defined in section 3905.426 of the Revised Code.</u>	1421
(4) "Consumer transaction" has the same meaning as in section	1422
1345.01 of the Revised Code.	1423
(5) "Contract holder" means the consumer who purchased goods	1424
covered by a consumer goods service contract, any authorized	1425
transferee or assignee of the consumer, or any other person	1426
assuming the consumer's rights under the consumer goods service	1427
contract.	1428
(6) "Provider" means a person who is contractually obligated	1429
to a contract holder under the terms of a consumer goods service	1430
contract.	1431
(7) "Reimbursement insurance policy" means a policy of	1432
insurance issued by an insurer authorized or eligible to do	1433
business in this state to a provider to pay, on behalf of the	1434
provider <u>in the event of the provider's nonperformance</u> , all	1435
covered contractual obligations incurred by the provider under the	1436
terms and conditions of the consumer goods service contract.	1437
(8) "Supplier" has the same meaning as in section 1345.01 of	1438
the Revised Code.	1439
(B) All consumer goods service contracts issued in this state	1440
that provide for the performance of or payment for repairs,	1441
replacement, or maintenance of consumer goods due to power surges	1442
or accidental damage from handling shall be covered by a	1443
reimbursement insurance policy.	1444
(C) A consumer goods service contract issued by a provider	1445
that is required to be covered by a reimbursement insurance policy	1446
under division (B) of this section shall <del>comply with</del> <u>conspicuously</u>	1447

state all of the following requirements: 1448

(1) ~~Conspicuously state that~~ That the obligations of the 1449  
provider are guaranteed under a reimbursement insurance policy; 1450

(2) ~~Conspicuously state that~~ That if a provider fails to 1451  
perform or make payment due under the terms of the contract within 1452  
sixty days after the contract holder requests performance or 1453  
payment pursuant to the terms of the contract, the contract holder 1454  
may request performance or payment directly from the provider's 1455  
reimbursement insurance policy insurer, including, but not limited 1456  
to, any obligation in the contract by which the provider must 1457  
refund the contract holder upon cancellation of a contract; 1458

(3) ~~Conspicuously state the~~ The name, address, and telephone 1460  
number of the provider's reimbursement insurance policy insurer. 1461

(D) A reimbursement insurance policy that is required to be 1462  
issued under this section shall contain a: 1463

(1) A statement that if a provider fails to perform or make 1464  
payment due under the terms of the consumer goods service contract 1465  
within sixty days after the contract holder requests performance 1466  
or payment pursuant to the terms of the contract, the contract 1467  
holder may request performance or payment directly from the 1468  
provider's reimbursement insurance policy insurer, including, but 1469  
not limited to, any obligation in the contract by which the 1470  
provider must refund the contract holder upon cancellation of a 1471  
contract; 1472

(2) A statement that in the event of cancellation of the 1473  
provider's reimbursement insurance policy, insurance coverage will 1474  
continue for all contract holders whose consumer goods service 1475  
contracts were issued by the provider and reported to the insurer 1476  
for coverage during the term of the reimbursement insurance 1477  
policy. 1478



(E) The sale or issuance of a consumer goods service contract 1479  
is a consumer transaction for purposes of sections 1345.01 to 1480  
1345.13 of the Revised Code. The provider is the supplier and the 1481  
contract holder is the consumer for purposes of those sections. 1482

(F) Unless issued by an insurer authorized or eligible to do 1483  
business in this state, a consumer goods service contract does not 1484  
constitute a contract substantially amounting to insurance, or the 1485  
contract's issuance the business of insurance, under section 1486  
3905.42 of the Revised Code. 1487

(G) The rights of a contract holder against a provider's 1488  
reimbursement insurance policy insurer as provided in this section 1489  
apply only in regard to a reimbursement insurance policy issued 1490  
under this section. This section does not create any contractual 1491  
rights in favor of a person that does not qualify as an insured 1492  
under any other type of insurance policy described in Title XXXIX 1493  
of the Revised Code. 1494

**Sec. 3905.425.** (A) As used in this section: 1495

(1) "Contract holder" means the person who purchased a motor 1496  
vehicle tire or wheel road hazard contract, any authorized 1497  
transferee or assignee of the purchaser, or any other person 1498  
assuming the purchaser's rights under the motor vehicle tire or 1499  
wheel road hazard contract. 1500

(2) "Motor vehicle" has the same meaning as in section 1501  
4501.01 of the Revised Code and also includes utility vehicles as 1502  
defined in that section. 1503

(3) "Motor vehicle tire or wheel road hazard contract" means 1504  
a contract or agreement to perform or pay for repairs or 1505  
replacement of tires or wheels damaged because of a road hazard 1506  
with or without additional provisions for incidental payment of 1507  
indemnity under limited circumstances, including, without 1508

limitation, towing, rental, and emergency road services, that is 1509  
effective for a specified duration and paid for by means other 1510  
than the purchase of the motor vehicle tire or wheel. "Motor 1511  
vehicle tire or wheel road hazard contract" does not include any 1512  
of the following: 1513

(a) A contract or agreement to perform or pay for the repair, 1514  
replacement, or maintenance of a motor vehicle due to a defect in 1515  
materials or workmanship, normal wear and tear, mechanical or 1516  
electrical breakdown, or failure of parts or equipment of a motor 1517  
vehicle that is effective for a specified duration and paid for by 1518  
means other than the purchase of a motor vehicle; 1519

(b) A vehicle protection product warranty as defined in 1520  
section 3905.421 of the Revised Code; 1521

(c) A home service contract as defined in section 3905.422 of 1522  
the Revised Code; 1523

(d) A consumer goods service contract as defined in section 1524  
3905.423 of the Revised Code; 1525

(e) A motor vehicle ancillary product protection contract as 1526  
defined in section 3905.426 of the Revised Code. 1527

(4) "Provider" means a person who is contractually obligated 1528  
to a contract holder under the terms of a motor vehicle tire or 1529  
wheel road hazard contract. 1530

(5) "Reimbursement insurance policy" means a policy of 1531  
insurance issued by an insurer authorized or eligible to do 1532  
business in this state to a provider to pay, on behalf of the 1533  
provider in the event of the provider's nonperformance, all 1534  
covered contractual obligations incurred by the provider under the 1535  
terms and conditions of the motor vehicle tire or wheel road 1536  
hazard contract. 1537

(6) "Road hazard" means a condition that may cause damage or 1538

wear and tear to a tire or wheel on a public or private roadway, 1539  
roadside, driveway, or parking lot or garage, including potholes, 1540  
nails, glass, road debris, and curbs. "Road hazard" does not 1541  
include fire, theft, vandalism or malicious mischief, or other 1542  
perils normally covered by automobile physical damage insurance. 1543

(7) "Supplier" has the same meaning as in section 1345.01 of 1544  
the Revised Code. 1545

(B)(1) All motor vehicle tire or wheel road hazard contracts 1546  
issued in this state shall be covered by a reimbursement insurance 1547  
policy. 1548

(2) A motor vehicle tire or wheel road hazard contract in 1549  
which the provider is a tire manufacturer is exempt from the 1550  
requirement of division (B)(1) of this section. 1551

(C) A motor vehicle tire or wheel road hazard contract issued 1552  
by a provider that is required to be covered by a reimbursement 1553  
insurance policy under division (B) of this section shall 1554  
conspicuously state all of the following: 1555

(1) "This contract is not insurance and is not subject to the 1556  
insurance laws of this state." 1557

(2) That the obligations of the provider are guaranteed under 1558  
a reimbursement insurance policy; 1559

(3) That if a provider fails to perform or make payment due 1560  
under the terms of the contract within sixty days after the 1561  
contract holder requests performance or payment pursuant to the 1562  
terms of the contract, the contract holder may request performance 1563  
or payment directly from the provider's reimbursement insurance 1564  
policy insurer, including any obligation in the contract by which 1565  
the provider must refund the contract holder upon cancellation of 1566  
a contract; 1567

(4) The name, address, and telephone number of the provider's 1568

reimbursement insurance policy insurer. 1569

(D) A motor vehicle tire or wheel road hazard contract in 1570  
which the provider is a tire manufacturer shall conspicuously 1571  
state all of the following: 1572

(1) That this agreement is not an insurance contract; 1573

(2) That any covered obligations or claims under this 1574  
contract are the responsibility of the provider; 1575

(3) The names, addresses, and telephone numbers of any 1576  
administrator responsible for the administration of the contract, 1577  
the provider obligated to perform under the contract, and the 1578  
contract seller; 1579

(4) The procedure for making a claim under the contract, 1580  
including a toll-free telephone number for claims service and a 1581  
procedure for obtaining emergency repairs or replacement performed 1582  
outside normal business hours. 1583

(E) A reimbursement insurance policy that is required to be 1584  
issued under this section shall contain: 1585

(1) A statement that if a provider fails to perform or make 1586  
payment due under the terms of the motor vehicle tire or wheel 1587  
road hazard contract within sixty days after the contract holder 1588  
requests performance or payment pursuant to the terms of the 1589  
contract, the contract holder may request performance or payment 1590  
directly from the provider's reimbursement insurance policy 1591  
insurer, including any obligation in the contract by which the 1592  
provider must refund the contract holder upon cancellation of a 1593  
contract; 1594

(2) A statement that in the event of cancellation of the 1595  
provider's reimbursement insurance policy, insurance coverage will 1596  
continue for all contract holders whose motor vehicle tire or 1597  
wheel road hazard contracts were issued by the provider and 1598

reported to the insurer for coverage during the term of the 1599  
reimbursement insurance policy. 1600

(F) The sale or issuance of a motor vehicle tire or wheel 1601  
road hazard contract is a consumer transaction for purposes of 1602  
sections 1345.01 to 1345.13 of the Revised Code. The provider is 1603  
the supplier and the contract holder is the consumer for purposes 1604  
of those sections. 1605

(G) Unless issued by an insurer authorized or eligible to do 1606  
business in this state, a motor vehicle tire or wheel road hazard 1607  
contract does not constitute a contract substantially amounting to 1608  
insurance, or the contract's issuance the business of insurance, 1609  
under section 3905.42 of the Revised Code. 1610

(H) The rights of a contract holder against a provider's 1611  
reimbursement insurance policy insurer as provided in this section 1612  
apply only in regard to a reimbursement insurance policy issued 1613  
under this section. This section does not create any contractual 1614  
rights in favor of a person that does not qualify as an insured 1615  
under any other type of insurance policy described in Title XXXIX 1616  
of the Revised Code. This section does not prohibit the insurer of 1617  
a provider's reimbursement insurance policy from assuming 1618  
liability for contracts issued prior to the effective date of the 1619  
policy or this statute. 1620

**Sec. 3905.426.** (A) As used in this section: 1621

(1) "Contract holder" means the person who purchased a motor 1622  
vehicle ancillary product protection contract, any authorized 1623  
transferee or assignee of the purchaser, or any other person 1624  
assuming the purchaser's rights under the motor vehicle ancillary 1625  
product protection contract. 1626

(2) "Motor vehicle" has the same meaning as in section 1627  
4501.01 of the Revised Code and also includes utility vehicles as 1628

defined in that section. 1629

(3)(a) "Motor vehicle ancillary product protection contract" 1630  
means a contract or agreement that is effective for a specified 1631  
duration and paid for by means other than the purchase of a motor 1632  
vehicle, or its parts or equipment, to perform any one or more of 1633  
the following services: 1634

(i) Repair or replacement of glass on a motor vehicle 1635  
necessitated by wear and tear or damage caused by a road hazard; 1636

(ii) Removal of a dent, ding, or crease without affecting the 1637  
existing paint finish using paintless dent removal techniques but 1638  
which expressly excludes replacement of vehicle body panels, 1639  
sanding, bonding, or painting; 1640

(iii) Repair to the interior components of a motor vehicle 1641  
necessitated by wear and tear but which expressly excludes 1642  
replacement of any part or component of a motor vehicle's 1643  
interior. 1644

(b) "Motor vehicle ancillary product protection contract" 1645  
does not include any of the following: 1646

(i) A contract or agreement to perform or pay for the repair, 1647  
replacement, or maintenance of a motor vehicle due to defect in 1648  
materials or workmanship, normal wear and tear, mechanical or 1649  
electrical breakdown, or failure of parts or equipment of a motor 1650  
vehicle that is effective for a specified duration and paid for by 1651  
means other than the purchase of a motor vehicle; 1652

(ii) A vehicle protection product warranty as defined in 1653  
section 3905.421 of the Revised Code; 1654

(iii) A home service contract as defined in section 3905.422 1655  
of the Revised Code; 1656

(iv) A consumer goods service contract as defined in section 1657  
3905.423 of the Revised Code; 1658

(v) A motor vehicle tire or wheel road hazard contract as 1659  
defined in section 3905.425 of the Revised Code. 1660

(4) "Provider" means a person who is contractually obligated 1661  
to a contract holder under the terms of a motor vehicle ancillary 1662  
product protection contract. 1663

(5) "Reimbursement insurance policy" means a policy of 1664  
insurance issued by an insurer authorized or eligible to do 1665  
business in this state to a provider to pay, on behalf of the 1666  
provider in the event of the provider's nonperformance, all 1667  
covered contractual obligations incurred by the provider under the 1668  
terms and conditions of the motor vehicle ancillary product 1669  
protection contract. 1670

(6) "Supplier" has the same meaning as in section 1345.01 of 1671  
the Revised Code. 1672

(B) All motor vehicle ancillary product protection contracts 1673  
issued in this state shall be covered by a reimbursement insurance 1674  
policy. 1675

(C) A motor vehicle ancillary product protection contract 1676  
issued by a provider that is required to be covered by a 1677  
reimbursement insurance policy under division (B) of this section 1678  
shall conspicuously state all of the following: 1679

(1) "This contract is not insurance and is not subject to the 1680  
insurance laws of this state." 1681

(2) That the obligations of the provider are guaranteed under 1682  
a reimbursement insurance policy; 1683

(3) That if a provider fails to perform or make payment due 1684  
under the terms of the contract within sixty days after the 1685  
contract holder requests performance or payment pursuant to the 1686  
terms of the contract, the contract holder may request performance 1687  
or payment directly from the provider's reimbursement insurance 1688

policy insurer, including any obligation in the contract by which 1689  
the provider must refund the contract holder upon cancellation of 1690  
a contract; 1691

(4) The name, address, and telephone number of the provider's 1692  
reimbursement insurance policy insurer. 1693

(D) A motor vehicle ancillary product protection contract 1694  
that includes repair or replacement of glass on a motor vehicle as 1695  
provided in division (A)(3)(a)(i) of this section, shall 1696  
conspicuously state: "This contract may provide a duplication of 1697  
coverage already provided by your automobile physical damage 1698  
insurance policy. 1699

(E) A reimbursement insurance policy that is required to be 1700  
issued under this section shall contain: 1701

(1) A statement that if a provider fails to perform or make 1702  
payment due under the terms of the motor vehicle ancillary product 1703  
protection contract within sixty days after the contract holder 1704  
requests performance or payment pursuant to the terms of the 1705  
contract, the contract holder may request performance or payment 1706  
directly from the provider's reimbursement insurance policy 1707  
insurer, including any obligation in the contract by which the 1708  
provider must refund the contract holder upon cancellation of a 1709  
contract. 1710

(2) A statement that in the event of cancellation of the 1711  
provider's reimbursement insurance policy, insurance coverage will 1712  
continue for all contract holders whose motor vehicle ancillary 1713  
product protection contracts were issued by the provider and 1714  
reported to the insurer for coverage during the term of the 1715  
reimbursement insurance policy. 1716

(F) The sale or issuance of a motor vehicle ancillary product 1717  
protection contract is a consumer transaction for purposes of 1718  
sections 1345.01 to 1345.13 of the Revised Code. The provider is 1719



the supplier and the contract holder is the consumer for purposes 1720  
of those sections. 1721

(G) Unless issued by an insurer authorized or eligible to do 1722  
business in this state, a motor vehicle ancillary product 1723  
protection contract does not constitute a contract substantially 1724  
amounting to insurance, or the contract's issuance the business of 1725  
insurance, under section 3905.42 of the Revised Code. 1726

(H) The rights of a contract holder against a provider's 1727  
reimbursement insurance policy insurer as provided in this section 1728  
apply only in regard to a reimbursement insurance policy issued 1729  
under this section. This section does not create any contractual 1730  
rights in favor of a person that does not qualify as an insured 1731  
under any other type of insurance policy described in Title XXXIX 1732  
of the Revised Code. This section does not prohibit the insurer of 1733  
a provider's reimbursement insurance policy from assuming 1734  
liability for contracts issued prior to the effective date of the 1735  
policy or this statute. 1736

**Sec. 3923.38.** (A) As used in this section: 1737

(1) "Group policy" includes any group sickness and accident 1738  
policy or contract delivered, issued for delivery, or renewed in 1739  
this state on or after June 28, 1984, and any private or public 1740  
employer self-insurance plan or other plan that provides, or 1741  
provides payment for, health care benefits for employees resident 1742  
in this state other than through an insurer or health insuring 1743  
corporation, to which both of the following apply: 1744

(a) The policy insures employees for hospital, surgical, or 1745  
major medical insurance on an expense incurred or service basis, 1746  
other than for specified diseases or for accidental injuries only. 1747

(b) The policy is in effect and covers an eligible employee 1748  
at the time the employee's employment is terminated. 1749

(2) "Eligible employee" includes only an employee to whom all 1750  
of the following apply: 1751

(a) The employee has been continuously insured under a group 1752  
policy or under the policy and any prior similar group coverage 1753  
replaced by the policy, during the entire three-month period 1754  
preceding the termination of the employee's employment. 1755

(b) ~~The employee is entitled, at the time of the termination~~ 1756  
~~of the employee's employment, to unemployment compensation~~ 1757  
~~benefits under Chapter 4141. of the Revised Code~~ The employee did 1758  
not voluntarily terminate the employee's employment and the 1759  
termination of employment is not a result of any gross misconduct 1760  
on the part of the employee. 1761

(c) The employee is not, and does not become, covered by or 1762  
eligible for coverage by medicare under Title XVIII of the Social 1763  
Security Act, as amended. 1764

(d) The employee is not, and does not become, covered by or 1765  
eligible for coverage by any other insured or uninsured 1766  
arrangement that provides hospital, surgical, or medical coverage 1767  
for individuals in a group and under which the person was not 1768  
covered immediately prior to such termination. A person eligible 1769  
for continuation of coverage under this section, who is also 1770  
eligible for coverage under section 3923.123 of the Revised Code, 1771  
may elect either coverage, but not both. A person who elects 1772  
continuation of coverage may elect any coverage available under 1773  
section 3923.123 of the Revised Code upon the termination of the 1774  
continuation of coverage. 1775

(3) "Group rate" means, in the case of an employer 1776  
self-insurance or other health benefits plan, the average monthly 1777  
cost per employee, over a period of at least twelve months, of the 1778  
operation of the plan that would represent a group insurance rate 1779  
if the same coverage had been provided under a group sickness and 1780

accident insurance policy. 1781

(B) A group policy shall provide that any eligible employee 1782  
may continue the employee's hospital, surgical, and medical 1783  
insurance under the policy, for the employee and the employee's 1784  
eligible dependents, for a period of ~~six~~ twelve months after the 1785  
date that the insurance coverage would otherwise terminate by 1786  
reason of the termination of the employee's employment. Each 1787  
certificate of coverage, or other notice of coverage, issued to 1788  
employees under the policy shall include a notice of the 1789  
employee's privilege of continuation. 1790

(C) All of the following apply to the continuation of 1791  
coverage required under division (B) of this section: 1792

(1) Continuation need not include dental, vision care, 1793  
~~prescription drug benefits~~, or any other benefits provided under 1794  
the policy in addition to its hospital, surgical, or major medical 1795  
benefits. 1796

(2) The employer shall notify the employee of the right of 1797  
continuation at the time the employer notifies the employee of the 1798  
termination of employment. The notice shall inform the employee of 1799  
the amount of contribution required by the employer under division 1800  
(C)(4) of this section. 1801

(3) The employee shall file a written election of 1802  
continuation with the employer and pay the employer the first 1803  
contribution required under division (C)(4) of this section. The 1804  
request and payment must be received by the employer no later than 1805  
the earlier of any of the following dates: 1806

(a) Thirty-one days after the date on which the employee's 1807  
coverage would otherwise terminate; 1808

(b) Ten days after the date on which the employee's coverage 1809  
would otherwise terminate, if the employer has notified the 1810  
employee of the right of continuation prior to such date; 1811

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

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

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

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

(b) A period of ~~six~~ twelve months expires after the date that the employee's insurance under the policy would otherwise have terminated because of the termination of employment;

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

(d) The policy is terminated, or the employer terminates participation under the policy, unless the employer replaces the coverage by similar coverage under another group policy or other group health arrangement.

If the employer replaces the policy with similar group health coverage, all of the following apply:

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

(ii) The minimum level of benefits under the replacement

coverage shall be the applicable level of benefits of the policy 1842  
replaced reduced by any benefits payable under the policy 1843  
replaced. 1844

(iii) The policy replaced shall continue to provide benefits 1845  
to the extent of its accrued liabilities and extensions of 1846  
benefits as if the replacement had not occurred. 1847

(D) This section does not apply to an employer's 1848  
self-insurance plan if federal law supersedes, preempts, 1849  
prohibits, or otherwise precludes its application to such plans. 1850

(E) An employer shall notify the insurer if the employee 1851  
elects continuation of coverage under this section. The insurer 1852  
may require the employer to provide documentation if the employee 1853  
elects continuation of coverage and is seeking premium assistance 1854  
for the continuation of coverage under the "American Recovery and 1855  
Investment Act of 2009," Pub. L. No. 111-5, 123 Stat. 115. The 1856  
director of insurance shall publish guidance for employers and 1857  
insurers regarding the contents of such documentation. 1858

**Sec. 4141.242.** (A) On or after January 1, 1978, the state, 1859  
its instrumentalities, its political subdivisions and their 1860  
instrumentalities, and any subdivision thereof as defined in 1861  
division (H) of this section and described in this section as 1862  
public entities, and Indian tribes as defined by section 4(e) of 1863  
the "Indian Self-Determination and Education Assistance Act," 88 1864  
Stat. 2204 (1975), 25 U.S.C.A. 450b(e), shall pay to the director 1865  
of job and family services for deposit in the unemployment 1866  
compensation fund an amount in lieu of contributions equal to the 1867  
full amount of regular benefits, and the amount of extended 1868  
benefits chargeable under the terms of section 4141.301 of the 1869  
Revised Code, from that fund that is attributable to service in 1870  
the employ of the public entity or Indian tribe, under the same 1871  
terms and conditions as required of nonprofit organizations 1872

electing reimbursing status under section 4141.241 of the Revised Code; unless the public entity or Indian tribe elects to pay contributions under section 4141.25 of the Revised Code, under the following conditions:

(1) Any public entity or Indian tribe may elect, after December 31, 1977, to become liable for contribution payments, as set forth in section 4141.25 of the Revised Code, for a period of not less than two calendar years by filing with the director a written notice of its election.

(2) The effective date of the election to pay contributions shall be the first day of the first calendar quarter after the election is approved by the director and which is at least thirty days after the election notice was received.

(B) No surety bond shall be required of any reimbursing public entity or Indian tribe, as is required of nonprofit organizations under division (C) of section 4141.241 of the Revised Code. Any public entity or Indian tribe, either reimbursing or contributory, shall, if it becomes delinquent in the payment of reimbursements, contributions, forfeiture, or interest, be subject to the same terms and the same collection procedures as are set forth for reimbursing employers under division (B) of section 4141.241 of the Revised Code; and as set forth for contributory employers under this chapter except as provided under division (D) of this section.

(C) The state of Ohio account and the accounts and subaccounts of its instrumentalities, as defined in divisions (H)(1)(a) and (b) of this section, shall be administered by the director of administrative services, in coordination with the director of job and family services in accordance with the terms and conditions of this chapter, regarding the determination and payment of benefits attributable to service with the state or its instrumentalities. In this capacity, the director of

administrative services shall maintain any necessary accounts and 1905  
subaccounts for the various agencies and departments of the state 1906  
and, through the director of budget and management, apportion 1907  
among the various state entities, and collect, the costs of 1908  
unemployment benefits, as billed by the director of job and family 1909  
services, except that any of the individual agencies and 1910  
departments for which such accounts and subaccounts are maintained 1911  
may, with the concurrence of the director of administrative 1912  
services and the director of job and family services, be 1913  
designated to receive billings directly from the director of job 1914  
and family services and make payment in response to such billings 1915  
directly to the director of job and family services. Any moneys 1916  
paid directly under this division and collected by the director of 1917  
administrative services shall be forwarded to the director of job 1918  
and family services for deposit in the fund established by 1919  
division (A) of section 4141.09 of the Revised Code, and shall be 1920  
credited to the accounts of the state and its instrumentalities. 1921

(D) The accounts of the various local subdivisions, their 1922  
instrumentalities, and Indian tribes shall be administered by 1923  
appropriate officials, as designated to the director of job and 1924  
family services when the accounts are established. 1925

(E) Two or more reimbursing public entities or Indian tribes 1926  
may file a joint application to the director of job and family 1927  
services for the establishment of a group account, for the purpose 1928  
of sharing the cost of benefits attributable to service with the 1929  
public entities or Indian tribes, under the conditions provided 1930  
for nonprofit organizations under division (D) of section 4141.241 1931  
of the Revised Code. 1932

(F) Two or more public entities or Indian tribes that have 1933  
elected to pay contributions may apply for a common rate under 1934  
division (J) of section 4141.24 of the Revised Code. Clear 1935  
authority, resolution, or ordinance for combining must be 1936

presented with the application requesting the common rate status. 1937  
Applications must be filed by the first day of October of any 1938  
year, to be effective for the following calendar year. 1939

(G) A public entity or Indian tribe, either reimbursing or 1940  
one electing to pay contributions, shall be liable for the full 1941  
amount of any regular benefits paid that are attributable to 1942  
service in the employ of the public entity or Indian tribe during 1943  
the base period of a benefit claim, and any extended benefits paid 1944  
based on service as provided in divisions ~~(G)~~(I)(1)(b) and (1)(c) 1945  
of section 4141.301 of the Revised Code. Where a public entity or 1946  
Indian tribe has changed from a reimbursing status to a 1947  
contributory status, during the base period of the benefit claim, 1948  
then the benefit charges attributable to service with the 1949  
reimbursement account shall be charged to the reimbursement 1950  
account; and, the charges attributable to the contributory account 1951  
shall be charged to that account. The same rule shall be 1952  
applicable to situations where a contributory public entity or 1953  
Indian tribe has changed to a reimbursing status during the base 1954  
period of a benefit claim. 1955

(H)(1) For the purposes of establishing employer status and 1956  
accounts for the state and its instrumentalities, its political 1957  
subdivisions and their instrumentalities, a separate account shall 1958  
be established and maintained for: 1959

(a) The state, including therein the legislative and 1960  
executive branches, as defined in Articles II and III of the Ohio 1961  
Constitution, and the Ohio supreme court; 1962

(b) Each separate instrumentality of the state; 1963

(c) Each political subdivision of the state, including 1964  
therein the legislative, executive, and judicial functions 1965  
performed for the subdivision; 1966

(d) Each separate instrumentality of the political 1967



subdivision; 1968

(e) Any jointly owned instrumentality of more than one of the 1969  
public entities described in this division, or any jointly owned 1970  
instrumentality of any such public entities and one or more other 1971  
states or political subdivisions thereof. 1972

(2) For the purposes of this chapter, the separate accounts, 1973  
established by this division, shall be described as "public entity 1974  
accounts." 1975

(I) An Indian tribe may elect to make payments in lieu of 1976  
contributions as allowed with respect to governmental entities 1977  
under this section. An Indian tribe may make a separate election 1978  
for itself and each subdivision, subsidiary, or business 1979  
enterprise wholly owned by the Indian tribe. The director shall 1980  
immediately notify the United States internal revenue service and 1981  
the United States department of labor if an Indian tribe fails to 1982  
make payments required under this section and fails to pay any 1983  
forfeitures, interest, or penalties due within ninety days of 1984  
receiving a delinquency notice in accordance with rules prescribed 1985  
by the director. 1986

(J) The director of job and family services, in accordance 1987  
with any rules that the director may prescribe, shall notify each 1988  
public entity and Indian tribe of any determination which the 1989  
director may make of its status as an employer and of the 1990  
effective date of any election which it makes and of any 1991  
termination of the election. Any determinations are subject to 1992  
reconsideration, appeal, and review in accordance with sections 1993  
4141.26 and 4141.28 of the Revised Code. 1994

**Sec. 4141.301.** (A) As used in this section, unless the 1995  
context clearly requires otherwise: 1996

(1) "Extended benefit period" means a period which: 1997

(a) Begins with the third week after a week for which there is a state "on" indicator; and	1998 1999
(b) Ends with either of the following weeks, whichever occurs later:	2000 2001
(i) The third week after the first week for which there is a state "off" indicator; or	2002 2003
(ii) The thirteenth consecutive week of such period.	2004
Except, that no extended benefit period may begin by reason of a state "on" indicator before the fourteenth week following the end of a prior extended benefit period which was in effect with respect to this state.	2005 2006 2007 2008
(2) There is a "state 'on' indicator" for this state for a week if the director of job and family services determines, in accordance with the regulations of the United States secretary of labor, that for the period consisting of such week and the immediately preceding twelve weeks, the rate of insured unemployment, not seasonally adjusted, under Chapter 4141. of the Revised Code:	2009 2010 2011 2012 2013 2014 2015
(a) Equalled or exceeded one hundred twenty per cent of the average of such rates for the corresponding thirteen-week period ending in each of the preceding two calendar years, <del>and for weeks beginning before September 25, 1982, equalled or exceeded four per cent and for weeks beginning after September 25, 1982, equalled or exceeded five per cent;</del>	2016 2017 2018 2019 2020 2021
(b) <del>For weeks of unemployment beginning after December 31, 1977, and before September 25, 1982, such rate of insured unemployment:</del>	2022 2023 2024
(i) <del>Met the criteria set forth in division (A)(2)(a) of this section; or</del>	2025 2026
(ii) <del>Equalled or exceeded five per cent.</del>	2027

~~(e)~~ For weeks of unemployment ~~beginning after September 25,~~ 2028  
~~1982,~~ such rate of insured unemployment: 2029

(i) Met the criteria set forth in division (A)(2)(a) of this 2030  
section; or 2031

(ii) Equaled or exceeded six per cent. 2032

(3)(a) For weeks of unemployment beginning on or after 2033  
February 22, 2009, there is a "state 'on' indicator" for this 2034  
state for a week if the director determines both of the following 2035  
are satisfied: 2036

(i) That the average rate of total unemployment, seasonally 2037  
adjusted, as determined by the United States secretary of labor, 2038  
for the period consisting of the most recent three months for 2039  
which data for all states are published before the close of that 2040  
week equals or exceeds six and one-half per cent; 2041

(ii) That the average rate of total unemployment, seasonally 2042  
adjusted, as determined by the United States secretary of labor, 2043  
for the three-month period described in division (A)(3)(a)(i) of 2044  
this section, equals or exceeds one hundred ten per cent of the 2045  
average for either or both of the corresponding three-month 2046  
periods ending in the two preceding calendar years. 2047

(b) Division (A)(3) of this section is effective on and after 2048  
February 22, 2009, and shall cease to be effective either on 2049  
December 6, 2009, or until the close of the last day of the week 2050  
ending three weeks prior to the last week for which federal 2051  
sharing is authorized under Section 2005(a) of the "American 2052  
Recovery and Reinvestment Act of 2009," Pub. L. No. 111-5, 123 2053  
Stat. 115, whichever is later. 2054

(4) A "state 'off' indicator" exists for the state for a week 2055  
if the director determines, in accordance with the regulations of 2056  
the United States secretary of labor, that for the period 2057  
consisting of such week and the immediately preceding twelve 2058

weeks, the rate of insured unemployment, not seasonally adjusted, 2059  
under Chapter 4141. of the Revised Code: 2060

(a) Was less than one hundred twenty per cent of the average 2061  
of such rates for the corresponding thirteen-week period ending in 2062  
each of the preceding two calendar years, ~~or for weeks beginning~~ 2063  
~~before September 25, 1982, was less than four per cent and for~~ 2064  
~~weeks beginning after September 25, 1982, was less than five per~~ 2065  
cent; 2066

(b) ~~For weeks of unemployment beginning after December 31,~~ 2067  
~~1977 and before September 25, 1982, such rate of insured~~ 2068  
~~unemployment:~~ 2069

~~(i) Was less than five per cent; and~~ 2070

~~(ii) Met the criteria set forth in division (A)(3)(a) of this~~ 2071  
~~section.~~ 2072

~~(c) For weeks of unemployment beginning after September 25,~~ 2073  
~~1982, such rate of insured unemployment:~~ 2074

~~(i) Was less than six per cent; and~~ 2075

~~(ii) Met the criteria set forth in division (A)(3)(4)(a) of~~ 2076  
~~this section.~~ 2077

~~(4)(5) For weeks of unemployment beginning on or after~~ 2078  
~~February 22, 2009, there is a "state 'off' indicator" for this~~ 2079  
~~state for a week if the director determines, in accordance with~~ 2080  
~~the regulations adopted by the United States secretary of labor,~~ 2081  
~~that for the period consisting of that week and the immediately~~ 2082  
~~preceding twelve weeks, the total rate of unemployment, seasonally~~ 2083  
~~adjusted, under this chapter, was less than one hundred ten per~~ 2084  
~~cent of such average for either or both of the corresponding~~ 2085  
~~three-month periods ending in the two preceding calendar years,~~ 2086  
~~and was less than six and one-half per cent.~~ 2087

~~(6) "Rate of insured unemployment," for purposes of divisions~~ 2088

(A)(2) and ~~(3)~~(4) of this section, means the percentage derived by  
dividing: 2089  
2090

(a) The average weekly number of individuals filing claims 2091  
for regular compensation in this state for weeks of unemployment 2092  
with respect to the most recent thirteen-consecutive-week period, 2093  
as determined by the director on the basis of the director's 2094  
reports to the United States secretary of labor, by 2095

(b) The average monthly employment covered under Chapter 2096  
4141. of the Revised Code, for the first four of the most recent 2097  
six completed calendar quarters ending before the end of such 2098  
thirteen-week period. 2099

~~(5)~~(7) "Regular benefits" means benefits payable to an 2100  
individual, as defined in division (C) of section 4141.01 of the 2101  
Revised Code, or under any other state law, including dependents' 2102  
allowance and benefits payable to federal civilian employees and 2103  
to ex-servicepersons pursuant to the "Act of September 6, 1966," 2104  
80 Stat. 585, 5 U.S.C.A. 8501, other than extended benefits, and 2105  
additional benefits as defined in division (A)~~(10)~~(12) of this 2106  
section. 2107

~~(6)~~(8) "Extended benefits" means benefits, including benefits 2108  
payable to federal civilian employees and to ex-servicepersons 2109  
pursuant to the "Act of September 6, 1966," 80 Stat. 585, 5 2110  
U.S.C.A. 8501, and additional benefits, payable to an individual 2111  
under the provisions of this section for weeks of unemployment in 2112  
the individual's eligibility period. 2113

~~(7)~~(9) "Eligibility period" of an individual means the period 2114  
consisting of the weeks in the individual's benefit year which 2115  
begin in an extended benefit period and, if the individual's 2116  
benefit year ends within the extended benefit period, any weeks 2117  
thereafter which begin in the period. 2118

~~(8)~~(10) "Exhaustee" means an individual who, with respect to 2119

any week of unemployment in the individual's eligibility period: 2120

(a) Has received prior to the week, all of the regular 2121  
benefits that were available to the individual under Chapter 4141. 2122  
of the Revised Code, or any other state law, including dependents' 2123  
allowance and benefits payable to federal civilian employees and 2124  
ex-servicemen under the "Act of September 6, 1966," 80 Stat. 2125  
585, 5 U.S.C.A. 8501, in the individual's current benefit year 2126  
that includes the week; 2127

(b) Has received, prior to the week, all of the regular 2128  
benefits that were available to the individual under this chapter 2129  
or any other state law, including dependents' allowances and 2130  
regular benefits available to federal civilian employees and 2131  
ex-servicemen under the "Act of September 6, 1966," 80 Stat. 2132  
585, 5 U.S.C.A. 8501, in the individual's current benefit year 2133  
that includes the week, after the cancellation of some or all of 2134  
the individual's wage credits or the total or partial reduction of 2135  
the individual's right to regular benefits, provided that, for the 2136  
purposes of divisions (A)~~(8)~~(10)(a) and ~~(8)~~(10)(b) of this 2137  
section, an individual shall be deemed to have received in the 2138  
individual's current benefit year all of the regular benefits that 2139  
were either payable or available to the individual even though: 2140

(i) As a result of a pending appeal with respect to wages or 2141  
employment, or both, that were not included in the original 2142  
monetary determination with respect to the individual's current 2143  
benefit year, the individual may subsequently be determined to be 2144  
entitled to more regular benefits, or 2145

(ii) By reason of section 4141.33 of the Revised Code, or the 2146  
seasonal employment provisions of another state law, the 2147  
individual is not entitled to regular benefits with respect to the 2148  
week of unemployment, although the individual may be entitled to 2149  
regular benefits with respect to future weeks of unemployment in 2150  
either the next season or off season in the individual's current 2151

benefit year, and the individual is otherwise an "exhaustee" 2152  
within the meaning of this section with respect to the right to 2153  
regular benefits under state law seasonal employment provisions 2154  
during either the season or off season in which that week of 2155  
unemployment occurs, or 2156

(iii) Having established a benefit year, no regular benefits 2157  
are payable to the individual during the year because the 2158  
individual's wage credits were cancelled or the individual's right 2159  
to regular benefits was totally reduced as the result of the 2160  
application of a disqualification; or 2161

(c) The individual's benefit year having expired prior to the 2162  
week, has no, or insufficient, wages or weeks of employment on the 2163  
basis of which the individual could establish in any state a new 2164  
benefit year that would include the week, or having established a 2165  
new benefit year that includes the week, the individual is 2166  
precluded from receiving regular benefits by reason of a state law 2167  
which meets the requirements of section 3304 (a)(7) of the 2168  
"Federal Unemployment Tax Act," 53 Stat. 183, 26 U.S.C.A. 3301 to 2169  
3311; and 2170

(i) Has no right for the week to unemployment benefits or 2171  
allowances, as the case may be, under the Railroad Unemployment 2172  
Insurance Act, the Trade Act of 1974, and other federal laws as 2173  
are specified in regulations issued by the United States secretary 2174  
of labor; and 2175

(ii) Has not received and is not seeking for the week 2176  
unemployment benefits under the unemployment compensation law of 2177  
the Virgin Islands, prior to the day after that on which the 2178  
secretary of labor approves the unemployment compensation law of 2179  
the Virgin Islands, or of Canada; or if the individual is seeking 2180  
benefits and the appropriate agency finally determines that the 2181  
individual is not entitled to benefits under the law for the week. 2182

~~(9)~~(11) "State law" means the unemployment insurance law of any state, approved by the United States secretary of labor under section 3304 of the Internal Revenue Code of 1954.

~~(10)~~(12) "Additional benefits" means benefits totally financed by a state and payable to exhaustees by reason of high unemployment or by reason of other special factors under the provisions of any state law.

(B) Except when the result would be inconsistent with the other provisions of this section, as provided in the regulations of the director, the provisions of Chapter 4141. of the Revised Code, which apply to claims for, or the payment of, regular benefits, shall apply to claims for, and the payment of, extended benefits.

(C) Any individual shall be eligible to receive extended benefits with respect to any week of unemployment in the individual's eligibility period only if the director finds that, with respect to such week:

(1) The individual is an "exhaustee" as defined in division (A)~~(8)~~(10) of this section; and

(2) The individual has satisfied the requirements of Chapter 4141. of the Revised Code, for the receipt of regular benefits that are applicable to individuals claiming extended benefits, including not being subject to a disqualification for the receipt of benefits.

(D) The weekly extended benefit amount payable to an individual for a week of total unemployment in the individual's eligibility period shall be the same as the weekly benefit amount payable to the individual during the individual's applicable benefit year.

(E) ~~The~~ Except as provided in division (F) of this section, the total extended benefit amount payable to any eligible



individual with respect to the individual's applicable benefit 2214  
year shall be the lesser of the following amounts: 2215

(1) Fifty per cent of the total amount of regular benefits, 2216  
including dependents' allowances which were payable to the 2217  
individual under Chapter 4141. of the Revised Code, in the 2218  
individual's applicable benefit year; 2219

(2) Thirteen times the individual's weekly benefit amount, 2220  
including dependents' allowances, which was payable to the 2221  
individual under Chapter 4141. of the Revised Code, for a week of 2222  
total unemployment in the applicable benefit year; provided, that 2223  
in making the computation under divisions (E)(1) and (2) of this 2224  
section, any amount which is not a multiple of one dollar shall be 2225  
rounded to the next lower multiple of one dollar. 2226

(F) For purposes of this division, "high-unemployment period" 2227  
means a period during which an extended benefit period would be in 2228  
effect if division (A)(3)(a)(i) of this section were applied by 2229  
substituting "eight per cent" for "six and one-half per cent." 2230

Effective with respect to weeks beginning in a 2231  
high-unemployment period, the total extended benefit amount 2232  
payable to an eligible individual with respect to the applicable 2233  
benefit year shall be the lesser of the following amounts: 2234

(1) Eighty per cent of the total amount of regular benefits 2235  
that were payable to the individual pursuant to this section in 2236  
the individual's applicable benefit year; 2237

(2) Twenty times the individual's average weekly benefit 2238  
amount that was payable to the individual pursuant to this section 2239  
for a week of total unemployment in the applicable benefit year. 2240

(G) Division (F) of this section is effective on and after 2241  
February 22, 2009, and shall cease to be effective either on 2242  
December 6, 2009, or until the close of the last day of the week 2243  
ending three weeks prior to the last week for which federal 2244

sharing is authorized under Section 2005(a) of the "American 2245  
Recovery and Reinvestment Act of 2009," Pub. L. No. 111-5, 123 2246  
Stat. 115, whichever is later. Notwithstanding this division, the 2247  
extended benefits authorized by division (A)(3) of this section 2248  
shall continue to be paid to any individual who, as of December 2249  
26, 2009, has a balance of weeks remaining to be paid in the claim 2250  
until such weeks are exhausted or the individual is reemployed, 2251  
whichever occurs first, but in no event beyond May 29, 2010. 2252

(H)(1) Except as provided in division ~~(F)~~(H)(2) of this 2253  
section, an individual eligible for extended benefits pursuant to 2254  
an interstate claim filed in any state under the interstate 2255  
benefit payment plan shall not be paid extended benefits for any 2256  
week in which an extended benefit period is not in effect in such 2257  
state. 2258

(2) Division ~~(F)~~(H)(1) of this section does not apply with 2259  
respect to the first two weeks for which extended compensation is 2260  
payable to an individual, as determined without regard to this 2261  
division, pursuant to an interstate claim filed under the 2262  
interstate benefit payment plan from the total extended benefit 2263  
amount payable to that individual in the individual's applicable 2264  
benefit year. 2265

(3) Notwithstanding any other provisions of this section, if 2266  
the benefit year of any individual ends within an extended benefit 2267  
period, the remaining balance of extended benefits that the 2268  
individual would, but for this section, be entitled to receive in 2269  
that extended benefit period, with respect to weeks of 2270  
unemployment beginning after the end of the benefit year, shall be 2271  
reduced, but not below zero, by the product of the number of weeks 2272  
for which the individual received any amounts as trade 2273  
readjustment allowances within that benefit year, multiplied by 2274  
the individual's weekly benefit amount for extended benefits. 2275

~~(G)~~(I)(1) Whenever an extended benefit period is to become 2276

effective in this state, as a result of a state "on" indicator, or 2277  
an extended benefit period is to be terminated in this state as a 2278  
result of a state "off" indicator, the director shall make an 2279  
appropriate public announcement. 2280

(2) Computations required by division (A)~~(4)~~(6) of this 2281  
section shall be made by the director, in accordance with the 2282  
regulations prescribed by the United States secretary of labor. 2283

~~(H)~~(J)(1)(a) The director shall promptly examine any 2284  
application for extended benefits filed and, under this section, 2285  
determine whether the application is to be allowed or disallowed 2286  
and, if allowed, the weekly and total extended benefits payable 2287  
and the effective date of the application. The claimant, the 2288  
claimant's most recent employer, and any other employer in the 2289  
base period of the claim upon which the extended benefits are 2290  
based, and who was chargeable for regular benefits based on such 2291  
claim, shall be notified of such determination. 2292

(b) The determination issued to the most recent or other base 2293  
period employer shall include the total amount of extended 2294  
benefits that may be charged to the employer's account. Such 2295  
potential charge amount shall be an amount equal to one-fourth of 2296  
the regular benefits chargeable to the employer's account on the 2297  
regular claim upon which extended benefits are based except that, 2298  
effective January 1, 1979, the potential charge amount to the 2299  
state and its instrumentalities, its political subdivisions and 2300  
their instrumentalities, and Indian tribes shall be an amount 2301  
equal to one-half of the regular benefits chargeable to their 2302  
accounts on such claim. If regular benefits were chargeable to the 2303  
mutualized account, in lieu of an employer's account, then the 2304  
extended benefits which are based on such prior mutualized 2305  
benefits shall also be charged to the mutualized account. 2306

(c) As extended benefits are paid to eligible individuals: 2307

(i) One-half of such benefits ~~will~~ shall be charged to an 2308  
extended benefit account to which reimbursement payments of 2309  
one-half of extended benefits, received from the federal 2310  
government as described in division ~~(J)~~(L) of this section, ~~will~~ 2311  
shall be credited; and 2312

(ii) One-half of the extended benefits shall be charged to 2313  
the accounts of base period employers and the mutualized account 2314  
in the same proportion as was provided for on the regular claim; 2315  
or 2316

(iii) The full amount of extended benefits shall be charged 2317  
to the accounts of the state and its instrumentalities, its 2318  
political subdivisions and their instrumentalities, and Indian 2319  
tribes. Employers making payments in lieu of contributions shall 2320  
be charged in accordance with division (B)(1) of section 4141.241 2321  
of the Revised Code ~~;~~ or 2322

(iv) In the case of payments under division (A)(3) of this 2323  
section that are fully funded under Section 2005(a) of the 2324  
"American Recovery and Reinvestment Act of 2009," Pub. L. No. 2325  
111-5, 123 Stat. 115, none of the extended benefits shall be 2326  
charged to the accounts of base period employers or to the 2327  
mutualized account. 2328

(d) If the application for extended benefits is disallowed, a 2329  
determination shall be issued to the claimant, which determination 2330  
shall set forth the reasons for the disallowance. Determinations 2331  
issued under this division, whether allowed or disallowed, shall 2332  
be subject to reconsideration and appeal in accordance with 2333  
section 4141.281 of the Revised Code. 2334

(2) Any additional or continued claims, as described in 2335  
division (F) of section 4141.01 of the Revised Code, filed by an 2336  
individual at the beginning of, or during, the individual's 2337  
extended benefit period shall be determined under division (E) of 2338

section 4141.28 of the Revised Code, and such determination shall 2339  
be subject to reconsideration and appeal in accordance with 2340  
section 4141.281 of the Revised Code. 2341

~~(I)~~(K) Notwithstanding division (B) of this section, payment 2342  
of extended benefits under this section shall not be made to any 2343  
individual for any week of unemployment in the individual's 2344  
eligibility period during which the individual fails to accept any 2345  
offer of suitable work, as defined in division ~~(I)~~(K)(2) of this 2346  
section, or fails to apply for any suitable work to which the 2347  
individual was referred by the director, or fails to actively 2348  
engage in seeking work, as prescribed in division ~~(I)~~(K)(4) of 2349  
this section. 2350

(1) If any individual is ineligible for extended benefits for 2351  
any week by reason of a failure described in this division, the 2352  
individual shall be ineligible to receive extended benefits 2353  
beginning with the week in which the failure occurred and 2354  
continuing until the individual has been employed during each of 2355  
four subsequent weeks and the total remuneration earned by the 2356  
individual for this employment is equal to or more than four times 2357  
the individual's weekly extended benefit amount, and has met all 2358  
other eligibility requirements of this section, in order to 2359  
establish entitlement to extended benefits. 2360

(2) For purposes of this section, the term "suitable work" 2361  
means, with respect to an individual, any work which is within the 2362  
individual's capabilities, provided that with respect to the 2363  
position all of the following requirements are met: 2364

(a) It offers the individual gross average weekly 2365  
remuneration of more than the sum of: 2366

(i) The individual's extended weekly benefit amount; and 2367

(ii) The amount of supplemental unemployment compensation 2368  
benefits, as defined in section 501(c)(17)(D) of the "Internal 2369

Revenue Code of 1954," 80 Stat. 1515, 26 U.S.C.A. 501, payable to 2370  
the individual for the week of unemployment. 2371

(b) It pays equal to or more than the higher of: 2372

(i) The minimum wage provided by section 6(a)(1) of the "Fair 2373  
Labor Standards Act of 1938," 91 Stat. 1245, 29 U.S.C.A. 206, 2374  
without regard to any exemption; or 2375

(ii) Any applicable state or local minimum wage. 2376

(c) It is offered to the individual in writing or is listed 2377  
with the employment office maintained or designated by the 2378  
director. 2379

(3) Extended benefits shall not be denied under this division 2380  
to any individual for any week by reason of a failure to accept an 2381  
offer of, or apply for suitable work if either of the following 2382  
conditions apply: 2383

(a) The failure would not result in a denial of benefits to a 2384  
regular benefit claimant under section 4141.29 of the Revised Code 2385  
to the extent that section 4141.29 of the Revised Code is not 2386  
inconsistent with division ~~(I)~~(K)(2) of this section; 2387

(b) The individual furnishes evidence satisfactory to the 2388  
director that the individual's prospects for obtaining work in the 2389  
individual's customary occupation within a reasonably short period 2390  
are good. If the evidence is deemed satisfactory, the 2391  
determination as to whether any work is suitable work with respect 2392  
to this individual and whether the individual is ineligible or 2393  
disqualified shall be based upon the meaning of "suitable work" 2394  
and other provisions in section 4141.29 of the Revised Code. 2395

(4) For purposes of this section, an individual shall be 2396  
treated as actively engaged in seeking work during any week if: 2397

(a) The individual has engaged in a systematic and sustained 2398  
effort to obtain work during that week; and 2399

(b) The individual provides tangible evidence to the director 2400  
that the individual has engaged in the effort during that week. 2401

(5) The director shall refer applicants for extended benefits 2402  
to job openings that meet the requirements of divisions (E) and 2403  
(F) of section 4141.29 of the Revised Code, and in the case of 2404  
applicants whose prospects are determined not to be good under 2405  
division ~~(I)~~(K)(3)(b) of this section to any suitable work which 2406  
meets the criteria in divisions ~~(I)~~(K)(2) and (3)(a) of this 2407  
section. 2408

(6) Individuals denied extended or regular benefits under 2409  
division (D)(1)(b) of section 4141.29 of the Revised Code because 2410  
of being given a disciplinary layoff for misconduct must, after 2411  
the date of disqualification, work the length of time and earn the 2412  
amount of remuneration specified in division ~~(I)~~(K)(1) of this 2413  
section, and meet all other eligibility requirements of this 2414  
section, in order to establish entitlement to extended benefits. 2415

~~(J)~~(L) All payments of extended benefits made pursuant to 2416  
this section shall be paid out of the unemployment compensation 2417  
fund, provided by section 4141.09 of the Revised Code, and all 2418  
payments of the federal share of extended benefits that are 2419  
received as reimbursements under section 204 of the "Federal-State 2420  
Extended Unemployment Compensation Act of 1970," 84 Stat. 696, 26 2421  
U.S.C.A. 3306, shall be deposited in such unemployment 2422  
compensation fund and shall be credited to the extended benefit 2423  
account established by division ~~(G)~~(I) of this section. Any refund 2424  
of extended benefits, because of prior overpayment of such 2425  
benefits, may be made from the unemployment compensation fund. 2426

~~(K)~~(M) In the administration of the provisions of this 2427  
section which are enacted to conform with the requirements of the 2428  
"Federal-State Extended Unemployment Compensation Act of 1970," 84 2429  
Stat. 696, 26 U.S.C.A. 3306, the director shall take such action 2430  
consistent with state law, as may be necessary: 2431

(1) To ensure that the provisions are so interpreted and 2432  
applied as to meet the requirements of the federal act as 2433  
interpreted by the United States department of labor; and 2434

(2) To secure to this state the full reimbursement of the 2435  
federal share of extended benefits paid under this section that 2436  
are reimbursable under the federal act. 2437

**Sec. 4163.01.** As used in Chapter 4163. of the Revised Code: 2438

(A) "Atomic energy" means all forms of energy released in the 2439  
course of nuclear fission or nuclear transformation. 2440

(B) "By-product material" ~~means any radioactive material~~ 2441  
~~(except special nuclear material) yielded in, or made radioactive~~ 2442  
~~by exposure to the radiation incident to, the process of producing~~ 2443  
~~or utilizing special nuclear materials~~ has the same meaning as in 2444  
section 3748.01 of the Revised Code. 2445

(C) "Production facility" means any equipment or device 2446  
capable of the production of special nuclear material in such 2447  
quantity as to be of significance to the common defense and 2448  
security, or in such manner as to affect the health and safety of 2449  
the public; or any important component part especially designed 2450  
for such equipment or device. 2451

(D) "Special nuclear material" ~~means plutonium or uranium~~ 2452  
~~enriched in the isotope 233 or in the isotope 235, or any other~~ 2453  
~~material which the governor declares by order to be special~~ 2454  
~~nuclear material~~ has the same meaning as in section 3748.01 of the 2455  
Revised Code. 2456

(E) "Utilization facility" means any equipment or device, 2457  
except an atomic weapon, capable of making use of special nuclear 2458  
materials in such quantity as to be of significance to the common 2459  
defense and security, or in such manner as to affect the health 2460  
and safety of the public, or peculiarly adapted for making use of 2461



atomic energy in such quantity as to be of significance to the 2462  
common defense and security, or in such manner as to affect the 2463  
health and safety of the public; or any important component part 2464  
especially designed for such equipment or device. 2465

(F) "~~Radiation~~" ~~means gamma rays and X rays, alpha and beta~~ 2466  
~~particles, high speed electrons, neutrons, protons, and other~~ 2467  
~~nuclear particles; but not sound or radio waves, or visible,~~ 2468  
~~infrared, or ultraviolet light~~ has the same meaning as in section 2469  
3748.01 of the Revised Code. 2470

(G) "~~Large quantity~~" ~~has the meaning set forth in Part 71 of~~ 2471  
~~Title 10, section 71.4(f), of the Code of Federal Regulations~~ 2472  
"Highway route controlled quantity" has the same meaning as in 49 2473  
C.F.R. 173.403. 2474

(H) "High-level radioactive waste" means any of the 2475  
following: 2476

(1) Irradiated reactor fuel; 2477

(2) Liquid wastes resulting from the operation of the first 2478  
cycle solvent extraction system, or equivalent, and the 2479  
concentrated wastes from subsequent extraction cycles, or 2480  
equivalent, in a facility for reprocessing irradiated reactor 2481  
fuel; 2482

(3) Solids into which such liquid wastes have been converted. 2483

(I) "Spent nuclear fuel" means fuel that has been withdrawn 2484  
from a nuclear reactor following irradiation, the constituent 2485  
elements of which have not been separated by reprocessing. 2486

(J) "Transuranic waste" means material contaminated with 2487  
elements that have an atomic number greater than ninety-two, 2488  
including neptunium, plutonium, americium, and curium, and that 2489  
are in concentrations greater than ten nanocuries per gram or in 2490  
other concentrations that the United States nuclear regulatory 2491

commission may prescribe. 2492

**Sec. 4163.07.** (A)(1) Prior to transporting any ~~large~~ 2493  
high-level radioactive waste, spent nuclear fuel, transuranic 2494  
waste, or any quantity of special nuclear material or by-product 2495  
material that meets or exceeds the highway route controlled 2496  
quantity, within, into, or through the state, the carrier or 2497  
shipper of the material shall notify the executive director of the 2498  
emergency management agency established under section 5502.22 of 2499  
the Revised Code of the shipment. The notice shall be in writing 2500  
and be sent by certified mail and shall include the name of the 2501  
shipper; the name of the carrier; the type and quantity of the 2502  
~~special nuclear material or by-product material;~~ the 2503  
transportation mode of the shipment; the proposed date and time of 2504  
shipment of the material within, into, or through the state; and 2505  
the starting point, termination or exit point, scheduled route, 2506  
and each alternate route, if any, of the shipment. In order to 2507  
constitute effective notification under division (A)(1) of this 2508  
section, notification shall be received by the executive director 2509  
at least ~~forty-eight hours~~ four days prior to ~~entry of the~~ 2510  
shipment within, into, or through the state. 2511

(2) The carrier or shipper of any shipment subject to 2512  
division (A)(1) of this section shall immediately notify the 2513  
executive director of any change in the date and time of the 2514  
shipment or in the route of the shipment within, into, or through 2515  
the state. 2516

(B) Upon receipt of a notice of any shipment of ~~a large~~ 2517  
~~quantity of special nuclear material or by-product~~ material that 2518  
is subject to division (A)(1) of this section within, into, or 2519  
through the state, the executive director of the emergency 2520  
management agency shall immediately notify the director of public 2521  
safety, the director of environmental protection, the director of 2522

health, the chairperson of the public utilities commission, and 2523  
the county emergency management agency and sheriff of each county 2524  
along the proposed route, or any alternate route, of the shipment. 2525

(C) The executive director of the emergency management agency 2526  
shall not disclose to any person other than those persons 2527  
enumerated in division (B) of this section any information 2528  
pertaining to any shipment of special nuclear material or 2529  
by-product material prior to the time that the shipment is 2530  
completed. 2531

(D) This section does not apply to radioactive materials, 2532  
other than by-products, shipped by or for the United States 2533  
department of defense and United States department of energy for 2534  
military or national defense purposes. Nothing in this section 2535  
requires the disclosure of any defense information or restricted 2536  
data as defined in the "Atomic Energy Act of 1954," 68 Stat. 919, 2537  
42 U.S.C.A. 2011, as amended. 2538

(E) No person shall transport or cause to be transported 2539  
within, into, or through the state any ~~large quantity of special~~ 2540  
~~or by-product~~ material that is subject to division (A)(1) of this 2541  
section without first providing the notice required in that 2542  
division ~~(A) of this section~~. 2543

(F) Whoever violates division (E) of this section, in 2544  
addition to any penalty imposed under section 4163.99 of the 2545  
Revised Code, is liable for a civil penalty in an amount not to 2546  
exceed ten times the amount of the fee due under section 4905.801 2547  
of the Revised Code. The attorney general, upon the request of the 2548  
executive director of the emergency management agency, shall bring 2549  
a civil action to collect the penalty. Fines collected pursuant to 2550  
this section shall be deposited into the state treasury to the 2551  
credit of the radioactive waste transportation fund created in 2552  
section 4905.802 of the Revised Code. 2553

Sec. 4501.01. As used in this chapter and Chapters 4503., 2554  
4505., 4507., 4509., 4510., 4511., 4513., 4515., and 4517. of the 2555  
Revised Code, and in the penal laws, except as otherwise provided: 2556

(A) "Vehicles" means everything on wheels or runners, 2557  
including motorized bicycles, but does not mean electric personal 2558  
assistive mobility devices, vehicles that are operated exclusively 2559  
on rails or tracks or from overhead electric trolley wires, and 2560  
vehicles that belong to any police department, municipal fire 2561  
department, or volunteer fire department, or that are used by such 2562  
a department in the discharge of its functions. 2563

(B) "Motor vehicle" means any vehicle, including mobile homes 2564  
and recreational vehicles, that is propelled or drawn by power 2565  
other than muscular power or power collected from overhead 2566  
electric trolley wires. "Motor vehicle" does not include utility 2567  
vehicles as defined in division (VV) of this section, motorized 2568  
bicycles, road rollers, traction engines, power shovels, power 2569  
cranes, and other equipment used in construction work and not 2570  
designed for or employed in general highway transportation, 2571  
well-drilling machinery, ditch-digging machinery, farm machinery, 2572  
and trailers that are designed and used exclusively to transport a 2573  
boat between a place of storage and a marina, or in and around a 2574  
marina, when drawn or towed on a public road or highway for a 2575  
distance of no more than ten miles and at a speed of twenty-five 2576  
miles per hour or less. 2577

(C) "Agricultural tractor" and "traction engine" mean any 2578  
self-propelling vehicle that is designed or used for drawing other 2579  
vehicles or wheeled machinery, but has no provisions for carrying 2580  
loads independently of such other vehicles, and that is used 2581  
principally for agricultural purposes. 2582

(D) "Commercial tractor," except as defined in division (C) 2583  
of this section, means any motor vehicle that has motive power and 2584

either is designed or used for drawing other motor vehicles, or is 2585  
designed or used for drawing another motor vehicle while carrying 2586  
a portion of the other motor vehicle or its load, or both. 2587

(E) "Passenger car" means any motor vehicle that is designed 2588  
and used for carrying not more than nine persons and includes any 2589  
motor vehicle that is designed and used for carrying not more than 2590  
fifteen persons in a ridesharing arrangement. 2591

(F) "Collector's vehicle" means any motor vehicle or 2592  
agricultural tractor or traction engine that is of special 2593  
interest, that has a fair market value of one hundred dollars or 2594  
more, whether operable or not, and that is owned, operated, 2595  
collected, preserved, restored, maintained, or used essentially as 2596  
a collector's item, leisure pursuit, or investment, but not as the 2597  
owner's principal means of transportation. "Licensed collector's 2598  
vehicle" means a collector's vehicle, other than an agricultural 2599  
tractor or traction engine, that displays current, valid license 2600  
tags issued under section 4503.45 of the Revised Code, or a 2601  
similar type of motor vehicle that displays current, valid license 2602  
tags issued under substantially equivalent provisions in the laws 2603  
of other states. 2604

(G) "Historical motor vehicle" means any motor vehicle that 2605  
is over twenty-five years old and is owned solely as a collector's 2606  
item and for participation in club activities, exhibitions, tours, 2607  
parades, and similar uses, but that in no event is used for 2608  
general transportation. 2609

(H) "Noncommercial motor vehicle" means any motor vehicle, 2610  
including a farm truck as defined in section 4503.04 of the 2611  
Revised Code, that is designed by the manufacturer to carry a load 2612  
of no more than one ton and is used exclusively for purposes other 2613  
than engaging in business for profit. 2614

(I) "Bus" means any motor vehicle that has motor power and is 2615

designed and used for carrying more than nine passengers, except 2616  
any motor vehicle that is designed and used for carrying not more 2617  
than fifteen passengers in a ridesharing arrangement. 2618

(J) "Commercial car" or "truck" means any motor vehicle that 2619  
has motor power and is designed and used for carrying merchandise 2620  
or freight, or that is used as a commercial tractor. 2621

(K) "Bicycle" means every device, other than a tricycle that 2622  
is designed solely for use as a play vehicle by a child, that is 2623  
propelled solely by human power upon which any person may ride, 2624  
and that has ~~either~~ two tandem wheels, or one wheel in front and 2625  
two wheels in the rear, or two wheels in the front and one wheel 2626  
in the rear, any of which is more than fourteen inches in 2627  
diameter. 2628

(L) "Motorized bicycle" means any vehicle that either has two 2629  
tandem wheels or one wheel in the front and two wheels in the 2630  
rear, that is capable of being pedaled, and that is equipped with 2631  
a helper motor of not more than fifty cubic centimeters piston 2632  
displacement that produces no more than one brake horsepower and 2633  
is capable of propelling the vehicle at a speed of no greater than 2634  
twenty miles per hour on a level surface. 2635

(M) "Trailer" means any vehicle without motive power that is 2636  
designed or used for carrying property or persons wholly on its 2637  
own structure and for being drawn by a motor vehicle, and includes 2638  
any such vehicle that is formed by or operated as a combination of 2639  
a semitrailer and a vehicle of the dolly type such as that 2640  
commonly known as a trailer dolly, a vehicle used to transport 2641  
agricultural produce or agricultural production materials between 2642  
a local place of storage or supply and the farm when drawn or 2643  
towed on a public road or highway at a speed greater than 2644  
twenty-five miles per hour, and a vehicle that is designed and 2645  
used exclusively to transport a boat between a place of storage 2646  
and a marina, or in and around a marina, when drawn or towed on a 2647

public road or highway for a distance of more than ten miles or at 2648  
a speed of more than twenty-five miles per hour. "Trailer" does 2649  
not include a manufactured home or travel trailer. 2650

(N) "Noncommercial trailer" means any trailer, except a 2651  
travel trailer or trailer that is used to transport a boat as 2652  
described in division (B) of this section, but, where applicable, 2653  
includes a vehicle that is used to transport a boat as described 2654  
in division (M) of this section, that has a gross weight of no 2655  
more than three thousand pounds, and that is used exclusively for 2656  
purposes other than engaging in business for a profit. 2657

(O) "Mobile home" means a building unit or assembly of closed 2658  
construction that is fabricated in an off-site facility, is more 2659  
than thirty-five body feet in length or, when erected on site, is 2660  
three hundred twenty or more square feet, is built on a permanent 2661  
chassis, is transportable in one or more sections, and does not 2662  
qualify as a manufactured home as defined in division (C)(4) of 2663  
section 3781.06 of the Revised Code or as an industrialized unit 2664  
as defined in division (C)(3) of section 3781.06 of the Revised 2665  
Code. 2666

(P) "Semitrailer" means any vehicle of the trailer type that 2667  
does not have motive power and is so designed or used with another 2668  
and separate motor vehicle that in operation a part of its own 2669  
weight or that of its load, or both, rests upon and is carried by 2670  
the other vehicle furnishing the motive power for propelling 2671  
itself and the vehicle referred to in this division, and includes, 2672  
for the purpose only of registration and taxation under those 2673  
chapters, any vehicle of the dolly type, such as a trailer dolly, 2674  
that is designed or used for the conversion of a semitrailer into 2675  
a trailer. 2676

(Q) "Recreational vehicle" means a vehicular portable 2677  
structure that meets all of the following conditions: 2678

(1) It is designed for the sole purpose of recreational travel.	2679 2680
(2) It is not used for the purpose of engaging in business for profit.	2681 2682
(3) It is not used for the purpose of engaging in intrastate commerce.	2683 2684
(4) It is not used for the purpose of commerce as defined in 49 C.F.R. 383.5, as amended.	2685 2686
(5) It is not regulated by the public utilities commission pursuant to Chapter 4919., 4921., or 4923. of the Revised Code.	2687 2688
(6) It is classed as one of the following:	2689
(a) "Travel trailer" means a nonself-propelled recreational vehicle that does not exceed an overall length of thirty-five feet, exclusive of bumper and tongue or coupling, and contains less than three hundred twenty square feet of space when erected on site. "Travel trailer" includes a tent-type fold-out camping trailer as defined in section 4517.01 of the Revised Code.	2690 2691 2692 2693 2694 2695
(b) "Motor home" means a self-propelled recreational vehicle that has no fifth wheel and is constructed with permanently installed facilities for cold storage, cooking and consuming of food, and for sleeping.	2696 2697 2698 2699
(c) "Truck camper" means a nonself-propelled recreational vehicle that does not have wheels for road use and is designed to be placed upon and attached to a motor vehicle. "Truck camper" does not include truck covers that consist of walls and a roof, but do not have floors and facilities enabling them to be used as a dwelling.	2700 2701 2702 2703 2704 2705
(d) "Fifth wheel trailer" means a vehicle that is of such size and weight as to be movable without a special highway permit, that has a gross trailer area of four hundred square feet or less,	2706 2707 2708



that is constructed with a raised forward section that allows a 2709  
bi-level floor plan, and that is designed to be towed by a vehicle 2710  
equipped with a fifth-wheel hitch ordinarily installed in the bed 2711  
of a truck. 2712

(e) "Park trailer" means a vehicle that is commonly known as 2713  
a park model recreational vehicle, meets the American national 2714  
standard institute standard A119.5 (1988) for park trailers, is 2715  
built on a single chassis, has a gross trailer area of four 2716  
hundred square feet or less when set up, is designed for seasonal 2717  
or temporary living quarters, and may be connected to utilities 2718  
necessary for the operation of installed features and appliances. 2719

(R) "Pneumatic tires" means tires of rubber and fabric or 2720  
tires of similar material, that are inflated with air. 2721

(S) "Solid tires" means tires of rubber or similar elastic 2722  
material that are not dependent upon confined air for support of 2723  
the load. 2724

(T) "Solid tire vehicle" means any vehicle that is equipped 2725  
with two or more solid tires. 2726

(U) "Farm machinery" means all machines and tools that are 2727  
used in the production, harvesting, and care of farm products, and 2728  
includes trailers that are used to transport agricultural produce 2729  
or agricultural production materials between a local place of 2730  
storage or supply and the farm, agricultural tractors, threshing 2731  
machinery, hay-baling machinery, corn shellers, hammermills, and 2732  
machinery used in the production of horticultural, agricultural, 2733  
and vegetable products. 2734

(V) "Owner" includes any person or firm, other than a 2735  
manufacturer or dealer, that has title to a motor vehicle, except 2736  
that, in sections 4505.01 to 4505.19 of the Revised Code, "owner" 2737  
includes in addition manufacturers and dealers. 2738

(W) "Manufacturer" and "dealer" include all persons and firms 2739

that are regularly engaged in the business of manufacturing, 2740  
selling, displaying, offering for sale, or dealing in motor 2741  
vehicles, at an established place of business that is used 2742  
exclusively for the purpose of manufacturing, selling, displaying, 2743  
offering for sale, or dealing in motor vehicles. A place of 2744  
business that is used for manufacturing, selling, displaying, 2745  
offering for sale, or dealing in motor vehicles shall be deemed to 2746  
be used exclusively for those purposes even though snowmobiles or 2747  
all-purpose vehicles are sold or displayed for sale thereat, even 2748  
though farm machinery is sold or displayed for sale thereat, or 2749  
even though repair, accessory, gasoline and oil, storage, parts, 2750  
service, or paint departments are maintained thereat, or, in any 2751  
county having a population of less than seventy-five thousand at 2752  
the last federal census, even though a department in a place of 2753  
business is used to dismantle, salvage, or rebuild motor vehicles 2754  
by means of used parts, if such departments are operated for the 2755  
purpose of furthering and assisting in the business of 2756  
manufacturing, selling, displaying, offering for sale, or dealing 2757  
in motor vehicles. Places of business or departments in a place of 2758  
business used to dismantle, salvage, or rebuild motor vehicles by 2759  
means of using used parts are not considered as being maintained 2760  
for the purpose of assisting or furthering the manufacturing, 2761  
selling, displaying, and offering for sale or dealing in motor 2762  
vehicles. 2763

(X) "Operator" includes any person who drives or operates a 2764  
motor vehicle upon the public highways. 2765

(Y) "Chauffeur" means any operator who operates a motor 2766  
vehicle, other than a taxicab, as an employee for hire; or any 2767  
operator whether or not the owner of a motor vehicle, other than a 2768  
taxicab, who operates such vehicle for transporting, for gain, 2769  
compensation, or profit, either persons or property owned by 2770  
another. Any operator of a motor vehicle who is voluntarily 2771

involved in a ridesharing arrangement is not considered an 2772  
employee for hire or operating such vehicle for gain, 2773  
compensation, or profit. 2774

(Z) "State" includes the territories and federal districts of 2775  
the United States, and the provinces of Canada. 2776

(AA) "Public roads and highways" for vehicles includes all 2777  
public thoroughfares, bridges, and culverts. 2778

(BB) "Manufacturer's number" means the manufacturer's 2779  
original serial number that is affixed to or imprinted upon the 2780  
chassis or other part of the motor vehicle. 2781

(CC) "Motor number" means the manufacturer's original number 2782  
that is affixed to or imprinted upon the engine or motor of the 2783  
vehicle. 2784

(DD) "Distributor" means any person who is authorized by a 2785  
motor vehicle manufacturer to distribute new motor vehicles to 2786  
licensed motor vehicle dealers at an established place of business 2787  
that is used exclusively for the purpose of distributing new motor 2788  
vehicles to licensed motor vehicle dealers, except when the 2789  
distributor also is a new motor vehicle dealer, in which case the 2790  
distributor may distribute at the location of the distributor's 2791  
licensed dealership. 2792

(EE) "Ridesharing arrangement" means the transportation of 2793  
persons in a motor vehicle where the transportation is incidental 2794  
to another purpose of a volunteer driver and includes ridesharing 2795  
arrangements known as carpools, vanpools, and buspools. 2796

(FF) "Apportionable vehicle" means any vehicle that is used 2797  
or intended for use in two or more international registration plan 2798  
member jurisdictions that allocate or proportionally register 2799  
vehicles, that is used for the transportation of persons for hire 2800  
or designed, used, or maintained primarily for the transportation 2801  
of property, and that meets any of the following qualifications: 2802

(1) Is a power unit having a gross vehicle weight in excess of twenty-six thousand pounds;	2803 2804
(2) Is a power unit having three or more axles, regardless of the gross vehicle weight;	2805 2806
(3) Is a combination vehicle with a gross vehicle weight in excess of twenty-six thousand pounds.	2807 2808
"Apportionable vehicle" does not include recreational vehicles, vehicles displaying restricted plates, city pick-up and delivery vehicles, buses used for the transportation of chartered parties, or vehicles owned and operated by the United States, this state, or any political subdivisions thereof.	2809 2810 2811 2812 2813
(GG) "Chartered party" means a group of persons who contract as a group to acquire the exclusive use of a passenger-carrying motor vehicle at a fixed charge for the vehicle in accordance with the carrier's tariff, lawfully on file with the United States department of transportation, for the purpose of group travel to a specified destination or for a particular itinerary, either agreed upon in advance or modified by the chartered group after having left the place of origin.	2814 2815 2816 2817 2818 2819 2820 2821
(HH) "International registration plan" means a reciprocal agreement of member jurisdictions that is endorsed by the American association of motor vehicle administrators, and that promotes and encourages the fullest possible use of the highway system by authorizing apportioned registration of fleets of vehicles and recognizing registration of vehicles apportioned in member jurisdictions.	2822 2823 2824 2825 2826 2827 2828
(II) "Restricted plate" means a license plate that has a restriction of time, geographic area, mileage, or commodity, and includes license plates issued to farm trucks under division (J) of section 4503.04 of the Revised Code.	2829 2830 2831 2832
(JJ) "Gross vehicle weight," with regard to any commercial	2833

car, trailer, semitrailer, or bus that is taxed at the rates 2834  
established under section 4503.042 or 4503.65 of the Revised Code, 2835  
means the unladen weight of the vehicle fully equipped plus the 2836  
maximum weight of the load to be carried on the vehicle. 2837

(KK) "Combined gross vehicle weight" with regard to any 2838  
combination of a commercial car, trailer, and semitrailer, that is 2839  
taxed at the rates established under section 4503.042 or 4503.65 2840  
of the Revised Code, means the total unladen weight of the 2841  
combination of vehicles fully equipped plus the maximum weight of 2842  
the load to be carried on that combination of vehicles. 2843

(LL) "Chauffeured limousine" means a motor vehicle that is 2844  
designed to carry nine or fewer passengers and is operated for 2845  
hire on an hourly basis pursuant to a prearranged contract for the 2846  
transportation of passengers on public roads and highways along a 2847  
route under the control of the person hiring the vehicle and not 2848  
over a defined and regular route. "Prearranged contract" means an 2849  
agreement, made in advance of boarding, to provide transportation 2850  
from a specific location in a chauffeured limousine at a fixed 2851  
rate per hour or trip. "Chauffeured limousine" does not include 2852  
any vehicle that is used exclusively in the business of funeral 2853  
directing. 2854

(MM) "Manufactured home" has the same meaning as in division 2855  
(C)(4) of section 3781.06 of the Revised Code. 2856

(NN) "Acquired situs," with respect to a manufactured home or 2857  
a mobile home, means to become located in this state by the 2858  
placement of the home on real property, but does not include the 2859  
placement of a manufactured home or a mobile home in the inventory 2860  
of a new motor vehicle dealer or the inventory of a manufacturer, 2861  
remanufacturer, or distributor of manufactured or mobile homes. 2862

(OO) "Electronic" includes electrical, digital, magnetic, 2863  
optical, electromagnetic, or any other form of technology that 2864

entails capabilities similar to these technologies. 2865

(PP) "Electronic record" means a record generated, 2866  
communicated, received, or stored by electronic means for use in 2867  
an information system or for transmission from one information 2868  
system to another. 2869

(QQ) "Electronic signature" means a signature in electronic 2870  
form attached to or logically associated with an electronic 2871  
record. 2872

(RR) "Financial transaction device" has the same meaning as 2873  
in division (A) of section 113.40 of the Revised Code. 2874

(SS) "Electronic motor vehicle dealer" means a motor vehicle 2875  
dealer licensed under Chapter 4517. of the Revised Code whom the 2876  
registrar of motor vehicles determines meets the criteria 2877  
designated in section 4503.035 of the Revised Code for electronic 2878  
motor vehicle dealers and designates as an electronic motor 2879  
vehicle dealer under that section. 2880

(TT) "Electric personal assistive mobility device" means a 2881  
self-balancing two non-tandem wheeled device that is designed to 2882  
transport only one person, has an electric propulsion system of an 2883  
average of seven hundred fifty watts, and when ridden on a paved 2884  
level surface by an operator who weighs one hundred seventy pounds 2885  
has a maximum speed of less than twenty miles per hour. 2886

(UU) "Limited driving privileges" means the privilege to 2887  
operate a motor vehicle that a court grants under section 4510.021 2888  
of the Revised Code to a person whose driver's or commercial 2889  
driver's license or permit or nonresident operating privilege has 2890  
been suspended. 2891

(VV) "Utility vehicle" means a self-propelled vehicle 2892  
designed with a bed, principally for the purpose of transporting 2893  
material or cargo in connection with construction, agricultural, 2894  
forestry, grounds maintenance, lawn and garden, materials 2895

handling, or similar activities. "Utility vehicle" includes a 2896  
vehicle with a maximum attainable speed of twenty miles per hour 2897  
or less that is used exclusively within the boundaries of state 2898  
parks by state park employees or volunteers for the operation or 2899  
maintenance of state park facilities. 2900

Sec. 4501.026. The registrar of motor vehicles or a deputy 2901  
registrar shall ask an individual with whom the registrar or 2902  
deputy registrar conducts driver's license or identification card 2903  
transactions if the individual is a veteran or is currently 2904  
serving in the armed forces of the United States or any reserve 2905  
component of the armed forces of the United States or the Ohio 2906  
national guard. If the individual claims to be a veteran or to be 2907  
currently serving in the armed forces of the United States or any 2908  
reserve component of the armed forces of the United States or the 2909  
Ohio national guard, the registrar or deputy registrar shall 2910  
provide the individual's name, address, and military status to the 2911  
department of veterans services for official government purposes 2912  
regarding benefits and services. 2913

**Sec. 4501.03.** The registrar of motor vehicles shall open an 2914  
account with each county and district of registration in the 2915  
state, and may assign each county and district of registration in 2916  
the state a unique code for identification purposes. Except as 2917  
provided in section 4501.044 or division ~~(B)~~(A) (1) of section 2918  
4501.045 of the Revised Code, the registrar shall pay all moneys 2919  
the registrar receives under sections 4503.02, 4503.12, and 2920  
4504.09 of the Revised Code into the state treasury to the credit 2921  
of the auto registration distribution fund, which is hereby 2922  
created, for distribution in the manner provided for in this 2923  
section and sections 4501.04, 4501.041, 4501.042, and 4501.043 of 2924  
the Revised Code. All other moneys received by the registrar shall 2925  
be deposited in the state bureau of motor vehicles fund 2926

established in section 4501.25 of the Revised Code for the 2927  
purposes enumerated in that section, unless otherwise provided by 2928  
law. 2929

All moneys credited to the auto registration distribution 2930  
fund shall be distributed to the counties and districts of 2931  
registration, except for funds received by the registrar under 2932  
section 4504.09 of the Revised Code, after receipt of 2933  
certifications from the commissioners of the sinking fund 2934  
certifying, as required by sections 5528.15 and 5528.35 of the 2935  
Revised Code, that there are sufficient moneys to the credit of 2936  
the highway improvement bond retirement fund created by section 2937  
5528.12 of the Revised Code to meet in full all payments of 2938  
interest, principal, and charges for the retirement of bonds and 2939  
other obligations issued pursuant to Section 2g of Article VIII, 2940  
Ohio Constitution, and sections 5528.10 and 5528.11 of the Revised 2941  
Code due and payable during the current calendar year, and that 2942  
there are sufficient moneys to the credit of the highway 2943  
obligations bond retirement fund created by section 5528.32 of the 2944  
Revised Code to meet in full all payments of interest, principal, 2945  
and charges for the retirement of highway obligations issued 2946  
pursuant to Section 2i of Article VIII, Ohio Constitution, and 2947  
sections 5528.30 and 5528.31 of the Revised Code due and payable 2948  
during the current calendar year, in the manner provided in 2949  
section 4501.04 of the Revised Code. 2950

The treasurer of state may invest any portion of the moneys 2951  
credited to the auto registration distribution fund, in the same 2952  
manner and subject to all the laws with respect to the investment 2953  
of state funds by the treasurer of state, and all investment 2954  
earnings of the fund shall be credited to the fund. 2955

Once each month the registrar shall prepare vouchers in favor 2956  
of the county auditor of each county for the amount of the tax 2957  
collection pursuant to sections 4503.02 and 4503.12 of the Revised 2958



Code apportioned to the county and to the districts of 2959  
registration located wholly or in part in the county auditor's 2960  
county. The county auditor shall distribute the proceeds of the 2961  
tax collections due the county and the districts of registration 2962  
in the manner provided in section 4501.04 of the Revised Code. 2963

Once each month the registrar also shall prepare vouchers in 2964  
favor of the county auditor of each county levying a county motor 2965  
vehicle license tax pursuant to section 4504.02, 4504.15, or 2966  
4504.16 of the Revised Code and of each county in which is located 2967  
one or more townships levying a township motor vehicle license tax 2968  
pursuant to section 4504.18 of the Revised Code for the amount of 2969  
the tax due the county or townships in the county. 2970

All moneys received by the registrar under sections 4503.02, 2971  
4503.12, and 4504.09 of the Revised Code shall be distributed to 2972  
counties, townships, and municipal corporations within thirty days 2973  
of the expiration of the registration year, except that a sum 2974  
equal to five per cent of the total amount received under sections 2975  
4503.02 and 4503.12 of the Revised Code may be reserved to make 2976  
final adjustments in accordance with the formula for distribution 2977  
set forth in section 4501.04 of the Revised Code. If amounts set 2978  
aside to make the adjustments are inadequate, necessary 2979  
adjustments shall be made immediately out of funds available for 2980  
distribution for the following two registration years. 2981

**Sec. 4501.044.** (A) All moneys received under section 4503.65 2982  
of the Revised Code and from the tax imposed by section 4503.02 of 2983  
the Revised Code on vehicles that are apportionable and to which 2984  
the rates specified in divisions (A)(1) to (21) and division (B) 2985  
of section 4503.042 of the Revised Code apply shall be paid into 2986  
the international registration plan distribution fund, which is 2987  
hereby created in the state treasury, and distributed as follows: 2988

(1) First, to make payments to other states that are members 2989

of the international registration plan of the portions of 2990  
registration taxes the states are eligible to receive because of 2991  
the operation within their borders of apportionable vehicles that 2992  
are registered in Ohio; 2993

(2) Second, two and five-tenths per cent of all the moneys 2994  
received from apportionable vehicles under section 4503.65 of the 2995  
Revised Code that are collected from other international 2996  
registration plan jurisdictions commencing on and after October 1, 2997  
2009, shall be deposited into the state highway safety fund 2998  
established in section 4501.06 of the Revised Code; 2999

(3) Third, forty-two and six-tenths per cent of the moneys 3000  
received from apportionable vehicles under divisions (A)(8) to 3001  
(21) of section 4503.042 and forty-two and six-tenths per cent of 3002  
the balance remaining from the moneys received under section 3003  
4503.65 of the Revised Code after distribution under division 3004  
(A)(2) of this section shall be deposited in the state treasury to 3005  
the credit of the highway obligations bond retirement fund created 3006  
by section 5528.32 of the Revised Code and used solely for the 3007  
purposes set forth in that section, except that, from the date the 3008  
commissioners of the sinking fund make the certification to the 3009  
treasurer of state on the sufficiency of funds in the highway 3010  
obligation bond retirement fund as required by section 5528.38 of 3011  
the Revised Code, and until the thirty-first day of December of 3012  
the year in which the certification is made, the amounts 3013  
distributed under division ~~(A)(2)~~(3) of this section shall be 3014  
credited to the highway operating fund created by section 5735.291 3015  
of the Revised Code; 3016

~~(3) Third~~ (4) Fourth, an amount estimated as the annual costs 3017  
that the department of taxation will incur in conducting audits of 3018  
persons who have registered motor vehicles under the international 3019  
registration plan, one-twelfth of which amount shall be paid by 3020  
the registrar of motor vehicles into the international 3021

registration plan auditing fund created by section 5703.12 of the Revised Code by the fifteenth day of each month;

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

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

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

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

Each county, township, and municipal corporation shall receive an amount such that the ratio that the amount of moneys received by that county, township, or municipal corporation under division (B)(1) of this section from apportionable vehicles registered in Ohio and under section 4503.65 of the Revised Code from apportionable vehicles registered in other international registration plan jurisdictions bears to the total amount of moneys received by all counties, townships, and municipal corporations under division (B)(1) of this section from apportionable vehicles registered in Ohio and under section

4503.65 of the Revised Code from apportionable vehicles registered 3053  
in other international registration plan jurisdictions equals the 3054  
ratio that the amount of moneys that the county, township, or 3055  
municipal corporation would receive from apportionable vehicles 3056  
registered in Ohio were the moneys from such vehicles distributed 3057  
under section 4501.04 of the Revised Code, based solely on the 3058  
weight schedules contained in section 4503.042 of the Revised 3059  
Code, bears to the total amount of money that all counties, 3060  
townships, and municipal corporations would receive from 3061  
apportionable vehicles registered in Ohio were the moneys from 3062  
such vehicles distributed under section 4501.04 of the Revised 3063  
Code, based solely on the weight schedules contained in section 3064  
4503.042 of the Revised Code. 3065

No county, township, or municipal corporation shall receive 3066  
under division (B)(2) of this section an amount greater than the 3067  
amount of money that that county, township, or municipal 3068  
corporation would receive from apportionable vehicles registered 3069  
in Ohio were the money from the taxation of such vehicles 3070  
distributed under section 4501.04 of the Revised Code based solely 3071  
on the weight schedules contained in section 4503.042 of the 3072  
Revised Code. 3073

(3) If, at the end of the distribution year, the total of all 3074  
moneys received under section 4503.65 of the Revised Code exceeds 3075  
the total moneys subject to distribution under division (B)(2) of 3076  
this section, the registrar shall distribute to each county, 3077  
township, and municipal corporation a portion of the excess. The 3078  
excess shall be distributed to counties, townships, and municipal 3079  
corporations in the same proportion that the revenues received by 3080  
each county, township, and municipal corporation from collections 3081  
under section 4503.02 and from collections under section 4503.65 3082  
of the Revised Code during that distribution year bears to the 3083  
total revenues received by counties, townships, and municipal 3084

corporations from taxes levied under section 4503.02 and from 3085  
collections under section 4503.65 of the Revised Code during that 3086  
distribution year. 3087

(C) All moneys received from the administrative fee imposed 3088  
by division (C) of section 4503.042 of the Revised Code shall be 3089  
deposited to the credit of the state bureau of motor vehicles fund 3090  
established in section 4501.25 of the Revised Code, to offset 3091  
operating expenses incurred by the bureau of motor vehicles in 3092  
administering the international registration plan. 3093

(D) All investment earnings of the international registration 3094  
plan distribution fund shall be credited to the fund. 3095

**Sec. 4501.06.** The taxes, fees, and fines levied, charged, or 3096  
referred to in division (O) of section 4503.04, division (E) of 3097  
section 4503.042, division (B) of section 4503.07, division (C)(1) 3098  
of section 4503.10, division (D) of section 4503.182, division 3099  
(D)(2) of section 4507.24, division (A) of section 4508.06, and 3100  
sections 4505.11, 4505.111, 4506.08, 4506.09, 4507.23, 4508.05, 3101  
4923.12, and 5502.12 of the Revised Code, and the taxes charged in 3102  
section 4503.65 that are distributed in accordance with division 3103  
(A)(2) of section 4501.044 of the Revised Code unless otherwise 3104  
designated by law, shall be deposited in the state treasury to the 3105  
credit of the state highway safety fund, which is hereby created, 3106  
and shall, after receipt of certifications from the commissioners 3107  
of the sinking fund certifying, as required by sections 5528.15 3108  
and 5528.35 of the Revised Code, that there are sufficient moneys 3109  
to the credit of the highway improvement bond retirement fund 3110  
created by section 5528.12 of the Revised Code to meet in full all 3111  
payments of interest, principal, and charges for the retirement of 3112  
bonds and other obligations issued pursuant to Section 2g of 3113  
Article VIII, Ohio Constitution, and sections 5528.10 and 5528.11 3114  
of the Revised Code due and payable during the current calendar 3115

year, and that there are sufficient moneys to the credit of the 3116  
highway obligations bond retirement fund created by section 3117  
5528.32 of the Revised Code to meet in full all payments of 3118  
interest, principal, and charges for the retirement of highway 3119  
obligations issued pursuant to Section 2i of Article VIII, Ohio 3120  
Constitution, and sections 5528.30 and 5528.31 of the Revised Code 3121  
due and payable during the current calendar year, be used for the 3122  
purpose of enforcing and paying the expenses of administering the 3123  
law relative to the registration and operation of motor vehicles 3124  
on the public roads or highways. Amounts credited to the fund may 3125  
also be used to pay the expenses of administering and enforcing 3126  
the laws under which such fees were collected. All investment 3127  
earnings of the state highway safety fund shall be credited to the 3128  
fund. 3129

**Sec. 4501.21.** (A) There is hereby created in the state 3130  
treasury the license plate contribution fund. The fund shall 3131  
consist of all contributions paid by motor vehicle registrants and 3132  
collected by the registrar of motor vehicles pursuant to sections 3133  
4503.491, 4503.493, 4503.50, 4503.501, 4503.502, 4503.51, 3134  
4503.522, 4503.523, 4503.545, 4503.55, 4503.551, 4503.552, 3135  
4503.553, 4503.561, 4503.562, 4503.591, 4503.67, 4503.68, 4503.69, 3136  
4503.71, 4503.711, 4503.712, 4503.72, 4503.73, 4503.74, 4503.75, 3137  
4503.85, and 4503.92 of the Revised Code. 3138

(B) The registrar shall pay the contributions the registrar 3139  
collects in the fund as follows: 3140

The registrar shall pay the contributions received pursuant 3141  
to section 4503.491 of the Revised Code to the breast cancer fund 3142  
of Ohio, which shall use that money only to pay for programs that 3143  
provide assistance and education to Ohio breast cancer patients 3144  
and that improve access for such patients to quality health care 3145  
and clinical trials and shall not use any of the money for 3146

abortion information, counseling, services, or other 3147  
abortion-related activities. 3148

The registrar shall pay the contributions received pursuant 3149  
to section 4503.493 of the Revised Code to the autism society of 3150  
Ohio, which shall use the contributions for programs and autism 3151  
awareness efforts throughout the state. 3152

The registrar shall pay the contributions the registrar 3153  
receives pursuant to section 4503.50 of the Revised Code to the 3154  
future farmers of America foundation, which shall deposit the 3155  
contributions into its general account to be used for educational 3156  
and scholarship purposes of the future farmers of America 3157  
foundation. 3158

The registrar shall pay the contributions the registrar 3159  
receives pursuant to section 4503.501 of the Revised Code to the 3160  
4-H youth development program of the Ohio state university 3161  
extension program, which shall use those contributions to pay the 3162  
expenses it incurs in conducting its educational activities. 3163

The registrar shall pay the contributions received pursuant 3164  
to section 4503.502 of the Revised Code to the Ohio cattlemen's 3165  
foundation, which shall use those contributions for scholarships 3166  
and other educational activities. 3167

The registrar shall pay each contribution the registrar 3168  
receives pursuant to section 4503.51 of the Revised Code to the 3169  
university or college whose name or marking or design appears on 3170  
collegiate license plates that are issued to a person under that 3171  
section. A university or college that receives contributions from 3172  
the fund shall deposit the contributions into its general 3173  
scholarship fund. 3174

The registrar shall pay the contributions the registrar 3175  
receives pursuant to section 4503.522 of the Revised Code to the 3176  
"friends of Perry's victory and international peace memorial, 3177

incorporated," a nonprofit corporation organized under the laws of 3178  
this state, to assist that organization in paying the expenses it 3179  
incurs in sponsoring or holding charitable, educational, and 3180  
cultural events at the monument. 3181

The registrar shall pay the contributions the registrar 3182  
receives pursuant to section 4503.523 of the Revised Code to the 3183  
fairport lights foundation, which shall use the money to pay for 3184  
the restoration, maintenance, and preservation of the lighthouses 3185  
of fairport harbor. 3186

The registrar shall pay the contributions the registrar 3187  
receives pursuant to section 4503.55 of the Revised Code to the 3188  
pro football hall of fame, which shall deposit the contributions 3189  
into a special bank account that it establishes and which shall be 3190  
separate and distinct from any other account the pro football hall 3191  
of fame maintains, to be used exclusively for the purpose of 3192  
promoting the pro football hall of fame as a travel destination. 3193

The registrar shall pay the contributions that are paid to 3194  
the registrar pursuant to section 4503.545 of the Revised Code to 3195  
the national rifle association foundation, which shall use the 3196  
money to pay the costs of the educational activities and programs 3197  
the foundation holds or sponsors in this state. 3198

~~In accordance with section 955.202 of the Revised Code, the~~ 3199  
The registrar shall pay to the Ohio pet fund the contributions the 3200  
registrar receives pursuant to section 4503.551 of the Revised 3201  
Code and any other money from any other source, including 3202  
donations, gifts, and grants, that is designated by the source to 3203  
be paid to the Ohio pet fund. The Ohio pet fund shall use the 3204  
moneys it receives under this section ~~only~~ to support programs for 3205  
the sterilization of dogs and cats and for educational programs 3206  
concerning the proper veterinary care of those animals, and for 3207  
expenses of the Ohio pet fund that are reasonably necessary for it 3208  
to obtain and maintain its tax-exempt status and to perform its 3209



duties. 3210

The registrar shall pay the contributions the registrar 3211  
receives pursuant to section 4503.552 of the Revised Code to the 3212  
rock and roll hall of fame and museum, incorporated. 3213

The registrar shall pay the contributions the registrar 3214  
receives pursuant to section 4503.553 of the Revised Code to the 3215  
Ohio coalition for animals, incorporated, a nonprofit corporation. 3216  
Except as provided in division (B) of this section, the coalition 3217  
shall distribute the money to its members, and the members shall 3218  
use the money only to pay for educational, charitable, and other 3219  
programs of each coalition member that provide care for unwanted, 3220  
abused, and neglected horses. The Ohio coalition for animals may 3221  
use a portion of the money to pay for reasonable marketing costs 3222  
incurred in the design and promotion of the license plate and for 3223  
administrative costs incurred in the disbursement and management 3224  
of funds received under this section. 3225

The registrar shall pay the contributions the registrar 3226  
receives pursuant to section 4503.561 of the Revised Code to the 3227  
state of Ohio chapter of ducks unlimited, inc., which shall 3228  
deposit the contributions into a special bank account that it 3229  
establishes. The special bank account shall be separate and 3230  
distinct from any other account the state of Ohio chapter of ducks 3231  
unlimited, inc., maintains and shall be used exclusively for the 3232  
purpose of protecting, enhancing, restoring, and managing wetlands 3233  
and conserving wildlife habitat. The state of Ohio chapter of 3234  
ducks unlimited, inc., annually shall notify the registrar in 3235  
writing of the name, address, and account to which such payments 3236  
are to be made. 3237

The registrar shall pay the contributions the registrar 3238  
receives pursuant to section 4503.562 of the Revised Code to the 3239  
Mahoning river consortium, which shall use the money to pay the 3240  
expenses it incurs in restoring and maintaining the Mahoning river 3241

watershed. 3242

The registrar shall pay to a sports commission created 3243  
pursuant to section 4503.591 of the Revised Code each contribution 3244  
the registrar receives under that section that an applicant pays 3245  
to obtain license plates that bear the logo of a professional 3246  
sports team located in the county of that sports commission and 3247  
that is participating in the license plate program pursuant to 3248  
division (E) of that section, irrespective of the county of 3249  
residence of an applicant. 3250

The registrar shall pay to a community charity each 3251  
contribution the registrar receives under section 4503.591 of the 3252  
Revised Code that an applicant pays to obtain license plates that 3253  
bear the logo of a professional sports team that is participating 3254  
in the license plate program pursuant to division (G) of that 3255  
section. 3256

The registrar shall pay the contributions the registrar 3257  
receives pursuant to section 4503.67 of the Revised Code to the 3258  
Dan Beard council of the boy scouts of America. The council shall 3259  
distribute all contributions in an equitable manner throughout the 3260  
state to regional councils of the boy scouts. 3261

The registrar shall pay the contributions the registrar 3262  
receives pursuant to section 4503.68 of the Revised Code to the 3263  
great river council of the girl scouts of the United States of 3264  
America. The council shall distribute all contributions in an 3265  
equitable manner throughout the state to regional councils of the 3266  
girl scouts. 3267

The registrar shall pay the contributions the registrar 3268  
receives pursuant to section 4503.69 of the Revised Code to the 3269  
Dan Beard council of the boy scouts of America. The council shall 3270  
distribute all contributions in an equitable manner throughout the 3271  
state to regional councils of the boy scouts. 3272

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 enforcement officers who are killed in the line of duty.

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

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

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

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

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

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

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

Sec. 4501.34. (A) The registrar of motor vehicles may adopt 3336  
and publish rules to govern the registrar's proceedings. All 3337  
proceedings of the registrar shall be open to the public, and all 3338  
documents in the registrar's possession are public records. The 3339  
registrar shall adopt a seal bearing the inscription: "Motor 3340  
Vehicle Registrar of Ohio." The seal shall be affixed to all writs 3341  
and authenticated copies of records, and, when it has been so 3342  
attached, the copies shall be received in evidence with the same 3343  
effect as other public records. All courts shall take judicial 3344  
notice of the seal. 3345

(B) Upon the request of any person accompanied by a 3346  
nonrefundable fee of ~~two~~ five dollars per name, the registrar may 3347  
furnish lists of names and addresses as they appear upon the 3348  
applications for driver's licenses, provided that any further 3349  
information contained in the applications shall not be disclosed. 3350  
The registrar shall pay ~~all the fees~~ two dollars of each fee 3351  
collected into the state treasury to the credit of the state 3352  
bureau of motor vehicles fund established in section 4501.25 of 3353  
the Revised Code. Of the remaining three dollars of each such fee 3354  
the registrar collects, the registrar shall deposit sixty cents 3355  
into the state treasury to the credit of the trauma and emergency 3356  
medical services fund established in section 4513.263 of the 3357  
Revised Code, sixty cents into the state treasury to the credit of 3358  
the homeland security fund established in section 5502.03 of the 3359  
Revised Code, thirty cents into the state treasury to the credit 3360  
of the investigations fund established in section 5502.131 of the 3361  
Revised Code, one dollar and twenty-five cents into the state 3362  
treasury to the credit of the emergency management agency service 3363  
and reimbursement fund established in section 5502.39 of the 3364  
Revised Code, and twenty-five cents into the state treasury to the 3365  
credit of the justice program services fund established in section 3366  
5502.67 of the Revised Code. 3367

This division does not apply to the list of qualified driver 3368  
licenses required to be compiled and filed pursuant to section 3369  
2313.06 of the Revised Code. 3370

**Sec. 4503.04.** Except as provided in ~~section~~ sections 4503.042 3371  
and 4503.65 of the Revised Code for the registration of commercial 3372  
cars, trailers, semitrailers, and certain buses, the rates of the 3373  
taxes imposed by section 4503.02 of the Revised Code shall be as 3374  
follows: 3375

(A) For motor vehicles having three wheels or less, the 3376  
license tax is: 3377

(1) For each motorized bicycle, ten dollars; 3378

(2) For each motorcycle, fourteen dollars. 3379

(B) For each passenger car, twenty dollars; 3380

(C) For each manufactured home, each mobile home, and each 3381  
travel trailer, ten dollars; 3382

(D) For each noncommercial motor vehicle designed by the 3383  
manufacturer to carry a load of no more than three-quarters of one 3384  
ton and for each motor home, thirty-five dollars; for each 3385  
noncommercial motor vehicle designed by the manufacturer to carry 3386  
a load of more than three-quarters of one ton, but not more than 3387  
one ton, seventy dollars; 3388

(E) For each noncommercial trailer, the license tax is: 3389

(1) Eighty-five cents for each one hundred pounds or part 3390  
thereof for the first two thousand pounds or part thereof of 3391  
weight of vehicle fully equipped; 3392

(2) One dollar and forty cents for each one hundred pounds or 3393  
part thereof in excess of two thousand pounds up to and including 3394  
three thousand pounds. 3395

(F) Notwithstanding its weight, twelve dollars for any: 3396

(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;	3397 3398 3399
(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;	3400 3401 3402 3403
(3) Bus used principally for the transportation of handicapped persons or persons sixty-five years of age or older;	3404 3405
(G) Notwithstanding its weight, twenty dollars for any bus used principally for the transportation of persons in a ridesharing arrangement.	3406 3407 3408
(H) For each transit bus having motor power the license tax is twelve dollars.	3409 3410
"Transit bus" means either a motor vehicle having a seating capacity of more than seven persons which is operated and used by any person in the rendition of a public mass transportation service primarily in a municipal corporation or municipal corporations and provided at least seventy-five per cent of the annual mileage of such service and use is within such municipal corporation or municipal corporations or a motor vehicle having a seating capacity of more than seven persons which is operated solely for the transportation of persons associated with a charitable or nonprofit corporation, but does not mean any motor vehicle having a seating capacity of more than seven persons when such vehicle is used in a ridesharing capacity or any bus described by division (F)(3) of this section.	3411 3412 3413 3414 3415 3416 3417 3418 3419 3420 3421 3422 3423
The application for registration of such transit bus shall be accompanied by an affidavit prescribed by the registrar of motor vehicles and signed by the person or an agent of the firm or corporation operating such bus stating that the bus has a seating	3424 3425 3426 3427

capacity of more than seven persons, and that it is either to be 3428  
operated and used in the rendition of a public mass transportation 3429  
service and that at least seventy-five per cent of the annual 3430  
mileage of such operation and use shall be within one or more 3431  
municipal corporations or that it is to be operated solely for the 3432  
transportation of persons associated with a charitable or 3433  
nonprofit corporation. 3434

The form of the license plate, and the manner of its 3435  
attachment to the vehicle, shall be prescribed by the registrar of 3436  
motor vehicles. 3437

(I) The minimum tax for any vehicle having motor power other 3438  
than a farm truck, a motorized bicycle, or motorcycle is ten 3439  
dollars and eighty cents, and for each noncommercial trailer, five 3440  
dollars. 3441

(J)(1) Except as otherwise provided in division (J) of this 3442  
section, for each farm truck, except a noncommercial motor 3443  
vehicle, that is owned, controlled, or operated by one or more 3444  
farmers exclusively in farm use as defined in this section, and 3445  
not for commercial purposes, and provided that at least 3446  
seventy-five per cent of such farm use is by or for the one or 3447  
more owners, controllers, or operators of the farm in the 3448  
operation of which a farm truck is used, the license tax is five 3449  
dollars plus: 3450

(a) Fifty cents per one hundred pounds or part thereof for 3451  
the first three thousand pounds; 3452

(b) Seventy cents per one hundred pounds or part thereof in 3453  
excess of three thousand pounds up to and including four thousand 3454  
pounds; 3455

(c) Ninety cents per one hundred pounds or part thereof in 3456  
excess of four thousand pounds up to and including six thousand 3457  
pounds; 3458



(d) Two dollars for each one hundred pounds or part thereof 3459  
in excess of six thousand pounds up to and including ten thousand 3460  
pounds; 3461

(e) Two dollars and twenty-five cents for each one hundred 3462  
pounds or part thereof in excess of ten thousand pounds; 3463

(f) The minimum license tax for any farm truck shall be 3464  
twelve dollars. 3465

(2) The owner of a farm truck may register the truck for a 3466  
period of one-half year by paying one-half the registration tax 3467  
imposed on the truck under this chapter and one-half the amount of 3468  
any tax imposed on the truck under Chapter 4504. of the Revised 3469  
Code. 3470

(3) A farm bus may be registered for a period of ninety days 3471  
from the date of issue of the license plates for the bus, for a 3472  
fee of ten dollars, provided such license plates shall not be 3473  
issued for more than any two ninety-day periods in any calendar 3474  
year. Such use does not include the operation of trucks by 3475  
commercial processors of agricultural products. 3476

(4) License plates for farm trucks and for farm buses shall 3477  
have some distinguishing marks, letters, colors, or other 3478  
characteristics to be determined by the director of public safety. 3479

(5) Every person registering a farm truck or bus under this 3480  
section shall furnish an affidavit certifying that the truck or 3481  
bus licensed to that person is to be so used as to meet the 3482  
requirements necessary for the farm truck or farm bus 3483  
classification. 3484

Any farmer may use a truck owned by the farmer for commercial 3485  
purposes by paying the difference between the commercial truck 3486  
registration fee and the farm truck registration fee for the 3487  
remaining part of the registration period for which the truck is 3488  
registered. Such remainder shall be calculated from the beginning 3489

of the semiannual period in which application for such commercial license is made. 3490  
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Taxes at the rates provided in this section are in lieu of all taxes on or with respect to the ownership of such motor vehicles, except as provided in section 4503.042 and section 4503.06 of the Revised Code. 3492  
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(K) Other than trucks registered under the international registration plan in another jurisdiction and for which this state has received an apportioned registration fee, the license tax for each truck which is owned, controlled, or operated by a nonresident, and licensed in another state, and which is used exclusively for the transportation of nonprocessed agricultural products intrastate, from the place of production to the place of processing, is twenty-four dollars. 3496  
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"Truck," as used in this division, means any pickup truck, straight truck, semitrailer, or trailer other than a travel trailer. Nonprocessed agricultural products, as used in this division, does not include livestock or grain. 3504  
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A license issued under this division shall be issued for a period of one hundred thirty days in the same manner in which all other licenses are issued under this section, provided that no truck shall be so licensed for more than one one-hundred-thirty-day period during any calendar year. 3508  
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The license issued pursuant to this division shall consist of a windshield decal to be designed by the director of public safety. 3513  
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Every person registering a truck under this division shall furnish an affidavit certifying that the truck licensed to the person is to be used exclusively for the purposes specified in this division. 3516  
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(L) Every person registering a motor vehicle as a 3520

noncommercial motor vehicle as defined in section 4501.01 of the Revised Code, or registering a trailer as a noncommercial trailer as defined in that section, shall furnish an affidavit certifying that the motor vehicle or trailer so licensed to the person is to be so used as to meet the requirements necessary for the noncommercial vehicle classification.

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

(N) Every person registering as a passenger car a motor 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 or within seven days after that date, the registrar or deputy registrar shall collect a fee of twenty 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 3553  
and shall transmit the remaining amount to the registrar at the 3554  
time and in the manner provided by section 4503.10 of the Revised 3555  
Code. The registrar shall deposit all moneys received under this 3556  
division into the state highway safety fund established in section 3557  
4501.06 of the Revised Code. 3558

(P) As used in this section: 3559

(1) "Van" means any motor vehicle having a single rear axle 3560  
and an enclosed body without a second seat. 3561

(2) "Handicapped person" means any person who has lost the 3562  
use of one or both legs, or one or both arms, or is blind, deaf, 3563  
or so severely disabled as to be unable to move about without the 3564  
aid of crutches or a wheelchair. 3565

(3) "Farm truck" means a truck used in the transportation 3566  
from the farm of products of the farm, including livestock and its 3567  
products, poultry and its products, floricultural and 3568  
horticultural products, and in the transportation to the farm of 3569  
supplies for the farm, including tile, fence, and every other 3570  
thing or commodity used in agricultural, floricultural, 3571  
horticultural, livestock, and poultry production and livestock, 3572  
poultry, and other animals and things used for breeding, feeding, 3573  
or other purposes connected with the operation of the farm. 3574

(4) "Farm bus" means a bus used only for the transportation 3575  
of agricultural employees and used only in the transportation of 3576  
such employees as are necessary in the operation of the farm. 3577

(5) "Farm supplies" includes fuel used exclusively in the 3578  
operation of a farm, including one or more homes located on and 3579  
used in the operation of one or more farms, and furniture and 3580  
other things used in and around such homes. 3581

**Sec. 4503.042.** The registrar of motor vehicles shall adopt 3582

rules establishing the date, subsequent to this state's entry into 3583  
membership in the international registration plan, when the rates 3584  
established by this section become operative. 3585

(A) The rates of the taxes imposed by section 4503.02 of the 3586  
Revised Code are as follows for commercial cars having a gross 3587  
vehicle weight or combined gross vehicle weight of: 3588

(1) Not more than two thousand pounds, forty-five dollars; 3589

(2) More than two thousand but not more than six thousand 3590  
pounds, seventy dollars; 3591

(3) More than six thousand but not more than ten thousand 3592  
pounds, eighty-five dollars; 3593

(4) More than ten thousand but not more than fourteen 3594  
thousand pounds, one hundred five dollars; 3595

(5) More than fourteen thousand but not more than eighteen 3596  
thousand pounds, one hundred twenty-five dollars; 3597

(6) More than eighteen thousand but not more than twenty-two 3598  
thousand pounds, one hundred fifty dollars; 3599

(7) More than twenty-two thousand but not more than 3600  
twenty-six thousand pounds, one hundred seventy-five dollars; 3601

(8) More than twenty-six thousand but not more than thirty 3602  
thousand pounds, three hundred fifty-five dollars; 3603

(9) More than thirty thousand but not more than thirty-four 3604  
thousand pounds, four hundred twenty dollars; 3605

(10) More than thirty-four thousand but not more than 3606  
thirty-eight thousand pounds, four hundred eighty dollars; 3607

(11) More than thirty-eight thousand but not more than 3608  
forty-two thousand pounds, five hundred forty dollars; 3609

(12) More than forty-two thousand but not more than forty-six 3610  
thousand pounds, six hundred dollars; 3611

(13) More than forty-six thousand but not more than fifty thousand pounds, six hundred sixty dollars;	3612 3613
(14) More than fifty thousand but not more than fifty-four thousand pounds, seven hundred twenty-five dollars;	3614 3615
(15) More than fifty-four thousand but not more than fifty-eight thousand pounds, seven hundred eighty-five dollars;	3616 3617
(16) More than fifty-eight thousand but not more than sixty-two thousand pounds, eight hundred fifty-five dollars;	3618 3619
(17) More than sixty-two thousand but not more than sixty-six thousand pounds, nine hundred twenty-five dollars;	3620 3621
(18) More than sixty-six thousand but not more than seventy thousand pounds, nine hundred ninety-five dollars;	3622 3623
(19) More than seventy thousand but not more than seventy-four thousand pounds, one thousand eighty dollars;	3624 3625
(20) More than seventy-four thousand but not more than seventy-eight thousand pounds, one thousand two hundred dollars;	3626 3627
(21) More than seventy-eight thousand pounds, one thousand three hundred forty dollars.	3628 3629
(B) The rates of the taxes imposed by section 4503.02 of the Revised Code are as follows for buses having a gross vehicle weight or combined gross vehicle weight of:	3630 3631 3632
(1) Not more than two thousand pounds, ten dollars;	3633
(2) More than two thousand but not more than six thousand pounds, forty dollars;	3634 3635
(3) More than six thousand but not more than ten thousand pounds, one hundred dollars;	3636 3637
(4) More than ten thousand but not more than fourteen thousand pounds, one hundred eighty dollars;	3638 3639
(5) More than fourteen thousand but not more than eighteen	3640

thousand pounds, two hundred sixty dollars;	3641
(6) More than eighteen thousand but not more than twenty-two thousand pounds, three hundred forty dollars;	3642 3643
(7) More than twenty-two thousand but not more than twenty-six thousand pounds, four hundred twenty dollars;	3644 3645
(8) More than twenty-six thousand but not more than thirty thousand pounds, five hundred dollars;	3646 3647
(9) More than thirty thousand but not more than thirty-four thousand pounds, five hundred eighty dollars;	3648 3649
(10) More than thirty-four thousand but not more than thirty-eight thousand pounds, six hundred sixty dollars;	3650 3651
(11) More than thirty-eight thousand but not more than forty-two thousand pounds, seven hundred forty dollars;	3652 3653
(12) More than forty-two thousand but not more than forty-six thousand pounds, eight hundred twenty dollars;	3654 3655
(13) More than forty-six thousand but not more than fifty thousand pounds, nine hundred forty dollars;	3656 3657
(14) More than fifty thousand but not more than fifty-four thousand pounds, one thousand dollars;	3658 3659
(15) More than fifty-four thousand but not more than fifty-eight thousand pounds, one thousand ninety dollars;	3660 3661
(16) More than fifty-eight thousand but not more than sixty-two thousand pounds, one thousand one hundred eighty dollars;	3662 3663 3664
(17) More than sixty-two thousand but not more than sixty-six thousand pounds, one thousand two hundred seventy dollars;	3665 3666
(18) More than sixty-six thousand but not more than seventy thousand pounds, one thousand three hundred sixty dollars;	3667 3668
(19) More than seventy thousand but not more than	3669

seventy-four thousand pounds, one thousand four hundred fifty 3670  
dollars; 3671

(20) More than seventy-four thousand but not more than 3672  
seventy-eight thousand pounds, one thousand five hundred forty 3673  
dollars; 3674

(21) More than seventy-eight thousand pounds, one thousand 3675  
six hundred thirty dollars. 3676

(C) In addition to the license taxes imposed at the rates 3677  
specified in divisions (A) and (B) of this section, an 3678  
administrative fee of three dollars and ~~twenty-five~~ fifty cents, 3679  
plus an appropriate amount to cover the cost of postage, shall be 3680  
collected by the registrar for each international registration 3681  
plan license processed by the registrar. ~~If the deputy registrar~~ 3682  
~~fees are increased on January 1, 2004, in accordance with section~~ 3683  
~~4503.034 of the Revised Code, the administrative fee collected~~ 3684  
~~under this section is three dollars and fifty cents, commencing on~~ 3685  
~~that date, plus postage.~~ 3686

(D) The rate of the tax for each trailer and semitrailer is 3687  
twenty-five dollars. 3688

(E) Commencing on October 1, 2009, if an application for 3689  
registration renewal is not applied for prior to the expiration 3690  
date of the registration or within seven days after that date, the 3691  
registrar or deputy registrar shall collect a fee of twenty 3692  
dollars for the issuance of the vehicle registration, but may 3693  
waive the fee for good cause shown if the application is 3694  
accompanied by supporting evidence as the registrar may require. 3695  
The fee shall be in addition to all other fees established by this 3696  
section. A deputy registrar shall retain fifty cents of the fee 3697  
and shall transmit the remaining amount to the registrar at the 3698  
time and in the manner provided by section 4503.10 of the Revised 3699  
Code. The registrar shall deposit all moneys received under this 3700



division into the state highway safety fund established in section 3701  
4501.06 of the Revised Code. 3702

(F) The rates established by this section shall not apply to 3703  
any of the following: 3704

(1) Vehicles equipped, owned, and used by a charitable or 3705  
nonprofit corporation exclusively for the purpose of administering 3706  
chest x-rays or receiving blood donations; 3707

(2) Vans used principally for the transportation of 3708  
handicapped persons that have been modified by being equipped with 3709  
adaptive equipment to facilitate the movement of such persons into 3710  
and out of the vans; 3711

(3) Buses used principally for the transportation of 3712  
handicapped persons or persons sixty-five years of age or older; 3713

(4) Buses used principally for the transportation of persons 3714  
in a ridesharing arrangement; 3715

(5) Transit buses having motor power; 3716

(6) Noncommercial trailers, mobile homes, or manufactured 3717  
homes. 3718

**Sec. 4503.07.** (A) In lieu of the schedule of rates for 3719  
commercial cars fixed in section 4503.04 of the Revised Code, the 3720  
fee shall be ten dollars for each church bus used exclusively to 3721  
transport members of a church congregation to and from church 3722  
services or church functions or to transport children and their 3723  
authorized supervisors to and from any camping function sponsored 3724  
by a nonprofit, tax-exempt, charitable or philanthropic 3725  
organization. A church within the meaning of this section is an 3726  
organized religious group, duly constituted with officers and a 3727  
board of trustees, regularly holding religious services, and 3728  
presided over or administered to by a properly accredited 3729  
ecclesiastical officer, whose name and standing is published in 3730

the official publication of the officer's religious group. 3731

(B) Commencing on October 1, 2009, if an application for 3732  
registration renewal is not applied for prior to the expiration 3733  
date of the registration or within seven days after that date, the 3734  
registrar or deputy registrar shall collect a fee of twenty 3735  
dollars for the issuance of the vehicle registration, but may 3736  
waive the fee for good cause shown if the application is 3737  
accompanied by supporting evidence as the registrar may require. 3738  
The fee shall be in addition to all other fees established by this 3739  
section. A deputy registrar shall retain fifty cents of the fee 3740  
and shall transmit the remaining amount to the registrar at the 3741  
time and in the manner provided by section 4503.10 of the Revised 3742  
Code. The registrar shall deposit all moneys received under this 3743  
division into the state highway safety fund established in section 3744  
4501.06 of the Revised Code. 3745

(C) The application for registration of such bus shall be 3746  
accompanied by the following, as applicable: 3747

~~(A)~~(1) An affidavit, prescribed by the registrar of motor 3748  
vehicles and signed by either the senior pastor, minister, priest, 3749  
or rabbi of the church making application or by the head of the 3750  
governing body of the church making application, stating that the 3751  
bus is to be used exclusively to transport members of a church 3752  
congregation to and from church services or church functions or to 3753  
transport children and their authorized supervisors to and from 3754  
any camping function sponsored by a nonprofit, tax-exempt, 3755  
charitable, or philanthropic organization; 3756

~~(B)~~(2) A certificate from the state highway patrol stating 3757  
that the bus involved is safe for operation in accordance with 3758  
such standards as are prescribed by the state highway patrol if 3759  
the bus meets either of the following: 3760

~~(1)~~(a) It originally was designed by the manufacturer to 3761

transport sixteen or more passengers, including the driver; 3762

~~(2)~~(b) It has a gross vehicle weight rating of ten thousand 3763  
one pounds or more. 3764

(D) The form of the license plate and the manner of its 3765  
attachment to the vehicle shall be prescribed by the registrar. 3766

**Sec. 4503.10.** (A) The owner of every snowmobile, off-highway 3767  
motorcycle, and all-purpose vehicle required to be registered 3768  
under section 4519.02 of the Revised Code shall file an 3769  
application for registration under section 4519.03 of the Revised 3770  
Code. The owner of a motor vehicle, other than a snowmobile, 3771  
off-highway motorcycle, or all-purpose vehicle, that is not 3772  
designed and constructed by the manufacturer for operation on a 3773  
street or highway may not register it under this chapter except 3774  
upon certification of inspection pursuant to section 4513.02 of 3775  
the Revised Code by the sheriff, or the chief of police of the 3776  
municipal corporation or township, with jurisdiction over the 3777  
political subdivision in which the owner of the motor vehicle 3778  
resides. Except as provided in section 4503.103 of the Revised 3779  
Code, every owner of every other motor vehicle not previously 3780  
described in this section and every person mentioned as owner in 3781  
the last certificate of title of a motor vehicle that is operated 3782  
or driven upon the public roads or highways shall cause to be 3783  
filed each year, by mail or otherwise, in the office of the 3784  
registrar of motor vehicles or a deputy registrar, a written or 3785  
electronic application or a preprinted registration renewal notice 3786  
issued under section 4503.102 of the Revised Code, the form of 3787  
which shall be prescribed by the registrar, for registration for 3788  
the following registration year, which shall begin on the first 3789  
day of January of every calendar year and end on the thirty-first 3790  
day of December in the same year. Applications for registration 3791  
and registration renewal notices shall be filed at the times 3792

established by the registrar pursuant to section 4503.101 of the Revised Code. A motor vehicle owner also may elect to apply for or renew a motor vehicle registration by electronic means using electronic signature in accordance with rules adopted by the registrar. Except as provided in division (J) of this section, applications for registration shall be made on blanks furnished by the registrar for that purpose, containing the following information:

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

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

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

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

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

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

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

(6) Whether the fees required to be paid for the registration or transfer of the motor vehicle, during the preceding

registration year and during the preceding period of the current 3823  
registration year, have been paid. Each application for 3824  
registration shall be signed by the owner, either manually or by 3825  
electronic signature, or pursuant to obtaining a limited power of 3826  
attorney authorized by the registrar for registration, or other 3827  
document authorizing such signature. If the owner elects to apply 3828  
for or renew the motor vehicle registration with the registrar by 3829  
electronic means, the owner's manual signature is not required. 3830

(7) The owner's social security number, driver's license 3831  
number, or state identification number, or, where a motor vehicle 3832  
to be registered is used for hire or principally in connection 3833  
with any established business, the owner's federal taxpayer 3834  
identification number. The bureau of motor vehicles shall retain 3835  
in its records all social security numbers provided under this 3836  
section, but the bureau shall not place social security numbers on 3837  
motor vehicle certificates of registration. 3838

(B) Except as otherwise provided in this division, each time 3839  
an applicant first registers a motor vehicle in the applicant's 3840  
name, the applicant shall present for inspection a physical 3841  
certificate of title or memorandum certificate showing title to 3842  
the motor vehicle to be registered in the name of the applicant if 3843  
a physical certificate of title or memorandum certificate has been 3844  
issued by a clerk of a court of common pleas. If, under sections 3845  
4505.021, 4505.06, and 4505.08 of the Revised Code, a clerk 3846  
instead has issued an electronic certificate of title for the 3847  
applicant's motor vehicle, that certificate may be presented for 3848  
inspection at the time of first registration in a manner 3849  
prescribed by rules adopted by the registrar. An applicant is not 3850  
required to present a certificate of title to an electronic motor 3851  
vehicle dealer acting as a limited authority deputy registrar in 3852  
accordance with rules adopted by the registrar. When a motor 3853  
vehicle inspection and maintenance program is in effect under 3854

section 3704.14 of the Revised Code and rules adopted under it, 3855  
each application for registration for a vehicle required to be 3856  
inspected under that section and those rules shall be accompanied 3857  
by an inspection certificate for the motor vehicle issued in 3858  
accordance with that section. The application shall be refused if 3859  
any of the following applies: 3860

(1) The application is not in proper form. 3861

(2) The application is prohibited from being accepted by 3862  
division (D) of section 2935.27, division (A) of section 2937.221, 3863  
division (A) of section 4503.13, division (B) of section 4510.22, 3864  
or division (B)(1) of section 4521.10 of the Revised Code. 3865

(3) A certificate of title or memorandum certificate of title 3866  
is required but does not accompany the application or, in the case 3867  
of an electronic certificate of title, is required but is not 3868  
presented in a manner prescribed by the registrar's rules. 3869

(4) All registration and transfer fees for the motor vehicle, 3870  
for the preceding year or the preceding period of the current 3871  
registration year, have not been paid. 3872

(5) The owner or lessee does not have an inspection 3873  
certificate for the motor vehicle as provided in section 3704.14 3874  
of the Revised Code, and rules adopted under it, if that section 3875  
is applicable. 3876

This section does not require the payment of license or 3877  
registration taxes on a motor vehicle for any preceding year, or 3878  
for any preceding period of a year, if the motor vehicle was not 3879  
taxable for that preceding year or period under sections 4503.02, 3880  
4503.04, 4503.11, 4503.12, and 4503.16 or Chapter 4504. of the 3881  
Revised Code. When a certificate of registration is issued upon 3882  
the first registration of a motor vehicle by or on behalf of the 3883  
owner, the official issuing the certificate shall indicate the 3884  
issuance with a stamp on the certificate of title or memorandum 3885

certificate or, in the case of an electronic certificate of title, 3886  
an electronic stamp or other notation as specified in rules 3887  
adopted by the registrar, and with a stamp on the inspection 3888  
certificate for the motor vehicle, if any. The official also shall 3889  
indicate, by a stamp or by other means the registrar prescribes, 3890  
on the registration certificate issued upon the first registration 3891  
of a motor vehicle by or on behalf of the owner the odometer 3892  
reading of the motor vehicle as shown in the odometer statement 3893  
included in or attached to the certificate of title. Upon each 3894  
subsequent registration of the motor vehicle by or on behalf of 3895  
the same owner, the official also shall so indicate the odometer 3896  
reading of the motor vehicle as shown on the immediately preceding 3897  
certificate of registration. 3898

The registrar shall include in the permanent registration 3899  
record of any vehicle required to be inspected under section 3900  
3704.14 of the Revised Code the inspection certificate number from 3901  
the inspection certificate that is presented at the time of 3902  
registration of the vehicle as required under this division. 3903

(C)(1) ~~Commencing with~~ Except as otherwise provided in 3904  
division (C)(1) of this section, for each registration renewal 3905  
with an expiration date on or after October 1, 2003, and for each 3906  
initial application for registration received on and after that 3907  
date, the registrar and each deputy registrar shall collect an 3908  
additional fee of eleven dollars for each application for 3909  
registration and registration renewal received. For vehicles 3910  
specified in divisions (A)(1) to (21) of section 4503.042 of the 3911  
Revised Code, commencing with each registration renewal with an 3912  
expiration date on or after October 1, 2009, and for each initial 3913  
application received on or after that date, the registrar and 3914  
deputy registrar shall collect an additional fee of thirty dollars 3915  
for each application for registration and registration renewal 3916  
received. The additional fee is for the purpose of defraying the 3917

department of public safety's costs associated with the 3918  
administration and enforcement of the motor vehicle and traffic 3919  
laws of Ohio. Each deputy registrar shall transmit the fees 3920  
collected under division (C)(1) of this section in the time and 3921  
manner provided in this section. The registrar shall deposit all 3922  
moneys received under division (C)(1) of this section into the 3923  
state highway safety fund established in section 4501.06 of the 3924  
Revised Code. 3925

(2) In addition, a charge of twenty-five cents shall be made 3926  
for each reflectorized safety license plate issued, and a single 3927  
charge of twenty-five cents shall be made for each county 3928  
identification sticker or each set of county identification 3929  
stickers issued, as the case may be, to cover the cost of 3930  
producing the license plates and stickers, including material, 3931  
manufacturing, and administrative costs. Those fees shall be in 3932  
addition to the license tax. If the total cost of producing the 3933  
plates is less than twenty-five cents per plate, or if the total 3934  
cost of producing the stickers is less than twenty-five cents per 3935  
sticker or per set issued, any excess moneys accruing from the 3936  
fees shall be distributed in the same manner as provided by 3937  
section 4501.04 of the Revised Code for the distribution of 3938  
license tax moneys. If the total cost of producing the plates 3939  
exceeds twenty-five cents per plate, or if the total cost of 3940  
producing the stickers exceeds twenty-five cents per sticker or 3941  
per set issued, the difference shall be paid from the license tax 3942  
moneys collected pursuant to section 4503.02 of the Revised Code. 3943

(D) Each deputy registrar shall be allowed a fee of ~~two~~ 3944  
~~dollars and seventy five cents commencing on July 1, 2001, three~~ 3945  
~~dollars and twenty five cents commencing on January 1, 2003, and~~ 3946  
~~three dollars and fifty cents commencing on January 1, 2004,~~ 3947  
each application for registration and registration renewal notice 3948  
the deputy registrar receives, which shall be for the purpose of 3949



compensating the deputy registrar for the deputy registrar's 3950  
services, and such office and rental expenses, as may be necessary 3951  
for the proper discharge of the deputy registrar's duties in the 3952  
receiving of applications and renewal notices and the issuing of 3953  
registrations. 3954

(E) Upon the certification of the registrar, the county 3955  
sheriff or local police officials shall recover license plates 3956  
erroneously or fraudulently issued. 3957

(F) Each deputy registrar, upon receipt of any application 3958  
for registration or registration renewal notice, together with the 3959  
license fee and any local motor vehicle license tax levied 3960  
pursuant to Chapter 4504. of the Revised Code, shall transmit that 3961  
fee and tax, if any, in the manner provided in this section, 3962  
together with the original and duplicate copy of the application, 3963  
to the registrar. The registrar, subject to the approval of the 3964  
director of public safety, may deposit the funds collected by 3965  
those deputies in a local bank or depository to the credit of the 3966  
"state of Ohio, bureau of motor vehicles." Where a local bank or 3967  
depository has been designated by the registrar, each deputy 3968  
registrar shall deposit all moneys collected by the deputy 3969  
registrar into that bank or depository not more than one business 3970  
day after their collection and shall make reports to the registrar 3971  
of the amounts so deposited, together with any other information, 3972  
some of which may be prescribed by the treasurer of state, as the 3973  
registrar may require and as prescribed by the registrar by rule. 3974  
The registrar, within three days after receipt of notification of 3975  
the deposit of funds by a deputy registrar in a local bank or 3976  
depository, shall draw on that account in favor of the treasurer 3977  
of state. The registrar, subject to the approval of the director 3978  
and the treasurer of state, may make reasonable rules necessary 3979  
for the prompt transmittal of fees and for safeguarding the 3980  
interests of the state and of counties, townships, municipal 3981

corporations, and transportation improvement districts levying 3982  
local motor vehicle license taxes. The registrar may pay service 3983  
charges usually collected by banks and depositories for such 3984  
service. If deputy registrars are located in communities where 3985  
banking facilities are not available, they shall transmit the fees 3986  
forthwith, by money order or otherwise, as the registrar, by rule 3987  
approved by the director and the treasurer of state, may 3988  
prescribe. The registrar may pay the usual and customary fees for 3989  
such service. 3990

(G) This section does not prevent any person from making an 3991  
application for a motor vehicle license directly to the registrar 3992  
by mail, by electronic means, or in person at any of the 3993  
registrar's offices, upon payment of a service fee of ~~two dollars~~ 3994  
~~and seventy five cents commencing on July 1, 2001, three dollars~~ 3995  
~~and twenty five cents commencing on January 1, 2003, and three~~ 3996  
dollars and fifty cents ~~commencing on January 1, 2004,~~ for each 3997  
application. 3998

(H) No person shall make a false statement as to the district 3999  
of registration in an application required by division (A) of this 4000  
section. Violation of this division is falsification under section 4001  
2921.13 of the Revised Code and punishable as specified in that 4002  
section. 4003

(I)(1) Where applicable, the requirements of division (B) of 4004  
this section relating to the presentation of an inspection 4005  
certificate issued under section 3704.14 of the Revised Code and 4006  
rules adopted under it for a motor vehicle, the refusal of a 4007  
license for failure to present an inspection certificate, and the 4008  
stamping of the inspection certificate by the official issuing the 4009  
certificate of registration apply to the registration of and 4010  
issuance of license plates for a motor vehicle under sections 4011  
4503.102, 4503.12, 4503.14, 4503.15, 4503.16, 4503.171, 4503.172, 4012  
4503.19, 4503.40, 4503.41, 4503.42, 4503.43, 4503.44, 4503.46, 4013

4503.47, and 4503.51 of the Revised Code. 4014

(2)(a) The registrar shall adopt rules ensuring that each 4015  
owner registering a motor vehicle in a county where a motor 4016  
vehicle inspection and maintenance program is in effect under 4017  
section 3704.14 of the Revised Code and rules adopted under it 4018  
receives information about the requirements established in that 4019  
section and those rules and about the need in those counties to 4020  
present an inspection certificate with an application for 4021  
registration or preregistration. 4022

(b) Upon request, the registrar shall provide the director of 4023  
environmental protection, or any person that has been awarded a 4024  
contract under division (D) of section 3704.14 of the Revised 4025  
Code, an on-line computer data link to registration information 4026  
for all passenger cars, noncommercial motor vehicles, and 4027  
commercial cars that are subject to that section. The registrar 4028  
also shall provide to the director of environmental protection a 4029  
magnetic data tape containing registration information regarding 4030  
passenger cars, noncommercial motor vehicles, and commercial cars 4031  
for which a multi-year registration is in effect under section 4032  
4503.103 of the Revised Code or rules adopted under it, including, 4033  
without limitation, the date of issuance of the multi-year 4034  
registration, the registration deadline established under rules 4035  
adopted under section 4503.101 of the Revised Code that was 4036  
applicable in the year in which the multi-year registration was 4037  
issued, and the registration deadline for renewal of the 4038  
multi-year registration. 4039

(J) Application for registration under the international 4040  
registration plan, as set forth in sections 4503.60 to 4503.66 of 4041  
the Revised Code, shall be made to the registrar on forms 4042  
furnished by the registrar. In accordance with international 4043  
registration plan guidelines and pursuant to rules adopted by the 4044  
registrar, the forms shall include the following: 4045

(1) A uniform mileage schedule;	4046
(2) The gross vehicle weight of the vehicle or combined gross vehicle weight of the combination vehicle as declared by the registrant;	4047 4048 4049
(3) Any other information the registrar requires by rule.	4050
<b>Sec. 4503.103.</b> (A)(1)(a)(i) The registrar of motor vehicles may adopt rules to permit any person or lessee, other than a person receiving an apportioned license plate under the international registration plan, who owns or leases one or more motor vehicles to file a written application for registration for no more than five succeeding registration years. The rules adopted by the registrar may designate the classes of motor vehicles that are eligible for such registration. At the time of application, all annual taxes and fees shall be paid for each year for which the person is registering.	4051 4052 4053 4054 4055 4056 4057 4058 4059 4060
(ii) <del>The</del> <u>Not later than October 1, 2009,</u> the registrar shall adopt rules to permit any person or lessee who owns or leases two or more trailers or semitrailers that are subject to the tax rates prescribed in section 4503.042 of the Revised Code for such trailers or semitrailers to file a written application for registration for not more than five succeeding registration years. At the time of application, all annual taxes and fees shall be paid for each year for which the person is registering.	4061 4062 4063 4064 4065 4066 4067 4068
(b)(i) Except as provided in division (A)(1)(b)(ii) of this section, the registrar shall adopt rules to permit any person who owns a motor vehicle to file an application for registration for the next two succeeding registration years. At the time of application, the person shall pay the annual taxes and fees for each registration year, calculated in accordance with division (C) of section 4503.11 of the Revised Code. A person who is registering a vehicle under division (A)(1)(b) of this section	4069 4070 4071 4072 4073 4074 4075 4076

shall pay for each year of registration the additional fee 4077  
established under division (C)(1) of section 4503.10 of the 4078  
Revised Code. The person shall also pay one and one-half times the 4079  
amount of the deputy registrar service fee specified in division 4080  
(D) of section 4503.10 of the Revised Code or the bureau of motor 4081  
vehicles service fee specified in division (G) of that section, as 4082  
applicable. 4083

(ii) Division (A)(1)(b)(i) of this section does not apply to 4084  
a person receiving an apportioned license plate under the 4085  
international registration plan, or the owner of a commercial car 4086  
used solely in intrastate commerce, or the owner of a bus as 4087  
defined in section 4513.50 of the Revised Code. 4088

(2) No person applying for a multi-year registration under 4089  
division (A)(1) of this section is entitled to a refund of any 4090  
taxes or fees paid. 4091

(3) The registrar shall not issue to any applicant who has 4092  
been issued a final, nonappealable order under division (B) of 4093  
this section a multi-year registration or renewal thereof under 4094  
this division or rules adopted under it for any motor vehicle that 4095  
is required to be inspected under section 3704.14 of the Revised 4096  
Code the district of registration of which, as determined under 4097  
section 4503.10 of the Revised Code, is or is located in the 4098  
county named in the order. 4099

(B) Upon receipt from the director of environmental 4100  
protection of a notice issued under rules adopted under section 4101  
3704.14 of the Revised Code indicating that an owner of a motor 4102  
vehicle that is required to be inspected under that section who 4103  
obtained a multi-year registration for the vehicle under division 4104  
(A) of this section or rules adopted under that division has not 4105  
obtained a required inspection certificate for the vehicle, the 4106  
registrar in accordance with Chapter 119. of the Revised Code 4107  
shall issue an order to the owner impounding the certificate of 4108

registration and identification license plates for the vehicle. 4109  
The order also shall prohibit the owner from obtaining or renewing 4110  
a multi-year registration for any vehicle that is required to be 4111  
inspected under that section, the district of registration of 4112  
which is or is located in the same county as the county named in 4113  
the order during the number of years after expiration of the 4114  
current multi-year registration that equals the number of years 4115  
for which the current multi-year registration was issued. 4116

An order issued under this division shall require the owner 4117  
to surrender to the registrar the certificate of registration and 4118  
license plates for the vehicle named in the order within five days 4119  
after its issuance. If the owner fails to do so within that time, 4120  
the registrar shall certify that fact to the county sheriff or 4121  
local police officials who shall recover the certificate of 4122  
registration and license plates for the vehicle. 4123

(C) Upon the occurrence of either of the following 4124  
circumstances, the registrar in accordance with Chapter 119. of 4125  
the Revised Code shall issue to the owner a modified order 4126  
rescinding the provisions of the order issued under division (B) 4127  
of this section impounding the certificate of registration and 4128  
license plates for the vehicle named in that original order: 4129

(1) Receipt from the director of environmental protection of 4130  
a subsequent notice under rules adopted under section 3704.14 of 4131  
the Revised Code that the owner has obtained the inspection 4132  
certificate for the vehicle as required under those rules; 4133

(2) Presentation to the registrar by the owner of the 4134  
required inspection certificate for the vehicle. 4135

(D) The owner of a motor vehicle for which the certificate of 4136  
registration and license plates have been impounded pursuant to an 4137  
order issued under division (B) of this section, upon issuance of 4138  
a modified order under division (C) of this section, may apply to 4139

the registrar for their return. A fee of two dollars and fifty 4140  
cents shall be charged for the return of the certificate of 4141  
registration and license plates for each vehicle named in the 4142  
application. 4143

**Sec. 4503.182.** (A) A purchaser of a motor vehicle, upon 4144  
application and proof of purchase of the vehicle, may be issued a 4145  
temporary license placard or windshield sticker for the motor 4146  
vehicle. 4147

The purchaser of a vehicle applying for a temporary license 4148  
placard or windshield sticker under this section shall execute an 4149  
affidavit stating that the purchaser has not been issued 4150  
previously during the current registration year a license plate 4151  
that could legally be transferred to the vehicle. 4152

Placards or windshield stickers shall be issued only for the 4153  
applicant's use of the vehicle to enable the applicant to legally 4154  
operate the motor vehicle while proper title, license plates, and 4155  
a certificate of registration are being obtained, and shall be 4156  
displayed on no other motor vehicle. 4157

Placards or windshield stickers issued under this section are 4158  
valid for a period of thirty days from date of issuance and are 4159  
not transferable or renewable. 4160

The fee for the placards or windshield stickers issued under 4161  
this section is two dollars plus a service fee of ~~two dollars and~~ 4162  
~~seventy five cents commencing on July 1, 2001, three dollars and~~ 4163  
~~twenty five cents commencing on January 1, 2003, and three dollars~~ 4164  
and fifty cents ~~commencing on January 1, 2004.~~ 4165

(B)(1) The registrar of motor vehicles may issue to a 4166  
motorized bicycle dealer or a licensed motor vehicle dealer 4167  
temporary license placards to be issued to purchasers for use on 4168  
vehicles sold by the dealer, in accordance with rules prescribed 4169

by the registrar. The dealer shall notify the registrar, within 4170  
forty-eight hours, of the issuance of a placard by electronic 4171  
means via computer equipment purchased and maintained by the 4172  
dealer or in any other manner prescribed by the registrar. 4173

(2) The fee for each placard issued by the registrar to a 4174  
dealer is ~~seven~~ fifteen dollars, of which ~~five~~ thirteen dollars 4175  
shall be deposited and used in accordance with division (D) of 4176  
this section. The registrar shall charge an additional three 4177  
dollars and fifty cents for each placard issued to a dealer who 4178  
notifies the registrar of the issuance of the placards in a manner 4179  
other than by approved electronic means. 4180

(3) When a dealer issues a temporary license placard to a 4181  
purchaser, the dealer shall collect and retain the fees 4182  
established under divisions (A) and (D) of this section. 4183

(C) The registrar of motor vehicles, at the registrar's 4184  
discretion, may issue a temporary license placard. Such a placard 4185  
may be issued in the case of extreme hardship encountered by a 4186  
citizen from this state or another state who has attempted to 4187  
comply with all registration laws, but for extreme circumstances 4188  
is unable to properly register the citizen's vehicle. 4189

(D) In addition to the fees charged under divisions (A) and 4190  
(B) of this section, commencing on October 1, 2003, the registrar 4191  
and each deputy registrar shall collect a fee of five dollars and 4192  
commencing on October 1, 2009, a fee of thirteen dollars, for each 4193  
temporary license placard issued. The additional fee is for the 4194  
purpose of defraying the department of public safety's costs 4195  
associated with the administration and enforcement of the motor 4196  
vehicle and traffic laws of Ohio. Each deputy registrar shall 4197  
transmit the fees collected under this division in the same manner 4198  
as provided for transmission of fees collected under division (A) 4199  
of this section. The registrar shall deposit all moneys received 4200  
under this division into the state highway safety fund established 4201



in section 4501.06 of the Revised Code. 4202

(E) The registrar shall adopt rules, in accordance with 4203  
division (B) of section 111.15 of the Revised Code, to specify the 4204  
procedures for reporting the information from applications for 4205  
temporary license placards and windshield stickers and for 4206  
providing the information from these applications to law 4207  
enforcement agencies. 4208

(F) Temporary license placards issued under this section 4209  
shall bear a distinctive combination of seven letters, numerals, 4210  
or letters and numerals, and shall incorporate a security feature 4211  
that, to the greatest degree possible, prevents tampering with any 4212  
of the information that is entered upon a placard when it is 4213  
issued. 4214

(G) Whoever violates division (A) of this section is guilty 4215  
of a misdemeanor of the fourth degree. Whoever violates division 4216  
(B) of this section is guilty of a misdemeanor of the first 4217  
degree. 4218

(H) As used in this section, "motorized bicycle dealer" means 4219  
any person engaged in the business of selling at retail, 4220  
displaying, offering for sale, or dealing in motorized bicycles 4221  
who is not subject to section 4503.09 of the Revised Code. 4222

**Sec. 4503.19.** (A) Upon the filing of an application for 4223  
registration and the payment of the tax for registration, the 4224  
registrar of motor vehicles or a deputy registrar shall determine 4225  
whether the owner previously has been issued license plates for 4226  
the motor vehicle described in the application. If no license 4227  
plates previously have been issued to the owner for that motor 4228  
vehicle, the registrar or deputy registrar shall assign to the 4229  
motor vehicle a distinctive number and issue and deliver to the 4230  
owner in the manner that the registrar may select a certificate of 4231  
registration, in the form that the registrar shall prescribe, and, 4232

except as otherwise provided in this section, two license plates, 4233  
duplicates of each other, and a validation sticker, or a 4234  
validation sticker alone, to be attached to the number plates as 4235  
provided in section 4503.191 of the Revised Code. The registrar or 4236  
deputy registrar also shall charge the owner any fees required 4237  
under division (C) of section 4503.10 of the Revised Code. 4238  
Trailers, manufactured homes, mobile homes, semitrailers, the 4239  
manufacturer thereof, the dealer, or in transit companies therein, 4240  
shall be issued one license plate only and one validation sticker, 4241  
or a validation sticker alone, and the license plate and 4242  
validation sticker shall be displayed only on the rear of such 4243  
vehicles. A commercial tractor that does not receive an 4244  
apportioned license plate under the international registration 4245  
plan shall be issued two license plates and one validation 4246  
sticker, and the validation sticker shall be displayed on the 4247  
front of the commercial tractor. An apportioned vehicle receiving 4248  
an apportioned license plate under the international registration 4249  
plan shall be issued one license plate only and one validation 4250  
sticker, or a validation sticker alone; the license plate shall be 4251  
displayed only on the front of a semitractor and on the rear of 4252  
all other vehicles. School buses shall not be issued license 4253  
plates but shall bear identifying numbers in the manner prescribed 4254  
by section 4511.764 of the Revised Code. The certificate of 4255  
registration and license plates and validation stickers, or 4256  
validation stickers alone, shall be issued and delivered to the 4257  
owner in person or by mail. Chauffeured limousines shall be issued 4258  
license plates, a validation sticker, and a livery sticker as 4259  
provided in section 4503.24 of the Revised Code. In the event of 4260  
the loss, mutilation, or destruction of any certificate of 4261  
registration, or of any license plates or validation stickers, or 4262  
if the owner chooses to replace license plates previously issued 4263  
for a motor vehicle, or if the registration certificate and 4264

license plates have been impounded as provided by division (B)(1) 4265  
of section 4507.02 and section 4507.16 of the Revised Code, the 4266  
owner of a motor vehicle, or manufacturer or dealer, may obtain 4267  
from the registrar, or from a deputy registrar if authorized by 4268  
the registrar, a duplicate thereof or new license plates bearing a 4269  
different number, if the registrar considers it advisable, upon 4270  
filing an application prescribed by the registrar, and upon paying 4271  
a fee of one dollar for such certificate of registration, a fee of 4272  
~~two~~ seven dollars and fifty cents for each set of two license 4273  
plates, or ~~one dollar~~ six dollars and fifty cents for each single 4274  
license plate or validation sticker. In addition, each applicant 4275  
for a replacement certificate of registration, license plate, or 4276  
validation sticker shall pay the fees provided in divisions (C) 4277  
and (D) of section 4503.10 of the Revised Code. 4278

The registrar shall pay five dollars and fifty cents of the 4279  
fee collected for each license plate or set of license plates 4280  
issued into the state highway safety fund created in section 4281  
4501.06 of the Revised Code. 4282

Additionally, the registrar and each deputy registrar who 4283  
either issues license plates and a validation sticker for use on 4284  
any vehicle other than a commercial tractor, semitrailer, or 4285  
apportioned vehicle, or who issues a validation sticker alone for 4286  
use on such a vehicle and the owner has changed the owner's county 4287  
of residence since the owner last was issued county identification 4288  
stickers, also shall issue and deliver to the owner either one or 4289  
two county identification stickers, as appropriate, which shall be 4290  
attached to the license plates in a manner prescribed by the 4291  
director of public safety. The county identification stickers 4292  
shall identify prominently by name or number the county in which 4293  
the owner of the vehicle resides at the time of registration. 4294

(B) Whoever violates this section is guilty of a minor 4295

misdemeanor. 4296

**Sec. 4503.191.** (A)(1) The identification license plate shall 4297  
be issued for a multi-year period as determined by the director of 4298  
public safety, and shall be accompanied by a validation sticker, 4299  
to be attached to the license plate. ~~The~~ Except as provided in 4300  
division (A)(2) of this section, the validation sticker shall 4301  
indicate the expiration of the registration period to which the 4302  
motor vehicle for which the license plate is issued is assigned, 4303  
in accordance with rules adopted by the registrar of motor 4304  
vehicles. During each succeeding year of the multi-year period 4305  
following the issuance of the plate and validation sticker, upon 4306  
the filing of an application for registration and the payment of 4307  
the tax therefor, a validation sticker alone shall be issued. The 4308  
validation stickers required under this section shall be of 4309  
different colors or shades each year, the new colors or shades to 4310  
be selected by the director. 4311

(2) Not later than October 1, 2009, the director shall 4312  
develop a universal validation sticker that may be issued to any 4313  
owner of two hundred fifty or more passenger vehicles, so that a 4314  
sticker issued to the owner may be placed on any passenger vehicle 4315  
in that owner's fleet. The director may establish and charge an 4316  
additional fee of not more than one dollar per registration to 4317  
compensate for necessary costs of the universal validation sticker 4318  
program. The additional fee shall be credited to the state bureau 4319  
of motor vehicles fund created in section 4501.25 of the Revised 4320  
Code. 4321

(B) Identification license plates shall be produced by Ohio 4322  
penal industries. Validation stickers and county identification 4323  
stickers shall be produced by Ohio penal industries unless the 4324  
registrar adopts rules that permit the registrar or deputy 4325  
registrars to print or otherwise produce them in house. 4326

Sec. 4503.26. (A) As used in this section, "registration 4327  
information" means information in license plate applications on 4328  
file with the bureau of motor vehicles. 4329

(B) The director of public safety may advertise for and 4330  
accept sealed bids for the preparation of lists containing 4331  
registration information in such form as the director authorizes. 4332  
Where the expenditure is more than five hundred dollars, the 4333  
director shall give notice to bidders as provided in section 4334  
5513.01 of the Revised Code as for purchases by the department of 4335  
transportation. The notice shall include the latest date, as 4336  
determined by the director, on which bids will be accepted and the 4337  
date, also determined by the director, on which bids will be 4338  
opened by the director at the central office of the department of 4339  
public safety. The contract to prepare the list shall be awarded 4340  
to the lowest responsive and responsible bidder, in accordance 4341  
with section 9.312 of the Revised Code, provided there is 4342  
compliance with the specifications. Such contract shall not extend 4343  
beyond twenty-four consecutive registration periods as provided in 4344  
section 4503.101 of the Revised Code. The successful bidder shall 4345  
furnish without charge a complete list to the bureau of motor 4346  
vehicles, and shall also furnish without charge to the county 4347  
sheriffs or chiefs of police in cities, at such times and in such 4348  
manner as the director determines necessary, lists of registration 4349  
information for the county in which they are situated. The 4350  
registrar shall provide to the successful bidder all necessary 4351  
information for the preparation of such lists. 4352

The registrar ~~may~~, upon application of any person and payment 4353  
of the proper fee, may search the records of the bureau and ~~make~~ 4354  
furnish reports thereof, ~~and make photographic copies of the~~ 4355  
bureau those records and attestations thereof under the signature 4356  
of the registrar. 4357

~~Fees therefor are as follows:~~ 4358

~~(A) For searches (C) A fee of five dollars shall be charged~~ 4359  
~~and collected for each search of the records and written reports~~ 4360  
~~thereof, two dollars for each name, number, or fact searched or~~ 4361  
~~reported on:~~ 4362

~~(B) For photographic copies of records and attestations~~ 4363  
~~thereof, report of those records furnished~~ under the signature and 4364  
seal of the registrar, ~~two dollars a copy. Such~~ A copy of any such 4365  
report is prima-facie evidence of the facts therein stated, in any 4366  
court. 4367

The registrar shall receive these fees and deposit ~~them~~ two 4368  
dollars of each such fee into the state treasury to the credit of 4369  
the state bureau of motor vehicles fund established in section 4370  
4501.25 of the Revised Code. Of the remaining three dollars of 4371  
each such fee the registrar collects, the registrar shall deposit 4372  
sixty cents into the state treasury to the credit of the trauma 4373  
and emergency medical services fund established in section 4374  
4513.263 of the Revised Code, sixty cents into the state treasury 4375  
to the credit of the homeland security fund established under 4376  
section 5502.03 of the Revised Code, thirty cents into the state 4377  
treasury to the credit of the investigations fund established in 4378  
section 5502.131 of the Revised Code, one dollar and twenty-five 4379  
cents into the state treasury to the credit of the emergency 4380  
management agency service and reimbursement fund established in 4381  
section 5502.39 of the Revised Code, and twenty-five cents into 4382  
the state treasury to the credit of the justice program services 4383  
fund established in section 5502.67 of the Revised Code. 4384

**Sec. 4503.40.** The registrar of motor vehicles shall be 4386  
allowed a fee, ~~not to exceed ten~~ of twenty-five dollars, for each 4387  
application received by the registrar for special state reserved 4388

license plate numbers and the issuing of such licenses, and 4389  
validation stickers, in the several series as the registrar may 4390  
designate. The fee shall be in addition to the license tax 4391  
established by this chapter and, where applicable, Chapter 4504. 4392  
of the Revised Code. Seven dollars and fifty cents of the fee 4393  
shall be for the purpose of compensating the bureau of motor 4394  
vehicles for additional services required in the issuing of such 4395  
licenses, and the remaining ~~two~~ seventeen dollars and fifty cents 4396  
shall be deposited by the registrar into the state treasury to the 4397  
credit of the state highway safety fund created by section 4501.06 4398  
of the Revised Code. The types of motor vehicles for which special 4399  
state reserved license plates may be issued in accordance with 4400  
this section shall include at least motorcycles, buses, passenger 4401  
cars, and noncommercial motor vehicles. 4402

**Sec. 4503.42.** The registrar of motor vehicles shall be 4403  
allowed a fee of ~~not to exceed thirty five~~ fifty dollars, which 4404  
shall be in addition to the regular license fee for tags as 4405  
prescribed under section 4503.04 of the Revised Code and any tax 4406  
levied under section 4504.02 or 4504.06 of the Revised Code, for 4407  
each application received by the registrar for special reserved 4408  
license plate numbers containing more than three letters or 4409  
numerals, and the issuing of such licenses and validation stickers 4410  
in the several series as the registrar may designate. Five dollars 4411  
of the fee shall be for the purpose of compensating the bureau of 4412  
motor vehicles for additional services required in the issuing of 4413  
such licenses and validation stickers, and the remaining ~~thirty~~ 4414  
forty-five dollars shall be deposited by the registrar into the 4415  
state treasury to the credit of the state highway safety fund 4416  
created by section 4501.06 of the Revised Code. 4417

This section does not apply to the issuance of reserved 4418  
license plates as authorized by sections 4503.14, 4503.15, and 4419  
4503.40 of the Revised Code. The types of motor vehicles for which 4420

license plate numbers containing more than three letters or 4421  
numerals may be issued in accordance with this section shall 4422  
include at least buses, passenger cars, and noncommercial motor 4423  
vehicles. 4424

**Sec. 4503.65.** The registrar of motor vehicles shall take all 4425  
steps necessary to determine and collect, ~~at the tax rates~~ 4426  
~~established under section 4503.042 of the Revised Code,~~ the 4427  
apportioned registration tax due for vehicles registered in 4428  
another international registration plan jurisdiction that lists 4429  
Ohio for apportionment purposes on a uniform mileage schedule. The 4430  
registration taxes to be charged shall be determined on the basis 4431  
of the annual tax otherwise due on the motor vehicle, prorated in 4432  
accordance with the number of months for which the motor vehicle 4433  
is registered. Until October 1, 2009, such vehicles shall be taxed 4434  
at the rates established under section 4503.042 of the Revised 4435  
Code. The rates in this section become effective on and after 4436  
October 1, 2009. 4437

(A) The rates of the taxes imposed by this section are as 4438  
follows for commercial cars having a gross vehicle weight or 4439  
combined gross vehicle weight of: 4440

(1) Not more than two thousand pounds, forty-seven dollars; 4441

(2) More than two thousand but not more than six thousand 4442  
pounds, seventy-two dollars; 4443

(3) More than six thousand but not more than ten thousand 4444  
pounds, eighty-eight dollars; 4445

(4) More than ten thousand but not more than fourteen 4446  
thousand pounds, one hundred eight dollars; 4447

(5) More than fourteen thousand but not more than eighteen 4448  
thousand pounds, one hundred twenty-nine dollars; 4449

(6) More than eighteen thousand but not more than twenty-two 4450



<u>thousand pounds, one hundred fifty-four dollars;</u>	4451
<u>(7) More than twenty-two thousand but not more than</u>	4452
<u>twenty-six thousand pounds, one hundred eighty dollars;</u>	4453
<u>(8) More than twenty-six thousand but not more than thirty</u>	4454
<u>thousand pounds, three hundred sixty-four dollars;</u>	4455
<u>(9) More than thirty thousand but not more than thirty-four</u>	4456
<u>thousand pounds, four hundred thirty-one dollars;</u>	4457
<u>(10) More than thirty-four thousand but not more than</u>	4458
<u>thirty-eight thousand pounds, four hundred ninety-two dollars;</u>	4459
<u>(11) More than thirty-eight thousand but not more than</u>	4460
<u>forty-two thousand pounds, five hundred fifty-four dollars;</u>	4461
<u>(12) More than forty-two thousand but not more than forty-six</u>	4462
<u>thousand pounds, six hundred fifteen dollars;</u>	4463
<u>(13) More than forty-six thousand but not more than fifty</u>	4464
<u>thousand pounds, six hundred seventy-seven dollars;</u>	4465
<u>(14) More than fifty thousand but not more than fifty-four</u>	4466
<u>thousand pounds, seven hundred forty-four dollars;</u>	4467
<u>(15) More than fifty-four thousand but not more than</u>	4468
<u>fifty-eight thousand pounds, eight hundred five dollars;</u>	4469
<u>(16) More than fifty-eight thousand but not more than</u>	4470
<u>sixty-two thousand pounds, eight hundred seventy-seven dollars;</u>	4471
<u>(17) More than sixty-two thousand but not more than sixty-six</u>	4472
<u>thousand pounds, nine hundred forty-nine dollars;</u>	4473
<u>(18) More than sixty-six thousand but not more than seventy</u>	4474
<u>thousand pounds, one thousand twenty dollars;</u>	4475
<u>(19) More than seventy thousand but not more than</u>	4476
<u>seventy-four thousand pounds, one thousand one hundred seven</u>	4477
<u>dollars;</u>	4478
<u>(20) More than seventy-four thousand but not more than</u>	4479

<u>seventy-eight thousand pounds, one thousand two hundred thirty</u>	4480
<u>dollars;</u>	4481
<u>(21) More than seventy-eight thousand pounds, one thousand</u>	4482
<u>three hundred seventy-three dollars and fifty cents.</u>	4483
<u>(B) The rates of the taxes imposed by this section are as</u>	4484
<u>follows for buses having a gross vehicle weight or combined gross</u>	4485
<u>vehicle weight of:</u>	4486
<u>(1) Not more than two thousand pounds, eleven dollars;</u>	4487
<u>(2) More than two thousand but not more than six thousand</u>	4488
<u>pounds, forty-one dollars;</u>	4489
<u>(3) More than six thousand but not more than ten thousand</u>	4490
<u>pounds, one hundred three dollars;</u>	4491
<u>(4) More than ten thousand but not more than fourteen</u>	4492
<u>thousand pounds, one hundred eighty-five dollars;</u>	4493
<u>(5) More than fourteen thousand but not more than eighteen</u>	4494
<u>thousand pounds, two hundred sixty-seven dollars;</u>	4495
<u>(6) More than eighteen thousand but not more than twenty-two</u>	4496
<u>thousand pounds, three hundred forty-nine dollars;</u>	4497
<u>(7) More than twenty-two thousand but not more than</u>	4498
<u>twenty-six thousand pounds, four hundred thirty-one dollars;</u>	4499
<u>(8) More than twenty-six thousand but not more than thirty</u>	4500
<u>thousand pounds, five hundred thirteen dollars;</u>	4501
<u>(9) More than thirty thousand but not more than thirty-four</u>	4502
<u>thousand pounds, five hundred ninety-four dollars and fifty cents;</u>	4503
<u>(10) More than thirty-four thousand but not more than</u>	4504
<u>thirty-eight thousand pounds, six hundred seventy-four dollars and</u>	4505
<u>fifty cents;</u>	4506
<u>(11) More than thirty-eight thousand but not more than</u>	4507
<u>forty-two thousand pounds, seven hundred fifty-four dollars and</u>	4508

<u>fifty cents;</u>	4509
<u>(12) More than forty-two thousand but not more than forty-six thousand pounds, eight hundred thirty-four dollars and fifty cents;</u>	4510
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<u>(13) More than forty-six thousand but not more than fifty thousand pounds, nine hundred fifty-four dollars and fifty cents;</u>	4513
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<u>(14) More than fifty thousand but not more than fifty-four thousand pounds, one thousand fourteen dollars and fifty cents;</u>	4515
	4516
<u>(15) More than fifty-four thousand but not more than fifty-eight thousand pounds, one thousand one hundred four dollars and fifty cents;</u>	4517
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	4519
<u>(16) More than fifty-eight thousand but not more than sixty-two thousand pounds, one thousand one hundred ninety-four dollars and fifty cents;</u>	4520
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	4522
<u>(17) More than sixty-two thousand but not more than sixty-six thousand pounds, one thousand two hundred eighty-four dollars and fifty cents;</u>	4523
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	4525
<u>(18) More than sixty-six thousand but not more than seventy thousand pounds, one thousand three hundred seventy-four dollars and fifty cents;</u>	4526
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<u>(19) More than seventy thousand but not more than seventy-four thousand pounds, one thousand four hundred sixty-four dollars and fifty cents;</u>	4529
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	4531
<u>(20) More than seventy-four thousand but not more than seventy-eight thousand pounds, one thousand five hundred fifty-four dollars and fifty cents;</u>	4532
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	4534
<u>(21) More than seventy-eight thousand pounds, one thousand six hundred forty-four dollars and fifty cents.</u>	4535
	4536
<b>Sec. 4505.032. (A)(1) If a person who is not an electronic</b>	4537

motor vehicle dealer owns a motor vehicle for which a physical 4538  
certificate of title has not been issued by a clerk of a court of 4539  
common pleas and the person sells the motor vehicle to a motor 4540  
vehicle dealer licensed under Chapter 4517. of the Revised Code, 4541  
the person is not required to obtain a physical certificate of 4542  
title to the motor vehicle in order to transfer ownership to the 4543  
dealer. The person shall present the dealer, in a manner approved 4544  
by the registrar of motor vehicles, with sufficient proof of the 4545  
person's identity and complete and sign a form prescribed by the 4546  
registrar attesting to the person's identity and assigning the 4547  
motor vehicle to the dealer. Except as otherwise provided in this 4548  
section, the motor vehicle dealer shall present the assignment 4549  
form to any clerk of a court of common pleas together with an 4550  
application for a certificate of title and payment of the fees 4551  
prescribed by section 4505.09 of the Revised Code. 4552

In a case in which an electronic certificate of title has 4553  
been issued and either the buyer or seller of the motor vehicle is 4554  
an electronic motor vehicle dealer, the electronic motor vehicle 4555  
dealer instead may inform a clerk of a court of common pleas via 4556  
electronic means of the sale of the motor vehicle and assignment 4557  
of ownership of the vehicle. The clerk shall enter the information 4558  
relating to the assignment, including, but not limited to, the 4559  
odometer disclosure statement required by section 4505.06 of the 4560  
Revised Code, into the automated title processing system, and 4561  
ownership of the vehicle passes to the applicant when the clerk 4562  
enters this information into the system. The dealer is not 4563  
required to obtain a physical certificate of title to the vehicle 4564  
in the dealer's name. 4565

(2) A (a) Except as provided in division (A)(2)(b) of this 4566  
section, a clerk shall charge and collect from a dealer a fee of 4567  
five fifteen dollars for each motor vehicle assignment sent by the 4568  
dealer to the clerk under division (A)(1) of this section. 4569

(b) A clerk shall charge and collect from the dealer a fee of 4570  
five dollars for each motor vehicle assignment sent by the dealer 4571  
to the clerk for resale purposes. 4572

(3) The fee fees shall be distributed in accordance with 4573  
section 4505.09 of the Revised Code. 4574

(B) If a person who is not an electronic motor vehicle dealer 4575  
owns a motor vehicle for which a physical certificate of title has 4576  
not been issued by a clerk of a court of common pleas and the 4577  
person sells the motor vehicle to a person who is not a motor 4578  
vehicle dealer licensed under Chapter 4517. of the Revised Code, 4579  
the person shall obtain a physical certificate of title to the 4580  
motor vehicle in order to transfer ownership of the vehicle to 4581  
that person. 4582

**Sec. 4505.09.** (A)(1) The clerk of a court of common pleas 4583  
shall charge ~~a fee of five~~ and retain fees as follows: 4584

(a) Five dollars for each certificate of title that is not 4585  
applied for within thirty days after the later of the assignment 4586  
or delivery of the motor vehicle described in it. The ~~fees~~ entire 4587  
fee shall be retained by the clerk. 4588

~~In addition to those fees, the clerk shall charge a fee of~~ 4589  
~~five~~ (b) Fifteen dollars for each certificate of title, or 4590  
duplicate certificate of title, including the issuance of a 4591  
memorandum certificate of title, or authorization to print a 4592  
non-negotiable evidence of ownership described in division (G) of 4593  
section 4505.08 of the Revised Code, non-negotiable evidence of 4594  
ownership printed by the clerk under division (H) of that section, 4595  
and notation of any lien on a certificate of title that is applied 4596  
for at the same time as the certificate of title. The clerk shall 4597  
retain ~~two~~ eleven dollars and ~~twenty-five~~ fifty cents of ~~the~~ that 4598  
~~fee charged for each certificate of title, four dollars and~~ 4599  
~~seventy five cents of the fee charged for each duplicate~~ 4600

~~certificate of title, all of the fees charged for each memorandum  
certificate, authorization to print a non negotiable evidence of  
ownership, or non negotiable evidence of ownership printed by the  
clerk, and four dollars and twenty five cents of the fee charged  
for each notation of a lien.~~

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

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

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

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

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

(a) Four cents shall be paid into the state treasury to the 4632  
credit of the motor vehicle dealers board fund, which is hereby 4633  
created. All investment earnings of the fund shall be credited to 4634  
the fund. The moneys in the motor vehicle dealers board fund shall 4635  
be used by the motor vehicle dealers board created under section 4636  
4517.30 of the Revised Code, together with other moneys 4637  
appropriated to it, in the exercise of its powers and the 4638  
performance of its duties under Chapter 4517. of the Revised Code, 4639  
except that the director of budget and management may transfer 4640  
excess money from the motor vehicle dealers board fund to the 4641  
bureau of motor vehicles fund if the registrar determines that the 4642  
amount of money in the motor vehicle dealers board fund, together 4643  
with other moneys appropriated to the board, exceeds the amount 4644  
required for the exercise of its powers and the performance of its 4645  
duties under Chapter 4517. of the Revised Code and requests the 4646  
director to make the transfer. 4647

(b) Twenty-one cents shall be paid into the highway operating 4648  
fund. 4649

(c) Twenty-five cents shall be paid into the state treasury 4650  
to the credit of the motor vehicle sales audit fund, which is 4651  
hereby created. The moneys in the fund shall be used by the tax 4652  
commissioner together with other funds available to the 4653  
commissioner to conduct a continuing investigation of sales and 4654  
use tax returns filed for motor vehicles in order to determine if 4655  
sales and use tax liability has been satisfied. The commissioner 4656  
shall refer cases of apparent violations of section 2921.13 of the 4657  
Revised Code made in connection with the titling or sale of a 4658  
motor vehicle and cases of any other apparent violations of the 4659  
sales or use tax law to the appropriate county prosecutor whenever 4660  
the commissioner considers it advisable. 4661

(3) Two dollars of the amount received by the registrar for 4662  
each certificate of title shall be paid into the state treasury to 4663

the credit of the automated title processing fund, which is hereby 4664  
created and which shall consist of moneys collected under division 4665  
(B)(3) of this section and under sections 1548.10 and 4519.59 of 4666  
the Revised Code. All investment earnings of the fund shall be 4667  
credited to the fund. The moneys in the fund shall be used as 4668  
follows: 4669

(a) Except for moneys collected under section 1548.10 of the 4670  
Revised Code and as provided in division (B)(3)(c) of this 4671  
section, moneys collected under division (B)(3) of this section 4672  
shall be used to implement and maintain an automated title 4673  
processing system for the issuance of motor vehicle, off-highway 4674  
motorcycle, and all-purpose vehicle certificates of title in the 4675  
offices of the clerks of the courts of common pleas. 4676

(b) Moneys collected under section 1548.10 of the Revised 4677  
Code shall be used to issue marine certificates of title in the 4678  
offices of the clerks of the courts of common pleas as provided in 4679  
Chapter 1548. of the Revised Code. 4680

(c) Moneys collected under division (B)(3) of this section 4681  
shall be used in accordance with section 4505.25 of the Revised 4682  
Code to implement Sub. S.B. 59 of the 124th general assembly. 4683

(C)(1) The automated title processing board is hereby created 4684  
consisting of the registrar or the registrar's representative, a 4685  
person selected by the registrar, the president of the Ohio clerks 4686  
of court association or the president's representative, and two 4687  
clerks of courts of common pleas appointed by the governor. The 4688  
director of budget and management or the director's designee, the 4689  
chief of the division of watercraft in the department of natural 4690  
resources or the chief's designee, and the tax commissioner or the 4691  
commissioner's designee shall be nonvoting members of the board. 4692  
The purpose of the board is to facilitate the operation and 4693  
maintenance of an automated title processing system and approve 4694  
the procurement of automated title processing system equipment. 4695



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

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

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

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

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

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

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

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

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direct. The registrar or the clerk may search the records of the 4726  
bureau of motor vehicles and ~~the clerk and make~~ furnish reports 4727  
~~thereof, and make copies of their title information and~~ 4728  
~~attestations thereof~~ those records under the signature of the 4729  
registrar or the clerk. 4730

(B)(1) Fees therefor for lists containing title information 4731  
shall be charged and collected as follows: 4732

~~(A)(a)~~ (a) For lists containing three thousand titles or more, 4733  
twenty-five dollars per thousand or part thereof.; 4734

~~(B)(b)~~ (b) For ~~searches~~ each report of a search of the records 4735  
~~and written reports thereof, two dollars for each name, number, or~~ 4736  
~~fact searched or reported on.~~ 4737

~~(C)~~ For ~~copies of records and attestations thereof,~~ two 4738  
dollars per copy except that on and after October 1, 2009, the fee 4739  
shall be five dollars per copy. The registrar and the clerk may 4740  
certify copies of records generated by an automated title 4741  
processing system. 4742

~~Such copies~~ (2) A copy of any such report shall be taken as 4743  
prima-facie evidence of the facts therein stated, in any court of 4744  
the state. The registrar and the clerk shall furnish information 4745  
on any title without charge to the state highway patrol, sheriffs, 4746  
chiefs of police, or the attorney general. The clerk also may 4747  
provide a copy of a certificate of title to a public agency 4748  
without charge. 4749

(C)(1) Those fees collected by the registrar as provided in 4750  
division (B)(1)(a) of this section shall be paid to the treasurer 4751  
of state to the credit of the state bureau of motor vehicles fund 4752  
established in section 4501.25 of the Revised Code. Those fees 4753  
collected by the clerk as provided in division (B)(1)(a) of this 4754  
section shall be paid to the certificate of title administration 4755  
fund created by section 325.33 of the Revised Code. 4756

(2) Prior to October 1, 2009, the registrar shall pay those fees 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. 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 three dollars of each such fee the registrar collects, the registrar shall deposit sixty 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, sixty cents into the state treasury to the credit of the homeland security fund established under section 5502.03 of the Revised Code, thirty cents into the state treasury to the credit of the investigations fund established in section 5502.131 of the Revised Code, one dollar 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 twenty-five 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 three dollars to the registrar not later 4789  
than the fifth day of the month next succeeding that in which the 4790  
transaction occurred. Of that remaining three dollars, the 4791  
registrar shall deposit sixty cents into the state treasury to the 4792  
credit of the trauma and emergency medical services fund 4793  
established in section 4513.263 of the Revised Code, sixty cents 4794  
into the state treasury to the credit of the homeland security 4795  
fund established under section 5502.03 of the Revised Code, thirty 4796  
cents into the state treasury to the credit of the investigations 4797  
fund established in section 5502.131 of the Revised Code, one 4798  
dollar and twenty-five cents into the state treasury to the credit 4799  
of the emergency management agency service and reimbursement fund 4800  
established in section 5502.39 of the Revised Code, and 4801  
twenty-five cents into the state treasury to the credit of the 4802  
justice program services fund established in section 5502.67 of 4803  
the Revised Code. 4804

**Sec. 4506.07.** (A) Every application for a commercial driver's 4805  
license, restricted commercial driver's license, or a commercial 4806  
driver's temporary instruction permit, or a duplicate of such a 4807  
license, shall be made upon a form approved and furnished by the 4808  
registrar of motor vehicles. Except as provided in section 4506.24 4809  
of the Revised Code in regard to a restricted commercial driver's 4810  
license, the application shall be signed by the applicant and 4811  
shall contain the following information: 4812

(1) The applicant's name, date of birth, social security 4813  
account number, sex, general description including height, weight, 4814  
and color of hair and eyes, current residence, duration of 4815  
residence in this state, country of citizenship, and occupation; 4816

(2) Whether the applicant previously has been licensed to 4817  
operate a commercial motor vehicle or any other type of motor 4818  
vehicle in another state or a foreign jurisdiction and, if so, 4819

when, by what state, and whether the license or driving privileges 4820  
currently are suspended or revoked in any jurisdiction, or the 4821  
applicant otherwise has been disqualified from operating a 4822  
commercial motor vehicle, or is subject to an out-of-service order 4823  
issued under this chapter or any similar law of another state or a 4824  
foreign jurisdiction and, if so, the date of, locations involved, 4825  
and reason for the suspension, revocation, disqualification, or 4826  
out-of-service order; 4827

(3) Whether the applicant is afflicted with or suffering from 4828  
any physical or mental disability or disease that prevents the 4829  
applicant from exercising reasonable and ordinary control over a 4830  
motor vehicle while operating it upon a highway or is or has been 4831  
subject to any condition resulting in episodic impairment of 4832  
consciousness or loss of muscular control and, if so, the nature 4833  
and extent of the disability, disease, or condition, and the names 4834  
and addresses of the physicians attending the applicant; 4835

(4) Whether the applicant has obtained a medical examiner's 4836  
certificate as required by this chapter; 4837

(5) Whether the applicant has pending a citation for 4838  
violation of any motor vehicle law or ordinance except a parking 4839  
violation and, if so, a description of the citation, the court 4840  
having jurisdiction of the offense, and the date when the offense 4841  
occurred; 4842

(6) Whether the applicant wishes to certify willingness to 4843  
make an anatomical gift under section 2108.05 of the Revised Code, 4844  
which shall be given no consideration in the issuance of a 4845  
license; 4846

(7) On and after May 1, 1993, whether the applicant has 4847  
executed a valid durable power of attorney for health care 4848  
pursuant to sections 1337.11 to 1337.17 of the Revised Code or has 4849  
executed a declaration governing the use or continuation, or the 4850

withholding or withdrawal, of life-sustaining treatment pursuant 4851  
to sections 2133.01 to 2133.15 of the Revised Code and, if the 4852  
applicant has executed either type of instrument, whether the 4853  
applicant wishes the license issued to indicate that the applicant 4854  
has executed the instrument; 4855

(8) On and after ~~the date that is fifteen months after the~~ 4856  
~~effective date of this amendment~~ October 7, 2009, whether the 4857  
applicant is ~~an honorably discharged~~ a veteran, active duty, or 4858  
reservist of the armed forces of the United States and, if the 4859  
applicant is such ~~an honorably discharged veteran~~, whether the 4860  
applicant wishes the license issued to indicate that the applicant 4861  
is ~~an honorably discharged~~ a veteran, active duty, or reservist of 4862  
the armed forces of the United States by a military designation on 4863  
the license. 4864

(B) Every applicant shall certify, on a form approved and 4865  
furnished by the registrar, all of the following: 4866

(1) That the motor vehicle in which the applicant intends to 4867  
take the driving skills test is representative of the type of 4868  
motor vehicle that the applicant expects to operate as a driver; 4869

(2) That the applicant is not subject to any disqualification 4870  
or out-of-service order, or license suspension, revocation, or 4871  
cancellation, under the laws of this state, of another state, or 4872  
of a foreign jurisdiction and does not have more than one driver's 4873  
license issued by this or another state or a foreign jurisdiction; 4874

(3) Any additional information, certification, or evidence 4875  
that the registrar requires by rule in order to ensure that the 4876  
issuance of a commercial driver's license to the applicant is in 4877  
compliance with the law of this state and with federal law. 4878

(C) Every applicant shall execute a form, approved and 4879  
furnished by the registrar, under which the applicant consents to 4880  
the release by the registrar of information from the applicant's 4881

driving record. 4882

(D) The registrar or a deputy registrar, in accordance with 4883  
section 3503.11 of the Revised Code, shall register as an elector 4884  
any applicant for a commercial driver's license or for a renewal 4885  
or duplicate of such a license under this chapter, if the 4886  
applicant is eligible and wishes to be registered as an elector. 4887  
The decision of an applicant whether to register as an elector 4888  
shall be given no consideration in the decision of whether to 4889  
issue the applicant a license or a renewal or duplicate. 4890

(E) The registrar or a deputy registrar, in accordance with 4891  
section 3503.11 of the Revised Code, shall offer the opportunity 4892  
of completing a notice of change of residence or change of name to 4893  
any applicant for a commercial driver's license or for a renewal 4894  
or duplicate of such a license who is a resident of this state, if 4895  
the applicant is a registered elector who has changed the 4896  
applicant's residence or name and has not filed such a notice. 4897

(F) In considering any application submitted pursuant to this 4898  
section, the bureau of motor vehicles may conduct any inquiries 4899  
necessary to ensure that issuance or renewal of a commercial 4900  
driver's license would not violate any provision of the Revised 4901  
Code or federal law. 4902

(G) In addition to any other information it contains, on and 4903  
~~after the date that is fifteen months after the effective date of~~ 4904  
~~this amendment~~ October 7, 2009, the form approved and furnished by 4905  
the registrar of motor vehicles for an application for a 4906  
commercial driver's license, restricted commercial driver's 4907  
license, or a commercial driver's temporary instruction permit or 4908  
an application for a duplicate of such a license shall inform 4909  
applicants that the applicant must present a copy of the 4910  
applicant's DD-214 or an equivalent document in order to qualify 4911  
to have the license or duplicate indicate that the applicant is ~~an~~ 4912  
~~honorably discharged~~ a veteran, active duty, or reservist of the 4913

armed forces of the United States based on a request made pursuant 4914  
to division (A)(8) of this section. 4915

**Sec. 4506.08.** (A)(1) Each application for a commercial 4916  
driver's license temporary instruction permit shall be accompanied 4917  
by a fee of ten dollars. Each application for a commercial 4918  
driver's license, restricted commercial driver's license, renewal 4919  
of such a license, or waiver for farm-related service industries 4920  
shall be accompanied by a fee of twenty-five dollars, except that 4921  
an application for a commercial driver's license or restricted 4922  
commercial driver's license received pursuant to division (A)(3) 4923  
of section 4506.14 of the Revised Code shall be accompanied by a 4924  
fee of eighteen dollars and seventy-five cents if the license will 4925  
expire on the licensee's birthday three years after the date of 4926  
issuance, a fee of twelve dollars and fifty cents if the license 4927  
will expire on the licensee's birthday two years after the date of 4928  
issuance, and a fee of six dollars and twenty-five cents if the 4929  
license will expire on the licensee's birthday one year after the 4930  
date of issuance. Each application for a duplicate commercial 4931  
driver's license shall be accompanied by a fee of ten dollars. 4932

(2) In addition, the registrar of motor vehicles or deputy 4933  
registrar may collect and retain an additional fee of no more than 4934  
~~two dollars and seventy-five cents commencing on July 1, 2001,~~ 4935  
~~three dollars and twenty-five cents commencing on January 1, 2003,~~ 4936  
~~and three dollars and fifty cents commencing on January 1, 2004,~~ 4937  
for each application for a commercial driver's license temporary 4938  
instruction permit, commercial driver's license, renewal of a 4939  
commercial driver's license, or duplicate commercial driver's 4940  
license received by the registrar or deputy. 4941

(B) ~~Each deputy registrar shall transmit the fees collected~~ 4942  
~~under division (A)(1) of this section to the registrar at the time~~ 4943  
~~and in the manner prescribed by the registrar by rule. The~~ 4944



~~registrar shall pay the fees into the state highway safety fund~~ 4945  
~~established in section 4501.06 of the Revised Code.~~ 4946

~~(C)~~ In addition to the fees imposed under division (A) of 4947  
this section, the registrar of motor vehicles or deputy registrar 4948  
shall collect a fee of twelve dollars ~~commencing on October 1,~~ 4949  
~~2003,~~ for each application for a commercial driver's license 4950  
temporary instruction permit, commercial driver's license, or 4951  
duplicate commercial driver's license and for each application for 4952  
renewal of a commercial driver's license ~~with an expiration date~~ 4953  
~~on or after that date received by the registrar or deputy~~ 4954  
~~registrar.~~ The additional fee is for the purpose of defraying the 4955  
department of public safety's costs associated with the 4956  
administration and enforcement of the motor vehicle and traffic 4957  
laws of Ohio. ~~Each~~ 4958

(C) Commencing on October 1, 2009, if an application for a 4959  
commercial driver's license made by a person who previously held 4960  
such a license is not applied for within the period specified in 4961  
section 4506.14 of the Revised Code or within seven days after the 4962  
period so specified, the registrar or deputy registrar shall 4963  
collect a fee of twenty dollars for the issuance of the commercial 4964  
driver's license, but may waive the fee for good cause shown if 4965  
the application is accompanied by supporting evidence as the 4966  
registrar may require. The fee is in addition to all other fees 4967  
established by this section. A deputy registrar shall retain fifty 4968  
cents of the fee and shall transmit the remaining amount in 4969  
accordance with division (D) of this section. 4970

(D) Each deputy registrar shall transmit the fees collected 4971  
under ~~division~~ divisions (A)(1), (B), and (C) of this section in 4972  
the time and manner prescribed by the registrar. The registrar 4973  
shall deposit all moneys received under division ~~(C)~~ (D) of this 4974  
section into the state highway safety fund established in section 4975  
4501.06 of the Revised Code. 4976

~~(D)~~(E) Information regarding the driving record of any person 4977  
holding a commercial driver's license issued by this state shall 4978  
be furnished by the registrar, upon request and payment of a fee 4979  
of ~~two~~ five dollars, to the employer or prospective employer of 4980  
such a person and to any insurer. 4981

Of each five-dollar fee the registrar collects under this 4982  
division, the registrar shall pay two dollars into the state 4983  
treasury to the credit of the state bureau of motor vehicles fund 4984  
established in section 4501.25 of the Revised Code, sixty cents 4985  
into the state treasury to the credit of the trauma and emergency 4986  
medical services fund established in section 4513.263 of the 4987  
Revised Code, sixty cents into the state treasury to the credit of 4988  
the homeland security fund established in section 5502.03 of the 4989  
Revised Code, thirty cents into the state treasury to the credit 4990  
of the investigations fund established in section 5502.131 of the 4991  
Revised Code, one dollar and twenty-five cents into the state 4992  
treasury to the credit of the emergency management agency service 4993  
and reimbursement fund established in section 5502.39 of the 4994  
Revised Code, and twenty-five cents into the state treasury to the 4995  
credit of the justice program services fund established in section 4996  
5502.67 of the Revised Code. 4997

**Sec. 4506.11.** (A) Every commercial driver's license shall be 4998  
marked "commercial driver's license" or "CDL" and shall be of such 4999  
material and so designed as to prevent its reproduction or 5000  
alteration without ready detection, and, to this end, shall be 5001  
laminated with a transparent plastic material. The commercial 5002  
driver's license for licensees under twenty-one years of age shall 5003  
have characteristics prescribed by the registrar of motor vehicles 5004  
distinguishing it from that issued to a licensee who is twenty-one 5005  
years of age or older. Every commercial driver's license shall 5006  
display all of the following information: 5007

(1) The name and residence address of the licensee;	5008
(2) A color photograph of the licensee showing the licensee's uncovered face;	5009 5010
(3) A physical description of the licensee, including sex, height, weight, and color of eyes and hair;	5011 5012
(4) The licensee's date of birth;	5013
(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;	5014 5015 5016 5017 5018 5019 5020
(6) The licensee's signature;	5021
(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;	5022 5023 5024
(8) The name of this state;	5025
(9) The dates of issuance and of expiration of the license;	5026
(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;	5027 5028 5029 5030
(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;	5031 5032 5033 5034 5035 5036 5037

(12) On and after ~~the date that is fifteen months after the~~ 5038  
~~effective date of this amendment~~ October 7, 2009, if the licensee 5039  
has specified that the licensee wishes the license to indicate 5040  
that the licensee is ~~an honorably discharged~~ a veteran, active 5041  
duty, or reservist of the armed forces of the United States and 5042  
has presented a copy of the licensee's DD-214 form or an 5043  
equivalent document, any symbol chosen by the registrar to 5044  
indicate that the licensee is ~~an honorably discharged~~ a veteran, 5045  
active duty, or reservist of the armed forces of the United 5046  
States; 5047

(13) Any other information the registrar considers advisable 5048  
and requires by rule. 5049

(B) The registrar may establish and maintain a file of 5050  
negatives of photographs taken for the purposes of this section. 5051

(C) Neither the registrar nor any deputy registrar shall 5052  
issue a commercial driver's license to anyone under twenty-one 5053  
years of age that does not have the characteristics prescribed by 5054  
the registrar distinguishing it from the commercial driver's 5055  
license issued to persons who are twenty-one years of age or 5056  
older. 5057

(D) Whoever violates division (C) of this section is guilty 5058  
of a minor misdemeanor. 5059

**Sec. 4507.06.** (A)(1) Every application for a driver's license 5060  
or motorcycle operator's license or endorsement, or duplicate of 5061  
any such license or endorsement, shall be made upon the approved 5062  
form furnished by the registrar of motor vehicles and shall be 5063  
signed by the applicant. 5064

Every application shall state the following: 5065

(a) The applicant's name, date of birth, social security 5066  
number if such has been assigned, sex, general description, 5067

including height, weight, color of hair, and eyes, residence 5068  
address, including county of residence, duration of residence in 5069  
this state, and country of citizenship; 5070

(b) Whether the applicant previously has been licensed as an 5071  
operator, chauffeur, driver, commercial driver, or motorcycle 5072  
operator and, if so, when, by what state, and whether such license 5073  
is suspended or canceled at the present time and, if so, the date 5074  
of and reason for the suspension or cancellation; 5075

(c) Whether the applicant is now or ever has been afflicted 5076  
with epilepsy, or whether the applicant now is suffering from any 5077  
physical or mental disability or disease and, if so, the nature 5078  
and extent of the disability or disease, giving the names and 5079  
addresses of physicians then or previously in attendance upon the 5080  
applicant; 5081

(d) Whether an applicant for a duplicate driver's license, or 5082  
duplicate license containing a motorcycle operator endorsement has 5083  
pending a citation for violation of any motor vehicle law or 5084  
ordinance, a description of any such citation pending, and the 5085  
date of the citation; 5086

(e) Whether the applicant wishes to certify willingness to 5087  
make an anatomical gift under section 2108.05 of the Revised Code, 5088  
which shall be given no consideration in the issuance of a license 5089  
or endorsement; 5090

(f) Whether the applicant has executed a valid durable power 5091  
of attorney for health care pursuant to sections 1337.11 to 5092  
1337.17 of the Revised Code or has executed a declaration 5093  
governing the use or continuation, or the withholding or 5094  
withdrawal, of life-sustaining treatment pursuant to sections 5095  
2133.01 to 2133.15 of the Revised Code and, if the applicant has 5096  
executed either type of instrument, whether the applicant wishes 5097  
the applicant's license to indicate that the applicant has 5098

executed the instrument; 5099

(g) On and after ~~the date that is fifteen months after the~~ 5100  
~~effective date of this amendment~~ October 7, 2009, whether the 5101  
applicant is ~~an honorably discharged~~ a veteran, active duty, or 5102  
reservist of the armed forces of the United States and, if the 5103  
applicant is such ~~an honorably discharged veteran~~, whether the 5104  
applicant wishes the applicant's license to indicate that the 5105  
applicant is ~~an honorably discharged~~ a veteran, active duty, or 5106  
reservist of the armed forces of the United States by a military 5107  
designation on the license. 5108

(2) Every applicant for a driver's license shall be 5109  
photographed in color at the time the application for the license 5110  
is made. The application shall state any additional information 5111  
that the registrar requires. 5112

(B) The registrar or a deputy registrar, in accordance with 5113  
section 3503.11 of the Revised Code, shall register as an elector 5114  
any person who applies for a driver's license or motorcycle 5115  
operator's license or endorsement under division (A) of this 5116  
section, or for a renewal or duplicate of the license or 5117  
endorsement, if the applicant is eligible and wishes to be 5118  
registered as an elector. The decision of an applicant whether to 5119  
register as an elector shall be given no consideration in the 5120  
decision of whether to issue the applicant a license or 5121  
endorsement, or a renewal or duplicate. 5122

(C) The registrar or a deputy registrar, in accordance with 5123  
section 3503.11 of the Revised Code, shall offer the opportunity 5124  
of completing a notice of change of residence or change of name to 5125  
any applicant for a driver's license or endorsement under division 5126  
(A) of this section, or for a renewal or duplicate of the license 5127  
or endorsement, if the applicant is a registered elector who has 5128  
changed the applicant's residence or name and has not filed such a 5129  
notice. 5130

(D) In addition to any other information it contains, on and 5131  
after ~~the date that is fifteen months after the effective date of~~ 5132  
~~this amendment~~ October 7, 2009, the approved form furnished by the 5133  
registrar of motor vehicles for an application for a driver's 5134  
license or motorcycle operator's license or endorsement or an 5135  
application for a duplicate of any such license or endorsement 5136  
shall inform applicants that the applicant must present a copy of 5137  
the applicant's DD-214 or an equivalent document in order to 5138  
qualify to have the license or duplicate indicate that the 5139  
applicant is ~~an honorably discharged~~ a veteran, active duty, or 5140  
reservist of the armed forces of the United States based on a 5141  
request made pursuant to division (A)(1)(g) of this section. 5142

**Sec. 4507.13.** (A) The registrar of motor vehicles shall issue 5144  
a driver's license to every person licensed as an operator of 5145  
motor vehicles other than commercial motor vehicles. No person 5146  
licensed as a commercial motor vehicle driver under Chapter 4506. 5147  
of the Revised Code need procure a driver's license, but no person 5148  
shall drive any commercial motor vehicle unless licensed as a 5149  
commercial motor vehicle driver. 5150

Every driver's license shall display on it the distinguishing 5151  
number assigned to the licensee and shall display the licensee's 5152  
name and date of birth; the licensee's residence address and 5153  
county of residence; a color photograph of the licensee; a brief 5154  
description of the licensee for the purpose of identification; a 5155  
facsimile of the signature of the licensee as it appears on the 5156  
application for the license; a notation, in a manner prescribed by 5157  
the registrar, indicating any condition described in division 5158  
(D)(3) of section 4507.08 of the Revised Code to which the 5159  
licensee is subject; if the licensee has executed a durable power 5160  
of attorney for health care or a declaration governing the use or 5161  
continuation, or the withholding or withdrawal, of life-sustaining 5162

treatment and has specified that the licensee wishes the license 5163  
to indicate that the licensee has executed either type of 5164  
instrument, any symbol chosen by the registrar to indicate that 5165  
the licensee has executed either type of instrument; on and after 5166  
~~the date that is fifteen months after the effective date of this~~ 5167  
~~amendment~~ October 7, 2009, if the licensee has specified that the 5168  
licensee wishes the license to indicate that the licensee is ~~an~~ 5169  
~~honorably discharged~~ a veteran, active duty, or reservist of the 5170  
armed forces of the United States and has presented a copy of the 5171  
licensee's DD-214 form or an equivalent document, any symbol 5172  
chosen by the registrar to indicate that the licensee is ~~an~~ 5173  
~~honorably discharged~~ a veteran, active duty, or reservist of the 5174  
armed forces of the United States; and any additional information 5175  
that the registrar requires by rule. No license shall display the 5176  
licensee's social security number unless the licensee specifically 5177  
requests that the licensee's social security number be displayed 5178  
on the license. If federal law requires the licensee's social 5179  
security number to be displayed on the license, the social 5180  
security number shall be displayed on the license notwithstanding 5181  
this section. 5182

The driver's license for licensees under twenty-one years of 5183  
age shall have characteristics prescribed by the registrar 5184  
distinguishing it from that issued to a licensee who is twenty-one 5185  
years of age or older, except that a driver's license issued to a 5186  
person who applies no more than thirty days before the applicant's 5187  
twenty-first birthday shall have the characteristics of a license 5188  
issued to a person who is twenty-one years of age or older. 5189

The driver's license issued to a temporary resident shall 5190  
contain the word "nonrenewable" and shall have any additional 5191  
characteristics prescribed by the registrar distinguishing it from 5192  
a license issued to a resident. 5193

Every driver's or commercial driver's license displaying a 5194



motorcycle operator's endorsement and every restricted license to 5195  
operate a motor vehicle also shall display the designation 5196  
"novice," if the endorsement or license is issued to a person who 5197  
is eighteen years of age or older and previously has not been 5198  
licensed to operate a motorcycle by this state or another 5199  
jurisdiction recognized by this state. The "novice" designation 5200  
shall be effective for one year after the date of issuance of the 5201  
motorcycle operator's endorsement or license. 5202

Each license issued under this section shall be of such 5203  
material and so designed as to prevent its reproduction or 5204  
alteration without ready detection and, to this end, shall be 5205  
laminated with a transparent plastic material. 5206

(B) Except in regard to a driver's license issued to a person 5207  
who applies no more than thirty days before the applicant's 5208  
twenty-first birthday, neither the registrar nor any deputy 5209  
registrar shall issue a driver's license to anyone under 5210  
twenty-one years of age that does not have the characteristics 5211  
prescribed by the registrar distinguishing it from the driver's 5212  
license issued to persons who are twenty-one years of age or 5213  
older. 5214

(C) Whoever violates division (B) of this section is guilty 5215  
of a minor misdemeanor. 5216

**Sec. 4507.23.** (A) Except as provided in division ~~(I)~~(J) of 5217  
this section, each application for a temporary instruction permit 5218  
and examination shall be accompanied by a fee of five dollars. 5219

(B) Except as provided in division ~~(I)~~(J) of this section, 5220  
each application for a driver's license made by a person who 5221  
previously held such a license and whose license has expired not 5222  
more than two years prior to the date of application, and who is 5223  
required under this chapter to give an actual demonstration of the 5224  
person's ability to drive, shall be accompanied by a fee of three 5225

dollars in addition to any other fees. 5226

(C)(1) Except as provided in divisions (E) and ~~(I)~~(J) of this 5227  
section, each application for a driver's license, or motorcycle 5228  
operator's endorsement, or renewal of a driver's license shall be 5229  
accompanied by a fee of six dollars. ~~Except~~ 5230

(2) ~~Except~~ as provided in division (I) of this section, each 5231  
application for a duplicate driver's license shall be accompanied 5232  
by a fee of ~~two~~ seven dollars and fifty cents. The duplicate 5233  
driver's licenses issued under this section shall be distributed 5234  
by the deputy registrar in accordance with rules adopted by the 5235  
registrar of motor vehicles. 5236

(D) Except as provided in division ~~(I)~~(J) of this section, 5237  
each application for a motorized bicycle license or duplicate 5238  
thereof shall be accompanied by a fee of two dollars and fifty 5239  
cents. 5240

(E) Except as provided in division ~~(I)~~(J) of this section, 5241  
each application for a driver's license or renewal of a driver's 5242  
license that will be issued to a person who is less than 5243  
twenty-one years of age shall be accompanied by whichever of the 5244  
following fees is applicable: 5245

(1) If the person is sixteen years of age or older, but less 5246  
than seventeen years of age, a fee of seven dollars and 5247  
twenty-five cents; 5248

(2) If the person is seventeen years of age or older, but 5249  
less than eighteen years of age, a fee of six dollars; 5250

(3) If the person is eighteen years of age or older, but less 5251  
than nineteen years of age, a fee of four dollars and seventy-five 5252  
cents; 5253

(4) If the person is nineteen years of age or older, but less 5254  
than twenty years of age, a fee of three dollars and fifty cents; 5255

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

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

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

(H) Except as provided in division (J) of this section, commencing on October 1, 2009, if an application for a driver's license or motorcycle operator's endorsement made by a person who previously held such a license is not applied for within the

period specified in section 4507.09 of the Revised Code or within 5288  
seven days after the period so specified, the registrar or deputy 5289  
registrar shall collect a fee of twenty dollars for the issuance 5290  
of the driver's license or motorcycle endorsement, but may waive 5291  
the fee for good cause shown if the application is accompanied by 5292  
supporting evidence as the registrar may require. The fee shall be 5293  
in addition to all other fees established by this section. A 5294  
deputy registrar collecting this twenty dollar fee shall retain 5295  
fifty cents and send the remaining fee to the registrar as 5296  
specified in division (I) of this section. 5297

(I) At the time and in the manner provided by section 4503.10 5298  
of the Revised Code, the deputy registrar shall transmit the fees 5299  
collected under divisions (A), (B), (C), (D), and (E), those 5300  
portions of the fees specified in and collected under division 5301  
(F), and the additional fee under ~~division~~ divisions (G) and (H) 5302  
of this section to the registrar. The registrar shall pay two 5303  
dollars and fifty cents of each fee collected under divisions (A), 5304  
(B), (C)(1) and (2), (D), and (E)(1) to (4) of this section, and 5305  
the entire fee collected under division (E)(5) of this section, 5306  
into the state highway safety fund established in section 4501.06 5307  
of the Revised Code, and such fees shall be used for the sole 5308  
purpose of supporting driver licensing activities. The registrar 5309  
also shall pay five dollars of each fee collected under division 5310  
(C)(2) of this section and the entire fee collected under ~~division~~ 5311  
divisions (G) and (H) of this section into the state highway 5312  
safety fund created in section 4501.06 of the Revised Code. The 5313  
remaining fees collected by the registrar under this section shall 5314  
be paid into the state bureau of motor vehicles fund established 5315  
in section 4501.25 of the Revised Code. 5316

~~(I)~~(J) A disabled veteran who has a service-connected 5317  
disability rated at one hundred per cent by the veterans' 5318  
administration may apply to the registrar or a deputy registrar 5319

for the issuance to that veteran, without the payment of any fee 5320  
prescribed in this section, of any of the following items: 5321

(1) A temporary instruction permit and examination; 5322

(2) A new, renewal, or duplicate driver's or commercial 5323  
driver's license; 5324

(3) A motorcycle operator's endorsement; 5325

(4) A motorized bicycle license or duplicate thereof; 5326

(5) The fee established in division (H) of this section; 5327

(6) Lamination of a driver's license, motorized bicycle 5328  
license, or temporary instruction permit identification card as 5329  
provided in division (F) of this section, if the circumstances 5330  
specified in division ~~(I)~~(5)(J)(6) of this section are met. 5331

~~If the driver's license, motorized bicycle license, or 5332  
temporary instruction permit identification card of a disabled 5333  
veteran described in division (I) of this section is laminated by 5334  
a deputy registrar who is acting as a deputy registrar pursuant to 5335  
a contract with the registrar that is in effect on October 14, 5336  
1997, the disabled veteran shall be required to pay the deputy 5337  
registrar the lamination fee provided in division (F) of this 5338  
section. If the driver's license, motorized bicycle license, or 5339  
temporary instruction permit identification card of such a 5340  
disabled veteran is laminated by a deputy registrar who is acting 5341  
as a deputy registrar pursuant to a contract with the registrar 5342  
that is executed after October 14, 1997, the disabled veteran is 5343  
not required to pay the deputy registrar the lamination fee 5344  
provided in division (F) of this section. 5345~~

A disabled veteran whose driver's license, motorized bicycle 5346  
license, or temporary instruction permit identification card is 5347  
laminated by the registrar or deputy registrar is not required to 5348  
pay the registrar any lamination fee. 5349

An application made under division ~~(I)~~(J) of this section 5350  
shall be accompanied by such documentary evidence of disability as 5351  
the registrar may require by rule. 5352

**Sec. 4507.24.** (A) Except as provided in division ~~(B)~~(C) of 5353  
this section, ~~each~~ the registrar of motor vehicles or a deputy 5354  
registrar may collect a fee not to exceed the following: 5355

~~(1) Three dollars and seventy five cents commencing on July 1,~~ 5356  
~~2001, four dollars and twenty five cents commencing on January 1,~~ 5357  
~~2003, and four~~ Four dollars and fifty cents commencing on January 5358  
1, 2004, and six dollars and twenty-five cents commencing on 5359  
October 1, 2009, for each application for renewal of a driver's 5360  
license received by the deputy registrar, when the applicant is 5361  
required to submit to a screening of the applicant's vision under 5362  
section 4507.12 of the Revised Code; 5363

~~(2) Two dollars and seventy five cents commencing on July 1,~~ 5364  
~~2001, three dollars and twenty five cents commencing on January 1,~~ 5365  
~~2003, and three~~ Three dollars and fifty cents commencing on 5366  
January 1, 2004, for each application for a driver's license, or 5367  
motorized bicycle license, or for renewal of such a license, 5368  
received by the deputy registrar, when the applicant is not 5369  
required to submit to a screening of the applicant's vision under 5370  
section 4507.12 of the Revised Code. 5371

(B) The fees prescribed by division (A) of this section shall 5372  
be in addition to the fee for a temporary instruction permit and 5373  
examination, a driver's license, a motorized bicycle license, or 5374  
duplicates thereof, ~~and~~. The fees retained by a deputy registrar 5375  
shall compensate the deputy registrar for the deputy registrar's 5376  
services, for office and rental expense, and for costs as provided 5377  
in division ~~(C)~~ (D) of this section, as are necessary for the 5378  
proper discharge of the deputy registrar's duties under sections 5379  
4507.01 to 4507.39 of the Revised Code. 5380

(C) A disabled veteran who has a service-connected disability 5381  
rated at one hundred per cent by the veterans' administration is 5382  
required to pay the applicable fee prescribed in division (A) of 5383  
this section if the disabled veteran submits an application for a 5384  
driver's license or motorized bicycle license or a renewal of 5385  
either of these licenses to a deputy registrar who is acting as a 5386  
deputy registrar pursuant to a contract with the registrar that is 5387  
in effect on the effective date of this amendment. The disabled 5388  
veteran also is required to submit with the disabled veteran's 5389  
application such documentary evidence of disability as the 5390  
registrar may require by rule. 5391

A disabled veteran who submits an application described in 5392  
this division is not required to pay either of the fees prescribed 5393  
in division (A) of this section if the disabled veteran submits 5394  
the application to a deputy registrar who is acting as a deputy 5395  
registrar pursuant to a contract with the registrar that is 5396  
executed after the effective date of this amendment. The disabled 5397  
veteran still is required to submit with the disabled veteran's 5398  
application such documentary evidence of disability as the 5399  
registrar may require by rule. 5400

A disabled veteran who submits an application described in 5401  
this division directly to the registrar is not required to pay 5402  
either of the fees prescribed in division (A) of this section if 5403  
the disabled veteran submits with the disabled veteran's 5404  
application such documentary evidence of disability as the 5405  
registrar may require by rule. 5406

~~(C)~~(D)(1) Each deputy registrar shall transmit to the 5407  
registrar of motor vehicles, at such time and in such manner as 5408  
the registrar shall require by rule, an amount of each fee 5409  
collected under division (A)(1) of this section as shall be 5410  
determined by the registrar. The registrar shall pay all such 5411  
moneys so received into the state bureau of motor vehicles fund 5412

created in section 4501.25 of the Revised Code. 5413

(2) Commencing on October 1, 2009, each deputy registrar 5414  
shall transmit one dollar of each fee collected under division 5415  
(A)(1) of this section to the registrar at the time and in the 5416  
manner provided by section 4503.10 of the Revised Code. The 5417  
registrar shall deposit all moneys received under division (D)(2) 5418  
of this section into the state highway safety fund established in 5419  
section 4501.06 of the Revised Code. 5420

**Sec. 4507.51.** (A)(1) Every application for an identification 5421  
card or duplicate shall be made on a form furnished by the 5422  
registrar of motor vehicles, shall be signed by the applicant, and 5423  
by the applicant's parent or guardian if the applicant is under 5424  
eighteen years of age, and shall contain the following information 5425  
pertaining to the applicant: name, date of birth, sex, general 5426  
description including the applicant's height, weight, hair color, 5427  
and eye color, address, and social security number. The 5428  
application also shall state whether an applicant wishes to 5429  
certify willingness to make an anatomical gift under section 5430  
2108.05 of the Revised Code and shall include information about 5431  
the requirements of sections 2108.01 to 2108.29 of the Revised 5432  
Code that apply to persons who are less than eighteen years of 5433  
age. The statement regarding willingness to make such a donation 5434  
shall be given no consideration in the decision of whether to 5435  
issue an identification card. Each applicant shall be photographed 5436  
in color at the time of making application. 5437

(2)(a) The application also shall state whether the applicant 5438  
has executed a valid durable power of attorney for health care 5439  
pursuant to sections 1337.11 to 1337.17 of the Revised Code or has 5440  
executed a declaration governing the use or continuation, or the 5441  
withholding or withdrawal, of life-sustaining treatment pursuant 5442  
to sections 2133.01 to 2133.15 of the Revised Code and, if the 5443



applicant has executed either type of instrument, whether the 5444  
applicant wishes the identification card issued to indicate that 5445  
the applicant has executed the instrument. 5446

(b) On and after ~~the date that is fifteen months after the~~ 5447  
~~effective date of this amendment~~ October 7, 2009, the application 5448  
also shall state whether the applicant is ~~an honorably discharged~~ 5449  
a veteran, active duty, or reservist of the armed forces of the 5450  
United States and, if the applicant is such ~~an honorably~~ 5451  
~~discharged veteran~~, whether the applicant wishes the 5452  
identification card issued to indicate that the applicant is ~~an~~ 5453  
~~honorably discharged~~ a veteran, active duty, or reservist of the 5454  
armed forces of the United States by a military designation on the 5455  
identification card. 5456

(3) The registrar or deputy registrar, in accordance with 5457  
section 3503.11 of the Revised Code, shall register as an elector 5458  
any person who applies for an identification card or duplicate if 5459  
the applicant is eligible and wishes to be registered as an 5460  
elector. The decision of an applicant whether to register as an 5461  
elector shall be given no consideration in the decision of whether 5462  
to issue the applicant an identification card or duplicate. 5463

(B) The application for an identification card or duplicate 5464  
shall be filed in the office of the registrar or deputy registrar. 5465  
Each applicant shall present documentary evidence as required by 5466  
the registrar of the applicant's age and identity, and the 5467  
applicant shall swear that all information given is true. An 5468  
identification card issued by the department of rehabilitation and 5469  
correction under section 5120.59 of the Revised Code shall be 5470  
sufficient documentary evidence under this division. Upon issuing 5471  
an identification card under this section for a person who has 5472  
been issued an identification card under section 5120.59 of the 5473  
Revised Code, the registrar or deputy registrar shall destroy the 5474  
identification card issued under section 5120.59 of the Revised 5475

Code. 5476

All applications for an identification card or duplicate 5477  
shall be filed in duplicate, and if submitted to a deputy 5478  
registrar, a copy shall be forwarded to the registrar. The 5479  
registrar shall prescribe rules for the manner in which a deputy 5480  
registrar is to file and maintain applications and other records. 5481  
The registrar shall maintain a suitable, indexed record of all 5482  
applications denied and cards issued or canceled. 5483

(C) In addition to any other information it contains, on and 5484  
after the date that is fifteen months after the effective date of 5485  
this amendment, the form furnished by the registrar of motor 5486  
vehicles for an application for an identification card or 5487  
duplicate shall inform applicants that the applicant must present 5488  
a copy of the applicant's DD-214 or an equivalent document in 5489  
order to qualify to have the card or duplicate indicate that the 5490  
applicant is an honorably discharged veteran of the armed forces 5491  
of the United States based on a request made pursuant to division 5492  
(A)(2)(b) of this section. 5493

**Sec. 4507.52.** (A) Each identification card issued by the 5494  
registrar of motor vehicles or a deputy registrar shall display a 5495  
distinguishing number assigned to the cardholder, and shall 5496  
display the following inscription: 5497

"STATE OF OHIO IDENTIFICATION CARD 5498

This card is not valid for the purpose of operating a motor 5499  
vehicle. It is provided solely for the purpose of establishing the 5500  
identity of the bearer described on the card, who currently is not 5501  
licensed to operate a motor vehicle in the state of Ohio." 5502

The identification card shall display substantially the same 5503  
information as contained in the application and as described in 5504  
division (A)(1) of section 4507.51 of the Revised Code, but shall 5505  
not display the cardholder's social security number unless the 5506

cardholder specifically requests that the cardholder's social 5507  
security number be displayed on the card. If federal law requires 5508  
the cardholder's social security number to be displayed on the 5509  
identification card, the social security number shall be displayed 5510  
on the card notwithstanding this section. The identification card 5511  
also shall display the color photograph of the cardholder. If the 5512  
cardholder has executed a durable power of attorney for health 5513  
care or a declaration governing the use or continuation, or the 5514  
withholding or withdrawal, of life-sustaining treatment and has 5515  
specified that the cardholder wishes the identification card to 5516  
indicate that the cardholder has executed either type of 5517  
instrument, the card also shall display any symbol chosen by the 5518  
registrar to indicate that the cardholder has executed either type 5519  
of instrument. On and after ~~the date that is fifteen months after~~ 5520  
~~the effective date of this amendment~~ October 7, 2009, if the 5521  
cardholder has specified that the cardholder wishes the 5522  
identification card to indicate that the cardholder is ~~an~~ 5523  
~~honorably discharged~~ a veteran, active duty, or reservist of the 5524  
armed forces of the United States and has presented a copy of the 5525  
cardholder's DD-214 form or an equivalent document, the card also 5526  
shall display any symbol chosen by the registrar to indicate that 5527  
the cardholder is ~~an honorably discharged~~ a veteran, active duty, 5528  
or reservist of the armed forces of the United States. The card 5529  
shall be sealed in transparent plastic or similar material and 5530  
shall be so designed as to prevent its reproduction or alteration 5531  
without ready detection. 5532

The identification card for persons under twenty-one years of 5533  
age shall have characteristics prescribed by the registrar 5534  
distinguishing it from that issued to a person who is twenty-one 5535  
years of age or older, except that an identification card issued 5536  
to a person who applies no more than thirty days before the 5537  
applicant's twenty-first birthday shall have the characteristics 5538  
of an identification card issued to a person who is twenty-one 5539

years of age or older. 5540

Every identification card issued to a resident of this state 5541  
shall expire, unless canceled or surrendered earlier, on the 5542  
birthday of the cardholder in the fourth year after the date on 5543  
which it is issued. Every identification card issued to a 5544  
temporary resident shall expire in accordance with rules adopted 5545  
by the registrar and is nonrenewable, but may be replaced with a 5546  
new identification card upon the applicant's compliance with all 5547  
applicable requirements. A cardholder may renew the cardholder's 5548  
identification card within ninety days prior to the day on which 5549  
it expires by filing an application and paying the prescribed fee 5550  
in accordance with section 4507.50 of the Revised Code. 5551

If a cardholder applies for a driver's or commercial driver's 5552  
license in this state or another licensing jurisdiction, the 5553  
cardholder shall surrender the cardholder's identification card to 5554  
the registrar or any deputy registrar before the license is 5555  
issued. 5556

(B) If a card is lost, destroyed, or mutilated, the person to 5557  
whom the card was issued may obtain a duplicate by doing both of 5558  
the following: 5559

(1) Furnishing suitable proof of the loss, destruction, or 5560  
mutilation to the registrar or a deputy registrar; 5561

(2) Filing an application and presenting documentary evidence 5562  
under section 4507.51 of the Revised Code. 5563

Any person who loses a card and, after obtaining a duplicate, 5564  
finds the original, immediately shall surrender the original to 5565  
the registrar or a deputy registrar. 5566

A cardholder may obtain a replacement identification card 5567  
that reflects any change of the cardholder's name by furnishing 5568  
suitable proof of the change to the registrar or a deputy 5569  
registrar and surrendering the cardholder's existing card. 5570

When a cardholder applies for a duplicate or obtains a replacement identification card, the cardholder shall pay a fee of two dollars and fifty cents. A deputy registrar shall be allowed an additional fee of two dollars and seventy-five cents commencing on July 1, 2001, three dollars and twenty-five cents commencing on January 1, 2003, and three dollars and fifty cents commencing on January 1, 2004, for issuing a duplicate or replacement identification card. A disabled veteran who is a cardholder and 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 of a duplicate or replacement identification card without payment of any fee prescribed in this section, and without payment of any lamination fee if the disabled veteran would not be required to pay a lamination fee in connection with the issuance of an identification card or temporary identification card as provided in division (B) of section 4507.50 of the Revised Code.

A duplicate or replacement identification card shall expire on the same date as the card it replaces.

(C) The registrar shall cancel any card upon determining that the card was obtained unlawfully, issued in error, or was altered. The registrar also shall cancel any card that is surrendered to the registrar or to a deputy registrar after the holder has obtained a duplicate, replacement, or driver's or commercial driver's license.

(D)(1) No agent of the state or its political subdivisions shall condition the granting of any benefit, service, right, or privilege upon the possession by any person of an identification card. Nothing in this section shall preclude any publicly operated or franchised transit system from using an identification card for the purpose of granting benefits or services of the system.

(2) No person shall be required to apply for, carry, or

possess an identification card. 5603

(E) Except in regard to an identification card issued to a 5604  
person who applies no more than thirty days before the applicant's 5605  
twenty-first birthday, neither the registrar nor any deputy 5606  
registrar shall issue an identification card to a person under 5607  
twenty-one years of age that does not have the characteristics 5608  
prescribed by the registrar distinguishing it from the 5609  
identification card issued to persons who are twenty-one years of 5610  
age or older. 5611

(F) Whoever violates division (E) of this section is guilty 5612  
of a minor misdemeanor. 5613

**Sec. 4509.05.** (A) Upon request, the registrar of motor 5614  
vehicles shall search and furnish a certified abstract of the 5615  
following information with respect to any person: 5616

(1) An enumeration of the motor vehicle accidents in which 5617  
such person has been involved except accidents certified as 5618  
described in division (D) of section 3937.41 of the Revised Code; 5619

(2) Such person's record of convictions for violation of the 5620  
motor vehicle laws. 5621

(B) The registrar shall collect for each abstract a fee of 5622  
~~two~~ five dollars. 5623

(C) The registrar may permit deputy registrars to perform a 5624  
search and furnish a certified abstract under this section. A 5625  
deputy registrar performing this function shall comply with 5626  
section 4501.27 of the Revised Code concerning the disclosure of 5627  
personal information, shall collect and transmit to the registrar 5628  
the ~~two-dollar~~ five-dollar fee established under division (B) of 5629  
this section, and may collect and retain a service fee of ~~three~~ 5630  
~~dollars and twenty five cents commencing on the effective date of~~ 5631  
~~this amendment. If the deputy registrar fees are increased on~~ 5632

~~January 1, 2004, in accordance with section 4503.034 of the~~ 5633  
~~Revised Code, the deputy registrar may collect and retain a~~ 5634  
~~service fee of three dollars and fifty cents, commencing on that~~ 5635  
~~date.~~ 5636

Of each five-dollar fee the registrar collects under this 5637  
division, the registrar shall pay two dollars into the state 5638  
treasury to the credit of the state bureau of motor vehicles fund 5639  
established in section 4501.25 of the Revised Code, sixty cents 5640  
into the state treasury to the credit of the trauma and emergency 5641  
medical services fund established in section 4513.263 of the 5642  
Revised Code, sixty cents into the state treasury to the credit of 5643  
the homeland security fund established in section 5502.03 of the 5644  
Revised Code, thirty cents into the state treasury to the credit 5645  
of the investigations fund established in section 5502.131 of the 5646  
Revised Code, one dollar and twenty-five cents into the state 5647  
treasury to the credit of the emergency management agency service 5648  
and reimbursement fund established in section 5502.39 of the 5649  
Revised Code, and twenty-five cents into the state treasury to the 5650  
credit of the justice program services fund established in section 5651  
5502.67 of the Revised Code. 5652

**Sec. 4511.01.** As used in this chapter and in Chapter 4513. of 5653  
the Revised Code: 5654

(A) "Vehicle" means every device, including a motorized 5655  
bicycle, in, upon, or by which any person or property may be 5656  
transported or drawn upon a highway, except that "vehicle" does 5657  
not include any motorized wheelchair, any electric personal 5658  
assistive mobility device, any device that is moved by power 5659  
collected from overhead electric trolley wires or that is used 5660  
exclusively upon stationary rails or tracks, or any device, other 5661  
than a bicycle, that is moved by human power. 5662

(B) "Motor vehicle" means every vehicle propelled or drawn by 5663

power other than muscular power or power collected from overhead 5664  
electric trolley wires, except motorized bicycles, road rollers, 5665  
traction engines, power shovels, power cranes, and other equipment 5666  
used in construction work and not designed for or employed in 5667  
general highway transportation, hole-digging machinery, 5668  
well-drilling machinery, ditch-digging machinery, farm machinery, 5669  
and trailers designed and used exclusively to transport a boat 5670  
between a place of storage and a marina, or in and around a 5671  
marina, when drawn or towed on a street or highway for a distance 5672  
of no more than ten miles and at a speed of twenty-five miles per 5673  
hour or less. 5674

(C) "Motorcycle" means every motor vehicle, other than a 5675  
tractor, having a seat or saddle for the use of the operator and 5676  
designed to travel on not more than three wheels in contact with 5677  
the ground, including, but not limited to, motor vehicles known as 5678  
"motor-driven cycle," "motor scooter," or "motorcycle" without 5679  
regard to weight or brake horsepower. 5680

(D) "Emergency vehicle" means emergency vehicles of 5681  
municipal, township, or county departments or public utility 5682  
corporations when identified as such as required by law, the 5683  
director of public safety, or local authorities, and motor 5684  
vehicles when commandeered by a police officer. 5685

(E) "Public safety vehicle" means any of the following: 5686

(1) Ambulances, including private ambulance companies under 5687  
contract to a municipal corporation, township, or county, and 5688  
private ambulances and nontransport vehicles bearing license 5689  
plates issued under section 4503.49 of the Revised Code; 5690

(2) Motor vehicles used by public law enforcement officers or 5691  
other persons sworn to enforce the criminal and traffic laws of 5692  
the state; 5693

(3) Any motor vehicle when properly identified as required by 5694



the director of public safety, when used in response to fire 5695  
emergency calls or to provide emergency medical service to ill or 5696  
injured persons, and when operated by a duly qualified person who 5697  
is a member of a volunteer rescue service or a volunteer fire 5698  
department, and who is on duty pursuant to the rules or directives 5699  
of that service. The state fire marshal shall be designated by the 5700  
director of public safety as the certifying agency for all public 5701  
safety vehicles described in division (E)(3) of this section. 5702

(4) Vehicles used by fire departments, including motor 5703  
vehicles when used by volunteer fire fighters responding to 5704  
emergency calls in the fire department service when identified as 5705  
required by the director of public safety. 5706

Any vehicle used to transport or provide emergency medical 5707  
service to an ill or injured person, when certified as a public 5708  
safety vehicle, shall be considered a public safety vehicle when 5709  
transporting an ill or injured person to a hospital regardless of 5710  
whether such vehicle has already passed a hospital. 5711

(5) Vehicles used by the motor carrier enforcement unit for 5712  
the enforcement of orders and rules of the public utilities 5713  
commission as specified in section 5503.34 of the Revised Code. 5714

(F) "School bus" means every bus designed for carrying more 5715  
than nine passengers that is owned by a public, private, or 5716  
governmental agency or institution of learning and operated for 5717  
the transportation of children to or from a school session or a 5718  
school function, or owned by a private person and operated for 5719  
compensation for the transportation of children to or from a 5720  
school session or a school function, provided "school bus" does 5721  
not include a bus operated by a municipally owned transportation 5722  
system, a mass transit company operating exclusively within the 5723  
territorial limits of a municipal corporation, or within such 5724  
limits and the territorial limits of municipal corporations 5725  
immediately contiguous to such municipal corporation, nor a common 5726

passenger carrier certified by the public utilities commission 5727  
unless such bus is devoted exclusively to the transportation of 5728  
children to and from a school session or a school function, and 5729  
"school bus" does not include a van or bus used by a licensed 5730  
child day-care center or type A family day-care home to transport 5731  
children from the child day-care center or type A family day-care 5732  
home to a school if the van or bus does not have more than fifteen 5733  
children in the van or bus at any time. 5734

(G) "Bicycle" means every device, other than a tricycle 5735  
designed solely for use as a play vehicle by a child, propelled 5736  
solely by human power upon which any person may ride having ~~either~~ 5737  
two tandem wheels, or one wheel in the front and two wheels in the 5738  
rear, or two wheels in the front and one wheel in the rear, any of 5739  
which is more than fourteen inches in diameter. 5740

(H) "Motorized bicycle" means any vehicle having either two 5741  
tandem wheels or one wheel in the front and two wheels in the 5742  
rear, that is capable of being pedaled and is equipped with a 5743  
helper motor of not more than fifty cubic centimeters piston 5744  
displacement that produces no more than one brake horsepower and 5745  
is capable of propelling the vehicle at a speed of no greater than 5746  
twenty miles per hour on a level surface. 5747

(I) "Commercial tractor" means every motor vehicle having 5748  
motive power designed or used for drawing other vehicles and not 5749  
so constructed as to carry any load thereon, or designed or used 5750  
for drawing other vehicles while carrying a portion of such other 5751  
vehicles, or load thereon, or both. 5752

(J) "Agricultural tractor" means every self-propelling 5753  
vehicle designed or used for drawing other vehicles or wheeled 5754  
machinery but having no provision for carrying loads independently 5755  
of such other vehicles, and used principally for agricultural 5756  
purposes. 5757

(K) "Truck" means every motor vehicle, except trailers and 5758  
semitrailers, designed and used to carry property. 5759

(L) "Bus" means every motor vehicle designed for carrying 5760  
more than nine passengers and used for the transportation of 5761  
persons other than in a ridesharing arrangement, and every motor 5762  
vehicle, automobile for hire, or funeral car, other than a taxicab 5763  
or motor vehicle used in a ridesharing arrangement, designed and 5764  
used for the transportation of persons for compensation. 5765

(M) "Trailer" means every vehicle designed or used for 5766  
carrying persons or property wholly on its own structure and for 5767  
being drawn by a motor vehicle, including any such vehicle when 5768  
formed by or operated as a combination of a "semitrailer" and a 5769  
vehicle of the dolly type, such as that commonly known as a 5770  
"trailer dolly," a vehicle used to transport agricultural produce 5771  
or agricultural production materials between a local place of 5772  
storage or supply and the farm when drawn or towed on a street or 5773  
highway at a speed greater than twenty-five miles per hour, and a 5774  
vehicle designed and used exclusively to transport a boat between 5775  
a place of storage and a marina, or in and around a marina, when 5776  
drawn or towed on a street or highway for a distance of more than 5777  
ten miles or at a speed of more than twenty-five miles per hour. 5778

(N) "Semitrailer" means every vehicle designed or used for 5779  
carrying persons or property with another and separate motor 5780  
vehicle so that in operation a part of its own weight or that of 5781  
its load, or both, rests upon and is carried by another vehicle. 5782

(O) "Pole trailer" means every trailer or semitrailer 5783  
attached to the towing vehicle by means of a reach, pole, or by 5784  
being boomed or otherwise secured to the towing vehicle, and 5785  
ordinarily used for transporting long or irregular shaped loads 5786  
such as poles, pipes, or structural members capable, generally, of 5787  
sustaining themselves as beams between the supporting connections. 5788

(P) "Railroad" means a carrier of persons or property	5789
operating upon rails placed principally on a private right-of-way.	5790
(Q) "Railroad train" means a steam engine or an electric or	5791
other motor, with or without cars coupled thereto, operated by a	5792
railroad.	5793
(R) "Streetcar" means a car, other than a railroad train, for	5794
transporting persons or property, operated upon rails principally	5795
within a street or highway.	5796
(S) "Trackless trolley" means every car that collects its	5797
power from overhead electric trolley wires and that is not	5798
operated upon rails or tracks.	5799
(T) "Explosives" means any chemical compound or mechanical	5800
mixture that is intended for the purpose of producing an explosion	5801
that contains any oxidizing and combustible units or other	5802
ingredients in such proportions, quantities, or packing that an	5803
ignition by fire, by friction, by concussion, by percussion, or by	5804
a detonator of any part of the compound or mixture may cause such	5805
a sudden generation of highly heated gases that the resultant	5806
gaseous pressures are capable of producing destructive effects on	5807
contiguous objects, or of destroying life or limb. Manufactured	5808
articles shall not be held to be explosives when the individual	5809
units contain explosives in such limited quantities, of such	5810
nature, or in such packing, that it is impossible to procure a	5811
simultaneous or a destructive explosion of such units, to the	5812
injury of life, limb, or property by fire, by friction, by	5813
concussion, by percussion, or by a detonator, such as fixed	5814
ammunition for small arms, firecrackers, or safety fuse matches.	5815
(U) "Flammable liquid" means any liquid that has a flash	5816
point of seventy degrees fahrenheit, or less, as determined by a	5817
tagliabue or equivalent closed cup test device.	5818
(V) "Gross weight" means the weight of a vehicle plus the	5819

weight of any load thereon.	5820
(W) "Person" means every natural person, firm, co-partnership, association, or corporation.	5821 5822
(X) "Pedestrian" means any natural person afoot.	5823
(Y) "Driver or operator" means every person who drives or is in actual physical control of a vehicle, trackless trolley, or streetcar.	5824 5825 5826
(Z) "Police officer" means every officer authorized to direct or regulate traffic, or to make arrests for violations of traffic regulations.	5827 5828 5829
(AA) "Local authorities" means every county, municipal, and other local board or body having authority to adopt police regulations under the constitution and laws of this state.	5830 5831 5832
(BB) "Street" or "highway" means the entire width between the boundary lines of every way open to the use of the public as a thoroughfare for purposes of vehicular travel.	5833 5834 5835
(CC) "Controlled-access highway" means every street or highway in respect to which owners or occupants of abutting lands and other persons have no legal right of access to or from the same except at such points only and in such manner as may be determined by the public authority having jurisdiction over such street or highway.	5836 5837 5838 5839 5840 5841
(DD) "Private road or driveway" means every way or place in private ownership used for vehicular travel by the owner and those having express or implied permission from the owner but not by other persons.	5842 5843 5844 5845
(EE) "Roadway" means that portion of a highway improved, designed, or ordinarily used for vehicular travel, except the berm or shoulder. If a highway includes two or more separate roadways the term "roadway" means any such roadway separately but not all	5846 5847 5848 5849

such roadways collectively. 5850

(FF) "Sidewalk" means that portion of a street between the 5851  
curb lines, or the lateral lines of a roadway, and the adjacent 5852  
property lines, intended for the use of pedestrians. 5853

(GG) "Laned highway" means a highway the roadway of which is 5854  
divided into two or more clearly marked lanes for vehicular 5855  
traffic. 5856

(HH) "Through highway" means every street or highway as 5857  
provided in section 4511.65 of the Revised Code. 5858

(II) "State highway" means a highway under the jurisdiction 5859  
of the department of transportation, outside the limits of 5860  
municipal corporations, provided that the authority conferred upon 5861  
the director of transportation in section 5511.01 of the Revised 5862  
Code to erect state highway route markers and signs directing 5863  
traffic shall not be modified by sections 4511.01 to 4511.79 and 5864  
4511.99 of the Revised Code. 5865

(JJ) "State route" means every highway that is designated 5866  
with an official state route number and so marked. 5867

(KK) "Intersection" means: 5868

(1) The area embraced within the prolongation or connection 5869  
of the lateral curb lines, or, if none, then the lateral boundary 5870  
lines of the roadways of two highways which join one another at, 5871  
or approximately at, right angles, or the area within which 5872  
vehicles traveling upon different highways joining at any other 5873  
angle may come in conflict. 5874

(2) Where a highway includes two roadways thirty feet or more 5875  
apart, then every crossing of each roadway of such divided highway 5876  
by an intersecting highway shall be regarded as a separate 5877  
intersection. If an intersecting highway also includes two 5878  
roadways thirty feet or more apart, then every crossing of two 5879

roadways of such highways shall be regarded as a separate intersection. 5880  
5881

(3) The junction of an alley with a street or highway, or with another alley, shall not constitute an intersection. 5882  
5883

(LL) "Crosswalk" means: 5884

(1) That part of a roadway at intersections ordinarily included within the real or projected prolongation of property lines and curb lines or, in the absence of curbs, the edges of the traversable roadway; 5885  
5886  
5887  
5888

(2) Any portion of a roadway at an intersection or elsewhere, distinctly indicated for pedestrian crossing by lines or other markings on the surface; 5889  
5890  
5891

(3) Notwithstanding divisions (LL)(1) and (2) of this section, there shall not be a crosswalk where local authorities have placed signs indicating no crossing. 5892  
5893  
5894

(MM) "Safety zone" means the area or space officially set apart within a roadway for the exclusive use of pedestrians and protected or marked or indicated by adequate signs as to be plainly visible at all times. 5895  
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(NN) "Business district" means the territory fronting upon a street or highway, including the street or highway, between successive intersections within municipal corporations where fifty per cent or more of the frontage between such successive intersections is occupied by buildings in use for business, or within or outside municipal corporations where fifty per cent or more of the frontage for a distance of three hundred feet or more is occupied by buildings in use for business, and the character of such territory is indicated by official traffic control devices. 5899  
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(OO) "Residence district" means the territory, not comprising a business district, fronting on a street or highway, including 5908  
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the street or highway, where, for a distance of three hundred feet 5910  
or more, the frontage is improved with residences or residences 5911  
and buildings in use for business. 5912

(PP) "Urban district" means the territory contiguous to and 5913  
including any street or highway which is built up with structures 5914  
devoted to business, industry, or dwelling houses situated at 5915  
intervals of less than one hundred feet for a distance of a 5916  
quarter of a mile or more, and the character of such territory is 5917  
indicated by official traffic control devices. 5918

(QQ) "Traffic control devices" means all flaggers, signs, 5919  
signals, markings, and devices placed or erected by authority of a 5920  
public body or official having jurisdiction, for the purpose of 5921  
regulating, warning, or guiding traffic, including signs denoting 5922  
names of streets and highways. 5923

(RR) "Traffic control signal" means any device, whether 5924  
manually, electrically, or mechanically operated, by which traffic 5925  
is alternately directed to stop, to proceed, to change direction, 5926  
or not to change direction. 5927

(SS) "Railroad sign or signal" means any sign, signal, or 5928  
device erected by authority of a public body or official or by a 5929  
railroad and intended to give notice of the presence of railroad 5930  
tracks or the approach of a railroad train. 5931

(TT) "Traffic" means pedestrians, ridden or herded animals, 5932  
vehicles, streetcars, trackless trolleys, and other devices, 5933  
either singly or together, while using any highway for purposes of 5934  
travel. 5935

(UU) "Right-of-way" means either of the following, as the 5936  
context requires: 5937

(1) The right of a vehicle, streetcar, trackless trolley, or 5938  
pedestrian to proceed uninterruptedly in a lawful manner in the 5939  
direction in which it or the individual is moving in preference to 5940



another vehicle, streetcar, trackless trolley, or pedestrian 5941  
approaching from a different direction into its or the 5942  
individual's path; 5943

(2) A general term denoting land, property, or the interest 5944  
therein, usually in the configuration of a strip, acquired for or 5945  
devoted to transportation purposes. When used in this context, 5946  
right-of-way includes the roadway, shoulders or berm, ditch, and 5947  
slopes extending to the right-of-way limits under the control of 5948  
the state or local authority. 5949

(VV) "Rural mail delivery vehicle" means every vehicle used 5950  
to deliver United States mail on a rural mail delivery route. 5951

(WW) "Funeral escort vehicle" means any motor vehicle, 5952  
including a funeral hearse, while used to facilitate the movement 5953  
of a funeral procession. 5954

(XX) "Alley" means a street or highway intended to provide 5955  
access to the rear or side of lots or buildings in urban districts 5956  
and not intended for the purpose of through vehicular traffic, and 5957  
includes any street or highway that has been declared an "alley" 5958  
by the legislative authority of the municipal corporation in which 5959  
such street or highway is located. 5960

(YY) "Freeway" means a divided multi-lane highway for through 5961  
traffic with all crossroads separated in grade and with full 5962  
control of access. 5963

(ZZ) "Expressway" means a divided arterial highway for 5964  
through traffic with full or partial control of access with an 5965  
excess of fifty per cent of all crossroads separated in grade. 5966

(AAA) "Thruway" means a through highway whose entire roadway 5967  
is reserved for through traffic and on which roadway parking is 5968  
prohibited. 5969

(BBB) "Stop intersection" means any intersection at one or 5970

more entrances of which stop signs are erected. 5971

(CCC) "Arterial street" means any United States or state 5972  
numbered route, controlled access highway, or other major radial 5973  
or circumferential street or highway designated by local 5974  
authorities within their respective jurisdictions as part of a 5975  
major arterial system of streets or highways. 5976

(DDD) "Ridesharing arrangement" means the transportation of 5977  
persons in a motor vehicle where such transportation is incidental 5978  
to another purpose of a volunteer driver and includes ridesharing 5979  
arrangements known as carpools, vanpools, and buspools. 5980

(EEE) "Motorized wheelchair" means any self-propelled vehicle 5981  
designed for, and used by, a handicapped person and that is 5982  
incapable of a speed in excess of eight miles per hour. 5983

(FFF) "Child day-care center" and "type A family day-care 5984  
home" have the same meanings as in section 5104.01 of the Revised 5985  
Code. 5986

(GGG) "Multi-wheel agricultural tractor" means a type of 5987  
agricultural tractor that has two or more wheels or tires on each 5988  
side of one axle at the rear of the tractor, is designed or used 5989  
for drawing other vehicles or wheeled machinery, has no provision 5990  
for carrying loads independently of the drawn vehicles or 5991  
machinery, and is used principally for agricultural purposes. 5992

(HHH) "Operate" means to cause or have caused movement of a 5993  
vehicle, streetcar, or trackless trolley. 5994

(III) "Predicate motor vehicle or traffic offense" means any 5995  
of the following: 5996

(1) A violation of section 4511.03, 4511.051, 4511.12, 5997  
4511.132, 4511.16, 4511.20, 4511.201, 4511.21, 4511.211, 4511.213, 5998  
4511.22, 4511.23, 4511.25, 4511.26, 4511.27, 4511.28, 4511.29, 5999  
4511.30, 4511.31, 4511.32, 4511.33, 4511.34, 4511.35, 4511.36, 6000

4511.37, 4511.38, 4511.39, 4511.40, 4511.41, 4511.42, 4511.43, 6001  
4511.431, 4511.432, 4511.44, 4511.441, 4511.451, 4511.452, 6002  
4511.46, 4511.47, 4511.48, 4511.481, 4511.49, 4511.50, 4511.511, 6003  
4511.53, 4511.54, 4511.55, 4511.56, 4511.57, 4511.58, 4511.59, 6004  
4511.60, 4511.61, 4511.64, 4511.66, 4511.661, 4511.68, 4511.70, 6005  
4511.701, 4511.71, 4511.711, 4511.712, 4511.713, 4511.72, 4511.73, 6006  
4511.763, 4511.771, 4511.78, or 4511.84 of the Revised Code; 6007

(2) A violation of division (A)(2) of section 4511.17, 6008  
divisions (A) to (D) of section 4511.51, or division (A) of 6009  
section 4511.74 of the Revised Code; 6010

(3) A violation of any provision of sections 4511.01 to 6011  
4511.76 of the Revised Code for which no penalty otherwise is 6012  
provided in the section that contains the provision violated; 6013

(4) A violation of a municipal ordinance that is 6014  
substantially similar to any section or provision set forth or 6015  
described in division (III)(1), (2), or (3) of this section. 6016

(JJJ) "Road service vehicle" means wreckers, utility repair 6017  
vehicles, and state, county, and municipal service vehicles 6018  
equipped with visual signals by means of flashing, rotating, or 6019  
oscillating lights. 6020

**Sec. 4511.093.** (A)(1) No law enforcement officer who stops 6021  
the operator of a motor vehicle in the course of an authorized 6022  
sobriety or other motor vehicle checkpoint operation or a motor 6023  
vehicle safety inspection shall issue a ticket, citation, or 6024  
summons for a secondary traffic offense unless in the course of 6025  
the checkpoint operation or safety inspection the officer first 6026  
determines that an offense other than a secondary traffic offense 6027  
has occurred and either places the operator or a vehicle occupant 6028  
under arrest or issues a ticket, citation, or summons to the 6029  
operator or a vehicle occupant for an offense other than a 6030  
secondary offense. 6031

(2) A law enforcement agency that operates a motor vehicle checkpoint for an express purpose related to a secondary traffic offense shall not issue a ticket, citation, or summons for any secondary traffic offense at such a checkpoint, but may use such a checkpoint operation to conduct a public awareness campaign and distribute information.

(B) As used in this section, "secondary traffic offense" means a violation of division (A) or (F)(2) of section 4507.05, division (B)(1)(a) or (b) or (E) of section 4507.071, division (C) or (D) of section 4511.81, division (A)(3) of section 4513.03, or division (B) of section 4513.263 of the Revised Code.

Sec. 4511.108. The director of transportation shall adopt rules under Chapter 119. of the Revised Code to establish a traffic generator sign program and shall set forth in the traffic engineering manual the specifications for a uniform system of traffic generator signs and the criteria for participation in the program. The department of transportation shall operate, construct, and maintain the program. The director shall establish, and, subject to approval by the controlling board, may revise at any time, an annual fee to be charged for a qualifying private business to participate in the traffic generator sign program. Money paid by the qualifying private business shall be remitted to the department and shall be deposited into the highway operating fund.

**Sec. 4511.181.** As used in sections 4511.181 to ~~4511.199~~ 4511.198 of the Revised Code:

(A) "Equivalent offense" means any of the following:

(1) A violation of division (A) or (B) of section 4511.19 of the Revised Code;

- (2) A violation of a municipal OVI ordinance; 6062
- (3) A violation of section 2903.04 of the Revised Code in a 6063  
case in which the offender was subject to the sanctions described 6064  
in division (D) of that section; 6065
- (4) A violation of division (A)(1) of section 2903.06 or 6066  
2903.08 of the Revised Code or a municipal ordinance that is 6067  
substantially equivalent to either of those divisions; 6068
- (5) A violation of division (A)(2), (3), or (4) of section 6069  
2903.06, division (A)(2) of section 2903.08, or former section 6070  
2903.07 of the Revised Code, or a municipal ordinance that is 6071  
substantially equivalent to any of those divisions or that former 6072  
section, in a case in which a judge or jury as the trier of fact 6073  
found that the offender was under the influence of alcohol, a drug 6074  
of abuse, or a combination of them; 6075
- (6) A violation of division (A) or (B) of section 1547.11 of 6076  
the Revised Code; 6077
- (7) A violation of a municipal ordinance prohibiting a person 6078  
from operating or being in physical control of any vessel underway 6079  
or from manipulating any water skis, aquaplane, or similar device 6080  
on the waters of this state while under the influence of alcohol, 6081  
a drug of abuse, or a combination of them or prohibiting a person 6082  
from operating or being in physical control of any vessel underway 6083  
or from manipulating any water skis, aquaplane, or similar device 6084  
on the waters of this state with a prohibited concentration of 6085  
alcohol, a controlled substance, or a metabolite of a controlled 6086  
substance in the whole blood, blood serum or plasma, breath, or 6087  
urine; 6088
- (8) A violation of an existing or former municipal ordinance, 6089  
law of another state, or law of the United States that is 6090  
substantially equivalent to division (A) or (B) of section 4511.19 6091  
or division (A) or (B) of section 1547.11 of the Revised Code; 6092

(9) A violation of a former law of this state that was 6093  
substantially equivalent to division (A) or (B) of section 4511.19 6094  
or division (A) or (B) of section 1547.11 of the Revised Code. 6095

(B) "Mandatory jail term" means the mandatory term in jail of 6096  
three, six, ten, twenty, thirty, or sixty days that must be 6097  
imposed under division (G)(1)(a), (b), or (c) of section 4511.19 6098  
of the Revised Code upon an offender convicted of a violation of 6099  
division (A) of that section and in relation to which all of the 6100  
following apply: 6101

(1) Except as specifically authorized under section 4511.19 6102  
of the Revised Code, the term must be served in a jail. 6103

(2) Except as specifically authorized under section 4511.19 6104  
of the Revised Code, the term cannot be suspended, reduced, or 6105  
otherwise modified pursuant to sections 2929.21 to 2929.28 or any 6106  
other provision of the Revised Code. 6107

(C) "Municipal OVI ordinance" and "municipal OVI offense" 6108  
mean any municipal ordinance prohibiting a person from operating a 6109  
vehicle while under the influence of alcohol, a drug of abuse, or 6110  
a combination of them or prohibiting a person from operating a 6111  
vehicle with a prohibited concentration of alcohol, a controlled 6112  
substance, or a metabolite of a controlled substance in the whole 6113  
blood, blood serum or plasma, breath, or urine. 6114

(D) "Community residential sanction," "continuous alcohol 6115  
monitoring," "jail," "mandatory prison term," "mandatory term of 6116  
local incarceration," "sanction," and "prison term" have the same 6117  
meanings as in section 2929.01 of the Revised Code. 6118

(E) "Drug of abuse" has the same meaning as in section 6119  
4506.01 of the Revised Code. 6120

(F) "Equivalent offense that is vehicle-related" means an 6121  
equivalent offense that is any of the following: 6122

(1) A violation described in division (A)(1), (2), (3), (4), 6123  
or (5) of this section; 6124

(2) A violation of an existing or former municipal ordinance, 6125  
law of another state, or law of the United States that is 6126  
substantially equivalent to division (A) or (B) of section 4511.19 6127  
of the Revised Code; 6128

(3) A violation of a former law of this state that was 6129  
substantially equivalent to division (A) or (B) of section 4511.19 6130  
of the Revised Code. 6131

**Sec. 4511.191.** (A)(1) As used in this section: 6132

(a) "Physical control" has the same meaning as in section 6133  
4511.194 of the Revised Code. 6134

(b) "Alcohol monitoring device" means any device that 6135  
provides for continuous alcohol monitoring, any ignition interlock 6136  
device, any immobilizing or disabling device other than an 6137  
ignition interlock device that is constantly available to monitor 6138  
the concentration of alcohol in a person's system, or any other 6139  
device that provides for the automatic testing and periodic 6140  
reporting of alcohol consumption by a person and that a court 6141  
orders a person to use as a sanction imposed as a result of the 6142  
person's conviction of or plea of guilty to an offense. 6143

(2) Any person who operates a vehicle, streetcar, or 6144  
trackless trolley upon a highway or any public or private property 6145  
used by the public for vehicular travel or parking within this 6146  
state or who is in physical control of a vehicle, streetcar, or 6147  
trackless trolley shall be deemed to have given consent to a 6148  
chemical test or tests of the person's whole blood, blood serum or 6149  
plasma, breath, or urine to determine the alcohol, drug of abuse, 6150  
controlled substance, metabolite of a controlled substance, or 6151  
combination content of the person's whole blood, blood serum or 6152

plasma, breath, or urine if arrested for a violation of division 6153  
(A) or (B) of section 4511.19 of the Revised Code, section 6154  
4511.194 of the Revised Code or a substantially equivalent 6155  
municipal ordinance, or a municipal OVI ordinance. 6156

6157

(3) The chemical test or tests under division (A)(2) of this 6158  
section shall be administered at the request of a law enforcement 6159  
officer having reasonable grounds to believe the person was 6160  
operating or in physical control of a vehicle, streetcar, or 6161  
trackless trolley in violation of a division, section, or 6162  
ordinance identified in division (A)(2) of this section. The law 6163  
enforcement agency by which the officer is employed shall 6164  
designate which of the tests shall be administered. 6165

(4) Any person who is dead or unconscious, or who otherwise 6166  
is in a condition rendering the person incapable of refusal, shall 6167  
be deemed to have consented as provided in division (A)(2) of this 6168  
section, and the test or tests may be administered, subject to 6169  
sections 313.12 to 313.16 of the Revised Code. 6170

(5)(a) If a law enforcement officer arrests a person for a 6171  
violation of division (A) or (B) of section 4511.19 of the Revised 6172  
Code, section 4511.194 of the Revised Code or a substantially 6173  
equivalent municipal ordinance, or a municipal OVI ordinance and 6174  
if the person if convicted would be required to be sentenced under 6175  
division (G)(1)(c), (d), or (e) of section 4511.19 of the Revised 6176  
Code, the law enforcement officer shall request the person to 6177  
submit, and the person shall submit, to a chemical test or tests 6178  
of the person's whole blood, blood serum or plasma, breath, or 6179  
urine for the purpose of determining the alcohol, drug of abuse, 6180  
controlled substance, metabolite of a controlled substance, or 6181  
combination content of the person's whole blood, blood serum or 6182  
plasma, breath, or urine. A law enforcement officer who makes a 6183  
request pursuant to this division that a person submit to a 6184



chemical test or tests is not required to advise the person of the 6185  
consequences of submitting to, or refusing to submit to, the test 6186  
or tests and is not required to give the person the form described 6187  
in division (B) of section 4511.192 of the Revised Code, but the 6188  
officer shall advise the person at the time of the arrest that if 6189  
the person refuses to take a chemical test the officer may employ 6190  
whatever reasonable means are necessary to ensure that the person 6191  
submits to a chemical test of the person's whole blood or blood 6192  
serum or plasma. The officer shall also advise the person at the 6193  
time of the arrest that the person may have an independent 6194  
chemical test taken at the person's own expense. Divisions (A)(3) 6195  
and (4) of this section apply to the administration of a chemical 6196  
test or tests pursuant to this division. 6197

(b) If a person refuses to submit to a chemical test upon a 6199  
request made pursuant to division (A)(5)(a) of this section, the 6200  
law enforcement officer who made the request may employ whatever 6201  
reasonable means are necessary to ensure that the person submits 6202  
to a chemical test of the person's whole blood or blood serum or 6203  
plasma. A law enforcement officer who acts pursuant to this 6204  
division to ensure that a person submits to a chemical test of the 6205  
person's whole blood or blood serum or plasma is immune from 6206  
criminal and civil liability based upon a claim for assault and 6207  
battery or any other claim for the acts, unless the officer so 6208  
acted with malicious purpose, in bad faith, or in a wanton or 6209  
reckless manner. 6210

(B)(1) Upon receipt of the sworn report of a law enforcement 6211  
officer who arrested a person for a violation of division (A) or 6212  
(B) of section 4511.19 of the Revised Code, section 4511.194 of 6213  
the Revised Code or a substantially equivalent municipal 6214  
ordinance, or a municipal OVI ordinance that was completed and 6215  
sent to the registrar and a court pursuant to section 4511.192 of 6216

the Revised Code in regard to a person who refused to take the 6217  
designated chemical test, the registrar shall enter into the 6218  
registrar's records the fact that the person's driver's or 6219  
commercial driver's license or permit or nonresident operating 6220  
privilege was suspended by the arresting officer under this 6221  
division and that section and the period of the suspension, as 6222  
determined under this section. The suspension shall be subject to 6223  
appeal as provided in section 4511.197 of the Revised Code. The 6224  
suspension shall be for whichever of the following periods 6225  
applies: 6226

(a) Except when division (B)(1)(b), (c), or (d) of this 6227  
section applies and specifies a different class or length of 6228  
suspension, the suspension shall be a class C suspension for the 6229  
period of time specified in division (B)(3) of section 4510.02 of 6230  
the Revised Code. 6231

(b) If the arrested person, within six years of the date on 6232  
which the person refused the request to consent to the chemical 6233  
test, had refused one previous request to consent to a chemical 6234  
test or had been convicted of or pleaded guilty to one violation 6235  
of division (A) or (B) of section 4511.19 of the Revised Code or 6236  
one other equivalent offense, the suspension shall be a class B 6237  
suspension imposed for the period of time specified in division 6238  
(B)(2) of section 4510.02 of the Revised Code. 6239

(c) If the arrested person, within six years of the date on 6240  
which the person refused the request to consent to the chemical 6241  
test, had refused two previous requests to consent to a chemical 6242  
test, had been convicted of or pleaded guilty to two violations of 6243  
division (A) or (B) of section 4511.19 of the Revised Code or 6244  
other equivalent offenses, or had refused one previous request to 6245  
consent to a chemical test and also had been convicted of or 6246  
pleaded guilty to one violation of division (A) or (B) of section 6247  
4511.19 of the Revised Code or other equivalent offenses, which 6248

violation or offense arose from an incident other than the 6249  
incident that led to the refusal, the suspension shall be a class 6250  
A suspension imposed for the period of time specified in division 6251  
(B)(1) of section 4510.02 of the Revised Code. 6252

(d) If the arrested person, within six years of the date on 6253  
which the person refused the request to consent to the chemical 6254  
test, had refused three or more previous requests to consent to a 6255  
chemical test, had been convicted of or pleaded guilty to three or 6256  
more violations of division (A) or (B) of section 4511.19 of the 6257  
Revised Code or other equivalent offenses, or had refused a number 6258  
of previous requests to consent to a chemical test and also had 6259  
been convicted of or pleaded guilty to a number of violations of 6260  
division (A) or (B) of section 4511.19 of the Revised Code or 6261  
other equivalent offenses that cumulatively total three or more 6262  
such refusals, convictions, and guilty pleas, the suspension shall 6263  
be for five years. 6264

(2) The registrar shall terminate a suspension of the 6265  
driver's or commercial driver's license or permit of a resident or 6266  
of the operating privilege of a nonresident, or a denial of a 6267  
driver's or commercial driver's license or permit, imposed 6268  
pursuant to division (B)(1) of this section upon receipt of notice 6269  
that the person has entered a plea of guilty to, or that the 6270  
person has been convicted after entering a plea of no contest to, 6271  
operating a vehicle in violation of section 4511.19 of the Revised 6272  
Code or in violation of a municipal OVI ordinance, if the offense 6273  
for which the conviction is had or the plea is entered arose from 6274  
the same incident that led to the suspension or denial. 6275

The registrar shall credit against any judicial suspension of 6276  
a person's driver's or commercial driver's license or permit or 6277  
nonresident operating privilege imposed pursuant to section 6278  
4511.19 of the Revised Code, or pursuant to section 4510.07 of the 6279  
Revised Code for a violation of a municipal OVI ordinance, any 6280

time during which the person serves a related suspension imposed 6281  
pursuant to division (B)(1) of this section. 6282

(C)(1) Upon receipt of the sworn report of the law 6283  
enforcement officer who arrested a person for a violation of 6284  
division (A) or (B) of section 4511.19 of the Revised Code or a 6285  
municipal OVI ordinance that was completed and sent to the 6286  
registrar and a court pursuant to section 4511.192 of the Revised 6287  
Code in regard to a person whose test results indicate that the 6288  
person's whole blood, blood serum or plasma, breath, or urine 6289  
contained at least the concentration of alcohol specified in 6290  
division (A)(1)(b), (c), (d), or (e) of section 4511.19 of the 6291  
Revised Code or at least the concentration of a listed controlled 6292  
substance or a listed metabolite of a controlled substance 6293  
specified in division (A)(1)(j) of section 4511.19 of the Revised 6294  
Code, the registrar shall enter into the registrar's records the 6295  
fact that the person's driver's or commercial driver's license or 6296  
permit or nonresident operating privilege was suspended by the 6297  
arresting officer under this division and section 4511.192 of the 6298  
Revised Code and the period of the suspension, as determined under 6299  
divisions (C)(1)(a) to (d) of this section. The suspension shall 6300  
be subject to appeal as provided in section 4511.197 of the 6301  
Revised Code. The suspension described in this division does not 6302  
apply to, and shall not be imposed upon, a person arrested for a 6303  
violation of section 4511.194 of the Revised Code or a 6304  
substantially equivalent municipal ordinance who submits to a 6305  
designated chemical test. The suspension shall be for whichever of 6306  
the following periods applies: 6307

(a) Except when division (C)(1)(b), (c), or (d) of this 6308  
section applies and specifies a different period, the suspension 6309  
shall be a class E suspension imposed for the period of time 6310  
specified in division (B)(5) of section 4510.02 of the Revised 6311  
Code. 6312

(b) The suspension shall be a class C suspension for the 6313  
period of time specified in division (B)(3) of section 4510.02 of 6314  
the Revised Code if the person has been convicted of or pleaded 6315  
guilty to, within six years of the date the test was conducted, 6316  
one violation of division (A) or (B) of section 4511.19 of the 6317  
Revised Code or one other equivalent offense. 6318

(c) If, within six years of the date the test was conducted, 6319  
the person has been convicted of or pleaded guilty to two 6320  
violations of a statute or ordinance described in division 6321  
(C)(1)(b) of this section, the suspension shall be a class B 6322  
suspension imposed for the period of time specified in division 6323  
(B)(2) of section 4510.02 of the Revised Code. 6324

(d) If, within six years of the date the test was conducted, 6325  
the person has been convicted of or pleaded guilty to more than 6326  
two violations of a statute or ordinance described in division 6327  
(C)(1)(b) of this section, the suspension shall be a class A 6328  
suspension imposed for the period of time specified in division 6329  
(B)(1) of section 4510.02 of the Revised Code. 6330

(2) The registrar shall terminate a suspension of the 6331  
driver's or commercial driver's license or permit of a resident or 6332  
of the operating privilege of a nonresident, or a denial of a 6333  
driver's or commercial driver's license or permit, imposed 6334  
pursuant to division (C)(1) of this section upon receipt of notice 6335  
that the person has entered a plea of guilty to, or that the 6336  
person has been convicted after entering a plea of no contest to, 6337  
operating a vehicle in violation of section 4511.19 of the Revised 6338  
Code or in violation of a municipal OVI ordinance, if the offense 6339  
for which the conviction is had or the plea is entered arose from 6340  
the same incident that led to the suspension or denial. 6341

The registrar shall credit against any judicial suspension of 6342  
a person's driver's or commercial driver's license or permit or 6343  
nonresident operating privilege imposed pursuant to section 6344

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 6377  
administrator of the state of the person's residence and of any 6378  
state in which the person has a license. 6379

(F) At the end of a suspension period under this section, 6380  
under section 4511.194, section 4511.196, or division (G) of 6381  
section 4511.19 of the Revised Code, or under section 4510.07 of 6382  
the Revised Code for a violation of a municipal OVI ordinance and 6383  
upon the request of the person whose driver's or commercial 6384  
driver's license or permit was suspended and who is not otherwise 6385  
subject to suspension, cancellation, or disqualification, the 6386  
registrar shall return the driver's or commercial driver's license 6387  
or permit to the person upon the occurrence of all of the 6388  
conditions specified in divisions (F)(1) and (2) of this section: 6389

(1) A showing that the person has proof of financial 6390  
responsibility, a policy of liability insurance in effect that 6391  
meets the minimum standards set forth in section 4509.51 of the 6392  
Revised Code, or proof, to the satisfaction of the registrar, that 6393  
the person is able to respond in damages in an amount at least 6394  
equal to the minimum amounts specified in section 4509.51 of the 6395  
Revised Code. 6396

(2) Subject to the limitation contained in division (F)(3) of 6397  
this section, payment by the person to the bureau of motor 6398  
vehicles of a license reinstatement fee of four hundred 6399  
seventy-five dollars, which fee shall be deposited in the state 6400  
treasury and credited as follows: 6401

(a) One hundred twelve dollars and fifty cents shall be 6402  
credited to the statewide treatment and prevention fund created by 6403  
section 4301.30 of the Revised Code. The fund shall be used to pay 6404  
the costs of driver treatment and intervention programs operated 6405  
pursuant to sections 3793.02 and 3793.10 of the Revised Code. The 6406  
director of alcohol and drug addiction services shall determine 6407  
the share of the fund that is to be allocated to alcohol and drug 6408

addiction programs authorized by section 3793.02 of the Revised Code, and the share of the fund that is to be allocated to drivers' intervention programs authorized by section 3793.10 of the Revised Code.

(b) Seventy-five dollars shall be credited to the reparations fund created by section 2743.191 of the Revised Code.

(c) Thirty-seven dollars and fifty cents shall be credited to the indigent drivers alcohol treatment fund, which is hereby established. Except as otherwise provided in division (F)(2)(c) of this section, moneys in the fund shall be distributed by the department of alcohol and drug addiction services to the county indigent drivers alcohol treatment funds, the county juvenile indigent drivers alcohol treatment funds, and the municipal indigent drivers alcohol treatment funds that are required to be established by counties and municipal corporations pursuant to this section, and shall be used only to pay the cost of an alcohol and drug addiction treatment program attended by an offender or juvenile traffic offender who is ordered to attend an alcohol and drug addiction treatment program by a county, juvenile, or municipal court judge and who is determined by the county, juvenile, or municipal court judge not to have the means to pay for the person's attendance at the program or to pay the costs specified in division (H)(4) of this section in accordance with that division. In addition, a county, juvenile, or municipal court judge may use moneys in the county indigent drivers alcohol treatment fund, county juvenile indigent drivers alcohol treatment fund, or municipal indigent drivers alcohol treatment fund to pay for the cost of the continued use of an alcohol monitoring device as described in divisions (H)(3) and (4) of this section. Moneys in the fund that are not distributed to a county indigent drivers alcohol treatment fund, a county juvenile indigent drivers alcohol treatment fund, or a municipal indigent drivers alcohol treatment



fund under division (H) of this section because the director of 6441  
alcohol and drug addiction services does not have the information 6442  
necessary to identify the county or municipal corporation where 6443  
the offender or juvenile offender was arrested may be transferred 6444  
by the director of budget and management to the statewide 6445  
treatment and prevention fund created by section 4301.30 of the 6446  
Revised Code, upon certification of the amount by the director of 6447  
alcohol and drug addiction services. 6448

(d) Seventy-five dollars shall be credited to the Ohio 6449  
rehabilitation services commission established by section 3304.12 6450  
of the Revised Code, to the services for rehabilitation fund, 6451  
which is hereby established. The fund shall be used to match 6452  
available federal matching funds where appropriate, and for any 6453  
other purpose or program of the commission to rehabilitate people 6454  
with disabilities to help them become employed and independent. 6455

(e) Seventy-five dollars shall be deposited into the state 6456  
treasury and credited to the drug abuse resistance education 6457  
programs fund, which is hereby established, to be used by the 6458  
attorney general for the purposes specified in division (F)(4) of 6459  
this section. 6460

(f) Thirty dollars shall be credited to the state bureau of 6461  
motor vehicles fund created by section 4501.25 of the Revised 6462  
Code. 6463

(g) Twenty dollars shall be credited to the trauma and 6464  
emergency medical services grants fund created by section 4513.263 6465  
of the Revised Code. 6466

(h) Fifty dollars shall be credited to the indigent drivers 6467  
interlock and alcohol monitoring fund, which is hereby established 6468  
in the state treasury. Monies in the fund shall be distributed by 6469  
the department of public safety to the county indigent drivers 6470  
interlock and alcohol monitoring funds, the county juvenile 6471

indigent drivers interlock and alcohol monitoring funds, and the 6472  
municipal indigent drivers interlock and alcohol monitoring funds 6473  
that are required to be established by counties and municipal 6474  
corporations pursuant to this section, and shall be used only to 6475  
pay the cost of an immobilizing or disabling device, including a 6476  
certified ignition interlock device, or an alcohol monitoring 6477  
device used by an offender or juvenile offender who is ordered to 6478  
use the device by a county, juvenile, or municipal court judge and 6479  
who is determined by the county, juvenile, or municipal court 6480  
judge not to have the means to pay for the person's use of the 6481  
device. 6482

(3) If a person's driver's or commercial driver's license or 6483  
permit is suspended under this section, under section 4511.196 or 6484  
division (G) of section 4511.19 of the Revised Code, under section 6485  
4510.07 of the Revised Code for a violation of a municipal OVI 6486  
ordinance or under any combination of the suspensions described in 6487  
division (F)(3) of this section, and if the suspensions arise from 6488  
a single incident or a single set of facts and circumstances, the 6489  
person is liable for payment of, and shall be required to pay to 6490  
the bureau, only one reinstatement fee of four hundred ~~twenty-five~~ 6491  
seventy-five dollars. The reinstatement fee shall be distributed 6492  
by the bureau in accordance with division (F)(2) of this section. 6493

(4) The attorney general shall use amounts in the drug abuse 6494  
resistance education programs fund to award grants to law 6495  
enforcement agencies to establish and implement drug abuse 6496  
resistance education programs in public schools. Grants awarded to 6497  
a law enforcement agency under this section shall be used by the 6498  
agency to pay for not more than fifty per cent of the amount of 6499  
the salaries of law enforcement officers who conduct drug abuse 6500  
resistance education programs in public schools. The attorney 6501  
general shall not use more than six per cent of the amounts the 6502  
attorney general's office receives under division (F)(2)(e) of 6503

this section to pay the costs it incurs in administering the grant 6504  
program established by division (F)(2)(e) of this section and in 6505  
providing training and materials relating to drug abuse resistance 6506  
education programs. 6507

The attorney general shall report to the governor and the 6508  
general assembly each fiscal year on the progress made in 6509  
establishing and implementing drug abuse resistance education 6510  
programs. These reports shall include an evaluation of the 6511  
effectiveness of these programs. 6512

(G) Suspension of a commercial driver's license under 6513  
division (B) or (C) of this section shall be concurrent with any 6514  
period of disqualification under section 3123.611 or 4506.16 of 6515  
the Revised Code or any period of suspension under section 3123.58 6516  
of the Revised Code. No person who is disqualified for life from 6517  
holding a commercial driver's license under section 4506.16 of the 6518  
Revised Code shall be issued a driver's license under Chapter 6519  
4507. of the Revised Code during the period for which the 6520  
commercial driver's license was suspended under division (B) or 6521  
(C) of this section. No person whose commercial driver's license 6522  
is suspended under division (B) or (C) of this section shall be 6523  
issued a driver's license under Chapter 4507. of the Revised Code 6524  
during the period of the suspension. 6525

(H)(1) Each county shall establish an indigent drivers 6526  
alcohol treatment fund, each county shall establish a juvenile 6527  
indigent drivers alcohol treatment fund, and each municipal 6528  
corporation in which there is a municipal court shall establish an 6529  
indigent drivers alcohol treatment fund. All revenue that the 6530  
general assembly appropriates to the indigent drivers alcohol 6531  
treatment fund for transfer to a county indigent drivers alcohol 6532  
treatment fund, a county juvenile indigent drivers alcohol 6533  
treatment fund, or a municipal indigent drivers alcohol treatment 6534  
fund, all portions of fees that are paid under division (F) of 6535

this section and that are credited under that division to the 6536  
indigent drivers alcohol treatment fund in the state treasury for 6537  
a county indigent drivers alcohol treatment fund, a county 6538  
juvenile indigent drivers alcohol treatment fund, or a municipal 6539  
indigent drivers alcohol treatment fund, all portions of 6540  
additional costs imposed under section 2949.094 of the Revised 6541  
Code that are specified for deposit into a county, county 6542  
juvenile, or municipal indigent drivers alcohol treatment fund by 6543  
that section, and all portions of fines that are specified for 6544  
deposit into a county or municipal indigent drivers alcohol 6545  
treatment fund by section 4511.193 of the Revised Code shall be 6546  
deposited into that county indigent drivers alcohol treatment 6547  
fund, county juvenile indigent drivers alcohol treatment fund, or 6548  
municipal indigent drivers alcohol treatment fund. The portions of 6549  
the fees paid under division (F) of this section that are to be so 6550  
deposited shall be determined in accordance with division (H)(2) 6551  
of this section. Additionally, all portions of fines that are paid 6552  
for a violation of section 4511.19 of the Revised Code or of any 6553  
prohibition contained in Chapter 4510. of the Revised Code, and 6554  
that are required under section 4511.19 or any provision of 6555  
Chapter 4510. of the Revised Code to be deposited into a county 6556  
indigent drivers alcohol treatment fund or municipal indigent 6557  
drivers alcohol treatment fund shall be deposited into the 6558  
appropriate fund in accordance with the applicable division of the 6559  
section or provision. 6560

(2) That portion of the license reinstatement fee that is 6561  
paid under division (F) of this section and that is credited under 6562  
that division to the indigent drivers alcohol treatment fund shall 6563  
be deposited into a county indigent drivers alcohol treatment 6564  
fund, a county juvenile indigent drivers alcohol treatment fund, 6565  
or a municipal indigent drivers alcohol treatment fund as follows: 6566  
6567

(a) Regarding a suspension imposed under this section, that 6568  
portion of the fee shall be deposited as follows: 6569

(i) If the fee is paid by a person who was charged in a 6570  
county court with the violation that resulted in the suspension or 6571  
in the imposition of the court costs, the portion shall be 6572  
deposited into the county indigent drivers alcohol treatment fund 6573  
under the control of that court; 6574

(ii) If the fee is paid by a person who was charged in a 6575  
juvenile court with the violation that resulted in the suspension 6576  
or in the imposition of the court costs, the portion shall be 6577  
deposited into the county juvenile indigent drivers alcohol 6578  
treatment fund established in the county served by the court; 6579

(iii) If the fee is paid by a person who was charged in a 6580  
municipal court with the violation that resulted in the suspension 6581  
or in the imposition of the court costs, the portion shall be 6582  
deposited into the municipal indigent drivers alcohol treatment 6583  
fund under the control of that court. 6584

(b) Regarding a suspension imposed under section 4511.19 of 6585  
the Revised Code or under section 4510.07 of the Revised Code for 6586  
a violation of a municipal OVI ordinance, that portion of the fee 6587  
shall be deposited as follows: 6588

(i) If the fee is paid by a person whose license or permit 6589  
was suspended by a county court, the portion shall be deposited 6590  
into the county indigent drivers alcohol treatment fund under the 6591  
control of that court; 6592

(ii) If the fee is paid by a person whose license or permit 6593  
was suspended by a municipal court, the portion shall be deposited 6594  
into the municipal indigent drivers alcohol treatment fund under 6595  
the control of that court. 6596

(3) Expenditures from a county indigent drivers alcohol 6597  
treatment fund, a county juvenile indigent drivers alcohol 6598

treatment fund, or a municipal indigent drivers alcohol treatment 6599  
fund shall be made only upon the order of a county, juvenile, or 6600  
municipal court judge and only for payment of the cost of an 6601  
assessment or the cost of the attendance at an alcohol and drug 6602  
addiction treatment program of a person who is convicted of, or 6603  
found to be a juvenile traffic offender by reason of, a violation 6604  
of division (A) of section 4511.19 of the Revised Code or a 6605  
substantially similar municipal ordinance, who is ordered by the 6606  
court to attend the alcohol and drug addiction treatment program, 6607  
and who is determined by the court to be unable to pay the cost of 6608  
the assessment or the cost of attendance at the treatment program 6609  
or for payment of the costs specified in division (H)(4) of this 6610  
section in accordance with that division. The alcohol and drug 6611  
addiction services board or the board of alcohol, drug addiction, 6612  
and mental health services established pursuant to section 340.02 6613  
or 340.021 of the Revised Code and serving the alcohol, drug 6614  
addiction, and mental health service district in which the court 6615  
is located shall administer the indigent drivers alcohol treatment 6616  
program of the court. When a court orders an offender or juvenile 6617  
traffic offender to obtain an assessment or attend an alcohol and 6618  
drug addiction treatment program, the board shall determine which 6619  
program is suitable to meet the needs of the offender or juvenile 6620  
traffic offender, and when a suitable program is located and space 6621  
is available at the program, the offender or juvenile traffic 6622  
offender shall attend the program designated by the board. A 6623  
reasonable amount not to exceed five per cent of the amounts 6624  
credited to and deposited into the county indigent drivers alcohol 6625  
treatment fund, the county juvenile indigent drivers alcohol 6626  
treatment fund, or the municipal indigent drivers alcohol 6627  
treatment fund serving every court whose program is administered 6628  
by that board shall be paid to the board to cover the costs it 6629  
incurs in administering those indigent drivers alcohol treatment 6630  
programs. 6631

In addition, upon exhaustion of moneys in the indigent 6632  
drivers interlock and alcohol monitoring fund for the use of an 6633  
alcohol monitoring device, a county, juvenile, or municipal court 6634  
judge may use moneys in the county indigent drivers alcohol 6635  
treatment fund, county juvenile indigent drivers alcohol treatment 6636  
fund, or municipal indigent drivers alcohol treatment fund in the 6637  
following manners: 6638

(a) If the source of the moneys was an appropriation of the 6639  
general assembly, a portion of a fee that was paid under division 6640  
(F) of this section, a portion of a fine that was specified for 6641  
deposit into the fund by section 4511.193 of the Revised Code, or 6642  
a portion of a fine that was paid for a violation of section 6643  
4511.19 of the Revised Code or of a provision contained in Chapter 6644  
4510. of the Revised Code that was required to be deposited into 6645  
the fund, to pay for the continued use of an alcohol monitoring 6646  
device by an offender or juvenile traffic offender, in conjunction 6647  
with a treatment program approved by the department of alcohol and 6648  
drug addiction services, when such use is determined clinically 6649  
necessary by the treatment program and when the court determines 6650  
that the offender or juvenile traffic offender is unable to pay 6651  
all or part of the daily monitoring or cost of the device; 6652  
6653

(b) If the source of the moneys was a portion of an 6654  
additional court cost imposed under section 2949.094 of the 6655  
Revised Code, to pay for the continued use of an alcohol 6656  
monitoring device by an offender or juvenile traffic offender when 6657  
the court determines that the offender or juvenile traffic 6658  
offender is unable to pay all or part of the daily monitoring or 6659  
cost of the device. The moneys may be used for a device as 6660  
described in this division if the use of the device is in 6661  
conjunction with a treatment program approved by the department of 6662  
alcohol and drug addiction services, when the use of the device is 6663

determined clinically necessary by the treatment program, but the use of a device is not required to be in conjunction with a treatment program approved by the department in order for the moneys to be used for the device as described in this division.

(4) If a county, juvenile, or municipal court determines, in consultation with the alcohol and drug addiction services board or the board of alcohol, drug addiction, and mental health services established pursuant to section 340.02 or 340.021 of the Revised Code and serving the alcohol, drug addiction, and mental health district in which the court is located, that the funds in the county indigent drivers alcohol treatment fund, the county juvenile indigent drivers alcohol treatment fund, or the municipal indigent drivers alcohol treatment fund under the control of the court are more than sufficient to satisfy the purpose for which the fund was established, as specified in divisions (H)(1) to (3) of this section, the court may declare a surplus in the fund. If the court declares a surplus in the fund, the court may expend the amount of the surplus in the fund for:

(a) Alcohol and drug abuse assessment and treatment of persons who are charged in the court with committing a criminal offense or with being a delinquent child or juvenile traffic offender and in relation to whom both of the following apply:

(i) The court determines that substance abuse was a contributing factor leading to the criminal or delinquent activity or the juvenile traffic offense with which the person is charged.

(ii) The court determines that the person is unable to pay the cost of the alcohol and drug abuse assessment and treatment for which the surplus money will be used.

(b) All or part of the cost of purchasing alcohol monitoring devices to be used in conjunction with division (H)(3) of this section, upon exhaustion of moneys in the indigent drivers



interlock and alcohol monitoring fund for the use of an alcohol 6695  
monitoring device. 6696

(5) For the purpose of determining as described in division 6697  
(F)(2)(c) of this section whether an offender does not have the 6698  
means to pay for the offender's attendance at an alcohol and drug 6699  
addiction treatment program or whether an alleged offender or 6700  
delinquent child is unable to pay the costs specified in division 6701  
(H)(4) of this section, the court shall use the indigent client 6702  
eligibility guidelines and the standards of indigency established 6703  
by the state public defender to make the determination. 6704

(6) The court shall identify and refer any alcohol and drug 6705  
addiction program that is not certified under section 3793.06 of 6706  
the Revised Code and that is interested in receiving amounts from 6707  
the surplus in the fund declared under division (H)(4) of this 6708  
section to the department of alcohol and drug addiction services 6709  
in order for the program to become a certified alcohol and drug 6710  
addiction program. The department shall keep a record of applicant 6711  
referrals received pursuant to this division and shall submit a 6712  
report on the referrals each year to the general assembly. If a 6713  
program interested in becoming certified makes an application to 6714  
become certified pursuant to section 3793.06 of the Revised Code, 6715  
the program is eligible to receive surplus funds as long as the 6716  
application is pending with the department. The department of 6717  
alcohol and drug addiction services must offer technical 6718  
assistance to the applicant. If the interested program withdraws 6719  
the certification application, the department must notify the 6720  
court, and the court shall not provide the interested program with 6721  
any further surplus funds. 6722

(I)(1) Each county shall establish an indigent drivers 6723  
interlock and alcohol monitoring fund and a juvenile indigent 6724  
drivers interlock and alcohol treatment fund, and each municipal 6725  
corporation in which there is a municipal court shall establish an 6726

indigent drivers interlock and alcohol monitoring fund. All 6727  
revenue that the general assembly appropriates to the indigent 6728  
drivers interlock and alcohol monitoring fund for transfer to a 6729  
county indigent drivers interlock and alcohol monitoring fund, a 6730  
county juvenile indigent drivers interlock and alcohol monitoring 6731  
fund, or a municipal indigent drivers interlock and alcohol 6732  
monitoring fund, all portions of license reinstatement fees that 6733  
are paid under division (F)(2) of this section and that are 6734  
credited under that division to the indigent drivers interlock and 6735  
alcohol monitoring fund in the state treasury, and all portions of 6736  
fines that are paid under division (G) of section 4511.19 of the 6737  
Revised Code and that are credited by division (G)(5)(e) of that 6738  
section to the indigent drivers interlock and alcohol monitoring 6739  
fund in the state treasury shall be deposited in the appropriate 6740  
fund in accordance with division (I)(2) of this section. 6741

(2) That portion of the license reinstatement fee that is 6742  
paid under division (F) of this section and that portion of the 6743  
fine paid under division (G) of section 4511.19 of the Revised 6744  
Code and that is credited under either division to the indigent 6745  
drivers interlock and alcohol monitoring fund shall be deposited 6746  
into a county indigent drivers interlock and alcohol monitoring 6747  
fund, a county juvenile indigent drivers interlock and alcohol 6748  
monitoring fund, or a municipal indigent drivers interlock and 6749  
alcohol monitoring fund as follows: 6750

(a) If the fee or fine is paid by a person who was charged in 6751  
a county court with the violation that resulted in the suspension 6752  
or fine, the portion shall be deposited into the county indigent 6753  
drivers interlock and alcohol monitoring fund under the control of 6754  
that court. 6755

(b) If the fee or fine is paid by a person who was charged in 6756  
a juvenile court with the violation that resulted in the 6757  
suspension or fine, the portion shall be deposited into the county 6758

juvenile indigent drivers interlock and alcohol monitoring fund 6759  
established in the county served by the court. 6760

(c) If the fee or fine is paid by a person who was charged in 6761  
a municipal court with the violation that resulted in the 6762  
suspension, the portion shall be deposited into the municipal 6763  
indigent drivers interlock and alcohol monitoring fund under the 6764  
control of that court. 6765

**Sec. 4511.21.** (A) No person shall operate a motor vehicle, 6766  
trackless trolley, or streetcar at a speed greater or less than is 6767  
reasonable or proper, having due regard to the traffic, surface, 6768  
and width of the street or highway and any other conditions, and 6769  
no person shall drive any motor vehicle, trackless trolley, or 6770  
streetcar in and upon any street or highway at a greater speed 6771  
than will permit the person to bring it to a stop within the 6772  
assured clear distance ahead. 6773

(B) It is prima-facie lawful, in the absence of a lower limit 6774  
declared or established pursuant to this section by the director 6775  
of transportation or local authorities, for the operator of a 6776  
motor vehicle, trackless trolley, or streetcar to operate the same 6777  
at a speed not exceeding the following: 6778

(1)(a) Twenty miles per hour in school zones during school 6779  
recess and while children are going to or leaving school during 6780  
the opening or closing hours, and when twenty miles per hour 6781  
school speed limit signs are erected; except that, on 6782  
controlled-access highways and expressways, if the right-of-way 6783  
line fence has been erected without pedestrian opening, the speed 6784  
shall be governed by division (B)(4) of this section and on 6785  
freeways, if the right-of-way line fence has been erected without 6786  
pedestrian opening, the speed shall be governed by divisions 6787  
(B)(9) and (10) of this section. The end of every school zone may 6788  
be marked by a sign indicating the end of the zone. Nothing in 6789

this section or in the manual and specifications for a uniform 6790  
system of traffic control devices shall be construed to require 6791  
school zones to be indicated by signs equipped with flashing or 6792  
other lights, or giving other special notice of the hours in which 6793  
the school zone speed limit is in effect. 6794

(b) As used in this section and in section 4511.212 of the 6795  
Revised Code, "school" means any school chartered under section 6796  
3301.16 of the Revised Code and any nonchartered school that 6797  
during the preceding year filed with the department of education 6798  
in compliance with rule 3301-35-08 of the Ohio Administrative 6799  
Code, a copy of the school's report for the parents of the 6800  
school's pupils certifying that the school meets Ohio minimum 6801  
standards for nonchartered, nontax-supported schools and presents 6802  
evidence of this filing to the jurisdiction from which it is 6803  
requesting the establishment of a school zone. "School" also 6804  
includes a special elementary school that in writing requests the 6805  
county engineer of the county in which the special elementary 6806  
school is located to create a school zone at the location of that 6807  
school. Upon receipt of such a written request, the county 6808  
engineer shall create a school zone at that location by erecting 6809  
the appropriate signs. 6810

(c) As used in this section, "school zone" means that portion 6811  
of a street or highway passing a school fronting upon the street 6812  
or highway that is encompassed by projecting the school property 6813  
lines to the fronting street or highway, and also includes that 6814  
portion of a state highway. Upon request from local authorities 6815  
for streets and highways under their jurisdiction and that portion 6816  
of a state highway under the jurisdiction of the director of 6817  
transportation or a request from a county engineer in the case of 6818  
a school zone for a special elementary school, the director may 6819  
extend the traditional school zone boundaries. The distances in 6820  
divisions (B)(1)(c)(i), (ii), and (iii) of this section shall not 6821

exceed three hundred feet per approach per direction and are 6822  
bounded by whichever of the following distances or combinations 6823  
thereof the director approves as most appropriate: 6824

(i) The distance encompassed by projecting the school 6825  
building lines normal to the fronting highway and extending a 6826  
distance of three hundred feet on each approach direction; 6827

(ii) The distance encompassed by projecting the school 6828  
property lines intersecting the fronting highway and extending a 6829  
distance of three hundred feet on each approach direction; 6830

(iii) The distance encompassed by the special marking of the 6831  
pavement for a principal school pupil crosswalk plus a distance of 6832  
three hundred feet on each approach direction of the highway. 6833

Nothing in this section shall be construed to invalidate the 6834  
director's initial action on August 9, 1976, establishing all 6835  
school zones at the traditional school zone boundaries defined by 6836  
projecting school property lines, except when those boundaries are 6837  
extended as provided in divisions (B)(1)(a) and (c) of this 6838  
section. 6839

(d) As used in this division, "crosswalk" has the meaning 6840  
given that term in division (LL)(2) of section 4511.01 of the 6841  
Revised Code. 6842

The director may, upon request by resolution of the 6843  
legislative authority of a municipal corporation, the board of 6844  
trustees of a township, or a county board of mental retardation 6845  
and developmental disabilities created pursuant to Chapter 5126. 6846  
of the Revised Code, and upon submission by the municipal 6847  
corporation, township, or county board of such engineering, 6848  
traffic, and other information as the director considers 6849  
necessary, designate a school zone on any portion of a state route 6850  
lying within the municipal corporation, lying within the 6851  
unincorporated territory of the township, or lying adjacent to the 6852

property of a school that is operated by such county board, that 6853  
includes a crosswalk customarily used by children going to or 6854  
leaving a school during recess and opening and closing hours, 6855  
whenever the distance, as measured in a straight line, from the 6856  
school property line nearest the crosswalk to the nearest point of 6857  
the crosswalk is no more than one thousand three hundred twenty 6858  
feet. Such a school zone shall include the distance encompassed by 6859  
the crosswalk and extending three hundred feet on each approach 6860  
direction of the state route. 6861

(e) As used in this section, "special elementary school" 6862  
means a school that meets all of the following criteria: 6863

(i) It is not chartered and does not receive tax revenue from 6864  
any source. 6865

(ii) It does not educate children beyond the eighth grade. 6866

(iii) It is located outside the limits of a municipal 6867  
corporation. 6868

(iv) A majority of the total number of students enrolled at 6869  
the school are not related by blood. 6870

(v) The principal or other person in charge of the special 6871  
elementary school annually sends a report to the superintendent of 6872  
the school district in which the special elementary school is 6873  
located indicating the total number of students enrolled at the 6874  
school, but otherwise the principal or other person in charge does 6875  
not report any other information or data to the superintendent. 6876

(2) Twenty-five miles per hour in all other portions of a 6877  
municipal corporation, except on state routes outside business 6878  
districts, through highways outside business districts, and 6879  
alleys; 6880

(3) Thirty-five miles per hour on all state routes or through 6881  
highways within municipal corporations outside business districts, 6882

except as provided in divisions (B)(4) and (6) of this section;	6883
(4) Fifty miles per hour on controlled-access highways and expressways within municipal corporations;	6884
(5) Fifty-five miles per hour on highways outside municipal corporations, other than highways within island jurisdictions as provided in division (B)(8) of this section and freeways as provided in <del>division</del> <u>divisions</u> (B)(13) <u>and (14)</u> of this section;	6886
(6) Fifty miles per hour on state routes within municipal corporations outside urban districts unless a lower prima-facie speed is established as further provided in this section;	6887
(7) Fifteen miles per hour on all alleys within the municipal corporation;	6888
(8) Thirty-five miles per hour on highways outside municipal corporations that are within an island jurisdiction;	6889
(9) Fifty-five miles per hour at all times on freeways with paved shoulders inside municipal corporations, other than freeways as provided in <del>division</del> <u>divisions</u> (B)(13) <u>and (14)</u> of this section;	6890
(10) Fifty-five miles per hour at all times on freeways outside municipal corporations, other than freeways as provided in <del>division</del> <u>divisions</u> (B)(13) <u>and (14)</u> of this section;	6891
(11) Fifty-five miles per hour at all times on all portions of freeways that are part of the interstate system and on all portions of freeways that are not part of the interstate system, but are built to the standards and specifications that are applicable to freeways that are part of the interstate system for operators of any motor vehicle weighing in excess of eight thousand pounds empty weight and any noncommercial bus, <u>except as provided in division (B)(14) of this section;</u>	6892
(12) Fifty-five miles per hour for operators of any motor	6893
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vehicle weighing eight thousand pounds or less empty weight and 6913  
any commercial bus at all times on all portions of freeways that 6914  
are part of the interstate system and that had such a speed limit 6915  
established prior to October 1, 1995, and freeways that are not 6916  
part of the interstate system, but are built to the standards and 6917  
specifications that are applicable to freeways that are part of 6918  
the interstate system and that had such a speed limit established 6919  
prior to October 1, 1995, unless a higher speed limit is 6920  
established under division (L) of this section; 6921

(13) Sixty-five miles per hour for operators of any motor 6922  
vehicle weighing eight thousand pounds or less empty weight and 6923  
any commercial bus at all times on all portions of the following: 6924

(a) Freeways that are part of the interstate system and that 6925  
had such a speed limit established prior to October 1, 1995, and 6926  
freeways that are not part of the interstate system, but are built 6927  
to the standards and specifications that are applicable to 6928  
freeways that are part of the interstate system and that had such 6929  
a speed limit established prior to October 1, 1995; 6930

(b) Freeways that are part of the interstate system and 6931  
freeways that are not part of the interstate system but are built 6932  
to the standards and specifications that are applicable to 6933  
freeways that are part of the interstate system, and that had such 6934  
a speed limit established under division (L) of this section; 6935

(c) Rural, divided, multi-lane highways that are designated 6936  
as part of the national highway system under the "National Highway 6937  
System Designation Act of 1995," 109 Stat. 568, 23 U.S.C.A. 103, 6938  
and that had such a speed limit established under division (M) of 6939  
this section. 6940

(14) Sixty-five miles per hour at all times on all portions 6941  
of freeways that are part of the interstate system and that had 6942  
such a speed limit on the effective date of this amendment for 6943



operators of any motor vehicle weighing in excess of eight 6944  
thousand pounds empty weight and any noncommercial bus. 6945

(C) It is prima-facie unlawful for any person to exceed any 6946  
of the speed limitations in divisions (B)(1)(a), (2), (3), (4), 6947  
(6), (7), and (8) of this section, or any declared or established 6948  
pursuant to this section by the director or local authorities and 6949  
it is unlawful for any person to exceed any of the speed 6950  
limitations in division (D) of this section. No person shall be 6951  
convicted of more than one violation of this section for the same 6952  
conduct, although violations of more than one provision of this 6953  
section may be charged in the alternative in a single affidavit. 6954

(D) No person shall operate a motor vehicle, trackless 6955  
trolley, or streetcar upon a street or highway as follows: 6956

(1) At a speed exceeding fifty-five miles per hour, except 6957  
upon a freeway as provided in ~~division~~ divisions (B)(13) and (14) 6958  
of this section; 6959

(2) At a speed exceeding sixty-five miles per hour upon a 6960  
freeway as provided in ~~division~~ divisions (B)(13) and (14) of this 6961  
section ~~except as otherwise provided in division (D)(3) of this~~ 6962  
~~section;~~ 6963

(3) If a motor vehicle weighing in excess of eight thousand 6964  
pounds empty weight or a noncommercial bus as prescribed in 6965  
division (B)(11) of this section, at a speed exceeding fifty-five 6966  
miles per hour upon a freeway as provided in that division; 6967

(4) At a speed exceeding the posted speed limit upon a 6968  
freeway for which the director has determined and declared a speed 6969  
limit of not more than sixty-five miles per hour pursuant to 6970  
division (L)(2) or (M) of this section; 6971

(5) At a speed exceeding sixty-five miles per hour upon a 6972  
freeway for which such a speed limit has been established through 6973  
the operation of division (L)(3) of this section; 6974

(6) At a speed exceeding the posted speed limit upon a 6975  
freeway for which the director has determined and declared a speed 6976  
limit pursuant to division (I)(2) of this section. 6977

(E) In every charge of violation of this section the 6978  
affidavit and warrant shall specify the time, place, and speed at 6979  
which the defendant is alleged to have driven, and in charges made 6980  
in reliance upon division (C) of this section also the speed which 6981  
division (B)(1)(a), (2), (3), (4), (6), (7), or (8) of, or a limit 6982  
declared or established pursuant to, this section declares is 6983  
prima-facie lawful at the time and place of such alleged 6984  
violation, except that in affidavits where a person is alleged to 6985  
have driven at a greater speed than will permit the person to 6986  
bring the vehicle to a stop within the assured clear distance 6987  
ahead the affidavit and warrant need not specify the speed at 6988  
which the defendant is alleged to have driven. 6989

(F) When a speed in excess of both a prima-facie limitation 6990  
and a limitation in division (D)(1), (2), (3), (4), (5), or (6) of 6991  
this section is alleged, the defendant shall be charged in a 6992  
single affidavit, alleging a single act, with a violation 6993  
indicated of both division (B)(1)(a), (2), (3), (4), (6), (7), or 6994  
(8) of this section, or of a limit declared or established 6995  
pursuant to this section by the director or local authorities, and 6996  
of the limitation in division (D)(1), (2), (3), (4), (5), or (6) 6997  
of this section. If the court finds a violation of division 6998  
(B)(1)(a), (2), (3), (4), (6), (7), or (8) of, or a limit declared 6999  
or established pursuant to, this section has occurred, it shall 7000  
enter a judgment of conviction under such division and dismiss the 7001  
charge under division (D)(1), (2), (3), (4), (5), or (6) of this 7002  
section. If it finds no violation of division (B)(1)(a), (2), (3), 7003  
(4), (6), (7), or (8) of, or a limit declared or established 7004  
pursuant to, this section, it shall then consider whether the 7005  
evidence supports a conviction under division (D)(1), (2), (3), 7006

(4), (5), or (6) of this section. 7007

(G) Points shall be assessed for violation of a limitation 7008  
under division (D) of this section in accordance with section 7009  
4510.036 of the Revised Code. 7010

(H) Whenever the director determines upon the basis of a 7011  
geometric and traffic characteristic study that any speed limit 7012  
set forth in divisions (B)(1)(a) to (D) of this section is greater 7013  
or less than is reasonable or safe under the conditions found to 7014  
exist at any portion of a street or highway under the jurisdiction 7015  
of the director, the director shall determine and declare a 7016  
reasonable and safe prima-facie speed limit, which shall be 7017  
effective when appropriate signs giving notice of it are erected 7018  
at the location. 7019

(I)(1) Except as provided in divisions (I)(2) and (K) of this 7020  
section, whenever local authorities determine upon the basis of an 7021  
engineering and traffic investigation that the speed permitted by 7022  
divisions (B)(1)(a) to (D) of this section, on any part of a 7023  
highway under their jurisdiction, is greater than is reasonable 7024  
and safe under the conditions found to exist at such location, the 7025  
local authorities may by resolution request the director to 7026  
determine and declare a reasonable and safe prima-facie speed 7027  
limit. Upon receipt of such request the director may determine and 7028  
declare a reasonable and safe prima-facie speed limit at such 7029  
location, and if the director does so, then such declared speed 7030  
limit shall become effective only when appropriate signs giving 7031  
notice thereof are erected at such location by the local 7032  
authorities. The director may withdraw the declaration of a 7033  
prima-facie speed limit whenever in the director's opinion the 7034  
altered prima-facie speed becomes unreasonable. Upon such 7035  
withdrawal, the declared prima-facie speed shall become 7036  
ineffective and the signs relating thereto shall be immediately 7037  
removed by the local authorities. 7038

(2) A local authority may determine on the basis of a 7039  
geometric and traffic characteristic study that the speed limit of 7040  
sixty-five miles per hour on a portion of a freeway under its 7041  
jurisdiction that was established through the operation of 7042  
division (L)(3) of this section is greater than is reasonable or 7043  
safe under the conditions found to exist at that portion of the 7044  
freeway. If the local authority makes such a determination, the 7045  
local authority by resolution may request the director to 7046  
determine and declare a reasonable and safe speed limit of not 7047  
less than fifty-five miles per hour for that portion of the 7048  
freeway. If the director takes such action, the declared speed 7049  
limit becomes effective only when appropriate signs giving notice 7050  
of it are erected at such location by the local authority. 7051

(J) Local authorities in their respective jurisdictions may 7052  
authorize by ordinance higher prima-facie speeds than those stated 7053  
in this section upon through highways, or upon highways or 7054  
portions thereof where there are no intersections, or between 7055  
widely spaced intersections, provided signs are erected giving 7056  
notice of the authorized speed, but local authorities shall not 7057  
modify or alter the basic rule set forth in division (A) of this 7058  
section or in any event authorize by ordinance a speed in excess 7059  
of fifty miles per hour. 7060

Alteration of prima-facie limits on state routes by local 7061  
authorities shall not be effective until the alteration has been 7062  
approved by the director. The director may withdraw approval of 7063  
any altered prima-facie speed limits whenever in the director's 7064  
opinion any altered prima-facie speed becomes unreasonable, and 7065  
upon such withdrawal, the altered prima-facie speed shall become 7066  
ineffective and the signs relating thereto shall be immediately 7067  
removed by the local authorities. 7068

(K)(1) As used in divisions (K)(1), (2), (3), and (4) of this 7069  
section, "unimproved highway" means a highway consisting of any of 7070

the following: 7071

(a) Unimproved earth; 7072

(b) Unimproved graded and drained earth; 7073

(c) Gravel. 7074

(2) Except as otherwise provided in divisions (K)(4) and (5) 7075  
of this section, whenever a board of township trustees determines 7076  
upon the basis of an engineering and traffic investigation that 7077  
the speed permitted by division (B)(5) of this section on any part 7078  
of an unimproved highway under its jurisdiction and in the 7079  
unincorporated territory of the township is greater than is 7080  
reasonable or safe under the conditions found to exist at the 7081  
location, the board may by resolution declare a reasonable and 7082  
safe prima-facie speed limit of fifty-five but not less than 7083  
twenty-five miles per hour. An altered speed limit adopted by a 7084  
board of township trustees under this division becomes effective 7085  
when appropriate traffic control devices, as prescribed in section 7086  
4511.11 of the Revised Code, giving notice thereof are erected at 7087  
the location, which shall be no sooner than sixty days after 7088  
adoption of the resolution. 7089

(3)(a) Whenever, in the opinion of a board of township 7090  
trustees, any altered prima-facie speed limit established by the 7091  
board under this division becomes unreasonable, the board may 7092  
adopt a resolution withdrawing the altered prima-facie speed 7093  
limit. Upon the adoption of such a resolution, the altered 7094  
prima-facie speed limit becomes ineffective and the traffic 7095  
control devices relating thereto shall be immediately removed. 7096

(b) Whenever a highway ceases to be an unimproved highway and 7097  
the board has adopted an altered prima-facie speed limit pursuant 7098  
to division (K)(2) of this section, the board shall, by 7099  
resolution, withdraw the altered prima-facie speed limit as soon 7100  
as the highway ceases to be unimproved. Upon the adoption of such 7101

a resolution, the altered prima-facie speed limit becomes 7102  
ineffective and the traffic control devices relating thereto shall 7103  
be immediately removed. 7104

(4)(a) If the boundary of two townships rests on the 7105  
centerline of an unimproved highway in unincorporated territory 7106  
and both townships have jurisdiction over the highway, neither of 7107  
the boards of township trustees of such townships may declare an 7108  
altered prima-facie speed limit pursuant to division (K)(2) of 7109  
this section on the part of the highway under their joint 7110  
jurisdiction unless the boards of township trustees of both of the 7111  
townships determine, upon the basis of an engineering and traffic 7112  
investigation, that the speed permitted by division (B)(5) of this 7113  
section is greater than is reasonable or safe under the conditions 7114  
found to exist at the location and both boards agree upon a 7115  
reasonable and safe prima-facie speed limit of less than 7116  
fifty-five but not less than twenty-five miles per hour for that 7117  
location. If both boards so agree, each shall follow the procedure 7118  
specified in division (K)(2) of this section for altering the 7119  
prima-facie speed limit on the highway. Except as otherwise 7120  
provided in division (K)(4)(b) of this section, no speed limit 7121  
altered pursuant to division (K)(4)(a) of this section may be 7122  
withdrawn unless the boards of township trustees of both townships 7123  
determine that the altered prima-facie speed limit previously 7124  
adopted becomes unreasonable and each board adopts a resolution 7125  
withdrawing the altered prima-facie speed limit pursuant to the 7126  
procedure specified in division (K)(3)(a) of this section. 7127

(b) Whenever a highway described in division (K)(4)(a) of 7128  
this section ceases to be an unimproved highway and two boards of 7129  
township trustees have adopted an altered prima-facie speed limit 7130  
pursuant to division (K)(4)(a) of this section, both boards shall, 7131  
by resolution, withdraw the altered prima-facie speed limit as 7132  
soon as the highway ceases to be unimproved. Upon the adoption of 7133

the resolution, the altered prima-facie speed limit becomes 7134  
ineffective and the traffic control devices relating thereto shall 7135  
be immediately removed. 7136

(5) As used in division (K)(5) of this section: 7137

(a) "Commercial subdivision" means any platted territory 7138  
outside the limits of a municipal corporation and fronting a 7139  
highway where, for a distance of three hundred feet or more, the 7140  
frontage is improved with buildings in use for commercial 7141  
purposes, or where the entire length of the highway is less than 7142  
three hundred feet long and the frontage is improved with 7143  
buildings in use for commercial purposes. 7144

(b) "Residential subdivision" means any platted territory 7145  
outside the limits of a municipal corporation and fronting a 7146  
highway, where, for a distance of three hundred feet or more, the 7147  
frontage is improved with residences or residences and buildings 7148  
in use for business, or where the entire length of the highway is 7149  
less than three hundred feet long and the frontage is improved 7150  
with residences or residences and buildings in use for business. 7151

Whenever a board of township trustees finds upon the basis of 7152  
an engineering and traffic investigation that the prima-facie 7153  
speed permitted by division (B)(5) of this section on any part of 7154  
a highway under its jurisdiction that is located in a commercial 7155  
or residential subdivision, except on highways or portions thereof 7156  
at the entrances to which vehicular traffic from the majority of 7157  
intersecting highways is required to yield the right-of-way to 7158  
vehicles on such highways in obedience to stop or yield signs or 7159  
traffic control signals, is greater than is reasonable and safe 7160  
under the conditions found to exist at the location, the board may 7161  
by resolution declare a reasonable and safe prima-facie speed 7162  
limit of less than fifty-five but not less than twenty-five miles 7163  
per hour at the location. An altered speed limit adopted by a 7164  
board of township trustees under this division shall become 7165

effective when appropriate signs giving notice thereof are erected 7166  
at the location by the township. Whenever, in the opinion of a 7167  
board of township trustees, any altered prima-facie speed limit 7168  
established by it under this division becomes unreasonable, it may 7169  
adopt a resolution withdrawing the altered prima-facie speed, and 7170  
upon such withdrawal, the altered prima-facie speed shall become 7171  
ineffective, and the signs relating thereto shall be immediately 7172  
removed by the township. 7173

(L)(1) Within one hundred twenty days of February 29, 1996, 7174  
the director of transportation, based upon a geometric and traffic 7175  
characteristic study of a freeway that is part of the interstate 7176  
system or that is not part of the interstate system, but is built 7177  
to the standards and specifications that are applicable to 7178  
freeways that are part of the interstate system, in consultation 7179  
with the director of public safety and, if applicable, the local 7180  
authority having jurisdiction over a portion of such freeway, may 7181  
determine and declare that the speed limit of less than sixty-five 7182  
miles per hour established on such freeway or portion of freeway 7183  
either is reasonable and safe or is less than that which is 7184  
reasonable and safe. 7185

(2) If the established speed limit for such a freeway or 7186  
portion of freeway is determined to be less than that which is 7187  
reasonable and safe, the director of transportation, in 7188  
consultation with the director of public safety and, if 7189  
applicable, the local authority having jurisdiction over the 7190  
portion of freeway, shall determine and declare a reasonable and 7191  
safe speed limit of not more than sixty-five miles per hour for 7192  
that freeway or portion of freeway. 7193

The director of transportation or local authority having 7194  
jurisdiction over the freeway or portion of freeway shall erect 7195  
appropriate signs giving notice of the speed limit at such 7196  
location within one hundred fifty days of February 29, 1996. Such 7197



speed limit becomes effective only when such signs are erected at 7198  
the location. 7199

(3) If, within one hundred twenty days of February 29, 1996, 7200  
the director of transportation does not make a determination and 7201  
declaration of a reasonable and safe speed limit for a freeway or 7202  
portion of freeway that is part of the interstate system or that 7203  
is not part of the interstate system, but is built to the 7204  
standards and specifications that are applicable to freeways that 7205  
are part of the interstate system and that has a speed limit of 7206  
less than sixty-five miles per hour, the speed limit on that 7207  
freeway or portion of a freeway shall be sixty-five miles per 7208  
hour. The director of transportation or local authority having 7209  
jurisdiction over the freeway or portion of the freeway shall 7210  
erect appropriate signs giving notice of the speed limit of 7211  
sixty-five miles per hour at such location within one hundred 7212  
fifty days of February 29, 1996. Such speed limit becomes 7213  
effective only when such signs are erected at the location. A 7214  
speed limit established through the operation of division (L)(3) 7215  
of this section is subject to reduction under division (I)(2) of 7216  
this section. 7217

(M) Within three hundred sixty days after February 29, 1996, 7218  
the director of transportation, based upon a geometric and traffic 7219  
characteristic study of a rural, divided, multi-lane highway that 7220  
has been designated as part of the national highway system under 7221  
the "National Highway System Designation Act of 1995," 109 Stat. 7222  
568, 23 U.S.C.A. 103, in consultation with the director of public 7223  
safety and, if applicable, the local authority having jurisdiction 7224  
over a portion of the highway, may determine and declare that the 7225  
speed limit of less than sixty-five miles per hour established on 7226  
the highway or portion of highway either is reasonable and safe or 7227  
is less than that which is reasonable and safe. 7228

If the established speed limit for the highway or portion of 7229

highway is determined to be less than that which is reasonable and 7230  
safe, the director of transportation, in consultation with the 7231  
director of public safety and, if applicable, the local authority 7232  
having jurisdiction over the portion of highway, shall determine 7233  
and declare a reasonable and safe speed limit of not more than 7234  
sixty-five miles per hour for that highway or portion of highway. 7235  
The director of transportation or local authority having 7236  
jurisdiction over the highway or portion of highway shall erect 7237  
appropriate signs giving notice of the speed limit at such 7238  
location within three hundred ninety days after February 29, 1996. 7239  
The speed limit becomes effective only when such signs are erected 7240  
at the location. 7241

(N)(1)(a) If the boundary of two local authorities rests on 7242  
the centerline of a highway and both authorities have jurisdiction 7243  
over the highway, the speed limit for the part of the highway 7244  
within their joint jurisdiction shall be either one of the 7245  
following as agreed to by both authorities: 7246

(i) Either prima-facie speed limit permitted by division (B) 7247  
of this section; 7248

(ii) An altered speed limit determined and posted in 7249  
accordance with this section. 7250

(b) If the local authorities are unable to reach an 7251  
agreement, the speed limit shall remain as established and posted 7252  
under this section. 7253

(2) Neither local authority may declare an altered 7254  
prima-facie speed limit pursuant to this section on the part of 7255  
the highway under their joint jurisdiction unless both of the 7256  
local authorities determine, upon the basis of an engineering and 7257  
traffic investigation, that the speed permitted by this section is 7258  
greater than is reasonable or safe under the conditions found to 7259  
exist at the location and both authorities agree upon a uniform 7260

reasonable and safe prima-facie speed limit of less than 7261  
fifty-five but not less than twenty-five miles per hour for that 7262  
location. If both authorities so agree, each shall follow the 7263  
procedure specified in this section for altering the prima-facie 7264  
speed limit on the highway, and the speed limit for the part of 7265  
the highway within their joint jurisdiction shall be uniformly 7266  
altered. No altered speed limit may be withdrawn unless both local 7267  
authorities determine that the altered prima-facie speed limit 7268  
previously adopted becomes unreasonable and each adopts a 7269  
resolution withdrawing the altered prima-facie speed limit 7270  
pursuant to the procedure specified in this section. 7271

(O) At any location on a state highway where the posted speed 7272  
limit decreases by twenty or more miles per hour, the director of 7273  
transportation shall establish a speed transition zone consisting, 7274  
at a minimum, of the preceding one thousand feet. The speed limit 7275  
for the speed transition zone shall be ten miles per hour more 7276  
than the speed limit to which the posted speed limit decreases by 7277  
twenty or more miles per hour. A reduced speed limit established 7278  
by the director pursuant to this division becomes effective when 7279  
the department of transportation erects appropriate signs giving 7280  
notice thereof on the state highway. 7281

(P) As used in this section: 7282

(1) "Interstate system" has the same meaning as in 23 7283  
U.S.C.A. 101. 7284

(2) "Commercial bus" means a motor vehicle designed for 7285  
carrying more than nine passengers and used for the transportation 7286  
of persons for compensation. 7287

(3) "Noncommercial bus" includes but is not limited to a 7288  
school bus or a motor vehicle operated solely for the 7289  
transportation of persons associated with a charitable or 7290  
nonprofit organization. 7291

~~(P)~~(Q)(1) A violation of any provision of this section is one 7292  
of the following: 7293

(a) Except as otherwise provided in divisions ~~(P)~~(Q)(1)(b), 7294  
(1)(c), (2), and (3) of this section, a minor misdemeanor; 7295

(b) If, within one year of the offense, the offender 7296  
previously has been convicted of or pleaded guilty to two 7297  
violations of any provision of this section or of any provision of 7298  
a municipal ordinance that is substantially similar to any 7299  
provision of this section, a misdemeanor of the fourth degree; 7300

(c) If, within one year of the offense, the offender 7301  
previously has been convicted of or pleaded guilty to three or 7302  
more violations of any provision of this section or of any 7303  
provision of a municipal ordinance that is substantially similar 7304  
to any provision of this section, a misdemeanor of the third 7305  
degree. 7306

(2) If the offender has not previously been convicted of or 7307  
pleaded guilty to a violation of any provision of this section or 7308  
of any provision of a municipal ordinance that is substantially 7309  
similar to this section and operated a motor vehicle faster than 7310  
thirty-five miles an hour in a business district of a municipal 7311  
corporation, faster than fifty miles an hour in other portions of 7312  
a municipal corporation, or faster than thirty-five miles an hour 7313  
in a school zone during recess or while children are going to or 7314  
leaving school during the school's opening or closing hours, a 7315  
misdemeanor of the fourth degree. 7316

(3) Notwithstanding division ~~(P)~~(Q)(1) of this section, if 7317  
the offender operated a motor vehicle in a construction zone where 7318  
a sign was then posted in accordance with section 4511.98 of the 7319  
Revised Code, the court, in addition to all other penalties 7320  
provided by law, shall impose upon the offender a fine of two 7321  
times the usual amount imposed for the violation. No court shall 7322

impose a fine of two times the usual amount imposed for the 7323  
violation upon an offender if the offender alleges, in an 7324  
affidavit filed with the court prior to the offender's sentencing, 7325  
that the offender is indigent and is unable to pay the fine 7326  
imposed pursuant to this division and if the court determines that 7327  
the offender is an indigent person and unable to pay the fine. 7328

**Sec. 4511.213.** (A) The driver of a motor vehicle, upon 7329  
approaching a stationary public safety vehicle, an emergency 7330  
vehicle, or a road service vehicle that is displaying a ~~flashing~~ 7331  
~~red light, flashing combination red and white light, oscillating~~ 7332  
~~or rotating red light, oscillating or rotating combination red and~~ 7333  
~~white light, flashing blue light, the appropriate visual signals~~ 7334  
by means of flashing combination blue and white light, oscillating 7335  
~~or rotating blue light, or, oscillating, or rotating combination~~ 7336  
blue and white light lights, as prescribed in section 4513.17 of 7337  
the Revised Code, shall do either of the following: 7338

(1) If the driver of the motor vehicle is traveling on a 7339  
highway that consists of at least two lanes that carry traffic in 7340  
the same direction of travel as that of the driver's motor 7341  
vehicle, the driver shall proceed with due caution and, if 7342  
possible and with due regard to the road, weather, and traffic 7343  
conditions, shall change lanes into a lane that is not adjacent to 7344  
that of the stationary public safety vehicle, an emergency 7345  
vehicle, or a road service vehicle. 7346

(2) If the driver is not traveling on a highway of a type 7347  
described in division (A)(1) of this section, or if the driver is 7348  
traveling on a highway of that type but it is not possible to 7349  
change lanes or if to do so would be unsafe, the driver shall 7350  
proceed with due caution, reduce the speed of the motor vehicle, 7351  
and maintain a safe speed for the road, weather, and traffic 7352  
conditions. 7353

(B) This section does not relieve the driver of a public safety vehicle, an emergency vehicle, or a road service vehicle from the duty to drive with due regard for the safety of all persons and property upon the highway.

(C) No person shall fail to drive a motor vehicle in compliance with division (A)(1) or (2) of this section when so required by division (A) of this section.

(D)(1) Except as otherwise provided in this division, whoever violates this section is guilty of a minor misdemeanor. If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to one predicate motor vehicle or traffic offense, whoever violates this section is guilty of a misdemeanor of the fourth degree. If, within one year of the offense, the offender previously has been convicted of two or more predicate motor vehicle or traffic offenses, whoever violates this section is guilty of a misdemeanor of the third degree.

(2) Notwithstanding section 2929.28 of the Revised Code, upon a finding that a person operated a motor vehicle in violation of division (C) of this section, the court, in addition to all other penalties provided by law, shall impose a fine of two times the usual amount imposed for the violation.

~~(E) As used in this section, "public safety vehicle" has the same meaning as in section 4511.01 of the Revised Code.~~

**Sec. 4513.03.** (A) Every vehicle, other than a motorized bicycle, operated upon a street or highway within this state shall display lighted lights and illuminating devices as required by sections 4513.04 to 4513.37 of the Revised Code during all of the following times:

(1) The time from sunset to sunrise, ~~and at;~~

(2) At any other time when there are, due to insufficient

~~natural light or unfavorable atmospheric conditions or when there is not sufficient natural light to render discernible, persons, vehicles, and substantial objects on the highway are not discernible at a distance of one thousand feet ahead, shall display lighted lights and illuminating devices as required by sections 4513.04 to 4513.37 of the Revised Code, for different classes of vehicles; except that every;~~

(3) At any time when the windshield wipers of the vehicle are in use because of precipitation on the windshield.

Every motorized bicycle shall display at such times lighted lights meeting the rules adopted by the director of public safety under section 4511.521 of the Revised Code. No motor vehicle, during ~~such times~~ any time specified in this section, shall be operated upon a street or highway within this state using only parking lights as illumination.

Whenever in such sections a requirement is declared as to the distance from which certain lamps and devices shall render objects visible, or within which such lamps or devices shall be visible, such distance shall be measured upon a straight level unlighted highway under normal atmospheric conditions unless a different condition is expressly stated.

Whenever in such sections a requirement is declared as to the mounted height of lights or devices, it shall mean from the center of such light or device to the level ground upon which the vehicle stands.

(B) Notwithstanding any provision of law to the contrary, no law enforcement officer shall cause the operator of a vehicle being operated upon a street or highway within this state to stop the vehicle solely because the officer observes that a violation of division (A)(3) of this section has been or is being committed or for the sole purpose of issuing a ticket, citation, or summons

for a violation of that division, or causing the arrest of or 7415  
commencing a prosecution of a person for a violation of that 7416  
division. 7417

(C) Whoever violates this section shall be punished as 7418  
provided in section 4513.99 of the Revised Code. 7419

**Sec. 4513.263.** (A) As used in this section and in section 7420  
4513.99 of the Revised Code: 7421

(1) "Automobile" means any commercial tractor, passenger car, 7422  
commercial car, or truck that is required to be factory-equipped 7423  
with an occupant restraining device for the operator or any 7424  
passenger by regulations adopted by the United States secretary of 7425  
transportation pursuant to the "National Traffic and Motor Vehicle 7426  
Safety Act of 1966," 80 Stat. 719, 15 U.S.C.A. 1392. 7427

(2) "Occupant restraining device" means a seat safety belt, 7428  
shoulder belt, harness, or other safety device for restraining a 7429  
person who is an operator of or passenger in an automobile and 7430  
that satisfies the minimum federal vehicle safety standards 7431  
established by the United States department of transportation. 7432

(3) "Passenger" means any person in an automobile, other than 7433  
its operator, who is occupying a seating position for which an 7434  
occupant restraining device is provided. 7435

(4) "Commercial tractor," "passenger car," and "commercial 7436  
car" have the same meanings as in section 4501.01 of the Revised 7437  
Code. 7438

(5) "Vehicle" and "motor vehicle," as used in the definitions 7439  
of the terms set forth in division (A)(4) of this section, have 7440  
the same meanings as in section 4511.01 of the Revised Code. 7441

(6) "Tort action" means a civil action for damages for 7442  
injury, death, or loss to person or property. "Tort action" 7443  
7444



includes a product liability claim, as defined in section 2307.71 7445  
of the Revised Code, and an asbestos claim, as defined in section 7446  
2307.91 of the Revised Code, but does not include a civil action 7447  
for damages for breach of contract or another agreement between 7448  
persons. 7449

(B) No person shall do any of the following: 7450

(1) Operate an automobile on any street or highway unless 7451  
that person is wearing all of the available elements of a properly 7452  
adjusted occupant restraining device, or operate a school bus that 7453  
has an occupant restraining device installed for use in its 7454  
operator's seat unless that person is wearing all of the available 7455  
elements of the device, as properly adjusted; 7456

(2) Operate an automobile on any street or highway unless 7457  
each passenger in the automobile who is subject to the requirement 7458  
set forth in division (B)(3) of this section is wearing all of the 7459  
available elements of a properly adjusted occupant restraining 7460  
device; 7461

(3) Occupy, as a passenger, a seating position on the front 7462  
seat of an automobile being operated on any street or highway 7463  
unless that person is wearing all of the available elements of a 7464  
properly adjusted occupant restraining device; 7465

(4) Operate a taxicab on any street or highway unless all 7466  
factory-equipped occupant restraining devices in the taxicab are 7467  
maintained in usable form. 7468

(C) Division (B)(3) of this section does not apply to a 7469  
person who is required by section 4511.81 of the Revised Code to 7470  
be secured in a child restraint device or booster seat. Division 7471  
(B)(1) of this section does not apply to a person who is an 7472  
employee of the United States postal service or of a newspaper 7473  
home delivery service, during any period in which the person is 7474  
engaged in the operation of an automobile to deliver mail or 7475

newspapers to addressees. Divisions (B)(1) and (3) of this section 7476  
do not apply to a person who has an affidavit signed by a 7477  
physician licensed to practice in this state under Chapter 4731. 7478  
of the Revised Code or a chiropractor licensed to practice in this 7479  
state under Chapter 4734. of the Revised Code that states that the 7480  
person has a physical impairment that makes use of an occupant 7481  
restraining device impossible or impractical. 7482

(D) Notwithstanding any provision of law to the contrary, no 7483  
law enforcement officer shall cause an operator of an automobile 7484  
being operated on any street or highway to stop the automobile for 7485  
the sole purpose of determining whether a violation of division 7486  
(B) of this section has been or is being committed or for the sole 7487  
purpose of issuing a ticket, citation, or summons for a violation 7488  
of that nature or causing the arrest of or commencing a 7489  
prosecution of a person for a violation of that nature, and no law 7490  
enforcement officer shall view the interior or visually inspect 7491  
any automobile being operated on any street or highway for the 7492  
sole purpose of determining whether a violation of that nature has 7493  
been or is being committed. 7494

(E) All fines collected for violations of division (B) of 7495  
this section, or for violations of any ordinance or resolution of 7496  
a political subdivision that is substantively comparable to that 7497  
division, shall be forwarded to the treasurer of state for deposit 7498  
as follows: 7499

(1) Eight per cent shall be deposited into the seat belt 7500  
education fund, which is hereby created in the state treasury, and 7501  
shall be used by the department of public safety to establish a 7502  
seat belt education program. 7503

(2) Eight per cent shall be deposited into the elementary 7504  
school program fund, which is hereby created in the state 7505  
treasury, and shall be used by the department of public safety to 7506  
establish and administer elementary school programs that encourage 7507

seat safety belt use. 7508

(3) Two per cent shall be deposited into the occupational 7509  
licensing and regulatory fund created by section 4743.05 of the 7510  
Revised Code. 7511

(4) Twenty-eight per cent, plus sixty cents of each fee 7512  
collected under sections 4501.34, 4503.26, 4506.08, and 4509.05, 7513  
plus on and after October 1, 2009, sixty cents of each fee 7514  
collected under sections 4505.14 and 4519.63 of the Revised Code 7515  
as specified in those sections, shall be deposited into the trauma 7516  
and emergency medical services fund, which is hereby created in 7517  
the state treasury, and shall be used by the department of public 7518  
safety for the administration of the division of emergency medical 7519  
services and the state board of emergency medical services, except 7520  
that the director of budget and management may transfer excess 7521  
money from the trauma and emergency medical services fund to the 7522  
state highway safety fund if the director of public safety 7523  
determines that the amount of money in the trauma and emergency 7524  
medical services fund exceeds the amount required to cover such 7525  
costs incurred by the emergency medical services agency and 7526  
requests the director of budget and management to make the 7527  
transfer. 7528

(5) Fifty-four per cent shall be deposited into the trauma 7529  
and emergency medical services grants fund, which is hereby 7530  
created in the state treasury, and shall be used by the state 7531  
board of emergency medical services to make grants, in accordance 7532  
with section 4765.07 of the Revised Code and rules the board 7533  
adopts under section 4765.11 of the Revised Code. 7534

(F)(1) Subject to division (F)(2) of this section, the 7535  
failure of a person to wear all of the available elements of a 7536  
properly adjusted occupant restraining device in violation of 7537  
division (B)(1) or (3) of this section or the failure of a person 7538  
to ensure that each minor who is a passenger of an automobile 7539

being operated by that person is wearing all of the available 7540  
elements of a properly adjusted occupant restraining device in 7541  
violation of division (B)(2) of this section shall not be 7542  
considered or used by the trier of fact in a tort action as 7543  
evidence of negligence or contributory negligence. But, the trier 7544  
of fact may determine based on evidence admitted consistent with 7545  
the Ohio Rules of Evidence that the failure contributed to the 7546  
harm alleged in the tort action and may diminish a recovery of 7547  
compensatory damages that represents noneconomic loss, as defined 7548  
in section 2307.011 of the Revised Code, in a tort action that 7549  
could have been recovered but for the plaintiff's failure to wear 7550  
all of the available elements of a properly adjusted occupant 7551  
restraining device. Evidence of that failure shall not be used as 7552  
a basis for a criminal prosecution of the person other than a 7553  
prosecution for a violation of this section; and shall not be 7554  
admissible as evidence in a criminal action involving the person 7555  
other than a prosecution for a violation of this section. 7556

(2) If, at the time of an accident involving a passenger car 7557  
equipped with occupant restraining devices, any occupant of the 7558  
passenger car who sustained injury or death was not wearing an 7559  
available occupant restraining device, was not wearing all of the 7560  
available elements of such a device, or was not wearing such a 7561  
device as properly adjusted, then, consistent with the Rules of 7562  
Evidence, the fact that the occupant was not wearing the available 7563  
occupant restraining device, was not wearing all of the available 7564  
elements of such a device, or was not wearing such a device as 7565  
properly adjusted is admissible in evidence in relation to any 7566  
claim for relief in a tort action to the extent that the claim for 7567  
relief satisfies all of the following: 7568

(a) It seeks to recover damages for injury or death to the 7569  
occupant. 7570

(b) The defendant in question is the manufacturer, designer, 7571

distributor, or seller of the passenger car. 7572

(c) The claim for relief against the defendant in question is 7573  
that the injury or death sustained by the occupant was enhanced or 7574  
aggravated by some design defect in the passenger car or that the 7575  
passenger car was not crashworthy. 7576

(G)(1) Whoever violates division (B)(1) of this section shall 7577  
be fined thirty dollars. 7578

(2) Whoever violates division (B)(3) of this section shall be 7579  
fined twenty dollars. 7580

(3) Except as otherwise provided in this division, whoever 7581  
violates division (B)(4) of this section is guilty of a minor 7582  
misdemeanor. If the offender previously has been convicted of or 7583  
pleaded guilty to a violation of division (B)(4) of this section, 7584  
whoever violates division (B)(4) of this section is guilty of a 7585  
misdemeanor of the third degree. 7586

**Sec. 4513.34.** (A) The director of transportation with respect 7587  
to all highways that are a part of the state highway system and 7588  
local authorities with respect to highways under their 7589  
jurisdiction, upon application in writing and for good cause 7590  
shown, may issue a special permit in writing authorizing the 7591  
applicant to operate or move a vehicle or combination of vehicles 7592  
of a size or weight of vehicle or load exceeding the maximum 7593  
specified in sections 5577.01 to 5577.09 of the Revised Code, or 7594  
otherwise not in conformity with sections 4513.01 to 4513.37 of 7595  
the Revised Code, upon any highway under the jurisdiction of the 7596  
authority granting the permit. 7597

For purposes of this section, the director may designate 7598  
certain state highways or portions of state highways as special 7599  
economic development highways. If an application submitted to the 7600  
director under this section involves travel of a nonconforming 7601

vehicle or combination of vehicles upon a special economic 7602  
development highway, the director, in determining whether good 7603  
cause has been shown that issuance of a permit is justified, shall 7604  
consider the effect the travel of the vehicle or combination of 7605  
vehicles will have on the economic development in the area in 7606  
which the designated highway or portion of highway is located. 7607

(B) Notwithstanding sections 715.22 and 723.01 of the Revised 7608  
Code, the holder of a special permit issued by the director under 7609  
this section may move the vehicle or combination of vehicles 7610  
described in the special permit on any highway that is a part of 7611  
the state highway system when the movement is partly within and 7612  
partly without the corporate limits of a municipal corporation. No 7613  
local authority shall require any other permit or license or 7614  
charge any license fee or other charge against the holder of a 7615  
permit for the movement of a vehicle or combination of vehicles on 7616  
any highway that is a part of the state highway system. The 7617  
director shall not require the holder of a permit issued by a 7618  
local authority to obtain a special permit for the movement of 7619  
vehicles or combination of vehicles on highways within the 7620  
jurisdiction of the local authority. Permits may be issued for any 7621  
period of time not to exceed one year, as the director in the 7622  
director's discretion or a local authority in its discretion 7623  
determines advisable, or for the duration of any public 7624  
construction project. 7625

(C) The application for a permit shall be in the form that 7626  
the director or local authority prescribes. The director or local 7627  
authority may prescribe a permit fee to be imposed and collected 7628  
when any permit described in this section is issued. The permit 7629  
fee may be in an amount sufficient to reimburse the director or 7630  
local authority for the administrative costs incurred in issuing 7631  
the permit, and also to cover the cost of the normal and expected 7632  
damage caused to the roadway or a street or highway structure as 7633

the result of the operation of the nonconforming vehicle or 7634  
combination of vehicles. The director, in accordance with Chapter 7635  
119. of the Revised Code, shall establish a schedule of fees for 7636  
permits issued by the director under this section; provided, that 7637  
the rules of the director shall include issuance of a continuing 7638  
annual permit over routes reported to the director and shall 7639  
require the recipient of such an annual permit to submit quarterly 7640  
reports to the director containing such information as the 7641  
director shall specify. 7642

For the purposes of this section and of rules adopted by the 7643  
director under this section, milk transported in bulk by vehicle 7644  
is deemed a nondivisible load. 7645

(D) The director or local authority may issue or withhold a 7646  
permit. If a permit is to be issued, the director or local 7647  
authority may limit or prescribe conditions of operation for the 7648  
vehicle and may require the posting of a bond or other security 7649  
conditioned upon the sufficiency of the permit fee to compensate 7650  
for damage caused to the roadway or a street or highway structure. 7651  
In addition, a local authority, as a condition of issuance of an 7652  
overweight permit, may require the applicant to develop and enter 7653  
into a mutual agreement with the local authority to compensate for 7654  
or to repair excess damage caused to the roadway by travel under 7655  
the permit. 7656

For a permit that will allow travel of a nonconforming 7657  
vehicle or combination of vehicles on a special economic 7658  
development highway, the director, as a condition of issuance, may 7659  
require the applicant to agree to make periodic payments to the 7660  
department to compensate for damage caused to the roadway by 7661  
travel under the permit. 7662

(E) Every permit shall be carried in the vehicle or 7663  
combination of vehicles to which it refers and shall be open to 7664  
inspection by any police officer or authorized agent of any 7665

authority granting the permit. No person shall violate any of the 7666  
terms of a permit. 7667

(F) The director may debar an applicant from applying for a 7668  
special permit under this section upon a finding based on a 7669  
reasonable belief that the applicant has done any of the 7670  
following: 7671

(1) Abused the process by repeatedly submitting false 7672  
information or false travel plans or by using another company or 7673  
individual's name, insurance, or escrow account without proper 7674  
authorization; 7675

(2) Failed to comply with or substantially perform under a 7676  
previously issued special permit according to its terms, 7677  
conditions, and specifications within specified time limits; 7678

(3) Failed to cooperate in the application process for the 7679  
special permit or in any other procedures that are related to the 7680  
issuance of the special permit by refusing to provide information 7681  
or documents required in a permit or by failing to respond to and 7682  
correct matters related to the special permit; 7683

(4) Accumulated repeated justified complaints regarding 7684  
performance under a special permit that was previously issued to 7685  
the applicant or previously failed to obtain a special permit when 7686  
such a permit was required; 7687

(5) Attempted to influence a public employee to breach 7688  
ethical conduct standards; 7689

(6) Been convicted of a criminal offense related to the 7690  
application for, or performance under, a special permit, 7691  
including, but not limited to, bribery, falsification, fraud or 7692  
destruction of records, receiving stolen property, and any other 7693  
offense that directly reflects on the applicant's integrity or 7694  
commercial driver's license; 7695



(7) Accumulated repeated convictions under a state or federal safety law governing commercial motor vehicles or a rule or regulation adopted under such a law;

(8) Accumulated repeated convictions under a law, rule, or regulation governing the movement of traffic over the public streets and highways;

(9) Failed to pay any fees associated with any permitted operation or move;

(10) Deliberately or willfully submitted false or misleading information in connection with the application for, or performance under, a special permit issued under this section.

If the applicant is a partnership, association, or corporation, the director also may debar from consideration for special permits any partner of the partnership, or the officers, directors, or employees of the association or corporation being debarred.

The director may adopt rules in accordance with Chapter 119. of the Revised Code governing the debarment of an applicant.

(G) When the director reasonably believes that grounds for debarment exist, the director shall send the person that is subject to debarment a notice of the proposed debarment. A notice of proposed debarment shall indicate the grounds for the debarment of the person and the procedure for requesting a hearing. The notice and hearing shall be in accordance with Chapter 119. of the Revised Code. If the person does not respond with a request for a hearing in the manner specified in that chapter, the director shall issue the debarment decision without a hearing and shall notify the person of the decision by certified mail, return receipt requested. The debarment period may be of any length determined by the director, and the director may modify or rescind the debarment at any time. During the period of debarment, the

director shall not issue, or consider issuing, a special permit to 7727  
any partnership, association, or corporation that is affiliated 7728  
with a debarred person. After the debarment period expires, the 7729  
person, and any partnership, association, or corporation 7730  
affiliated with the person, may reapply for a special permit. 7731

(H) Whoever violates this section shall be punished as 7732  
provided in section 4513.99 of the Revised Code. 7733

**Sec. 4517.021.** (A) Sections 4517.01, 4517.02, and 4517.03 to 7734  
4517.45 of the Revised Code do not apply to a person auctioning 7735  
classic motor vehicles, provided all of the following apply: 7736

(1) The person is responsible for not more than two auctions 7737  
of classic motor vehicles per year, with no auction lasting more 7738  
than ~~one day~~ two days; 7739

(2) The person requests and receives permission for the 7740  
auction from the registrar of motor vehicles by filing an 7741  
application for each proposed auction of classic motor vehicles, 7742  
at least thirty days before the auction, in a form prescribed by 7743  
the registrar, signed and sworn to by the person, that contains 7744  
all of the following: 7745

(a) The person's name and business address; 7746

(b) The location of the auction; 7747

(c) Evidence, sufficient to satisfy the registrar, that the 7748  
person does not exclusively sell motor vehicles; 7749

(d) Any necessary, reasonable, and relevant information that 7750  
the registrar may require to verify compliance with this section. 7751

(3) The person will be auctioning the classic motor vehicle 7752  
to the general public for the legal owner of the vehicle, which 7753  
ownership must be evidenced at the time of the auction by a valid 7754  
certificate of title issued pursuant to Chapter 4505. of the 7755  
Revised Code; 7756

(4) The person keeps a record of the following information 7757  
for each classic motor vehicle offered for sale at auction, in a 7758  
manner prescribed by the registrar: 7759

(a) The certificate of title number, county, and state of 7760  
registration; 7761

(b) The year, make, model, and vehicle identification number; 7762

(c) The name and address of the person offering the vehicle 7763  
for sale; 7764

(d) The name and address of any vehicle purchaser; 7765

(e) The date the vehicle is offered for sale; 7766

(f) Any purchase price; 7767

(g) The odometer reading at the time of the auction and an 7768  
odometer statement from the person offering the vehicle for sale 7769  
at auction that complies with 49 U.S.C. 32705. 7770

(5) The person allows reasonable inspection by the registrar 7771  
of the person's records relating to each classic motor vehicle 7772  
auction. 7773

(B) Any person that auctions classic motor vehicles under 7774  
this section shall use the auction services of an auction firm to 7775  
conduct the auction. 7776

(C) The registrar may refuse permission to hold an auction if 7777  
the registrar finds that the person has not complied with division 7778  
(A) of this section or has made a false statement of a material 7779  
fact in the application filed under division (A)(2) of this 7780  
section. 7781

(D) The registrar shall not authorize a person licensed under 7782  
section 4707.072 of the Revised Code to offer auction services or 7783  
act as an auctioneer in regard to an auction of classic motor 7784  
vehicles pursuant to this section. 7785

(E) As used in this section:	7786
(1) "Auction firm" and "auction services" have the same meanings as in section 4707.01 of the Revised Code.	7787 7788
(2) "Classic motor vehicle" means a motor vehicle that is over twenty-six years old.	7789 7790
<b>Sec. 4519.02.</b> (A) Except as provided in divisions (B), (C), and (D) of this section, no person shall operate any snowmobile, off-highway motorcycle, or all-purpose vehicle within this state unless the snowmobile, off-highway motorcycle, or all-purpose vehicle is registered and numbered in accordance with sections 4519.03 and 4519.04 of the Revised Code.	7791 7792 7793 7794 7795 7796
(B)(1) No registration is required for a snowmobile, <u>or</u> off-highway motorcycle, <del>or all-purpose vehicle</del> that is operated exclusively upon lands owned by the owner of the snowmobile, <u>or</u> off-highway motorcycle, <del>or all-purpose vehicle</del> , or on lands to which the owner <u>of the snowmobile or off-highway motorcycle</u> has a contractual right.	7797 7798 7799 7800 7801 7802
<u>(2) No registration is required for an all-purpose vehicle that is used primarily on a farm as a farm implement.</u>	7803 7804
(C) No registration is required for a snowmobile, off-highway motorcycle, or all-purpose vehicle owned and used in this state by a resident of another state whenever that state has in effect a registration law similar to this chapter and the snowmobile, off-highway motorcycle, or all-purpose vehicle is properly registered under that state's law. Any snowmobile, off-highway motorcycle, or all-purpose vehicle owned and used in this state by a resident of a state not having a registration law similar to this chapter shall comply with section 4519.09 of the Revised Code.	7805 7806 7807 7808 7809 7810 7811 7812 7813 7814
(D) No registration is required for a snowmobile, off-highway	7815

motorcycle, or all-purpose vehicle owned and used in this state by 7816  
the United States, another state, or a political subdivision 7817  
thereof, but the snowmobile, off-highway motorcycle, or 7818  
all-purpose vehicle shall display the name of the owner thereon. 7819

(E) The owner or operator of any all-purpose vehicle operated 7820  
or used upon the waters in this state shall comply with Chapters 7821  
1547. and 1548. of the Revised Code relative to the operation of 7822  
watercraft. 7823

(F) Except as otherwise provided in this division, whoever 7824  
violates division (A) of this section shall be fined not ~~more~~ less 7825  
than ~~twenty five~~ fifty dollars but not more than one hundred 7826  
dollars. ~~If the offender previously has been convicted of or~~ 7827  
~~pleaded guilty to a violation of division (A) of this section,~~ 7828  
~~whoever violates division (A) of this section shall be fined not~~ 7829  
~~less than twenty five nor more than fifty dollars.~~ 7830

**Sec. 4519.03.** (A) The owner of every snowmobile, off-highway 7831  
motorcycle, and all-purpose vehicle required to be registered 7832  
under section 4519.02 of the Revised Code shall file an 7833  
application for registration with the registrar of motor vehicles 7834  
or a deputy registrar, on blanks furnished by the registrar for 7835  
that purpose and containing all of the following information: 7836

(1) A brief description of the snowmobile, off-highway 7837  
motorcycle, or all-purpose vehicle, including the year, make, 7838  
model, and the vehicle identification number; 7839

(2) The name, residence, and business address of the owner; 7840

(3) A statement that the snowmobile, off-highway motorcycle, 7841  
or all-purpose vehicle is equipped as required by section 4519.20 7842  
of the Revised Code and any rule adopted under that section. The 7843  
statement shall include a check list of the required equipment 7844  
items in the form the registrar shall prescribe. 7845

The application shall be signed by the owner of the 7846  
snowmobile, off-highway motorcycle, or all-purpose vehicle and 7847  
shall be accompanied by a fee as provided in division (C) of 7848  
section 4519.04 of the Revised Code. 7849

If the application is not in proper form, or if the vehicle 7850  
for which registration is sought does not appear to be equipped as 7851  
required by section 4519.20 of the Revised Code or any rule 7852  
adopted under that section, the registration shall be refused, and 7853  
no registration sticker, license plate, or validation sticker 7854  
shall be issued. 7855

(B) On and after July 1, 1999, no certificate of registration 7856  
or renewal of a certificate of registration shall be issued for an 7857  
off-highway motorcycle or all-purpose vehicle required to be 7858  
registered under section 4519.02 of the Revised Code, and no 7859  
certificate of registration issued under this chapter for an 7860  
off-highway motorcycle or all-purpose vehicle that is sold or 7861  
otherwise transferred shall be transferred to the new owner of the 7862  
off-highway motorcycle or all-purpose vehicle as permitted by 7863  
division (B) of section 4519.05 of the Revised Code, unless a 7864  
certificate of title has been issued under this chapter for the 7865  
motorcycle or vehicle, and the owner or new owner, as the case may 7866  
be, presents a physical certificate of title or memorandum 7867  
certificate of title for inspection at the time the owner or new 7868  
owner first submits a registration application, registration 7869  
renewal application, or registration transfer application for the 7870  
motorcycle or vehicle on or after July 1, 1999, if a physical 7871  
certificate of title or memorandum certificate has been issued by 7872  
a clerk of a court of common pleas. If, under sections 4519.512 7873  
and 4519.58 of the Revised Code, a clerk instead has issued an 7874  
electronic certificate of title for the applicant's off-highway 7875  
motorcycle or all-purpose vehicle, that certificate may be 7876  
presented for inspection at the time of first registration in a 7877

manner prescribed by rules adopted by the registrar. 7878

(C) When the owner of an off-highway motorcycle or 7879  
all-purpose vehicle first registers it in the owner's name, and a 7880  
certificate of title has been issued for the motorcycle or 7881  
vehicle, the owner shall present for inspection a physical 7882  
certificate of title or memorandum certificate of title showing 7883  
title to the off-highway motorcycle or all-purpose vehicle in the 7884  
name of the owner if a physical certificate of title or memorandum 7885  
certificate has been issued by a clerk of a court of common pleas. 7886  
If, under sections 4519.512 and 4519.58 of the Revised Code, a 7887  
clerk instead has issued an electronic certificate of title for 7888  
the applicant's off-highway motorcycle or all-purpose vehicle, 7889  
that certificate may be presented for inspection at the time of 7890  
first registration in a manner prescribed by rules adopted by the 7891  
registrar. If, when the owner of such an off-highway motorcycle or 7892  
all-purpose vehicle first makes application to register it in the 7893  
owner's name, the application is not in proper form or the 7894  
certificate of title or memorandum certificate of title does not 7895  
accompany the registration or, in the case of an electronic 7896  
certificate of title, is not presented in a manner prescribed by 7897  
the registrar, the registration shall be refused, and neither a 7898  
certificate of registration nor a registration sticker, license 7899  
plate, or validation sticker shall be issued. When a certificate 7900  
of registration and registration sticker, license plate, or 7901  
validation sticker are issued upon the first registration of an 7902  
off-highway motorcycle or all-purpose vehicle by or on behalf of 7903  
the owner, the official issuing them shall indicate the issuance 7904  
with a stamp on the certificate of title or memorandum certificate 7905  
of title or, in the case of an electronic certificate of title, an 7906  
electronic stamp or other notation as specified in rules adopted 7907  
by the registrar. 7908

(D) Each deputy registrar shall be allowed a fee of ~~two~~ 7909

~~dollars and seventy five cents commencing on July 1, 2001, three~~ 7910  
~~dollars and twenty five cents commencing on January 1, 2003, and~~ 7911  
~~three dollars and fifty cents commencing on January 1, 2004,~~ for 7912  
each application or renewal application received by the deputy 7913  
registrar, which shall be for the purpose of compensating the 7914  
deputy registrar for services, and office and rental expense, as 7915  
may be necessary for the proper discharge of the deputy 7916  
registrar's duties in the receiving of applications and the 7917  
issuing of certificates of registration. 7918

Each deputy registrar, upon receipt of any application for 7919  
registration, together with the registration fee, shall transmit 7920  
the fee, together with the original and duplicate copy of the 7921  
application, to the registrar in the manner and at the times the 7922  
registrar, subject to the approval of the director of public 7923  
safety and the treasurer of state, shall prescribe by rule. 7924

**Sec. 4519.04.** (A) Upon the filing of an application for 7925  
registration of a snowmobile, off-highway motorcycle, or 7926  
all-purpose vehicle and the payment of the tax therefor, the 7927  
registrar of motor vehicles or a deputy registrar shall assign to 7928  
the snowmobile, off-highway motorcycle, or all-purpose vehicle a 7929  
distinctive number and issue and deliver to the owner in such 7930  
manner as the registrar may select, a certificate of registration, 7931  
in such form as the registrar shall prescribe. Any number so 7932  
assigned to a snowmobile, off-highway motorcycle, or all-purpose 7933  
vehicle shall be a permanent number, and shall not be issued to 7934  
any other snowmobile, off-highway motorcycle, or all-purpose 7935  
vehicle. 7936

(B)(1) In addition to the certificate of registration, the 7937  
registrar or deputy registrar also shall issue to the owner of ~~the~~ 7938  
~~a snowmobile, or~~ off-highway motorcycle, ~~or all-purpose vehicle~~ a 7939  
registration sticker. The registrar shall prescribe the color and 7940



size of the sticker, the combination of numerals and letters 7941  
displayed on it, and placement of the sticker on the snowmobile, 7942  
or off-highway motorcycle, or all-purpose vehicle. 7943

~~(B)~~ Upon receipt of a certificate of registration for a 7944  
snowmobile, the owner shall paint or otherwise attach upon each 7945  
side of the forward cowling of the snowmobile the identifying 7946  
registration number, in block characters of not less than two 7947  
inches in height and of such color as to be distinctly visible and 7948  
legible. 7949

(2) The registrar or deputy registrar also shall issue to the 7950  
owner of an all-purpose vehicle, in addition to the certificate of 7951  
registration, one license plate and a validation sticker, or a 7952  
validation sticker alone when applicable upon a registration 7953  
renewal. The license plate and validation sticker shall be 7954  
displayed on the all-purpose vehicle so that they are distinctly 7955  
visible, in accordance with such rules as the registrar adopts. 7956  
The validation sticker shall indicate the expiration date of the 7957  
registration period of the all-purpose vehicle. During each 7958  
succeeding registration period following the issuance of the 7959  
license plate and validation sticker, upon the filing of an 7960  
application for registration and payment of the fee specified in 7961  
division (C) of this section, a validation sticker alone shall be 7962  
issued. 7963

(C) Unless previously canceled, each certificate of 7964  
registration issued for a snowmobile, off-highway motorcycle, or 7965  
all-purpose vehicle expires upon the thirty-first day of December 7966  
in the third year after the date it is issued. Application for 7967  
renewal of a certificate may be made not earlier than ninety days 7968  
preceding the expiration date, and shall be accompanied by a fee 7969  
of ~~five~~ thirty-one dollars and twenty-five cents. 7970

Notwithstanding section 4519.11 of the Revised Code, of each 7971  
thirty-one dollar and twenty-five-cent fee collected for the 7972

registration of an all-purpose vehicle, the registrar shall retain 7973  
not more than five dollars to pay for the licensing and 7974  
registration costs the bureau of motor vehicles incurs in 7975  
registering the all-purpose vehicle. The remainder of the fee 7976  
shall be deposited into the state treasury to the credit of the 7977  
state recreational vehicle fund created by section 4519.11 of the 7978  
Revised Code. 7979

**Sec. 4519.08.** Any snowmobile, off-highway motorcycle, or 7980  
all-purpose vehicle owned or leased by the state, by any of its 7981  
political subdivisions, or by any volunteer organization that uses 7982  
such vehicles exclusively for emergency purposes shall be 7983  
registered free of charge. The registration number and 7984  
registration sticker assigned to each such snowmobile, or 7985  
off-highway motorcycle, ~~or~~ and the license plate and validation 7986  
sticker assigned to such an all-purpose vehicle, shall be 7987  
displayed as required by section 4519.04 of the Revised Code. 7988

**Sec. 4519.09.** Every owner or operator of a snowmobile, 7989  
off-highway motorcycle, or all-purpose vehicle who is a resident 7990  
of a state not having a registration law similar to this chapter, 7991  
and who expects to use the snowmobile, off-highway motorcycle, or 7992  
all-purpose vehicle in Ohio, shall apply to the registrar of motor 7993  
vehicles or a deputy registrar for a temporary operating permit. 7994  
The temporary operating permit shall be issued for a period not to 7995  
exceed ~~fifteen days~~ one year from the date of issuance, shall be 7996  
in such form as the registrar determines, shall include the name 7997  
and address of the owner and operator of the snowmobile, 7998  
off-highway motorcycle, or all-purpose vehicle, and any other 7999  
information as the registrar considers necessary, and shall be 8000  
issued upon payment of a fee of ~~five~~ eleven dollars and 8001  
twenty-five cents. Every owner or operator receiving a temporary 8002  
operating permit shall display it upon the reasonable request of 8003

any law enforcement officer or other person as authorized by 8004  
sections 4519.42 and 4519.43 of the Revised Code. 8005

**Sec. 4519.10.** (A) The purchaser of an off-highway motorcycle 8006  
or all-purpose vehicle, upon application and proof of purchase, 8007  
may obtain a temporary license placard for it. The application for 8008  
such a placard shall be signed by the purchaser of the off-highway 8009  
motorcycle or all-purpose vehicle. The temporary license placard 8010  
shall be issued only for the applicant's use of the off-highway 8011  
motorcycle or all-purpose vehicle to enable the applicant to 8012  
operate it legally while proper title and a registration sticker 8013  
or license plate and validation sticker are being obtained and 8014  
shall be displayed on no other off-highway motorcycle or 8015  
all-purpose vehicle. A temporary license placard issued under this 8016  
section shall be in a form prescribed by the registrar of motor 8017  
vehicles, shall differ in some distinctive manner from a placard 8018  
issued under section 4503.182 of the Revised Code, shall be valid 8019  
for a period of thirty days from the date of issuance, and shall 8020  
not be transferable or renewable. The placard either shall consist 8021  
of or be coated with such material as will enable it to remain 8022  
legible and relatively intact despite the environmental conditions 8023  
to which the placard is likely to be exposed during the thirty-day 8024  
period for which it is valid. The purchaser of an off-highway 8025  
motorcycle or all-purpose vehicle shall attach the temporary 8026  
license placard to it, in a manner prescribed by rules the 8027  
registrar shall adopt, so that the placard numerals or letters are 8028  
clearly visible. 8029

The fee for a temporary license placard issued under this 8030  
section shall be two dollars. If the placard is issued by a deputy 8031  
registrar, the deputy registrar shall charge an additional fee of 8032  
~~two dollars and seventy five cents commencing on July 1, 2001,~~ 8033  
~~three dollars and twenty five cents commencing on January 1, 2003,~~ 8034  
~~and three dollars and fifty cents commencing on January 1, 2004,~~ 8035

which the deputy registrar shall retain. The deputy registrar 8036  
shall transmit each two-dollar fee received by the deputy 8037  
registrar under this section to the registrar, who shall pay the 8038  
two dollars to the treasurer of state for deposit into the state 8039  
bureau of motor vehicles fund established by section 4501.25 of 8040  
the Revised Code. 8041

(B) The registrar may issue temporary license placards to a 8042  
dealer to be issued to purchasers for use on vehicles sold by the 8043  
dealer, in accordance with rules prescribed by the registrar. The 8044  
dealer shall notify the registrar within forty-eight hours of 8045  
proof of issuance on a form prescribed by the registrar. 8046

The fee for each such placard issued by the registrar to a 8047  
dealer shall be two dollars plus a fee of ~~two dollars and~~ 8048  
~~seventy five cents commencing on July 1, 2001, three dollars and~~ 8049  
~~twenty five cents commencing on January 1, 2003, and three dollars~~ 8050  
and fifty cents ~~commencing on January 1, 2004.~~ 8051

**Sec. 4519.44.** (A) No person who does not hold a valid, 8052  
current motor vehicle driver's or commercial driver's license, 8053  
motorcycle operator's endorsement, or probationary license, issued 8054  
under Chapter 4506. or 4507. of the Revised Code or a valid, 8055  
current driver's license issued by another jurisdiction, shall 8056  
operate a snowmobile, off-highway motorcycle, or all-purpose 8057  
vehicle on any street or highway in this state, on any portion of 8058  
the right-of-way thereof, or on any public land or waters. 8059

(B) No person who is less than sixteen years of age shall 8060  
operate a snowmobile, off-highway motorcycle, or all-purpose 8061  
vehicle on any land or waters other than private property or 8062  
waters owned by or leased to the person's parent or guardian, 8063  
unless accompanied by another person who is eighteen years of age, 8064  
or older, and who holds a license as provided in division (A) of 8065  
this section, except that the department of natural resources may 8066

permit such operation on state controlled land under its 8067  
jurisdiction when such person is less than sixteen years of age, 8068  
but is twelve years of age or older and is accompanied by a parent 8069  
or guardian who is a licensed driver eighteen years of age or 8070  
older. 8071

(C) Whoever violates this section shall be fined not less 8072  
than fifty nor more than five hundred dollars, imprisoned not less 8073  
than three nor more than thirty days, or both. 8074

**Sec. 4519.47.** (A) Whenever a person is found guilty of 8075  
operating a snowmobile, off-highway motorcycle, or all-purpose 8076  
vehicle in violation of any rule authorized to be adopted under 8077  
section 4519.21 or 4519.42 of the Revised Code, the trial judge of 8078  
any court of record, in addition to or independent of any other 8079  
penalties provided by law, may impound for not less than sixty 8080  
days the certificate of registration and license plate, if 8081  
applicable, of that snowmobile, off-highway motorcycle, or 8082  
all-purpose vehicle. The court shall send the impounded 8083  
certificate of registration and license plate, if applicable, to 8084  
the registrar of motor vehicles, who shall retain the certificate 8085  
of registration and license plate, if applicable, until the 8086  
expiration of the period of impoundment. 8087

(B) If a court impounds the certificate of registration and 8088  
license plate of an all-purpose vehicle pursuant to section 8089  
2911.21 of the Revised Code, the court shall send the impounded 8090  
certificate of registration and license plate to the registrar, 8091  
who shall retain them until the expiration of the period of 8092  
impoundment. 8093

**Sec. 4519.59.** (A)(1) The clerk of a court of common pleas 8094  
shall charge a ~~fee of five~~ and retain fees as follows: 8095

(a) Fifteen dollars for each certificate of title, or 8096

duplicate certificate of title, including the issuance of a 8097  
memorandum certificate of title, authorization to print a 8098  
non-negotiable evidence of ownership described in division (D) of 8099  
section 4519.58 of the Revised Code, non-negotiable evidence of 8100  
ownership printed by the clerk under division (E) of that section, 8101  
and notation of any lien on a certificate of title that is applied 8102  
for at the same time as the certificate of title. The clerk shall 8103  
retain ~~two~~ eleven dollars and ~~twenty five~~ fifty cents of the that 8104  
~~fee charged for each certificate of title, four dollars and~~ 8105  
~~seventy five cents of the fee charged for each duplicate~~ 8106  
~~certificate of title, all of the fees charged for each memorandum~~ 8107  
~~certificate, authorization to print a non negotiable evidence of~~ 8108  
~~ownership, or non negotiable evidence of ownership printed by the~~ 8109  
~~clerk, and four dollars and twenty five cents of the fee charged~~ 8110  
~~for each notation of a lien.~~ 8111

(b) Five dollars for each certificate of title with no 8112  
security interest noted that is issued to a licensed motor vehicle 8113  
dealer for resale purposes. The clerk shall retain two dollars and 8114  
twenty-five cents of that fee. 8115

(c) Five dollars for each memorandum certificate of title or 8116  
non-negotiable evidence of ownership that is applied for 8117  
separately. The clerk shall retain that entire fee. 8118

(2) The remaining two dollars and seventy five cents charged 8119  
for the certificate of title, the remaining twenty five cents 8120  
charged for the duplicate certificate of title, and the remaining 8121  
seventy five cents charged for the notation of any lien on a 8122  
certificate of title fees that are not retained by the clerk shall 8123  
be paid to the registrar of motor vehicles by monthly returns, 8124  
which shall be forwarded to the registrar not later than the fifth 8125  
day of the month next succeeding that in which the certificate is 8126  
forwarded or that in which the registrar is notified of a lien or 8127  
cancellation of a lien. 8128

(B)(1) The registrar shall pay twenty-five cents of the 8129  
amount received for each certificate of title ~~and all of the~~ 8130  
~~amounts received for each notation of any lien and each duplicate~~ 8131  
~~certificate~~ that is issued to a motor vehicle dealer for resale 8132  
and one dollar for all other certificates of title issued into the 8133  
state bureau of motor vehicles fund established in section 4501.25 8134  
of the Revised Code. 8135

(2) Fifty cents of the amount received for each certificate 8136  
of title shall be paid by the registrar as follows: 8137

(a) Four cents shall be paid into the state treasury to the 8138  
credit of the motor vehicle dealers board fund created in section 8139  
4505.09 of the Revised Code, for use as described in division 8140  
(B)(2)(a) of that section. 8141

(b) Twenty-one cents shall be paid into the highway operating 8142  
fund. 8143

(c) Twenty-five cents shall be paid into the state treasury 8144  
to the credit of the motor vehicle sales audit fund created in 8145  
section 4505.09 of the Revised Code, for use as described in 8146  
division (B)(2)(c) of that section. 8147

(3) Two dollars of the amount received by the registrar for 8148  
each certificate of title shall be paid into the state treasury to 8149  
the credit of the automated title processing fund created in 8150  
section 4505.09 of the Revised Code, for use as described in 8151  
divisions (B)(3)(a) and (c) of that section. 8152

**Sec. 4519.63.** (A) The registrar of motor vehicles or the 8153  
clerk of the court of common pleas, upon the application of any 8154  
person and payment of the proper ~~fees~~ fee, may prepare and furnish 8155  
title information regarding off-highway motorcycles and 8156  
all-purpose vehicles in the form and subject to any territorial 8157  
division or other classification as they may direct. The registrar 8158

or the clerk may search the records of the bureau of motor 8159  
vehicles ~~and the clerk~~ regarding off-highway motorcycles and 8160  
all-purpose vehicles and ~~make~~ furnish reports ~~thereof, and make~~ 8161  
~~copies of their title information and attestations thereof~~ those 8162  
records under the signature of the registrar or the clerk. 8163

(B)(1) Fees therefor for lists containing title information 8164  
shall be charged and collected as follows: 8165

~~(A)(a)~~ (a) For lists containing three thousand titles or more, 8166  
twenty-five dollars per thousand or part thereof; 8167

~~(B)(b)~~ (b) For ~~searches~~ each report of a search of the records 8168  
~~and written reports thereof, two dollars for each name, number, or~~ 8169  
~~fact searched or reported on;~~ 8170

~~(C)~~ For ~~copies of records and attestations thereof~~, two 8171  
dollars per copy except that on and after October 1, 2009, the fee 8172  
shall be five dollars per copy. The registrar and clerk may 8173  
certify copies of records generated by an automated title 8174  
processing system. 8175

~~Such copies~~ (2) A copy of any such report shall be taken as 8176  
prima-facie evidence of the facts therein stated in any court of 8177  
the state. The registrar and the clerk shall furnish information 8178  
on any title without charge to state highway patrol troopers, 8179  
sheriffs, chiefs of police, or the attorney general. The clerk 8180  
also may provide a copy of a certificate of title to a public 8181  
agency without charge. 8182

(C)(1) Those fees collected by the registrar as provided in 8183  
division (B)(1)(a) of this section shall be paid to the treasurer 8184  
of state to the credit of the state bureau of motor vehicles fund 8185  
established in section 4501.25 of the Revised Code. Those fees 8186  
collected by the clerk as provided in division (B)(1)(a) of this 8187  
section shall be paid to the certificate of title administration 8188  
fund created by section 325.33 of the Revised Code. 8189



(2) Prior to October 1, 2009, the registrar shall pay those 8190  
fees the registrar collects under division (B)(1)(b) of this 8191  
section into the state treasury to the credit of the state bureau 8192  
of motor vehicles fund established in section 4501.25 of the 8193  
Revised Code. Prior to October 1, 2009, the clerk shall pay those 8194  
fees the clerk collects under division (B)(1)(b) of this section 8195  
to the certificate of title administration fund created by section 8196  
325.33 of the Revised Code. 8197

(3) On and after October 1, 2009, the registrar shall pay two 8198  
dollars of each fee the registrar collects under division 8199  
(B)(1)(b) of this section into the state treasury to the credit of 8200  
the state bureau of motor vehicles fund established in section 8201  
4501.25 of the Revised Code. Of the remaining three dollars of 8202  
each such fee the registrar collects, the registrar shall deposit 8203  
sixty cents into the state treasury to the credit of the trauma 8204  
and emergency medical services fund established in section 8205  
4513.263 of the Revised Code, sixty cents into the state treasury 8206  
to the credit of the homeland security fund established under 8207  
section 5502.03 of the Revised Code, thirty cents into the state 8208  
treasury to the credit of the investigations fund established in 8209  
section 5502.131 of the Revised Code, one dollar and twenty-five 8210  
cents into the state treasury to the credit of the emergency 8211  
management agency service and reimbursement fund established in 8212  
section 5502.39 of the Revised Code, and twenty-five cents into 8213  
the state treasury to the credit of the justice program services 8214  
fund established in section 5502.67 of the Revised Code. 8215

(4) On and after October 1, 2009, the clerk of the court of 8217  
common pleas shall retain two dollars of each fee the clerk 8218  
collects under division (B)(1)(b) of this section and deposit that 8219  
two dollars into the certificate of title administration fund 8220  
created by section 325.33 of the Revised Code. The clerk shall 8221

forward the remaining three dollars to the registrar not later 8222  
than the fifth day of the month next succeeding that in which the 8223  
transaction occurred. Of that remaining three dollars, the 8224  
registrar shall deposit sixty cents into the state treasury to the 8225  
credit of the trauma and emergency medical services fund 8226  
established in section 4513.263 of the Revised Code, sixty cents 8227  
into the state treasury to the credit of the homeland security 8228  
fund established under section 5502.03 of the Revised Code, thirty 8229  
cents into the state treasury to the credit of the investigations 8230  
fund established in section 5502.131 of the Revised Code, one 8231  
dollar and twenty-five cents into the state treasury to the credit 8232  
of the emergency management agency service and reimbursement fund 8233  
established in section 5502.39 of the Revised Code, and 8234  
twenty-five cents into the state treasury to the credit of the 8235  
justice program services fund established in section 5502.67 of 8236  
the Revised Code. 8237

**Sec. 4561.17.** (A) To provide revenue for administering 8238  
sections 4561.17 to 4561.22 of the Revised Code relative to the 8239  
registration of aircraft, for the surveying of and the 8240  
establishment, checking, maintenance, and repair of aviation air 8241  
marking and of air navigation facilities, for the acquiring, 8242  
maintaining, and repairing of equipment necessary for those 8243  
purposes, and for the cost of creating and distributing Ohio 8244  
aeronautical charts and Ohio airport and landing field 8245  
directories, an annual license tax is hereby levied upon all 8246  
aircraft based in this state for which an aircraft worthiness 8247  
certificate issued by the federal aviation administration is in 8248  
effect except the following: 8249

(1) Aircraft owned by the United States or any territory of 8250  
the United States; 8251

(2) Aircraft owned by any foreign government; 8252

(3) Aircraft owned by any state or any political subdivision of a state;	8253 8254
<del>(4) Aircraft operated under a certificate of convenience and necessity issued by the civil aeronautics board or any successor to that board;</del>	8255 8256 8257
<del>(5)</del> Aircraft owned by aircraft manufacturers or aircraft engine manufacturers and operated only for purposes of testing, delivery, or demonstration;	8258 8259 8260
<del>(6)</del> <u>(5)</u> Aircraft operated for hire over regularly scheduled routes within the state.	8261 8262
(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.	8263 8264 8265 8266
<b>Sec. 4561.18.</b> (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 <del>(6)</del> <u>(5)</u> of section 4561.17 of the Revised Code, shall register that aircraft with the department of transportation pursuant to this section.	8267 8268 8269 8270 8271
(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.	8272 8273 8274 8275 8276 8277
(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	8278 8279 8280 8281 8282

owner shall update the registration by filing a new form with the office of aviation.

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

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

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

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

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

(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.~~ 8313  
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**Sec. 4561.21.** (A) The director of transportation shall 8316  
deposit all aircraft transfer fees in the state treasury to the 8317  
credit of the general fund. 8318

(B) The director shall deposit all aircraft license taxes and 8319  
finer in the state treasury to the credit of the airport 8320  
assistance fund, which is hereby created. Money in the fund shall 8321  
be used for maintenance and capital improvements to publicly owned 8322  
airports, and the director shall distribute the money to eligible 8323  
recipients in accordance with such procedures, guidelines, and 8324  
criteria as the director shall establish. 8325

**Sec. 4729.42.** (A) As used in this section, "qualified 8326  
pharmacy technician" means a person who is under the personal 8327  
supervision of a pharmacist and to whom all of the following 8328  
apply: 8329

(1) The person is eighteen years of age or older. 8330

(2) The person possesses a high school diploma, possesses a 8331  
certificate of high school equivalence, or was employed prior to 8332  
~~the effective date of this section~~ April 8, 2009, as a pharmacy 8333  
technician without a high school diploma or a certificate of high 8334  
school equivalence. 8335

(3) The person has passed an examination approved by the 8336  
state board of pharmacy to determine a person's competency to 8337  
perform services as a pharmacy technician. 8338

(4) Except as otherwise provided in this section, the person 8339  
has submitted to a criminal records check in accordance with 8340  
section 4776.02 of the Revised Code as if the person was an 8341  
applicant for an initial license who is subject to that section, 8342

and the results of the criminal records check provided as 8343  
described in that section and section 4776.04 of the Revised Code 8344  
do not show that the person previously has been convicted of or 8345  
pleaded guilty to any felony in this state, any other state, or 8346  
the United States. 8347

(B) Except as provided in division ~~(E)~~(F) of this section, no 8348  
person who is not a pharmacist, pharmacy intern, or qualified 8349  
pharmacy technician shall do any of the following in a pharmacy or 8350  
while performing a function of a pharmacy: 8351

(1) Engage in the compounding of any drug; 8352

(2) Package or label any drug; 8353

(3) Prepare or mix any intravenous drug to be injected into a 8354  
human being. 8355

(C) No pharmacist shall allow any person employed or 8356  
otherwise under the control of the pharmacist to violate division 8357  
(B) of this section. 8358

(D) No person who owns, manages, or conducts a pharmacy shall 8359  
allow any person employed or otherwise under the control of the 8360  
person who owns, manages, or conducts the pharmacy to violate 8361  
division (B) of this section. 8362

(E) No person who submits to a criminal records check in 8363  
accordance with section 4776.02 of the Revised Code for the 8364  
purpose of satisfying the criterion set forth in division (A)(4) 8365  
of this section and who obtains a report pursuant to section 8366  
4776.02 or 4776.04 of the Revised Code containing the results of 8367  
the criminal records check and any information provided by the 8368  
federal bureau of investigation shall modify or alter, or allow 8369  
any other person to modify or alter, any item, record, or 8370  
information contained in the report and thereafter use the 8371  
modified or altered report for the purpose of satisfying the 8372  
criterion set forth in division (A)(4) of this section or 8373

otherwise submit or use it for any purpose or in any manner 8374  
identified in division (A) of section 2921.13 of the Revised Code. 8375

(F)(1) Division (B) of this section does not prohibit a 8376  
health care professional authorized to engage in the activities 8377  
specified in division (B)(1), (2), or (3) of this section while 8378  
acting in the course of the professional's practice. 8379

(2) Division (B) of this section does not prohibit the 8380  
activities performed by a student as an integral part of a 8381  
pharmacy technician training program that is operated by a 8382  
vocational school district or joint vocational school district, 8383  
certified by the department of education, or approved by the Ohio 8384  
board of regents. 8385

(3) In the case of a person employed after ~~the effective date~~ 8386  
~~of this section~~ April 8, 2009, division (B) of this section does 8387  
not prohibit the person's activities for the first two hundred ten 8388  
days following the initial date of employment, if both of the 8389  
following apply: 8390

(a) The person is participating in or has completed a 8391  
pharmacy technician training program that meets the board's 8392  
standards for those programs and is making substantial progress in 8393  
preparation to take a pharmacy technician examination approved by 8394  
the board. 8395

(b) The results of the person's criminal records check 8396  
provided as described in sections 4776.02 and 4776.04 of the 8397  
Revised Code show that the person previously has not been 8398  
convicted of or has not pleaded guilty to any felony in this 8399  
state, any other state, or the United States. 8400

(4) In the case of a person who completes a pharmacy 8401  
technician training program that is operated by a vocational 8402  
school district or joint vocational school district, division (B) 8403  
of this section does not prohibit the person's activities for the 8404

first two hundred ten days following the date of completing the 8405  
program, if both of the following apply: 8406

(a) The person is making substantial progress in preparation 8407  
to take a pharmacy technician examination approved by the board. 8408

(b) The results of the person's criminal records check show 8409  
that the person previously has not been convicted of or has not 8410  
pleaded guilty to any felony in this state, any other state, or 8411  
the United States. 8412

(5) In the case of a person employed on ~~the effective date of~~ 8413  
~~this section~~ April 8, 2009, in the capacity of a pharmacy 8414  
technician, division (B) of this section does not do either of the 8415  
following: 8416

(a) Require the person to undergo a criminal records check if 8417  
the person has been employed for five years or longer; 8418

(b) Prohibit the person's activities until the earlier of 8419  
either of the following: 8420

(i) If the person has not passed an examination described in 8421  
division (A)(3) of this section, one year after ~~the effective date~~ 8422  
~~of this section~~ April 8, 2009; 8423

(ii) If a criminal records check is required because the 8424  
person has not been employed for five years or longer, the date on 8425  
which the person and the employer receive the results of a 8426  
criminal records check provided as described in sections 4776.02 8427  
and 4776.04 of the Revised Code that show the person previously 8428  
has been convicted of or pleaded guilty to any felony in this 8429  
state, any other state, or the United States. 8430

**Sec. 4729.99.** (A) Whoever violates section 4729.16, division 8431  
(A) or (B) of section 4729.38, or section 4729.57 of the Revised 8432  
Code is guilty of a minor misdemeanor. Each day's violation 8433  
constitutes a separate offense. 8434



(B) Whoever violates section 4729.27, 4729.28, or 4729.36 of the Revised Code is guilty of a misdemeanor of the third degree. Each day's violation constitutes a separate offense. If the offender previously has been convicted of or pleaded guilty to a violation of this chapter, that person is guilty of a misdemeanor of the second degree.

(C) Whoever violates section 4729.32, 4729.33, or 4729.34 of the Revised Code is guilty of a misdemeanor.

(D) Whoever violates division (A), (B), (D), or (E) of section 4729.51 of the Revised Code is guilty of a misdemeanor of the first degree.

(E)(1) Whoever violates section 4729.37, division (C)(2) of section 4729.51, division (J) of section 4729.54, or section 4729.61 of the Revised Code is guilty of a felony of the fifth degree. If the offender previously has been convicted of or pleaded guilty to a violation of this chapter or a violation of Chapter 2925. or 3719. of the Revised Code, that person is guilty of a felony of the fourth degree.

(2) If an offender is convicted of or pleads guilty to a violation of section 4729.37, division (C) of section 4729.51, division (J) of section 4729.54, or section 4729.61 of the Revised Code, if the violation involves the sale, offer to sell, or possession of a schedule I or II controlled substance, with the exception of marihuana, and if the court imposing sentence upon the offender finds that the offender as a result of the violation is a major drug offender, as defined in section 2929.01 of the Revised Code, and is guilty of a specification of the type described in section 2941.1410 of the Revised Code, the court, in lieu of the prison term authorized or required by division (E)(1) of this section and sections 2929.13 and 2929.14 of the Revised Code and in addition to any other sanction imposed for the offense under sections 2929.11 to 2929.18 of the Revised Code, shall

impose upon the offender, in accordance with division (D)(3)(a) of 8467  
section 2929.14 of the Revised Code, the mandatory prison term 8468  
specified in that division and may impose an additional prison 8469  
term under division (D)(3)(b) of that section. 8470

(3) Notwithstanding any contrary provision of section 3719.21 8471  
of the Revised Code, the clerk of court shall pay any fine imposed 8472  
for a violation of section 4729.37, division (C) of section 8473  
4729.51, division (J) of section 4729.54, or section 4729.61 of 8474  
the Revised Code pursuant to division (A) of section 2929.18 of 8475  
the Revised Code in accordance with and subject to the 8476  
requirements of division (F) of section 2925.03 of the Revised 8477  
Code. The agency that receives the fine shall use the fine as 8478  
specified in division (F) of section 2925.03 of the Revised Code. 8479

(F) Whoever violates section 4729.531 of the Revised Code or 8480  
any rule adopted thereunder or section 4729.532 of the Revised 8481  
Code is guilty of a misdemeanor of the first degree. 8482

(G) Whoever violates division (C)(1) of section 4729.51 of 8483  
the Revised Code is guilty of a felony of the fourth degree. If 8484  
the offender has previously been convicted of or pleaded guilty to 8485  
a violation of this chapter, or of a violation of Chapter 2925. or 8486  
3719. of the Revised Code, that person is guilty of a felony of 8487  
the third degree. 8488

(H) Whoever violates division (C)(3) of section 4729.51 of 8489  
the Revised Code is guilty of a misdemeanor of the first degree. 8490  
If the offender has previously been convicted of or pleaded guilty 8491  
to a violation of this chapter, or of a violation of Chapter 2925. 8492  
or 3719. of the Revised Code, that person is guilty of a felony of 8493  
the fifth degree. 8494

(I)(1) Whoever violates division (B) of section 4729.42 of 8495  
the Revised Code is guilty of unauthorized pharmacy-related drug 8496  
conduct. Except as otherwise provided in this section, 8497

unauthorized pharmacy-related drug conduct is a misdemeanor of the 8498  
second degree. If the offender previously has been convicted of or 8499  
pleaded guilty to a violation of division (B), (C), ~~or (D)~~, or (E) 8500  
of that section, unauthorized pharmacy-related drug conduct is a 8501  
misdemeanor of the first degree on a second offense and a felony 8502  
of the fifth degree on a third or subsequent offense. 8503

(2) Whoever violates division (C) or (D) of section 4729.42 8504  
of the Revised Code is guilty of permitting unauthorized 8505  
pharmacy-related drug conduct. Except as otherwise provided in 8506  
this section, permitting unauthorized pharmacy-related drug 8507  
conduct is a misdemeanor of the second degree. If the offender 8508  
previously has been convicted of or pleaded guilty to a violation 8509  
of division (B), (C), ~~or (D)~~, or (E) of that section, permitting 8510  
unauthorized pharmacy-related drug conduct is a misdemeanor of the 8511  
first degree on a second offense and a felony of the fifth degree 8512  
on a third or subsequent offense. 8513

(3) Whoever violates division (E) of section 4749.02 of the 8514  
Revised Code is guilty of the offense of falsification under 8515  
section 2921.13 of the Revised Code. In addition to any other 8516  
sanction imposed for the violation, the offender is forever 8517  
disqualified from engaging in any activity specified in division 8518  
(B)(1), (2), or (3) of section 4749.02 of the Revised Code and 8519  
from performing any function as a health care professional or 8520  
health care worker. As used in this division, "health care 8521  
professional" and "health care worker" have the same meanings as 8522  
in section 2305.234 of the Revised Code. 8523

(4) Notwithstanding any contrary provision of section 3719.21 8524  
of the Revised Code or any other provision of law that governs the 8525  
distribution of fines, the clerk of the court shall pay any fine 8526  
imposed pursuant to division (I)(1) ~~or~~, (2), or (3) of this 8527  
section to the state board of pharmacy if the board has adopted a 8528  
written internal control policy under division (F)(2) of section 8529

2925.03 of the Revised Code that addresses fine moneys that it receives under Chapter 2925. of the Revised Code and if the policy also addresses fine moneys paid under this division. The state board of pharmacy shall use the fines so paid in accordance with the written internal control policy to subsidize the board's law enforcement efforts that pertain to drug offenses.

**Sec. 4776.02.** (A) An applicant for an initial license or restored license from a licensing agency, or a person seeking to satisfy the criteria for being a qualified pharmacy technician that are specified in section 4729.42 of the Revised Code, shall submit a request to the bureau of criminal identification and investigation for a criminal records check of the applicant or person. The request shall be accompanied by a completed copy of the form prescribed under division (C)(1) of section 109.572 of the Revised Code, a set of fingerprint impressions obtained as described in division (C)(2) of that section, and the fee prescribed under division (C)(3) of that section. The applicant or person shall ask the superintendent of the bureau of criminal identification and investigation in the request to obtain from the federal bureau of investigation any information it has pertaining to the applicant or person.

An applicant or person requesting a criminal records check shall provide the bureau of criminal identification and investigation with the applicant's or person's name and address and, regarding an applicant, with the licensing agency's name and address.

(B) Upon receipt of the completed form, the set of fingerprint impressions, and the fee provided for in division (A) of this section, the superintendent of the bureau of criminal identification and investigation shall conduct a criminal records

check of the applicant or person under division (B) of section 109.572 of the Revised Code. Upon completion of the criminal records check, the superintendent shall ~~report the results of the criminal records check and any information the federal bureau of investigation provides to~~ do whichever of the following is applicable:

(1) If the request was submitted by an applicant for an initial license or restored license, report the results of the criminal records check and any information the federal bureau of investigation provides to the licensing agency identified in the request for a criminal records check;

(2) If the request was submitted by a person seeking to satisfy the criteria for being a qualified pharmacy technician that are specified in section 4729.42 of the Revised Code, do both of the following:

(a) Report the results of the criminal records check and any information the federal bureau of investigation provides to the person who submitted the request ~~and;~~

(b) Report the results of the portion of the criminal records check performed by the bureau of criminal identification and investigation under division (B)(1) of section 109.572 of the Revised Code to the employer or potential employer specified in the request of the person who submitted the request and send a letter to that employer or potential employer regarding the information provided by the federal bureau of investigation that states either that based on that information there is no record of any conviction or that based on that information the person who submitted the request may not meet the criteria that are specified in section 4729.02 of the Revised Code, whichever is applicable.

**Sec. 4776.04.** The results of any criminal records check conducted pursuant to a request made under this chapter and any

report containing those results, including any information the 8592  
federal bureau of investigation provides, are not public records 8593  
for purposes of section 149.43 of the Revised Code and shall not 8594  
be made available to any person or for any purpose other than as 8595  
follows: 8596

(A) If the request for the criminal records check was 8597  
submitted by an applicant for an initial license or restored 8598  
license, as follows: 8599

(1) The superintendent of the bureau of criminal 8600  
identification and investigation shall make the results available 8601  
to the licensing agency for use in determining, under the agency's 8602  
authorizing chapter of the Revised Code, whether the applicant who 8603  
is the subject of the criminal records check should be granted a 8604  
license under that chapter. 8605

(2) The licensing agency shall make the results available to 8606  
the applicant who is the subject of the criminal records check ~~or~~ 8607  
~~to the applicant's representative.~~ 8608

(B) If the request for the criminal records check was 8609  
submitted by a person seeking to satisfy the criteria for being a 8610  
qualified pharmacy technician that are specified in section 8611  
4729.42 of the Revised Code, the superintendent of the bureau of 8612  
criminal identification and investigation shall make the results 8613  
available ~~to both of~~ in accordance with the following: 8614

(1) The superintendent shall make the results of the criminal 8615  
records check, including any information the federal bureau of 8616  
investigation provides, available to the person who submitted the 8617  
request and is the subject of the criminal records check~~+~~. 8618

(2) The superintendent shall make the results of the portion 8619  
of the criminal records check performed by the bureau of criminal 8620  
identification and investigation under division (B)(1) of section 8621  
109.572 of the Revised Code available to the employer or potential 8622

employer specified in the request of the person who submitted the 8623  
request and shall send a letter of the type described in division 8624  
(B)(2) of section 4776.02 of the Revised Code to that employer or 8625  
potential employer regarding the information provided by the 8626  
federal bureau of investigation that contains one of the types of 8627  
statements described in that division. 8628

**Sec. 4905.801.** (A) No person shall transport or cause to be 8629  
transported any shipment of material that is subject to division 8630  
(A)(1) of section 4163.07 of the Revised Code within, into, or 8631  
through this state by rail or motor carrier unless the person, at 8632  
least four days prior to the date of the shipment, pays to the 8633  
public utilities commission the following fees for each shipment: 8634

(1) Two thousand five hundred dollars for each shipment by a 8635  
motor carrier; 8636

(2) Four thousand five hundred dollars for the first cask 8637  
designated for transport by rail and three thousand dollars for 8638  
each additional cask designated for transport by rail that is 8639  
shipped by the same person or entity in the same shipment. 8640

(B)(1) This section does not apply to either of the 8641  
following: 8642

(a) Any shipment of material that is subject to division 8643  
(A)(1) of section 4163.07 of the Revised Code by or for the United 8644  
States government for military or national defense purposes; 8645

(b) Any shipment of material that is subject to division 8646  
(A)(1) of section 4163.07 of the Revised Code to or from a plant 8647  
that is owned by the United States department of energy and that 8648  
is located in this state or to or from entities that operate on 8649  
land located in this state that is owned or controlled by the 8650  
United States department of energy or the United States department 8651  
of defense. 8652

(2) Except as provided in division (B)(1)(a) and (b) of this section, this section applies to all other shipments of any material that is subject to division (A)(1) of section 4163.07 of the Revised Code by or for the United States government to the extent permitted by federal law. 8653  
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(C) Whoever violates division (A) of this section is liable for a civil penalty in an amount not to exceed ten times the amount of the fee that is due under this section. The attorney general, upon the request of the public utilities commission, shall bring a civil action to collect the penalty. Penalties collected under this section shall be deposited in the state treasury to the credit of the radioactive waste transportation fund created in section 4905.802 of the Revised Code. 8658  
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Sec. 4905.802. (A)(1) All fees collected under section 4905.801 of the Revised Code shall be credited to the radioactive waste transportation fund, which is hereby created in the state treasury. All investment earnings of the fund shall be credited to it. 8666  
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(2) Money in the radioactive waste transportation fund shall be used only for the following purposes related to the shipment of material that is subject to division (A)(1) of section 4163.07 of the Revised Code as determined by the public utilities commission: 8671  
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(a) State and local expenses, including inspections, escorts, security, emergency management services, and accident response; 8675  
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(b) Planning, coordination, education, and training of emergency response providers, law enforcement agencies, and other appropriate state or local entities; 8677  
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(c) Purchase and maintenance of monitoring, medical, safety, or emergency response equipment and supplies; 8680  
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(d) Administrative costs of the commission and other state or 8682



local entities; 8683

(e) Other similar expenses determined by the commission to be appropriate. 8684  
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(B)(1) The commission may adopt rules as necessary to implement sections 4905.801 and 4905.802 of the Revised Code. 8686  
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(2) In administering section 4905.801 of the Revised Code, the commission shall work with any department or agency of federal, state, or local government that also regulates the shipment of material that is subject to division (A)(1) of section 4163.07 of the Revised Code. 8688  
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(3) Subject to division (C) of section 4163.07 of the Revised Code, the commission, consistent with national security requirements, may notify any law enforcement agency or other state or local entity affected by the shipment that the commission considers necessary for public safety. 8693  
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(4) Not later than December 31, 2010, the commission shall prepare and submit to both houses of the general assembly a report on the fees received by the commission under section 4905.801 of the Revised Code and on expenditures made from the radioactive waste transportation fund. 8698  
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**Sec. 4928.64.** (A)(1) As used in sections 4928.64 and 4928.65 of the Revised Code, "alternative energy resource" means an advanced energy resource or renewable energy resource, as defined in section 4928.01 of the Revised Code that has a placed-in-service date of January 1, 1998, or after; a renewable energy resource created on or after January 1, 1998, by the modification or retrofit of any facility placed in service prior to January 1, 1998; or a mercantile customer-sited ~~advance~~ advanced energy resource or renewable energy resource, whether new or existing, that the mercantile customer commits for integration 8703  
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into the electric distribution utility's demand-response, energy 8713  
efficiency, or peak demand reduction programs as provided under 8714  
division ~~(B)~~(A)(2)~~(b)~~(c) of section 4928.66 of the Revised Code, 8715  
including, but not limited to, any of the following: 8716

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(a) A resource that has the effect of improving the 8718  
relationship between real and reactive power; 8719

(b) A resource that makes efficient use of waste heat or 8720  
other thermal capabilities owned or controlled by a mercantile 8721  
customer; 8722

(c) Storage technology that allows a mercantile customer more 8723  
flexibility to modify its demand or load and usage 8724  
characteristics; 8725

(d) Electric generation equipment owned or controlled by a 8726  
mercantile customer that uses an advanced energy resource or 8727  
renewable energy resource; 8728

(e) Any advanced energy resource or renewable energy resource 8729  
of the mercantile customer that can be utilized effectively as 8730  
part of any advanced energy resource plan of an electric 8731  
distribution utility and would otherwise qualify as an alternative 8732  
energy resource if it were utilized directly by an electric 8733  
distribution utility. 8734

(2) For the purpose of this section and as it considers 8735  
appropriate, the public utilities commission may classify any new 8736  
technology as such an advanced energy resource or a renewable 8737  
energy resource. 8738

(B) By 2025 and thereafter, an electric distribution utility 8739  
shall provide from alternative energy resources, including, at its 8740  
discretion, alternative energy resources obtained pursuant to an 8741  
electricity supply contract, a portion of the electricity supply 8742

required for its standard service offer under section 4928.141 of 8743  
the Revised Code, and an electric services company shall provide a 8744  
portion of its electricity supply for retail consumers in this 8745  
state from alternative energy resources, including, at its 8746  
discretion, alternative energy resources obtained pursuant to an 8747  
electricity supply contract. That portion shall equal twenty-five 8748  
per cent of the total number of kilowatt hours of electricity sold 8749  
by the subject utility or company to any and all retail electric 8750  
consumers whose electric load centers are served by that utility 8751  
and are located within the utility's certified territory or, in 8752  
the case of an electric services company, are served by the 8753  
company and are located within this state. However, nothing in 8754  
this section precludes a utility or company from providing a 8755  
greater percentage. The baseline for a utility's or company's 8756  
compliance with the alternative energy resource requirements of 8757  
this section shall be the average of such total kilowatt hours it 8758  
sold in the preceding three calendar years, except that the 8759  
commission may reduce a utility's or company's baseline to adjust 8760  
for new economic growth in the utility's certified territory or, 8761  
in the case of an electric services company, in the company's 8762  
service area in this state. 8763

Of the alternative energy resources implemented by the 8765  
subject utility or company by 2025 and thereafter: 8766

(1) Half may be generated from advanced energy resources; 8767

(2) At least half shall be generated from renewable energy 8768  
resources, including one-half per cent from solar energy 8769  
resources, in accordance with the following benchmarks: 8770

By end of year	Renewable energy resources	Solar energy resources	
2009	0.25%	0.004%	8772
2010	0.50%	0.010%	8773

2011	1%	0.030%	8774
2012	1.5%	0.060%	8775
2013	2%	0.090%	8776
2014	2.5%	0.12%	8777
2015	3.5%	0.15%	8778
2016	4.5%	0.18%	8779
2017	5.5%	0.22%	8780
2018	6.5%	0.26%	8781
2019	7.5%	0.3%	8782
2020	8.5%	0.34%	8783
2021	9.5%	0.38%	8784
2022	10.5%	0.42%	8785
2023	11.5%	0.46%	8786
2024 and each calendar year thereafter	12.5%	0.5%	8787

(3) At least one-half of the renewable energy resources 8788  
implemented by the utility or company shall be met through 8789  
facilities located in this state; the remainder shall be met with 8790  
resources that can be shown to be deliverable into this state. 8791

(C)(1) The commission annually shall review an electric 8792  
distribution utility's or electric services company's compliance 8793  
with the most recent applicable benchmark under division (B)(2) of 8794  
this section and, in the course of that review, shall identify any 8795  
undercompliance or noncompliance of the utility or company that it 8796  
determines is weather-related, related to equipment or resource 8797  
shortages for advanced energy or renewable energy resources as 8798  
applicable, or is otherwise outside the utility's or company's 8799  
control. 8800

(2) Subject to the cost cap provisions of division (C)(3) of 8801  
this section, if the commission determines, after notice and 8802  
opportunity for hearing, and based upon its findings in that 8803  
review regarding avoidable undercompliance or noncompliance, but 8804

subject to division (C)(4) of this section, that the utility or 8805  
company has failed to comply with any such benchmark, the 8806  
commission shall impose a renewable energy compliance payment on 8807  
the utility or company. 8808

(a) The compliance payment pertaining to the solar energy 8809  
resource benchmarks under division (B)(2) of this section shall be 8810  
an amount per megawatt hour of undercompliance or noncompliance in 8811  
the period under review, starting at four hundred fifty dollars 8812  
for 2009, four hundred dollars for 2010 and 2011, and similarly 8813  
reduced every two years thereafter through 2024 by fifty dollars, 8814  
to a minimum of fifty dollars. 8815

(b) The compliance payment pertaining to the renewable energy 8816  
resource benchmarks under division (B)(2) of this section shall 8817  
equal the number of additional renewable energy credits that the 8818  
electric distribution utility or electric services company would 8819  
have needed to comply with the applicable benchmark in the period 8820  
under review times an amount that shall begin at forty-five 8821  
dollars and shall be adjusted annually by the commission to 8822  
reflect any change in the consumer price index as defined in 8823  
section 101.27 of the Revised Code, but shall not be less than 8824  
forty-five dollars. 8825

(c) The compliance payment shall not be passed through by the 8826  
electric distribution utility or electric services company to 8827  
consumers. The compliance payment shall be remitted to the 8828  
commission, for deposit to the credit of the advanced energy fund 8829  
created under section 4928.61 of the Revised Code. Payment of the 8830  
compliance payment shall be subject to such collection and 8831  
enforcement procedures as apply to the collection of a forfeiture 8832  
under sections 4905.55 to 4905.60 and 4905.64 of the Revised Code. 8833  
8834

(3) An electric distribution utility or an electric services 8835  
company need not comply with a benchmark under division (B)(1) or 8836

(2) of this section to the extent that its reasonably expected 8837  
cost of that compliance exceeds its reasonably expected cost of 8838  
otherwise producing or acquiring the requisite electricity by 8839  
three per cent or more. 8840

(4)(a) An electric distribution utility or electric services 8841  
company may request the commission to make a force majeure 8842  
determination pursuant to this division regarding all or part of 8843  
the utility's or company's compliance with any minimum benchmark 8844  
under division (B)(2) of this section during the period of review 8845  
occurring pursuant to division (C)(2) of this section. The 8846  
commission may require the electric distribution utility or 8847  
electric services company to make solicitations for renewable 8848  
energy resource credits as part of its default service before the 8849  
utility's or company's request of force majeure under this 8850  
division can be made. 8851

(b) Within ninety days after the filing of a request by an 8852  
electric distribution utility or electric services company under 8853  
division (C)(4)(a) of this section, the commission shall determine 8854  
if renewable energy resources are reasonably available in the 8855  
marketplace in sufficient quantities for the utility or company to 8856  
comply with the subject minimum benchmark during the review 8857  
period. In making this determination, the commission shall 8858  
consider whether the electric distribution utility or electric 8859  
services company has made a good faith effort to acquire 8860  
sufficient renewable energy or, as applicable, solar energy 8861  
resources to so comply, including, but not limited to, by banking 8862  
or seeking renewable energy resource credits or by seeking the 8863  
resources through long-term contracts. Additionally, the 8864  
commission shall consider the availability of renewable energy or 8865  
solar energy resources in this state and other jurisdictions in 8866  
the PJM interconnection regional transmission organization or its 8867  
successor and the midwest system operator or its successor. 8868

(c) If, pursuant to division (C)(4)(b) of this section, the commission determines that renewable energy or solar energy resources are not reasonably available to permit the electric distribution utility or electric services company to comply, during the period of review, with the subject minimum benchmark prescribed under division (B)(2) of this section, the commission shall modify that compliance obligation of the utility or company as it determines appropriate to accommodate the finding. Commission modification shall not automatically reduce the obligation for the electric distribution utility's or electric services company's compliance in subsequent years. If it modifies the electric distribution utility or electric services company obligation under division (C)(4)(c) of this section, the commission may require the utility or company, if sufficient renewable energy resource credits exist in the marketplace, to acquire additional renewable energy resource credits in subsequent years equivalent to the utility's or company's modified obligation under division (C)(4)(c) of this section.

(5) The commission shall establish a process to provide for at least an annual review of the alternative energy resource market in this state and in the service territories of the regional transmission organizations that manage transmission systems located in this state. The commission shall use the results of this study to identify any needed changes to the amount of the renewable energy compliance payment specified under divisions (C)(2)(a) and (b) of this section. Specifically, the commission may increase the amount to ensure that payment of compliance payments is not used to achieve compliance with this section in lieu of actually acquiring or realizing energy derived from renewable energy resources. However, if the commission finds that the amount of the compliance payment should be otherwise changed, the commission shall present this finding to the general assembly for legislative enactment.

8902

(D)(1) The commission annually shall submit to the general 8903  
assembly in accordance with section 101.68 of the Revised Code a 8904  
report describing the compliance of electric distribution 8905  
utilities and electric services companies with division (B) of 8906  
this section and any strategy for utility and company compliance 8907  
or for encouraging the use of alternative energy resources in 8908  
supplying this state's electricity needs in a manner that 8909  
considers available technology, costs, job creation, and economic 8910  
impacts. The commission shall allow and consider public comments 8911  
on the report prior to its submission to the general assembly. 8912  
Nothing in the report shall be binding on any person, including 8913  
any utility or company for the purpose of its compliance with any 8914  
benchmark under division (B) of this section, or the enforcement 8915  
of that provision under division (C) of this section. 8916  
8917

(2) The governor, in consultation with the commission 8918  
chairperson, shall appoint an alternative energy advisory 8919  
committee. The committee shall examine available technology for 8920  
and related timetables, goals, and costs of the alternative energy 8921  
resource requirements under division (B) of this section and shall 8922  
submit to the commission a semiannual report of its 8923  
recommendations. 8924

(E) All costs incurred by an electric distribution utility in 8925  
complying with the requirements of this section shall be 8926  
bypassable by any consumer that has exercised choice of supplier 8927  
under section 4928.03 of the Revised Code. 8928

**Sec. 4928.65.** An electric distribution utility or electric 8929  
services company may use renewable energy credits any time in the 8930  
five calendar years following the date of their purchase or 8931  
acquisition from any entity, including, but not limited to, a 8932



mercantile customer or an owner or operator of a hydroelectric 8933  
generating facility that is located at a dam on a river, or on any 8934  
water discharged to a river, that is within or bordering this 8935  
state or within or bordering an adjoining state, for the purpose 8936  
of complying with the renewable energy and solar energy resource 8937  
requirements of division (B)(2) of section 4928.64 of the Revised 8938  
Code. The public utilities commission shall adopt rules specifying 8939  
that one unit of credit shall equal one megawatt hour of 8940  
electricity derived from renewable energy resources, except that, 8941  
for a generating facility of seventy-five megawatts or greater 8942  
that is situated within this state and has committed by December 8943  
31, 2009, to modify or retrofit its generating unit or units to 8944  
enable the facility to generate principally from biomass energy by 8945  
June 30, 2013, each megawatt hour of electricity generated 8946  
principally from that biomass energy shall equal, in units of 8947  
credit, the product obtained by multiplying the actual percentage 8948  
of biomass feedstock heat input used to generate such megawatt 8949  
hour by the quotient obtained by dividing the then existing unit 8950  
dollar amount used to determine a renewable energy compliance 8951  
payment as provided under division (C)(2)(b) of section 4928.64 of 8952  
the Revised Code by the then existing market value of one 8953  
renewable energy credit, but such megawatt hour shall not equal 8954  
less than one unit of credit. The rules also shall provide for 8955  
this state a system of registering renewable energy credits by 8956  
specifying which of any generally available registries shall be 8957  
used for that purpose and not by creating a registry. That 8958  
selected system of registering renewable energy credits shall 8959  
allow a hydroelectric generating facility to be eligible for 8960  
obtaining renewable energy credits and shall allow customer-sited 8961  
projects or actions the broadest opportunities to be eligible for 8962  
obtaining renewable energy credits. 8963  
8964

Sec. 4981.02. (A) There is hereby created the Ohio rail 8965  
development commission, as an independent agency of the state 8966  
within the department of transportation, consisting of ~~six~~ seven 8967  
members appointed by the governor with the advice and consent of 8968  
the senate, two members of the Ohio senate, one of whom shall be 8969  
appointed by and serve at the pleasure of the president of the 8970  
senate and one of whom shall be appointed by and serve at the 8971  
pleasure of the minority leader of the senate, two members of the 8972  
Ohio house of representatives, one of whom shall be appointed by 8973  
and serve at the pleasure of the speaker of the house of 8974  
representatives and one of whom shall be appointed by and serve at 8975  
the pleasure of the minority leader of the house of 8976  
representatives, and two members representing the general public, 8977  
one of whom shall be appointed by the president of the senate and 8978  
one of whom shall be appointed by the speaker of the house of 8979  
representatives. The director of transportation and the director 8980  
of development, or their designees, shall be ex officio members of 8981  
the commission. Of the members appointed by the governor, one 8982  
shall serve as chairman of the commission, one shall represent the 8983  
interests of a freight rail company, one shall represent the 8984  
interests of passenger rail service, one shall have expertise in 8985  
infrastructure financing, one shall represent the interests of 8986  
organized labor, one shall represent the interests of 8987  
manufacturers and have contracting responsibility for rail and 8988  
nonrail freight transportation, and one shall represent the 8989  
general public. All members shall be reimbursed for actual 8990  
expenses incurred in the performance of their duties. The members 8991  
of the commission from the Ohio senate and the Ohio house of 8992  
representatives shall serve as nonvoting members. No more than 8993  
four members of the ~~six~~ seven appointed to the commission by the 8994  
governor shall be from the same political party. Each member of 8995  
the commission shall be a resident of this state. 8996

(B) Within sixty days after the effective date of this amendment, the governor shall make initial appointments to the commission. Of the initial appointments made to the commission, three shall be for a term ending three years after the effective date of this amendment, and three shall be for a term ending six years after that date. Terms for all other appointments made to the commission shall be for six years. Vacancies shall be filled in the manner provided for original appointments. Any member appointed to fill a vacancy shall have the same qualifications as his predecessor. Each term shall end on the same day of the same month of the year as did the term which it succeeds. Each appointed member shall hold office from the date of his appointment until the end of the term for which he was appointed. Any member appointed to fill a vacancy before the expiration of the term for which his predecessor was appointed shall hold office for the remainder of that term. Any appointed member shall continue in office subsequent to the expiration date of his term until his successor takes office, or for a period of sixty days, whichever occurs first. All members shall be eligible for reappointment.

(C) The commission may employ an executive director, who shall have appropriate experience as determined by the commission, and a secretary-treasurer and other employees that the commission considers appropriate. The commission may fix the compensation of the employees.

(D) Six members of the commission shall constitute a quorum, and the affirmative vote of ~~five~~ six members shall be necessary for any action taken by the commission. No vacancy in the membership of the commission shall impair the rights of a quorum to exercise all the rights and perform all the duties of the commission.

(E) All members of the commission are subject to Chapter 102.

of the Revised Code. 9029

(F) The department of transportation may use all appropriate 9030  
sources of revenue to assist the commission in developing and 9031  
implementing rail service. 9032

(G) Expenditures by the department of transportation, the 9033  
Ohio rail development commission, or any other state agency for 9034  
capital improvements for the development of passenger rail shall 9035  
be subject to the approval of the controlling board with an 9036  
affirmative vote of not fewer than five members, including the 9037  
affirmative vote of a majority of the controlling board members 9038  
appointed by the president of the senate and a majority of the 9039  
controlling board members appointed by the speaker of the house of 9040  
representatives. All public funds acquired by the commission shall 9041  
be used for developing, implementing, and regulating rail service 9042  
and not for operating rail service unless the general assembly 9043  
specifically approves the expenditure of funds for operating rail 9044  
service. 9045

Sec. 4981.40. In any overall programmatic environmental 9046  
impact study or other comprehensive high-speed rail project 9047  
development study, the department of transportation and the rail 9048  
development commission shall include all federally designated 9049  
high-speed rail corridors in Ohio and all passenger rail corridors 9050  
in the Ohio hub study. 9051

The department of transportation and the rail development 9052  
commission shall work with Amtrak to examine methods to improve 9053  
existing service between Toledo and Cleveland with a goal of 9054  
creating optimum service to connect the planned Cleveland, 9055  
Columbus, Dayton, and Cincinnati service. 9056

The department of transportation and the rail development 9057  
commission shall examine the financial and economic feasibility of 9058  
developing a passenger rail system between Toledo and Columbus, 9059

including necessary characteristics of a viable connection between 9060  
the cities. 9061

**Sec. 5501.03.** (A) The department of transportation shall: 9062

(1) Exercise and perform such other duties, powers, and 9063  
functions as are conferred by law on the director, the department, 9064  
the assistant directors, the deputy directors, or on the divisions 9065  
of the department; 9066

(2) Coordinate and develop, in cooperation with local, 9067  
regional, state, and federal planning agencies and authorities, 9068  
comprehensive and balanced state policy and planning to meet 9069  
present and future needs for adequate transportation facilities in 9070  
this state, including recommendations for adequate funding of the 9071  
implementation of such planning; 9072

(3) Coordinate its activities with those of other appropriate 9073  
state departments, public agencies, and authorities, and enter 9074  
into any contracts with such departments, agencies, and 9075  
authorities as may be necessary to carry out its duties, powers, 9076  
and functions; 9077

(4) Cooperate with and assist the public utilities commission 9078  
in the commission's administration of sections 4907.47 to 4907.476 9079  
of the Revised Code, particularly with respect to the federal 9080  
highway administration-~~i~~ 9081

(5) Cooperate with and assist the Ohio power siting board in 9082  
the board's administration of Chapter 4906. of the Revised Code; 9083

(6) Give particular consideration to the development of 9084  
policy and planning for public transportation facilities, and to 9085  
the coordination of associated activities relating thereto, as 9086  
prescribed under divisions (A)(2) and (3) of this section; 9087

~~(6)~~(7) Conduct, in cooperation with the Ohio legislative 9088  
service commission, any studies or comparisons of state traffic 9089

laws and local traffic ordinances with model laws and ordinances 9090  
that may be required to meet program standards adopted by the 9091  
United States department of transportation pursuant to the 9092  
"Highway Safety Act of 1966," 80 Stat. 731, U.S.C.A. 401; 9093

~~(7)~~(8) Prepare, print, distribute, and advertise books, maps, 9094  
pamphlets, and other information that, in the judgment of the 9095  
director, will inform the public and other governmental 9096  
departments, agencies, and authorities as to the duties, powers, 9097  
and functions of the department; 9098

~~(8)~~(9) In its research and development program, consider 9099  
technologies for improving roadways, including construction 9100  
techniques and materials to prolong project life, being used or 9101  
developed by other states that have geographic, geologic, or 9102  
climatic features similar to this state's, and collaborate with 9103  
those states in that development. 9104

(B) Nothing contained in division (A)(1) of this section 9105  
shall be held to in any manner affect, limit, restrict, or 9106  
otherwise interfere with the exercise of powers relating to 9107  
transportation facilities by appropriate agencies of the federal 9108  
government, or by counties, municipal corporations, or other 9109  
political subdivisions or special districts in this state 9110  
authorized by law to exercise such powers. 9111

~~(B)~~(C) The department may use all appropriate sources of 9112  
revenue to assist in the development and implementation of rail 9113  
service as defined by division (C) of section 4981.01 of the 9114  
Revised Code. 9115

~~(C)~~(D) The director of transportation may enter into 9116  
contracts with public agencies including political subdivisions, 9117  
other state agencies, boards, commissions, regional transit 9118  
authorities, county transit boards, and port authorities, to 9119  
administer the design, qualification of bidders, competitive bid 9120

letting, construction inspection, and acceptance of any projects 9121  
administered by the department, provided the administration of 9122  
such projects is performed in accordance with all applicable state 9123  
and federal laws and regulations with oversight by the department. 9124  
9125

**Sec. 5501.311.** (A) Notwithstanding sections 123.01 and 127.16 9126  
of the Revised Code the director of transportation may lease or 9127  
lease-purchase all or any part of a transportation facility to or 9128  
from one or more persons, one or more governmental agencies, a 9129  
transportation improvement district, or any combination thereof, 9130  
and, ~~in conjunction therewith,~~ may grant leases, easements, or 9131  
licenses for lands under the control of the department of 9132  
transportation. The director may adopt rules necessary to give 9133  
effect to this section. 9134

(B) Plans and specifications for the construction of a 9135  
transportation facility under a lease or lease-purchase agreement 9136  
are subject to approval of the director and must meet or exceed 9137  
all applicable standards of the department. 9138

(C) Any lease or lease-purchase agreement under which the 9139  
department is the lessee shall be for a period not exceeding the 9140  
then current two-year period for which appropriations have been 9141  
made by the general assembly to the department, and such agreement 9142  
may contain such other terms as the department and the other 9143  
parties thereto agree, notwithstanding any other provision of law, 9144  
including provisions that rental payments in amounts sufficient to 9145  
pay bond service charges payable during the current two-year lease 9146  
term shall be an absolute and unconditional obligation of the 9147  
department independent of all other duties under the agreement 9148  
without set-off or deduction or any other similar rights or 9149  
defenses. Any such agreement may provide for renewal of the 9150  
agreement at the end of each term for another term, not exceeding 9151

two years, provided that no renewal shall be effective until the 9152  
effective date of an appropriation enacted by the general assembly 9153  
from which the department may lawfully pay rentals under such 9154  
agreement. Any such agreement may include, without limitation, any 9155  
agreement by the department with respect to any costs of 9156  
transportation facilities to be included prior to acquisition and 9157  
construction of such transportation facilities. Any such agreement 9158  
shall not constitute a debt or pledge of the faith and credit of 9159  
the state, or of any political subdivision of the state, and the 9160  
lessor shall have no right to have taxes or excises levied by the 9161  
general assembly, or the taxing authority of any political 9162  
subdivision of the state, for the payment of rentals thereunder. 9163  
Any such agreement shall contain a statement to that effect. 9164

(D) A municipal corporation, township, or county may use 9165  
service payments in lieu of taxes credited to special funds or 9166  
accounts pursuant to sections 5709.43, 5709.75, and 5709.80 of the 9167  
Revised Code to provide its contribution to the cost of a 9168  
transportation facility, provided such facility was among the 9169  
purposes for which such service payments were authorized. The 9170  
contribution may be in the form of a lump sum or periodic 9171  
payments. 9172

(E) Pursuant to ~~47 U.S.C. 332,~~" the "Telecommunications Act 9173  
of ~~1966~~ 1996," 110 Stat. 152, 47 U.S.C. 332 note, the director may 9174  
grant a lease, easement, or license in a transportation facility 9175  
to a telecommunications service provider for construction, 9176  
placement, or operation of a telecommunications facility. An 9177  
interest granted under this ~~section~~ division is subject to all of 9178  
the following conditions: 9179

(1) The transportation facility is owned in fee simple or 9180  
easement by this state at the time the lease, easement, or license 9181  
is granted to the telecommunications provider. 9182

(2) The lease, easement, or license shall be granted on a 9183



competitive basis in accordance with policies and procedures to be 9184  
determined by the director. The policies and procedures may 9185  
include provisions for master leases for multiple sites. 9186

(3) The telecommunications facility shall be designed to 9187  
accommodate the state's multi-agency radio communication system, 9188  
the intelligent transportation system, and the department's 9189  
communication system as the director may determine is necessary 9190  
for highway or other departmental purposes. 9191

(4) The telecommunications facility shall be designed to 9192  
accommodate such additional telecommunications equipment as may 9193  
feasibly be co-located thereon as determined in the discretion of 9194  
the director. 9195

(5) The telecommunications service providers awarded the 9196  
lease, easement, or license, agree to permit other 9197  
telecommunications service providers to co-locate on the 9198  
telecommunications facility, and agree to the terms and conditions 9199  
of the co-location as determined in the discretion of the 9200  
director. 9201

(6) The director shall require indemnity agreements in favor 9202  
of the department as a condition of any lease, easement, or 9203  
license granted under this division. Each indemnity agreement 9204  
shall secure this state and its agents from liability for damages 9205  
arising out of safety hazards, zoning, and any other matter of 9206  
public interest the director considers necessary. 9207

(7) The telecommunications service provider fully complies 9208  
with any permit issued under section 5515.01 of the Revised Code 9209  
pertaining to land that is the subject of the lease, easement, or 9210  
license. 9211

(8) All plans and specifications shall meet with the 9212  
director's approval. 9213

(9) Any other conditions the director determines necessary. 9214

~~(F) Money received by the department under division (E) of this section shall be deposited to the credit of the highway operating fund.~~ 9215  
9216  
9217

(G) In accordance with section 5501.031 of the Revised Code, to further efforts to promote energy conservation and energy efficiency, the director may grant a lease, easement, or license in a transportation facility to a utility service provider that has received its certificate from the Ohio power siting board or appropriate local entity for construction, placement, or operation of an alternative energy generating facility service provider as defined in section 4928.64 of the Revised Code. An interest granted under this division is subject to all of the following conditions: 9218  
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(1) The transportation facility is owned in fee simple or in easement by this state at the time the lease, easement, or license is granted to the utility service provider. 9228  
9229  
9230

(2) The lease, easement, or license shall be granted on a competitive basis in accordance with policies and procedures to be determined by the director. The policies and procedures may include provisions for master leases for multiple sites. 9231  
9232  
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9234

(3) The alternative energy generating facility shall be designed to provide energy for the department's transportation facilities with the potential for selling excess power on the power grid, as the director may determine is necessary for highway or other departmental purposes. 9235  
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9237  
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9239

(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 from liability for damages arising out of safety hazards, zoning, and any other matter of public interest the director considers necessary. 9240  
9241  
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(5) The alternative energy service provider fully complies 9246  
with any permit issued by the Ohio power siting board under 9247  
Chapter 4906. of the Revised Code and complies with section 9248  
5515.01 of the Revised Code pertaining to land that is the subject 9249  
of the lease, easement, or license. 9250

(6) All plans and specifications shall meet with the 9251  
director's approval. 9252

(7) Any other conditions the director determines necessary. 9253

(G) Money the department receives under divisions (E) and (F) 9254  
of this section shall be deposited into the state treasury to the 9255  
credit of the highway operating fund. 9256

(H) A lease, easement, or license granted under division (E) 9257  
or (F) of this section, and any telecommunications facility or 9258  
alternative energy generating facility relating to such interest 9259  
in a transportation facility, is hereby deemed to further the 9260  
essential highway purpose of building and maintaining a safe, 9261  
~~efficient~~ energy-efficient, and accessible transportation system. 9262

**Sec. 5501.34.** (A) If circumstances alter the highway 9263  
requirements after the director of transportation has acquired 9264  
property so that the real property or part of the real property is 9265  
no longer required for highway purposes, the director, in the name 9266  
of the state, may sell all the right, title, and interest of the 9267  
state in any of the real property. After determining that a parcel 9268  
of real property is no longer required for highway purposes, the 9269  
director shall have the parcel appraised by a department 9270  
prequalified appraiser. 9271

(B) Except as otherwise provided in this section, the 9272  
director shall advertise the sale of real property that is no 9273  
longer required for highway purposes in a newspaper of general 9274  
circulation in the county in which the real property is situated 9275

for at least two consecutive weeks prior to the date set for the 9276  
sale. The real property may be sold at public auction to the 9277  
highest bidder for not less than two-thirds of its appraised 9278  
value, but the director may reject all bids that are less than the 9279  
full appraised value of the real property. However, if no sale has 9280  
been effected after an effort to sell under this division, the 9281  
director may set aside the appraisal, order a new appraisal, and, 9282  
except as otherwise provided in this section, readvertise the 9283  
property for sale. 9284

(C) If real property no longer required for highway purposes 9285  
is appraised or reappraised as having a current fair market value 9286  
of twenty thousand dollars or less, the director may sell the real 9287  
property to the sole abutting owner through a private sale at a 9288  
price not less than the appraised value. If there is more than one 9289  
abutting owner, the director may invite all of the abutting owners 9290  
to submit sealed bids and may sell the real property to the 9291  
highest bidder at not less than its appraised value. 9292

(D) If real property no longer required for highway purposes 9293  
is appraised or reappraised as having a fair market value of ~~two~~ 9294  
five thousand dollars or less, and no sale has been effected after 9295  
an effort to sell to the abutting owner or owners, the director 9296  
may advertise the sale of the real property in accordance with 9297  
division (B) of this section. The director may sell the land at 9298  
public auction to the highest bidder without regard to its 9299  
appraised value, but the director may reject all bids that are 9300  
less than the full appraised value of the real property. 9301

(E) The department shall pay all expenses incurred in the 9302  
sale of a parcel of real property out of the proceeds of the sale 9303  
and shall deposit the balance of the proceeds in the highway fund 9304  
used to acquire that parcel of real property. 9305

(F) Upon a determination that real property previously 9306  
acquired within a highway improvement project corridor no longer 9307

is needed for highway purposes, the director may offer the 9308  
unneded property to another landowner located within that 9309  
project's corridor as full or partial consideration for other real 9310  
property to be acquired from the landowner. If the landowner 9311  
accepts the offer, the director shall convey the unneded property 9312  
directly to the landowner at the full fair market value determined 9313  
by the department by appraisal. The director shall credit the 9314  
value of the unneded property against the acquisition price of 9315  
the property being acquired by the department, and the landowner 9316  
shall pay the department the difference if the value of the 9317  
unneded property exceeds the acquisition price of the property 9318  
being acquired. 9319

(G) Conveyances of real property under this section shall be 9320  
by a deed executed by the governor, bearing the great seal of the 9321  
state, and in the form prescribed by the attorney general. The 9322  
director shall keep a record of all conveyances of real property 9323  
made under this section. This section applies to all real property 9324  
acquired by the department, regardless of how or from whom the 9325  
property was acquired. 9326

Sec. 5501.60. The department of transportation shall not 9327  
erect a guardrail or any other barrier that blocks or otherwise 9328  
interferes in any manner with the only right-of-way to a parcel of 9329  
real property. If the department erects a guardrail or other 9330  
barrier that blocks or otherwise interferes in any manner with the 9331  
only right-of-way to a parcel of real property, the department 9332  
shall remove the guardrail or other barrier promptly. If the 9333  
department fails to remove such a guardrail or other barrier, the 9334  
owner or occupier of the parcel of real property may remove or 9335  
cause the removal of the guardrail or other barrier and the 9336  
department shall reimburse fully the owner or occupier of the 9337  
parcel of real property for the actual cost to the owner or 9338  
occupier of the parcel of real property of the removal. 9339

Sec. 5502.03. (A) There is hereby created in the department 9340  
of public safety a division of homeland security. 9341

(B) The division shall do all of the following: 9342

(1) Coordinate all homeland security activities of all state 9343  
agencies and be the liaison between state agencies and local 9344  
entities for the purposes of communicating homeland security 9345  
funding and policy initiatives; 9346

(2) Collect, analyze, maintain, and disseminate information 9347  
to support local, state, and federal law enforcement agencies, 9348  
other government agencies, and private organizations in detecting, 9349  
detering, preventing, preparing for, responding to, and 9350  
recovering from threatened or actual terrorist events. This 9351  
information is not a public record pursuant to section 149.43 of 9352  
the Revised Code. 9353

(3) Coordinate efforts of state and local governments and 9354  
private organizations to enhance the security and protection of 9355  
critical infrastructure and key assets in this state; 9356

(4) Develop and coordinate policies, protocols, and 9357  
strategies that may be used to prevent, detect, prepare for, 9358  
respond to, and recover from terrorist acts or threats; 9359

(5) Develop, update, and coordinate the implementation of an 9360  
Ohio homeland security strategic plan that will guide state and 9361  
local governments in the achievement of homeland security in this 9362  
state. 9363

(C) The director of public safety shall appoint an executive 9364  
director, who shall be head of the division of homeland security 9365  
and who regularly shall advise the governor and the director on 9366  
matters pertaining to homeland security. The executive director 9367  
shall serve at the pleasure of the director of public safety. To 9368  
carry out the duties assigned under this section, the executive 9369

director, subject to the direction and control of the director of 9370  
public safety, may appoint and maintain necessary staff and may 9371  
enter into any necessary agreements. 9372

(D) Except as otherwise provided by law, nothing in this 9373  
section shall be construed to give the director of public safety 9374  
or the executive director of the division of homeland security 9375  
authority over the incident management structure or 9376  
responsibilities of local emergency response personnel. 9377

(E) There is hereby created in the state treasury the 9378  
homeland security fund. The fund shall consist of sixty cents of 9379  
each fee collected under sections 4501.34, 4503.26, 4506.08, and 9380  
4509.05 of the Revised Code as specified in those sections, plus 9381  
on and after October 1, 2009, sixty cents of each fee collected 9382  
under sections 4505.14 and 4519.63 of the Revised Code as 9383  
specified in those sections. The fund shall be used to pay the 9384  
expenses of administering the law relative to the powers and 9385  
duties of the executive director of the division of homeland 9386  
security, except that the director of budget and management may 9387  
transfer excess money from the homeland security fund to the state 9388  
highway safety fund if the director of public safety determines 9389  
that the amount of money in the homeland security fund exceeds the 9390  
amount required to cover such costs incurred by the division of 9391  
homeland security and requests the director of budget and 9392  
management to make the transfer. 9393

Sec. 5502.131. There is hereby created in the state treasury 9394  
the investigations fund. The fund shall consist of thirty cents of 9395  
each fee collected under sections 4501.34, 4503.26, 4506.08, and 9396  
4509.05 of the Revised Code as specified in those sections, plus 9397  
on and after October 1, 2009, thirty cents of each fee collected 9398  
under sections 4505.14 and 4519.63 of the Revised Code as 9399  
specified in those sections. The director of public safety shall 9400

use the money in the fund to pay the operating expenses of 9401  
investigations, except that the director of budget and management 9402  
may transfer excess money from the investigations fund to the 9403  
state highway safety fund if the director of public safety 9404  
determines that the amount of money in the investigations fund 9405  
exceeds the amount required to cover investigative costs incurred 9406  
by the investigative unit and requests the director of budget and 9407  
management to make the transfer. 9408  
9409

**Sec. 5502.39.** There is hereby created in the state treasury 9410  
the emergency management agency service and reimbursement fund. 9411  
The fund shall consist of one dollar and twenty-five cents of each 9412  
fee collected under sections 4501.34, 4503.26, 4506.08, and 9413  
4509.05 of the Revised Code as specified in those sections, plus 9414  
on and after October 1, 2009, one dollar and twenty-five cents of 9415  
each fee collected under sections 4505.14 and 4519.63 of the 9416  
Revised Code as specified in those sections, and money collected 9417  
under sections 5502.21 to 5502.38 of the Revised Code. All money 9418  
in the fund shall be used to pay the costs of administering 9419  
programs of the emergency management agency, except that the 9420  
director of budget and management may transfer excess money from 9421  
the emergency management agency service and reimbursement fund to 9422  
the state highway safety fund if the director of public safety 9423  
determines that the amount of money in the emergency management 9424  
agency service and reimbursement fund exceeds the amount required 9425  
to cover such costs incurred by the emergency management agency 9426  
and requests the director of budget and management to make the 9427  
transfer. 9428

**Sec. 5502.67.** There is hereby created in the state treasury 9429  
the justice program services fund. The fund shall consist of the 9430



court costs designated for the fund pursuant to section 2949.094 9431  
of the Revised Code, twenty-five cents of each fee collected under 9432  
sections 4501.34, 4503.26, 4506.08, and 4509.05 of the Revised 9433  
Code as specified in those sections, plus on and after October 1, 9434  
2009, twenty-five cents of each fee collected under sections 9435  
4505.14 and 4519.63 of the Revised Code as specified in those 9436  
sections, and all money collected by the division of criminal 9437  
justice services for nonfederal purposes, including subscription 9438  
fees for participating in the Ohio incident-based reporting system 9439  
under division (C) of section 5502.62 of the Revised Code, unless 9440  
otherwise designated by law. The justice program services fund 9441  
shall be used to pay costs of administering the operations of the 9442  
division of criminal justice services, except that the director of 9443  
budget and management may transfer excess money from the justice 9444  
program services fund to the state highway safety fund if the 9445  
director of public safety determines that the amount of money in 9446  
the justice program services fund exceeds the amount required to 9447  
cover such costs incurred by the office of criminal justice 9448  
services and requests the director of budget and management to 9449  
make the transfer. 9450

**Sec. 5502.68.** (A) There is hereby created in the state 9451  
treasury the drug law enforcement fund. Three Ninety-seven per 9452  
cent of three dollars and fifty cents out of each ten-dollar court 9453  
cost imposed pursuant to section 2949.094 of the Revised Code 9454  
shall be credited to the fund. Money in the fund shall be used 9455  
only in accordance with this section to award grants to counties, 9456  
municipal corporations, townships, township police districts, and 9457  
joint township police districts to defray the expenses that a drug 9458  
task force organized in the county, or in the county in which the 9459  
municipal corporation, township, or district is located, incurs in 9460  
performing its functions related to the enforcement of the state's 9461  
drug laws and other state laws related to illegal drug activity. 9462

9463

The division of criminal justice services shall administer 9464  
all money deposited into the drug law enforcement fund and, by 9465  
rule adopted under Chapter 119. of the Revised Code, shall 9466  
establish procedures for a county, municipal corporation, 9467  
township, township police district, or joint township police 9468  
district to apply for money from the fund to defray the expenses 9469  
that a drug task force organized in the county, or in the county 9470  
in which the municipal corporation, township, or district is 9471  
located, incurs in performing its functions related to the 9472  
enforcement of the state's drug laws and other state laws related 9473  
to illegal drug activity, procedures and criteria for determining 9474  
eligibility of applicants to be provided money from the fund, and 9475  
procedures and criteria for determining the amount of money to be 9476  
provided out of the fund to eligible applicants. 9477

(B) The procedures and criteria established under division 9478  
(A) of this section for applying for money from the fund shall 9479  
include, but shall not be limited to, a provision requiring a 9480  
county, municipal corporation, township, township police district, 9481  
or joint township police district that applies for money from the 9482  
fund to specify in its application the amount of money desired 9483  
from the fund, provided that the cumulative amount requested in 9484  
all applications submitted for any single drug task force may not 9485  
exceed more than two hundred fifty thousand dollars in any 9486  
calendar year for that task force. 9487

(C) The procedures and criteria established under division 9488  
(A) of this section for determining eligibility of applicants to 9489  
be provided money from the fund and for determining the amount of 9490  
money to be provided out of the fund to eligible applicants shall 9491  
include, but not be limited to, all of the following: 9492

(1) Provisions requiring that, in order to be eligible to be 9493

provided money from the fund, a drug task force that applies for 9494  
money from the fund must provide evidence that the drug task force 9495  
will receive a local funding match of at least twenty-five per 9496  
cent of the task force's projected operating costs in the period 9497  
of time covered by the grant; 9498

(2) Provisions requiring that money from the fund be 9499  
allocated and provided to drug task forces that apply for money 9500  
from the fund in accordance with the following priorities: 9501

(a) Drug task forces that apply, that are in existence on the 9502  
date of the application, and that are determined to be eligible 9503  
applicants, and to which either of the following applies shall be 9504  
given first priority to be provided money from the fund: 9505

(i) Drug task forces that received funding through the 9506  
division of criminal justice services in calendar year 2007; 9507

(ii) Drug task forces in a county that has a population that 9508  
exceeds seven hundred fifty thousand. 9509

(b) If any moneys remain in the fund after all drug task 9510  
forces that apply, that are in existence on the date of the 9511  
application, that are determined to be eligible applicants, and 9512  
that satisfy the criteria set forth in division (C)(2)(a)(i) or 9513  
(ii) of this section are provided money from the fund as described 9514  
in division (C)(2)(a) of this section, the following categories of 9515  
drug task forces that apply and that are determined to be eligible 9516  
applicants shall be given priority to be provided money from the 9517  
fund in the order in which they apply for money from the fund: 9518

(i) Drug task forces that are not in existence on the date of 9520  
the application; 9521

(ii) Drug task forces that are in existence on the date of 9522  
the application but that do not satisfy the criteria set forth in 9523  
division (C)(2)(a)(i) or (ii) of this section. 9524

(D) The procedures and criteria established under division 9525  
(A) of this section for determining the amount of money to be 9526  
provided out of the fund to eligible applicants shall include, but 9527  
shall not be limited to, a provision specifying that the 9528  
cumulative amount provided to any single drug task force may not 9529  
exceed more than two hundred fifty thousand dollars in any 9530  
calendar year. 9531

(E) As used in this section, "drug task force" means a drug 9532  
task force organized in any county by the sheriff of the county, 9533  
the prosecuting attorney of the county, the chief of police of the 9534  
organized police department of any municipal corporation or 9535  
township in the county, and the chief of police of the police 9536  
force of any township police district or joint township police 9537  
district in the county to perform functions related to the 9538  
enforcement of state drug laws and other state laws related to 9539  
illegal drug activity. 9540

**Sec. 5515.01.** The director of transportation may upon formal 9541  
application being made to the director, grant a permit to any 9542  
individual, firm, or corporation to use or occupy such portion of 9543  
a road or highway on the state highway system as will not 9544  
incommode the traveling public. Such permits, when granted, shall 9545  
be upon the following conditions: 9546

(A) ~~The occupancy of such roads or highways shall be in the~~ 9547  
~~location as prescribed by the director~~ may issue a permit to any 9548  
individual, firm, or corporation for any use of a road or highway 9549  
on the state highway system that is consistent with applicable 9550  
federal law or federal regulations. 9551

(B) Such location shall be changed as prescribed by the 9552  
director when the director deems such change necessary for the 9553  
convenience of the traveling public, or in connection with or 9554  
contemplation of the construction, reconstruction, improvement, 9555

relocating, maintenance, or repair of such road or highway. 9556

(C) The placing of objects or things shall be at a grade and 9557  
in accordance with such plans, specifications, or both, as shall 9558  
be first approved by the director. 9559

(D) The road or highway in all respects shall be fully 9560  
restored to its former condition of usefulness and at the expense 9561  
of such individual, firm, or corporation. 9562

(E) Such individual, firm, or corporation shall maintain all 9563  
objects and things in a proper manner, promptly repair all damages 9564  
resulting to such road or highway on account thereof, and in event 9565  
of failure to so repair such road or highway to pay to the state 9566  
all costs and expenses which may be expended by the director in 9567  
repairing any damage. 9568

(F) Such other conditions as may seem reasonable to the 9569  
director, but no condition shall be prescribed which imposes the 9570  
payment of a money consideration for the privilege granted. 9571  
Nothing in this division prohibits the director from requiring 9572  
payment of money consideration for a lease, easement, license, or 9573  
other interest in a transportation facility under control of the 9574  
department of transportation. 9575

(G) Permits may be revoked by the director at any time for a 9576  
noncompliance with the conditions imposed. 9577

(H) As a condition precedent to the issuance of a any permit 9578  
~~to a~~for telecommunications ~~service provider~~ facilities or carbon 9579  
capture and storage pipelines, the director shall require the 9580  
applicant to provide proof it is party to a lease, easement, or 9581  
license for the construction, placement, or operation of a 9582  
~~telecommunications~~ such facility or pipeline in or on a 9583  
transportation facility. 9584

Except as otherwise provided in this section and section 9585  
5501.311 of the Revised Code, Chapters 5501., 5503., 5511., 5513., 9586

5515., 5516., 5517., 5519., 5521., 5523., 5525., 5527., 5528., 9587  
5529., 5531., 5533., and 5535. of the Revised Code do not prohibit 9588  
telegraph, telephone, and electric light and power companies from 9589  
constructing, maintaining, and using telegraph, telephone, or 9590  
electric light and power lines along and upon such roads or 9591  
highways under sections 4931.19, 4933.14, or other sections of the 9592  
Revised Code, or to affect existing rights of any such companies, 9593  
or to require such companies to obtain a permit from the director, 9594  
except with respect to the location of poles, wires, conduits, and 9595  
other equipment comprising lines on or beneath the surface of such 9596  
road or highways. 9597

This section does not prohibit steam or electric railroad 9598  
companies from constructing tracks across such roads or highways, 9599  
nor authorize the director to grant permission to any company 9600  
owning, operating, controlling, or managing a steam railroad or 9601  
interurban railway in this state to build a new line of railroad, 9602  
or to change or alter the location of existing tracks across any 9603  
road or highway on the state highway system at grade. No such 9604  
company shall change the elevation of any of its tracks across 9605  
such road or highway except in accordance with plans and 9606  
specifications first approved by the director. 9607

This section does not relieve any individual, firm, or 9608  
corporation from the obligation of satisfying any claim or demand 9609  
of an owner of lands abutting on such road or highway on the state 9610  
highway system on account of placing in such road or highway a 9611  
burden in addition to public travel. 9612

**Sec. 5515.07.** (A) The director of transportation, in 9613  
accordance with Chapter 119. of the Revised Code, shall adopt 9614  
rules consistent with the safety of the traveling public and 9615  
consistent with the national policy to govern the use and control 9616  
of rest areas within the limits of the right-of-way of interstate 9617

highways and other state highways and in other areas within the 9618  
limits of the right-of-way of interstate highways. 9619

(B) Except as provided in division (C) of this section or as 9620  
otherwise authorized by applicable federal law or federal 9621  
regulations, no person shall engage in selling or offering for 9622  
sale or exhibiting for purposes of sale, goods, products, 9623  
merchandise, or services within the bounds of rest areas within 9624  
the limits of the right-of-way of interstate highways and other 9625  
state highways, or in other areas within the limits of the 9626  
right-of-way of interstate highways, unless the director issues a 9627  
permit in accordance with section 5515.01 of the Revised Code. 9628  
Notwithstanding any rules adopted by the director to the contrary 9629  
or any other policy changes proposed by the director, each 9630  
district deputy director of the department of transportation shall 9631  
continue to implement any program allowing organizations to 9632  
dispense free coffee or similar items after obtaining a permit 9633  
that operated within the district prior to January 1, 1997. Each 9634  
district deputy director shall operate such program within the 9635  
district in the same manner as the program was operated prior to 9636  
that date. 9637

(C) In accordance with rules adopted under division (A) of 9638  
this section, the director may cause vending machines to be placed 9639  
within each rest area that is able to accommodate the machines. 9640  
The vending machines shall dispense food, drink, and other 9641  
appropriate articles. 9642

(D) This section does not apply to the sale of goods, 9643  
products, merchandise, or services required for the emergency 9644  
repair of motor vehicles or emergency medical treatment, or to the 9645  
department of transportation as provided in section 5515.08 of the 9646  
Revised Code. 9647

**Sec. 5517.011.** Notwithstanding section 5517.01 of the Revised 9648

Code, the director of transportation may establish a program to 9649  
expedite the sale and construction of special projects by 9650  
combining the design and construction elements of a highway or 9651  
bridge project into a single contract. The director shall prepare 9652  
and distribute a scope of work document upon which the bidders 9653  
shall base their bids. Except in regard to those requirements 9654  
relating to providing plans, the director shall award contracts 9655  
under this section in accordance with Chapter 5525. of the Revised 9656  
Code. 9657

~~For~~ On the effective date of this amendment and until July 1, 9658  
2011, the total dollar value of contracts made under this section 9659  
shall not exceed one billion dollars. On and after July 1, 2011, 9660  
for each biennium, the total dollar value of contracts made under 9661  
this section shall not exceed two hundred fifty million dollars 9662  
unless otherwise authorized by the general assembly. 9663

**Sec. 5525.15.** The director of transportation may provide that 9664  
the estimate of cost of any project to be constructed by the 9665  
department by the taking of bids and awarding of contracts shall 9666  
be confidential information and so remain until after all bids on 9667  
the project have been received. The total amount of the estimate 9668  
then shall be ~~publicly read prior to the opening of the bids of~~ 9669  
~~the subject~~ published. 9670

When the director exercises the authority conferred by this 9671  
section, all information with respect to the total estimate of 9672  
cost of the project to be built by contract and with respect to 9673  
the estimate of cost of any particular item of work involved 9674  
therein shall be kept and regarded by the director and all the 9675  
director's subordinates as confidential, and shall not be revealed 9676  
to any person not employed in the department, or by the United 9677  
States department of transportation in the case of projects 9678  
financed in whole or part by federal funds, until after the bids 9679



on the project have been opened and ~~read~~ published. Section 9680  
5517.01 of the Revised Code with respect to the public inspection 9681  
of estimates of cost prior to the opening of bids and with respect 9682  
to filing estimates of cost in the office of the district deputy 9683  
director of transportation does not apply when the authority 9684  
conferred by this section is exercised. This section does not 9685  
prohibit the department from furnishing estimates of cost to 9686  
counties, municipal corporations, or other local political 9687  
subdivisions or to railroad or railway companies proposing to pay 9688  
any portion of the cost of an improvement. 9689

Section 5525.10 of the Revised Code, which provides that no 9690  
contract for any improvement shall be awarded for a greater sum 9691  
than the estimated cost thereof plus five per cent, does not apply 9692  
in the case of any project with respect to which the authority 9693  
conferred by this section is exercised. In cases in which the 9694  
authority conferred by this section is exercised and in which the 9695  
bid of the successful bidder exceeds the estimate, the director, 9696  
before entering into a contract, shall determine that the bid of 9697  
the successful bidder is fair and reasonable, and as long as the 9698  
federal government imposes regulation on prices charged for 9699  
construction service, shall require the successful bidder to 9700  
certify that the bidder's bid does not exceed the maximum 9701  
permitted by such federal regulation. 9702

**Sec. 5531.09.** (A) The state infrastructure bank shall consist 9703  
of the highway and transit infrastructure bank fund, the aviation 9704  
infrastructure bank fund, the rail infrastructure bank fund, and 9705  
the infrastructure bank obligations fund, which are hereby created 9706  
as funds of the state treasury, to be administered by the director 9707  
of transportation and used for the purposes described in division 9708  
(B) of this section. The highway and transit infrastructure bank 9709  
fund, the aviation infrastructure bank fund, and the rail 9710  
infrastructure bank fund shall consist of federal grants and 9711

awards or other assistance received by the state and eligible for 9712  
deposit therein under applicable federal law, payments received by 9713  
the department in connection with providing financial assistance 9714  
for qualifying projects under division (B) of this section, and 9715  
such other amounts as may be provided by law. The infrastructure 9716  
bank obligations fund shall consist of such amounts of the 9717  
proceeds of obligations issued under section 5531.10 of the 9718  
Revised Code as the director of transportation determines with the 9719  
advice of the director of budget and management; and such other 9720  
amounts as may be provided by law. The director of budget and 9721  
management, upon the request of the director of transportation, 9722  
may transfer amounts between the funds created in this division, 9723  
except the infrastructure bank obligations fund. The investment 9724  
earnings of each fund created by this division shall be credited 9725  
to such fund. 9726

(B) The director of transportation shall use the state 9727  
infrastructure bank to encourage public and private investment in 9728  
transportation facilities that contribute to the multi-modal and 9729  
intermodal transportation capabilities of the state, develop a 9730  
variety of financing techniques designed to expand the 9731  
availability of funding resources and to reduce direct state 9732  
costs, maximize private and local participation in financing 9733  
projects, and improve the efficiency of the state transportation 9734  
system by using and developing the particular advantages of each 9735  
transportation mode to the fullest extent. In furtherance of these 9736  
purposes, the director shall use the state infrastructure bank to 9737  
provide financial assistance to public or private entities for 9738  
qualified projects. Such assistance shall be in the form of loans, 9739  
loan guarantees, letters of credit, leases, lease-purchase 9740  
agreements, interest rate subsidies, debt service reserves, and 9741  
such other forms as the director determines to be appropriate. All 9742  
fees, charges, rates of interest, payment schedules, security for, 9743  
and other terms and conditions relating to such assistance shall 9744

be determined by the director. ~~The highway and transit 9745  
infrastructure bank fund, the aviation infrastructure bank fund, 9746  
and the rail infrastructure bank fund may be used to pay debt 9747  
service on obligations whose proceeds have been deposited into the 9748  
infrastructure bank obligations fund. 9749~~  
9750

(C) The director of transportation shall adopt rules 9751  
establishing guidelines necessary for the implementation and 9752  
exercise of the authority granted by this section, including rules 9753  
for receiving, reviewing, evaluating, and selecting projects for 9754  
which financial assistance may be approved. 9755

(D) As used in this section and in section 5531.10 of the 9756  
Revised Code, "qualified project" means any public or private 9757  
transportation project as determined by the director of 9758  
transportation, including, without limitation, planning, 9759  
environmental impact studies, engineering, construction, 9760  
reconstruction, resurfacing, restoring, rehabilitation, or 9761  
replacement of public or private transportation facilities within 9762  
the state, studying the feasibility thereof, and the acquisition 9763  
of real or personal property or interests therein; any highway, 9764  
public transit, aviation, rail, or other transportation project 9765  
eligible for financing or aid under any federal or state program; 9766  
and any project involving the maintaining, repairing, improving, 9767  
or construction of any public or private highway, road, street, 9768  
parkway, public transit, aviation, or rail project, and any 9769  
related rights-of-way, bridges, tunnels, railroad-highway 9770  
crossings, drainage structures, signs, guardrails, or protective 9771  
structures. 9772

(E) The general assembly finds that state infrastructure 9773  
projects, as defined in division (A)(8) of section 5531.10 of the 9774  
Revised Code, and the state infrastructure bank, will materially 9775  
contribute to the economic revitalization of areas of the state 9776

and result in improving the economic welfare of all the people of 9777  
the state. Accordingly, it is declared to be the public purpose of 9778  
the state, through operations under sections 5531.09 and 5531.10 9779  
of the Revised Code, and other applicable laws adopted pursuant to 9780  
Section 13 of Article VIII, Ohio Constitution, and other authority 9781  
vested in the general assembly, to assist in and facilitate the 9782  
purposes set forth in division (B) of section 5531.10 of the 9783  
Revised Code, and to assist and cooperate with any governmental 9784  
agency in achieving such purposes. 9785

Sec. 5531.11. As used in sections 5531.11 to 5531.18 of the 9786  
Revised Code: 9787

"Cost" means all costs of constructing, improving, repairing, 9788  
maintaining, administering, and operating the Ohio transportation 9789  
system, including all costs payable with respect to permanent 9790  
improvements as described in division (B) of section 133.15 of the 9791  
Revised Code. 9792

"Governmental agency" means any state agency, federal agency, 9793  
political subdivision, or other local, interstate, or regional 9794  
governmental agency, and any combination of those agencies. 9795

"Highway project" means any project intended for the highway 9796  
purpose of supporting the state highway system. A highway project, 9797  
whether publicly or privately owned, is a state infrastructure 9798  
project as defined in section 5531.10 of the Revised Code for all 9799  
purposes of that section and section 5531.09 of the Revised Code 9800  
and also is a transportation facility as defined in section 9801  
5501.01 of the Revised Code. 9802

"State highway system" or "system" means all existing and 9803  
future transportation projects constructed, operated, repaired, 9804  
maintained, administered, and operated under the jurisdiction of 9805  
the department of transportation, including toll projects and 9806  
highway projects. 9807

"Public roads" means all public highways, roads, and streets 9808  
in the state, whether maintained by a state agency or any other 9809  
governmental agency. 9810

"Public utility facilities" means tracks, pipes, mains, 9811  
conduits, cables, wires, towers, poles, and other equipment and 9812  
appliances of any public utility. 9813

"Revenues" means all nontax revenues coming into the 9814  
possession of or under the control of the department by virtue of 9815  
sections 5531.11 to 5531.18 of the Revised Code. "Revenues" does 9816  
not include proceeds from the sale of obligations but does include 9817  
tolls, service revenues, investment income on the Ohio toll fund 9818  
established in section 5531.14 of the Revised Code, rentals, 9819  
gifts, and grants. 9820

"Service facilities" means service stations, restaurants, and 9821  
other facilities for food service, roadside parks and rest areas, 9822  
parking, camping, tenting, rest, and sleeping facilities, hotels 9823  
or motels, and all similar and other facilities providing services 9824  
to the traveling public in connection with the use of a toll 9825  
project and owned, leased, licensed, or operated by the department 9826  
of transportation. 9827

"Service revenues" means those revenues of the department 9828  
derived from its ownership, leasing, licensing, or operation of 9829  
service facilities. 9830

"Toll project" means any project that adds new capacity, 9831  
including construction on existing highways, bridges, or tunnels 9832  
where construction increases the total number of lanes, including 9833  
toll and nontoll lanes, and does not decrease the total number of 9834  
nontoll lanes at each mile. "Toll project" also includes new 9835  
interchanges constructed for economic development purposes 9836  
connecting an interstate highway or a multi-lane, fully 9837  
controlled-access highway that was not connected previously with 9838

other interstates, state highways and local roads, and any new 9839  
high occupancy lane or new highways connecting an intermodal 9840  
facility established, constructed, reconstructed, maintained, 9841  
repaired, administered, operated, or improved, under the 9842  
jurisdiction of the department of transportation and pursuant to 9843  
sections 5531.11 to 5531.18 of the Revised Code, at a location or 9844  
locations determined by the director of transportation, including 9845  
all bridges, tunnels, overpasses, underpasses, interchanges, 9846  
entrance plazas, approaches, those portions of connecting public 9847  
roads that serve interchanges and are determined by the director 9848  
to be necessary for the safe merging of traffic between the toll 9849  
project and those nontolled public roads, toll booths, service 9850  
facilities, and administration, storage, and other buildings, 9851  
property, and facilities that the department considers necessary 9852  
for the operation or policing of the toll project, together with 9853  
all property and rights that may be acquired by the department for 9854  
the construction, maintenance, repair, administration, 9855  
improvement, or operation of the toll project, and includes any 9856  
sections or extensions of a toll project designated by the 9857  
department as such for the particular purpose. Nothing in this 9858  
section shall be construed to permit tolls to be charged on 9859  
existing nontoll highways. 9860

"Tolls" means tolls, special fees or permit fees, or other 9862  
charges by the department to the owners, lessors, lessees, 9863  
operators of motor vehicles, or other users of a toll project for 9864  
the operation or use of or the right to operate on a toll project. 9865

Sec. 5531.12. (A)(1)In order to remove present and 9867  
anticipated handicaps and potential hazards on the highways in 9868  
this state, to facilitate vehicular traffic throughout the state, 9869  
to promote the agricultural, commercial, recreational, tourism, 9870

and industrial development of the state, and to provide for the 9871  
general welfare of its citizens, the state transportation finance 9872  
commission may approve toll projects at locations approved by the 9873  
director of transportation. Any revenue derived from toll projects 9874  
shall be used only for purposes of the toll project and shall not 9875  
be expended for any purpose other than as provided in Section 5a 9876  
of Article XII, Ohio Constitution. The toll projects authorized by 9877  
sections 5531.11 to 5531.18 of the Revised Code are part of the 9878  
state highway system. 9879

(2) Any toll project shall be developed and submitted for 9880  
selection in accordance with the policies and procedures of the 9881  
major new capacity selection process of the transportation review 9882  
advisory council, created under Chapter 5512. of the Revised Code. 9883  
Each toll project may be separately designated, by name or number, 9884  
and may be constructed, improved, or reconstructed as the 9885  
department of transportation may from time to time determine 9886  
pursuant to sections 5531.11 to 5531.18 of the Revised Code. A 9887  
toll project shall be considered a state infrastructure project as 9888  
defined in section 5531.10 of the Revised Code for all purposes of 9889  
that section and section 5531.09 of the Revised Code and also is a 9890  
transportation facility as defined in section 5501.01 of the 9891  
Revised Code. 9892

(3) Nothing in this chapter shall be construed to permit 9893  
tolls to be charged on existing nontoll highways. 9894

(B)(1) There is hereby created within the department of 9895  
transportation the "Ohio transportation finance commission." The 9896  
commission shall consist of seven members as follows: 9897

(a) Two members appointed by the governor; 9898

(b) The director of development, or the director's designee, 9899  
who shall be a nonvoting ex officio member and shall serve without 9900  
compensation; 9901

(c) Two members appointed by the president of the senate, who shall have experience relevant to approving toll projects, including expertise in finance, engineering, statewide planning, economic development, logistics, or land use planning; 9902  
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(d) Two members appointed by the speaker of the house of representatives, who shall have experience relevant to approving toll projects, including expertise in finance, engineering, statewide planning, economic development, logistics, or land use planning. 9906  
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(2) No member of the general assembly shall be a member of the commission. In making their appointments, the governor, speaker of the house of representatives, and the president of the senate shall consult with each other so that from the total number of six appointed members, at least two are affiliated with the major political party not represented by the governor. In making the governor's appointments, the governor shall appoint persons who reside in different geographic areas of the state. The members appointed by the governor shall be residents of the state and shall serve terms of five years commencing on the first day of July and ending on the thirtieth day of June. The members appointed by the president of the senate or the speaker of the house of representatives shall serve a term of the remainder of the general assembly during which the member is appointed. The governor shall appoint one of the members as chairperson and another as vice-chairperson and shall appoint a secretary-treasurer who need not be a member of the commission. Four of the members of the commission constitute a quorum, and the affirmative vote of four voting members is necessary for any action taken by the commission. No vacancy in the membership of the commission impairs the rights of a quorum to exercise all the rights and perform all the duties of the commission. Appointed members shall have no conflict of interest with the position. For 9911  
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purposes of this section, "conflict of interest" means taking any 9934  
action that violates any provision of Chapter 102. or 2921. of the 9935  
Revised Code. 9936

(C) Each appointed member shall hold office from the date of 9937  
appointment until the end of the term for which the member was 9938  
appointed. If a commission member dies or resigns, or if an ex 9939  
officio member ceases to hold the applicable office, the vacancy 9940  
shall be filled in the same manner as provided in division (B) of 9941  
this section. Any member who fills a vacancy occurring prior to 9942  
the end of the term for which the member's predecessor was 9943  
appointed, if appointed by the governor, shall hold office for the 9944  
remainder of such term or, if appointed by the president of the 9945  
senate or the speaker of the house of representatives, shall hold 9946  
office for the remainder of the term or for a shorter period of 9947  
time as determined by the president or the speaker. Any member 9948  
appointed by the governor shall continue in office subsequent to 9949  
the expiration date of the member's term until the member's 9950  
successor takes office or until a period of sixty days has 9951  
elapsed, whichever occurs first. A member of the commission is 9952  
eligible for reappointment. Each appointed member of the 9953  
commission, before entering upon the member's duties, shall take 9954  
an oath as provided by Section 7 of Article XV, Ohio Constitution. 9955  
The governor, the president of the senate, or the speaker of the 9956  
house of representatives may at any time remove their respective 9957  
appointees to the commission for misfeasance, nonfeasance, or 9958  
malfeasance in office. 9959

(D) Each appointed member shall serve without compensation 9960  
but shall be reimbursed for the member's actual and necessary 9961  
expenses incurred in the performance of the member's duties. At 9962  
the request of the chairperson of the Ohio transportation finance 9963  
commission, the department of transportation shall provide staff 9964  
assistance and office space for the commission. 9965

(E) Upon selection of a toll project by the transportation review advisory council, the director of transportation shall submit a toll proposal for the project to the Ohio transportation finance commission. The commission shall review the toll proposal for the project and either approve it, disapprove it, or suggest modifications to it. Approval for any toll proposal shall be made by an affirmative vote of four of the six voting members of the commission. 9966  
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(F) The director of transportation shall adopt rules pursuant to chapter 119. of the Revised Code governing the duties of the commission, the frequency of commission meetings, compensation for each appointed member, and any rules necessary for the planning, development, and implementation of toll projects and the collection of tolls. The rules adopted pursuant to this section shall include a requirement that the commission hold at least three public hearings prior to the commission voting on whether to approve a toll project. 9974  
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**Sec. 5531.13.** (A) The director of transportation may acquire or dispose of any public or private property or interests therein the director determines to be necessary, convenient, or proper for the construction, improvement, repair, maintenance, administration, or operation of toll projects in the same manner as the director may acquire or dispose of such property for transportation facilities or highway purposes, under sections 5501.311 to 5501.34 and 5501.45 and Chapter 5519. of the Revised Code. 9983  
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(B) The director may enter into any contracts the director determines to be necessary, convenient, or proper for the construction, improvement, repair, maintenance, administration, or operation of toll projects in the manner provided in Chapter 5525. of the Revised Code. 9992  
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(C) The director may enter into any professional contracts 9997  
the director determines to be necessary, convenient, or proper for 9998  
the construction, improvement, repair, maintenance, 9999  
administration, or operation of toll projects in the manner 10000  
provided in Chapter 5526. of the Revised Code. 10001

(D) Tolls and accounts within the Ohio toll fund established 10002  
in section 5531.14 of the Revised Code may be used for the 10003  
acquisition of property under division (A) of this section or 10004  
pursuant to contracts entered into under division (B) or (C) of 10005  
this section to the same extent permitted by section 5531.14 of 10006  
the Revised Code with respect to obligations. 10007

Sec. 5531.14. (A) To the extent permitted by federal law, the 10008  
director of transportation may fix, revise, charge, and collect 10009  
tolls for each toll project, and contract with any person or 10010  
governmental agency desiring the use of any part thereof, 10011  
including the right-of-way adjoining the paved portion, for 10012  
placing thereon telephone, electric light, or power lines, service 10013  
facilities, or for any other purpose, and fix the terms, 10014  
conditions, rents, and rates of charge for such use; provided, 10015  
that no toll, charge, or rental may be made for placing in, on, 10016  
along, over, or under the toll project, equipment or public 10017  
utility facilities that are necessary to serve service facilities 10018  
or to interconnect any public utility facilities. 10019

In accordance with Chapter 119. of the Revised Code, the 10020  
director shall establish a plan, schedule, or system of tolls or 10021  
charges and shall declare the purpose, amount, and duration of the 10022  
tolls or charges. Any proposal to implement a toll or other charge 10023  
under this section may include a plan, schedule, or system of 10024  
tolls or charges that is subject to adjustment by the director 10025  
within and in accordance with that plan, schedule, or system. 10026

(B) For any toll imposed under this section, the department 10027

of transportation may use a system for toll collection that is 10028  
capable of charging an account holder the appropriate toll or 10029  
charge by transmission of information from an electronic device on 10030  
a motor vehicle to the toll lane, which information is used to 10031  
charge the account holder the appropriate toll or charge. 10032

(C) One or more tolls, or a portion of any toll, may be 10033  
pledged to the repayment of obligations in the bond proceedings 10034  
for those obligations and shall be a pledged receipt for those 10035  
obligations to the extent pledged in those bond proceedings. 10036

(D) Tolls shall be so fixed and adjusted as to provide funds 10037  
at least sufficient with other revenues of the Ohio transportation 10038  
system, if any, to pay: 10039

(1) Any bond service charges on obligations issued to pay 10040  
costs of one or more toll projects as such charges become due and 10041  
payable; 10042

(2) The cost of maintaining, improving, repairing, 10043  
constructing, and operating toll projects within the state highway 10044  
system and its different parts and sections, and to create and 10045  
maintain any reserves for those purposes. 10046

(E) Except as provided in division (F) of this section, money 10047  
received from tolls imposed under this section shall be deposited 10048  
to the credit of the Ohio toll fund, which is hereby created in 10049  
the state treasury. The treasurer of state may establish separate 10050  
subaccounts within the Ohio toll fund as determined to be 10051  
necessary or convenient to pay costs of constructing, improving, 10052  
repairing, maintaining, administering, and operating toll projects 10053  
within the state highway system. Any remaining money deposited 10054  
into the Ohio toll fund shall be used at the discretion of the 10055  
director to support construction, improvement, repair, 10056  
maintenance, administration, and operation costs for approved toll 10057  
projects and highway projects within one mile of a toll project. 10058

All investment earnings of the fund shall be credited to the fund. 10059  
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(F) The issuing authority shall, by the fifteenth day of July 10061  
of each fiscal year, certify or cause to be certified to the 10062  
department of transportation and the office of budget and 10063  
management the total amount of money required during the current 10064  
fiscal year to meet in full all bond service charges and otherwise 10065  
comply with the requirements of any applicable bond proceedings. 10066  
The issuing authority shall make or cause to be made supplemental 10067  
certifications to the department of transportation and the office 10068  
of budget and management for each bond service payment date and at 10069  
such other times during each fiscal year as may be provided in the 10070  
applicable bond proceedings or required by that department or 10071  
office. Bond service charges, costs of credit enhancement 10072  
facilities, other financing costs, and any other amounts required 10073  
under the applicable bond proceedings shall be set forth 10074  
separately in each certification. Money received from tolls and 10075  
other pledged receipts shall be deposited to the credit of the 10076  
bond service fund at such times and in such amounts as are 10077  
necessary to satisfy all those payment requirements of the 10078  
applicable bond proceedings. When all bonds issued in connection 10079  
with any toll project and the interest on the bonds have been 10080  
paid, or a sufficient amount for the payment of all such bonds and 10081  
the interest on the bonds to the maturity of the bonds has been 10082  
set aside in trust for the benefit of the bondholders, the project 10083  
shall be operated, improved, and maintained by the department of 10084  
transportation as a part of the state highway system and shall be 10085  
free of tolls. 10086

Sec. 5531.15. (A) The director of transportation, in 10087  
accordance with Chapter 119. of the Revised Code, may adopt such 10088  
rules as the director considers advisable for the control and 10089  
regulation of traffic on any toll project, for the protection and 10090

preservation of property under the jurisdiction and control of the 10091  
department of transportation, for the maintenance and preservation 10092  
of good order within the property under its control, and for the 10093  
purpose of establishing owner or operator liability for failure to 10094  
comply with toll collection rules. 10095

(B) The rules shall provide that public police officers shall 10096  
be afforded ready access, while in the performance of their 10097  
official duties, to all property under the jurisdiction of the 10098  
department of transportation and without the payment of tolls. 10099

(C) No person shall violate any such rules of the department 10100  
of transportation. 10101

(D)(1) All fines collected for the violation of applicable 10102  
laws of the state and the rules of the department of 10103  
transportation or money arising from bonds forfeited for such 10104  
violation shall be disposed of in accordance with section 5503.04 10105  
of the Revised Code. 10106

(2) All fees or charges assessed by the department of 10107  
transportation in accordance with this section against an owner or 10108  
operator of a vehicle as a civil violation for failure to comply 10109  
with toll collection rules shall be revenues of the department. 10110

**Sec. 5531.16.** (A) Each toll project shall be maintained and 10111  
kept in good condition and repair by the department of 10112  
transportation. Toll projects shall be operated by toll collectors 10113  
and other employees and agents that the department employs or 10114  
contracts for. Toll projects shall be policed by the state highway 10115  
patrol in accordance with section 5503.02 of the Revised Code; 10116  
provided, that the state highway patrol also shall enforce all 10117  
rules of the department adopted under division (A) of section 10118  
5531.15 of the Revised Code that relate to the operation and use 10119  
of vehicles on a toll project and that are punishable under 10120

division (A) of section 5531.99 of the Revised Code. 10121

(B) An action for damages against the state for any public or private property damaged or destroyed in carrying out the powers granted by sections 5531.11 to 5531.18 of the Revised Code shall be filed in the court of claims pursuant to Chapter 2743. of the Revised Code. 10122  
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(C) All governmental agencies may lease, lend, grant, or convey to the department of transportation at its request, upon terms that the proper authorities of the governmental agencies consider reasonable and fair and without the necessity for an advertisement, order of court, or other action or formality, other than the regular and formal action of the authorities concerned, any property that is necessary or convenient to the effectuation of the purposes of sections 5531.11 to 5531.18 of the Revised Code, including public roads and other property already devoted to public use. 10127  
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(D) Each bridge constituting part of a toll project shall be considered a bridge on the state highway system for purposes of sections 5501.47 and 5501.49 of the Revised Code. 10137  
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(E) In accordance with Chapter 5501. of the Revised Code, the department of transportation shall make an annual report of its toll project activities for the preceding calendar year to the governor and the general assembly. 10140  
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**Sec. 5531.17.** The exercise of the powers granted by sections 5531.11 to 5531.18 of the Revised Code is in all respects for the benefit of the people of the state, for the increase of their commerce and prosperity, and for the improvement of their health and living conditions; and as the construction, operation, and maintenance of the Ohio toll-way system by the department of transportation constitute the performance of essential 10144  
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governmental functions, the department shall not be required to 10151  
pay any state or local taxes or assessments upon any toll project, 10152  
or upon revenues or any property acquired or used by the 10153  
department under sections 5531.11 to 5531.18 of the Revised Code, 10154  
or upon the income therefrom. 10155

**Sec. 5531.18.** The director of transportation shall establish 10156  
a procedure whereby a political subdivision or other governmental 10157  
agency or agencies may submit a written application to the 10158  
director in accordance with Chapter 5539. of the Revised Code 10159  
requesting the department of transportation to construct and 10160  
operate a toll project within the boundaries of the subdivision, 10161  
agency, or agencies making the request. The procedure shall 10162  
include a requirement that the director send a written reply to 10163  
the subdivision, agency, or agencies explaining the disposition of 10164  
the request. The procedure established pursuant to this section 10165  
shall not become effective unless it is approved by the Ohio 10166  
transportation finance commission created under section 5531.12 of 10167  
the Revised Code. 10168

**Sec. 5531.99.** (A) Except as provided in division (B) of this 10169  
section, whoever violates division (C) of section 5531.15 of the 10170  
Revised Code is guilty of a minor misdemeanor on a first offense; 10171  
on each subsequent offense such person is guilty of a misdemeanor 10172  
of the fourth degree. 10173

(B) Whoever violates division (C) of section 5531.15 of the 10174  
Revised Code when the violation is a civil violation for failure 10175  
to comply with toll collection rules is subject to a fee or charge 10176  
established by the department of transportation by rule. 10177

**Sec. 5537.07.** (A) When the cost to the Ohio turnpike 10178  
commission under any contract with a person other than a 10179



governmental agency involves an expenditure of more than fifty 10180  
thousand dollars, the commission shall make a written contract 10181  
with the lowest responsive and responsible bidder in accordance 10182  
with section 9.312 of the Revised Code after advertisement for not 10183  
less than two consecutive weeks in a newspaper of general 10184  
circulation in Franklin county, and in such other publications as 10185  
the commission determines, which notice shall state the general 10186  
character of the work and the general character of the materials 10187  
to be furnished, the place where plans and specifications therefor 10188  
may be examined, and the time and place of receiving bids. The 10189  
commission may require that the cost estimate for the 10190  
construction, demolition, alteration, repair, improvement, 10191  
renovation, or reconstruction of roadways and bridges for which 10192  
the commission is required to receive bids be kept confidential 10193  
and remain confidential until after all bids for the public 10194  
improvement have been received or the deadline for receiving bids 10195  
has passed. Thereafter, and before opening the bids submitted for 10196  
the roadways and bridges, the commission shall make the cost 10197  
estimate public knowledge by reading the cost estimate in a public 10198  
place. The commission may reject any and all bids. The 10199  
requirements of this division do not apply to contracts for the 10200  
acquisition of real property or compensation for professional or 10201  
other personal services. 10202

(B) Each bid for a contract for construction, demolition, 10203  
alteration, repair, improvement, renovation, or reconstruction 10204  
shall contain the full name of every person interested in it and 10205  
shall meet the requirements of section 153.54 of the Revised Code. 10206

(C) ~~Each bid for a contract, other~~ Other than for a contract 10207  
referred to in division (B) of this section, each bid for a 10208  
contract that involves an expenditure in excess of one hundred 10209  
fifty thousand dollars or any contract with a service facility 10210  
operator shall contain the full name of every person interested in 10211

it and shall be accompanied by a sufficient bond or certified 10212  
check on a solvent bank that if the bid is accepted a contract 10213  
will be entered into and the performance of its proposal secured. 10214

(D) A Other than a contract referred to in division (B) of 10215  
this section, a bond with good and sufficient surety, in a form as 10216  
prescribed and approved by the commission, shall be required of 10217  
every contractor awarded a contract, ~~other than a contract~~ 10218  
~~referred to in division (B) of this section, that involves an~~ 10219  
~~expenditure in excess of one hundred fifty thousand dollars or any~~ 10220  
~~contract with a service facility operator. The bond shall be in an~~ 10221  
amount equal to at least fifty per cent of the contract price, and 10222  
shall be conditioned upon the faithful performance of the 10223  
contract. 10224

(E) Notwithstanding any other provisions of this section, the 10225  
commission may establish a program to expedite special projects by 10226  
combining the design and construction elements of any public 10227  
improvement project into a single contract. The commission shall 10228  
prepare and distribute a scope of work document upon which the 10229  
bidders shall base their bids. At a minimum, bidders shall meet 10230  
the requirements of section 4733.161 of the Revised Code. Except 10231  
in regard to those requirements relating to providing plans, the 10232  
commission shall award contracts following the requirements set 10233  
forth in divisions (A), (B), (C), and (D) of this section. 10234

Sec. 5537.30. (A) Not later than December 31, 2009, the Ohio 10235  
turnpike commission shall establish a program for the placement of 10236  
business logos for identification purposes on directional signs 10237  
within the turnpike right-of-way. 10238

(B)(1) The commission shall establish, and may revise at any 10239  
time, a fee for participation in the business logo sign program. 10240  
All direct and indirect costs of the business logo sign program 10241  
established pursuant to this section shall be fully paid by the 10242

businesses applying for participation in the program. The direct 10243  
and indirect costs of the program shall include, but not be 10244  
limited to, the cost of capital, directional signs, blanks, posts, 10245  
logos, installation, repair, engineering, design, insurance, 10246  
removal, replacement, and administration. 10247

(2) Money generated from participating businesses in excess 10248  
of the direct and indirect costs and any reasonable profit earned 10249  
by a person awarded a contract under division (C) of this section 10250  
shall be remitted to the commission. 10251

(3) If the commission operates such a program and does not 10252  
contract with a private person to operate it, all money collected 10253  
from participating businesses shall be retained by the commission. 10254  
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(C) The commission, in accordance with rules adopted pursuant 10256  
to section 111.15 of the Revised Code, may contract with any 10257  
private person to operate, maintain, or market the business logo 10258  
sign program. The contract may allow for a reasonable profit to be 10259  
earned by the successful applicant. In awarding the contract, the 10260  
commission shall consider the skill, expertise, prior experience, 10261  
and other qualifications of each applicant. 10262

(D) The program shall permit the business logo signs of a 10263  
seller of motor vehicle fuel to include on the seller's signs a 10264  
marking or symbol indicating that the seller sells one or more 10265  
types of alternative fuel so long as the seller in fact sells that 10266  
fuel. As used in this division, "alternative fuel" has the same 10267  
meaning as in section 125.831 of the Revised Code. 10268

**Sec. 5537.99.** (A) Except as provided in division (B) of this 10269  
section, whoever violates division (C) of section 5537.16 of the 10270  
Revised Code is guilty of a minor misdemeanor on a first offense; 10271  
on each subsequent offense such person is guilty of a misdemeanor 10272  
of the fourth degree. 10273

(B)(1) Whoever violates division (C) of section 5537.16 of the Revised Code when the violation is a civil violation for failure to comply with toll collection rules is subject to a fee or charge established by the commission by rule.

(2) Whoever violates division (C) of section 5537.16 of the Revised Code in regard to allowable axle or vehicle loads shall be fined in accordance with division (A) of section 5577.99 of the Revised Code.

**Sec. 5541.05.** (A) Except as otherwise provided in division (D) of this section, a board of county commissioners by resolution may place a graveled or unimproved county road under its jurisdiction that is not passable year-round or any portion of such a road on nonmaintained status. Prior to adopting a resolution that places a road on nonmaintained status, the board, at special or regular meetings, shall hold at least two public hearings to allow for public comment on the proposed resolution. The board shall publicize the times and places of the hearings by causing a notice to be published in a newspaper of general circulation in the county in which the road is located at least ten days prior to the date of the first meeting. If the county maintains a web site on the internet, the same notice also shall be posted on the web site at least ten days prior to the date of the first meeting. Upon adoption of such a resolution, the board is not required to cause the road to be dragged at any time, or to cut, destroy, or remove any brush, weeds, briars, bushes, or thistles upon or along the road, or to remove snow from the road, or to maintain or repair the road in any manner. The board, in its discretion, may cause any of these actions to be performed on or to a road that it has placed on nonmaintained status.

(B) Prior to adopting a resolution under division (A) of this

section, the board shall request the county engineer to issue an advisory opinion regarding the consequences of placing the road on nonmaintained status, including any impact such action would have on adjoining property owners. A board may adopt a resolution under division (A) of this section only after the county engineer issues the advisory opinion and the county engineer, in the advisory opinion, finds that placing the road on nonmaintained status will not unduly adversely affect the flow of motor vehicle traffic on that road or on any adjacent road.

(C)(1) A board may terminate the nonmaintained status of a county road by adopting a resolution to that effect. If the owner of land adjoining a road that has been placed on nonmaintained status requests the board to terminate the nonmaintained status of the road, the board, in its resolution that terminates that nonmaintained status, may require the owner to pay the costs of upgrading the road to locally adopted county standards.

(2) If the owner of land adjoining a road that has been placed on nonmaintained status upgrades the road to the standards most recently certified by the county engineer for the road, the board shall terminate the nonmaintained status of the road and then shall maintain and repair the road according to such standards. However, division (C)(2) of this section does not apply to a road or portion of a road that, prior to being placed on nonmaintained status, was not certified by the board of county commissioners to the director of transportation in accordance with division (D) of section 4501.04 of the Revised Code as mileage in the county used by and maintained for the public.

(3) The owner of land adjoining a road that was placed on nonmaintained status prior to ~~the effective date of this amendment~~ April 7, 2009, or the owner of land whose only access to such a road is by easement may petition the board for review of the

nonmaintained status of the road if the road provides the 10337  
exclusive means for obtaining access to the land. Upon receipt of 10338  
a petition, the board shall review the status of the road and 10339  
shall terminate the nonmaintained status if the board finds that 10340  
the road provides such exclusive means for obtaining access to the 10341  
land. After completing the review, the board shall adopt a 10342  
resolution either retaining or terminating the nonmaintained 10343  
status of the road. If the board terminates the nonmaintained 10344  
status of a road under division (C)(3) of this section, the board 10345  
shall not require the owner to pay the costs of upgrading, 10346  
maintaining, or repairing the road. However, division (C)(3) of 10347  
this section does not apply to a road or portion of a road that, 10348  
prior to being placed on nonmaintained status, was not certified 10349  
by the board of county commissioners to the director in accordance 10350  
with division (D) of section 4501.04 of the Revised Code as 10351  
mileage in the county used by and maintained for the public. 10352

(D) A graveled or unimproved road may not be placed on 10353  
nonmaintained status if the road is the exclusive means for 10354  
obtaining access to land that adjoins that road and the road is 10355  
passable year-round. 10356

(E) For purposes of this section, a road is passable 10357  
year-round if a four-wheeled, two-wheel drive passenger motor 10358  
vehicle can be driven on the road year-round, apart from seasonal 10359  
conditions caused by weather-related events. 10360

**Sec. 5571.20.** (A) Except as otherwise provided in division 10361  
(D) of this section, a board of township trustees by resolution 10362  
may place a graveled or unimproved township road under its 10363  
jurisdiction that is not passable year-round or any portion of 10364  
such a road on nonmaintained status. Prior to adopting a 10365  
resolution that places a road on nonmaintained status, the board 10366  
shall hold at least two public hearings to allow for public 10367

comment on the proposed resolution. The board, at special or 10368  
regular meetings, shall publicize the times and places of the 10369  
hearings by causing a notice to be published in a newspaper of 10370  
general circulation in the county in which the road is located at 10371  
least ten days prior to the date of the first meeting. If the 10372  
township maintains a web site on the internet, the same notice 10373  
also shall be posted on the web site at least ten days prior to 10374  
the date of the first meeting. Upon adoption of such a resolution, 10375  
the board is not required to cause the road to be dragged at any 10376  
time, or to cut, destroy, or remove any brush, weeds, briers, 10377  
bushes, or thistles upon or along the road, or to remove snow from 10378  
the road, or to maintain or repair the road in any manner. The 10379  
board, in its discretion, may cause any of these actions to be 10380  
performed on or to a road that it has placed on nonmaintained 10381  
status. 10382

(B) Prior to adopting a resolution under division (A) of this 10383  
section, the board shall request the county engineer to issue an 10384  
advisory opinion regarding the consequences of placing the road on 10385  
nonmaintained status, including any impact such action would have 10386  
on adjoining property owners. A board may adopt a resolution under 10387  
division (A) of this section only after the county engineer issues 10388  
the advisory opinion and the county engineer, in the advisory 10389  
opinion, finds that placing the road on nonmaintained status will 10390  
not unduly adversely affect the flow of motor vehicle traffic on 10391  
that road or on any adjacent road. 10392

(C)(1) A board may terminate the nonmaintained status of a 10393  
township road by adopting a resolution to that effect. If the 10394  
owner of land adjoining a road that has been placed on 10395  
nonmaintained status requests the board to terminate the 10396  
nonmaintained status of the road, the board, in its resolution 10397  
that terminates that nonmaintained status, may require the owner 10398  
to pay the costs of upgrading the road to locally adopted township 10399

standards. 10400

(2) If the owner of land adjoining a road that has been 10401  
placed on nonmaintained status upgrades the road to the standards 10402  
most recently certified by the county engineer for the road, the 10403  
board shall terminate the nonmaintained status of the road and 10404  
then shall maintain and repair the road according to such 10405  
standards. However, division (C)(2) of this section does not apply 10406  
to a road or portion of a road that, prior to being placed on 10407  
nonmaintained status, was not certified by the board of township 10408  
trustees to the director of transportation in accordance with 10409  
division (E) of section 4501.04 of the Revised Code as mileage in 10410  
the township used by and maintained for the public. 10411

(3) The owner of land adjoining a road that was placed on 10412  
nonmaintained status prior to ~~the effective date of this amendment~~ 10413  
April 7, 2009, or land owner of land whose only access to such a 10414  
road is by easement may petition the board for review of the 10415  
nonmaintained status of the road if the road provides the 10416  
exclusive means for obtaining access to the land. Upon receipt of 10417  
a petition, the board shall review the status of the road and 10418  
shall terminate the nonmaintained status if the board finds that 10419  
the road provides such exclusive means for obtaining access to the 10420  
land. After completing the review, the board shall adopt a 10421  
resolution either retaining or terminating the nonmaintained 10422  
status of the road. If the board terminates the nonmaintained 10423  
status of a road under division (C)(3) of this section, the board 10424  
shall not require the owner to pay the costs of upgrading, 10425  
maintaining, or repairing the road. However, division (C)(3) of 10426  
this section does not apply to a road or portion of a road that, 10427  
prior to being placed on nonmaintained status, was not certified 10428  
by the board of township trustees to the director in accordance 10429  
with division (E) of section 4501.04 of the Revised Code as 10430  
mileage in the township used by and maintained for the public. 10431



(D) A graveled or unimproved road may not be placed on 10432  
nonmaintained status if the road is the exclusive means for 10433  
obtaining access to land that adjoins that road and the road is 10434  
passable year-round. 10435

(E) For purposes of this section, a road is passable 10436  
year-round if a four-wheeled, two-wheel drive passenger motor 10437  
vehicle can be driven on the road year-round, apart from seasonal 10438  
conditions caused by weather-related events. 10439

**Section 101.02.** That existing sections 121.51, 133.52, 10440  
151.01, 151.09, 151.40, 955.201, 1548.10, 1751.53, 2911.21, 10441  
2949.094, 3304.14, 3719.21, 3905.423, 3923.38, 4141.242, 4141.301, 10442  
4163.01, 4163.07, 4501.01, 4501.03, 4501.044, 4501.06, 4501.21, 10443  
4501.34, 4503.04, 4503.042, 4503.07, 4503.10, 4503.103, 4503.182, 10444  
4503.19, 4503.191, 4503.26, 4503.40, 4503.42, 4503.65, 4505.032, 10445  
4505.09, 4505.14, 4506.07, 4506.08, 4506.11, 4507.06, 4507.13, 10446  
4507.23, 4507.24, 4507.51, 4507.52, 4509.05, 4511.01, 4511.093, 10447  
4511.181, 4511.191, 4511.21, 4511.213, 4513.03, 4513.263, 4513.34, 10448  
4517.021, 4519.02, 4519.03, 4519.04, 4519.08, 4519.09, 4519.10, 10449  
4519.44, 4519.47, 4519.59, 4519.63, 4561.17, 4561.18, 4561.21, 10450  
4729.42, 4729.99, 4776.02, 4776.04, 4928.64, 4928.65, 4981.02, 10451  
5501.03, 5501.311, 5501.34, 5502.03, 5502.39, 5502.67, 5502.68, 10452  
5515.01, 5515.07, 5517.011, 5525.15, 5531.09, 5537.07, 5537.99, 10453  
5541.05, and 5571.20 of the Revised Code are hereby repealed. 10454  
10455

**Section 105.01.** That sections 955.202 and 5902.09 of the 10456  
Revised Code are hereby repealed. 10457

**Section 105.05.** Section 121.53 of the Revised Code is hereby 10458  
repealed, effective September 30, 2013. 10459

**Section 120.10.** That sections 1751.53 and 3923.38 of the 10460

Revised Code be amended to read as follows: 10461

**Sec. 1751.53.** (A) As used in this section: 10462

(1) "Group contract" means a group health insuring 10463  
corporation contract covering employees that meets either of the 10464  
following conditions: 10465

(a) The contract was issued by an entity that, on June 4, 10466  
1997, holds a certificate of authority or license to operate under 10467  
Chapter 1738. or 1742. of the Revised Code, and covers an employee 10468  
at the time the employee's employment is terminated. 10469

(b) The contract is delivered, issued for delivery, or 10470  
renewed in this state after June 4, 1997, and covers an employee 10471  
at the time the employee's employment is terminated. 10472

(2) "Eligible employee" means an employee to whom all of the 10473  
following apply: 10474

(a) The employee has been continuously covered under a group 10475  
contract or under the contract and any prior similar group 10476  
coverage replaced by the contract, during the entire three-month 10477  
period preceding the termination of the employee's employment. 10478

(b) ~~The employee did not voluntarily terminate the employee's~~ 10479  
~~employment and the termination of employment is not a result of~~ 10480  
~~any gross misconduct on the part of the employee~~ The employee is 10481  
entitled, at the time of the termination of this employment, to 10482  
unemployment compensation benefits under Chapter 4141. of the 10483  
Revised Code. 10484

(c) The employee is not, and does not become, covered by or 10485  
eligible for coverage by medicare. 10486

(d) The employee is not, and does not become, covered by or 10487  
eligible for coverage by any other insured or uninsured 10488  
arrangement that provides hospital, surgical, or medical coverage 10489  
for individuals in a group and under which the employee was not 10490

covered immediately prior to the termination of employment. A 10491  
person eligible for continuation of coverage under this section, 10492  
who is also eligible for coverage under section 3923.123 of the 10493  
Revised Code, may elect either coverage, but not both. A person 10494  
who elects continuation of coverage may elect any coverage 10495  
available under section 3923.123 of the Revised Code upon the 10496  
termination of the continuation of coverage. 10497

(B) A group contract shall provide that any eligible employee 10498  
may continue the coverage under the contract, for the employee and 10499  
the employee's eligible dependents, for a period of ~~twelve~~ six 10500  
months after the date that the group coverage would otherwise 10501  
terminate by reason of the termination of the employee's 10502  
employment. Each certificate of coverage issued to employees under 10503  
the contract shall include a notice of the employee's privilege of 10504  
continuation. 10505

(C) All of the following apply to the continuation of group 10506  
coverage required under division (B) of this section: 10507

(1) Continuation need not include any supplemental health 10508  
care services benefits or specialty health care services benefits 10509  
provided by the group contract. 10510

(2) The employer shall notify the employee of the right of 10511  
continuation at the time the employer notifies the employee of the 10512  
termination of employment. The notice shall inform the employee of 10513  
the amount of contribution required by the employer under division 10514  
(C)(4) of this section. 10515

(3) The employee shall file a written election of 10516  
continuation with the employer and pay the employer the first 10517  
contribution required under division (C)(4) of this section. The 10518  
request and payment must be received by the employer no later than 10519  
the earlier of any of the following dates: 10520

(a) Thirty-one days after the date on which the employee's 10521

coverage would otherwise terminate; 10522

(b) Ten days after the date on which the employee's coverage 10523  
would otherwise terminate, if the employer has notified the 10524  
employee of the right of continuation prior to this date; 10525

(c) Ten days after the employer notifies the employee of the 10526  
right of continuation, if the notice is given after the date on 10527  
which the employee's coverage would otherwise terminate. 10528

(4) The employee must pay to the employer, on a monthly 10529  
basis, in advance, the amount of contribution required by the 10530  
employer. The amount required shall not exceed the group rate for 10531  
the insurance being continued under the policy on the due date of 10532  
each payment. 10533

(5) The employee's privilege to continue coverage and the 10534  
coverage under any continuation ceases if any of the following 10535  
occurs: 10536

(a) The employee ceases to be an eligible employee under 10537  
division (A)(2)(c) or (d) of this section; 10538

(b) A period of ~~twelve~~ six months expires after the date that 10539  
the employee's coverage under the group contract would otherwise 10540  
have terminated because of the termination of employment; 10541

(c) The employee fails to make a timely payment of a required 10542  
contribution, in which event the coverage shall cease at the end 10543  
of the coverage for which contributions were made; 10544

(d) The group contract is terminated, or the employer 10545  
terminates participation under the contract, unless the employer 10546  
replaces the coverage by similar coverage under another contract 10547  
or other group health arrangement. If the employer replaces the 10548  
contract with similar group health coverage, all of the following 10549  
apply: 10550

(i) The member shall be covered under the replacement 10551

coverage, for the balance of the period that the member would have 10552  
remained covered under the terminated coverage if it had not been 10553  
terminated. 10554

(ii) The minimum level of benefits under the replacement 10555  
coverage shall be the applicable level of benefits of the contract 10556  
replaced reduced by any benefits payable under the contract 10557  
replaced. 10558

(iii) The contract replaced shall continue to provide 10559  
benefits to the extent of its accrued liabilities and extensions 10560  
of benefits as if the replacement had not occurred. 10561

(D) This section does not apply to any group contract 10562  
offering only supplemental health care services or specialty 10563  
health care services. 10564

~~(E) An employer shall notify the health insuring corporation 10565  
if the employee elects continuation of coverage under this 10566  
section. The health insuring corporation may require the employer 10567  
to provide documentation if the employee elects continuation of 10568  
coverage and is seeking premium assistance for the continuation of 10569  
coverage under the "American Recovery and Investment Act of 2009," 10570  
Pub. L. No. 111-5, 123 Stat. 115. The director of insurance shall 10571  
publish guidance for employers and health insuring corporations 10572  
regarding the contents of such documentation. 10573~~

**Sec. 3923.38.** (A) As used in this section: 10574

(1) "Group policy" includes any group sickness and accident 10575  
policy or contract delivered, issued for delivery, or renewed in 10576  
this state on or after June 28, 1984, and any private or public 10577  
employer self-insurance plan or other plan that provides, or 10578  
provides payment for, health care benefits for employees resident 10579  
in this state other than through an insurer or health insuring 10580  
corporation, to which both of the following apply: 10581

(a) The policy insures employees for hospital, surgical, or major medical insurance on an expense incurred or service basis, other than for specified diseases or for accidental injuries only.

(b) The policy is in effect and covers an eligible employee at the time the employee's employment is terminated.

(2) "Eligible employee" includes only an employee to whom all of the following apply:

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

(b) ~~The employee did not voluntarily terminate the employee's employment and the termination of employment is not a result of any gross misconduct on the part of the employee~~ The employee is entitled, at the time of the termination of the employee's employment, to unemployment compensation benefits under Chapter 4141. of the Revised Code.

(c) The employee is not, and does not become, covered by or eligible for coverage by medicare under Title XVIII of the Social Security Act, as amended.

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

(3) "Group rate" means, in the case of an employer 10613  
self-insurance or other health benefits plan, the average monthly 10614  
cost per employee, over a period of at least twelve months, of the 10615  
operation of the plan that would represent a group insurance rate 10616  
if the same coverage had been provided under a group sickness and 10617  
accident insurance policy. 10618

(B) A group policy shall provide that any eligible employee 10619  
may continue the employee's hospital, surgical, and medical 10620  
insurance under the policy, for the employee and the employee's 10621  
eligible dependents, for a period of ~~twelve~~ six months after the 10622  
date that the insurance coverage would otherwise terminate by 10623  
reason of the termination of the employee's employment. Each 10624  
certificate of coverage, or other notice of coverage, issued to 10625  
employees under the policy shall include a notice of the 10626  
employee's privilege of continuation. 10627

(C) All of the following apply to the continuation of 10628  
coverage required under division (B) of this section: 10629

(1) Continuation need not include dental, vision care, 10630  
prescription drug benefits, or any other benefits provided under 10631  
the policy in addition to its hospital, surgical, or major medical 10632  
benefits. 10633

(2) The employer shall notify the employee of the right of 10634  
continuation at the time the employer notifies the employee of the 10635  
termination of employment. The notice shall inform the employee of 10636  
the amount of contribution required by the employer under division 10637  
(C)(4) of this section. 10638

(3) The employee shall file a written election of 10639  
continuation with the employer and pay the employer the first 10640  
contribution required under division (C)(4) of this section. The 10641  
request and payment must be received by the employer no later than 10642  
the earlier of any of the following dates: 10643

(a) Thirty-one days after the date on which the employee's coverage would otherwise terminate; 10644  
10645

(b) Ten days after the date on which the employee's coverage would otherwise terminate, if the employer has notified the employee of the right of continuation prior to such date; 10646  
10647  
10648

(c) Ten days after the employer notifies the employee of the right of continuation, if the notice is given after the date on which the employee's coverage would otherwise terminate. 10649  
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10651

(4) The employee must pay to the employer, on a monthly basis, in advance, the amount of contribution required by the employer. The amount required shall not exceed the group rate for the insurance being continued under the policy on the due date of each payment. 10652  
10653  
10654  
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10656

(5) The employee's privilege to continue coverage and the coverage under any continuation ceases if any of the following occurs: 10657  
10658  
10659

(a) The employee ceases to be an eligible employee under division (A)(2)(c) or (d) of this section; 10660  
10661

(b) A period of ~~twelve~~ six months expires after the date that the employee's insurance under the policy would otherwise have terminated because of the termination of employment; 10662  
10663  
10664

(c) The employee fails to make a timely payment of a required contribution, in which event the coverage shall cease at the end of the coverage for which contributions were made; 10665  
10666  
10667

(d) The policy is terminated, or the employer terminates participation under the policy, unless the employer replaces the coverage by similar coverage under another group policy or other group health arrangement. 10668  
10669  
10670  
10671

If the employer replaces the policy with similar group health coverage, all of the following apply: 10672  
10673



(i) The member shall be covered under the replacement 10674  
coverage, for the balance of the period that the member would have 10675  
remained covered under the terminated coverage if it had not been 10676  
terminated. 10677

(ii) The minimum level of benefits under the replacement 10678  
coverage shall be the applicable level of benefits of the policy 10679  
replaced reduced by any benefits payable under the policy 10680  
replaced. 10681

(iii) The policy replaced shall continue to provide benefits 10682  
to the extent of its accrued liabilities and extensions of 10683  
benefits as if the replacement had not occurred. 10684

(D) This section does not apply to an employer's 10685  
self-insurance plan if federal law supersedes, preempts, 10686  
prohibits, or otherwise precludes its application to such plans. 10687

~~(E) An employer shall notify the insurer if the employee 10688  
elects continuation of coverage under this section. The insurer 10689  
may require the employer to provide documentation if the employee 10690  
elects continuation of coverage and is seeking premium assistance 10691  
for the continuation of coverage under the "American Recovery and 10692  
Investment Act of 2009," Pub. L. No. 111-5, 123 Stat. 115. The 10693  
director of insurance shall publish guidance for employers and 10694  
insurers regarding the contents of such documentation. 10695~~

**Section 120.11.** That existing sections 1751.53 and 3923.38 of 10696  
the Revised Code are hereby repealed. 10697

**Section 120.12.** Sections 120.10 and 120.11 take effect 10698  
January 1, 2010. 10699

**Section 201.10.** Except as otherwise provided, all 10700  
appropriation items in this act are hereby appropriated out of any 10701  
moneys in the state treasury to the credit of the designated fund 10702

that are not otherwise appropriated. For all appropriations made 10703  
in this act, the amounts in the first column are for fiscal year 10704  
2010 and the amounts in the second column are for fiscal year 10705  
2011. 10706

**Section 203.10.** DOT DEPARTMENT OF TRANSPORTATION 10707

FUND	TITLE	FY 2010	FY 2011	
	Highway Operating Fund Group			10709
2120 772426	Highway Infrastructure Bank - Federal	\$ 4,018,649	\$ 4,018,649	10710
2120 772427	Highway Infrastructure Bank - State	\$ 10,209,272	\$ 10,209,272	10711
2120 772429	Highway Infrastructure Bank - Local	\$ 11,499,999	\$ 11,499,999	10712
2120 772430	Infrastructure Debt Reserve Title 23-49	\$ 1,500,000	\$ 1,500,000	10713
2120 775408	Transit Infrastructure Bank - Local	\$ 812,685	\$ 812,685	10714
2120 775455	Title 49 Infrastructure Bank - State	\$ 312,795	\$ 312,795	10715
2130 772431	Roadway Infrastructure Bank - State	\$ 1,000,000	\$ 1,000,000	10716
2130 772432	Roadway Infrastructure Bank - Local	\$ 6,000,000	\$ 6,000,000	10717
2130 772433	Infrastructure Debt	\$ 2,000,000	\$ 2,000,000	10718

		Reserve - State				
2130	775457	Transit	\$	312,082	\$	312,082 10719
		Infrastructure Bank -				
		State				
2130	775460	Transit	\$	1,000,000	\$	1,000,000 10720
		Infrastructure Bank -				
		Local				
2130	777477	Aviation	\$	3,500,000	\$	3,500,000 10721
		Infrastructure Bank -				
		State				
2130	777478	Aviation	\$	6,000,000	\$	6,000,000 10722
		Infrastructure Bank -				
		Local				
7002	770003	Administration -	\$	3,415,700	\$	1,821,000 10723
		State - Debt Service				
7002	771411	Planning and Research	\$	21,044,516	\$	21,463,169 10724
		- State				
7002	771412	Planning and Research	\$	23,970,770	\$	24,214,310 10725
		- Federal				
7002	772421	Highway Construction	\$	542,801,332	\$	517,419,558 10726
		- State				
7002	772422	Highway Construction	\$	1,091,378,700	\$	1,065,737,629 10727
		- Federal				
7002	772424	Highway Construction	\$	121,377,011	\$	109,694,836 10728
		- Other				
7002	772437	GARVEE Debt Service -	\$	21,778,200	\$	27,547,900 10729
		State				
7002	772438	GARVEE Debt Service -	\$	131,814,700	\$	136,513,200 10730
		Federal				
7002	773431	Highway Maintenance -	\$	405,633,542	\$	425,329,858 10731
		State				
7002	775452	Public Transportation	\$	27,060,785	\$	27,060,785 10732
		- Federal				

7002	775454	Public Transportation	\$	1,500,000	\$	1,500,000	10733
		- Other					
7002	775459	Elderly and Disabled	\$	4,730,000	\$	4,730,000	10734
		Special Equipment					
7002	776462	Grade Crossings -	\$	15,000,000	\$	15,000,000	10735
		Federal					
7002	777472	Airport Improvements	\$	405,000	\$	405,000	10736
		- Federal					
7002	777475	Aviation	\$	4,945,697	\$	5,186,959	10737
		Administration					
7002	779491	Administration -	\$	131,087,437	\$	134,889,042	10738
		State					
TOTAL HOF Highway Operating							10739
Fund Group			\$	2,596,108,872	\$	2,566,678,728	10740
State Special Revenue Fund Group							10741
4N40	776663	Panhandle Lease	\$	762,600	\$	764,300	10742
		Reserve Payments					
4N40	776664	Rail Transportation -	\$	2,111,500	\$	2,111,500	10743
		Other					
5W90	777615	County Airport	\$	620,000	\$	620,000	10744
		Maintenance					
TOTAL SSR State Special Revenue							10745
Fund Group			\$	3,494,100	\$	3,495,800	10746
Infrastructure Bank Obligations Fund Group							10747
7045	772428	Highway	\$	71,000,000	\$	65,000,000	10748
		Infrastructure Bank -					
		Bonds					
TOTAL 045 Infrastructure Bank							10749
Obligations Fund Group			\$	71,000,000	\$	65,000,000	10750
Highway Capital Improvement Fund Group							10751
7042	772723	Highway Construction	\$	194,000,000	\$	163,000,000	10752
		- Bonds					

TOTAL 042 Highway Capital			10753
Improvement Fund Group	\$ 194,000,000	\$ 163,000,000	10754
TOTAL ALL BUDGET FUND GROUPS	\$ 2,864,602,972	\$ 2,798,174,528	10755

**Section 203.11. PUBLIC ACCESS ROADS FOR DNR FACILITIES** 10757

Of the foregoing appropriation item 772421, Highway 10758  
Construction - State, \$5,000,000 shall be used in each fiscal year 10759  
for the construction, reconstruction, or maintenance of public 10760  
access roads, including support features, to and within state 10761  
facilities owned or operated by the Department of Natural 10762  
Resources. 10763

**Section 203.12. PUBLIC ACCESS ROADS FOR PARKS AND EXPOSITIONS** 10764  
COMMISSION FACILITIES 10765

Notwithstanding section 5511.06 of the Revised Code, of the 10766  
foregoing appropriation item 772421, Highway Construction - State, 10767  
\$2,228,000 in each fiscal year shall be used for the construction, 10768  
reconstruction, or maintenance of park drives or park roads within 10769  
the boundaries of metropolitan parks. 10770

The Department of Transportation may use the foregoing 10771  
appropriation item 772421, Highway Construction - State, to 10772  
perform related road work on behalf of the Ohio Expositions 10773  
Commission at the state fairgrounds, including reconstruction or 10774  
maintenance of public access roads and support features to and 10775  
within fairground facilities, as requested by the Commission and 10776  
approved by the Director of Transportation. 10777

**Section 203.13. DIRECT INVESTMENT IN PUBLIC TRANSIT** 10778

Of the foregoing appropriation item 772422, Highway 10779  
Construction - Federal, \$7,500,000 shall be used in each fiscal 10780  
year to provide grants to local transit authorities to purchase or 10781  
improve public transit vehicles. To provide for a cleaner 10782

environment, new transit vehicles purchased and improvements made 10783  
to a local transit authority's existing fleet of vehicles with 10784  
funds provided under this section must foster the goals of 10785  
increasing fuel efficiency, reducing emissions, and using 10786  
alternative fuels, as appropriate. 10787

**Section 203.16. DIESEL EMISSIONS REDUCTION PILOT PROJECT** 10788

Of the foregoing appropriation item 772422, Highway 10789  
Construction - Federal, \$600,000 shall be used in fiscal year 2010 10790  
for a truck stop electrification pilot project to reduce diesel 10791  
emissions from commercial vehicles. 10792

**Section 203.20. ISSUANCE OF BONDS** 10793

The Treasurer of State, upon the request of the Director of 10794  
Transportation, is authorized to issue and sell, in accordance 10795  
with Section 2m of Article VIII, Ohio Constitution, and Chapter 10796  
151. and particularly sections 151.01 and 151.06 of the Revised 10797  
Code, obligations, including bonds and notes, in the aggregate 10798  
amount of \$352,000,000 in addition to the original issuance of 10799  
obligations authorized by prior acts of the General Assembly. 10800

The obligations shall be dated, issued, and sold from time to 10801  
time in amounts necessary to provide sufficient moneys to the 10802  
credit of the Highway Capital Improvement Fund (Fund 7042) created 10803  
by section 5528.53 of the Revised Code to pay costs charged to the 10804  
fund when due as estimated by the Director of Transportation, 10805  
provided, however, that such obligations shall be issued and sold 10806  
at such time or times so that not more than \$220,000,000 original 10807  
principal amount of obligations, plus the principal amount of 10808  
obligations that in prior fiscal years could have been, but were 10809  
not, issued within the \$220,000,000 limit, may be issued in any 10810  
fiscal year, and not more than \$1,200,000,000 original principal 10811  
amount of such obligations are outstanding at any one time. 10812

**Section 203.30.** TRANSFER OF HIGHWAY OPERATING FUND (FUND 10813  
7002) APPROPRIATIONS: PLANNING AND RESEARCH, HIGHWAY CONSTRUCTION, 10814  
HIGHWAY MAINTENANCE, RAIL, AVIATION, AND ADMINISTRATION 10815  
10816

The Director of Budget and Management may approve requests 10817  
from the Director of Transportation for transfer of Highway 10818  
Operating Fund (Fund 7002) appropriations for highway planning and 10819  
research (appropriation items 771411 and 771412), highway 10820  
construction (appropriation items 772421, 772422, 772424, 772437, 10821  
and 772438), highway maintenance (appropriation item 773431), rail 10822  
grade crossings (appropriation item 776462), aviation 10823  
(appropriation item 777475), and administration (appropriation 10824  
item 779491). The Director of Budget and Management may not make 10825  
transfers out of debt service appropriation items unless the 10826  
Director determines that the appropriated amounts exceed the 10827  
actual and projected debt service requirements. Transfers of 10828  
appropriations may be made upon the written request of the 10829  
Director of Transportation and with the approval of the Director 10830  
of Budget and Management. The transfers shall be reported to the 10831  
Controlling Board at the next regularly scheduled meeting of the 10832  
board. 10833

This transfer authority is intended to provide for emergency 10834  
situations and flexibility to meet unforeseen conditions that 10835  
could arise during the budget period. It also is intended to allow 10836  
the department to optimize the use of available resources and 10837  
adjust to circumstances affecting the obligation and expenditure 10838  
of federal funds. 10839

TRANSFER OF APPROPRIATIONS: FEDERAL HIGHWAY AND FEDERAL AND 10840  
LOCAL TRANSIT 10841

The Director of Budget and Management may approve written 10842  
requests from the Director of Transportation for the transfer of 10843

appropriations between appropriation items 772422, Highway 10844  
Construction - Federal, 775452, Public Transportation - Federal, 10845  
775454, Public Transportation - Other, and 775459, Elderly and 10846  
Disabled Special Equipment, based upon transit capital projects 10847  
meeting Federal Highway Administration and Federal Transit 10848  
Administration funding guidelines. The transfers shall be reported 10849  
to the Controlling Board at its next regularly scheduled meeting. 10850

TRANSFER OF APPROPRIATIONS AND CASH: STATE INFRASTRUCTURE 10851  
BANK 10852

The Director of Budget and Management may approve requests 10853  
from the Director of Transportation for transfer of appropriations 10854  
and cash of the Infrastructure Bank funds created in section 10855  
5531.09 of the Revised Code, including transfers between fiscal 10856  
years 2010 and 2011. The transfers shall be reported to the 10857  
Controlling Board at its next regularly scheduled meeting. 10858

The Director of Budget and Management may approve requests 10859  
from the Director of Transportation for transfer of appropriations 10860  
and cash from the Highway Operating Fund (Fund 7002) to the 10861  
Infrastructure Bank funds created in section 5531.09 of the 10862  
Revised Code. The Director of Budget and Management may transfer 10863  
from the Infrastructure Bank funds to the Highway Operating Fund 10864  
up to the amounts originally transferred to the Infrastructure 10865  
Bank funds under this section. However, the Director may not make 10866  
transfers between modes or transfers between different funding 10867  
sources. The transfers shall be reported to the Controlling Board 10868  
at its next regularly scheduled meeting. 10869

TRANSFER OF APPROPRIATIONS AND CASH: TOLLING FUNDS 10870

The Director of Budget and Management may approve requests 10871  
from the Director of Transportation for transfer of appropriations 10872  
and cash of the Ohio Tolling Fund and any sub-accounts created in 10873  
section 5531.14 of the Revised Code, including transfers between 10874



fiscal years 2010 and 2011. The transfers shall be reported to the 10875  
Controlling Board at its next regularly scheduled meeting. 10876

INCREASING APPROPRIATIONS: STATE FUNDS 10877

In the event that receipts or unexpended balances credited to 10878  
the Highway Operating Fund (Fund 7002) exceed the estimates upon 10879  
which the appropriations have been made in this act, upon the 10880  
request of the Director of Transportation, the Controlling Board 10881  
may increase those appropriations in the manner prescribed in 10882  
section 131.35 of the Revised Code. 10883

INCREASING APPROPRIATIONS: FEDERAL AND LOCAL FUNDS 10884

In the event that receipts or unexpended balances credited to 10885  
the Highway Operating Fund (Fund 7002) or apportionments or 10886  
allocations made available from the federal and local government 10887  
exceed the estimates upon which the appropriations have been made 10888  
in this act, upon the request of the Director of Transportation, 10889  
the Controlling Board may increase those appropriations in the 10890  
manner prescribed in section 131.35 of the Revised Code. 10891

REAPPROPRIATIONS 10892

Upon approval of the Director of Budget and Management, all 10893  
appropriations of the Highway Operating Fund (Fund 7002), the 10894  
Highway Capital Improvement Fund (Fund 7042), and the 10895  
Infrastructure Bank funds created in section 5531.09 of the 10896  
Revised Code remaining unencumbered on June 30, 2009, are hereby 10897  
reappropriated for the same purpose in fiscal year 2010. 10898

Upon approval of the Director of Budget and Management, all 10899  
appropriations of the Highway Operating Fund (Fund 7002), the 10900  
Highway Capital Improvement Fund (Fund 7042), and the 10901  
Infrastructure Bank funds created in section 5531.09 of the 10902  
Revised Code remaining unencumbered on June 30, 2010, are hereby 10903  
reappropriated for the same purpose in fiscal year 2011. 10904

Any balances of prior years' appropriations to the Highway 10905  
Operating Fund (Fund 7002), the Highway Capital Improvement Fund 10906  
(Fund 7042), and the Infrastructure Bank funds created in section 10907  
5531.09 of the Revised Code that are unencumbered on June 30, 10908  
2009, subject to the availability of revenue as determined by the 10909  
Director of Transportation, are hereby reappropriated for the same 10910  
purpose in fiscal year 2010 upon the request of the Director of 10911  
Transportation and with the approval of the Director of Budget and 10912  
Management. The reappropriations shall be reported to the 10913  
Controlling Board. 10914

Any balances of prior years' appropriations to the Highway 10915  
Operating Fund (Fund 7002), the Highway Capital Improvement Fund 10916  
(Fund 7042), and the Infrastructure Bank funds created in section 10917  
5531.09 of the Revised Code that are unencumbered on June 30, 10918  
2010, subject to the availability of revenue as determined by the 10919  
Director of Transportation, are hereby reappropriated for the same 10920  
purpose in fiscal year 2011 upon the request of the Director of 10921  
Transportation and with the approval of the Director of Budget and 10922  
Management. The reappropriations shall be reported to the 10923  
Controlling Board. 10924

LIQUIDATION OF UNFORESEEN LIABILITIES 10925

Any appropriation made from the Highway Operating Fund (Fund 10926  
7002) not otherwise restricted by law is available to liquidate 10927  
unforeseen liabilities arising from contractual agreements of 10928  
prior years when the prior year encumbrance is insufficient. 10929

**Section 203.40. MAINTENANCE INTERSTATE HIGHWAYS** 10930

The Director of Transportation may remove snow and ice and 10931  
maintain, repair, improve, or provide lighting upon interstate 10932  
highways that are located within the boundaries of municipal 10933  
corporations, adequate to meet the requirements of federal law. 10934  
When agreed in writing by the Director of Transportation and the 10935

legislative authority of a municipal corporation and 10936  
notwithstanding sections 125.01 and 125.11 of the Revised Code, 10937  
the Department of Transportation may reimburse a municipal 10938  
corporation for all or any part of the costs, as provided by such 10939  
agreement, incurred by the municipal corporation in maintaining, 10940  
repairing, lighting, and removing snow and ice from the interstate 10941  
system. 10942

**Section 203.50. PUBLIC TRANSPORTATION HIGHWAY PURPOSE GRANTS** 10943

The Director of Transportation may use revenues from the 10944  
state motor vehicle fuel tax to match approved federal grants 10945  
awarded to the Department of Transportation, regional transit 10946  
authorities, or eligible public transportation systems, for public 10947  
transportation highway purposes, or to support local or state 10948  
funded projects for public transportation highway purposes. Public 10949  
transportation highway purposes include: the construction or 10950  
repair of high-occupancy vehicle traffic lanes, the acquisition or 10951  
construction of park-and-ride facilities, the acquisition or 10952  
construction of public transportation vehicle loops, the 10953  
construction or repair of bridges used by public transportation 10954  
vehicles or that are the responsibility of a regional transit 10955  
authority or other public transportation system, or other similar 10956  
construction that is designated as an eligible public 10957  
transportation highway purpose. Motor vehicle fuel tax revenues 10958  
may not be used for operating assistance or for the purchase of 10959  
vehicles, equipment, or maintenance facilities. 10960

**Section 203.60. RENTAL PAYMENTS - OBA** 10961

The foregoing appropriation item 770003, Administration - 10962  
State - Debt Service, shall be used to pay rent to the Ohio 10963  
Building Authority for the period July 1, 2009, to June 30, 2011, 10964  
under the primary leases and agreements for various transportation 10965

related capital facilities financed by obligations issued under 10966  
Chapter 152. of the Revised Code. The rental payments shall be 10967  
made from revenues received from the motor vehicle fuel tax. The 10968  
amounts of any bonds and notes to finance such capital facilities 10969  
shall be at the request of the Director of Transportation. 10970  
Notwithstanding section 152.24 of the Revised Code, the Ohio 10971  
Building Authority may, with approval of the Office of Budget and 10972  
Management, lease capital facilities to the Department of 10973  
Transportation. 10974

The Director of Transportation shall hold title to any land 10975  
purchased and any resulting structures that are attributable to 10976  
appropriation item 770003. Notwithstanding section 152.18 of the 10977  
Revised Code, the Director of Transportation shall administer any 10978  
purchase of land and any contract for construction, 10979  
reconstruction, and rehabilitation of facilities as a result of 10980  
this appropriation. 10981

Should the appropriation and any reappropriations from prior 10982  
years in appropriation item 770003 exceed the rental payments for 10983  
fiscal year 2010 or 2011, then prior to June 30, 2011, the balance 10984  
may be transferred to appropriation item 772421, Highway 10985  
Construction - State, 773431, Highway Maintenance - State, or 10986  
779491, Administration - State, upon the written request of the 10987  
Director of Transportation and with the approval of the Director 10988  
of Budget and Management. The transfer shall be reported to the 10989  
Controlling Board at its next regularly scheduled meeting. 10990

**Section 205.10.** DPS DEPARTMENT OF PUBLIC SAFETY 10991

State Highway Safety Fund Group 10992

4W40 762321 Operating Expense - \$ 85,145,103 \$ 89,005,103 10993  
BMV

4W40 762410 Registrations \$ 31,753,145 \$ 32,480,610 10994  
Supplement

5V10	762682	License Plate Contributions	\$	2,100,000	\$	2,100,000	10995
7036	761321	Operating Expense - Information and Education	\$	8,819,954	\$	8,828,661	10996
7036	761401	Lease Rental Payments	\$	13,337,000	\$	11,836,200	10997
7036	764033	Minor Capital Projects	\$	1,250,000	\$	1,250,000	10998
7036	764321	Operating Expense - Highway Patrol	\$	269,887,828	\$	269,975,259	10999
7036	764605	Motor Carrier Enforcement Expenses	\$	3,340,468	\$	3,340,468	11000
8300	761603	Salvage and Exchange - Administration	\$	20,800	\$	21,632	11001
8310	761610	Information and Education - Federal	\$	468,982	\$	468,982	11002
8310	764610	Patrol - Federal	\$	2,455,484	\$	2,455,484	11003
8310	764659	Transportation Enforcement - Federal	\$	6,132,592	\$	6,132,592	11004
8310	765610	EMS - Federal	\$	582,007	\$	582,007	11005
8310	767610	Liquor Enforcement - Federal	\$	514,184	\$	514,184	11006
8310	769610	Food Stamp Trafficking Enforcement - Federal	\$	1,032,135	\$	1,032,135	11007
8310	769631	Homeland Security - Federal	\$	2,100,000	\$	2,184,000	11008
8320	761612	Traffic Safety - Federal	\$	16,577,565	\$	16,577,565	11009
8350	762616	Financial Responsibility Compliance	\$	6,063,600	\$	6,063,600	11010
8370	764602	Turnpike Policing	\$	11,553,959	\$	11,553,959	11011

8380	764606	Patrol Reimbursement	\$	100,000	\$	100,000	11012
83C0	764630	Contraband, Forfeiture, Other	\$	622,894	\$	622,894	11013
83F0	764657	Law Enforcement Automated Data System	\$	10,984,978	\$	9,053,266	11014
83G0	764633	OMVI Enforcement/Education	\$	650,000	\$	650,000	11015
83J0	764693	Highway Patrol Justice Contraband	\$	2,100,000	\$	2,100,000	11016
83M0	765624	Operating Expense - Trauma and EMS	\$	2,915,113	\$	2,924,562	11017
83N0	761611	Elementary School Seat Belt Program	\$	390,000	\$	405,600	11018
83P0	765637	EMS Grants	\$	4,562,912	\$	4,562,912	11019
83R0	762639	Local Immobilization Reimbursement	\$	750,000	\$	750,000	11020
83T0	764694	Highway Patrol Treasury Contraband	\$	21,000	\$	21,000	11021
8400	764607	State Fair Security	\$	1,396,283	\$	1,396,283	11022
8400	764617	Security and Investigations	\$	6,317,530	\$	6,432,686	11023
8400	764626	State Fairgrounds Police Force	\$	830,769	\$	849,883	11024
8400	769632	Homeland Security - Operating	\$	1,552,049	\$	1,614,131	11025
8410	764603	Salvage and Exchange - Highway Patrol	\$	1,339,399	\$	1,339,399	11026
8440	761613	Seat Belt Education Program	\$	400,000	\$	400,000	11027
8460	761625	Motorcycle Safety Education	\$	3,324,987	\$	3,538,903	11028
8490	762627	Automated Title Processing Board	\$	19,240,839	\$	19,240,839	11029

TOTAL HSF State Highway Safety Fund Group	\$	520,633,559	\$	522,404,799	11030
General Services Fund Group					11031
4P60 768601 Justice Program Services	\$	1,070,962	\$	1,109,004	11032
4S30 766661 Hilltop Utility Reimbursement	\$	520,000	\$	540,800	11033
5ET0 768625 Drug Law Enforcement	\$	4,200,000	\$	4,200,000	11034
5Y10 764695 Highway Patrol Continuing Professional Training	\$	280,820	\$	280,820	11035
5Y10 767696 Investigative Unit Continuing Professional Training	\$	15,000	\$	15,000	11036
TOTAL GSF General Services Fund Group	\$	6,086,782	\$	6,145,624	11037
Federal Special Revenue Fund Group					11038
3290 763645 Federal Mitigation Program	\$	10,801,636	\$	11,233,702	11039
3370 763609 Federal Disaster Relief	\$	27,707,636	\$	27,707,636	11040
3390 763647 Emergency Management Assistance and Training	\$	84,031,935	\$	84,072,023	11041
3AY0 768606 Federal Justice Grants	\$	1,020,000	\$	745,000	11042
3CB0 768691 Federal Justice Grants - FFY06	\$	920,000	\$	795,000	11043
3CC0 768609 Justice Assistance Grants - FFY07	\$	1,450,000	\$	1,215,000	11044
3DE0 768612 Federal Stimulus - Justice Assistance	\$	36,146,492	\$	1,902,447	11045

		Grants					
3L50	768604	Justice Program	\$	12,056,300	\$	12,056,300	11046
3N50	763644	U.S. Department of	\$	31,358	\$	31,672	11047
		Energy Agreement					
TOTAL FED		Federal Special Revenue	\$	174,165,357	\$	139,758,780	11048
Fund Group							
State Special Revenue Fund Group							11049
4V30	763662	EMA Service and	\$	4,474,751	\$	4,653,743	11050
		Reimbursement					
5390	762614	Motor Vehicle Dealers	\$	200,000	\$	200,000	11051
		Board					
5B90	766632	Private Investigator	\$	1,341,478	\$	1,395,137	11052
		and Security Guard Provider					
5BK0	768687	Criminal Justice	\$	400,000	\$	400,000	11053
		Services - Operating					
5BK0	768689	Family Violence	\$	750,000	\$	750,000	11054
		Shelter Programs					
5CM0	767691	Federal Investigative	\$	642,175	\$	642,175	11055
		Seizure					
5DS0	769630	Homeland Security	\$	517,350	\$	538,044	11056
5FF0	762621	Indigent Interlock	\$	1,600,000	\$	2,750,000	11057
		and Alcohol Monitoring					
5FL0	769634	Investigations	\$	1,172,080	\$	1,195,522	11058
6220	767615	Investigative	\$	375,000	\$	375,000	11059
		Contraband and Forfeiture					
6570	763652	Utility Radiological	\$	1,413,889	\$	1,415,945	11060
		Safety					
6810	763653	SARA Title III HAZMAT	\$	254,794	\$	262,438	11061
		Planning					
8500	767628	Investigative Unit	\$	100,000	\$	100,000	11062



Salvage			
TOTAL SSR State Special Revenue	\$	13,241,517	\$ 14,678,004 11063
Fund Group			
Liquor Control Fund Group			11064
7043 767321 Liquor Enforcement -	\$	12,007,894	\$ 11,897,178 11065
Operating			
TOTAL LCF Liquor Control Fund Group	\$	12,007,894	\$ 11,897,178 11066
Agency Fund Group 11067			
5J90 761678 Federal Salvage/GSA	\$	1,500,000	\$ 1,500,000 11068
TOTAL AGY Agency Fund Group	\$	1,500,000	\$ 1,500,000 11069
Holding Account Redistribution Fund Group 11070			
R024 762619 Unidentified Motor	\$	1,885,000	\$ 1,885,000 11071
Vehicle Receipts			
R052 762623 Security Deposits	\$	350,000	\$ 350,000 11072
TOTAL 090 Holding Account	\$	2,235,000	\$ 2,235,000 11073
Redistribution Fund Group			
TOTAL ALL BUDGET FUND GROUPS	\$	729,870,109	\$ 698,619,383 11074

MOTOR VEHICLE REGISTRATION 11075

The Registrar of Motor Vehicles may deposit revenues to meet 11076  
the cash needs of the State Bureau of Motor Vehicles Fund (Fund 11077  
4W40) established in section 4501.25 of the Revised Code, obtained 11078  
under sections 4503.02 and 4504.02 of the Revised Code, less all 11079  
other available cash. Revenue deposited pursuant to this paragraph 11080  
shall support, in part, appropriations for operating expenses and 11081  
defray the cost of manufacturing and distributing license plates 11082  
and license plate stickers and enforcing the law relative to the 11083  
operation and registration of motor vehicles. Notwithstanding 11084  
section 4501.03 of the Revised Code, the revenues shall be paid 11085  
into Fund 4W40 before any revenues obtained pursuant to sections 11086  
4503.02 and 4504.02 of the Revised Code are paid into any other 11087  
fund. The deposit of revenues to meet the aforementioned cash 11088  
needs shall be in approximately equal amounts on a monthly basis 11089

or as otherwise determined by the Director of Budget and 11090  
Management pursuant to a plan submitted by the Registrar of Motor 11091  
Vehicles. 11092

CASH TRANSFERS FROM THE STATE BUREAU OF MOTOR VEHICLES FUND 11093

Notwithstanding any provision of law to the contrary, on July 11094  
1, 2009, or as soon as possible thereafter, the Director of Budget 11095  
and Management may transfer, from the Bureau of Motor Vehicles 11096  
Fund (Fund 4W40), cash in the amounts of up to \$635,293 to the 11097  
Justice Program Services Fund (Fund 4P60), up to \$3,284,464 to the 11098  
EMA Service and Reimbursement Fund (Fund 4V30), and up to \$879,060 11099  
to the Investigations Fund (Fund 5FL0). 11100

Notwithstanding any provision to the contrary, the Director 11101  
of Budget and Management may make additional cash transfers in 11102  
fiscal years 2010 and 2011 from the Bureau of Motor Vehicles Fund 11103  
(Fund 4W40) to any of the following five funds if the Director of 11104  
Public Safety determines that the cash balance is insufficient in 11105  
those funds and requests the Director to make the transfer: the 11106  
Justice Program Services Fund (Fund 4P60), the EMA Service and 11107  
Reimbursement Fund (Fund 4V30), the Investigations Fund (Fund 11108  
5FL0), the Homeland Security Fund (Fund 5DS0), and the Trauma and 11109  
Emergency Medical Services Fund (Fund 83M0). 11110

CAPITAL PROJECTS 11111

The Registrar of Motor Vehicles may transfer cash from the 11112  
State Bureau of Motor Vehicles Fund (Fund 4W40) to the State 11113  
Highway Safety Fund (Fund 7036) to meet its obligations for 11114  
capital projects CIR-047, Department of Public Safety Office 11115  
Building and CIR-049, Warehouse Facility. 11116

OBA BOND AUTHORITY/LEASE RENTAL PAYMENTS 11117

The foregoing appropriation item 761401, Lease Rental 11118  
Payments, shall be used for payments to the Ohio Building 11119  
Authority for the period July 1, 2009, to June 30, 2011, under the 11120

primary leases and agreements for public safety related buildings 11121  
financed by obligations issued under Chapter 152. of the Revised 11122  
Code. Notwithstanding section 152.24 of the Revised Code, the Ohio 11123  
Building Authority may, with approval of the Director of Budget 11124  
and Management, lease capital facilities to the Department of 11125  
Public Safety. 11126

HILLTOP TRANSFER 11127

The Director of Public Safety shall determine, per an 11128  
agreement with the Director of Transportation, the share of each 11129  
debt service payment made out of appropriation item 761401, Lease 11130  
Rental Payments, that relates to the Department of 11131  
Transportation's portion of the Hilltop Building Project, and 11132  
shall certify to the Director of Budget and Management the amounts 11133  
of this share. The Director of Budget and Management shall 11134  
transfer the amounts of such shares from the Highway Operating 11135  
Fund (Fund 7002) to the State Highway Safety Fund (Fund 7036). 11136

CASH TRANSFERS OF SEAT BELT FINE REVENUES 11137

Notwithstanding any provision of law to the contrary, the 11138  
Controlling Board, upon request of the Director of Public Safety, 11139  
may approve the transfer of cash between the following four funds 11140  
that receive fine revenues from enforcement of the mandatory seat 11141  
belt law: the Trauma and Emergency Medical Services Fund (Fund 11142  
83M0), the Elementary School Program Fund (Fund 83N0), the Trauma 11143  
and Emergency Medical Services Grants Fund (Fund 83P0), and the 11144  
Seat Belt Education Fund (Fund 8440). 11145

STATE DISASTER RELIEF 11146

The State Disaster Relief Fund (Fund 5330) may accept 11147  
transfers of cash and appropriations from Controlling Board 11148  
appropriation items for Ohio Emergency Management Agency disaster 11149  
response costs and disaster program management costs, and may also 11150  
be used for the following purposes: 11151

(A) To accept transfers of cash and appropriations from 11152  
Controlling Board appropriation items for Ohio Emergency 11153  
Management Agency public assistance and mitigation program match 11154  
costs to reimburse eligible local governments and private 11155  
nonprofit organizations for costs related to disasters; 11156

(B) To accept and transfer cash to reimburse the costs 11157  
associated with Emergency Management Assistance Compact (EMAC) 11158  
deployments; 11159

(C) To accept disaster related reimbursement from federal, 11160  
state, and local governments. The Director of Budget and 11161  
Management may transfer cash from reimbursements received by this 11162  
fund to other funds of the state from which transfers were 11163  
originally approved by the Controlling Board. 11164

(D) To accept transfers of cash and appropriations from 11165  
Controlling Board appropriation items to fund the State Disaster 11166  
Relief Program, for disasters that have been declared by the 11167  
Governor, and the State Individual Assistance Program for 11168  
disasters that have been declared by the Governor and the federal 11169  
Small Business Administration. The Ohio Emergency Management 11170  
Agency shall publish and make available application packets 11171  
outlining procedures for the State Disaster Relief Program and the 11172  
State Individual Assistance Program. 11173

JUSTICE ASSISTANCE GRANT FUND 11174

The federal payments made to the state for the Byrne Justice 11175  
Assistance Grants Program under Title II of Division A of the 11176  
American Recovery and Reinvestment Act of 2009 shall be deposited 11177  
to the credit of the Justice Assistance Grant Fund (Fund 3DE0), 11178  
which is hereby created in the state treasury. All investment 11179  
earnings of the fund shall be credited to the fund. 11180

JUSTICE ASSISTANCE GRANTS 11181

The foregoing appropriation item 768612, Federal Stimulus - 11182

Justice Assistance Grants, shall be used to support activities to 11183  
prevent and control crime and to improve the criminal justice 11184  
system. 11185

FAMILY VIOLENCE PREVENTION FUND 11186

Notwithstanding any provision of law to the contrary, in each 11187  
of fiscal years 2010 and 2011, the first \$750,000 received to the 11188  
credit of the Family Violence Prevention Fund (Fund 5BK0) in each 11189  
of those fiscal years shall be appropriated to appropriation item 11190  
768689, Family Violence Shelter Programs, and the next \$400,000 11191  
received to the credit of Fund 5BK0 in each of those fiscal years 11192  
shall be appropriated to appropriation item 768687, Criminal 11193  
Justice Services - Operating. Any moneys received to the credit of 11194  
Fund 5BK0 in excess of the aforementioned appropriated amounts in 11195  
each fiscal year shall, upon the approval of the Controlling 11196  
Board, be used to provide grants to family violence shelters in 11197  
Ohio. 11198

SARA TITLE III HAZMAT PLANNING 11199

The SARA Title III HAZMAT Planning Fund (Fund 6810) is 11200  
entitled to receive grant funds from the Emergency Response 11201  
Commission to implement the Emergency Management Agency's 11202  
responsibilities under Chapter 3750. of the Revised Code. 11203

COLLECTIVE BARGAINING INCREASES 11204

Notwithstanding division (D) of section 127.14 and division 11205  
(B) of section 131.35 of the Revised Code, except for the General 11206  
Revenue Fund, the Controlling Board may, upon the request of 11207  
either the Director of Budget and Management, or the Department of 11208  
Public Safety with the approval of the Director of Budget and 11209  
Management, increase appropriations for any fund, as necessary for 11210  
the Department of Public Safety, to assist in paying the costs of 11211  
increases in employee compensation that have occurred pursuant to 11212  
collective bargaining agreements under Chapter 4117. of the 11213

Revised Code and, for exempt employees, under section 124.152 of 11214  
the Revised Code. 11215

CASH BALANCE FUND REVIEW 11216

Not later than the first day of April in each fiscal year of 11217  
the biennium, the Director of Budget and Management shall review 11218  
the cash balances for each fund, except the State Highway Safety 11219  
Fund (Fund 7036) and the State Bureau of Motor Vehicles Fund (Fund 11220  
4W40), in the State Highway Safety Fund Group, and shall recommend 11221  
to the Controlling Board an amount to be transferred to the credit 11222  
of Fund 7036 or Fund 4W40, as appropriate. 11223

**Section 207.10.** DEV DEPARTMENT OF DEVELOPMENT 11224

State Special Revenue Fund Group 11225

4W00 195629 Roadwork Development \$ 18,699,900 \$ 18,699,900 11226

TOTAL SSR State Special Revenue 11227

Fund Group \$ 18,699,900 \$ 18,699,900 11228

TOTAL ALL BUDGET FUND GROUPS \$ 18,699,900 \$ 18,699,900 11229

ROADWORK DEVELOPMENT FUND 11230

The Roadwork Development Fund shall be used for road 11231  
improvements associated with economic development opportunities 11232  
that will retain or attract businesses for Ohio. "Road 11233  
improvements" are improvements to public roadway facilities 11234  
located on, or serving or capable of serving, a project site. 11235

The Department of Transportation, under the direction of the 11236  
Department of Development, shall provide these funds in accordance 11237  
with all guidelines and requirements established for Department of 11238  
Development appropriation item 195412, Business Development, 11239  
including Controlling Board review and approval as well as the 11240  
requirements for usage of gas tax revenue prescribed in Section 5a 11241  
of Article XII, Ohio Constitution. Should the Department of 11242  
Development require the assistance of the Department of 11243

Transportation to bring a project to completion, the Department of 11244  
Transportation shall use its authority under Title LV of the 11245  
Revised Code to provide such assistance and may enter into 11246  
contracts on behalf of the Department of Development. In addition, 11247  
these funds may be used in conjunction with appropriation item 11248  
195412, Business Development, or any other state funds 11249  
appropriated for infrastructure improvements. 11250

The Director of Budget and Management, pursuant to a plan 11251  
submitted by the Director of Development or as otherwise 11252  
determined by the Director of Budget and Management, shall set a 11253  
cash transfer schedule to meet the cash needs of the Department of 11254  
Development's Roadwork Development Fund (Fund 4W00), less any 11255  
other available cash. The Director shall transfer to the Roadwork 11256  
Development Fund from the Highway Operating Fund (Fund 7002), 11257  
established in section 5735.291 of the Revised Code, such amounts 11258  
at such times as determined by the transfer schedule. 11259

TRANSPORTATION IMPROVEMENT DISTRICTS 11260

Notwithstanding section 5540.151 of the Revised Code and any 11261  
other restrictions that apply to the distribution of Roadwork 11262  
Development Grants, of the foregoing appropriation item 195629, 11263  
Roadwork Development, \$250,000 in each fiscal year shall be 11264  
distributed by the Director of Development to each of the 11265  
Transportation Improvement Districts in Belmont, Butler, Clermont, 11266  
Hamilton, Lorain, Medina, Montgomery, Muskingum, and Stark 11267  
counties, and to the Rossford Transportation Improvement District 11268  
in Wood County. 11269

**Section 209.10.** PWC PUBLIC WORKS COMMISSION 11270

Local Transportation Improvements Fund Group 11271

7052 150402 Local Transportation \$ 299,001 \$ 306,178 11272

Improvement Program -

	Operating				
7052	150701	Local Transportation	\$ 67,317,000	\$ 67,400,000	11273
		Improvement Program			
TOTAL	052	Local Transportation			11274
Improvements		Fund Group	\$ 67,616,001	\$ 67,706,178	11275
Local Infrastructure		Improvements Fund Group			11276
7038	150321	State Capital	\$ 897,383	\$ 918,912	11277
		Improvements Program			
		- Operating Expenses			
TOTAL	LIF	Local Infrastructure			11278
Improvements		Fund Group	\$ 897,383	\$ 918,912	11279
TOTAL	ALL	BUDGET FUND GROUPS	\$ 68,513,384	\$ 68,625,090	11280

DISTRICT ADMINISTRATION COSTS 11281

The Director of the Public Works Commission is authorized to 11282  
create a District Administration Costs Program from interest 11283  
earnings of the Capital Improvements Fund and Local Transportation 11284  
Improvement Program Fund proceeds. The program shall be used to 11285  
provide for the direct costs of district administration of the 11286  
nineteen public works districts. Districts choosing to participate 11287  
in the program shall only expend State Capital Improvements Fund 11288  
moneys for State Capital Improvements Fund costs and Local 11289  
Transportation Improvement Program Fund moneys for Local 11290  
Transportation Improvement Program Fund costs. The account shall 11291  
not exceed \$1,235,000 per fiscal year. Each public works district 11292  
may be eligible for up to \$65,000 per fiscal year from its 11293  
district allocation as provided in sections 164.08 and 164.14 of 11294  
the Revised Code. 11295

The Director, by rule, shall define allowable and 11296  
nonallowable costs for the purpose of the District Administration 11297  
Costs Program. Nonallowable costs include indirect costs, elected 11298  
official salaries and benefits, and project-specific costs. No 11299  
district public works committee may participate in the District 11300



Administration Costs Program without the approval of those costs 11301  
by the district public works committee under section 164.04 of the 11302  
Revised Code. 11303

REAPPROPRIATIONS 11304

All capital appropriations from the Local Transportation 11305  
Improvement Program Fund (Fund 7052) in Am. Sub. H.B. 67 of the 11306  
127th General Assembly remaining unencumbered as of June 30, 2009, 11307  
are reappropriated for use during the period July 1, 2009, through 11308  
June 30, 2010, for the same purpose. 11309

Notwithstanding division (B) of section 127.14 of the Revised 11310  
Code, all capital appropriations and reappropriations from the 11311  
Local Transportation Improvement Program Fund (Fund 7052) in this 11312  
act remaining unencumbered as of June 30, 2010, are reappropriated 11313  
for use during the period July 1, 2010, through June 30, 2011, for 11314  
the same purposes, subject to the availability of revenue as 11315  
determined by the Director of the Public Works Commission. 11316  
11317

**Section 301.10.** For all appropriations made in Sections 11318  
303.10, 305.10, 307.10, 309.10, 311.10, 313.10, 317.10, 318.10, 11319  
319.10, 321.10, and 325.10 of this act, those in the first column 11320  
are for fiscal year 2008 and those in the second column are for 11321  
fiscal year 2009. The appropriations made in these sections are in 11322  
addition to any other appropriations made for fiscal years 2008 11323  
and 2009. 11324

**Section 303.10.** The federal payments made to the state for 11325  
the nutrition program under Title VIII of Division A of the 11326  
American Recovery and Reinvestment Act of 2009 shall be deposited 11327  
to the credit of the Federal Supportive Services Fund (Fund 3M40). 11328  
11329

The federal payments made to the state for the senior 11330

community service employment program under Title VIII of Division 11331  
A of the American Recovery and Reinvestment Act of 2009 shall be 11332  
deposited to the credit of the Federal Aging Grants Fund (Fund 11333  
3220). 11334

The items in this section are appropriated as designated out 11335  
of any moneys in the state treasury to the credit of their 11336  
respective funds that are not otherwise appropriated. 11337

Appropriations

AGE DEPARTMENT OF AGING 11338

Federal Special Revenue Fund Group 11339

3220 490618 Federal Aging Grants \$ 0 \$ 1,035,934 11340

3M40 490612 Federal Supportive \$ 0 \$ 2,991,000 11341

Services

TOTAL FED Federal Special Revenue \$ 0 \$ 4,026,934 11342

Fund Group

TOTAL ALL BUDGET FUND GROUPS \$ 0 \$ 4,026,934 11343

The foregoing appropriation items 490618, Federal Aging 11344  
Grants, and 490612, Federal Supportive Services, shall be used in 11345  
accordance with the requirements of the American Recovery and 11346  
Reinvestment Act of 2009 that apply to the money appropriated. 11347

**Section 305.10.** The federal payments made to the state for 11348  
crime victims assistance grants under Title II of Division A of 11349  
the American Recovery and Reinvestment Act of 2009 shall be 11350  
deposited to the credit of the Crime Victims Assistance Fund (Fund 11351  
3830). 11352

The federal payments made to the state for crime victims 11353  
compensation under Title II of Division A of the American Recovery 11354  
and Reinvestment Act of 2009 shall be deposited to the credit of 11355  
the Reparations Fund (Fund 4020). 11356

The items in this section are appropriated as designated out 11357

of any moneys in the state treasury to the credit of their 11358  
respective funds that are not otherwise appropriated. 11359

Appropriations

AGO ATTORNEY GENERAL 11360

Federal Special Revenue Fund Group 11361

3830 055634 Crime Victims \$ 0 \$ 1,271,000 11362

Assistance

TOTAL FED Federal Special Revenue \$ 0 \$ 1,271,000 11363

Fund Group

State Special Revenue Fund Group 11364

4020 055616 Victims of Crime \$ 0 \$ 2,061,000 11365

TOTAL SSR State Special Revenue \$ 0 \$ 2,061,000 11366

Fund Group

TOTAL ALL BUDGET FUND GROUPS \$ 0 \$ 3,332,000 11367

The foregoing appropriation items 055634, Crime Victims 11368  
Assistance, and 055616, Victims of Crime, shall be used in 11369  
accordance with the requirements of the American Recovery and 11370  
Reinvestment Act of 2009 that apply to the money appropriated. 11371

**Section 307.10.** The federal payments made to the state for 11372  
the Leaking Underground Storage Tank Program under Title VII of 11373  
Division A of the American Recovery and Reinvestment Act of 2009 11374  
shall be deposited to the credit of the Federal Stimulus - 11375  
Underground Storage Tank Fund (Fund 3DF0). 11376

The item in this section is appropriated as designated out of 11377  
any moneys in the state treasury to the credit of Fund 3DF0 that 11378  
are not otherwise appropriated. 11379

Appropriations

COM DEPARTMENT OF COMMERCE 11380

Federal Special Revenue Fund Group 11381

3DF0 800606 Federal Stimulus - \$ 0 \$ 10,000,000 11382

Underground Storage  
Tank

TOTAL FED Federal Special Revenue	\$	0	\$	10,000,000	11383
Fund Group					
TOTAL ALL BUDGET FUND GROUPS	\$	0	\$	10,000,000	11384

The foregoing appropriation item 800606, Federal Stimulus - 11385  
Underground Storage Tank, shall be used in accordance with the 11386  
requirements of the American Recovery and Reinvestment Act of 2009 11387  
that apply to the money appropriated. 11388

**Section 309.10.** The federal payments made to the state for 11389  
the Weatherization Assistance Program and the State Energy Grant 11390  
Program under Title IV of Division A of the American Recovery and 11391  
Reinvestment Act of 2009 shall be deposited to the credit of the 11392  
Federal Special Revenue Fund (Fund 3080). 11393

The federal payments made to the state for the Energy Star 11394  
Rebate Program under the American Recovery and Reinvestment Act of 11395  
2009 shall be deposited to the credit of the Energy Star Rebate 11396  
Program Fund (Fund 3DA0), which is hereby created in the state 11397  
treasury. 11398

The federal payments made to the state for the Energy 11399  
Efficiency and Conservation Block Grants Program under Title IV of 11400  
Division A of the American Recovery and Reinvestment Act of 2009 11401  
shall be deposited to the credit of the Energy Efficiency and 11402  
Conservation Block Grants Fund (Fund 3DB0), which is hereby 11403  
created in the state treasury. 11404

The federal payments made to the state for the Community 11405  
Development Block Grant program under Title XII of Division A of 11406  
the American Recovery and Reinvestment Act of 2009 shall be 11407  
deposited to the credit of the Community Development Block Grant 11408  
Fund (Fund 3K80). 11409

The federal payments made to the state for community services 11410

block grants under Title XII of Division A of the American	11411
Recovery and Reinvestment Act of 2009 shall be deposited to the	11412
credit of the Community Services Block Grant Fund (Fund 3L00).	11413
	11414
The federal payments made to the state for the Home	11415
Investment Partnerships Program under Title XII of Division A of	11416
the American Recovery and Reinvestment Act of 2009 shall be	11417
deposited to the credit of the HOME Program Fund (Fund 3V10).	11418
The items in this division are appropriated as designated out	11419
of any moneys in the state treasury to the credit of their	11420
respective funds that are not otherwise appropriated.	11421
	Appropriations
DEV DEPARTMENT OF DEVELOPMENT	11422
Federal Special Revenue Fund Group	11423
3080 195603 Housing and Urban           \$                   0 \$    26,205,724	11424
Development	
3080 195605 Federal Projects           \$                   0 \$    266,781,409	11425
3080 195618 Energy Federal Grants   \$                   0 \$    96,083,000	11426
3DA0 195632 Federal Stimulus -       \$                   0 \$    11,000,000	11427
Energy Star Rebate	
Program	
3DB0 195642 Federal Stimulus -       \$                   0 \$    21,000,000	11428
Energy Efficiency and	
Conservation Block	
Grants	
3K80 195613 Community Development   \$                   0 \$    12,957,527	11429
Block Grant	
3L00 195612 Community Services       \$                   0 \$    38,979,000	11430
Block Grant	
3V10 195601 HOME Program           \$                   0 \$    83,484,547	11431
TOTAL FED Federal Special Revenue   \$                   0 \$    556,491,207	11432
Fund Group	

TOTAL ALL BUDGET FUND GROUPS                   \$                   0 \$   556,491,207   11433

    The foregoing appropriation item 195605, Federal Projects,                   11434  
shall be used to carry out the Home Weatherization Assistance                   11435  
Program, subject to any requirements of the American Recovery and               11436  
Reinvestment Act of 2009 that apply to the money appropriated.               11437

    The foregoing appropriation items 195603, Housing and Urban               11438  
Development, 195618, Energy Federal Grants, 195613, Community               11439  
Development Block Grant, 195612, Community Services Block Grant,           11440  
195601, HOME Program, 195632, Federal Stimulus - Energy Star               11441  
Rebate Program, and 195642, Federal Stimulus - Energy Efficiency           11442  
and Conservation Block Grants, shall be used in accordance with           11443  
the requirements of the American Recovery and Reinvestment Act of           11444  
2009 that apply to the money appropriated.                                   11445

**Section 311.10.** The federal payments made to the state for               11446  
the national school lunch program under Title VIII of Division A               11447  
of the American Recovery and Reinvestment Act of 2009 shall be               11448  
deposited to the credit of the Federal Stimulus School Cafeteria               11449  
Equipment Fund (Fund 3DC0), which is hereby created in the state           11450  
treasury.   11451

    The federal payments made to the state for the McKinney-Vento           11452  
Homeless Assistance Act under Title VIII of Division A of the               11453  
American Recovery and Reinvestment Act of 2009 shall be deposited           11454  
to the credit of the Federal Stimulus McKinney-Vento Grant Fund           11455  
(Fund 3DG0), which is hereby created in the state treasury.               11456  
   11457

    The federal payments to the state for the education                       11458  
technology program under Title VIII of division A of the American           11459  
Recovery and Reinvestment Act of 2009 shall be deposited to the           11460  
credit of the Technology Literacy Transfer Fund (Fund 3S20).               11461

    The items in this section are appropriated as designated out               11462  
of any moneys in the state treasury to the credit of their                   11463

respective funds that are not otherwise appropriated.				11464
			Appropriations	
		EDU DEPARTMENT OF EDUCATION		11465
Federal Special Revenue Fund Group				11466
3DC0 200625 Federal Stimulus -	\$	0	\$ 3,107,000	11467
School Lunch				
Cafeteria Equipment				
3DG0 200630 Federal Stimulus -	\$	0	\$ 1,384,000	11468
McKinney-Vento Grants				
3S20 200641 Education Technology	\$	0	\$ 23,902,000	11469
TOTAL FED Federal Special Revenue	\$	0	\$ 28,393,000	11470
Fund Group				

The foregoing appropriation items 200625, Federal Stimulus - 11471  
School Lunch Cafeteria Equipment, and 200630, Federal Stimulus - 11472  
McKinney-Vento Grants, shall be used in accordance with the 11473  
requirements of the American Recovery and Reinvestment Act of 2009 11474  
that apply to the money appropriated. 11475

Of the foregoing appropriation item 200641, Education 11476  
Technology, up to \$11,591,000 shall be used to award competitive 11477  
grants to Title I eligible schools and districts under the 11478  
Twenty-First Century Learning Environments Technology Grant 11479  
Program. The remainder of the appropriation shall be distributed 11480  
to Title I eligible schools on a formula basis as required by 11481  
federal regulations. Up to five per cent of the appropriated funds 11482  
may be retained to develop state activities consistent with the 11483  
goals in this section and to administer the Twenty-First Century 11484  
Learning Environments Technology Grant Program. 11485

**Section 313.10.** The federal payments made to the state for 11486  
clean air under Title VII of Division A of the American Recovery 11487  
and Reinvestment Act of 2009 shall be deposited to the credit of 11488  
the Clean Air Fund (Fund 4K20). 11489

The item in this section is appropriated as designated out of 11490  
any moneys in the state treasury to the credit of Fund 4K20 that 11491  
are not otherwise appropriated. 11492

Appropriations

EPA ENVIRONMENTAL PROTECTION AGENCY				11493
State Special Revenue Fund Group				11494
4K20 715648	Clean Air Non-Title V	\$ 0	\$ 1,700,000	11495
TOTAL SSR State Special Revenue		\$ 0	\$ 1,700,000	11496
Fund Group				
TOTAL ALL BUDGET FUND GROUPS		\$ 0	\$ 1,700,000	11497

The foregoing appropriation item 715648, Clean Air Non-Title 11498  
V, shall be used in accordance with the requirements of the 11499  
American Recovery and Reinvestment Act of 2009 that apply to the 11500  
money appropriated. 11501

**Section 315.20.** (A) The Department of Education shall develop 11502  
and implement the Twenty-First Century Learning Environments 11503  
Technology Grant Program. Under the program, the Department, in 11504  
consultation with the eTech Ohio Commission, shall award 11505  
competitive grants to school districts for the purchase or lease 11506  
of technology hardware, software, training, and support packages 11507  
(education solution packages) that meet the specifications 11508  
developed jointly by the Department and the Commission. 11509  
Twenty-five per cent of any grant award shall be used for 11510  
professional development that focuses on utilizing digital 11511  
environments to enable new teaching methods, such as 11512  
individualizing instruction and project-based learning. This 11513  
professional development shall include at least one component of 11514  
training in the classroom. The Department shall limit the number 11515  
of grants so that each grant recipient receives an amount that is 11516  
sufficient to create large-scale learning environment changes that 11517  
facilitate the goals expressed in division (D) of this section. 11518



The Department shall award grants in a manner that ensures 11519  
diversity among grant recipients according to geographical 11520  
regions, economic scale, and school district size. 11521

(B) The Department and the Commission shall develop 11522  
specifications for education solution packages that may be 11523  
purchased or leased by school districts with a grant awarded under 11524  
this section. The specifications shall include at least the 11525  
following components: 11526

(1) Hardware and software, including wireless laptop 11527  
computers, for creating content, project-based learning, and 11528  
student-centered collaborative learning practices; 11529

(2) Access to digital content through a statewide content 11530  
repository; 11531

(3) Professional development that is supported by the 11532  
integration of technology; 11533

(4) Technical support. 11534

(C) A school district that receives a grant award under this 11535  
section may combine the funds under that award with other federal, 11536  
state, or local funds to purchase or lease education solution 11537  
packages that meet the specifications developed under division (B) 11538  
of this section. 11539

The Department and the Commission shall assist schools and 11540  
districts that do not receive grant awards under this section in 11541  
applying those specifications to purchase or lease education 11542  
solution packages using other federal, state, and local funds. 11543

(D) The goals of the Twenty-First Century Learning 11544  
Environments Technology Grant Program are: 11545

(1) To facilitate innovative teaching and learning strategies 11546  
that help accelerate achievement in core academic subject areas; 11547

(2) To help students develop twenty-first century skills 11548  
including critical thinking and problem solving, communication and 11549  
collaboration, media literacy, leadership and productivity, 11550  
adaptability and accountability; 11551

(3) To demonstrate ways for schools to invest in learning 11552  
environments that improve academic effectiveness and efficiencies, 11553  
including ways for schools to use a portion of their base funding 11554  
to invest in appropriate digital environments that enable proven 11555  
practices; 11556

(4) To demonstrate ways that mobile technology can extend 11557  
learning time, improve academic engagement, and accelerate 11558  
achievement for low-performing students; 11559

(5) To demonstrate ways in which technology can enable 11560  
innovative teaching formats, including project-based learning, 11561  
interdisciplinary methods, relevance, and community service 11562  
learning that lead to improved academic achievement; 11563

(6) To demonstrate how teachers and students can create and 11564  
access multimedia content that is shared utilizing the "Ohio on 11565  
iTunes U" web site and other online distribution mechanisms. 11566

**Section 317.10.** (A) The federal payments made to the state 11567  
for the Immunization Program under Title VIII of Division A of the 11568  
American Recovery and Reinvestment Act of 2009 shall be deposited 11569  
to the credit of the Preventive Health Block Grant Fund (Fund 11570  
3870). 11571

(B) The federal payments made to the state for the Special 11572  
Supplemental Nutrition Program under Title VIII of Division A of 11573  
the American Recovery and Reinvestment Act of 2009 shall be 11574  
deposited to the credit of the Women, Infants, and Children Fund 11575  
(Fund 3890). 11576

(C) The federal payments made to the state for the IDEA - 11577

Infants and Children Program under Title VIII of Division A of the 11578  
 American Recovery and Reinvestment Act of 2009 shall be deposited 11579  
 to the credit of the General Operations Fund (Fund 3920). 11580

(D) The items in this section are appropriated as designated 11581  
 out of any moneys in the state treasury to the credit of their 11582  
 respective funds that are not otherwise appropriated. 11583

Appropriations

DOH DEPARTMENT OF HEALTH 11584

Federal Special Revenue Fund Group 11585

3890 440604 Women, Infants, and \$ 0 \$ 2,000,000 11586  
 Children

3920 440618 Federal Public Health \$ 0 \$ 14,410,000 11587  
 Programs

TOTAL FED Federal Special Revenue \$ 0 \$ 16,410,000 11588  
 Fund Group

TOTAL ALL BUDGET FUND GROUPS \$ 0 \$ 16,410,000 11589

The foregoing appropriation items 440604, Women, Infants, and 11590  
 Children, and 440618, Federal Public Health Programs, shall be 11591  
 used in accordance with the requirements of the American Recovery 11592  
 and Reinvestment Act of 2009 that apply to the money appropriated. 11593  
 11594

**Section 318.10.** All items in this section are hereby 11595  
 appropriated as designated out of any moneys in the state treasury 11596  
 to the credit of the Deputy Inspector General for Funds Received 11597  
 through the American Recovery and Reinvestment Act of 2009 Fund 11598  
 (Fund 5GI0). 11599

Appropriations

IGO OFFICE OF THE INSPECTOR GENERAL 11600

General Services Fund Group 11601

5GI0 965605 Deputy Inspector \$ 0 \$ 150,000 11602

General for ARRA

TOTAL GSF General Services Fund	\$	0	\$	150,000	11603
Group					
TOTAL ALL BUDGET FUND GROUPS	\$	0	\$	150,000	11604

The foregoing appropriation item 965605, Deputy Inspector General for ARRA, shall be used to pay the operating expenses incurred by the Deputy Inspector General for Funds Received through the American Recovery and Reinvestment Act of 2009 in performing the duties specified in section 121.53 of the Revised Code.

There is established in appropriation item 965605, Deputy Inspector General for ARRA, an appropriation of \$450,000 in fiscal year 2010 and of \$600,000 in fiscal year 2011 to pay the operating expenses incurred by the Deputy Inspector General for Funds Received through the American Recovery and Reinvestment Act of 2009 in performing the duties specified in section 121.53 of the Revised Code. Any unencumbered and unexpended appropriations remaining on June 30, 2010, are reappropriated for the same purposes in fiscal year 2011.

**Section 319.10.** (A) The federal payments made to the state for the Supplemental Nutrition 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 Food Stamps and State Administration Fund (Fund 3840).

(B) The federal payments to the state for the Foster Care/Adoption Program under Title VIII of Division A of the American Recovery and Reinvestment Act of 2009 not otherwise designated in this act shall be deposited to the credit of the Title IV-E Foster Care/Adoption Maintenance Fund (Fund 3980).

(C) 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 11632  
credit of the Emergency Food Distribution Fund (Fund 3A20). 11633

(D) The federal payments made to the state for the Foster 11634  
Care/Adoption Program under Title VIII of Division A of the 11635  
American Recovery and Reinvestment Act of 2009 shall be deposited 11636  
to the credit of the IV-E Foster Care Maintenance/Pass Through 11637  
Fund (Fund 3N00). 11638

(E) The federal payments to the state for the Workforce 11639  
Investment Act program under Title VIII of Division A of the 11640  
American Recovery and Reinvestment Act of 2009 shall be deposited 11641  
to the credit of the Workforce Investment Act Fund (Fund 3V00). 11642

(F) The federal payments made to the state for the 11643  
Unemployment Insurance Program under Title VIII of Division A of 11644  
the American Recovery and Reinvestment Act of 2009 shall be 11645  
deposited to the credit of the Federal Unemployment Programs Fund 11646  
(Fund 3V40). 11647

(G) The items in this section are appropriated as designated 11648  
out of any moneys in the state treasury to the credit of their 11649  
respective funds that are not otherwise appropriated. 11650

Appropriations

JFS DEPARTMENT OF JOB AND FAMILY SERVICES 11651

Federal Special Revenue Fund Group 11652

3840 600610 Food Assistance and \$ 0 \$ 5,517,986 11653  
State Administration

3980 600627 Adoption \$ 0 \$ 8,436,803 11654  
Maintenance/Administration

3A20 600641 Emergency Food \$ 0 \$ 4,983,222 11655  
Distribution

3N00 600628 IV-E Foster Care \$ 0 \$ 12,411,714 11656  
Maintenance

3V00 600688 Workforce Investment \$ 0 \$ 110,000,000 11657

	Act				
3V40	600678	Federal Unemployment	\$	0	\$ 39,800,000 11658
		Programs			
TOTAL FED		Federal Special Revenue	\$	0	\$ 181,149,725 11659
		Fund Group			
TOTAL ALL BUDGET		FUND GROUPS	\$	0	\$ 181,149,725 11660

The foregoing appropriation items 600610, Food Assistance and 11661  
State Administration, 600627, Adoption Maintenance/Administration, 11662  
600641, Emergency Food Distribution, 600628, IV-E Foster Care 11663  
Maintenance, 600688, Workforce Investment Act, and 600678, Federal 11664  
Unemployment Programs, shall be used in accordance with the 11665  
requirements of the American Recovery and Reinvestment Act of 2009 11666  
that apply to the money appropriated. 11667

**Section 321.10.** The federal payments made to the state for 11668  
the Vocational Rehabilitation Program under Title VIII of Division 11669  
A of the American Recovery and Reinvestment Act of 2009 shall be 11670  
deposited to the credit of the Consolidated Federal Fund (Fund 11671  
3790). 11672

The federal payments made to the state for the Independent 11673  
Living Program under Title VIII of Division A of the American 11674  
Recovery and Reinvestment Act of 2009 shall be deposited to the 11675  
credit of the Independent Living/Vocational Rehabilitation Fund 11676  
(Fund 3L40). 11677

The items in this section are appropriated as designated out 11678  
of any moneys in the state treasury to the credit of their 11679  
respective funds that are not otherwise appropriated. 11680

Appropriations

		RSC REHABILITATION SERVICES COMMISSION			11681
		Federal Special Revenue Fund Group			11682
3790	415616	Federal - Vocational	\$	0	\$ 21,590,000 11683
		Rehabilitation			

3L40	415612	Federal Independent Living Centers or Services	\$	0	\$	509,000	11684
3L40	415617	Independent Living/Vocational Rehabilitation Programs	\$	0	\$	1,392,958	11685
TOTAL FED	Federal Special Revenue		\$	0	\$	23,491,958	11686
Fund Group							
TOTAL ALL BUDGET FUND GROUPS			\$	0	\$	23,491,958	11687

The foregoing appropriation items 415616, Federal - 11688  
Vocational Rehabilitation, 415612, Federal Independent Living 11689  
Centers or Services, and 415617, Independent Living/Vocational 11690  
Rehabilitation Programs, shall be used in accordance with the 11691  
requirements of the American Recovery and Reinvestment Act of 2009 11692  
that apply to the money appropriated. 11693

**Section 323.10.** Expenditures from the appropriations made in 11694  
Sections 303.10, 305.10, 307.10, 309.10, 311.10, 313.10, 317.10, 11695  
319.10, 321.10, and 325.10 of this act shall be accounted for as 11696  
though made in the relevant main operating appropriations act. The 11697  
appropriations made in this division are subject to all provisions 11698  
of the relevant main operating appropriations act that are 11699  
generally applicable to the appropriations. 11700

**Section 325.05.** The federal payments made to the state for 11701  
justice programs under Title II of Division A of the American 11702  
Recovery and Reinvestment Act of 2009 shall be deposited to the 11703  
credit of the Federal Stimulus - Justice Programs Fund (Fund 11704  
3DH0). 11705

The item in this section is hereby appropriated as designated 11706  
out of any moneys in the state treasury to the credit of Fund 11707  
3DH0. 11708

				Appropriations	
DPS DEPARTMENT OF PUBLIC SAFETY					11709
Federal Special Revenue Fund Group					11710
3DH0 768613	Federal Stimulus -	\$	0 \$	4,604,597	11711
Justice Programs					
TOTALFED	Federal Special	\$	0 \$	4,604,597	11712
Revenue Fund Group					
TOTAL ALL BUDGET FUND GROUPS		\$	0 \$	4,604,597	11713

The foregoing appropriation item 768613, Federal Stimulus - 11714  
Justice Programs, shall be used in accordance with the 11715  
requirements of the American Recovery and Reinvestment Act of 2009 11716  
that apply to the money appropriated. 11717

**Section 325.10.** The federal payments made to the state for 11718  
highway infrastructure under Title XII of Division A of the 11719  
American Recovery and Reinvestment Act of 2009 shall be deposited 11720  
to the credit of the Highway Operating Fund (Fund 7002), which is 11721  
created in section 5735.291 of the Revised Code. 11722

The federal payments made to the state for transit agencies 11723  
under Title XII of Division A of the American Recovery and 11724  
Reinvestment Act of 2009 shall be deposited to the credit of the 11725  
Highway Operating Fund (Fund 7002). 11726

The items in this division are appropriated as designated out 11727  
of any moneys in the state treasury to the credit of their 11728  
respective funds that are not otherwise appropriated. 11729

				Appropriations	
DOT DEPARTMENT OF TRANSPORTATION					11730
Highway Operating Fund Group					11731
7002 772422	Highway Construction	\$	0 \$	935,677,000	11732
- Federal					
7002 775463	Federal Stimulus -	\$	0 \$	167,036,000	11733





Transportation may apply for federal funds for passenger rail made 11762  
available through the American Recovery and Reinvestment Act of 11763  
2009. 11764

**Section 509.10.** AUTHORIZATION FOR OHIO BUILDING AUTHORITY AND 11765  
OBM TO EFFECTUATE CERTAIN LEASE RENTAL PAYMENTS 11766

The Director of Budget and Management shall initiate and 11767  
process payments from lease rental payment appropriation items 11768  
during the period from July 1, 2009, to June 30, 2011, pursuant to 11769  
the lease agreements for bonds or notes issued under Section 2i of 11770  
Article VIII of the Ohio Constitution and Chapter 152. of the 11771  
Revised Code. Payments shall be made upon certification by the 11772  
Ohio Building Authority of the dates and amounts due on those 11773  
dates. 11774

**Section 509.20.** LEASE PAYMENTS TO OBA AND TREASURER 11775

Certain appropriations are in this act for the purpose of 11776  
lease payments to the Ohio Building Authority or to the Treasurer 11777  
of State under leases and agreements relating to bonds or notes 11778  
issued by the Ohio Building Authority or the Treasurer of State 11779  
under the Ohio Constitution and acts of the General Assembly. If 11780  
it is determined that additional appropriations are necessary for 11781  
this purpose, such amounts are hereby appropriated. 11782

**Section 512.10.** TRANSFERS OF CASH BETWEEN THE HIGHWAY 11783  
OPERATING FUND AND THE HIGHWAY CAPITAL IMPROVEMENT FUND 11784

Upon the request of the Director of Transportation, the 11785  
Director of Budget and Management may transfer cash from the 11786  
Highway Operating Fund (Fund 7002) to the Highway Capital 11787  
Improvement Fund (Fund 7042) created in section 5528.53 of the 11788  
Revised Code. The Director of Budget and Management may transfer 11789  
from Fund 7042 to Fund 7002 up to the amounts previously 11790

transferred to Fund 7042 under this section. 11791

**Section 512.20.** MONTHLY TRANSFERS TO GASOLINE EXCISE TAX FUND 11792

The Director of Budget and Management shall transfer cash in 11793  
equal monthly increments totaling \$183,493,000 in each fiscal year 11794  
of the 2010-2011 biennium from the Highway Operating Fund, created 11795  
in section 5735.291 of the Revised Code, to the Gasoline Excise 11796  
Tax Fund created in division (A) of section 5735.27 of the Revised 11797  
Code. The monthly amounts transferred under this section shall be 11798  
distributed as follows: 42.86 per cent shall be distributed among 11799  
the municipal corporations within the state under division (A)(2) 11800  
of section 5735.27 of the Revised Code; 37.14 per cent shall be 11801  
distributed among the counties within the state under division 11802  
(A)(3) of section 5735.27 of the Revised Code; and 20 per cent 11803  
shall be distributed among the townships within the state under 11804  
division (A)(5)(b) of section 5735.27 of the Revised Code. 11805

**Section 512.30.** LOCAL TRANSPORTATION IMPROVEMENT PROGRAM 11806

The Director of Budget and Management is authorized, upon 11807  
written request of the Director of the Public Works Commission, to 11808  
make periodic transfers of cash from the Highway Operating Fund 11809  
created in section 5735.291 of the Revised Code to the Local 11810  
Transportation Improvement Program Fund created in section 164.14 11811  
of the Revised Code. These periodic transfers must total 11812  
\$100,000,000 in fiscal year 2010 and \$100,000,000 in fiscal year 11813  
2011 and are intended to fulfill the purposes of Section 18 of Am. 11814  
Sub. H.B. 554 of the 127th General Assembly. 11815

**Section 512.35.** CASH TRANSFERS FROM CERTAIN STATE BOND FUNDS 11816

Notwithstanding any provision of law to the contrary, by June 11817  
15, 2010, and June 15, 2011, or as soon as possible thereafter, 11818  
respectively, the Director of Budget and Management shall 11819

determine for fiscal years 2010 and 2011, respectively, the amount 11820  
of "net interest earnings" credited to each state bond fund for 11821  
which debt service on the associated bonds is payable from the 11822  
General Revenue Fund. For purposes of this section, "net interest 11823  
earnings" is the amount of interest earnings credited to a bond 11824  
fund in a fiscal year in excess of the amounts needed to (1) 11825  
satisfy appropriations or transfers from that bond fund to support 11826  
the administration of the capital projects in that fiscal year and 11827  
(2) be set aside for or used to make tax compliance payments as 11828  
provided in division (D) of section 133.02 of the Revised Code. 11829  
The Director shall transfer from those net interest earnings first 11830  
to the Highway Operating Fund (Fund 7002) in any amount needed to 11831  
reimburse Fund 7002 for debt service payments in connection with 11832  
obligations issued to fulfill the purposes of Section 18 of Am. 11833  
Sub. H.B. 554 of the 127th General Assembly, with any remaining 11834  
amounts of those net interest earnings being transferred by the 11835  
Director to the General Revenue Fund. 11836

**Section 512.40.** DEPUTY INSPECTOR GENERAL FOR ODOT FUNDING 11837

On July 1, 2009, and on January 1, 2010, respectively, or as 11838  
soon as possible thereafter, the Director of Budget and Management 11839  
shall transfer \$200,000 in cash, for each period, from the Highway 11840  
Operating Fund (Fund 7002) to the Deputy Inspector General for 11841  
ODOT Fund (Fund 5FA0). 11842

On July 1, 2010, and on January 1, 2011, or as soon as 11843  
possible thereafter, respectively, the Director of Budget and 11844  
Management shall transfer \$200,000 in cash, for each period, from 11845  
the Highway Operating Fund (Fund 7002) to the Deputy Inspector 11846  
General for ODOT Fund (Fund 5FA0). 11847

Should additional amounts be necessary, the Inspector 11848  
General, with the consent of the Director of Budget and 11849  
Management, may seek Controlling Board approval for additional 11850

transfers of cash and to increase the amount appropriated from 11851  
appropriation item 965603, Deputy Inspector General for ODOT, in 11852  
the amount of the additional transfers. 11853

**Section 512.41.** DEPUTY INSPECTOR GENERAL FOR FUNDS RECEIVED 11854  
THROUGH THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 11855

On the effective date of this section, and on July 1, 2009, 11856  
or as soon as possible thereafter, respectively, the Director of 11857  
Budget and Management shall transfer \$150,000 in cash, for each 11858  
period, from the General Revenue Fund to the Deputy Inspector 11859  
General for Funds Received through the American Recovery and 11860  
Reinvestment Act of 2009 Fund (Fund 5GI0), which is created in 11861  
section 121.53 of the Revised Code. 11862

On January 1, 2010, July 1, 2010, and January 1, 2011, or as 11863  
soon as possible thereafter, respectively, the Director of Budget 11864  
and Management shall transfer \$300,000 in cash, for each period, 11865  
from the General Revenue Fund to the Deputy Inspector General for 11866  
Funds Received through the American Recovery and Reinvestment Act 11867  
of 2009 Fund (Fund 5GI0). 11868

**Section 512.43.** DIESEL EMISSIONS REDUCTION GRANT PROGRAM 11869

There is established in the Highway Operating Fund (Fund 11870  
7002) in the Department of Transportation a Diesel Emissions 11871  
Reduction Grant Program. The Director of Development shall 11872  
administer the program and shall solicit, evaluate, score, and 11873  
select projects submitted by public entities, small business 11874  
concerns as the concerns are defined in 13 C.F.R. 121, as amended, 11875  
and disadvantaged business enterprises as they are defined in 49 11876  
C.F.R. 26 that are eligible for the federal Congestion Mitigation 11877  
and Air Quality (CMAQ) Program. The Director of Transportation 11878  
shall process Federal Highway Administration-approved projects as 11879  
recommended by the Director of Development. 11880

In addition to the allowable expenditures set forth in 11881  
section 122.861 of the Revised Code, Diesel Emissions Reduction 11882  
Grant Program funds also may be used to fund projects involving 11883  
the purchase or use of hybrid and alternative fuel vehicles that 11884  
are allowed under guidance developed by the Federal Highway 11885  
Administration for the CMAQ Program. 11886

Public entities eligible to receive funds under section 11887  
122.861 of the Revised Code and CMAQ shall be reimbursed from the 11888  
Department of Transportation's Diesel Emissions Reduction Grant 11889  
Program. 11890

Small business concerns and disadvantaged business 11891  
enterprises eligible to receive funds under section 122.861 of the 11892  
Revised Code and CMAQ shall be reimbursed through transfers of 11893  
cash from the Department of Transportation's Diesel Emissions 11894  
Reduction Grant Program to the Diesel Emissions Reduction Grant 11895  
Fund (Fund 3BD0) used by the Department of Development. Total 11896  
expenditures between both the Departments of Development and 11897  
Transportation shall not exceed the amounts appropriated in this 11898  
section. 11899

Appropriation item 195697, Diesel Emissions Reduction Grants, 11900  
is established with an appropriation of \$20,000,000 for fiscal 11901  
year 2010. 11902

On or before June 30, 2010, any unencumbered balance of the 11903  
foregoing appropriation item 195697, Diesel Emissions Reduction 11904  
Grants, for fiscal year 2010 is appropriated for the same purposes 11905  
in fiscal year 2011. 11906

Any cash transfers or allocations under this section 11907  
represent CMAQ program moneys within the Department of 11908  
Transportation for use by the Diesel Emissions Reduction Grant 11909  
Program by the Department of Development. These allocations shall 11910  
not reduce the amount of such moneys designated for metropolitan 11911

planning organizations. 11912

The Director of Development, in consultation with the 11913  
Directors of Environmental Protection and Transportation, shall 11914  
develop guidance for the distribution of funds and for the 11915  
administration of the Diesel Emissions Reduction Grant Program. 11916  
The guidance shall include a method of prioritization for 11917  
projects, acceptable technologies, and procedures for awarding 11918  
grants. 11919

**Section 512.50. CASH TRANSFER TO GRF** 11920

On July 1, 2009, or as soon as possible thereafter, the 11921  
Director of Budget and Management shall transfer the cash balances 11922  
of the ODOT Memorial Fund (Fund 4T50) and the Transportation 11923  
Building Fund (Fund 7029), as of June 30, 2009, to the General 11924  
Revenue Fund. Upon completion of the transfers, Funds 4T50 and 11925  
7029 are abolished. 11926

**Section 512.60. TRANSFER FROM STATE FIRE MARSHAL FUND TO EMA 11927  
SERVICE AND REIMBURSEMENT FUND** 11928

On July 1 of each fiscal year, or as soon as possible 11929  
thereafter, the Director of Budget and Management shall transfer 11930  
\$200,000 in cash from the State Fire Marshal Fund (Fund 5460) to 11931  
the EMA Service and Reimbursement Fund (Fund 4V30) to be 11932  
distributed to the Ohio Task Force One-Urban Search and Rescue 11933  
Unit and other urban search and rescue programs around the state. 11934

**Section 521.10.** The federal payments that are made to the 11935  
state from the Clean Water State Revolving Fund pursuant to Title 11936  
VIII of the American Recovery and Reinvestment Act of 2009 shall 11937  
be credited to the Water Pollution Control Loan Fund created in 11938  
section 6111.036 of the Revised Code. Notwithstanding the 11939  
requirements of section 6111.036 of the Revised Code, money 11940  
credited to the Fund under this section shall be used and 11941

administered to provide financial assistance in any manner that is 11942  
consistent with the requirements of the Federal Water Pollution 11943  
Control Act or the American Recovery and Reinvestment Act of 2009. 11944

Notwithstanding the requirements of section 6111.036 of the 11945  
Revised Code, rules adopted under it, and Chapter 3745-47 of the 11946  
Administrative Code, the Director of Environmental Protection, for 11947  
the purpose of obtaining federal payments pursuant to Title VIII 11948  
of the American Recovery and Reinvestment Act of 2009, may impose 11949  
alternative public comment procedures for the draft intended use 11950  
plan, including alternative time frames for public notice and 11951  
comment and the frequency of public meetings. 11952

**Section 521.20.** The federal payments that are made to the 11953  
state from the Drinking Water State Revolving Fund pursuant to 11954  
Title VIII of the American Recovery and Reinvestment Act of 2009 11955  
shall be credited to the Drinking Water Assistance Fund created in 11956  
section 6109.22 of the Revised Code. Notwithstanding the 11957  
requirements of section 6109.22 of the Revised Code, money 11958  
credited to the Fund under this section shall be used and 11959  
administered to provide financial assistance in any manner that is 11960  
consistent with the requirements of the Safe Drinking Water Act or 11961  
the American Recovery and Reinvestment Act of 2009. 11962

Notwithstanding the requirements of section 6109.22 of the 11963  
Revised Code, rules adopted under it, and Chapter 3745-47 of the 11964  
Administrative Code, the Director of Environmental Protection, for 11965  
the purpose of obtaining federal payments pursuant to Title VIII 11966  
of the American Recovery and Reinvestment Act of 2009, may impose 11967  
alternative public comment procedures for the draft intended use 11968  
plan, including alternative time frames for public notice and 11969  
comment and the frequency of public meetings. 11970

**Section 521.30.** To the extent permitted by federal law, 11971



federal money received by the state for fiscal stabilization and 11972  
recovery purposes shall be used in accordance with the preferences 11973  
for products and services made or performed in the United States 11974  
and Ohio established in section 125.09 of the Revised Code. 11975  
11976

**Section 610.10.** That Section 229.10 of Am. Sub. H.B. 67 of 11977  
the 127th General Assembly, as amended by Am. Sub. H.B. 554 of the 11978  
127th General Assembly, be amended to read as follows: 11979

**Sec. 229.10.** PWC PUBLIC WORKS COMMISSION 11980

Local Transportation Improvements Fund Group 11981

052 150-402 Local Transportation \$ 291,537 \$ 306,178 11982  
Improvement Program -  
Operating

052 150-701 Local Transportation \$ 67,500,000 \$ 267,500,000 11983  
Improvement Program

TOTAL 052 Local Transportation 11984

Improvements Fund Group \$ 67,791,537 \$ 267,806,178 11985

Local Infrastructure Improvements Fund Group 11986

038 150-321 State Capital \$ 879,237 \$ 918,912 11987  
Improvements Program -  
Operating Expenses

TOTAL LIF Local Infrastructure 11988

Improvements Fund Group \$ 879,237 \$ 918,912 11989

TOTAL ALL BUDGET FUND GROUPS \$ 68,670,774 \$ 268,725,090 11990

~~CASH TRANSFER FROM THE BUDGET STABILIZATION FUND~~ 11991

~~the Director of Budget and Management shall transfer~~ 11992  
~~\$200,000,000 in cash from the Budget Stabilization Fund to the~~ 11993  
~~Local Transportation Improvement Program Fund created in section~~ 11994  
~~164.14 of the Revised Code.~~ 11995

DISTRICT ADMINISTRATION COSTS 11996

The Director of the Public Works Commission is authorized to 11997  
create a District Administration Costs Program from interest 11998  
earnings of the Capital Improvements Fund and Local Transportation 11999  
Improvement Program Fund proceeds. The program shall be used to 12000  
provide for the direct costs of district administration of the 12001  
nineteen public works districts. Districts choosing to participate 12002  
in the program shall only expend Capital Improvements Fund moneys 12003  
for Capital Improvements Fund costs and Local Transportation 12004  
Improvement Program Fund moneys for Local Transportation 12005  
Improvement Program Fund costs. The account shall not exceed 12006  
\$1,235,000 per fiscal year. Each public works district may be 12007  
eligible for up to \$65,000 per fiscal year from its district 12008  
allocation as provided in sections 164.08 and 164.14 of the 12009  
Revised Code. 12010

The Director, by rule, shall define allowable and 12011  
nonallowable costs for the purpose of the District Administration 12012  
Costs Program. Nonallowable costs include indirect costs, elected 12013  
official salaries and benefits, and project-specific costs. No 12014  
district public works committee may participate in the District 12015  
Administration Costs Program without the approval of those costs 12016  
by the district public works committee under section 164.04 of the 12017  
Revised Code. 12018

REAPPROPRIATIONS 12019

All capital appropriations from the Local Transportation 12020  
Improvement Program Fund (Fund 052) in Am. Sub. H.B. 68 of the 12021  
126th General Assembly remaining unencumbered as of June 30, 2007, 12022  
are reappropriated for use during the period July 1, 2007, through 12023  
June 30, 2008, for the same purpose. 12024

Notwithstanding division (B) of section 127.14 of the Revised 12025  
Code, all capital appropriations and reappropriations from the 12026

Local Transportation Improvement Program Fund (Fund 052) in ~~this~~ 12027  
~~act~~ Am. Sub. H.B. 67 of the 127th General Assembly remaining 12028  
unencumbered as of June 30, 2008, are reappropriated for use 12029  
during the period July 1, 2008, through June 30, 2009, for the 12030  
same purposes, subject to the availability of revenue as 12031  
determined by the Director of the Public Works Commission. 12032

**Section 610.11.** That existing Section 229.10 of Am. Sub. H.B. 12033  
67 of the 127th General Assembly, as amended by Am. Sub. H.B. 554 12034  
of the 127th General Assembly, is hereby repealed. 12035

**Section 610.20.** That Sections 217.10, 217.11, 239.10, 241.10, 12036  
243.10, and 243.11 of Am. Sub. H.B. 562 of the 127th General 12037  
Assembly be amended to read as follows: 12038

**Sec. 217.10.** The items set forth in this section are hereby 12039  
appropriated out of any moneys in the state treasury to the credit 12040  
of the Clean Ohio Revitalization Fund (Fund 7003) that are not 12041  
otherwise appropriated: 12042

		Appropriations	
DEV DEPARTMENT OF DEVELOPMENT			12043
C19500	Clean Ohio Revitalization	\$ <del>32,000,000</del>	12044
		<u>80,000,000</u>	
C19501	Clean Ohio Assistance	\$ <del>8,000,000</del>	12045
		<u>20,000,000</u>	
Total Department of Development		\$ <del>40,000,000</del>	12046
		<u>100,000,000</u>	
TOTAL Clean Ohio Assistance Fund		\$ <del>40,000,000</del>	12047
		<u>100,000,000</u>	

**Sec. 217.11.** CLEAN OHIO REVITALIZATION 12049

The Treasurer of State is hereby authorized to issue and 12050  
sell, in accordance with Section 2o and 2q of Article VIII, Ohio 12051

Constitution, and pursuant to sections 151.01 and 151.40 of the 12052  
 Revised Code, original obligations in an aggregate principal 12053  
 amount not to exceed ~~\$40,000,000~~ \$100,000,000 in addition to the 12054  
 original issuance of obligations heretofore authorized by prior 12055  
 acts of the General Assembly. These authorized obligations shall 12056  
 be issued and sold from time to time, subject to applicable 12057  
 constitutional and statutory limitations, as needed to ensure 12058  
 sufficient moneys to the credit of the Clean Ohio Revitalization 12059  
 Fund (Fund 7003) to pay costs of revitalization projects. 12060

**Sec. 239.10.** The items set forth in this section are hereby 12061  
 appropriated out of any moneys in the state treasury to the credit 12062  
 of the Clean Ohio Conservation Fund (Fund 7056) that are not 12063  
 otherwise appropriated. 12064

		Appropriations	
PWC PUBLIC WORKS COMMISSION			12065
C15060	Clean Ohio Conservation	\$ <del>30,000,000</del>	12066
		<u>75,000,000</u>	
Total	Public Works Commission	\$ <del>30,000,000</del>	12067
		<u>75,000,000</u>	
TOTAL	Clean Ohio Conservation Fund	\$ <del>30,000,000</del>	12068
		<u>75,000,000</u>	

The foregoing appropriation item C15060, Clean Ohio 12069  
 Conservation, shall be used in accordance with sections 164.20 to 12070  
 164.27 of the Revised Code. If the Public Works Commission 12071  
 receives refunds due to project overpayments that are discovered 12072  
 during the post-project audit, the Director of the Public Works 12073  
 Commission may certify to the Director of Budget and Management 12074  
 that refunds have been received. If the Director of Budget and 12075  
 Management determines that the project refunds are available to 12076  
 support additional appropriations, such amounts are hereby 12077  
 appropriated. 12078

Sec. 241.10. The items set forth in this section are hereby 12079  
appropriated out of any moneys in the state treasury to the credit 12080  
of the Clean Ohio Agricultural Easement Fund (Fund 7057) that are 12081  
not otherwise appropriated. 12082

Appropriations

AGR DEPARTMENT OF AGRICULTURE			12083
C70009	Clean Ohio Agricultural Easements	\$ <del>5,000,000</del>	12084
		<u>12,500,000</u>	
Total Department of Agriculture		\$ <del>5,000,000</del>	12085
		<u>12,500,000</u>	
TOTAL Clean Ohio Agricultural Easement Fund		\$ <del>5,000,000</del>	12086
		<u>12,500,000</u>	

Sec. 243.10. The items set forth in this section are hereby 12088  
appropriated out of any moneys in the state treasury to the credit 12089  
of the Clean Ohio Trail Fund (Fund 7061) that are not otherwise 12090  
appropriated. 12091

Appropriations

DNR DEPARTMENT OF NATURAL RESOURCES			12092
C72514	Clean Ohio Trail - Grants	\$ <del>5,000,000</del>	12093
		<u>12,500,000</u>	
Total Department of Natural Resources		\$ <del>5,000,000</del>	12094
		<u>12,500,000</u>	
TOTAL Clean Ohio Trail Fund		\$ <del>5,000,000</del>	12095
		<u>12,500,000</u>	

Sec. 243.11. The Ohio Public Facilities Commission is hereby 12097  
authorized to issue and sell, in accordance with Section 2o and 2g 12098  
of Article VIII, Ohio Constitution, and pursuant to sections 12099  
151.01 and 151.09 of the Revised Code, original obligations of the 12100  
state in an aggregate principal amount not to exceed ~~\$40,000,000~~ 12101  
\$100,000,000 in addition to the original issuance of obligations 12102

heretofore authorized by prior acts of the General Assembly. These 12103  
authorized obligations shall be issued and sold from time to time, 12104  
subject to applicable constitutional and statutory limitations, as 12105  
needed to ensure sufficient moneys to the credit of the Clean Ohio 12106  
Conservation Fund (Fund 7056), the Clean Ohio Agricultural 12107  
Easement Fund (Fund 7057), and the Clean Ohio Trail Fund (Fund 12108  
7061) to pay costs of conservation projects. 12109

12110

**Section 610.21.** That existing Sections 217.10, 217.11, 12111  
239.10, 241.10, 243.10, and 243.11 of Am. Sub. H.B. 562 of the 12112  
127th General Assembly are hereby repealed. 12113

**Section 610.30.** That Section 503.40 of Am. Sub. H.B. 562 of 12114  
the 127th General Assembly be amended to read as follows: 12115

**Sec. 503.40.** All appropriation items in this section are 12116  
appropriated out of the money in the state treasury to the credit 12117  
of the designated fund. For all appropriations made in this 12118  
section, the amounts in the first column are for fiscal year 2008 12119  
and the amounts in the second column are for fiscal year 2009. 12120

LSC LEGISLATIVE SERVICE COMMISSION 12121

General Revenue Fund 12122

GRF 035-321 Operating Expenses	\$	0	\$	200,000	12123
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GRF 035-407 Legislative Taskforce	\$	0	\$	750,000	12124
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on Redistricting

TOTAL GRF General Revenue Fund	\$	0	\$	950,000	12125
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TOTAL ALL BUDGET FUND GROUPS	\$	0	\$	950,000	12126
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COMMISSION COMMISSIONS ON CUYAHOGA COUNTY GOVERNMENT REFORM 12127

AND LOCAL GOVERNMENT REFORM AND COLLABORATION 12128

The foregoing appropriation item 035-321, Operating Expenses, 12129

shall be used to support the Commission on Cuyahoga County 12130

Government Reform and the Ohio Commission on Local Government 12131  
Reform and Collaboration, both created in this act Am. Sub. H.B. 12132  
562 of the 127th General Assembly. 12133

An amount equal to the unexpended, unencumbered portion of 12134  
the foregoing appropriation item 035-321, Operating Expenses, at 12135  
the end of fiscal year 2009, is hereby reappropriated for the same 12136  
purpose for fiscal year 2010. 12137

LEGISLATIVE TASKFORCE ON REDISTRICTING 12138

An amount equal to the unexpended, unencumbered portion of 12139  
the foregoing appropriation item 035-407, Legislative Taskforce on 12140  
Redistricting, at the end of fiscal year 2009 is hereby 12141  
reappropriated to the Legislative Service Commission for the same 12142  
purpose for fiscal year 2010. 12143

The appropriations made in this section are subject to all 12144  
the provisions of Am. Sub. H.B. 119 of the 127th General Assembly 12145  
that are generally applicable to such appropriations ~~except for~~ 12146  
~~Section 809.03 of Am. Sub. H.B. 119 of the 127th General Assembly.~~ 12147  
Expenditures from appropriations contained in this section shall 12148  
be accounted for as though made in Am. Sub. H.B. 119 of the 127th 12149  
General Assembly. 12150

**Section 610.31.** That existing Section 503.40 of Am. Sub. H.B. 12151  
562 of the 127th General Assembly is hereby repealed. 12152

**Section 715.10.** The Director of Natural Resources may create 12153  
an Ohio All-Purpose Vehicle Advisory Board for the purposes of 12154  
providing advice and receiving input regarding all-purpose vehicle 12155  
trails and trail maintenance. 12156

The authority to create the board and any board created under 12157  
this section ceases to exist two years after the effective date of 12158  
this section unless the General Assembly subsequently authorizes 12159  
the continuation of that authority and the board. 12160

**Section 755.10.** The Director of Transportation may enter into 12161  
agreements as provided in this section with the United States or 12162  
any department or agency of the United States, including, but not 12163  
limited to, the United States Army Corps of Engineers, the United 12164  
States Forest Service, the United States Environmental Protection 12165  
Agency, and the United States Fish and Wildlife Service. An 12166  
agreement entered into pursuant to this section shall be solely 12167  
for the purpose of dedicating staff to the expeditious and timely 12168  
review of environmentally related documents submitted by the 12169  
Director of Transportation, as necessary for the approval of 12170  
federal permits. The agreements may include provisions for advance 12171  
payment by the Director of Transportation for labor and all other 12172  
identifiable costs of the United States or any department or 12173  
agency of the United States providing the services, as may be 12174  
estimated by the United States, or the department or agency of the 12175  
United States. The Director shall submit a request to the 12176  
Controlling Board indicating the amount of the agreement, the 12177  
services to be performed by the United States or the department or 12178  
agency of the United States, and the circumstances giving rise to 12179  
the agreement. 12180

**Section 755.40.** (A) The Department of Public Safety shall 12181  
form a study group to conduct a study and make recommendations to 12182  
improve services related to vehicle registrations, driver's 12183  
license and identification card issuance, and vehicle title 12184  
issuance. The study group shall include representatives from the 12185  
Department of Public Safety, the Bureau of Motor Vehicles, the 12186  
Office of Budget and Management, the Ohio Attorney General, the 12187  
Ohio Clerk of Courts Association, the County Auditors' 12188  
Association, the Ohio Trucking Association, the Deputy Registrars' 12189  
Association, the Ohio Auto Dealers' Association, the County 12190  
Commissioners' Association, the Ohio Municipal League, one member 12191



of the Senate, appointed by the President of the Senate, one 12192  
member of the House of Representatives appointed by the Speaker of 12193  
the House of Representatives, and two members of the public, one 12194  
of whom shall be appointed by the President of the Senate and one 12195  
of whom shall be appointed by the Speaker of the House of 12196  
Representatives. 12197

(B) In regard to services related to vehicle registrations, 12198  
driver's license and identification card issuance, and vehicle 12199  
title issuance, the study group shall do all of the following: 12200

(1) Evaluate ways to improve the efficient delivery of 12201  
services; 12202

(2) Examine existing statutory authority governing the 12203  
supporting processes and infrastructure systems and analyze 12204  
methods to improve such processes and systems; 12205

(3) Review demographic data, conduct a financial assessment 12206  
of existing procedures, and identify additional services that may 12207  
be provided; 12208

(4) Evaluate issues related to Clerks of Courts of Common 12209  
Pleas acting as deputy registrars, including the overall impact on 12210  
service to the public and the economic effects for both the Clerks 12211  
of Courts and deputy registrars; 12212

(5) Review current business methods and identify new 12213  
technology that may improve processes and procedures; 12214

(6) Examine ways to expand consumer protection under Ohio's 12215  
Title Defect Recision Fund for all retail motor vehicle 12216  
transactions. 12217

(C) Not later than six months after the effective date of 12218  
this section, the study group shall submit its report with 12219  
recommendations to the Governor, the Speaker of the House of 12220  
Representatives, the Minority Leader of the House of 12221

Representatives, the President of the Senate, and the Minority 12222  
Leader of the Senate. Upon submitting its report, the study group 12223  
shall cease to exist. 12224

**Section 755.50.** The Department of Transportation shall 12225  
compile and produce a report on the financial and policy 12226  
implications of the Department assuming primary responsibility for 12227  
all state routes throughout Ohio regardless of local government 12228  
jurisdiction. The report shall review the range of possible 12229  
participation in the paving and maintenance of these routes by the 12230  
Department. The Department shall submit the report to the Speaker 12231  
of the House of Representatives, the Minority Leader of the House 12232  
of Representatives, the President of the Senate, the Minority 12233  
Leader of the Senate, and the Governor not later than December 15, 12234  
2009. 12235

**Section 755.60.** The Ohio Turnpike Commission shall conduct a 12236  
study to examine ways to increase the application of green 12237  
technology, including the reduction of diesel emissions, in the 12238  
construction, maintenance, improvement, repair, and operation of 12239  
Ohio Turnpike Commission facilities. Additionally, the study shall 12240  
evaluate all opportunities to develop energy alternatives, 12241  
including solar, geothermal, natural gas, and wind, in cooperation 12242  
with the Power Siting Board and the Ohio Department of 12243  
Transportation. The Ohio Turnpike Commission shall use the first 12244  
\$100,000 in revenue derived from the Commission's operation of the 12245  
business logo sign program created in section 5537.30 of the 12246  
Revised Code to conduct the study authorized by this section. 12247

Not later than six months after the effective date of this 12248  
section, the Ohio Turnpike Commission shall issue an interim 12249  
report with the results of its study to the Speaker and the 12250  
Minority Leader of the House of Representatives, the President and 12251  
the Minority Leader of the Senate, and the Governor. Not later 12252

than one year after the effective date of this section, the Ohio 12253  
Turnpike Commission shall issue a final report with the results of 12254  
its study to such persons. 12255

**Section 755.70.** Notwithstanding sections 4519.02, 4519.03, 12256  
4519.04, 4519.08, 4519.09, 4519.10, 4519.44, and 4519.47 of the 12257  
Revised Code as amended in Section 101.01 of this act, the Bureau 12258  
of Motor Vehicles shall not be required to issue license plates 12259  
and validation stickers to all-purpose vehicles until one year 12260  
after the effective date of this section. 12261

**Section 755.80.** (A) There is established a MARCS Task Force 12262  
to explore and issue recommendations on the organizational 12263  
structure and operational and capital funding options for the 12264  
long-term sustainability and more ubiquitous utilization of the 12265  
MARCS System. 12266

The Task Force shall consist of seventeen members as follows: 12267  
three members appointed by the Governor; three members appointed 12268  
by the Speaker of the House of Representatives, not more than two 12269  
from the same political party; three members appointed by the 12270  
President of the Senate, not more than two from the same political 12271  
party; one representative from the Department of Public Safety, 12272  
appointed by the Director of Public Safety; one representative 12273  
from the State Highway Patrol, appointed by the Director of Public 12274  
Safety; one representative from the Buckeye State Sheriffs' 12275  
Association, appointed by the Governor; one representative from 12276  
the Ohio Association of Chiefs of Police, appointed by the 12277  
Governor; one representative from the Ohio Fire Chiefs 12278  
Association, appointed by the Governor; one representative from 12279  
MARCS, appointed by the Director of Administrative Services; one 12280  
representative of an emergency management agency, appointed by the 12281  
Governor; and the Director of Administrative Services or the 12282  
Director's designee. The appointed members shall be appointed not 12283

later than forty-five days after the effective date of this section. 12284  
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The Director of Administrative Services or the Director's designee shall serve as chairperson of the Task Force. 12286  
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Members of the Task Force shall receive no compensation or reimbursement for their services. 12288  
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(B) Not later than nine months after the effective date of this section, the Task Force shall submit a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives. The report shall make recommendations on the matters outlined in the first paragraph of division (A) of this section for the MARCS System. 12290  
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**Section 756.10.** Pursuant to section 1.48 of the Revised Code, divisions (A)(3), (A)(5), and (G) of section 4141.301 of the Revised Code, as amended by this act shall be applied retrospectively. 12296  
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**Section 756.11.** It is the intent of the General Assembly to help qualified unemployed workers access the federally funded extended benefits prescribed under the "American Recovery and Reinvestment Act of 2009," Pub. L. No. 111-5, 123 Stat. 115, while not increasing the short- or long-term federal and state unemployment insurance tax burden on Ohio employers. 12300  
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**Section 756.15.** For the six-month period commencing on the effective date of the amendments to section 4513.03 of the Revised Code contained in Section 101.01 of this act, no law enforcement officer shall issue to the operator of any motor vehicle being operated upon a street or highway within this state a ticket, citation, or summons for a violation of division (A)(3) of section 4513.03 of the Revised Code, or cause the arrest of or commence a 12306  
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prosecution of a person for a violation of that division. Instead, 12313  
during that period of time the law enforcement officer shall issue 12314  
to such an operator a written warning, informing the operator of 12315  
the existence of division (A)(3) of section 4513.03 of the Revised 12316  
Code and that after the date that is six months after the 12317  
effective date of the amendments to section 4513.03 of the Revised 12318  
Code contained in Section 101.01 of this act, a law enforcement 12319  
officer who observes that the operator of a motor vehicle has 12320  
committed or is committing a violation of division (A)(3) of 12321  
section 4513.03 of the Revised Code will be authorized to issue a 12322  
ticket, citation, or summons to that operator for that violation 12323  
or to cause the arrest of or commence a prosecution of such an 12324  
operator for a violation of that division. 12325

**Section 756.20.** The Department of Transportation shall not 12326  
impose the overweight or overdimension vehicle movement permit fee 12327  
increases established in paragraphs (A)(2), (D)(2), (G), (H), (I), 12328  
(J), and (K) of rule 5501:2-1-10 of the Administrative Code that 12329  
are scheduled to take effect on July 1, 2009. Rather, the fees 12330  
that took effect on March 1, 2009, shall apply. The Director of 12331  
Transportation shall amend rule 5501:2-1-10 of the Administrative 12332  
Code to comply with this section, but shall not subsequently 12333  
increase the rates by rule until July 1, 2010. 12334

**Section 756.25.** (A) Notwithstanding section 4505.09 of the 12335  
Revised Code, until July 1, 2011, the clerk of a court of common 12336  
pleas shall charge four dollars and fifty cents for each 12337  
certificate of title issued to a licensed motor vehicle dealer for 12338  
resale purposes and, in addition, shall charge and collect a 12339  
separate fee of fifty cents from the licensed motor vehicle 12340  
dealer, which shall be forwarded to the Registrar of Motor 12341  
Vehicles for distribution in accordance with division (B) of this 12342

section. 12343

(B) Notwithstanding division (B)(3) of section 4505.09 of the Revised Code, until July 1, 2011, the Registrar of Motor Vehicles shall pay one dollar and fifty cents of the amount received by the Registrar for each certificate of title issued to a licensed motor vehicle dealer for resale purposes into the Automated Title Processing Fund created by section 4505.09 of the Revised Code. The Registrar shall pay the fifty-cent separate fee collected from a licensed motor vehicle dealer under division (A) of this section into the Title Defect Recision Fund created by section 1345.52 of the Revised Code.

**Section 756.30.** The Department of Transportation shall erect and maintain one sign each in the rights-of-way of the northbound and southbound roadways of the State Route 33 bypass approaching each exit to the city of Lancaster that reads "Historic Downtown Lancaster Museum District" and the approximate distance. The signs shall conform to the provisions contained in the manual adopted by the Department pursuant to section 4511.09 of the Revised Code regarding the size, coloring, lettering, and installation locations of the signs.

**Section 756.35.** Notwithstanding any provision of Chapter 5525. of the Revised Code, until July 1, 2011, the Director of Transportation may use a value-based selection process, combining technical qualifications and competitive bidding elements, including consideration for minority or disadvantaged businesses that may include joint ventures, when letting special projects that contain both design and construction elements of a highway or bridge project into a single contract.

Not later than January 20, 2011, the Director of Transportation shall present a report to the chair and ranking

minority members of the House of Representatives and Senate 12373  
committees that deal with transportation issues. The report shall 12374  
identify each project for which the Director used a value-based 12375  
selection process, shall evaluate the effect of the value-based 12376  
selection process on the cost and timetable for completing the 12377  
project, and shall make recommendations for renewing or modifying 12378  
the use of a value-based selection process. 12379

**Section 756.40.** (A) There is hereby established the Ohio 12380  
State Highway Patrol Mission Review Task Force, consisting of 12381  
seventeen members as follows: the Director of Public Safety or the 12382  
Director's designee, the Superintendent of the State Highway 12383  
Patrol, two members of the Senate appointed by the President of 12384  
the Senate, one member of the Senate appointed by the Minority 12385  
Leader of the Senate, two members of the House of Representatives 12386  
appointed by the Speaker of the House of Representatives, one 12387  
member of the House of Representatives appointed by the Minority 12388  
Leader of the House of Representatives, one member who represents 12389  
the County Commissioners' Association of Ohio appointed by the 12390  
Association, one member who represents the Buckeye State Sheriffs 12391  
Association appointed by the Association, one member who 12392  
represents the Fraternal Order of Police of Ohio appointed by the 12393  
Order, one member who represents the Ohio Association of Chiefs of 12394  
Police appointed by the Association, one member who is a State 12395  
Highway Patrol trooper appointed by the Ohio State Troopers 12396  
Association to represent the troopers of the State Highway Patrol, 12397  
one member appointed by the President of the Senate to represent 12398  
the public, one member appointed by the Speaker of the House of 12399  
Representatives to represent the public, and two members appointed 12400  
by the Governor to represent the public, at least one of whom is 12401  
not affiliated with any law enforcement agency or public safety 12402  
force or agency of any kind. The appointed members shall be 12403  
appointed not later than forty-five days after the effective date 12404

of this section. 12405

The member appointed by the Governor to represent the public 12406  
who is not affiliated with any law enforcement agency or public 12407  
safety force or agency of any kind shall serve as chairperson of 12408  
the Task Force. If both members appointed by the Governor to 12409  
represent the public are not affiliated with any law enforcement 12410  
agency or public safety force or agency of any kind, the Governor 12411  
shall designate one of those members to serve as chairperson of 12412  
the Task Force. Members of the Task Force shall receive no 12413  
compensation or reimbursement for their services. The Department 12414  
of Public Safety shall furnish such staff support to the Task 12415  
Force as the Task Force may require. 12416

(B) The Task Force shall review the operations and functions 12417  
of the State Highway Patrol to explore opportunities to improve 12418  
operational efficiency, identify overlapping services, and 12419  
consolidate current operations. The Task Force shall formulate 12420  
such recommendations as it considers advisable and shall compile a 12421  
written report that contains its findings and recommendations. 12422

(C) Not later than twelve months after the effective date of 12423  
this section, the Task Force shall submit its report to the 12424  
Governor, the President of the Senate, the Minority Leader of the 12425  
Senate, the Speaker of the House of Representatives, and the 12426  
Minority Leader of the House of Representatives. At that point, 12427  
the Task Force shall cease to exist. 12428

**Section 756.45.** The Director of Transportation shall permit 12429  
the construction of a curb cut on State Route 91, near Vine 12430  
Street, in Lake County. 12431

**Section 756.50.** In the award of any contract using money 12432  
appropriated pursuant to this act, the parties to the contract 12433  
shall comply with all applicable federal and state laws, including 12434



the requirements of the Minority Business Enterprise Program, the 12435  
Encouraging Diversity, Growth, and Equity Program, and the Buy 12436  
Ohio Program. 12437

**Section 756.55.** (A) Notwithstanding section 5501.51 or any 12438  
other provision of the Revised Code, if relocation of utility 12439  
facilities or any parts thereof is directed by the state or a 12440  
county, township, or municipal corporation and is necessitated by 12441  
the construction, reconstruction, improvement, maintenance, or 12442  
repair of a road, highway, or bridge that is financed in whole or 12443  
in part by federal funds provided as part of or as a result of the 12444  
"American Recovery and Reinvestment Act of 2009," Pub. L. No. 12445  
111-5, 123 Stat. 115, and the affected utility meets the project 12446  
utility relocation work schedule as agreed to between the utility 12447  
and the state, county, township, or municipal corporation, then 12448  
the state, county, township, or municipal corporation shall 12449  
reimburse the utility for the cost of the relocation, first, in 12450  
the same proportion as federal funds are expended on the project 12451  
and, second, as otherwise provided in section 5501.51 or other 12452  
applicable provision of the Revised Code. 12453

(B) As used in this section, "utility" includes publicly, 12454  
privately, and cooperatively owned utilities that are subject to 12455  
the authority of the public utilities commission of Ohio, a 12456  
utility as defined in division (B) of section 4905.02 of the 12457  
Revised Code, an electric cooperative as defined in section 12458  
4928.01 of the Revised Code, a pipeline facility regulated under 12459  
the "Accountable Pipeline Safety and Partnership Act of 1996," 110 12460  
Stat. 3793, 49 U.S.C. 60101, and a cable operator as defined in 12461  
the "Cable Communications Policy Act of 1984," 98 Stat. 2780, 47 12462  
U.S.C. 522, as amended by the "Telecommunications Act of 1996," 12463  
110 Stat. 56, and includes the provision of other information or 12464  
telecommunications services, or both. 12465

**Section 756.60.** (A) Notwithstanding any law to the contrary, 12466  
the Director of Administrative Services shall ensure that a 12467  
competitive selection process regarding a contract to operate a 12468  
motor vehicle emissions inspection program in this state 12469  
incorporates the following elements, which shall be included in 12470  
the contract: 12471

(1) A requirement that the vendor selected to operate the 12472  
program provide notification of the program's requirements to each 12473  
owner of a motor vehicle that is required to be inspected under 12474  
the program. The contract shall require the notification to be 12475  
provided not later than sixty days prior to the date by which the 12476  
owner of the motor vehicle is required to have the motor vehicle 12477  
inspected. The Director of Environmental Protection and the vendor 12478  
shall jointly agree on the content of the notice. However, the 12479  
notice shall at a minimum include the locations of all inspection 12480  
facilities within a specified distance of the address that is 12481  
listed on the owner's motor vehicle registration. 12482

(2) A requirement that the vendor selected to operate the 12483  
program spend not more than five hundred thousand dollars over the 12484  
term of the contract for public education regarding the locations 12485  
at which motor vehicle inspections will take place; 12486

(3) A requirement that the vendor selected to operate the 12487  
program acquire all facilities that were previously utilized for 12488  
motor vehicle emissions inspections via arm's-length transactions 12489  
at the discretion of the interested parties if the vendor chooses 12490  
to utilize those inspection facilities for purposes of the 12491  
contract. The competitive selection process shall not include a 12492  
requirement that a vendor pay book value for such facilities. 12493

(4) A requirement that the motor vehicle emissions inspection 12494  
program utilize established local businesses, such as existing 12495  
motor vehicle repair facilities, for the purpose of expanding the 12496

number of inspection facilities for consumer convenience and 12497  
increased local business participation. 12498

(B) Any competitive selection process that is or has been 12499  
initiated for purposes of a new contract to operate a motor 12500  
vehicle emissions inspection program in this state shall comply 12501  
with division (A) of this section. 12502

**Section 757.10.** Notwithstanding Chapter 5735. of the Revised 12503  
Code, the following shall apply for the period of July 1, 2009, 12504  
through June 30, 2011: 12505

(A) For the discount under section 5735.06 of the Revised 12506  
Code, if the monthly report is timely filed and the tax is timely 12507  
paid, one per cent of the total number of gallons of motor fuel 12508  
received by the motor fuel dealer within the state during the 12509  
preceding calendar month, less the total number of gallons 12510  
deducted under divisions (B)(1)(a) and (b) of section 5735.06 of 12511  
the Revised Code, less one-half of one per cent of the total 12512  
number of gallons of motor fuel that were sold to a retail dealer 12513  
during the preceding calendar month. 12514

(B) For the semiannual periods ending December 31, 2009, June 12515  
30, 2010, December 31, 2010, and June 30, 2011, the refund 12516  
provided to retail dealers under section 5735.141 of the Revised 12517  
Code shall be one-half of one per cent of the Ohio motor fuel 12518  
taxes paid on fuel purchased during those semiannual periods. 12519

**Section 803.10.** PROVISIONS OF LAW GENERALLY APPLICABLE TO 12520  
APPROPRIATIONS 12521

Law contained in the main operating appropriations act of the 12522  
128th General Assembly that is generally applicable to the 12523  
appropriations made in the main operating appropriations act also 12524  
is generally applicable to the appropriations made in this act. 12525

**Section 803.20.** As used in the uncodified law of this act, 12526  
"American Recovery and Reinvestment Act of 2009" means the 12527  
"American Recovery and Reinvestment Act of 2009," Pub. L. No. 12528  
111-5, 123 Stat. 115. 12529

**Section 806.10.** The items of law contained in this act, and 12530  
their applications, are severable. If any item of law contained in 12531  
this act, or if any application of any item of law contained in 12532  
this act, is held invalid, the invalidity does not affect other 12533  
items of law contained in this act and their applications that can 12534  
be given effect without the invalid item or application. 12535

**Section 812.10.** Except as otherwise provided in this act, the 12536  
amendment, enactment, or repeal by this act of a section is 12537  
subject to the referendum under Ohio Constitution, Article II, 12538  
Section 1c and therefore takes effect on the ninety-first day 12539  
after this act is filed with the Secretary of State or, if a later 12540  
effective date is specified below, on that date. 12541

**Section 812.20.** In this section, an "appropriation" includes 12542  
another provision of law in this act that relates to the subject 12543  
of the appropriation. 12544

An appropriation of money made in this act is not subject to 12545  
the referendum insofar as a contemplated expenditure authorized 12546  
thereby is wholly to meet a current expense within the meaning of 12547  
Ohio Constitution, Article II, Section 1d and section 1.471 of the 12548  
Revised Code. To that extent, the appropriation takes effect 12549  
immediately when this act becomes law. Conversely, the 12550  
appropriation is subject to the referendum insofar as a 12551  
contemplated expenditure authorized thereby is wholly or partly 12552  
not to meet a current expense within the meaning of Ohio 12553  
Constitution, Article II, Section 1d and section 1.471 of the 12554

Revised code. To that extent, the appropriation takes effect on 12555  
the ninety-first day after this act is filed with the Secretary of 12556  
State. 12557

**Section 812.30.** The amendment, enactment, or repeal by this 12558  
act of the sections listed below is exempt from the referendum 12559  
because it is or relates to an appropriation for current expenses 12560  
within the meaning of Ohio Constitution, Article II, Section 1d 12561  
and section 1.471 of the Revised Code, or defines a tax levy 12562  
within the meaning of Ohio Constitution, Article II, Section 1d, 12563  
and therefore takes effect immediately when this act becomes law 12564  
or, if a later effective date is specified below, on that date. 12565

R.C. 121.51, 121.53, 4141.242, and 4141.301 12566

The amendment of sections 5735.06 and 5735.141 of the Revised 12567  
Code take effect July 1, 2009. 12568

Section 229.10 of Am. Sub. H.B. 67 of the 127th General 12569  
Assembly 12570

Sections of this act prefixed with section numbers in the 12571  
300's, 500's, 600's, 700's, and 800's, except for Sections 509.10, 12572  
610.20, 610.21, and 755.20 of this act. 12573

**Section 812.40.** The sections that are listed in the left-hand 12574  
column of the following table combine amendments by this act that 12575  
are and that are not exempt from the referendum under Ohio 12576  
Constitution, Article II, Sections 1c and 1d and section 1.471 of 12577  
the Revised Code. 12578

The middle column identifies the amendments to the listed 12579  
sections that are subject to the referendum under Ohio 12580  
Constitution, Article II, Section 1c and therefore take effect on 12581  
the ninety-first day after this act is filed with the Secretary of 12582  
State or, if a later effective date is specified, on that date. 12583

The right-hand column identifies the amendments to the listed sections that are exempt from the referendum because they are or relate to an appropriation for current expenses within the meaning of Ohio Constitution, Article II, Section 1d and section 1.471 of the Revised Code, or define a tax levy within the meaning of Ohio Constitution, Article II, Section 1d, and therefore take effect immediately when this act becomes law or, if a later effective date is specified, on that date.

Section of law	Amendments subject to referendum	Amendments exempt from referendum	
R.C. 4561.18	Division (A)	Divisions (D)(1), (D)(3), (H)	12593

**Section 815.10.** The amendment by this act to section 4513.263 of the Revised Code does not affect the taking effect of the amendment previously made to that section by Am. Sub. H.B. 320 of the 127th General Assembly. The amendment of Am. Sub. H.B. 320 to that section takes effect as specified in that act.

**Section 815.20.** The General Assembly, applying the principle stated in division (B) of section 1.52 of the Revised Code that amendments are to be harmonized if reasonably capable of simultaneous operation, finds that the following sections, presented in this act as composites of the sections as amended by the acts indicated, are the resulting versions of the sections in effect prior to the effective date of the sections as presented in this act:

Section 4501.21 of the Revised Code as amended by both Am. Sub. H.B. 273 and Am. Sub. S.B. 129 of the 127th General Assembly.

Section 4506.07 of the Revised Code as amended by both Am.

Sub. H.B. 450 and Sub. H.B. 529 of the 127th General Assembly.	12612
Section 4506.11 of the Revised Code as amended by both Am. Sub. H.B. 450 and Sub. H.B. 529 of the 127th General Assembly.	12613
Section 4507.06 of the Revised Code as amended by both Am. Sub. H.B. 450 and Sub. H.B. 529 of the 127th General Assembly.	12614
Section 4507.51 of the Revised Code as amended by Am. Sub. H.B. 130, Am. Sub. H.B. 450, and Sub. H.B. 529 of the 127th General Assembly.	12615
Section 4511.181 of the Revised Code as amended by both Am. Sub. H.B. 562 and Am. Sub. S.B. 17 of the 127th General Assembly.	12616
<b>Section 901.10.</b> Section 901.11 of this act applies only to sections 1751.53, 3719.21, 3923.38, 4729.42, 4729.99, 4776.02, 4776.04 of the Revised Code as amended by Sections 101.01 and 101.02 of this act and to Section 756.60 of this act.	12617
<b>Section 901.11.</b> This act is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety. The reason for such necessity lies in the need, in these times of high unemployment, to provide assistance to those who have recently been working, while at the same time protecting the health and safety of the public. Therefore, this act shall go into immediate effect.	12618
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