

As Reported by the House Transportation and Public Safety Committee

134th General Assembly

Regular Session

2021-2022

Am. H. B. No. 31

Representative Wiggam

**Cosponsors: Representatives Kick, Fraizer, Stoltzfus, Baldrige, Ghanbari,
O'Brien**

A BILL

To amend sections 311.30, 505.541, 509.04, 3501.29, 1
3781.111, 4503.10, 4503.12, 4503.44, 4511.69, 2
4517.01, 4517.12, 4521.01, 4521.02, 4731.481, 3
and 4734.161 and to enact sections 4503.441, 4
4503.442, 4503.443, 4503.444, 4503.445, 5
4503.446, 4503.447, 4503.448, 4511.691, 6
4511.692, 4511.693, 4511.694, 4511.695, 7
4511.696, 4511.697, 4511.698, and 4511.699 of 8
the Revised Code to make changes to the laws 9
governing accessible parking. 10

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

Section 1. That sections 4503.44, 4511.69, 4521.01, 11
4521.02, 4731.481, and 4734.161 be amended and sections 12
4503.441, 4503.442, 4503.443, 4503.444, 4503.445, 4503.446, 13
4503.447, 4503.448, 4511.691, 4511.692, 4511.693, 4511.694, 14
4511.695, 4511.696, 4511.697, 4511.698, and 4511.699 of the 15
Revised Code be enacted to read as follows: 16

Sec. 4503.44. ~~(A) As used in this section and in section~~ 17
~~4511.69~~ sections 4503.44 to 4503.448 of the Revised Code: 18

~~(1)~~ ~~(A)~~ "Person with a disability that limits or impairs the ability to walk" means any person who, as determined by a health care provider, meets any of the following criteria:

~~(a)~~ ~~(1)~~ Cannot walk two hundred feet without stopping to rest;

~~(b)~~ ~~(2)~~ Cannot walk without the use of, or assistance from, a brace, cane, crutch, another person, prosthetic device, wheelchair, or other assistive device;

~~(c)~~ ~~(3)~~ Is restricted by a lung disease to such an extent that the person's forced (respiratory) expiratory volume for one second, when measured by spirometry, is less than one liter, or the arterial oxygen tension is less than sixty millimeters of mercury on room air at rest;

~~(d)~~ ~~(4)~~ Uses portable oxygen;

~~(e)~~ ~~(5)~~ Has a cardiac condition to the extent that the person's functional limitations are classified in severity as class III or class IV according to standards set by the American heart association;

~~(f)~~ ~~(6)~~ Is severely limited in the ability to walk due to an arthritic, neurological, or orthopedic condition;

~~(g)~~ ~~(7)~~ Is blind, legally blind, or severely visually impaired.

~~(2)~~ ~~(B)~~ "Organization" means any private organization or corporation, or any governmental board, agency, department, division, or office, that, as part of its business or program, transports persons with disabilities that limit or impair the ability to walk on a regular basis in a motor vehicle that has not been altered for the purpose of providing it with special

equipment for use by persons with disabilities. ~~This definition~~ 47
~~does not apply to division (I) of this section.~~ 48

~~(3)~~ (C) "Health care provider" means a physician, 49
physician assistant, advanced practice registered nurse, 50
optometrist, or chiropractor as defined in this section except 51
that an optometrist shall only make determinations as to 52
division ~~(A) (1) (g)~~ (A) (7) of this section. 53

~~(4)~~ (D) "Physician" means a person licensed to practice 54
medicine or surgery or osteopathic medicine and surgery under 55
Chapter 4731. of the Revised Code. 56

~~(5)~~ (E) "Chiropractor" means a person licensed to practice 57
chiropractic under Chapter 4734. of the Revised Code. 58

~~(6)~~ (F) "Advanced practice registered nurse" means a 59
certified nurse practitioner, clinical nurse specialist, 60
certified registered nurse anesthetist, or certified nurse- 61
midwife who holds a certificate of authority issued by the board 62
of nursing under Chapter 4723. of the Revised Code. 63

~~(7)~~ (G) "Physician assistant" means a person who is 64
licensed as a physician assistant under Chapter 4730. of the 65
Revised Code. 66

~~(8)~~ (H) "Optometrist" means a person licensed to engage in 67
the practice of optometry under Chapter 4725. of the Revised 68
Code. 69

(I) "Accessible license plate" means a license plate 70
issued to a person or organization under sections 4503.41 and 71
4503.441 of the Revised Code. 72

(J) "Removable windshield placard" means a removable 73
windshield placard issued to a person or organization under 74

section 4503.442 of the Revised Code and includes a temporary 75
removable windshield placard, unless otherwise specified. 76

~~(B)(1) An organization, or a person with a disability that~~ 77
~~limits or impairs the ability to walk, may apply for the~~ 78
~~registration of any motor vehicle the organization or person~~ 79
~~owns or leases. When a motor vehicle has been altered for the~~ 80
~~purpose of providing it with special equipment for a person with~~ 81
~~a disability that limits or impairs the ability to walk, but is~~ 82
~~owned or leased by someone other than such a person, the owner~~ 83
~~or lessee may apply to the registrar or a deputy registrar for~~ 84
~~registration under this section. The application for~~ 85
~~registration of a motor vehicle owned or leased by a person with~~ 86
~~a disability that limits or impairs the ability to walk shall be~~ 87
~~accompanied by a signed statement from the applicant's health~~ 88
~~care provider certifying that the applicant meets at least one~~ 89
~~of the criteria contained in division (A)(1) of this section and~~ 90
~~that the disability is expected to continue for more than six~~ 91
~~consecutive months. The application for registration of a motor~~ 92
~~vehicle that has been altered for the purpose of providing it~~ 93
~~with special equipment for a person with a disability that~~ 94
~~limits or impairs the ability to walk but is owned by someone~~ 95
~~other than such a person shall be accompanied by such~~ 96
~~documentary evidence of vehicle alterations as the registrar may~~ 97
~~require by rule.~~ 98

~~(2) When an organization, a person with a disability that~~ 99
~~limits or impairs the ability to walk, or a person who does not~~ 100
~~have a disability that limits or impairs the ability to walk but~~ 101
~~owns a motor vehicle that has been altered for the purpose of~~ 102
~~providing it with special equipment for a person with a~~ 103
~~disability that limits or impairs the ability to walk first~~ 104
~~submits an application for registration of a motor vehicle under~~ 105

~~this section and every fifth year thereafter, the organization-~~ 106
~~or person shall submit a signed statement from the applicant's-~~ 107
~~health care provider, a completed application, and any required-~~ 108
~~documentary evidence of vehicle alterations as provided in-~~ 109
~~division (B) (1) of this section, and also a power of attorney-~~ 110
~~from the owner of the motor vehicle if the applicant leases the-~~ 111
~~vehicle. Upon submission of these items, the registrar or deputy-~~ 112
~~registrar shall issue to the applicant appropriate vehicle-~~ 113
~~registration and a set of license plates and validation-~~ 114
~~stickers, or validation stickers alone when required by section-~~ 115
~~4503.191 of the Revised Code. In addition to the letters and-~~ 116
~~numbers ordinarily inscribed thereon, the license plates shall-~~ 117
~~be imprinted with the international symbol of access. The-~~ 118
~~license plates and validation stickers shall be issued upon-~~ 119
~~payment of the regular license fee as prescribed under section-~~ 120
~~4503.04 of the Revised Code and any motor vehicle tax levied-~~ 121
~~under Chapter 4504. of the Revised Code, and the payment of a-~~ 122
~~service fee equal to the amount specified in division (D) or (G)-~~ 123
~~of section 4503.10 of the Revised Code.-~~ 124

~~(C) (1) A person with a disability that limits or impairs-~~ 125
~~the ability to walk may apply to the registrar of motor vehicles-~~ 126
~~for a removable windshield placard by completing and signing an-~~ 127
~~application provided by the registrar. The person shall include-~~ 128
~~with the application a prescription from the person's health-~~ 129
~~care provider prescribing such a placard for the person based-~~ 130
~~upon a determination that the person meets at least one of the-~~ 131
~~criteria contained in division (A) (1) of this section. The-~~ 132
~~health care provider shall state on the prescription the length-~~ 133
~~of time the health care provider expects the applicant to have-~~ 134
~~the disability that limits or impairs the person's ability to-~~ 135
~~walk.-~~ 136

~~In addition to one placard or one or more sets of license plates, a person with a disability that limits or impairs the ability to walk is entitled to one additional placard, but only if the person applies separately for the additional placard, states the reasons why the additional placard is needed, and the registrar, in the registrar's discretion determines that good and justifiable cause exists to approve the request for the additional placard.~~ 137
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~~(2) An organization may apply to the registrar of motor vehicles for a removable windshield placard by completing and signing an application provided by the registrar. The organization shall comply with any procedures the registrar establishes by rule. The organization shall include with the application documentary evidence that the registrar requires by rule showing that the organization regularly transports persons with disabilities that limit or impair the ability to walk.~~ 145
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~~(3) Upon receipt of a completed and signed application for a removable windshield placard, the accompanying documents required under division (C) (1) or (2) of this section, and payment of a service fee equal to the amount specified in division (D) or (G) of section 4503.10 of the Revised Code, the registrar or deputy registrar shall issue to the applicant a removable windshield placard, which shall bear the date of expiration on both sides of the placard and shall be valid until expired, revoked, or surrendered. Every removable windshield placard expires as described in division (C) (4) of this section, but in no case shall a removable windshield placard be valid for a period of less than sixty days. Removable windshield placards shall be renewable upon application as provided in division (C) (1) or (2) of this section and upon payment of a service fee equal to the amount specified in division (D) or (G) of section~~ 153
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~~4503.10 of the Revised Code for the renewal of a removable-~~ 168
~~windshield placard. The registrar shall provide the application-~~ 169
~~form and shall determine the information to be included thereon.~~ 170
~~The registrar also shall determine the form and size of the-~~ 171
~~removable windshield placard, the material of which it is to be-~~ 172
~~made, and any other information to be included thereon, and-~~ 173
~~shall adopt rules relating to the issuance, expiration,~~ 174
~~revocation, surrender, and proper display of such placards. Any-~~ 175
~~placard issued after October 14, 1999, shall be manufactured in-~~ 176
~~a manner that allows the expiration date of the placard to be-~~ 177
~~indicated on it through the punching, drilling, boring, or-~~ 178
~~creation by any other means of holes in the placard.~~ 179

~~(4) At the time a removable windshield placard is issued-~~ 180
~~to a person with a disability that limits or impairs the ability-~~ 181
~~to walk, the registrar or deputy registrar shall enter into the-~~ 182
~~records of the bureau of motor vehicles the last date on which-~~ 183
~~the person will have that disability, as indicated on the-~~ 184
~~accompanying prescription. Not less than thirty days prior to-~~ 185
~~that date and all removable windshield placard renewal dates,~~ 186
~~the bureau shall send a renewal notice to that person at the-~~ 187
~~person's last known address as shown in the records of the-~~ 188
~~bureau, informing the person that the person's removable-~~ 189
~~windshield placard will expire on the indicated date not to-~~ 190
~~exceed five years from the date of issuance, and that the person-~~ 191
~~is required to renew the placard by submitting to the registrar-~~ 192
~~or a deputy registrar another prescription, as described in-~~ 193
~~division (C) (1) or (2) of this section, and by complying with-~~ 194
~~the renewal provisions prescribed in division (C) (3) of this-~~ 195
~~section. If such a prescription is not received by the registrar-~~ 196
~~or a deputy registrar by that date, the placard issued to that-~~ 197
~~person expires and no longer is valid, and this fact shall be-~~ 198

~~recorded in the records of the bureau.~~ 199

~~(5) At least once every year, on a date determined by the registrar, the bureau shall examine the records of the office of vital statistics, located within the department of health, that pertain to deceased persons, and also the bureau's records of all persons who have been issued removable windshield placards and temporary removable windshield placards. If the records of the office of vital statistics indicate that a person to whom a removable windshield placard or temporary removable windshield placard has been issued is deceased, the bureau shall cancel that placard, and note the cancellation in its records.~~ 200
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~~The office of vital statistics shall make available to the bureau all information necessary to enable the bureau to comply with division (C) (5) of this section.~~ 210
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~~(6) Nothing in this section shall be construed to require a person or organization to apply for a removable windshield placard or special license plates if the special license plates issued to the person or organization under prior law have not expired or been surrendered or revoked.~~ 213
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~~(D) (1) (a) A person with a disability that limits or impairs the ability to walk may apply to the registrar or a deputy registrar for a temporary removable windshield placard. The application for a temporary removable windshield placard shall be accompanied by a prescription from the applicant's health care provider prescribing such a placard for the applicant, provided that the applicant meets at least one of the criteria contained in division (A) (1) of this section and that the disability is expected to continue for six consecutive months or less. The health care provider shall state on the prescription the length of time the health care provider expects~~ 218
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~~the applicant to have the disability that limits or impairs the~~ 229
~~applicant's ability to walk, which cannot exceed six months from~~ 230
~~the date of the prescription. Upon receipt of an application for~~ 231
~~a temporary removable windshield placard, presentation of the~~ 232
~~prescription from the applicant's health care provider, and~~ 233
~~payment of a service fee equal to the amount specified in~~ 234
~~division (D) or (G) of section 4503.10 of the Revised Code, the~~ 235
~~registrar or deputy registrar shall issue to the applicant a~~ 236
~~temporary removable windshield placard.~~ 237

~~(b) Any active-duty member of the armed forces of the~~ 238
~~United States, including the reserve components of the armed~~ 239
~~forces and the national guard, who has an illness or injury that~~ 240
~~limits or impairs the ability to walk may apply to the registrar~~ 241
~~or a deputy registrar for a temporary removable windshield~~ 242
~~placard. With the application, the person shall present evidence~~ 243
~~of the person's active-duty status and the illness or injury.~~ 244
~~Evidence of the illness or injury may include a current~~ 245
~~department of defense convalescent leave statement, any~~ 246
~~department of defense document indicating that the person~~ 247
~~currently has an ill or injured casualty status or has limited~~ 248
~~duties, or a prescription from any health care provider~~ 249
~~prescribing the placard for the applicant. Upon receipt of the~~ 250
~~application and the necessary evidence, the registrar or deputy~~ 251
~~registrar shall issue the applicant the temporary removable~~ 252
~~windshield placard without the payment of any service fee.~~ 253

~~(2) The temporary removable windshield placard shall be of~~ 254
~~the same size and form as the removable windshield placard,~~ 255
~~shall be printed in white on a red-colored background, and shall~~ 256
~~bear the word "temporary" in letters of such size as the~~ 257
~~registrar shall prescribe. A temporary removable windshield~~ 258
~~placard also shall bear the date of expiration on the front and~~ 259

~~back of the placard, and shall be valid until expired,~~ 260
~~surrendered, or revoked, but in no case shall such a placard be~~ 261
~~valid for a period of less than sixty days. The registrar shall~~ 262
~~provide the application form and shall determine the information~~ 263
~~to be included on it, provided that the registrar shall not~~ 264
~~require a health care provider's prescription or certification~~ 265
~~for a person applying under division (D)(1)(b) of this section.~~ 266
~~The registrar also shall determine the material of which the~~ 267
~~temporary removable windshield placard is to be made and any~~ 268
~~other information to be included on the placard and shall adopt~~ 269
~~rules relating to the issuance, expiration, surrender,~~ 270
~~revocation, and proper display of those placards. Any temporary~~ 271
~~removable windshield placard issued after October 14, 1999,~~ 272
~~shall be manufactured in a manner that allows for the expiration~~ 273
~~date of the placard to be indicated on it through the punching,~~ 274
~~drilling, boring, or creation by any other means of holes in the~~ 275
~~placard.~~ 276

~~(E) If an applicant for a removable windshield placard is~~ 277
~~a veteran of the armed forces of the United States whose~~ 278
~~disability, as defined in division (A)(1) of this section, is~~ 279
~~service connected, the registrar or deputy registrar, upon~~ 280
~~receipt of the application, presentation of a signed statement~~ 281
~~from the applicant's health care provider certifying the~~ 282
~~applicant's disability, and presentation of such documentary~~ 283
~~evidence from the department of veterans affairs that the~~ 284
~~disability of the applicant meets at least one of the criteria~~ 285
~~identified in division (A)(1) of this section and is service~~ 286
~~connected as the registrar may require by rule, but without the~~ 287
~~payment of any service fee, shall issue the applicant a~~ 288
~~removable windshield placard that is valid until expired,~~ 289
~~surrendered, or revoked.~~ 290

~~(F) Upon a conviction of a violation of division (H) or (I) of this section, the court shall report the conviction, and send the placard, if available, to the registrar, who thereupon shall revoke the privilege of using the placard and send notice in writing to the placardholder at that holder's last known address as shown in the records of the bureau, and the placardholder shall return the placard if not previously surrendered to the court, to the registrar within ten days following mailing of the notice.~~ 291
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~~Whenever a person to whom a removable windshield placard has been issued moves to another state, the person shall surrender the placard to the registrar; and whenever an organization to which a placard has been issued changes its place of operation to another state, the organization shall surrender the placard to the registrar.~~ 300
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~~(G) Subject to division (F) of section 4511.69 of the Revised Code, the operator of a motor vehicle displaying a removable windshield placard, temporary removable windshield placard, or the special license plates authorized by this section is entitled to park the motor vehicle in any special parking location reserved for persons with disabilities that limit or impair the ability to walk, also known as handicapped parking spaces or disability parking spaces.~~ 306
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~~(H) No person or organization that is not eligible for the issuance of license plates or any placard under this section shall willfully and falsely represent that the person or organization is so eligible.~~ 314
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~~No person or organization shall display license plates issued under this section unless the license plates have been issued for the vehicle on which they are displayed and are~~ 318
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~~valid.~~ 321

~~(I) No person or organization to which a removable windshield placard or temporary removable windshield placard is issued shall do either of the following:~~ 322
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~~(1) Display or permit the display of the placard on any motor vehicle when having reasonable cause to believe the motor vehicle is being used in connection with an activity that does not include providing transportation for persons with disabilities that limit or impair the ability to walk;~~ 325
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~~(2) Refuse to return or surrender the placard, when required.~~ 330
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~~(J) If a removable windshield placard, temporary removable windshield placard, or parking card is lost, destroyed, or mutilated, the placardholder or cardholder may obtain a duplicate by doing both of the following:~~ 332
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~~(1) Furnishing suitable proof of the loss, destruction, or mutilation to the registrar;~~ 336
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~~(2) Paying a service fee equal to the amount specified in division (D) or (G) of section 4503.10 of the Revised Code.~~ 338
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~~Any placardholder or cardholder who loses a placard or card and, after obtaining a duplicate, finds the original, immediately shall surrender the original placard or card to the registrar.~~ 340
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~~(K) (1) The registrar shall pay all fees received under this section for the issuance of removable windshield placards or temporary removable windshield placards or duplicate removable windshield placards or cards into the state treasury to the credit of the public safety - highway purposes fund~~ 344
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~~created in section 4501.06 of the Revised Code.~~ 349

~~(2) In addition to the fees collected under this section,~~ 350
~~the registrar or deputy registrar shall ask each person applying~~ 351
~~for a removable windshield placard or temporary removable~~ 352
~~windshield placard or duplicate removable windshield placard or~~ 353
~~license plate issued under this section, whether the person~~ 354
~~wishes to make a two-dollar voluntary contribution to support~~ 355
~~rehabilitation employment services. The registrar shall transmit~~ 356
~~the contributions received under this division to the treasurer~~ 357
~~of state for deposit into the rehabilitation employment fund,~~ 358
~~which is hereby created in the state treasury. A deputy~~ 359
~~registrar shall transmit the contributions received under this~~ 360
~~division to the registrar in the time and manner prescribed by~~ 361
~~the registrar. The contributions in the fund shall be used by~~ 362
~~the opportunities for Ohioans with disabilities agency to~~ 363
~~purchase services related to vocational evaluation, work~~ 364
~~adjustment, personal adjustment, job placement, job coaching,~~ 365
~~and community-based assessment from accredited community~~ 366
~~rehabilitation program facilities.~~ 367

~~(I) For purposes of enforcing this section, every peace~~ 368
~~officer is deemed to be an agent of the registrar. Any peace~~ 369
~~officer or any authorized employee of the bureau of motor~~ 370
~~vehicles who, in the performance of duties authorized by law,~~ 371
~~becomes aware of a person whose placard or parking card has been~~ 372
~~revoked pursuant to this section, may confiscate that placard or~~ 373
~~parking card and return it to the registrar. The registrar shall~~ 374
~~prescribe any forms used by law enforcement agencies in~~ 375
~~administering this section.~~ 376

~~No peace officer, law enforcement agency employing a peace~~ 377
~~officer, or political subdivision or governmental agency~~ 378

~~employing a peace officer, and no employee of the bureau is~~ 379
~~liable in a civil action for damages or loss to persons arising~~ 380
~~out of the performance of any duty required or authorized by~~ 381
~~this section. As used in this division, "peace officer" has the~~ 382
~~same meaning as in division (B) of section 2935.01 of the~~ 383
~~Revised Code.~~ 384

~~(M) All applications for registration of motor vehicles,~~ 385
~~removable windshield placards, and temporary removable~~ 386
~~windshield placards issued under this section, all renewal~~ 387
~~notices for such items, and all other publications issued by the~~ 388
~~bureau that relate to this section shall set forth the criminal~~ 389
~~penalties that may be imposed upon a person who violates any~~ 390
~~provision relating to special license plates issued under this~~ 391
~~section, the parking of vehicles displaying such license plates,~~ 392
~~and the issuance, procurement, use, and display of removable~~ 393
~~windshield placards and temporary removable windshield placards~~ 394
~~issued under this section.~~ 395

~~(N) Whoever violates this section is guilty of a~~ 396
~~misdemeanor of the fourth degree.~~ 397

Sec. 4503.441. (A) Any of the following owners or lessors 398
of a motor vehicle may apply to register that motor vehicle for 399
purposes of obtaining an accessible license plate under this 400
section: 401

(1) An organization; 402

(2) A person with a disability that limits or impairs the 403
ability to walk; 404

(3) A person who owns or leases a motor vehicle that has 405
been altered for the purpose of providing it with special 406
equipment for a person with a disability that limits or impairs 407

the ability to walk. 408

(B) (1) The application for registration of a motor vehicle 409
owned or leased by an organization shall be accompanied by 410
documentary evidence showing that the organization regularly 411
transports persons with disabilities that limit or impair the 412
ability to walk. 413

(2) The application for registration of a motor vehicle 414
owned or leased by a person with a disability that limits or 415
impairs the ability to walk shall be accompanied by an 416
accessible parking certification form from the applicant's 417
health care provider certifying that the applicant meets at 418
least one of the criteria contained in division (A) of section 419
4503.44 of the Revised Code and that the disability is expected 420
to continue for more than six consecutive months. 421

(3) The application for registration of a motor vehicle 422
that has been altered for the purpose of providing it with 423
special equipment for a person with a disability that limits or 424
impairs the ability to walk shall be accompanied by such 425
documentary evidence of vehicle alterations as the registrar may 426
require by rule. 427

(4) The application for registration of a leased motor 428
vehicle under this section shall be accompanied by a power of 429
attorney from the owner of the motor vehicle. 430

(5) The supporting documents required by divisions (B) (1) 431
to (4) of this section, as applicable, shall be submitted with 432
the initial application for registration of the motor vehicle 433
and every fifth year thereafter. 434

(C) Upon submission of a completed application and any 435
supporting documents required under division (B) of this 436

section, the registrar or deputy registrar shall issue to the 437
applicant the appropriate vehicle registration and an accessible 438
license plate and validation sticker, or a validation sticker 439
alone when required by section 4503.191 of the Revised Code. In 440
addition to the letters and numbers ordinarily inscribed on the 441
license plate, the license plate shall be imprinted with the 442
international symbol of access. The license plate and validation 443
sticker shall be issued upon payment of the regular license fee 444
as prescribed under section 4503.04 of the Revised Code, any 445
motor vehicle tax levied under Chapter 4504. of the Revised 446
Code, and a service fee equal to the amount specified in section 447
4503.038 of the Revised Code, and compliance with all other 448
applicable laws relating to the registration of motor vehicles. 449

(D) No person or organization that is not eligible for the 450
issuance of an accessible license plate shall willfully and 451
falsely represent that the person or organization is so 452
eligible. 453

Sec. 4503.442. (A) (1) A person with a disability that 454
limits or impairs the ability to walk may apply to the registrar 455
of motor vehicles for a removable windshield placard or a 456
temporary removable windshield placard by completing and signing 457
an application provided by the registrar. 458

(2) The person shall include with the application an 459
accessible parking certification form from the person's health 460
care provider authorizing such a placard for the person. The 461
health care provider shall base the authorization on a 462
determination that the person meets at least one of the criteria 463
contained in division (A) of section 4503.44 of the Revised 464
Code. The health care provider shall state on the form the 465
length of time the health care provider expects the applicant to 466

have the disability that limits or impairs the person's ability 467
to walk. If the length of time the applicant is expected to have 468
the disability is six consecutive months or less, the applicant 469
shall submit an application for a temporary removable windshield 470
placard. 471

(3) A person with a disability that limits or impairs the 472
ability to walk is entitled to one additional placard, but only 473
if the person applies separately for the additional placard and 474
states the reasons why the additional placard is needed. The 475
registrar shall determine whether good and justifiable cause 476
exists to approve the request for the additional placard. 477

(B) An organization may apply to the registrar for a 478
removable windshield placard by completing and signing an 479
application provided by the registrar. The organization shall 480
include with the application documentary evidence showing that 481
the organization regularly transports persons with disabilities 482
that limit or impair the ability to walk. The organization shall 483
comply with any procedures the registrar establishes by rule. 484

(C) Upon receipt of a completed and signed application for 485
a removable windshield placard, the accompanying documents 486
required under either division (A) or (B) of this section, and 487
payment of a service fee equal to the amount specified in 488
section 4503.038 of the Revised Code, the registrar or deputy 489
registrar shall issue to the applicant a removable windshield 490
placard or a temporary removable windshield placard. 491

(D) (1) A removable windshield placard shall display the 492
date of expiration on both sides of the placard and is valid 493
until expired, revoked, canceled, or surrendered. A removable 494
windshield placard expires on the earliest of the following two 495
dates: 496

(a) The date that the person issued the placard is 497
expected to no longer have the disability that limits or impairs 498
the ability to walk, as indicated on the accessible parking 499
certification form; 500

(b) Five years after the date of issuance of the placard. 501

In no case shall a removable windshield placard be valid 502
for a period of less than sixty days. 503

(2) A person or organization shall renew a removable 504
windshield placard upon application as provided in division (A) 505
or (B) of this section and upon payment of a service fee equal 506
to the amount specified in section 4503.038 of the Revised Code. 507

(3) Not less than thirty days prior to the expiration date 508
of a removable windshield placard, the bureau of motor vehicles 509
shall send a renewal notice to the person or organization that 510
has been issued the placard. The bureau shall send the notice to 511
the person's or organization's last known address, as shown in 512
the records of the bureau. The notice shall state that the 513
placard is expiring and instructions on how to renew the 514
placard. 515

(4) If a person or organization fails to renew the 516
removable windshield placard issued to that person or 517
organization prior to the expiration date, the placard issued to 518
that person or organization expires. 519

(E) At least once every year, on a date determined by the 520
registrar, the bureau shall examine the records of the office of 521
vital statistics, located within the department of health, that 522
pertain to deceased persons, and also the bureau's records of 523
all persons who have been issued removable windshield placards. 524
If the records of the office of vital statistics indicate that a 525

person to whom a removable windshield placard has been issued is 526
deceased, the bureau shall cancel that placard, and note the 527
cancellation in its records. 528

The office of vital statistics shall make available to the 529
bureau all information necessary to enable the bureau to comply 530
with division (E) of this section. 531

(F) (1) The removable windshield placard shall be printed 532
in white on a blue-colored background and shall display the 533
international symbol of access, the name of the state, and the 534
great seal of the state. The placard also shall display a 535
distinguishing number assigned to the placard and the printed 536
expiration date of the placard by month, day, and year. 537

(2) The temporary removable windshield placard shall be 538
the same size and form and shall have the same contents as the 539
removable windshield placard, except that it shall be printed in 540
white on a red-colored background and also shall display the 541
word "temporary." 542

(G) (1) Any active-duty member of the armed forces of the 543
United States, including the reserve components of the armed 544
forces and the national guard, who has an illness or injury that 545
limits or impairs the ability to walk may apply to the registrar 546
or a deputy registrar for a temporary removable windshield 547
placard. 548

(2) With the application, the applicant shall present 549
evidence of the person's active-duty status and the illness or 550
injury. Evidence of the illness or injury may include any of the 551
following: 552

(a) A current department of defense convalescent leave 553
statement; 554

(b) Any department of defense document indicating that the applicant currently has an ill or injured casualty status or has limited duties; 555
556
557

(c) An accessible parking certification form from any health care provider authorizing the placard for the applicant. 558
559

(3) Upon receipt of the application and the necessary documentary evidence, the registrar or deputy registrar shall issue the applicant the temporary removable windshield placard without requiring the payment of any service fee. 560
561
562
563

(H) (1) An applicant for a removable windshield placard may obtain the placard without payment of a service fee if both of the following apply: 564
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566

(a) The applicant is a veteran of the armed forces of the United States with a service-connected disability. 567
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(b) The applicant submits the accessible parking certification form required under division (A) of this section and documentary evidence from the department of veterans affairs that the disability identified on the form is service-connected. 569
570
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(2) Upon receipt of the application and the necessary documentary evidence, the registrar or deputy registrar shall issue the applicant the removable windshield placard without requiring the payment of a service fee. 573
574
575
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(I) If a removable windshield placard is lost, destroyed, or mutilated, the person or organization issued the placard may obtain a duplicate by doing both of the following: 577
578
579

(1) Furnishing suitable proof of the loss, destruction, or mutilation to the registrar; 580
581

(2) Paying a service fee equal to the amount specified in 582

section 4503.038 of the Revised Code. 583

Any person or organization who loses a placard and, after 584
obtaining a duplicate, finds the original, immediately shall 585
surrender the original placard to the registrar. 586

(J) No person or organization that is not eligible for the 587
issuance of a removable windshield placard shall willfully and 588
falsely represent that the person or organization is so 589
eligible. 590

(K) Nothing in this section shall be construed to require 591
a person or organization to apply for a removable windshield 592
placard if the placard issued to the person or organization 593
under prior law has not expired or been surrendered, revoked, or 594
canceled. 595

(L) The registrar shall pay all fees received under this 596
section for the issuance of removable windshield placards into 597
the state treasury to the credit of the public safety - highway 598
purposes fund created in section 4501.06 of the Revised Code. 599

(M) The registrar shall adopt any rules necessary to 600
administer this section, including any necessary procedures or 601
required documentary evidence. The rules shall include the 602
creation of a model accessible parking certification form. The 603
registrar shall make the form available on the bureau of motor 604
vehicle's web site. 605

Sec. 4503.443. In addition to the fees collected under 606
sections 4503.441 and 4503.442 of the Revised Code, the 607
registrar of motor vehicles or deputy registrar shall ask each 608
person applying for a removable windshield placard, duplicate 609
removable windshield placard, or an accessible license plate, 610
whether the person wishes to make a two-dollar voluntary 611

contribution to support rehabilitation employment services. The 612
registrar shall transmit the contributions received under this 613
section to the treasurer of state for deposit into the 614
rehabilitation employment fund, which is hereby created in the 615
state treasury. A deputy registrar shall transmit the 616
contributions received under this section to the registrar in 617
the time and manner prescribed by the registrar. 618

The opportunities for Ohioans with disabilities agency 619
shall use the contributions deposited in the fund to purchase 620
from accredited community rehabilitation program facilities 621
services related to vocational evaluation, work adjustment, 622
personal adjustment, job placement, job coaching, and community- 623
based assessment. 624

Sec. 4503.444. (A) The following documents shall include 625
the information listed in division (B) of this section: 626

(1) An application for registration of a motor vehicle 627
under section 4503.441 of the Revised Code; 628

(2) An application for a removable windshield placard 629
under section 4503.442 of the Revised Code; 630

(3) A renewal notice for the items listed in divisions (A) 631
(1) and (2) of this section; 632

(4) All other publications issued by the bureau of motor 633
vehicles that relate to sections 4503.44 to 4503.447 of the 634
Revised Code. 635

(B) The documents listed in division (A) of this section 636
shall set forth the penalties that may be imposed upon a person 637
who violates any of the following provisions: 638

(1) The laws relating to the issuance, procurement, use, 639

and display of accessible license plates issued under section 640
4503.441 of the Revised Code; 641

(2) The laws relating to the issuance, procurement, use, 642
and display of removable windshield placards issued under 643
section 4503.442 of the Revised Code; 644

(3) The laws relating to the parking of a motor vehicle 645
displaying an accessible license plate or removable windshield 646
placard in an accessible parking space. 647

Sec. 4503.445. (A) Any person or organization that 648
possesses an accessible license plate or a removable windshield 649
placard shall return the plate or placard to the bureau of motor 650
vehicles if any of the following occur: 651

(1) The plate expires and is not renewed or the placard 652
expires. 653

(2) The plate or placard was issued to a person who is now 654
deceased. 655

(3) The plate or placard was issued to a person who no 656
longer qualifies for the plate or placard. 657

(4) The placard was issued to a person who no longer lives 658
in the state or to an organization that changed its place of 659
operation to another state. 660

(B) No person or organization shall refuse to return or 661
surrender the placard, when required. 662

(C) No person shall operate a motor vehicle that displays 663
an accessible license plate or a removable windshield placard if 664
the plate or placard is expired, canceled, or revoked, was 665
issued to a person who is deceased, or was issued to a person or 666
organization that no longer qualifies for the plate or placard. 667

(D) (1) Whoever violates division (B) or (C) of this 668
section, division (D) of section 4503.441, or division (J) of 669
section 4503.442 of the Revised Code is guilty of a misdemeanor 670
of the fourth degree. 671

(2) The offenses established under this section are strict 672
liability offenses and section 2901.20 of the Revised Code does 673
not apply. The designation of these offenses as strict liability 674
offenses shall not be construed to imply that any other offense, 675
for which there is no specified degree of culpability, is not a 676
strict liability offense. 677

(E) Any fine collected under division (D) of this section 678
shall be paid into the accessible parking violations fund 679
established by section 4511.693 of the Revised Code. 680

Sec. 4503.446. (A) Subject to section 4511.692 of the 681
Revised Code, the operator of a motor vehicle displaying an 682
accessible license plate or removable windshield placard is 683
entitled to park the motor vehicle in any special parking 684
location reserved for persons with disabilities that limit or 685
impair the ability to walk, also known as accessible parking 686
spaces or disability parking spaces. 687

(B) No person or organization shall display an accessible 688
license plate unless the license plate was issued for the motor 689
vehicle on which it is displayed and is valid. 690

(C) No person or organization issued a removable 691
windshield placard shall do either of the following: 692

(1) Display or allow the display of the placard on a motor 693
vehicle when the motor vehicle is being used for an activity 694
that does not include providing transportation for a person with 695
a disability that limits or impairs the ability to walk; 696

(2) Transfer the placard to any other person or entity. 697

(D) (1) Whoever violates division (B) or (C) of this 698
section is guilty of a misdemeanor of the fourth degree. 699

(2) The offenses established under this section are strict 700
liability offenses and section 2901.20 of the Revised Code does 701
not apply. The designation of these offenses as strict liability 702
offenses shall not be construed to imply that any other offense, 703
for which there is no specified degree of culpability, is not a 704
strict liability offense. 705

(E) Upon a conviction of a violation of division (B) or 706
(C) of this section, the court shall report the conviction, and 707
send the placard, if available, to the registrar of motor 708
vehicles. The registrar shall revoke the privilege of using the 709
placard and send a written notice to the placardholder at that 710
holder's last known address, as shown in the records of the 711
bureau of motor vehicles. The placardholder shall return the 712
placard, if not previously surrendered to the court, to the 713
registrar within ten days following the mailing of the notice. 714

(F) Any fine collected under division (D) of this section 715
shall be paid into the accessible parking violations fund 716
established by section 4511.693 of the Revised Code. 717

Sec. 4503.447. For purposes of enforcing sections 4503.44 718
to 4503.447 of the Revised Code, every peace officer is deemed 719
to be an agent of the registrar of motor vehicles. Any peace 720
officer or any authorized employee of the bureau of motor 721
vehicles who, in the performance of duties authorized by law, 722
becomes aware of a person whose removable windshield placard has 723
been revoked, may confiscate that placard and return it to the 724
registrar. The registrar shall prescribe any forms used by law 725

enforcement agencies in administering this section. 726

No peace officer, law enforcement agency employing a peace officer, or political subdivision or governmental agency employing a peace officer, and no employee of the bureau is liable in a civil action for damages or loss to persons arising out of the performance of any duty required or authorized by this section. 727
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As used in this section, "peace officer" has the same meaning as in division (B) of section 2935.01 of the Revised Code. 733
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Sec. 4503.448. No health care provider shall do any of the following: 736
737

(A) Complete the accessible parking certification form to enable a person to be issued an accessible license plate, a removable windshield placard, or a temporary removable windshield placard under either section 4503.441 or 4503.442 of the Revised Code, knowing that the person does not meet any of the criteria contained in division (A) of section 4503.44 of the Revised Code; 738
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(B) Complete the accessible parking certification form described in division (A) of this section and knowingly misstate on the form the length of time the health care provider expects the person to have the disability that limits or impairs the person's ability to walk in order to enable the person to retain a removable windshield placard issued under section 4503.442 of the Revised Code for a period of time longer than that which would be estimated by a similar health care provider under the same or similar circumstances; 745
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(C) Fail to retain information sufficient to substantiate 754

that the person is eligible for accessible parking privileges. 755

(D) Whoever violates this section is guilty of a 756
misdemeanor of the first degree. 757

(E) A physician who violates this section and section 758
4731.481 of the Revised Code may be charged under this section 759
or section 4731.481 of the Revised Code, but not both. A 760
chiropractor who violates this section and section 4734.161 of 761
the Revised Code may be charged under this section or section 762
4734.161 of the Revised Code, but not both. 763

Sec. 4511.69. (A) Every vehicle stopped or parked upon a 764
roadway where there is an adjacent curb shall be stopped or 765
parked with the right-hand wheels of the vehicle parallel with 766
and not more than twelve inches from the right-hand curb, unless 767
it is impossible to approach so close to the curb; in such case 768
the stop shall be made as close to the curb as possible and only 769
for the time necessary to discharge and receive passengers or to 770
load or unload merchandise. Local authorities by ordinance may 771
permit angle parking on any roadway under their jurisdiction, 772
except that angle parking shall not be permitted on a state 773
route within a municipal corporation unless an unoccupied 774
roadway width of not less than twenty-five feet is available for 775
free-moving traffic. 776

(B) Local authorities by ordinance may permit parking of 777
vehicles with the left-hand wheels adjacent to and within twelve 778
inches of the left-hand curb of a one-way roadway. 779

(C) (1) (a) Except as provided in division (C) (1) (b) of this 780
section, no vehicle or trackless trolley shall be stopped or 781
parked on a road or highway with the vehicle or trackless 782
trolley facing in a direction other than the direction of travel 783

on that side of the road or highway. 784

(b) The operator of a motorcycle may back the motorcycle 785
into an angled parking space so that when the motorcycle is 786
parked it is facing in a direction other than the direction of 787
travel on the side of the road or highway. 788

(2) The operator of a motorcycle may back the motorcycle 789
into a parking space that is located on the side of, and 790
parallel to, a road or highway. The motorcycle may face any 791
direction when so parked. Not more than two motorcycles at a 792
time shall be parked in a parking space as described in division 793
(C) (2) of this section irrespective of whether or not the space 794
is metered. 795

(D) Notwithstanding any statute or any rule, resolution, 796
or ordinance adopted by any local authority, air compressors, 797
tractors, trucks, and other equipment, while being used in the 798
construction, reconstruction, installation, repair, or removal 799
of facilities near, on, over, or under a street or highway, may 800
stop, stand, or park where necessary in order to perform such 801
work, provided a flagperson is on duty or warning signs or 802
lights are displayed as may be prescribed by the director of 803
transportation. 804

~~(E) Special parking locations and privileges for persons 805
with disabilities that limit or impair the ability to walk, also 806
known as handicapped parking spaces or disability parking 807
spaces, shall be provided and designated by all political 808
subdivisions and by the state and all agencies and 809
instrumentalities thereof at all offices and facilities, where 810
parking is provided, whether owned, rented, or leased, and at 811
all publicly owned parking garages. The locations shall be 812
designated through the posting of an elevated sign, whether 813~~

~~permanently affixed or movable, imprinted with the international- 814
symbol of access and shall be reasonably close to exits, 815
entrances, elevators, and ramps. All elevated signs posted in 816
accordance with this division and division (C) of section 817
3781.111 of the Revised Code shall be mounted on a fixed or 818
movable post, and the distance from the ground to the bottom 819
edge of the sign shall measure not less than five feet. If a new- 820
sign or a replacement sign designating a special parking 821
location is posted on or after October 14, 1999, there also 822
shall be affixed upon the surface of that sign or affixed next- 823
to the designating sign a notice that states the fine applicable 824
for the offense of parking a motor vehicle in the special- 825
designated parking location if the motor vehicle is not legally 826
entitled to be parked in that location. 827~~

~~(F) (1) (a) No person shall stop, stand, or park any motor 828
vehicle at special parking locations provided under division (E)- 829
of this section or at special clearly marked parking locations 830
provided in or on privately owned parking lots, parking garages, 831
or other parking areas and designated in accordance with that 832
division, unless one of the following applies: 833~~

~~(i) The motor vehicle is being operated by or for the 834
transport of a person with a disability that limits or impairs 835
the ability to walk and is displaying a valid removable 836
windshield placard or special license plates; 837~~

~~(ii) The motor vehicle is being operated by or for the 838
transport of a handicapped person and is displaying a parking- 839
card or special handicapped license plates. 840~~

~~(b) Any motor vehicle that is parked in a special marked 841
parking location in violation of division (F) (1) (a) (i) or (ii)- 842
of this section may be towed or otherwise removed from the 843~~

~~parking location by the law enforcement agency of the political-~~ 844
~~subdivision in which the parking location is located. A motor-~~ 845
~~vehicle that is so towed or removed shall not be released to its-~~ 846
~~owner until the owner presents proof of ownership of the motor-~~ 847
~~vehicle and pays all towing and storage fees normally imposed by-~~ 848
~~that political subdivision for towing and storing motor-~~ 849
~~vehicles. If the motor vehicle is a leased vehicle, it shall not-~~ 850
~~be released to the lessee until the lessee presents proof that-~~ 851
~~that person is the lessee of the motor vehicle and pays all-~~ 852
~~towing and storage fees normally imposed by that political-~~ 853
~~subdivision for towing and storing motor vehicles.-~~ 854

~~(c) If a person is charged with a violation of division-~~ 855
~~(F)(1)(a)(i) or (ii) of this section, it is an affirmative-~~ 856
~~defense to the charge that the person suffered an injury not-~~ 857
~~more than seventy two hours prior to the time the person was-~~ 858
~~issued the ticket or citation and that, because of the injury,-~~ 859
~~the person meets at least one of the criteria contained in-~~ 860
~~division (A)(1) of section 4503.44 of the Revised Code.~~ 861

~~(2) No person shall stop, stand, or park any motor vehicle-~~ 862
~~in an area that is commonly known as an access aisle, which area-~~ 863
~~is marked by diagonal stripes and is located immediately-~~ 864
~~adjacent to a special parking location provided under division-~~ 865
~~(E) of this section or at a special clearly marked parking-~~ 866
~~location provided in or on a privately owned parking lot,-~~ 867
~~parking garage, or other parking area and designated in-~~ 868
~~accordance with that division.~~ 869

~~(G) When a motor vehicle is being operated by or for the-~~ 870
~~transport of a person with a disability that limits or impairs-~~ 871
~~the ability to walk and is displaying a removable windshield-~~ 872
~~placard or a temporary removable windshield placard or special-~~ 873

~~license plates, or when a motor vehicle is being operated by or 874~~
~~for the transport of a handicapped person and is displaying a 875~~
~~parking card or special handicapped license plates, the motor 876~~
~~vehicle is permitted to park for a period of two hours in excess 877~~
~~of the legal parking period permitted by local authorities, 878~~
~~except where local ordinances or police rules provide otherwise 879~~
~~or where the vehicle is parked in such a manner as to be clearly 880~~
~~a traffic hazard. 881~~

~~(H) No owner of an office, facility, or parking garage 882~~
~~where special parking locations are required to be designated in 883~~
~~accordance with division (E) of this section shall fail to 884~~
~~properly mark the special parking locations in accordance with 885~~
~~that division or fail to maintain the markings of the special 886~~
~~locations, including the erection and maintenance of the fixed 887~~
~~or movable signs. 888~~

~~(I) Nothing in this section shall be construed to require 889~~
~~a person or organization to apply for a removable windshield 890~~
~~placard or special license plates if the parking card or special 891~~
~~license plates issued to the person or organization under prior 892~~
~~law have not expired or been surrendered or revoked. 893~~

~~(J)(1)-(E) Whoever violates division (A) or (C) of this 894~~
~~section is guilty of a minor misdemeanor. 895~~

~~(2)(a) Whoever violates division (F)(1)(a)(i) or (ii) of 896~~
~~this section is guilty of a misdemeanor and shall be punished as 897~~
~~provided in division (J)(2)(a) and (b) of this section. Except 898~~
~~as otherwise provided in division (J)(2)(a) of this section, an 899~~
~~offender who violates division (F)(1)(a)(i) or (ii) of this 900~~
~~section shall be fined not less than two hundred fifty nor more 901~~
~~than five hundred dollars. An offender who violates division (F) 902~~
~~(1)(a)(i) or (ii) of this section shall be fined not more than 903~~

~~one hundred dollars if the offender, prior to sentencing, proves either of the following to the satisfaction of the court:~~ 904
905

~~(i) At the time of the violation of division (F) (1) (a) (i) of this section, the offender or the person for whose transport the motor vehicle was being operated had been issued a removable windshield placard that then was valid or special license plates that then were valid but the offender or the person neglected to display the placard or license plates as described in division (F) (1) (a) (i) of this section.~~ 906
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~~(ii) At the time of the violation of division (F) (1) (a) (ii) of this section, the offender or the person for whose transport the motor vehicle was being operated had been issued a parking card that then was valid or special handicapped license plates that then were valid but the offender or the person neglected to display the card or license plates as described in division (F) (1) (a) (ii) of this section.~~ 913
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~~(b) In no case shall an offender who violates division (F) (1) (a) (i) or (ii) of this section be sentenced to any term of imprisonment.~~ 920
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~~An arrest or conviction for a violation of division (F) (1) (a) (i) or (ii) of this section does not constitute a criminal record and need not be reported by the person so arrested or convicted in response to any inquiries contained in any application for employment, license, or other right or privilege, or made in connection with the person's appearance as a witness.~~ 923
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~~The clerk of the court shall pay every fine collected under divisions (J) (2) and (3) of this section to the political subdivision in which the violation occurred. Except as provided~~ 930
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~~in division (J) (2) of this section, the political subdivision 933
shall use the fine moneys it receives under divisions (J) (2) and 934
(3) of this section to pay the expenses it incurs in complying 935
with the signage and notice requirements contained in division 936
(E) of this section. The political subdivision may use up to 937
fifty per cent of each fine it receives under divisions (J) (2) 938
and (3) of this section to pay the costs of educational, 939
advocacy, support, and assistive technology programs for persons 940
with disabilities, and for public improvements within the 941
political subdivision that benefit or assist persons with 942
disabilities, if governmental agencies or nonprofit 943
organizations offer the programs. 944~~

~~(3) Whoever violates division (F) (2) of this section shall 945
be fined not less than two hundred fifty nor more than five 946
hundred dollars. 947~~

~~In no case shall an offender who violates division (F) (2) 948
of this section be sentenced to any term of imprisonment. An 949
arrest or conviction for a violation of division (F) (2) of this 950
section does not constitute a criminal record and need not be 951
reported by the person so arrested or convicted in response to 952
any inquiries contained in any application for employment, 953
license, or other right or privilege, or made in connection with 954
the person's appearance as a witness. 955~~

~~(4) Whoever violates division (H) of this section shall be 956
punished as follows: 957~~

~~(a) Except as otherwise provided in division (J) (4) of 958
this section, the offender shall be issued a warning. 959~~

~~(b) If the offender previously has been convicted of or 960
pleaded guilty to a violation of division (H) of this section or 961~~

~~of a municipal ordinance that is substantially similar to that~~ 962
~~division, the offender shall not be issued a warning but shall~~ 963
~~be fined not more than twenty five dollars for each parking~~ 964
~~location that is not properly marked or whose markings are not~~ 965
~~properly maintained.~~ 966

~~(K) As used in this section:~~ 967

~~(1) "Handicapped person" means any person who has lost the~~ 968
~~use of one or both legs or one or both arms, who is blind, deaf,~~ 969
~~or so severely handicapped as to be unable to move without the~~ 970
~~aid of crutches or a wheelchair, or whose mobility is restricted~~ 971
~~by a permanent cardiovascular, pulmonary, or other handicapping~~ 972
~~condition.~~ 973

~~(2) "Person with a disability that limits or impairs the~~ 974
~~ability to walk" has the same meaning as in section 4503.44 of~~ 975
~~the Revised Code.~~ 976

~~(3) "Special license plates" and "removable windshield~~ 977
~~placard" mean any license plates or removable windshield placard~~ 978
~~or temporary removable windshield placard issued under section~~ 979
~~4503.41 or 4503.44 of the Revised Code, and also mean any~~ 980
~~substantially similar license plates or removable windshield~~ 981
~~placard or temporary removable windshield placard issued by a~~ 982
~~state, district, country, or sovereignty.~~ 983

Sec. 4511.691. (A) As used in sections 4511.691 to 984
4511.699 of the Revised Code: 985

(1) "Access aisle" means the area marked by diagonal 986
stripes located immediately adjacent to an accessible parking 987
space that is provided under section 4511.691 of the Revised 988
Code or at a clearly marked accessible parking space provided in 989
a privately owned parking area. 990

<u>(2) "Accessible license plate" means any license plate</u>	991
<u>issued under sections 4503.41 and 4503.441 of the Revised Code,</u>	992
<u>and includes any substantially similar license plate issued by</u>	993
<u>another state, district, country, or sovereignty.</u>	994
<u>(3) "Person with a disability that limits or impairs the</u>	995
<u>ability to walk" and "organization" have the same meanings as in</u>	996
<u>section 4503.44 of the Revised Code.</u>	997
<u>(4) "Public accommodation" has the same meaning as in 42</u>	998
<u>U.S.C. 12181.</u>	999
<u>(5) "Removable windshield placard" means any removable</u>	1000
<u>windshield placard issued under section 4503.442 of the Revised</u>	1001
<u>Code, and includes any substantially similar removable</u>	1002
<u>windshield placard issued by another state, district, country,</u>	1003
<u>or sovereignty.</u>	1004
<u>(6) "Required entity" means all of the following:</u>	1005
<u>(a) A political subdivision;</u>	1006
<u>(b) The state and all agencies and instrumentalities</u>	1007
<u>thereof;</u>	1008
<u>(c) The owner of a place of public accommodation.</u>	1009
<u>(B) (1) A required entity shall provide and designate</u>	1010
<u>special parking locations and privileges for persons with</u>	1011
<u>disabilities that limit or impair the ability to walk, also</u>	1012
<u>known as accessible parking spaces or disability parking spaces.</u>	1013
<u>(2) The required entity shall make accessible parking</u>	1014
<u>spaces available at all offices, facilities, and places, where</u>	1015
<u>parking is provided, whether owned, rented, or leased by the</u>	1016
<u>entity.</u>	1017

(3) The required entity shall ensure that the accessible parking spaces are reasonably close to exits, entrances, elevators, and ramps and are in compliance with the "Americans with Disabilities Act of 1990," 42 U.S.C. 12101, et seq. 1018
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(C) (1) A required entity shall designate the accessible parking spaces by posting an elevated sign, whether permanently affixed or movable, imprinted with the international symbol of access. 1022
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(2) The required entity shall post or mount the elevated sign on a fixed or movable post so that the distance from the ground to the bottom edge of the sign is not less than five feet. 1026
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(3) The required entity shall affix upon the surface of the sign or next to the sign a notice that states the fine applicable for the offense of parking a motor vehicle in the accessible parking space if the motor vehicle is not legally entitled to be parked in that location. 1030
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(D) No required entity shall fail to do any of the following: 1035
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(1) Properly designate the accessible parking locations in accordance with division (C) of this section; 1037
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(2) Maintain the markings of the accessible parking locations, including the erection and maintenance of the fixed or movable signs; 1039
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(3) Maintain access to the accessible parking spaces, access aisle, curb cuts, or other features designed to provide accessibility for a person with a disability that limits or impairs the ability to walk. 1042
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(E) In order to maintain access as required under division 1046
(D) (3) of this section, a required entity may do either of the 1047
following: 1048

(1) Remove any unreasonable obstruction of an accessible 1049
parking space, access aisle, or curb cut. If the obstruction is 1050
the result of an adverse weather event, the required entity 1051
shall remove the obstruction not later than twenty-four hours 1052
after the conclusion of that event; 1053

(2) Provide suitable alternative parking spots, access 1054
aisle space, or access points similar to a curb cut if the 1055
obstruction cannot be removed. 1056

(F) (1) Whoever violates this section shall be issued a 1057
warning for a first violation. If the offender previously has 1058
been convicted of or pleaded guilty to a violation of this 1059
section, or of a substantially similar municipal ordinance, the 1060
offender shall be fined not more than twenty-five dollars for 1061
each parking location that is not properly marked or properly 1062
maintained. 1063

(2) Fines collected under this section shall be deposited 1064
into the accessible parking violations fund created in section 1065
4511.693 of the Revised Code. 1066

Sec. 4511.692. (A) No person shall stop, stand, or park 1067
any motor vehicle at an accessible parking space designated by a 1068
required entity under section 4511.691 of the Revised Code or at 1069
a clearly marked accessible parking space provided in a 1070
privately owned parking area, unless both of the following 1071
apply: 1072

(1) The motor vehicle is being operated by or for the 1073
transport of a person with a disability that limits or impairs 1074

the ability to walk. 1075

(2) The motor vehicle is displaying a valid accessible license plate or removable windshield placard issued to either the person or organization operating the motor vehicle or the person being transported by the motor vehicle. 1076
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(B) (1) Any motor vehicle that is parked in an accessible parking space in violation of division (A) of this section may be towed or otherwise removed from the parking space by either of the following: 1080
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(a) The law enforcement agency of the political subdivision in which the parking space is located; 1084
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(b) The owner of the parking area in which the parking space is located. 1086
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(2) A motor vehicle that is so towed or removed shall not be released to its owner until the owner presents proof of ownership of the motor vehicle and pays all towing and storage fees normally imposed for towing and storing motor vehicles. If the motor vehicle is a leased vehicle, it shall not be released to the lessee until the lessee presents proof that that person is the lessee of the motor vehicle and pays all towing and storage fees normally imposed for towing and storing motor vehicles. 1088
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(3) If a person is charged with a violation of division (A) of this section, it is not a defense to the charge that the sign posted does not comply with the technical requirements of section 4511.691 of the Revised Code, if a reasonable person would know that the parking space is reserved for a person with a disability that limits or impairs the ability to walk. 1097
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(C) No person shall park in an accessible parking space 1103

when the person with a disability that limits or impairs the 1104
ability to walk will either: 1105

(1) Be dropped off and picked up at the entrance to the 1106
place of public accommodation; 1107

(2) Will not be entering or exiting the motor vehicle 1108
while it is parked. 1109

(D) No person shall stop, stand, or park any motor vehicle 1110
in any part of an access aisle, including a person that has been 1111
issued an accessible license plate or a removable windshield 1112
placard. 1113

(E) No person shall stop, stand, or park any motor vehicle 1114
in front of a ramp, curb cut, access entrance, or accessible 1115
route, including a person that has been issued an accessible 1116
license plate or a removable windshield placard. 1117

(F) (1) When a motor vehicle is being operated by or for 1118
the transport of a person with a disability that limits or 1119
impairs the ability to walk and is displaying either an 1120
accessible license plate or a removable windshield placard, the 1121
operator is permitted to park that motor vehicle for a period of 1122
two hours in excess of the legal parking period permitted by 1123
local authorities. 1124

(2) Division (F) (1) of this section does not apply when 1125
local ordinances or police rules provide otherwise or when the 1126
motor vehicle is parked in such a manner as to be clearly a 1127
traffic hazard. 1128

(G) (1) Except as provided in division (G) (2) of this 1129
section, whoever violates division (A), (C), (D), or (E) of this 1130
section is subject to the following civil penalties: 1131

(a) For a first offense, two hundred fifty dollars; 1132

(b) For a second offense, not less than two hundred fifty 1133
dollars nor more than five hundred dollars; 1134

(c) For a third or subsequent offense, not less than five 1135
hundred nor more than seven hundred fifty dollars. 1136

(2) Whoever violates division (A) of this section shall 1137
not be fined under division (G)(1) of this section if the 1138
offender, within thirty days of receiving the ticket in the 1139
mail, proves that either the offender or the person being 1140
transported by the offender, at the time of the violation, had a 1141
valid accessible license plate or removable windshield placard 1142
but the offender neglected to display the valid or the correct 1143
license plate or placard. 1144

(H) (1) Tickets issued for a civil violation of division 1145
(A), (C), (D), or (E) of this section shall be issued in 1146
accordance with sections 4511.695 to 4511.699 of the Revised 1147
Code. 1148

(2) The clerk of court or violations clerk of the parking 1149
violations bureau shall report all convictions for a violation 1150
of division (A), (C), (D), or (E) of this section to the 1151
registrar of motor vehicles. 1152

(I) (1) The clerk of court or violations clerk of the 1153
parking violations bureau shall pay fifty per cent of every fine 1154
collected under division (G) of this section to the political 1155
subdivision in which the violation occurred. 1156

(2) The remaining fifty per cent of every fine collected 1157
under division (G) of this section shall be paid into the 1158
accessible parking violations fund established by section 1159
4511.693 of the Revised Code. 1160

(J) Whoever knowingly violates division (D) of this 1161
section when that violation prevents a person with a disability 1162
that limits or impairs the ability to walk from being able to 1163
enter or exit the motor vehicle transporting that person is 1164
guilty of unlawful restraint of a person with a disability that 1165
limits or impairs the ability to walk, a misdemeanor of the 1166
third degree. 1167

Sec. 4511.693. (A) There is hereby created in the state 1168
treasury the accessible parking violations fund. The fund shall 1169
consist of the fines required to be deposited in the fund under 1170
sections 4503.445, 4503.446, 4511.691, and 4511.692 of the 1171
Revised Code. The fund shall be administered by the director of 1172
public safety and the superintendent of public instruction. 1173

(B) The money in the fund shall be divided as follows: 1174

(1) Twenty-five per cent shall be used by the director of 1175
public safety to administer the volunteer accessible parking 1176
enforcement training program created in section 4511.694 of the 1177
Revised Code, to collect data related to accessible parking 1178
violations, and to assist local law enforcement in enforcing the 1179
accessible parking laws. 1180

(2) Seventy-five per cent shall be used by the 1181
superintendent of public instruction to provide grants to a 1182
nonprofit corporation that creates, expands, and oversees 1183
interscholastic adaptive sports specifically for youth with 1184
physical disabilities. The superintendent shall approve the 1185
nonprofit corporation that receives such grants and the amounts 1186
paid through the grants. 1187

(C) The superintendent of public instruction shall provide 1188
a report to the general assembly by the thirty-first day of 1189

December of each year, which shall include the following 1190
information: 1191

(1) A description of the entity that received a grant from 1192
the fund that year and how much money the entity received; 1193

(2) A description of activities carried out using the 1194
grant provided to the entity under this section; 1195

(3) Information regarding the goals and objectives 1196
achieved by the entity through the activities carried out using 1197
the grant provided to the entity under this section. 1198

(D) All investment earnings of the fund shall be credited 1199
to the fund. 1200

Sec. 4511.694. (A) The director of public safety shall 1201
establish a volunteer accessible parking enforcement training 1202
program. The purpose of the program is to train a volunteer 1203
accessible parking enforcement force, which shall assist local 1204
law enforcement in enforcing the accessible parking laws. 1205
Volunteers trained under the program may submit photographic 1206
evidence to law enforcement for violations of the accessible 1207
parking laws that are enforced under sections 4511.695 to 1208
4511.699 of the Revised Code, or a substantially equivalent 1209
municipal ordinance, but will have no enforcement authority. 1210

(B) To serve as a member of the volunteer accessible 1211
parking enforcement force, a person must meet all of the 1212
following qualifications: 1213

(1) Be at least twenty-one years of age; 1214

(2) Have no prior felony convictions; 1215

(3) Successfully complete the volunteer accessible parking 1216
enforcement training program. 1217

(C) The volunteer accessible parking enforcement training 1218
program shall include instruction in general administrative 1219
rules and procedures governing the volunteer accessible parking 1220
enforcement force, the role of the judicial system as it relates 1221
to parking regulation and enforcement, proper techniques and 1222
methods relating to recording violations of parking laws, human 1223
interaction skills, personal safety and ethics relating to the 1224
recording of violations of parking laws, and first aid. 1225

(D) A law enforcement agency may utilize the photographic 1226
evidence taken by a member of the volunteer accessible parking 1227
enforcement force to assist the agency in enforcing civil 1228
accessible parking violations under sections 4511.695 to 1229
4511.699 of the Revised Code, or a substantially equivalent 1230
municipal ordinance. 1231

(E) A member of the volunteer accessible parking 1232
enforcement force shall only take photographic evidence of 1233
accessible parking violations in accordance with sections 1234
4511.695 to 4511.699 of the Revised Code, or a substantially 1235
equivalent municipal ordinance. 1236

(F) Any member of the volunteer accessible parking 1237
enforcement force assumes all liability for participation in the 1238
training program and volunteer work with the law enforcement 1239
agency. The member shall hold harmless the state, the department 1240
of public safety, any political subdivision, and the law 1241
enforcement agency for any claims resulting from the volunteer 1242
work performed by the member. The director shall provide hold 1243
harmless forms necessary for the implementation of division (F) 1244
of this section, which shall be signed by the member and 1245
submitted to the department and the applicable law enforcement 1246
agency. 1247

(G) (1) The director shall track the number of persons 1248
trained through the volunteer accessible parking enforcement 1249
training program and the expenses incurred by the department in 1250
administering the program. 1251

(2) The director shall adopt any rules necessary for 1252
establishing and administering the volunteer accessible parking 1253
enforcement training program. 1254

Sec. 4511.695. As used in sections 4511.695 to 4511.699 of 1255
the Revised Code: 1256

(A) "Designated party" means the person whom the 1257
registered owner of a motor vehicle, upon receipt of a ticket 1258
for an accessible parking law violation, identifies as the 1259
person who parked the vehicle of the registered owner at the 1260
time of the violation. 1261

(B) "Law enforcement officer" means a state highway patrol 1262
trooper, sheriff, deputy sheriff, marshal, deputy marshal, 1263
police officer of a police department of any municipal 1264
corporation, police constable of any township, or police officer 1265
of a township or joint police district, who is employed on a 1266
permanent, full-time basis by a law enforcement agency. 1267

(C) "Member of the volunteer accessible parking 1268
enforcement force" means a person trained by the department of 1269
public safety under the program established by section 4511.694 1270
of the Revised Code and utilized by a law enforcement agency to 1271
assist the agency in enforcing civil accessible parking law 1272
violations. 1273

(D) "Motor vehicle leasing dealer" has the same meaning as 1274
in section 4517.01 of the Revised Code. 1275

(E) "Motor vehicle renting dealer" has the same meaning as 1276

<u>in section 4549.65 of the Revised Code.</u>	1277
<u>(F) "Registered owner" means any of the following:</u>	1278
<u>(1) Any person or entity identified by the bureau of motor vehicles or any other state motor vehicle registration bureau, department, or office as the owner of a motor vehicle;</u>	1279
<u>(2) The lessee of a motor vehicle under a lease of six months or longer;</u>	1280
<u>(3) The renter of a motor vehicle pursuant to a written rental agreement with a motor vehicle renting dealer.</u>	1281
<u>(G) "Ticket" means any parking ticket, citation, summons, or other ticket issued in response to an alleged accessible parking law violation that represents a civil violation.</u>	1284
<u>(H) "Accessible parking law violation" means a violation of division (A), (C), (D), or (E) of section 4511.692 of the Revised Code, or a substantially equivalent municipal ordinance.</u>	1285
<u>Sec. 4511.696. (A) When a law enforcement officer witnesses an accessible parking law violation, the officer may issue a ticket for the violation. The ticket shall comply with the requirements of this section and section 4511.697 of the Revised Code. If issuing a ticket, the officer shall take at least one photo of the violation that captures the motor vehicle, the license plate, and that demonstrates an accessible parking law violation occurred.</u>	1286
<u>(B) (1) If the operator of the motor vehicle is present, the officer shall record on the ticket the name of the operator in the space provided for identification of the offender. The officer shall personally serve a copy of the ticket on the operator.</u>	1287
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(2) If the operator of the motor vehicle is not present or 1305
cannot be identified, the officer shall insert the word "owner" 1306
in the space provided for identification of the offender. The 1307
officer shall constructively serve a copy of the parking ticket 1308
on the owner of the motor vehicle by affixing the ticket to the 1309
motor vehicle in a conspicuous place. 1310

(C) When a member of the volunteer accessible parking 1311
enforcement force witnesses an accessible parking law violation, 1312
the member may take photos of the violation and submit the 1313
photos to the appropriate law enforcement agency. The member 1314
shall ensure that any photos capture the motor vehicle, the 1315
license plate, the location of the violation, and demonstrate 1316
that an accessible parking law violation occurred. The member 1317
shall submit the photos within twenty-four hours of the 1318
witnessed violation. No member shall issue tickets for an 1319
accessible parking law violation. 1320

(D) The original of any ticket issued in accordance with 1321
divisions (A) and (B) of this section and any photos of a 1322
violation taken in accordance with division (A) or (C) of this 1323
section shall be submitted to the law enforcement agency that 1324
employs the law enforcement officer or that utilizes the member 1325
of the volunteer accessible parking enforcement force. The law 1326
enforcement agency may use any lawful means to identify the 1327
registered owner of the motor vehicle if a copy of the ticket 1328
was left on the motor vehicle in accordance with division (B) (2) 1329
of this section or photos were taken in compliance with division 1330
(C) of this section. 1331

(E) After the identification of the registered owner under 1332
division (D) of this section, if applicable, and within thirty 1333
days of the accessible parking law violation, the law 1334

enforcement agency shall send by regular mail the ticket 1335
charging either the operator of the motor vehicle, if known, or 1336
the registered owner with the violation. The ticket shall 1337
include copies of the photos taken by the law enforcement 1338
officer or member of the volunteer accessible parking 1339
enforcement force. 1340

(F) A law enforcement agency that mails a ticket charging 1341
the operator or registered owner with the accessible parking law 1342
violation shall, without unnecessary delay, file a certified 1343
copy of the ticket with the municipal court, county court, or 1344
parking violations bureau with jurisdiction over the civil 1345
action. 1346

(G) A certified copy of the ticket alleging an accessible 1347
parking law violation is prima facie evidence of the facts 1348
contained therein and is admissible in a civil action or 1349
proceeding concerning the ticket issued under this section. 1350

Sec. 4511.697. A law enforcement agency shall ensure that 1351
a ticket for an accessible parking law violation issued under 1352
section 4511.696 of the Revised Code contains all of the 1353
following: 1354

(A) The name and address of the registered owner or the 1355
current operator of the motor vehicle, if known; 1356

(B) The letters and numerals appearing on the license 1357
plate issued to the motor vehicle; 1358

(C) The make and model of the motor vehicle; 1359

(D) The date, time, and place of the violation; 1360

(E) The accessible parking law violation charged; 1361

(F) The amount of the civil penalty imposed, the date by 1362

which the civil penalty is required to be paid, and the address 1363
of the municipal court, county court, or parking violations 1364
bureau with jurisdiction over the civil action to which the 1365
payment is to be sent; 1366

(G) A statement signed by a law enforcement officer 1367
indicating that the motor vehicle was involved in an accessible 1368
parking law violation and the ticket is prima facie evidence of 1369
that accessible parking law violation; 1370

(H) Information advising the person or entity alleged to 1371
be liable for the violation of the options prescribed in section 1372
4511.698 of the Revised Code. The law enforcement agency shall 1373
include with the information the time, place, and manner in 1374
which the person or entity may appear in court or at the parking 1375
violations bureau to contest the violation and ticket and the 1376
procedure for disclaiming liability by submitting an affidavit 1377
to the municipal court, county court, or parking violations 1378
bureau as prescribed in section 4511.698 of the Revised Code. 1379

(I) A warning that failure to exercise one of the options 1380
prescribed in section 4511.698 of the Revised Code is deemed to 1381
be an admission of liability and waiver of the opportunity to 1382
contest the violation. 1383

Sec. 4511.698. A person or entity who receives a ticket 1384
for a civil violation under section 4511.696 of the Revised Code 1385
shall elect to do one of the following: 1386

(A) In accordance with instructions on the ticket, pay the 1387
civil penalty, thereby admitting liability and waiving the 1388
opportunity to contest the violation. 1389

(B) (1) Within thirty days after receipt of the ticket by 1390
mail, provide the municipal court, county court, or parking 1391

violations bureau with jurisdiction over the civil action with 1392
any of the following affidavits: 1393

(a) If the accessible parking law violation charged is a 1394
violation of division (A) of section 4511.692 of the Revised 1395
Code, an affidavit executed by the operator of the motor vehicle 1396
or registered owner stating that either the owner, the operator, 1397
or the person being transported in the motor vehicle, at the 1398
time of the violation, had a valid accessible license plate or 1399
removable windshield placard but the owner or operator neglected 1400
to display the valid or the correct license plate or placard. 1401

(b) An affidavit executed by the registered owner stating 1402
that another person was operating and parked the motor vehicle 1403
of the registered owner at the time of the violation, 1404
identifying that person as a designated party who may be held 1405
liable for the violation, and containing at a minimum the name 1406
and address of the designated party. 1407

(c) An affidavit executed by the registered owner stating 1408
that at the time of the violation, the motor vehicle or the 1409
license plate issued to the motor vehicle was stolen and 1410
therefore was in the care, custody, or control of some person or 1411
entity to whom the registered owner did not grant permission to 1412
use the motor vehicle. To demonstrate that the motor vehicle or 1413
the license plate was stolen prior to the accessible parking law 1414
violation and therefore was not under the control or possession 1415
of the registered owner at the time of the violation, the 1416
registered owner shall submit proof that a report about the 1417
stolen motor vehicle or license plate was filed with the 1418
appropriate law enforcement agency prior to the violation or 1419
within forty-eight hours after the violation occurred. 1420

(2) The operator of the motor vehicle or the registered 1421

owner is not responsible for an accessible parking law violation 1422
if, within thirty days after receipt of the ticket by mail, the 1423
operator or registered owner furnishes an affidavit specified in 1424
division (B) (1) (a), (b), or (c) of this section, as applicable, 1425
to the court or parking violations bureau with jurisdiction in a 1426
form established by the court or bureau and the following 1427
conditions are met: 1428

(a) If the operator of the motor vehicle or the registered 1429
owner submits an affidavit as specified in division (B) (1) (a) of 1430
this section, the affidavit is supported by evidence of the 1431
valid or correct accessible license plate or removable 1432
windshield placard. 1433

(b) If the registered owner submits an affidavit as 1434
specified in division (B) (1) (b) of this section, the designated 1435
party either accepts liability for the violation by paying the 1436
civil penalty or by failing to request a court or parking 1437
violations bureau hearing within thirty days or is determined 1438
liable in a hearing. 1439

(c) If the registered owner submits an affidavit as 1440
specified in division (B) (1) (c) of this section, the affidavit 1441
is supported by a stolen vehicle or stolen license plate report 1442
as required in that division. 1443

(C) If the registered owner is a motor vehicle leasing 1444
dealer or a motor vehicle renting dealer, notify the court or 1445
parking violations bureau with jurisdiction of the name and 1446
address of the lessee or renter of the motor vehicle at the time 1447
of the accessible parking law violation. The court or bureau 1448
shall establish the form of the notice. A motor vehicle leasing 1449
dealer or motor vehicle renting dealer who receives a ticket for 1450
an alleged accessible parking law violation is not liable for a 1451

ticket issued for a motor vehicle that was in the care, custody, 1452
or control of a lessee or renter at the time of the alleged 1453
violation. The dealer shall not pay such a ticket and 1454
subsequently attempt to collect a fee or assess the lessee or 1455
renter a charge for any payment of such a ticket made on behalf 1456
of the lessee or renter. 1457

(D) If the motor vehicle involved in the accessible 1458
parking law violation is a commercial motor vehicle and the 1459
ticket is issued to a corporate entity, provide to the court or 1460
parking violations bureau with jurisdiction an affidavit in a 1461
form established by the court or bureau, sworn to or affirmed by 1462
an agent of the corporate entity, that provides the name and 1463
address of the employee who was operating and parked the motor 1464
vehicle at the time of the alleged violation and who is the 1465
designated party. 1466

(E) Contest the ticket by filing a written request for a 1467
court or parking violations bureau hearing to review the ticket 1468
in a form established by the court or bureau. The person shall 1469
file the written request not later than thirty days after 1470
receipt of the ticket by mail. The failure to request a hearing 1471
within this time period constitutes a waiver of the right to 1472
contest the violation and ticket, and is deemed to constitute an 1473
admission of liability. 1474

Sec. 4511.699. (A) (1) A court or a parking violations 1475
bureau with jurisdiction that receives an affidavit described in 1476
division (B) (1) (b) or (D) of section 4511.698 of the Revised 1477
Code or a notification under division (C) of that section from a 1478
registered owner may proceed to notify the law enforcement 1479
agency to send a ticket that conforms with this section and 1480
section 4511.697 of the Revised Code to the designated party. 1481

(2) The law enforcement agency shall send the conforming ticket to the designated party by ordinary mail not later than twenty-one days after receipt of the notification from the court or parking violations bureau. 1482
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(B) (1) If a hearing is requested under division (E) of section 4511.698 of the Revised Code, the court or bureau shall issue a written decision imposing liability for the violation upon an individual if the court or bureau finds by a preponderance of the evidence that: 1486
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(a) The alleged accessible parking law violation did in fact occur; 1491
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(b) The person named in the original or any subsequent ticket is the person who was operating and parked the motor vehicle at the time of the violation. 1493
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The court or bureau shall submit the decision to the law enforcement agency and the person named in the ticket. 1496
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(2) If the court or bureau finds by a preponderance of the evidence that the alleged accessible parking law violation did not occur or did in fact occur but the person named in the original or any subsequent ticket is not the person who was operating and parked the motor vehicle at the time of the violation, the court or bureau shall issue a written decision finding that the individual is not liable for the violation and submit it to the law enforcement agency and the person named in the ticket. 1498
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(3) If the person who requested the court hearing fails to appear, the court or bureau shall determine that the person is liable for the violation. In such a case, the court or bureau shall issue a written decision imposing liability for the 1507
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violation upon the individual and submit it to the law 1511
enforcement agency and the person named in the ticket. 1512

(4) The court or bureau shall render a decision on the day 1513
a hearing takes place. 1514

(C) The court or bureau shall charge the applicable costs 1515
and fees for the civil action to the party that does not prevail 1516
in the action. 1517

Sec. 4521.01. As used in this chapter: 1518

(A) "Parking infraction" means a violation of any 1519
ordinance, resolution, or regulation enacted by a local 1520
authority that regulates the standing or parking of vehicles and 1521
that is authorized pursuant to section 505.17 or 4511.07 of the 1522
Revised Code, or a violation of any ordinance, resolution, or 1523
regulation enacted by a local authority as authorized by this 1524
chapter, if the local authority in either of these cases also 1525
has enacted an ordinance, resolution, or regulation of the type 1526
described in division (A) of section 4521.02 of the Revised Code 1527
in relation to the particular regulatory ordinance, resolution, 1528
or regulation. 1529

(B) "Vehicle" has the same meaning as in section 4511.01 1530
of the Revised Code. 1531

(C) "Court" means a municipal court, county court, 1532
juvenile court, or mayor's court, unless specifically identified 1533
as one of these courts, in which case it means the specifically 1534
identified court. 1535

(D) "Local authority" means every county, municipal 1536
corporation, township, or other local board or body having 1537
authority to adopt police regulations pursuant to the 1538
constitution and laws of this state. 1539

(E) "~~Disability-Accessible~~ parking space" means a motor 1540
vehicle parking location that is reserved for the exclusive 1541
standing or parking of a vehicle that is operated by or on 1542
behalf of a person with a disability that limits or impairs the 1543
ability to walk and displays ~~a placard or an accessible~~ license 1544
~~plates~~ plate issued under section ~~4503.44-4503.41~~ or 4503.441 of 1545
the Revised Code or a removable windshield placard issued under 1546
section 4503.442 of the Revised Code. 1547

(F) "Person with a disability that limits or impairs the 1548
ability to walk" has the same meaning as in section 4503.44 of 1549
the Revised Code. 1550

Sec. 4521.02. (A) A local authority that enacts any 1551
ordinance, resolution, or regulation that regulates the standing 1552
or parking of vehicles and that is authorized pursuant to 1553
section 505.17 or 4511.07 of the Revised Code also by ordinance, 1554
resolution, or regulation may specify that a violation of the 1555
regulatory ordinance, resolution, or regulation shall not be 1556
considered a criminal offense for any purpose, that a person who 1557
commits the violation shall not be arrested as a result of the 1558
commission of the violation, and that the violation shall be 1559
handled pursuant to this chapter. If such a specification is 1560
made, the local authority also by ordinance, resolution, or 1561
regulation shall adopt a fine for a violation of the regulatory 1562
ordinance, resolution, or regulation and prescribe an additional 1563
penalty or penalties for failure to answer any charges of the 1564
violation in a timely manner. In no case shall any fine adopted 1565
or additional penalty prescribed pursuant to this division 1566
exceed the fine established by the municipal or county court 1567
having territorial jurisdiction over the entire or a majority of 1568
the political subdivision of the local authority, in its 1569
schedule of fines established pursuant to Traffic Rule 13(C), 1570

for a substantively comparable violation. Except as provided in 1571
this division, in no case shall any fine adopted or additional 1572
penalty prescribed pursuant to this division exceed one hundred 1573
dollars, plus costs and other administrative charges, per 1574
violation. 1575

If a local authority chooses to adopt a specific fine for 1576
a violation of an ordinance, resolution, or regulation that 1577
regulates the standing or parking of a vehicle in a ~~disability-~~ 1578
an accessible parking space, the fine the local authority 1579
establishes for such offense shall be an amount not less than 1580
two hundred fifty dollars but not more than ~~five~~seven hundred 1581
fifty dollars. 1582

(B) A local authority that enacts an ordinance, 1583
resolution, or regulation pursuant to division (A) of this 1584
section also may enact an ordinance, resolution, or regulation 1585
that provides for the impoundment or immobilization of vehicles 1586
found standing or parked in violation of the regulatory 1587
ordinance, resolution, or regulation and the release of the 1588
vehicles to their owners. In no case shall an ordinance, 1589
resolution, or regulation require the owner of the vehicle to 1590
post bond or deposit cash in excess of one thousand dollars in 1591
order to obtain release of the vehicle. 1592

(C) A local authority that enacts any ordinance, 1593
resolution, or regulation pursuant to division (A) of this 1594
section also shall enact an ordinance, resolution, or regulation 1595
that specifies the time within which a person who is issued a 1596
parking ticket must answer in relation to the parking infraction 1597
charged in the ticket. 1598

Sec. 4731.481. No physician shall do ~~either~~any of the 1599
following: 1600

(A) ~~Furnish a person with a prescription in order~~ Complete 1601
the accessible parking certification form to enable ~~the a~~ a person 1602
to be issued an accessible license plate, a removable windshield 1603
placard, or a temporary removable windshield placard, ~~or license~~ 1604
~~plates~~ under either section ~~4503.44~~4503.441 or 4503.442 of the 1605
Revised Code, knowing that the person does not meet any of the 1606
criteria contained in division ~~(A)(1)~~ (A) of ~~that~~ section 1607
4503.44 of the Revised Code; 1608

(B) ~~Furnish a person with a prescription~~ Complete the 1609
accessible parking certification form described in division (A) 1610
of this section and knowingly misstate on the ~~prescription form~~ 1611
the length of time the physician expects the person to have the 1612
disability that limits or impairs the person's ability to walk 1613
in order to enable the person to retain a removable windshield 1614
placard issued under section ~~4503.44~~4503.442 of the Revised 1615
Code for a period of time longer than that which would be 1616
estimated by a similar practitioner under the same or similar 1617
circumstances; 1618

(C) Fail to retain information sufficient to substantiate 1619
that the person is eligible for accessible parking privileges. 1620

Sec. 4734.161. No chiropractor shall do ~~either any~~ of the 1621
following: 1622

(A) ~~Furnish a person with a prescription~~ Complete the 1623
accessible parking certification form in order to enable ~~the a~~ a 1624
person to be issued an accessible license plate, a removable 1625
windshield placard, or a temporary removable windshield placard, ~~or~~ 1626
~~license plates~~ under either section ~~4503.44~~4503.441 or 1627
4503.442 of the Revised Code, knowing that the person does not 1628
meet any of the criteria contained in division ~~(A)(1)~~ (A) of 1629
~~that~~ section 4503.44 of the Revised Code; 1630

(B) ~~Furnish a person with a prescription~~ Complete the 1631
accessible parking certification form described in division (A) 1632
of this section and knowingly misstate on the ~~prescription form~~ 1633
the length of time the chiropractor expects the person to have 1634
the disability that limits or impairs the person's ability to 1635
walk in order to enable the person to retain a removable 1636
windshield placard issued under section ~~4503.44~~ 4503.442 of the 1637
Revised Code for a period of time longer than that which would 1638
be estimated by a similar practitioner under the same or similar 1639
circumstances; 1640

(C) Fail to retain information sufficient to substantiate 1641
that the person is eligible for accessible parking privileges. 1642

Section 2. That existing sections 4503.44, 4511.69, 1643
4521.01, 4521.02, 4731.481, and 4734.161 of the Revised Code are 1644
hereby repealed. 1645

Section 3. That sections 311.30, 505.541, 509.04, 3501.29, 1646
3781.111, 4503.10, 4503.12, 4517.01, and 4517.12 of the Revised 1647
Code be amended to read as follows: 1648

Sec. 311.30. (A) The board of county commissioners may 1649
establish, by resolution, a parking enforcement unit within the 1650
office of the sheriff to operate in the unincorporated areas of 1651
the county, and may provide for the regulation of parking 1652
enforcement officers. The sheriff shall be the executive head of 1653
the parking enforcement unit, shall make all appointments and 1654
removals of parking enforcement officers, subject to any general 1655
rules prescribed by the board of county commissioners by 1656
resolution, and shall prescribe rules for the organization, 1657
training, administration, control, and conduct of the parking 1658
enforcement unit. The sheriff may appoint parking enforcement 1659
officers who agree to serve for nominal compensation, and 1660

persons with physical disabilities may receive appointments as 1661
parking enforcement officers. 1662

(B) The authority of the parking enforcement officers 1663
shall be limited to the enforcement of ~~section~~sections 4511.69 1664
to 4511.699 of the Revised Code and any other parking laws 1665
specified in the resolution creating the parking enforcement 1666
unit. Parking enforcement officers shall have no other powers. 1667

(C) The training the parking enforcement officers shall 1668
receive shall include instruction in general administrative 1669
rules and procedures governing the parking enforcement unit, the 1670
role of the judicial system as it relates to parking regulation 1671
and enforcement, proper techniques and methods relating to the 1672
enforcement of parking laws, human interaction skills, and first 1673
aid. 1674

Sec. 505.541. (A) The board of township trustees or a 1675
joint police district board, respectively, may establish, by 1676
resolution, a parking enforcement unit within a township police 1677
district or within a joint police district, and provide for the 1678
regulation of parking enforcement officers. The chief of police 1679
of the district shall be the executive head of the parking 1680
enforcement unit, shall make all appointments and removals of 1681
parking enforcement officers, subject to any general rules 1682
prescribed by the board of township trustees by resolution or 1683
joint police district board, as appropriate, and shall prescribe 1684
rules for the organization, training, administration, control, 1685
and conduct of the parking enforcement unit. The chief of police 1686
may appoint parking enforcement officers who agree to serve for 1687
nominal compensation, and persons with physical disabilities may 1688
receive appointments as parking enforcement officers. 1689

(B) The authority of the parking enforcement officers 1690

shall be limited to the enforcement of ~~section~~sections 4511.69 1691
to 4511.699 of the Revised Code and any other parking laws 1692
specified in the resolution creating the parking enforcement 1693
unit. Parking enforcement officers shall have no other powers. 1694

(C) The training the parking enforcement officers shall 1695
receive shall include instruction in general administrative 1696
rules and procedures governing the parking enforcement unit, the 1697
role of the judicial system as it relates to parking regulation 1698
and enforcement, proper techniques and methods relating to the 1699
enforcement of parking laws, human interaction skills, and first 1700
aid. 1701

Sec. 509.04. (A) The board of township trustees may 1702
establish, by resolution, a parking enforcement unit within the 1703
office of a township constable, and provide for the regulation 1704
of parking enforcement officers. The board of township trustees 1705
shall appoint a police constable as executive head of the 1706
parking enforcement unit, who shall make all appointments and 1707
removals of parking enforcement officers, subject to any general 1708
rules prescribed by the board of township trustees by 1709
resolution, and shall prescribe rules for the organization, 1710
training, administration, control, and conduct of the parking 1711
enforcement unit. The executive head of the parking enforcement 1712
unit may appoint parking enforcement officers who agree to serve 1713
for nominal compensation, and persons with physical disabilities 1714
may receive appointments as parking enforcement officers. 1715

(B) The authority of the parking enforcement officers 1716
shall be limited to the enforcement of ~~section~~sections 4511.69 1717
to 4511.699 of the Revised Code and any other parking laws 1718
specified in the resolution creating the parking enforcement 1719
unit. Parking enforcement officers shall have no other powers. 1720

(C) The training the parking enforcement officers shall 1721
receive shall include instruction in general administrative 1722
rules and procedures governing the parking enforcement unit, the 1723
role of the judicial system as it relates to parking regulation 1724
and enforcement, proper techniques and ~~methods~~methods relating 1725
to the enforcement of parking laws, human interaction skills, 1726
and first aid. 1727

Sec. 3501.29. (A) The board of elections shall provide for 1728
each precinct a polling place and provide adequate facilities at 1729
each polling place for conducting the election. The board shall 1730
provide a sufficient number of screened or curtained voting 1731
compartments to which electors may retire and conveniently mark 1732
their ballots, protected from the observation of others. Each 1733
voting compartment shall be provided at all times with writing 1734
implements, instructions how to vote, and other necessary 1735
conveniences for marking the ballot. The voting location manager 1736
shall ensure that the voting compartments at all times are 1737
adequately lighted and contain the necessary supplies. The board 1738
shall utilize, in so far as practicable, rooms in public schools 1739
and other public buildings for polling places. Upon application 1740
of the board of elections, the authority which has the control 1741
of any building or grounds supported by taxation under the laws 1742
of this state, shall make available the necessary space therein 1743
for the purpose of holding elections and adequate space for the 1744
storage of voting machines, without charge for the use thereof. 1745
A reasonable sum may be paid for necessary janitorial service. 1746
When polling places are established in private buildings, the 1747
board may pay a reasonable rental therefor, and also the cost of 1748
liability insurance covering the premises when used for election 1749
purposes, or the board may purchase a single liability policy 1750
covering the board and the owners of the premises when used for 1751

election purposes. When removable buildings are supplied by the 1752
board, they shall be constructed under the contract let to the 1753
lowest and best bidder, and the board shall observe all 1754
ordinances and regulations then in force as to safety. The board 1755
shall remove all such buildings from streets and other public 1756
places within thirty days after an election, unless another 1757
election is to be held within ninety days. 1758

(B) (1) Except as otherwise provided in this section, the 1759
board shall ensure all of the following: 1760

(a) That polling places are free of barriers that would 1761
impede ingress and egress of handicapped persons; 1762

(b) That the minimum number of special parking locations, 1763
also known as ~~handicapped-accessible~~ parking spaces or 1764
disability parking spaces, for ~~handicapped persons~~ with a 1765
disability that limits or impairs the ability to walk are 1766
designated at each polling place in accordance with 28 C.F.R. 1767
Part 36, Appendix A, and in compliance with ~~division (E) of~~ 1768
section ~~4511.69~~ 4511.691 of the Revised Code; 1769

(c) That the entrances of polling places are level or are 1770
provided with a nonskid ramp that meets the requirements of the 1771
"Americans with Disabilities Act of 1990," 104 Stat. 327, 42 1772
U.S.C. 12101, et seq.; 1773

(d) That doors are a minimum of thirty-two inches wide. 1774

(2) Notwithstanding division (B) (1) (a), (c), or (d) of 1775
this section, certain polling places may be specifically 1776
exempted by the secretary of state upon certification by a board 1777
of elections that a good faith, but unsuccessful, effort has 1778
been made to modify, or change the location of, such polling 1779
places. 1780

(C) At any polling place that is exempted from compliance 1781
by the secretary of state, the board of elections shall permit 1782
any handicapped elector who travels to that elector's polling 1783
place, but who is unable to enter the polling place, to vote, 1784
with the assistance of two polling place officials of major 1785
political parties, in the vehicle that conveyed that elector to 1786
the polling place, or to receive and cast that elector's ballot 1787
at the door of the polling place. 1788

(D) The secretary of state shall: 1789

(1) Work with other state agencies to facilitate the 1790
distribution of information and technical assistance to boards 1791
of elections to meet the requirements of division (B) of this 1792
section; 1793

(2) Work with organizations that represent or provide 1794
services to handicapped, disabled, or elderly citizens to effect 1795
a wide dissemination of information about the availability of 1796
absentee voting, voting in the voter's vehicle or at the door of 1797
the polling place, or other election services to handicapped, 1798
disabled, or elderly citizens. 1799

(E) Before the day of an election, the director of the 1800
board of elections of each county shall sign a statement 1801
verifying that each polling place that will be used in that 1802
county at that election meets the requirements of division (B) 1803
(1) (b) of this section. The signed statement shall be sent to 1804
the secretary of state by certified mail or electronically. 1805

(F) As used in this section, "handicapped" means having 1806
lost the use of one or both legs, one or both arms, or any 1807
combination thereof, or being blind or so severely disabled as 1808
to be unable to move about without the aid of crutches or a 1809

wheelchair. 1810

Sec. 3781.111. (A) In addition to the powers conferred by 1811
any other section of the Revised Code, the board of building 1812
standards shall adopt standards and rules to facilitate the 1813
reasonable access and use by all persons with a disability of 1814
all buildings and the facilities of buildings for which plans 1815
are submitted for approval under section 3791.04 of the Revised 1816
Code. No standard or rule shall be applied to any building the 1817
plans or drawings, specifications, and date of which have been 1818
approved prior to the time that the standard or rule takes 1819
effect. 1820

(B) (1) Except as otherwise provided in this section, the 1821
standards and rules adopted by the board pursuant to this 1822
section shall be in accordance with the "Americans with 1823
Disabilities Act of 1990," 104 Stat. 327, 42 ~~U.S.C.A.~~ U.S.C. 1824
12101, ~~as amended, et seq.~~ and the "Fair Housing Amendments Act 1825
of 1988," 102 Stat. 1619, 42 ~~U.S.C.A.~~ U.S.C. 3601, ~~as amended et~~ 1826
seq. 1827

(2) For purposes of enforcement by the Ohio civil rights 1828
commission only, approval of a plan as required under section 1829
3791.04 of the Revised Code creates a rebuttable presumption 1830
that the plans, drawings, specifications, or data submitted are 1831
in compliance with the rules adopted by the board pursuant to 1832
this section as they relate to accessibility. 1833

(C) All signs posted to designate special parking 1834
locations for persons with a disability and persons with 1835
disabilities that limit or impair the ability to walk in 1836
accordance with ~~division (E) of section 4511.69~~ 4511.691 of the 1837
Revised Code and the standards and rules adopted pursuant to 1838
this section shall be mounted on a fixed or movable post or 1839

otherwise affixed in a vertical position so that the distance 1840
from the ground to the bottom edge of the sign measures not less 1841
than five feet. If a new sign or a replacement sign designating 1842
a special parking location is posted on or after October 14, 1843
1999, there also shall be affixed upon the surface of that sign 1844
or affixed next to the designating sign a notice that states the 1845
fine applicable for the offense of parking a motor vehicle in 1846
the special designated parking location if the motor vehicle is 1847
not legally entitled to be parked in that location. 1848

(D) As used in this section, "disability" has the same 1849
meaning as in section 4112.01 of the Revised Code. As used in 1850
division (C) of this section, "persons with disabilities that 1851
limit or impair the ability to walk" has the same meaning as in 1852
division ~~(A)(1)~~ (A) of section 4503.44 of the Revised Code. 1853

(E) No owner of a building or facility where special 1854
parking locations for persons with a disability must be 1855
designated in accordance with the standards and rules adopted 1856
pursuant to this section shall fail to properly mark the special 1857
parking locations as required by those standards and rules or 1858
fail to maintain the markings of the special parking locations, 1859
including the erection and maintenance of the fixed or movable 1860
signs. 1861

(F) The board annually shall provide statewide training on 1862
the rules adopted by the board pursuant to this section as they 1863
relate to accessibility for nonresidential building department 1864
personnel certified by the board who approve, review plans, and 1865
inspect nonresidential construction. 1866

Sec. 4503.10. (A) The owner of every snowmobile, off- 1867
highway motorcycle, and all-purpose vehicle required to be 1868
registered under section 4519.02 of the Revised Code shall file 1869

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

(1) A brief description of the motor vehicle to be registered, including the year, make, model, and vehicle identification number, and, in the case of commercial cars, the gross weight of the vehicle fully equipped computed in the manner prescribed in section 4503.08 of the Revised Code;	1902 1903 1904 1905 1906
(2) The name and residence address of the owner, and the township and municipal corporation in which the owner resides;	1907 1908
(3) The district of registration, which shall be determined as follows:	1909 1910
(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.	1911 1912 1913 1914 1915 1916 1917
(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.	1918 1919 1920
(4) Whether the motor vehicle is a new or used motor vehicle;	1921 1922
(5) The date of purchase of the motor vehicle;	1923
(6) Whether the fees required to be paid for the registration or transfer of the motor vehicle, during the preceding registration year and during the preceding period of the current registration year, have been paid. Each application for registration shall be signed by the owner, either manually or by electronic signature, or pursuant to obtaining a limited power of attorney authorized by the registrar for registration,	1924 1925 1926 1927 1928 1929 1930

or other document authorizing such signature. If the owner 1931
elects to apply for or renew the motor vehicle registration with 1932
the registrar by electronic means, the owner's manual signature 1933
is not required. 1934

(7) The owner's social security number, driver's license 1935
number, or state identification number, or, where a motor 1936
vehicle to be registered is used for hire or principally in 1937
connection with any established business, the owner's federal 1938
taxpayer identification number. The bureau of motor vehicles 1939
shall retain in its records all social security numbers provided 1940
under this section, but the bureau shall not place social 1941
security numbers on motor vehicle certificates of registration. 1942

(B) Except as otherwise provided in this division, each 1943
time an applicant first registers a motor vehicle in the 1944
applicant's name, the applicant shall present for inspection a 1945
physical certificate of title or memorandum certificate showing 1946
title to the motor vehicle to be registered in the name of the 1947
applicant if a physical certificate of title or memorandum 1948
certificate has been issued by a clerk of a court of common 1949
pleas. If, under sections 4505.021, 4505.06, and 4505.08 of the 1950
Revised Code, a clerk instead has issued an electronic 1951
certificate of title for the applicant's motor vehicle, that 1952
certificate may be presented for inspection at the time of first 1953
registration in a manner prescribed by rules adopted by the 1954
registrar. An applicant is not required to present a certificate 1955
of title to an electronic motor vehicle dealer acting as a 1956
limited authority deputy registrar in accordance with rules 1957
adopted by the registrar. When a motor vehicle inspection and 1958
maintenance program is in effect under section 3704.14 of the 1959
Revised Code and rules adopted under it, each application for 1960
registration for a vehicle required to be inspected under that 1961

section and those rules shall be accompanied by an inspection 1962
certificate for the motor vehicle issued in accordance with that 1963
section. The application shall be refused if any of the 1964
following applies: 1965

(1) The application is not in proper form. 1966

(2) The application is prohibited from being accepted by 1967
division (D) of section 2935.27, division (A) of section 1968
2937.221, division (A) of section 4503.13, division (B) of 1969
section 4510.22, or division (B) (1) of section 4521.10 of the 1970
Revised Code. 1971

(3) A certificate of title or memorandum certificate of 1972
title is required but does not accompany the application or, in 1973
the case of an electronic certificate of title, is required but 1974
is not presented in a manner prescribed by the registrar's 1975
rules. 1976

(4) All registration and transfer fees for the motor 1977
vehicle, for the preceding year or the preceding period of the 1978
current registration year, have not been paid. 1979

(5) The owner or lessee does not have an inspection 1980
certificate for the motor vehicle as provided in section 3704.14 1981
of the Revised Code, and rules adopted under it, if that section 1982
is applicable. 1983

This section does not require the payment of license or 1984
registration taxes on a motor vehicle for any preceding year, or 1985
for any preceding period of a year, if the motor vehicle was not 1986
taxable for that preceding year or period under sections 1987
4503.02, 4503.04, 4503.11, 4503.12, and 4503.16 or Chapter 4504. 1988
of the Revised Code. When a certificate of registration is 1989
issued upon the first registration of a motor vehicle by or on 1990

behalf of the owner, the official issuing the certificate shall 1991
indicate the issuance with a stamp on the certificate of title 1992
or memorandum certificate or, in the case of an electronic 1993
certificate of title, an electronic stamp or other notation as 1994
specified in rules adopted by the registrar, and with a stamp on 1995
the inspection certificate for the motor vehicle, if any. The 1996
official also shall indicate, by a stamp or by other means the 1997
registrar prescribes, on the registration certificate issued 1998
upon the first registration of a motor vehicle by or on behalf 1999
of the owner the odometer reading of the motor vehicle as shown 2000
in the odometer statement included in or attached to the 2001
certificate of title. Upon each subsequent registration of the 2002
motor vehicle by or on behalf of the same owner, the official 2003
also shall so indicate the odometer reading of the motor vehicle 2004
as shown on the immediately preceding certificate of 2005
registration. 2006

The registrar shall include in the permanent registration 2007
record of any vehicle required to be inspected under section 2008
3704.14 of the Revised Code the inspection certificate number 2009
from the inspection certificate that is presented at the time of 2010
registration of the vehicle as required under this division. 2011

(C) (1) Except as otherwise provided in division (C) (1) of 2012
this section, the registrar and each deputy registrar shall 2013
collect an additional fee of eleven dollars for each application 2014
for registration and registration renewal received. For vehicles 2015
specified in divisions (A) (1) to (21) of section 4503.042 of the 2016
Revised Code, the registrar and deputy registrar shall collect 2017
an additional fee of thirty dollars for each application for 2018
registration and registration renewal received. No additional 2019
fee shall be charged for vehicles registered under section 2020
4503.65 of the Revised Code. The additional fee is for the 2021

purpose of defraying the department of public safety's costs 2022
associated with the administration and enforcement of the motor 2023
vehicle and traffic laws of Ohio. Each deputy registrar shall 2024
transmit the fees collected under divisions (C) (1), (3), and (4) 2025
of this section in the time and manner provided in this section. 2026
The registrar shall deposit all moneys received under division 2027
(C) (1) of this section into the public safety - highway purposes 2028
fund established in section 4501.06 of the Revised Code. 2029

(2) In addition, a charge of twenty-five cents shall be 2030
made for each reflectorized safety license plate issued, and a 2031
single charge of twenty-five cents shall be made for each county 2032
identification sticker or each set of county identification 2033
stickers issued, as the case may be, to cover the cost of 2034
producing the license plates and stickers, including material, 2035
manufacturing, and administrative costs. Those fees shall be in 2036
addition to the license tax. If the total cost of producing the 2037
plates is less than twenty-five cents per plate, or if the total 2038
cost of producing the stickers is less than twenty-five cents 2039
per sticker or per set issued, any excess moneys accruing from 2040
the fees shall be distributed in the same manner as provided by 2041
section 4501.04 of the Revised Code for the distribution of 2042
license tax moneys. If the total cost of producing the plates 2043
exceeds twenty-five cents per plate, or if the total cost of 2044
producing the stickers exceeds twenty-five cents per sticker or 2045
per set issued, the difference shall be paid from the license 2046
tax moneys collected pursuant to section 4503.02 of the Revised 2047
Code. 2048

(3) The registrar and each deputy registrar shall collect 2049
an additional fee of two hundred dollars for each application 2050
for registration or registration renewal received for any plug- 2051
in electric motor vehicle. The fee shall be prorated based on 2052

the number of months for which the plug-in electric motor 2053
vehicle is registered. The registrar shall transmit all money 2054
arising from the fee imposed by division (C) (3) of this section 2055
to the treasurer of state for distribution in accordance with 2056
division (E) of section 5735.051 of the Revised Code, subject to 2057
division (D) of section 5735.05 of the Revised Code. 2058

(4) The registrar and each deputy registrar shall collect 2059
an additional fee of one hundred dollars for each application 2060
for registration or registration renewal received for any hybrid 2061
motor vehicle. The fee shall be prorated based on the number of 2062
months for which the hybrid motor vehicle is registered. The 2063
registrar shall transmit all money arising from the fee imposed 2064
by division (C) (4) of this section to the treasurer of state for 2065
distribution in accordance with division (E) of section 5735.051 2066
of the Revised Code, subject to division (D) of section 5735.05 2067
of the Revised Code. 2068

The fees established under divisions (C) (3) and (4) of 2069
this section shall not be imposed until January 1, 2020. 2070

(D) Each deputy registrar shall be allowed a fee equal to 2071
the amount established under section 4503.038 of the Revised 2072
Code for each application for registration and registration 2073
renewal notice the deputy registrar receives, which shall be for 2074
the purpose of compensating the deputy registrar for the deputy 2075
registrar's services, and such office and rental expenses, as 2076
may be necessary for the proper discharge of the deputy 2077
registrar's duties in the receiving of applications and renewal 2078
notices and the issuing of registrations. 2079

(E) Upon the certification of the registrar, the county 2080
sheriff or local police officials shall recover license plates 2081
erroneously or fraudulently issued. 2082

(F) Each deputy registrar, upon receipt of any application 2083
for registration or registration renewal notice, together with 2084
the license fee and any local motor vehicle license tax levied 2085
pursuant to Chapter 4504. of the Revised Code, shall transmit 2086
that fee and tax, if any, in the manner provided in this 2087
section, together with the original and duplicate copy of the 2088
application, to the registrar. The registrar, subject to the 2089
approval of the director of public safety, may deposit the funds 2090
collected by those deputies in a local bank or depository to the 2091
credit of the "state of Ohio, bureau of motor vehicles." Where a 2092
local bank or depository has been designated by the registrar, 2093
each deputy registrar shall deposit all moneys collected by the 2094
deputy registrar into that bank or depository not more than one 2095
business day after their collection and shall make reports to 2096
the registrar of the amounts so deposited, together with any 2097
other information, some of which may be prescribed by the 2098
treasurer of state, as the registrar may require and as 2099
prescribed by the registrar by rule. The registrar, within three 2100
days after receipt of notification of the deposit of funds by a 2101
deputy registrar in a local bank or depository, shall draw on 2102
that account in favor of the treasurer of state. The registrar, 2103
subject to the approval of the director and the treasurer of 2104
state, may make reasonable rules necessary for the prompt 2105
transmittal of fees and for safeguarding the interests of the 2106
state and of counties, townships, municipal corporations, and 2107
transportation improvement districts levying local motor vehicle 2108
license taxes. The registrar may pay service charges usually 2109
collected by banks and depositories for such service. If deputy 2110
registrars are located in communities where banking facilities 2111
are not available, they shall transmit the fees forthwith, by 2112
money order or otherwise, as the registrar, by rule approved by 2113
the director and the treasurer of state, may prescribe. The 2114

registrar may pay the usual and customary fees for such service. 2115

(G) This section does not prevent any person from making 2116
an application for a motor vehicle license directly to the 2117
registrar by mail, by electronic means, or in person at any of 2118
the registrar's offices, upon payment of a service fee equal to 2119
the amount established under section 4503.038 of the Revised 2120
Code for each application. 2121

(H) No person shall make a false statement as to the 2122
district of registration in an application required by division 2123
(A) of this section. Violation of this division is falsification 2124
under section 2921.13 of the Revised Code and punishable as 2125
specified in that section. 2126

(I) (1) Where applicable, the requirements of division (B) 2127
of this section relating to the presentation of an inspection 2128
certificate issued under section 3704.14 of the Revised Code and 2129
rules adopted under it for a motor vehicle, the refusal of a 2130
license for failure to present an inspection certificate, and 2131
the stamping of the inspection certificate by the official 2132
issuing the certificate of registration apply to the 2133
registration of and issuance of license plates for a motor 2134
vehicle under sections 4503.102, 4503.12, 4503.14, 4503.15, 2135
4503.16, 4503.171, 4503.172, 4503.19, 4503.40, 4503.41, 4503.42, 2136
4503.43, ~~4503.44~~4503.441, 4503.46, 4503.47, and 4503.51 of the 2137
Revised Code. 2138

(2) (a) The registrar shall adopt rules ensuring that each 2139
owner registering a motor vehicle in a county where a motor 2140
vehicle inspection and maintenance program is in effect under 2141
section 3704.14 of the Revised Code and rules adopted under it 2142
receives information about the requirements established in that 2143
section and those rules and about the need in those counties to 2144

present an inspection certificate with an application for 2145
registration or preregistration. 2146

(b) Upon request, the registrar shall provide the director 2147
of environmental protection, or any person that has been awarded 2148
a contract under section 3704.14 of the Revised Code, an on-line 2149
computer data link to registration information for all passenger 2150
cars, noncommercial motor vehicles, and commercial cars that are 2151
subject to that section. The registrar also shall provide to the 2152
director of environmental protection a magnetic data tape 2153
containing registration information regarding passenger cars, 2154
noncommercial motor vehicles, and commercial cars for which a 2155
multi-year registration is in effect under section 4503.103 of 2156
the Revised Code or rules adopted under it, including, without 2157
limitation, the date of issuance of the multi-year registration, 2158
the registration deadline established under rules adopted under 2159
section 4503.101 of the Revised Code that was applicable in the 2160
year in which the multi-year registration was issued, and the 2161
registration deadline for renewal of the multi-year 2162
registration. 2163

(J) Subject to division (K) of this section, application 2164
for registration under the international registration plan, as 2165
set forth in sections 4503.60 to 4503.66 of the Revised Code, 2166
shall be made to the registrar on forms furnished by the 2167
registrar. In accordance with international registration plan 2168
guidelines and pursuant to rules adopted by the registrar, the 2169
forms shall include the following: 2170

(1) A uniform mileage schedule; 2171

(2) The gross vehicle weight of the vehicle or combined 2172
gross vehicle weight of the combination vehicle as declared by 2173
the registrant; 2174

(3) Any other information the registrar requires by rule. 2175

(K) The registrar shall determine the feasibility of 2176
implementing an electronic commercial fleet licensing and 2177
management program that will enable the owners of commercial 2178
tractors, commercial trailers, and commercial semitrailers to 2179
conduct electronic transactions by July 1, 2010, or sooner. If 2180
the registrar determines that implementing such a program is 2181
feasible, the registrar shall adopt new rules under this 2182
division or amend existing rules adopted under this division as 2183
necessary in order to respond to advances in technology. 2184

If international registration plan guidelines and 2185
provisions allow member jurisdictions to permit applications for 2186
registrations under the international registration plan to be 2187
made via the internet, the rules the registrar adopts under this 2188
division shall permit such action. 2189

Sec. 4503.12. (A) Upon the transfer of ownership of a 2190
motor vehicle, the registration of the motor vehicle expires, 2191
and the original owner immediately shall remove the license 2192
plates from the motor vehicle, except that: 2193

(1) If a statutory merger or consolidation results in the 2194
transfer of ownership of a motor vehicle from a constituent 2195
corporation to the surviving corporation, or if the 2196
incorporation of a proprietorship or partnership results in the 2197
transfer of ownership of a motor vehicle from the proprietorship 2198
or partnership to the corporation, the registration shall be 2199
continued upon the filing by the surviving or new corporation, 2200
within thirty days of such transfer, of an application for an 2201
amended certificate of registration. Upon a proper filing, the 2202
registrar of motor vehicles shall issue an amended certificate 2203
of registration in the name of the new owner. 2204

(2) If the death of the owner of a motor vehicle results 2205
in the transfer of ownership of the motor vehicle to the 2206
surviving spouse of the owner or if a motor vehicle is owned by 2207
two persons under joint ownership with right of survivorship 2208
established under section 2131.12 of the Revised Code and one of 2209
those persons dies, the registration shall be continued upon the 2210
filing by the survivor of an application for an amended 2211
certificate of registration. In relation to a motor vehicle that 2212
is owned by two persons under joint ownership with right of 2213
survivorship established under section 2131.12 of the Revised 2214
Code, the application shall be accompanied by a copy of the 2215
certificate of title that specifies that the vehicle is owned 2216
under joint ownership with right of survivorship. Upon a proper 2217
filing, the registrar shall issue an amended certificate of 2218
registration in the name of the survivor. 2219

(3) If the death of the owner of a motor vehicle results 2220
in the transfer of ownership of the motor vehicle to a transfer- 2221
on-death beneficiary or beneficiaries designated under section 2222
2131.13 of the Revised Code, the registration shall be continued 2223
upon the filing by the transfer-on-death beneficiary or 2224
beneficiaries of an application for an amended certificate of 2225
registration. The application shall be accompanied by a copy of 2226
the certificate of title that specifies that the owner of the 2227
motor vehicle has designated the motor vehicle in beneficiary 2228
form under section 2131.13 of the Revised Code. Upon a proper 2229
filing, the registrar shall issue an amended certificate of 2230
registration in the name of the transfer-on-death beneficiary or 2231
beneficiaries. 2232

(4) If the original owner of a motor vehicle that has been 2233
transferred makes application for the registration of another 2234
motor vehicle at any time during the remainder of the 2235

registration period for which the transferred motor vehicle was 2236
registered, the owner may file an application for transfer of 2237
the registration and, where applicable, the license plates. The 2238
transfer of the registration and, where applicable, the license 2239
plates from the motor vehicle for which they originally were 2240
issued to a succeeding motor vehicle purchased by the same 2241
person in whose name the original registration and license 2242
plates were issued shall be done within a period not to exceed 2243
thirty days. During that thirty-day period, the license plates 2244
from the motor vehicle for which they originally were issued may 2245
be displayed on the succeeding motor vehicle, and the succeeding 2246
motor vehicle may be operated on the public roads and highways 2247
in this state. 2248

At the time of application for transfer, the registrar 2249
shall compute and collect the amount of tax due on the 2250
succeeding motor vehicle, based upon the amount that would be 2251
due on a new registration as of the date on which the transfer 2252
is made less a credit for the unused portion of the original 2253
registration beginning on that date. If the credit exceeds the 2254
amount of tax due on the new registration, no refund shall be 2255
made. In computing the amount of tax due and credits to be 2256
allowed under this division, the provisions of division (B) (1) 2257
(a) and (b) of section 4503.11 of the Revised Code shall apply. 2258
As to passenger cars, noncommercial vehicles, motor homes, and 2259
motorcycles, transfers within or between these classes of motor 2260
vehicles only shall be allowed. If the succeeding motor vehicle 2261
is of a different class than the motor vehicle for which the 2262
registration originally was issued, new license plates also 2263
shall be issued upon the surrender of the license plates 2264
originally issued and payment of the fees provided in divisions 2265
(C) and (D) of section 4503.10 of the Revised Code. 2266

(5) The owner of a commercial car having a gross vehicle weight or combined gross vehicle weight of more than ten thousand pounds may transfer the registration of that commercial car to another commercial car the owner owns without transferring ownership of the first commercial car. At any time during the remainder of the registration period for which the first commercial car was registered, the owner may file an application for the transfer of the registration and, where applicable, the license plates, accompanied by the certificate of registration of the first commercial car. The amount of any tax due or credit to be allowed for a transfer of registration under this division shall be computed in accordance with division (A) (4) of this section.

No commercial car to which a registration is transferred under this division shall be operated on a public road or highway in this state until after the transfer of registration is completed in accordance with this division.

(6) Upon application to the registrar or a deputy registrar, a person who owns or leases a motor vehicle may transfer special license plates assigned to that vehicle to any other vehicle that the person owns or leases or that is owned or leased by the person's spouse. As appropriate, the application also shall be accompanied by a power of attorney for the registration of a leased vehicle and a written statement releasing the special plates to the applicant. Upon a proper filing, the registrar or deputy registrar shall assign the special license plates to the motor vehicle owned or leased by the applicant and issue a new certificate of registration for that motor vehicle.

(7) If a corporation transfers the ownership of a motor

vehicle to an affiliated corporation, the affiliated corporation 2297
may apply to the registrar for the transfer of the registration 2298
and any license plates. The registrar may require the applicant 2299
to submit documentation of the corporate relationship and shall 2300
determine whether the application for registration transfer is 2301
made in good faith and not for the purposes of circumventing the 2302
provisions of this chapter. Upon a proper filing, the registrar 2303
shall issue an amended certificate of registration in the name 2304
of the new owner. 2305

(B) An application under division (A) of this section 2306
shall be accompanied by a service fee equal to the amount 2307
established under section 4503.038 of the Revised Code, a 2308
transfer fee of one dollar, and the original certificate of 2309
registration, if applicable. 2310

(C) Neither the registrar nor a deputy registrar shall 2311
transfer a registration under division (A) of this section if 2312
the registration is prohibited by division (D) of section 2313
2935.27, division (A) of section 2937.221, division (A) of 2314
section 4503.13, division (D) of section 4503.234, division (B) 2315
of section 4510.22, or division (B) (1) of section 4521.10 of the 2316
Revised Code. 2317

(D) Whoever violates division (A) of this section is 2318
guilty of a misdemeanor of the fourth degree. 2319

(E) As used in division (A) (6) of this section, "special 2320
license plates" means either of the following: 2321

(1) Any license plates for which the person to whom the 2322
license plates are issued must pay an additional fee in excess 2323
of the fees prescribed in section 4503.04 of the Revised Code, 2324
Chapter 4504. of the Revised Code, and the service fee 2325

prescribed in division (D) or (G) of section 4503.10 of the Revised Code; 2326
2327

(2) License plates issued under section ~~4503.44~~ 4503.441 of the Revised Code. 2328
2329

Sec. 4517.01. As used in sections 4517.01 to 4517.65 of the Revised Code: 2330
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(A) "Persons" includes individuals, firms, partnerships, associations, joint stock companies, corporations, and any combinations of individuals. 2332
2333
2334

(B) "Motor vehicle" means motor vehicle as defined in section 4501.01 of the Revised Code and also includes "all-purpose vehicle" and "off-highway motorcycle" as those terms are defined in section 4519.01 of the Revised Code. "Motor vehicle" does not include a snowmobile as defined in section 4519.01 of the Revised Code or manufactured and mobile homes. 2335
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(C) "New motor vehicle" means a motor vehicle, the legal title to which has never been transferred by a manufacturer, remanufacturer, distributor, or dealer to an ultimate purchaser. 2341
2342
2343

(D) "Ultimate purchaser" means, with respect to any new motor vehicle, the first person, other than a dealer purchasing in the capacity of a dealer, who in good faith purchases such new motor vehicle for purposes other than resale. 2344
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2347

(E) "Business" includes any activities engaged in by any person for the object of gain, benefit, or advantage either direct or indirect. 2348
2349
2350

(F) "Engaging in business" means commencing, conducting, or continuing in business, or liquidating a business when the liquidator thereof holds self out to be conducting such 2351
2352
2353

business; making a casual sale or otherwise making transfers in 2354
the ordinary course of business when the transfers are made in 2355
connection with the disposition of all or substantially all of 2356
the transferor's assets is not engaging in business. 2357

(G) "Retail sale" or "sale at retail" means the act or 2358
attempted act of selling, bartering, exchanging, or otherwise 2359
disposing of a motor vehicle to an ultimate purchaser for use as 2360
a consumer. 2361

(H) "Retail installment contract" includes any contract in 2362
the form of a note, chattel mortgage, conditional sales 2363
contract, lease, agreement, or other instrument payable in one 2364
or more installments over a period of time and arising out of 2365
the retail sale of a motor vehicle. 2366

(I) "Farm machinery" means all machines and tools used in 2367
the production, harvesting, and care of farm products. 2368

(J) "Dealer" or "motor vehicle dealer" means any new motor 2369
vehicle dealer, any motor vehicle leasing dealer, and any used 2370
motor vehicle dealer. 2371

(K) "New motor vehicle dealer" means any person engaged in 2372
the business of selling at retail, displaying, offering for 2373
sale, or dealing in new motor vehicles pursuant to a contract or 2374
agreement entered into with the manufacturer, remanufacturer, or 2375
distributor of the motor vehicles. 2376

(L) "Used motor vehicle dealer" means any person engaged 2377
in the business of selling, displaying, offering for sale, or 2378
dealing in used motor vehicles, at retail or wholesale, but does 2379
not mean any new motor vehicle dealer selling, displaying, 2380
offering for sale, or dealing in used motor vehicles 2381
incidentally to engaging in the business of selling, displaying, 2382

offering for sale, or dealing in new motor vehicles, any person 2383
engaged in the business of dismantling, salvaging, or rebuilding 2384
motor vehicles by means of using used parts, or any public 2385
officer performing official duties. 2386

(M) "Motor vehicle leasing dealer" means any person 2387
engaged in the business of regularly making available, offering 2388
to make available, or arranging for another person to use a 2389
motor vehicle pursuant to a bailment, lease, sublease, or other 2390
contractual arrangement under which a charge is made for its use 2391
at a periodic rate for a term of thirty days or more, and title 2392
to the motor vehicle is in and remains in the motor vehicle 2393
leasing dealer who originally leases it, irrespective of whether 2394
or not the motor vehicle is the subject of a later sublease, and 2395
not in the user, but does not mean a manufacturer or its 2396
affiliate leasing to its employees or to dealers. 2397

(N) "Salesperson" means any person employed by a dealer to 2398
sell, display, and offer for sale, or deal in motor vehicles for 2399
a commission, compensation, or other valuable consideration, but 2400
does not mean any public officer performing official duties. 2401

(O) "Casual sale" means any transfer of a motor vehicle by 2402
a person other than a new motor vehicle dealer, used motor 2403
vehicle dealer, motor vehicle salvage dealer, as defined in 2404
division (A) of section 4738.01 of the Revised Code, 2405
salesperson, motor vehicle auction owner, manufacturer, or 2406
distributor acting in the capacity of a dealer, salesperson, 2407
auction owner, manufacturer, or distributor, to a person who 2408
purchases the motor vehicle for use as a consumer. 2409

(P) "Motor vehicle auction owner" means any person who is 2410
engaged wholly or in part in the business of auctioning motor 2411
vehicles, but does not mean a construction equipment auctioneer 2412

or a construction equipment auction licensee. 2413

(Q) "Manufacturer" means a person who manufactures, 2414
assembles, or imports motor vehicles, including motor homes, but 2415
does not mean a person who only assembles or installs a body, 2416
special equipment unit, finishing trim, or accessories on a 2417
motor vehicle chassis supplied by a manufacturer or distributor. 2418

(R) "Tent-type fold-out camping trailer" means any vehicle 2419
intended to be used, when stationary, as a temporary shelter 2420
with living and sleeping facilities, and that is subject to the 2421
following properties and limitations: 2422

(1) A minimum of twenty-five per cent of the fold-out 2423
portion of the top and sidewalls combined must be constructed of 2424
canvas, vinyl, or other fabric, and form an integral part of the 2425
shelter. 2426

(2) When folded, the unit must not exceed: 2427

(a) Fifteen feet in length, exclusive of bumper and 2428
tongue; 2429

(b) Sixty inches in height from the point of contact with 2430
the ground; 2431

(c) Eight feet in width; 2432

(d) One ton gross weight at time of sale. 2433

(S) "Distributor" means any person authorized by a motor 2434
vehicle manufacturer to distribute new motor vehicles to 2435
licensed new motor vehicle dealers, but does not mean a person 2436
who only assembles or installs a body, special equipment unit, 2437
finishing trim, or accessories on a motor vehicle chassis 2438
supplied by a manufacturer or distributor. 2439

(T) "Flea market" means a market place, other than a 2440
dealer's location licensed under this chapter, where a space or 2441
location is provided for a fee or compensation to a seller to 2442
exhibit and offer for sale or trade, motor vehicles to the 2443
general public. 2444

(U) "Franchise" means any written agreement, contract, or 2445
understanding between any motor vehicle manufacturer or 2446
remanufacturer engaged in commerce and any motor vehicle dealer 2447
that purports to fix the legal rights and liabilities of the 2448
parties to such agreement, contract, or understanding. 2449

(V) "Franchisee" means a person who receives new motor 2450
vehicles from the franchisor under a franchise agreement and who 2451
offers, sells, and provides service for such new motor vehicles 2452
to the general public. 2453

(W) "Franchisor" means a new motor vehicle manufacturer, 2454
remanufacturer, or distributor who supplies new motor vehicles 2455
under a franchise agreement to a franchisee. 2456

(X) "Dealer organization" means a state or local trade 2457
association the membership of which is comprised predominantly 2458
of new motor vehicle dealers. 2459

(Y) "Factory representative" means a representative 2460
employed by a manufacturer, remanufacturer, or by a factory 2461
branch primarily for the purpose of promoting the sale of its 2462
motor vehicles, parts, or accessories to dealers or for 2463
supervising or contacting its dealers or prospective dealers. 2464

(Z) "Administrative or executive management" means those 2465
individuals who are not subject to federal wage and hour laws. 2466

(AA) "Good faith" means honesty in the conduct or 2467
transaction concerned and the observance of reasonable 2468

commercial standards of fair dealing in the trade as is defined 2469
in section 1301.201 of the Revised Code, including, but not 2470
limited to, the duty to act in a fair and equitable manner so as 2471
to guarantee freedom from coercion, intimidation, or threats of 2472
coercion or intimidation; provided however, that recommendation, 2473
endorsement, exposition, persuasion, urging, or argument shall 2474
not be considered to constitute a lack of good faith. 2475

(BB) "Coerce" means to compel or attempt to compel by 2476
failing to act in good faith or by threat of economic harm, 2477
breach of contract, or other adverse consequences. Coerce does 2478
not mean to argue, urge, recommend, or persuade. 2479

(CC) "Relevant market area" means any area within a radius 2480
of ten miles from the site of a potential new dealership, except 2481
that for manufactured home or recreational vehicle dealerships 2482
the radius shall be twenty-five miles. The ten-mile radius shall 2483
be measured from the dealer's established place of business that 2484
is used exclusively for the purpose of selling, displaying, 2485
offering for sale, or dealing in motor vehicles. 2486

(DD) "Wholesale" or "at wholesale" means the act or 2487
attempted act of selling, bartering, exchanging, or otherwise 2488
disposing of a motor vehicle to a transferee for the purpose of 2489
resale and not for ultimate consumption by that transferee. 2490

(EE) "Motor vehicle wholesaler" means any person licensed 2491
as a dealer under the laws of another state and engaged in the 2492
business of selling, displaying, or offering for sale used motor 2493
vehicles, at wholesale, but does not mean any motor vehicle 2494
dealer as defined in this section. 2495

(FF) (1) "Remanufacturer" means a person who assembles or 2496
installs passenger seating, walls, a roof elevation, or a body 2497

extension on a conversion van with the motor vehicle chassis 2498
supplied by a manufacturer or distributor, a person who modifies 2499
a truck chassis supplied by a manufacturer or distributor for 2500
use as a public safety or public service vehicle, a person who 2501
modifies a motor vehicle chassis supplied by a manufacturer or 2502
distributor for use as a limousine or hearse, or a person who 2503
modifies an incomplete motor vehicle cab and chassis supplied by 2504
a new motor vehicle dealer or distributor for use as a tow 2505
truck, but does not mean either of the following: 2506

(a) A person who assembles or installs passenger seating, 2507
a roof elevation, or a body extension on a recreational vehicle 2508
as defined in division (Q) and referred to in division (B) of 2509
section 4501.01 of the Revised Code; 2510

(b) A person who assembles or installs special equipment 2511
or accessories for ~~handicapped persons~~a person with a disability 2512
that limits or impairs the ability to walk, as defined in 2513
section 4503.44 of the Revised Code, upon a motor vehicle 2514
chassis supplied by a manufacturer or distributor. 2515

(2) For the purposes of division (FF)(1) of this section, 2516
"public safety vehicle or public service vehicle" means a fire 2517
truck, ambulance, school bus, street sweeper, garbage packing 2518
truck, or cement mixer, or a mobile self-contained facility 2519
vehicle. 2520

(3) For the purposes of division (FF)(1) of this section, 2521
"limousine" means a motor vehicle, designed only for the purpose 2522
of carrying nine or fewer passengers, that a person modifies by 2523
cutting the original chassis, lengthening the wheelbase by forty 2524
inches or more, and reinforcing the chassis in such a way that 2525
all modifications comply with all applicable federal motor 2526
vehicle safety standards. No person shall qualify as or be 2527

deemed to be a remanufacturer who produces limousines unless the 2528
person has a written agreement with the manufacturer of the 2529
chassis the person utilizes to produce the limousines to 2530
complete properly the remanufacture of the chassis into 2531
limousines. 2532

(4) For the purposes of division (FF)(1) of this section, 2533
"hearse" means a motor vehicle, designed only for the purpose of 2534
transporting a single casket, that is equipped with a 2535
compartment designed specifically to carry a single casket that 2536
a person modifies by cutting the original chassis, lengthening 2537
the wheelbase by ten inches or more, and reinforcing the chassis 2538
in such a way that all modifications comply with all applicable 2539
federal motor vehicle safety standards. No person shall qualify 2540
as or be deemed to be a remanufacturer who produces hearses 2541
unless the person has a written agreement with the manufacturer 2542
of the chassis the person utilizes to produce the hearses to 2543
complete properly the remanufacture of the chassis into hearses. 2544

(5) For the purposes of division (FF)(1) of this section, 2545
"mobile self-contained facility vehicle" means a mobile 2546
classroom vehicle, mobile laboratory vehicle, bookmobile, 2547
bloodmobile, testing laboratory, and mobile display vehicle, 2548
each of which is designed for purposes other than for passenger 2549
transportation and other than the transportation or displacement 2550
of cargo, freight, materials, or merchandise. A vehicle is 2551
remanufactured into a mobile self-contained facility vehicle in 2552
part by the addition of insulation to the body shell, and 2553
installation of all of the following: a generator, electrical 2554
wiring, plumbing, holding tanks, doors, windows, cabinets, 2555
shelving, and heating, ventilating, and air conditioning 2556
systems. 2557

(6) For the purposes of division (FF) (1) of this section, 2558
"tow truck" means both of the following: 2559

(a) An incomplete cab and chassis that are purchased by a 2560
remanufacturer from a new motor vehicle dealer or distributor of 2561
the cab and chassis and on which the remanufacturer then 2562
installs in a permanent manner a wrecker body it purchases from 2563
a manufacturer or distributor of wrecker bodies, installs an 2564
emergency flashing light pylon and emergency lights upon the 2565
mast of the wrecker body or rooftop, and installs such other 2566
related accessories and equipment, including push bumpers, front 2567
grille guards with pads and other custom-ordered items such as 2568
painting, special lettering, and safety striping so as to create 2569
a complete motor vehicle capable of lifting and towing another 2570
motor vehicle. 2571

(b) An incomplete cab and chassis that are purchased by a 2572
remanufacturer from a new motor vehicle dealer or distributor of 2573
the cab and chassis and on which the remanufacturer then 2574
installs in a permanent manner a car carrier body it purchases 2575
from a manufacturer or distributor of car carrier bodies, 2576
installs an emergency flashing light pylon and emergency lights 2577
upon the rooftop, and installs such other related accessories 2578
and equipment, including push bumpers, front grille guards with 2579
pads and other custom-ordered items such as painting, special 2580
lettering, and safety striping. 2581

As used in division (FF) (6) (b) of this section, "car 2582
carrier body" means a mechanical or hydraulic apparatus capable 2583
of lifting and holding a motor vehicle on a flat level surface 2584
so that one or more motor vehicles can be transported, once the 2585
car carrier is permanently installed upon an incomplete cab and 2586
chassis. 2587

(GG) "Operating as a new motor vehicle dealership" means 2588
engaging in activities such as displaying, offering for sale, 2589
and selling new motor vehicles at retail, operating a service 2590
facility to perform repairs and maintenance on motor vehicles, 2591
offering for sale and selling motor vehicle parts at retail, and 2592
conducting all other acts that are usual and customary to the 2593
operation of a new motor vehicle dealership. For the purposes of 2594
this chapter only, possession of either a valid new motor 2595
vehicle dealer franchise agreement or a new motor vehicle 2596
dealers license, or both of these items, is not evidence that a 2597
person is operating as a new motor vehicle dealership. 2598

(HH) "Outdoor power equipment" means garden and small 2599
utility tractors, walk-behind and riding mowers, chainsaws, and 2600
tillers. 2601

(II) "Remote service facility" means premises that are 2602
separate from a licensed new motor vehicle dealer's sales 2603
facility by not more than one mile and that are used by the 2604
dealer to perform repairs, warranty work, recall work, and 2605
maintenance on motor vehicles pursuant to a franchise agreement 2606
entered into with a manufacturer of motor vehicles. A remote 2607
service facility shall be deemed to be part of the franchise 2608
agreement and is subject to all the rights, duties, obligations, 2609
and requirements of Chapter 4517. of the Revised Code that 2610
relate to the performance of motor vehicle repairs, warranty 2611
work, recall work, and maintenance work by new motor vehicle 2612
dealers. 2613

(JJ) "Recreational vehicle" has the same meaning as in 2614
section 4501.01 of the Revised Code. 2615

(KK) "Construction equipment auctioneer" means a person 2616
who holds both a valid auction firm license issued under Chapter 2617

4707. of the Revised Code and a valid construction equipment	2618
auction license issued under this chapter.	2619
(LL) "Large construction or transportation equipment"	2620
means vehicles having a gross vehicle weight rating of more than	2621
ten thousand pounds and includes road rollers, traction engines,	2622
power shovels, power cranes, commercial cars and trucks, or farm	2623
trucks, and other similar vehicles obtained primarily from the	2624
construction, mining, transportation or farming industries.	2625
(MM) "Local market conditions" includes, but is not	2626
limited to:	2627
(1) Demographics in the franchisee's area;	2628
(2) Geographical and market characteristics in the	2629
franchisee's area;	2630
(3) Local economic circumstances;	2631
(4) The proximity of other motor vehicle dealers of the	2632
same line-make;	2633
(5) The proximity of motor vehicle manufacturing	2634
facilities;	2635
(6) The buying patterns of motor vehicle purchasers;	2636
(7) Customer drive time and drive distance.	2637
Sec. 4517.12. (A) The registrar of motor vehicles shall	2638
deny the application of any person for a license as a motor	2639
vehicle dealer, motor vehicle leasing dealer, or motor vehicle	2640
auction owner and refuse to issue the license if the registrar	2641
finds that the applicant:	2642
(1) Has made any false statement of a material fact in the	2643
application;	2644

(2) Has not complied with sections 4517.01 to 4517.45 of the Revised Code;	2645 2646
(3) Is of bad business repute or has habitually defaulted on financial obligations;	2647 2648
(4) Is engaged or will engage in the business of selling at retail any new motor vehicles without having written authority from the manufacturer or distributor thereof to sell new motor vehicles and to perform repairs under the terms of the manufacturer's or distributor's new motor vehicle warranty, except as provided in division (C) of this section and except that a person who assembles or installs special equipment or accessories for handicapped persons <u>a person with a disability that limits or impairs the ability to walk</u> , as defined in section 4503.44 of the Revised Code, upon a motor vehicle chassis supplied by a manufacturer or distributor shall not be denied a license pursuant to division (A)(4) of this section;	2649 2650 2651 2652 2653 2654 2655 2656 2657 2658 2659 2660
(5) Has been guilty of a fraudulent act in connection with selling or otherwise dealing in, or leasing, motor vehicles, or in connection with brokering manufactured homes;	2661 2662 2663
(6) Has entered into or is about to enter into a contract or agreement with a manufacturer or distributor of motor vehicles that is contrary to sections 4517.01 to 4517.45 of the Revised Code;	2664 2665 2666 2667
(7) Is insolvent;	2668
(8) Is of insufficient responsibility to ensure the prompt payment of any final judgments that might reasonably be entered against the applicant because of the transaction of business as a motor vehicle dealer, motor vehicle leasing dealer, or motor vehicle auction owner during the period of the license applied	2669 2670 2671 2672 2673

for, or has failed to satisfy any such judgment; 2674

(9) Has no established place of business that, where 2675
applicable, is used or will be used for the purpose of selling, 2676
displaying, offering for sale, dealing in, or leasing motor 2677
vehicles at the location for which application is made; 2678

(10) Has, less than twelve months prior to making 2679
application, been denied a motor vehicle dealer's, motor vehicle 2680
leasing dealer's, or motor vehicle auction owner's license, or 2681
has any such license revoked; 2682

(11) Is a manufacturer, or a parent company, subsidiary, 2683
or affiliated entity of a manufacturer, applying for a license 2684
to sell or lease new or used motor vehicles at retail. Division 2685
(A) (11) of this section shall not serve as a basis for the 2686
termination, revocation, or nonrenewal of a license granted 2687
prior to ~~the effective date of this amendment~~ September 4, 2014. 2688
Nothing in division (A) (11) of this section shall prohibit a 2689
manufacturer from doing either of the following: 2690

(a) Owning, operating, or controlling not more than three 2691
licensed motor vehicle dealerships if, as of January 1, 2014, 2692
the manufacturer was selling or otherwise distributing its motor 2693
vehicles at an established place of business in this state. Such 2694
ownership, operation, or control may continue unless the 2695
manufacturer's motor vehicle operations are sold or acquired or 2696
the manufacturer produces any motor vehicles other than all- 2697
electric motor vehicles. 2698

(b) Disposing of motor vehicles at wholesale at the 2699
termination of a consumer lease through a motor vehicle auction. 2700

(B) If the applicant is a corporation or partnership, the 2701
registrar may refuse to issue a license if any officer, 2702

director, or partner of the applicant has been guilty of any act 2703
or omission that would be cause for refusing or revoking a 2704
license issued to such officer, director, or partner as an 2705
individual. The registrar's finding may be based upon facts 2706
contained in the application or upon any other information the 2707
registrar may have. Immediately upon denying an application for 2708
any of the reasons in this section, the registrar shall enter a 2709
final order together with the registrar's findings and certify 2710
the same to the motor vehicle dealers' and salespersons' 2711
licensing board. 2712

(C) Notwithstanding division (A) (4) of this section, the 2713
registrar shall not deny the application of any person and 2714
refuse to issue a license if the registrar finds that the 2715
applicant is engaged or will engage in the business of selling 2716
at retail any new motor vehicles and demonstrates all of the 2717
following in the form prescribed by the registrar: 2718

(1) That the applicant has posted a bond, surety, or 2719
certificate of deposit with the registrar in an amount not less 2720
than one hundred thousand dollars for the protection and benefit 2721
of the applicant's customers except that a new motor vehicle 2722
dealer who is not exclusively engaged in the business of selling 2723
remanufactured vehicles shall not be required to post the bond, 2724
surety, or certificate of deposit otherwise required by division 2725
(C) (1) of this section; 2726

(2) That, at the time of the sale of the vehicle, each 2727
customer of the applicant will be furnished with a warranty 2728
issued by the remanufacturer for a term of at least one year; 2729

(3) That the applicant provides and maintains at the 2730
applicant's location and place of business a permanent facility 2731
with all of the following: 2732

(a) A showroom with space, under roof, for the display of	2733
at least one new motor vehicle;	2734
(b) A service and parts facility for remanufactured	2735
vehicles;	2736
(c) Full-time service and parts personnel with the proper	2737
training and technical expertise to service the remanufactured	2738
vehicles sold by the applicant.	2739
Section 4. That existing sections 311.30, 505.541, 509.04,	2740
3501.29, 3781.111, 4503.10, 4503.12, 4517.01, and 4517.12 of the	2741
Revised Code are hereby repealed.	2742
Section 5. Section 3501.29 of the Revised Code is	2743
presented in this act as a composite of the section as amended	2744
by both S.B. 10 and S.B. 109 of the 130th General Assembly. The	2745
General Assembly, applying the principle stated in division (B)	2746
of section 1.52 of the Revised Code that amendments are to be	2747
harmonized if reasonably capable of simultaneous operation,	2748
finds that the composite is the resulting version of the section	2749
in effect prior to the effective date of the section as	2750
presented in this act.	2751