

As Introduced

134th General Assembly

Regular Session

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H. B. No. 70

Representative Brown

**Cosponsors: Representatives Crossman, Sheehy, Weinstein, Kelly, Leland,
Lepore-Hagan, Miller, J., Russo, O'Brien, Smith, K.**

A BILL

To amend sections 4503.03, 4510.036, 4511.75, 1
4511.751, and 4511.76 of the Revised Code to 2
make changes to the law governing passing a 3
school bus. 4

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

Section 1. That sections 4503.03, 4510.036, 4511.75, 5
4511.751, and 4511.76 of the Revised Code be amended to read as 6
follows: 7

Sec. 4503.03. (A) (1) (a) Except as provided in division (B) 8
of this section, the registrar of motor vehicles may designate 9
one or more of the following persons to act as a deputy 10
registrar in each county: 11

(i) The county auditor in any county, subject to division 12
(A) (1) (b) (i) of this section; 13

(ii) The clerk of a court of common pleas in any county, 14
subject to division (A) (1) (b) (ii) of this section; 15

(iii) An individual; 16

(iv) A nonprofit corporation as defined in division (C) of 17
section 1702.01 of the Revised Code. 18

(b) (i) If the population of a county is forty thousand or 19
less according to the most recent federal decennial census and 20
if the county auditor is designated by the registrar as a deputy 21
registrar, no other person need be designated in the county to 22
act as a deputy registrar. 23

(ii) The registrar may designate a clerk of a court of 24
common pleas as a deputy registrar if the population of the 25
county is forty thousand or less according to the last federal 26
census. In a county with a population greater than forty 27
thousand but not more than fifty thousand according to the last 28
federal census, the clerk of a court of common pleas is eligible 29
to act as a deputy registrar and may participate in the 30
competitive selection process for the award of a deputy 31
registrar contract by applying in the same manner as any other 32
person. All fees collected and retained by a clerk for 33
conducting deputy registrar services shall be paid into the 34
county treasury to the credit of the certificate of title 35
administration fund created under section 325.33 of the Revised 36
Code. 37

Notwithstanding the county population restrictions in 38
division (A) (1) (b) of this section, if no person applies to act 39
under contract as a deputy registrar in a county and the county 40
auditor is not designated as a deputy registrar, the registrar 41
may ask the clerk of a court of common pleas to serve as the 42
deputy registrar for that county. 43

(c) As part of the selection process in awarding a deputy 44
registrar contract, the registrar shall consider the customer 45
service performance record of any person previously awarded a 46

deputy registrar contract pursuant to division (A) (1) of this section. 47
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(2) Deputy registrars shall accept applications for the 49
annual license tax for any vehicle not taxed under section 50
4503.63 of the Revised Code and shall assign distinctive numbers 51
in the same manner as the registrar. Such deputies shall be 52
located in such locations in the county as the registrar sees 53
fit. There shall be at least one deputy registrar in each 54
county. 55

Deputy registrar contracts are subject to the provisions 56
of division (B) of section 125.081 of the Revised Code. 57

(B) (1) The registrar shall not designate any person to act 58
as a deputy registrar under division (A) (1) of this section if 59
the person or, where applicable, the person's spouse or a member 60
of the person's immediate family has made, within the current 61
calendar year or any one of the previous three calendar years, 62
one or more contributions totaling in excess of one hundred 63
dollars to any person or entity included in division (A) (2) of 64
section 4503.033 of the Revised Code. As used in this division, 65
"immediate family" has the same meaning as in division (D) of 66
section 102.01 of the Revised Code, and "entity" includes any 67
political party and any "continuing association" as defined in 68
division (C) (4) of section 3517.01 of the Revised Code or 69
"political action committee" as defined in division (C) (8) of 70
that section that is primarily associated with that political 71
party. For purposes of this division, contributions to any 72
continuing association or any political action committee that is 73
primarily associated with a political party shall be aggregated 74
with contributions to that political party. 75

The contribution limitations contained in this division do 76

not apply to any county auditor or clerk of a court of common 77
pleas. A county auditor or clerk of a court of common pleas is 78
not required to file the disclosure statement or pay the filing 79
fee required under section 4503.033 of the Revised Code. The 80
limitations of this division also do not apply to a deputy 81
registrar who, subsequent to being awarded a deputy registrar 82
contract, is elected to an office of a political subdivision. 83

(2) The registrar shall not designate either of the 84
following to act as a deputy registrar: 85

(a) Any elected public official other than a county 86
auditor or, as authorized by division (A) (1) (b) of this section, 87
a clerk of a court of common pleas, acting in an official 88
capacity, except that, the registrar shall continue and may 89
renew a contract with any deputy registrar who, subsequent to 90
being awarded a deputy registrar contract, is elected to an 91
office of a political subdivision; 92

(b) Any person holding a current, valid contract to 93
conduct motor vehicle inspections under section 3704.14 of the 94
Revised Code. 95

(3) As used in division (B) of this section, "political 96
subdivision" has the same meaning as in section 3501.01 of the 97
Revised Code. 98

(C) (1) Except as provided in division (C) (2) of this 99
section, deputy registrars are independent contractors and 100
neither they nor their employees are employees of this state, 101
except that nothing in this section shall affect the status of 102
county auditors or clerks of courts of common pleas as public 103
officials, nor the status of their employees as employees of any 104
of the counties of this state, which are political subdivisions 105

of this state. Each deputy registrar shall be responsible for 106
the payment of all unemployment compensation premiums, all 107
workers' compensation premiums, social security contributions, 108
and any and all taxes for which the deputy registrar is legally 109
responsible. Each deputy registrar shall comply with all 110
applicable federal, state, and local laws requiring the 111
withholding of income taxes or other taxes from the compensation 112
of the deputy registrar's employees. Each deputy registrar shall 113
maintain during the entire term of the deputy registrar's 114
contract a policy of business liability insurance satisfactory 115
to the registrar and shall hold the department of public safety, 116
the director of public safety, the bureau of motor vehicles, and 117
the registrar harmless upon any and all claims for damages 118
arising out of the operation of the deputy registrar agency. 119

(2) For purposes of Chapter 4141. of the Revised Code, 120
determinations concerning the employment of deputy registrars 121
and their employees shall be made under Chapter 4141. of the 122
Revised Code. 123

(D) (1) With the approval of the director, the registrar 124
shall adopt rules governing deputy registrars. The rules shall 125
do all of the following: 126

(a) Establish requirements governing the terms of the 127
contract between the registrar and each deputy registrar and the 128
services to be performed; 129

(b) Establish requirements governing the amount of bond to 130
be given as provided in this section; 131

(c) Establish requirements governing the size and location 132
of the deputy's office; 133

(d) Establish requirements governing the leasing of 134

equipment necessary to conduct the vision screenings required 135
under section 4507.12 of the Revised Code and training in the 136
use of the equipment; 137

(e) Encourage every deputy registrar to inform the public 138
of the location of the deputy registrar's office and hours of 139
operation by means of public service announcements; 140

(f) Allow any deputy registrar to advertise in regard to 141
the operation of the deputy registrar's office, including 142
allowing nonprofit corporations operating as a deputy registrar 143
to advertise that a specified amount of proceeds collected by 144
the nonprofit corporation are directed to a specified charitable 145
organization or philanthropic cause; 146

(g) Specify the hours the deputy's office is to be open to 147
the public and require as a minimum that one deputy's office in 148
each county be open to the public for at least four hours each 149
weekend, provided that if only one deputy's office is located 150
within the boundary of the county seat, that office is the 151
office that shall be open for the four-hour period each weekend; 152

(h) Specify that every deputy registrar, upon request, 153
provide any person with information about the location and 154
office hours of all deputy registrars in the county; 155

(i) Allow a deputy registrar contract to be awarded to a 156
nonprofit corporation formed under the laws of this state; 157

(j) Except as provided in division (D) (2) of this section, 158
prohibit any deputy registrar from operating more than one 159
deputy registrar's office at any time; 160

(k) For the duration of any deputy registrar contract, 161
require that the deputy registrar occupy a primary residence in 162
a location that is within a one-hour commute time from the 163

deputy registrar's office or offices. The rules shall require 164
the registrar to determine commute time by using multiple 165
established internet-based mapping services. 166

(l) Establish procedures for a deputy registrar to request 167
the authority to collect reinstatement fees under sections 168
4507.1612, 4507.45, 4509.101, 4509.81, 4510.10, 4510.22, 169
4510.72, and 4511.191 of the Revised Code and to transmit the 170
reinstatement fees and two dollars of the service fee collected 171
under those sections. The registrar shall ensure that at least 172
one deputy registrar in each county has the necessary equipment 173
and is able to accept reinstatement fees. The registrar shall 174
deposit the service fees received from a deputy registrar under 175
those sections into the public safety - highway purposes fund 176
created in section 4501.06 of the Revised Code and shall use the 177
money for deputy registrar equipment necessary in connection 178
with accepting reinstatement fees. 179

(m) Establish standards for a deputy registrar, when the 180
deputy registrar is not a county auditor or a clerk of a court 181
of common pleas, to sell advertising rights to third party 182
businesses to be placed in the deputy registrar's office; 183

(n) Allow any deputy registrar that is not a county 184
auditor or a clerk of a court of common pleas to operate a 185
vending machine; 186

(o) Specify that each deputy registrar location shall 187
display at all times, in a prominent place on the premises, a 188
printed card that includes a graphic that instructs drivers to 189
stop and yield to a stopped school bus when it is either loading 190
or unloading passengers. 191

The registrar shall create and issue the graphic for 192

<u>distribution to and display at each deputy registrar location.</u>	193
<u>(p)</u> Establish such other requirements as the registrar and director consider necessary to provide a high level of service.	194 195
(2) Notwithstanding division (D) (1) (j) of this section, the rules may allow both of the following:	196 197
(a) The registrar to award a contract to a deputy registrar to operate more than one deputy registrar's office if determined by the registrar to be practical;	198 199 200
(b) A nonprofit corporation formed for the purposes of providing automobile-related services to its members or the public and that provides such services from more than one location in this state to operate a deputy registrar office at any location.	201 202 203 204 205
(3) As a daily adjustment, the bureau of motor vehicles shall credit to a deputy registrar the amount established under section 4503.038 of the Revised Code for each damaged license plate or validation sticker the deputy registrar replaces as a service to a member of the public.	206 207 208 209 210
(4) (a) With the prior approval of the registrar, each deputy registrar may conduct at the location of the deputy registrar's office any business that is consistent with the functions of a deputy registrar and that is not specifically mandated or authorized by this or another chapter of the Revised Code or by implementing rules of the registrar.	211 212 213 214 215 216
(b) In accordance with guidelines the director of public safety shall establish, a deputy registrar may operate or contract for the operation of a vending machine at a deputy registrar location if products of the vending machine are consistent with the functions of a deputy registrar.	217 218 219 220 221

(c) A deputy registrar may enter into an agreement with 222
the Ohio turnpike and infrastructure commission pursuant to 223
division (A)(11) of section 5537.04 of the Revised Code for the 224
purpose of allowing the general public to acquire from the 225
deputy registrar the electronic toll collection devices that are 226
used under the multi-jurisdiction electronic toll collection 227
agreement between the Ohio turnpike and infrastructure 228
commission and any other entities or agencies that participate 229
in such an agreement. The approval of the registrar is not 230
necessary if a deputy registrar engages in this activity. 231

(5) As used in this section and in section 4507.01 of the 232
Revised Code, "nonprofit corporation" has the same meaning as in 233
section 1702.01 of the Revised Code. 234

(E) (1) Unless otherwise terminated and except for interim 235
contracts lasting not longer than one year, contracts with 236
deputy registrars shall be entered into through a competitive 237
selection process and shall be limited in duration as follows: 238

(a) For contracts entered into between July 1, 1996 and 239
June 29, 2014, for a period of not less than two years, but not 240
more than three years; 241

(b) For contracts entered into on or after June 29, 2014, 242
for a period of five years, unless the registrar determines that 243
a shorter contract term is appropriate for a particular deputy 244
registrar. 245

(2) All contracts with deputy registrars shall expire on 246
the last Saturday of June in the year of their expiration. Prior 247
to the expiration of any deputy registrar contract, the 248
registrar, with the approval of the director, may award a one- 249
year contract extension to any deputy registrar who has provided 250

exemplary service based upon objective performance evaluations. 251

(3) (a) The auditor of state may examine the accounts, 252
reports, systems, and other data of each deputy registrar at 253
least every two years. The registrar, with the approval of the 254
director, shall immediately remove a deputy who violates any 255
provision of the Revised Code related to the duties as a deputy, 256
any rule adopted by the registrar, or a term of the deputy's 257
contract with the registrar. The registrar also may remove a 258
deputy who, in the opinion of the registrar, has engaged in any 259
conduct that is either unbecoming to one representing this state 260
or is inconsistent with the efficient operation of the deputy's 261
office. 262

(b) If the registrar, with the approval of the director, 263
determines that there is good cause to believe that a deputy 264
registrar or a person proposing for a deputy registrar contract 265
has engaged in any conduct that would require the denial or 266
termination of the deputy registrar contract, the registrar may 267
require the production of books, records, and papers as the 268
registrar determines are necessary, and may take the depositions 269
of witnesses residing within or outside the state in the same 270
manner as is prescribed by law for the taking of depositions in 271
civil actions in the court of common pleas, and for that purpose 272
the registrar may issue a subpoena for any witness or a subpoena 273
duces tecum to compel the production of any books, records, or 274
papers, directed to the sheriff of the county where the witness 275
resides or is found. Such a subpoena shall be served and 276
returned in the same manner as a subpoena in a criminal case is 277
served and returned. The fees of the sheriff shall be the same 278
as that allowed in the court of common pleas in criminal cases. 279
Witnesses shall be paid the fees and mileage provided for under 280
section 119.094 of the Revised Code. The fees and mileage shall 281

be paid from the fund in the state treasury for the use of the 282
agency in the same manner as other expenses of the agency are 283
paid. 284

In any case of disobedience or neglect of any subpoena 285
served on any person or the refusal of any witness to testify to 286
any matter regarding which the witness lawfully may be 287
interrogated, the court of common pleas of any county where the 288
disobedience, neglect, or refusal occurs or any judge of that 289
court, on application by the registrar, shall compel obedience 290
by attachment proceedings for contempt, as in the case of 291
disobedience of the requirements of a subpoena issued from that 292
court, or a refusal to testify in that court. 293

(4) Nothing in division (E) of this section shall be 294
construed to require a hearing of any nature prior to the 295
termination of any deputy registrar contract by the registrar, 296
with the approval of the director, for cause. 297

(F) Except as provided in section 2743.03 of the Revised 298
Code, no court, other than the court of common pleas of Franklin 299
county, has jurisdiction of any action against the department of 300
public safety, the director, the bureau, or the registrar to 301
restrain the exercise of any power or authority, or to entertain 302
any action for declaratory judgment, in the selection and 303
appointment of, or contracting with, deputy registrars. Neither 304
the department, the director, the bureau, nor the registrar is 305
liable in any action at law for damages sustained by any person 306
because of any acts of the department, the director, the bureau, 307
or the registrar, or of any employee of the department or 308
bureau, in the performance of official duties in the selection 309
and appointment of, and contracting with, deputy registrars. 310

(G) The registrar shall assign to each deputy registrar a 311

series of numbers sufficient to supply the demand at all times 312
in the area the deputy registrar serves, and the registrar shall 313
keep a record in the registrar's office of the numbers within 314
the series assigned. Each deputy shall be required to give bond 315
in the amount of at least twenty-five thousand dollars, or in 316
such higher amount as the registrar determines necessary, based 317
on a uniform schedule of bond amounts established by the 318
registrar and determined by the volume of registrations handled 319
by the deputy. The form of the bond shall be prescribed by the 320
registrar. The bonds required of deputy registrars, in the 321
discretion of the registrar, may be individual or schedule bonds 322
or may be included in any blanket bond coverage carried by the 323
department. 324

(H) Each deputy registrar shall keep a file of each 325
application received by the deputy and shall register that motor 326
vehicle with the name and address of its owner. 327

(I) Upon request, a deputy registrar shall make the 328
physical inspection of a motor vehicle and issue the physical 329
inspection certificate required in section 4505.061 of the 330
Revised Code. 331

(J) Each deputy registrar shall file a report semiannually 332
with the registrar of motor vehicles listing the number of 333
applicants for licenses the deputy has served, the number of 334
voter registration applications the deputy has completed and 335
transmitted to the board of elections, and the number of voter 336
registration applications declined. 337

Sec. 4510.036. (A) The bureau of motor vehicles shall 338
record within ten days of conviction or bail ~~forfeiture~~ 339
forfeiture and shall keep at its main office, all abstracts 340
received under this section or section 4510.03, 4510.031, 341

4510.032, or 4510.034 of the Revised Code and shall maintain 342
records of convictions and bond forfeitures for any violation of 343
a state law or a municipal ordinance regulating the operation of 344
vehicles, streetcars, and trackless trolleys on highways and 345
streets, except a violation related to parking a motor vehicle. 346

(B) Every court of record or mayor's court before which a 347
person is charged with a violation for which points are 348
chargeable by this section shall assess and transcribe to the 349
abstract of conviction that is furnished by the bureau to the 350
court the number of points chargeable by this section in the 351
correct space assigned on the reporting form. A United States 352
district court that has jurisdiction within this state and 353
before which a person is charged with a violation for which 354
points are chargeable by this section may assess and transcribe 355
to the abstract of conviction report that is furnished by the 356
bureau the number of points chargeable by this section in the 357
correct space assigned on the reporting form. If the federal 358
court so assesses and transcribes the points chargeable for the 359
offense and furnishes the report to the bureau, the bureau shall 360
record the points in the same manner as those assessed and 361
transcribed by a court of record or mayor's court. 362

(C) A court shall assess the following points for an 363
offense based on the following formula: 364

(1) Aggravated vehicular homicide, vehicular homicide, 365
vehicular manslaughter, aggravated vehicular assault, or 366
vehicular assault when the offense involves the operation of a 367
vehicle, streetcar, or trackless trolley on a highway or street 368
_____ 6 points 369

(2) A violation of section 2921.331 of the Revised Code or 370
any ordinance prohibiting the willful fleeing or eluding of a 371

law enforcement officer _____ 6 points	372
(3) A violation of section 4549.02 or 4549.021 of the Revised Code or any ordinance requiring the driver of a vehicle to stop and disclose identity at the scene of an accident _____ 6 points	373 374 375 376
(4) A violation of section 4511.251 of the Revised Code or any ordinance prohibiting street racing _____ 6 points	377 378
(5) A violation of section 4510.037 of the Revised Code or any ordinance prohibiting the operation of a motor vehicle while the driver's or commercial driver's license is under a twelve-point suspension _____ 6 points	379 380 381 382
(6) A violation of section 4510.14 of the Revised Code, or any ordinance prohibiting the operation of a motor vehicle upon the public roads or highways within this state while the driver's or commercial driver's license of the person is under suspension and the suspension was imposed under section 4511.19, 4511.191, or 4511.196 of the Revised Code or section 4510.07 of the Revised Code due to a conviction for a violation of a municipal OVI ordinance or any ordinance prohibiting the operation of a motor vehicle while the driver's or commercial driver's license is under suspension for an OVI offense _____ 6 points	383 384 385 386 387 388 389 390 391 392 393
(7) A violation of division (A) of section 4511.19 of the Revised Code, any ordinance prohibiting the operation of a vehicle while under the influence of alcohol, a drug of abuse, or a combination of them, or any ordinance substantially equivalent to division (A) of section 4511.19 of the Revised Code prohibiting the operation of a vehicle with a prohibited concentration of alcohol, a controlled substance, or a	394 395 396 397 398 399 400

metabolite of a controlled substance in the whole blood, blood	401
serum or plasma, breath, or urine _____ 6 points	402
(8) A violation of section 2913.03 of the Revised Code	403
that does not involve an aircraft or motorboat or any ordinance	404
prohibiting the operation of a vehicle without the consent of	405
the owner _____ 6 points	406
(9) Any offense under the motor vehicle laws of this state	407
that is a felony, or any other felony in the commission of which	408
a motor vehicle was used _____ 6 points	409
(10) A violation of division (B) of section 4511.19 of the	410
Revised Code or any ordinance substantially equivalent to that	411
division prohibiting the operation of a vehicle with a	412
prohibited concentration of alcohol in the whole blood, blood	413
serum or plasma, breath, or urine _____ 4 points	414
(11) A violation of section 4511.20 of the Revised Code or	415
any ordinance prohibiting the operation of a motor vehicle in	416
willful or wanton disregard of the safety of persons or property	417
_____ 4 points	418
(12) <u>When the court imposes a sentence under division (F)</u>	419
<u>(2) of section 4511.75 of the Revised Code _____ 4 points</u>	420
<u>(13)</u> A violation of any law or ordinance pertaining to	421
speed:	422
(a) Notwithstanding divisions (C) (12) <u>(13)</u> (b) and (c) of	423
this section, when the speed exceeds the lawful speed limit by	424
thirty miles per hour or more _____ 4 points	425
(b) When the speed exceeds the lawful speed limit of	426
fifty-five miles per hour or more by more than ten miles per	427
hour _____ 2 points	428

(c) When the speed exceeds the lawful speed limit of less than fifty-five miles per hour by more than five miles per hour _____ 2 points 429
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(d) When the speed does not exceed the amounts set forth in divisions (C) ~~(12)~~ (13) (a), (b), or (c) of this section _____ 0 points 432
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~~(13)~~ (14) Operating a motor vehicle in violation of a restriction imposed by the registrar _____ 2 points 435
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~~(14)~~ (15) A violation of section 4510.11, 4510.111, 4510.16, or 4510.21 of the Revised Code or any ordinance prohibiting the operation of a motor vehicle while the driver's or commercial driver's license is under suspension _____ 2 points 437
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~~(15)~~ (16) With the exception of violations under section 4510.12 of the Revised Code where no points shall be assessed, all other moving violations reported under this section _____ 2 points 442
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(D) Upon receiving notification from the proper court, including a United States district court that has jurisdiction within this state, the bureau shall delete any points entered for a bond forfeiture if the driver is acquitted of the offense for which bond was posted. 446
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(E) If a person is convicted of or forfeits bail for two or more offenses arising out of the same facts and points are chargeable for each of the offenses, points shall be charged for only the conviction or bond forfeiture for which the greater number of points is chargeable, and, if the number of points chargeable for each offense is equal, only one offense shall be recorded, and points shall be charged only for that offense. 451
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Sec. 4511.75. (A) The driver of a vehicle, streetcar, or 458
trackless trolley upon meeting or overtaking from either 459
direction any school bus stopped for the purpose of receiving or 460
discharging any school child, person attending programs offered 461
by community boards of mental health and county boards of 462
developmental disabilities, or child attending a program offered 463
by a head start agency, shall stop at least ten feet from the 464
front or rear of the school bus and shall not proceed until such 465
school bus resumes motion, or until signaled by the school bus 466
driver to proceed. 467

It is no defense to a charge under this division that the 468
school bus involved failed to display or be equipped with an 469
automatically extended stop warning sign as required by division 470
(B) of this section. 471

(B) Every school bus shall be equipped with amber and red 472
visual signals meeting the requirements of section 4511.771 of 473
the Revised Code, and an automatically extended stop warning 474
sign of a type approved by the state board of education, which 475
shall be actuated by the driver of the bus whenever but only 476
whenever the bus is stopped or stopping on the roadway for the 477
purpose of receiving or discharging school children, persons 478
attending programs offered by community boards of mental health 479
and county boards of developmental disabilities, or children 480
attending programs offered by head start agencies. A school bus 481
driver shall not actuate the visual signals or the stop warning 482
sign in designated school bus loading areas where the bus is 483
entirely off the roadway or at school buildings when children or 484
persons attending programs offered by community boards of mental 485
health and county boards of developmental disabilities are 486
loading or unloading at curbside or at buildings when children 487
attending programs offered by head start agencies are loading or 488

unloading at curbside. The visual signals and stop warning sign 489
shall be synchronized or otherwise operated as required by rule 490
of the board. 491

(C) Where a highway has been divided into four or more 492
traffic lanes, a driver of a vehicle, streetcar, or trackless 493
trolley need not stop for a school bus approaching from the 494
opposite direction which has stopped for the purpose of 495
receiving or discharging any school child, persons attending 496
programs offered by community boards of mental health and county 497
boards of developmental disabilities, or children attending 498
programs offered by head start agencies. The driver of any 499
vehicle, streetcar, or trackless trolley overtaking the school 500
bus shall comply with division (A) of this section. 501

(D) School buses operating on divided highways or on 502
highways with four or more traffic lanes shall receive and 503
discharge all school children, persons attending programs 504
offered by community boards of mental health and county boards 505
of developmental disabilities, and children attending programs 506
offered by head start agencies on their residence side of the 507
highway. 508

(E) No school bus driver shall start the driver's bus 509
until after any child, person attending programs offered by 510
community boards of mental health and county boards of 511
developmental disabilities, or child attending a program offered 512
by a head start agency who may have alighted therefrom has 513
reached a place of safety on the child's or person's residence 514
side of the road. 515

(F) (1) ~~Whoever~~ Except as provided in division (F) (2) of 516
this section, the court, including a mayor's court, may impose 517
the following on a person who violates division (A) of this 518

section may be fined an amount not to exceed five hundred	519
dollars. A:	520
<u>(a) A fine of up to one thousand dollars;</u>	521
<u>(b) A class six suspension of the offender's driver's</u>	522
<u>license, commercial driver's license, temporary instruction</u>	523
<u>permit, probationary license, or nonresident operating privilege</u>	524
<u>from the range specified in division (A) (6) of section 4510.02</u>	525
<u>of the Revised Code.</u>	526
<u>(2) For each violation of division (A) within five years</u>	527
<u>of a prior violation, the court, including a mayor's court,</u>	528
<u>shall impose either or both of the following on a person who</u>	529
<u>violates division (A) of this section:</u>	530
<u>(a) A fine of up to two thousand dollars;</u>	531
<u>(b) A class five suspension of the offender's driver's</u>	532
<u>license, commercial driver's license, temporary instruction</u>	533
<u>permit, probationary license, or nonresident operating privilege</u>	534
<u>from the range specified in division (A) (5) of section 4510.02</u>	535
<u>of the Revised Code.</u>	536
<u>(3) A person who is issued a citation for a violation of</u>	537
<u>division (A) of this section is not permitted to enter a written</u>	538
<u>plea of guilty and waive the person's right to contest the</u>	539
<u>citation in a trial but instead must appear in person in the</u>	540
<u>proper court to answer the charge.</u>	541
(2) In addition to and independent of any other penalty	542
provided by law, the court or mayor may impose upon an offender	543
who violates this section a class seven suspension of the	544
offender's driver's license, commercial driver's license,	545
temporary instruction permit, probationary license, or	546
nonresident operating privilege from the range specified in	547

~~division (A) (7) of section 4510.02 of the Revised Code.~~ (4) When 548
a license is suspended under this section, the court or mayor 549
shall cause the offender to deliver the license to the court, 550
and the court or clerk of the court immediately shall forward 551
the license to the registrar of motor vehicles, together with 552
notice of the court's action. 553

(G) As used in this section: 554

(1) "Head start agency" has the same meaning as in section 555
3301.32 of the Revised Code. 556

(2) "School bus," as used in relation to children who 557
attend a program offered by a head start agency, means a bus 558
that is owned and operated by a head start agency, is equipped 559
with an automatically extended stop warning sign of a type 560
approved by the state board of education, is painted the color 561
and displays the markings described in section 4511.77 of the 562
Revised Code, and is equipped with amber and red visual signals 563
meeting the requirements of section 4511.771 of the Revised 564
Code, irrespective of whether or not the bus has fifteen or more 565
children aboard at any time. "School bus" does not include a van 566
owned and operated by a head start agency, irrespective of its 567
color, lights, or markings. 568

Sec. 4511.751. As used in this section, "license plate" 569
includes, but is not limited to, any temporary license placard 570
issued under section 4503.182 of the Revised Code or similar law 571
of another jurisdiction. 572

When the operator of a school bus believes that a motorist 573
has violated division (A) of section 4511.75 of the Revised 574
Code, the operator shall report the license plate number and a 575
general description of the vehicle and of the operator of the 576

vehicle to the law enforcement agency exercising jurisdiction 577
over the area where the alleged violation occurred. The 578
information contained in the report relating to the license 579
plate number and to the general description of the vehicle and 580
the operator of the vehicle at the time of the alleged violation 581
may be supplied by any person with first-hand knowledge of the 582
information. Information of which the operator of the school bus 583
has first-hand knowledge also may be corroborated by any other 584
person, or an image, images, or video provided by a camera 585
installed pursuant to section 4511.76 of the Revised Code. 586

Upon receipt of the report of the alleged violation of 587
division (A) of section 4511.75 of the Revised Code, the law 588
enforcement agency shall conduct an investigation to attempt to 589
determine or confirm the identity of the operator of the vehicle 590
at the time of the alleged violation. The law enforcement agency 591
may use an image, images, or video provided by a camera 592
installed pursuant to section 4511.76 of the Revised Code to 593
determine the identity of the operator of the vehicle at the 594
time of the alleged violation only if the image, images, or 595
video are sufficiently clear. If the identity of the operator at 596
the time of the alleged violation is established, the reporting 597
of the license plate number of the vehicle shall establish 598
probable cause for the law enforcement agency to issue a 599
citation for the violation of division (A) of section 4511.75 of 600
the Revised Code. However, if the identity of the operator of 601
the vehicle at the time of the alleged violation cannot be 602
established, the law enforcement agency shall issue a warning to 603
the owner of the vehicle at the time of the alleged violation, 604
except in the case of a leased or rented vehicle when the 605
warning shall be issued to the lessee at the time of the alleged 606
violation. 607

The registrar of motor vehicles and deputy registrars 608
shall, at the time of issuing license plates to any person, 609
include with the license plate a summary of the requirements of 610
division (A) of section 4511.75 of the Revised Code and the 611
procedures of, and penalty in, division (F) of section 4511.75 612
of the Revised Code. 613

Sec. 4511.76. (A) The department of public safety, by and 614
with the advice of the superintendent of public instruction, 615
shall adopt and enforce rules relating to the construction, 616
design, and equipment of all school buses both publicly and 617
privately owned and operated in this state, including ~~lighting~~ 618
rules governing both of the following: 619

(1) Lighting equipment required by section 4511.771 of the 620
Revised Code, ~~of all school buses both publicly and privately~~ 621
~~owned and operated in this state;~~ 622

(2) Camera equipment that provides an image, images, or 623
video solely for purposes of capturing a violation of section 624
4511.75 of the Revised Code. 625

(B) The department of education, by and with the advice of 626
the director of public safety, shall adopt and enforce rules 627
relating to the operation of all vehicles used for pupil 628
transportation. 629

(C) No person shall operate a vehicle used for pupil 630
transportation within this state in violation of the rules of 631
the department of education or the department of public safety. 632
No person, being the owner thereof or having the supervisory 633
responsibility therefor, shall permit the operation of a vehicle 634
used for pupil transportation within this state in violation of 635
the rules of the department of education or the department of 636

public safety. 637

(D) The department of public safety shall adopt and 638
enforce rules relating to the issuance of a license under 639
section 4511.763 of the Revised Code. The rules may relate to 640
the moral character of the applicant; the condition of the 641
equipment to be operated; the liability and property damage 642
insurance carried by the applicant; the posting of satisfactory 643
and sufficient bond; and such other rules as the director of 644
public safety determines reasonably necessary for the safety of 645
the pupils to be transported. 646

(E) A chartered nonpublic school may own and operate, or 647
contract with a vendor that supplies, a vehicle originally 648
designed for not more than nine passengers, not including the 649
driver, to transport students to and from regularly scheduled 650
school sessions when one of the following applies: 651

(1) A student's school district of residence has declared 652
the transportation of the student impractical pursuant to 653
section 3327.02 of the Revised Code; or 654

(2) A student does not live within thirty minutes of the 655
chartered nonpublic school and the student's school district is 656
not required to transport the student under section 3327.01 of 657
the Revised Code. 658

(F) As used in this section, "vehicle used for pupil 659
transportation" means any vehicle that is identified as such by 660
the department of education by rule and that is subject to 661
Chapter 3301-83 of the Administrative Code. 662

(G) Except as otherwise provided in this division, whoever 663
violates this section is guilty of a minor misdemeanor. If the 664
offender previously has been convicted of or pleaded guilty to 665

one or more violations of this section or section 4511.63, 666
4511.761, 4511.762, 4511.764, 4511.77, or 4511.79 of the Revised 667
Code or a municipal ordinance that is substantially similar to 668
any of those sections, whoever violates this section is guilty 669
of a misdemeanor of the fourth degree. 670

Section 2. That existing sections 4503.03, 4510.036, 671
4511.75, 4511.751, and 4511.76 of the Revised Code are hereby 672
repealed. 673