

I_135_0002-2

135th General Assembly
Regular Session
2023-2024

Sub. H. B. No. 23

A BILL

To amend sections 124.152, 303.02, 306.353, 311.30, 1
505.541, 509.04, 519.02, 3501.29, 3781.111, 2
4503.10, 4503.103, 4503.11, 4503.12, 4503.191, 3
4503.44, 4506.01, 4506.11, 4507.01, 4507.061, 4
4507.13, 4507.52, 4511.092, 4511.093, 4511.69, 5
4513.241, 4513.34, 4517.01, 4517.12, 4521.01, 6
4521.02, 4731.481, 4734.161, 4981.02, 4981.04, 7
5501.31, 5503.031, 5531.09, 5531.10, 5540.01, 8
5540.02, 5540.03, 5540.06, 5577.044, 5589.99, 9
and 5747.502; to enact sections 746.01, 746.02, 10
746.03, 746.04, 746.05, 746.06, 746.07, 11
4503.107, 4503.441, 4503.442, 4503.443, 12
4503.444, 4503.445, 4503.446, 4503.447, 13
4503.448, 4505.131, 4506.072, 4507.021, 14
4507.063, 4507.511, 4511.691, 4511.692, 15
4511.693, 4511.694, 4511.695, 4511.696, 16
4511.697, 4955.50, 4999.09, 5501.60, and 17
5589.25; and to repeal section 5501.09 of the 18
Revised Code and to amend Section 265.325 of 19
H.B. 110 of the 134th General Assembly and 20
Section 223.15 of H.B. 687 of the 134th General 21
Assembly to make appropriations for programs 22



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related to transportation for the biennium 23
beginning July 1, 2023, and ending June 30, 24
2025, and to provide authorization and 25
conditions for the operation of those programs. 26

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

Section 101.01. That sections 124.152, 303.02, 306.353, 27
311.30, 505.541, 509.04, 519.02, 3501.29, 3781.111, 4503.10, 28
4503.103, 4503.11, 4503.12, 4503.191, 4503.44, 4506.01, 4506.11, 29
4507.01, 4507.061, 4507.13, 4507.52, 4511.092, 4511.093, 30
4511.69, 4513.241, 4513.34, 4517.01, 4517.12, 4521.01, 4521.02, 31
4731.481, 4734.161, 4981.02, 4981.04, 5501.31, 5503.031, 32
5531.09, 5531.10, 5540.01, 5540.02, 5540.03, 5540.06, 5577.044, 33
5589.99, and 5747.502 be amended and sections 746.01, 746.02, 34
746.03, 746.04, 746.05, 746.06, 746.07, 4503.107, 4503.441, 35
4503.442, 4503.443, 4503.444, 4503.445, 4503.446, 4503.447, 36
4503.448, 4505.131, 4506.072, 4507.021, 4507.063, 4507.511, 37
4511.691, 4511.692, 4511.693, 4511.694, 4511.695, 4511.696, 38
4511.697, 4955.50, 4999.09, 5501.60, and 5589.25 of the Revised 39
Code be enacted to read as follows: 40

Sec. 124.152. (A) (1) Except as provided in division (A) (2) 41
of this section, each exempt employee shall be paid a salary or 42
wage in accordance with schedule E-1 or schedule E-2 of division 43
(B) of this section. 44

(2) Each exempt employee who holds a position in the 45
unclassified civil service pursuant to division (A) (26) or (30) 46
of section 124.11 of the Revised Code may be paid a salary or 47
wage in accordance with schedule E-1 or schedule E-2 of division 48

(B) of this section, as applicable. 49

(B) (1) Each exempt employee who must be paid in accordance 50
with schedule E-1 or schedule E-2 of this section shall be paid 51
a salary or wage in accordance with the following schedule of 52
rates as of the pay period that includes July 1, 2021: 53

Schedule E-1 54

55

1 2 3 4 5 6 7 8 9 10

A Pay Ranges and Step Values

B

C Step 1 Step 2 Step 3 Step 4 Step 5 Step 6 Step 7 Step 8

D Range

56

1 2 3 4 5 6 7 8 9 10

A 1 Hourly 12.14 12.69 13.21 13.80

B Annually 25251 26395 27476 28704

C 2 Hourly 14.73 15.36 16.01 16.72

D Annually 30638 31948 33300 34777

E 3 Hourly 15.44 16.13 16.84 17.56

F		Annually	32115	33550	35027	36524				
G	4	Hourly	16.20	16.93	17.75	18.51				
H		Annually	33696	35214	36920	38500				
I	5	Hourly	17.00	17.78	18.51	19.33				
J		Annually	35360	36982	38500	40206				
K	6	Hourly	17.91	18.66	19.47	20.27				
L		Annually	37252	38812	40497	42161				
M	7	Hourly	19.01	19.72	20.54	21.25	22.07			
N		Annually	39540	41017	42723	44200	45905			
O	8	Hourly	20.11	21.00	21.90	22.89	23.97			
P		Annually	41828	43680	45552	47611	49857			
Q	9	Hourly	21.45	22.56	23.67	24.85	26.11			
R		Annually	44616	46924	49233	51688	54308			
S	10	Hourly	23.13	24.41	25.72	27.20	28.64			
T		Annually	48110	50772	53497	56576	59571			
U	11	Hourly	25.20	26.66	28.20	29.80	31.49			
V		Annually	52416	55452	58656	61984	65499			
W	12	Hourly	27.80	29.36	30.93	32.64	34.46	36.34	37.82	39.60

X		Annually	57824	61068	64334	67891	71676	75587	78665	82368
Y	13	Hourly	30.64	32.32	34.09	35.92	37.95	39.99	41.63	43.59
Z		Annually	63731	67225	70907	74713	78936	83179	86590	90667
AA	14	Hourly	33.69	35.61	37.52	39.56	41.80	44.13	45.95	48.10
AB		Annually	70075	74068	78041	82284	86944	91790	95576	100048
AC	15	Hourly	37.02	39.10	41.30	43.57	45.99	48.51	50.50	52.88
AD		Annually	77001	81328	85904	90625	95659	100900	105040	109990
AE	16	Hourly	40.81	43.08	45.45	48.00	50.63	53.53	55.73	58.34
AF		Annually	84884	89606	94536	99840	105310	111342	115918	121347
AG	17	Hourly	44.96	47.44	50.10	52.86	55.83	58.94		
AH		Annually	93516	98675	104208	109948	116126	122595		
AI	18	Hourly	49.55	52.29	55.24	58.28	61.50	64.94		
AJ		Annually	103064	108763	114899	121222	127920	135075		

Schedule E-2

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	1	2	3	4
A	Range		Minimum	Maximum
B	41	Hourly	16.23	48.99

C		Annually	33758	101899
D	42	Hourly	17.89	54.09
E		Annually	37211	112507
F	43	Hourly	19.70	59.56
G		Annually	40976	123884
H	44	Hourly	21.73	65.08
I		Annually	45198	135366
J	45	Hourly	24.01	71.05
K		Annually	49941	147784
L	46	Hourly	26.43	77.65
M		Annually	54974	161512
N	47	Hourly	29.14	84.75
O		Annually	60611	176280
P	48	Hourly	32.14	92.45
Q		Annually	66851	192296
R	49	Hourly	35.44	99.83
S		Annually	73715	207646

(2) Each exempt employee who must be paid in accordance
with schedule E-1 or schedule E-2 of this section shall be paid

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a salary or wage in accordance with the following schedule of rates as of the pay period that includes July 1, 2022:

Schedule E-1

1 2 3 4 5 6 7 8 9 10
A Pay Ranges and Step Values

B Step 1 Step 2 Step 3 Step 4 Step 5 Step 6 Step 7 Step 8

C Range

	1	2	3	4	5	6	7	8	9	10
A	1	Hourly	12.50	13.07	13.61	14.21				
B		Annually	26000	27185	28308	29556				
C	2	Hourly	15.17	15.82	16.49	17.22				
D		Annually	31553	32905	34299	35817				
E	3	Hourly	15.90	16.61	17.35	18.09				
F		Annually	33072	34548	36088	37627				
G	4	Hourly	16.69	17.44	18.28	19.07				
H		Annually	34715	36275	38022	39665				

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I	5	Hourly	17.51	18.31	19.07	19.91				
J		Annually	36420	38084	39665	41412				
K	6	Hourly	18.45	19.22	20.05	20.88				
L		Annually	38376	39977	41704	43430				
M	7	Hourly	19.58	20.31	21.16	21.89	22.73			
N		Annually	40726	42244	44012	45531	47278			
O	8	Hourly	20.71	21.63	22.56	23.58	24.69			
P		Annually	43076	44990	46924	49046	51355			
Q	9	Hourly	22.09	23.24	24.38	25.60	26.89			
R		Annually	45947	48339	50710	53248	55931			
S	10	Hourly	23.82	25.14	26.49	28.02	29.50			
T		Annually	49545	52291	55099	58281	61360			
U	11	Hourly	25.96	27.46	29.05	30.69	32.43			
V		Annually	53996	57116	60424	63835	67454			
W	12	Hourly	28.63	30.24	31.86	33.62	35.49	37.43	38.95	40.79
X		Annually	59550	62889	66268	69929	73819	77854	81016	84843
Y	13	Hourly	31.56	33.29	35.11	37.00	39.09	41.19	42.88	44.90
Z		Annually	65644	69243	73028	76960	81307	85675	89190	93392

AA	14 Hourly	34.70	36.68	38.65	40.75	43.05	45.45	47.33	49.54
AB	Annually	72176	76294	80392	84760	89544	94536	98446	103043
AC	15 Hourly	38.13	40.27	42.54	44.88	47.37	49.97	52.02	54.47
AD	Annually	79310	83761	88483	93350	98529	103937	108201	113297
AE	16 Hourly	42.03	44.37	46.81	49.44	52.15	55.14	57.40	60.09
AF	Annually	87422	92289	97364	102835	108472	114691	119392	124987
AG	17 Hourly	46.31	48.86	51.60	54.45	57.50	60.71		
AH	Annually	96324	101628	107328	113256	119600	126276		
AI	18 Hourly	51.04	53.86	56.90	60.03	63.35	66.89		
AJ	Annually	106163	112028	118352	124862	131768	139131		

Schedule E-2

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	1	2	3	4
A	Range		Minimum	Maximum
B	41	Hourly	16.23	50.46
C		Annually	33758	104956
D	42	Hourly	17.89	55.71
E		Annually	37211	115876

F	43	Hourly	19.70	61.35
G		Annually	40976	127608
H	44	Hourly	21.73	67.03
I		Annually	45198	139422
J	45	Hourly	24.01	73.18
K		Annually	49941	152214
L	46	Hourly	26.43	79.98
M		Annually	54974	166358
N	47	Hourly	29.14	87.29
O		Annually	60611	181563
P	48	Hourly	32.14	95.22
Q		Annually	66851	198057
R	49	Hourly	35.44	102.82
S		Annually	73715	213865

(3) Each exempt employee who must be paid in accordance 68
with schedule E-1 or schedule E-2 of this section shall be paid 69
a salary or wage in accordance with the following schedule of 70
rates as of the pay period that includes July 1, 2023: 71
Schedule E-1 72

	1	2	3	4	5	6	7	8	9	10
A	Pay Ranges and Step Values									
B			Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8
C	Range									
D	1	Hourly	12.88	13.46	14.02	14.64				
E		Annually	26790	27996	29161	30451				
F	2	Hourly	15.63	16.29	16.98	17.74				
G		Annually	32510	33883	35318	36899				
H	3	Hourly	16.38	17.11	17.87	18.63				
I		Annually	34070	35588	37169	38750				
J	4	Hourly	17.19	17.96	18.83	19.64				
K		Annually	35755	37356	39166	40851				
L	5	Hourly	18.04	18.86	19.64	20.51				
M		Annually	37523	39228	40851	42660				
N	6	Hourly	19.00	19.80	20.65	21.51				
O		Annually	39520	41184	42952	44740				
P	7	Hourly	20.17	20.92	21.79	22.55	23.41			
Q		Annually	41953	43513	45323	46904	48692			

R	8	Hourly	21.33	22.28	23.24	24.29	25.43			
S		Annually	44366	46342	48339	50523	52894			
T	9	Hourly	22.75	23.94	25.11	26.37	27.70			
U		Annually	47320	49795	52228	54849	57616			
V	10	Hourly	24.53	25.89	27.28	28.86	30.39			
W		Annually	51022	53851	56742	60028	63211			
X	11	Hourly	26.74	28.28	29.92	31.61	33.40			
Y		Annually	55619	58822	62233	65748	69472			
Z	12	Hourly	29.49	31.15	32.82	34.63	36.55	38.55	40.12	42.01
AA		Annually	61339	64792	68265	72030	76024	80184	83449	87380
AB	13	Hourly	32.51	34.29	36.16	38.11	40.26	42.43	44.17	46.25
AC		Annually	67620	71323	75212	79268	83740	88254	91873	96200
AD	14	Hourly	35.74	37.78	39.81	41.97	44.34	46.81	48.75	51.03
AE		Annually	74339	78582	82804	87297	92227	97364	101400	106142
AF	15	Hourly	39.27	41.48	43.82	46.23	48.79	51.47	53.58	56.10
AG		Annually	81681	86278	91145	96158	101483	107057	111446	116688
AH	16	Hourly	43.29	45.70	48.21	50.92	53.71	56.79	59.12	61.89
AI		Annually	90043	95056	100276	105913	111716	118123	122969	128731

AJ	17	Hourly	47.70	50.33	53.15	56.08	59.23	62.53	<u>6</u>
									<u>5</u>
									<u>4</u>
									<u>3</u>
									<u>2</u>
									<u>1</u>
AK		Annually	99216	104686	110552	116646	123198	130062	<u>1</u>
									<u>3</u>
									<u>7</u>
									<u>2</u>
									<u>1</u>
									<u>7</u>
AL	18	Hourly	52.57	55.48	58.61	61.83	65.25	68.90	
AM		Annually	109345	115398	121908	128606	135720	143312	
AN	<u>19</u>	<u>Hourly</u>	<u>57.83</u>	<u>61.03</u>	<u>64.47</u>	<u>68.01</u>	<u>71.78</u>	<u>75.79</u>	
AO		<u>Annually</u>	<u>120286</u>	<u>126942</u>	<u>134097</u>	<u>141460</u>	<u>149302</u>	<u>157643</u>	

Schedule E-2

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		1	2	3	4
A	Range			Minimum	Maximum
B	41	Hourly		16.23	51.97
C		Annually		33758	108097
D	42	Hourly		17.89	57.38

E		Annually	37211	119350
F	43	Hourly	19.70	63.19
G		Annually	40976	131435
H	44	Hourly	21.73	69.04
I		Annually	45198	143603
J	45	Hourly	24.01	75.38
K		Annually	49941	156790
L	46	Hourly	26.43	82.38
M		Annually	54974	171350
N	47	Hourly	29.14	89.91
O		Annually	60611	187012
P	48	Hourly	32.14	98.08
Q		Annually	66851	204006
R	49	Hourly	35.44	105.90
S		Annually	73715	220272

(C) As used in this section: 76

(1) "Exempt employee" means a permanent full-time or 77
permanent part-time employee paid directly by warrant of the 78
director of budget and management whose position is included in 79
the job classification plan established under division (A) of 80

section 124.14 of the Revised Code but who is not considered a 81
public employee for the purposes of Chapter 4117. of the Revised 82
Code. "Exempt employee" also includes a permanent full-time or 83
permanent part-time employee of the secretary of state, auditor 84
of state, treasurer of state, or attorney general who has not 85
been placed in an appropriate bargaining unit by the state 86
employment relations board. 87

(2) "Base rate of pay" means the rate of pay established 88
under schedule E-1 of this section, plus the supplement provided 89
under division (E) of section 124.181 of the Revised Code, plus 90
any supplements enacted into law that are added to schedule E-1 91
of this section. 92

~~(D) (1) The director of administrative services shall adopt 93
rules establishing pay range 19 in schedule E-1 of division (B)- 94
(3) of this section. In the rules, the director shall do both of 95
the following: 96~~

~~(a) Require that an individual paid in accordance with 97
range 19 be paid a minimum annual salary of \$101,935 up to a 98
maximum annual salary of \$122,465. 99~~

~~(b) Establish the step values within range 19 and 100
determine the hourly rates of pay that correspond to the annual 101
salaries assigned to the steps. 102~~

~~(2) The director of administrative services shall adopt 103
rules identifying a (D) Notwithstanding any division of this 104
section to the contrary, or division (E) or (G) of section 105
124.15 of the Revised Code with respect to requirements for step 106
placement and advancement, no exempt employee other than a 107
captain or equivalent officer in the state highway patrol shall 108
be placed in step value 7 in range 17 of schedule E-1 of 109~~

division (B) (3) of this section. ~~In the rules, the director shall identify the hourly and annual pay for step value 7 in range 17, which shall be proportionally higher than the hourly and annual pay for step value 6 in range 17.~~ 110
111
112
113

Sec. 303.02. (A) Except as otherwise provided in this 114
section, in the interest of the public health and safety, the 115
board of county commissioners may regulate by resolution, in 116
accordance with a comprehensive plan, the location, height, 117
bulk, number of stories, and size of buildings and other 118
structures, including tents, cabins, and trailer coaches, 119
percentages of lot areas that may be occupied, set back building 120
lines, sizes of yards, courts, and other open spaces, the 121
density of population, the uses of buildings and other 122
structures, including tents, cabins, and trailer coaches, and 123
the uses of land for trade, industry, residence, recreation, or 124
other purposes in the unincorporated territory of the county. 125
Except as otherwise provided in this section, in the interest of 126
the public convenience, comfort, prosperity, or general welfare, 127
the board, by resolution, in accordance with a comprehensive 128
plan, may regulate the location of, set back lines for, and the 129
uses of buildings and other structures, including tents, cabins, 130
and trailer coaches, and the uses of land for trade, industry, 131
residence, recreation, or other purposes in the unincorporated 132
territory of the county, and may establish reasonable 133
landscaping standards and architectural standards excluding 134
exterior building materials in the unincorporated territory of 135
the county. Except as otherwise provided in this section, in the 136
interest of the public convenience, comfort, prosperity, or 137
general welfare, the board may regulate by resolution, in 138
accordance with a comprehensive plan, for nonresidential 139
property only, the height, bulk, number of stories, and size of 140

buildings and other structures, including tents, cabins, and 141
trailer coaches, percentages of lot areas that may be occupied, 142
sizes of yards, courts, and other open spaces, and the density 143
of population in the unincorporated territory of the county. For 144
all these purposes, the board may divide all or any part of the 145
unincorporated territory of the county into districts or zones 146
of such number, shape, and area as the board determines. All 147
such regulations shall be uniform for each class or kind of 148
building or other structure or use throughout any district or 149
zone, but the regulations in one district or zone may differ 150
from those in other districts or zones. 151

For any activities permitted and regulated under Chapter 152
1513. or 1514. of the Revised Code and any related processing 153
activities, the board of county commissioners may regulate under 154
the authority conferred by this section only in the interest of 155
public health or safety. A zoning resolution authorized under 156
this section shall provide for the activities that are permitted 157
and regulated under Chapter 1514. of the Revised Code, and any 158
related processing activities, as either a permitted use or a 159
conditional use in any district or zone when such activities are 160
to be added to an existing permit issued under Chapter 1514. of 161
the Revised Code. 162

(B) A board of county commissioners that pursuant to this 163
chapter regulates adult entertainment establishments, as defined 164
in section 2907.39 of the Revised Code, may modify its 165
administrative zoning procedures with regard to adult 166
entertainment establishments as the board determines necessary 167
to ensure that the procedures comply with all applicable 168
constitutional requirements. 169

Sec. 306.353. ~~This (A) As used in this section applies~~ 170

~~only to:~~ 171

(1) "Qualifying regional transit authority" means a 172
regional transit authority whose territory includes a county 173
having a population of more than seven hundred fifty thousand 174
but less than nine hundred thousand as of the most recent 175
federal decennial census. 176

(2) "Qualifying project" means the general construction or 177
maintenance of roads or bridges related to the provision of 178
service by a qualifying regional transit authority. 179

(3) "Qualifying bonds" means bonds or similar obligations 180
issued by a county, municipal corporation, township, or 181
transportation improvement district to fund or finance 182
qualifying projects. 183

(4) "Sales and use tax" means a tax levied in accordance 184
with sections 5739.023 and 5741.022 of the Revised Code. 185

(B) A qualifying regional transit authority to which this 186
~~section applies may levy a sales and use tax, in accordance with~~ 187
~~section 5739.023 of the Revised Code, in part for the specific~~ 188
~~purpose of funding the general construction or maintenance of~~ 189
~~roads or bridges related to the provision of service by the~~ 190
~~regional transit authority or financing a qualifying project. If~~ 191
a regional transit authority levies such a tax, the authority 192
shall enter into agreements, which may include an agreement in 193
effect for more than one year, with counties, municipal 194
corporations, ~~and~~ townships, and transportation improvement 195
districts located within the authority's territorial boundaries 196
to fund ~~such or~~ finance qualifying projects. Pursuant to such an 197
agreement, the authority may pledge or assign sales and use tax 198
revenue to pay the debt service on qualifying bonds. Such 199

agreements shall be entered into before the authority may spend 200
any portion of the revenue from ~~such a~~ sales and use tax for 201
~~general construction or maintenance of any roads or bridges~~ a 202
qualifying project. Such agreements are subject to all of the 203
following: 204

~~(A)~~ (1) The regional transit authority shall submit each 205
such agreement for approval to the appropriate public works 206
integrating committee designated under section 164.03 of the 207
Revised Code. 208

~~(B)~~ (2) The integrating committee shall, on at least an 209
annual basis, review and approve or deny agreements submitted to 210
it under division ~~(A)~~ (B) (1) of this section, except for an 211
agreement that is in effect for more than one year and that was 212
reviewed and approved in a prior meeting of the committee. 213

~~(C)~~ (3) Notwithstanding anything to the contrary in 214
section 164.04 of the Revised Code, approvals and denials shall 215
be by an affirmative vote of six of the members of the 216
integrating committee. 217

~~(D)~~ (4) The integrating committee shall notify the 218
authority of the approval or denial. 219

~~(E)~~ (5) The qualifying regional transit authority shall 220
expend funds only as authorized in an approved agreement. 221

(C) Neither a qualifying regional transit authority, nor 222
the electors thereof, may repeal, rescind, or reduce any portion 223
of a sales and use tax pledged or assigned to pay the debt 224
service on qualifying bonds while those bonds remain 225
outstanding. If the sales and use tax is not in effect for a 226
continuing period of time, the final principal maturity date of 227
qualifying bonds shall not extend beyond the final year that the 228

tax is collected. 229

Sec. 311.30. (A) The board of county commissioners may 230
establish, by resolution, a parking enforcement unit within the 231
office of the sheriff to operate in the unincorporated areas of 232
the county, and may provide for the regulation of parking 233
enforcement officers. The sheriff shall be the executive head of 234
the parking enforcement unit, shall make all appointments and 235
removals of parking enforcement officers, subject to any general 236
rules prescribed by the board of county commissioners by 237
resolution, and shall prescribe rules for the organization, 238
training, administration, control, and conduct of the parking 239
enforcement unit. The sheriff may appoint parking enforcement 240
officers who agree to serve for nominal compensation, and 241
persons with physical disabilities may receive appointments as 242
parking enforcement officers. 243

(B) The authority of the parking enforcement officers 244
shall be limited to the enforcement of ~~section~~sections 4511.69_ 245
to 4511.697 of the Revised Code and any other parking laws 246
specified in the resolution creating the parking enforcement 247
unit. Parking enforcement officers shall have no other powers. 248

(C) The training the parking enforcement officers shall 249
receive shall include instruction in general administrative 250
rules and procedures governing the parking enforcement unit, the 251
role of the judicial system as it relates to parking regulation 252
and enforcement, proper techniques and methods relating to the 253
enforcement of parking laws, human interaction skills, and first 254
aid. 255

Sec. 505.541. (A) The board of township trustees or a 256
joint police district board, respectively, may establish, by 257
resolution, a parking enforcement unit within a township police 258

district or within a joint police district, and provide for the 259
regulation of parking enforcement officers. The chief of police 260
of the district shall be the executive head of the parking 261
enforcement unit, shall make all appointments and removals of 262
parking enforcement officers, subject to any general rules 263
prescribed by the board of township trustees by resolution or 264
joint police district board, as appropriate, and shall prescribe 265
rules for the organization, training, administration, control, 266
and conduct of the parking enforcement unit. The chief of police 267
may appoint parking enforcement officers who agree to serve for 268
nominal compensation, and persons with physical disabilities may 269
receive appointments as parking enforcement officers. 270

(B) The authority of the parking enforcement officers 271
shall be limited to the enforcement of ~~section~~sections 4511.69_ 272
to 4511.697 of the Revised Code and any other parking laws 273
specified in the resolution creating the parking enforcement 274
unit. Parking enforcement officers shall have no other powers. 275

(C) The training the parking enforcement officers shall 276
receive shall include instruction in general administrative 277
rules and procedures governing the parking enforcement unit, the 278
role of the judicial system as it relates to parking regulation 279
and enforcement, proper techniques and methods relating to the 280
enforcement of parking laws, human interaction skills, and first 281
aid. 282

Sec. 509.04. (A) The board of township trustees may 283
establish, by resolution, a parking enforcement unit within the 284
office of a township constable, and provide for the regulation 285
of parking enforcement officers. The board of township trustees 286
shall appoint a police constable as executive head of the 287
parking enforcement unit, who shall make all appointments and 288

removals of parking enforcement officers, subject to any general 289
rules prescribed by the board of township trustees by 290
resolution, and shall prescribe rules for the organization, 291
training, administration, control, and conduct of the parking 292
enforcement unit. The executive head of the parking enforcement 293
unit may appoint parking enforcement officers who agree to serve 294
for nominal compensation, and persons with physical disabilities 295
may receive appointments as parking enforcement officers. 296

(B) The authority of the parking enforcement officers 297
shall be limited to the enforcement of ~~section~~ sections 4511.69_ 298
to 4511.697 of the Revised Code and any other parking laws 299
specified in the resolution creating the parking enforcement 300
unit. Parking enforcement officers shall have no other powers. 301

(C) The training the parking enforcement officers shall 302
receive shall include instruction in general administrative 303
rules and procedures governing the parking enforcement unit, the 304
role of the judicial system as it relates to parking regulation 305
and enforcement, proper techniques and ~~methods~~ methods relating 306
to the enforcement of parking laws, human interaction skills, 307
and first aid. 308

Sec. 519.02. (A) Except as otherwise provided in this 309
section, in the interest of the public health and safety, the 310
board of township trustees may regulate by resolution, in 311
accordance with a comprehensive plan, the location, height, 312
bulk, number of stories, and size of buildings and other 313
structures, including tents, cabins, and trailer coaches, 314
percentages of lot areas that may be occupied, set back building 315
lines, sizes of yards, courts, and other open spaces, the 316
density of population, the uses of buildings and other 317
structures, including tents, cabins, and trailer coaches, and 318

the uses of land for trade, industry, residence, recreation, or 319
other purposes in the unincorporated territory of the township. 320
Except as otherwise provided in this section, in the interest of 321
the public convenience, comfort, prosperity, or general welfare, 322
the board by resolution, in accordance with a comprehensive 323
plan, may regulate the location of, set back lines for, and the 324
uses of buildings and other structures, including tents, cabins, 325
and trailer coaches, and the uses of land for trade, industry, 326
residence, recreation, or other purposes in the unincorporated 327
territory of the township, and may establish reasonable 328
landscaping standards and architectural standards excluding 329
exterior building materials in the unincorporated territory of 330
the township. Except as otherwise provided in this section, in 331
the interest of the public convenience, comfort, prosperity, or 332
general welfare, the board may regulate by resolution, in 333
accordance with a comprehensive plan, for nonresidential 334
property only, the height, bulk, number of stories, and size of 335
buildings and other structures, including tents, cabins, and 336
trailer coaches, percentages of lot areas that may be occupied, 337
sizes of yards, courts, and other open spaces, and the density 338
of population in the unincorporated territory of the township. 339
For all these purposes, the board may divide all or any part of 340
the unincorporated territory of the township into districts or 341
zones of such number, shape, and area as the board determines. 342
All such regulations shall be uniform for each class or kind of 343
building or other structure or use throughout any district or 344
zone, but the regulations in one district or zone may differ 345
from those in other districts or zones. 346

For any activities permitted and regulated under Chapter 347
1513. or 1514. of the Revised Code and any related processing 348
activities, the board of township trustees may regulate under 349

the authority conferred by this section only in the interest of 350
public health or safety. A zoning resolution authorized under 351
this section shall provide for the activities that are permitted 352
and regulated under Chapter 1514. of the Revised Code, and any 353
related processing activities, as either a permitted use or a 354
conditional use in any district or zone when such activities are 355
to be added to an existing permit issued under Chapter 1514. of 356
the Revised Code. 357

(B) A board of township trustees that pursuant to this 358
chapter regulates adult entertainment establishments, as defined 359
in section 2907.39 of the Revised Code, may modify its 360
administrative zoning procedures with regard to adult 361
entertainment establishments as the board determines necessary 362
to ensure that the procedures comply with all applicable 363
constitutional requirements. 364

Sec. 746.01. As used in this chapter: 365

"Ferguson Act of 1869" means the act titled "An act 366
relating to cities of the first class having a population 367
exceeding one hundred and fifty thousand inhabitants" passed May 368
4, 1869, (66 O. L. p. 80) pursuant to which the city of 369
Cincinnati established the Cincinnati Southern Railway, as well 370
as acts subsequently amending the act passed May 4, 1869, which 371
included sections 15093 to 15150-20 of the General Code, as 372
subsequently amended by Section 2 of S.B. 200 of the 98th 373
general assembly, Section 1 of H.B. 314 of the 102nd general 374
assembly, Section 1 of S.B. 562 of the 104th general assembly, 375
and Sections 1 and 2 of H.B. 69 of the 112th general assembly. 376

"Railway" means any railroad built under and governed by 377
the Ferguson Act of 1869, and does not include property, land, 378
right-of-way, or easements which are a part of the railroad line 379

but are no longer necessary for the operation of the railroad, 380
as determined by the railway board of trustees. 381

"Railway board of trustees" means a board of trustees 382
established by a municipal corporation pursuant to H.B. 69 of 383
the 112th general assembly as successor to a board of trustees 384
that was established by the Ferguson Act of 1869. 385

Sec. 746.02. (A) (1) A railway board of trustees may 386
solicit or receive offers for, and sell, all or any portion of a 387
railway in accordance with the provisions of this chapter. The 388
board of trustees may approve and enter into a sale agreement by 389
adopting a resolution that shall include the terms of the 390
proposed sale, and the method that will be used to determine the 391
minimum annual amount to be transmitted to the municipal 392
corporation under section 746.05 of the Revised Code, which may 393
only be amended upon consultation with the fiscal officer of the 394
municipal corporation, and which shall result in an annual 395
amount equal to or greater than the minimum approved by the 396
electors under this section. 397

(2) After the railway board of trustees has adopted the 398
resolution described in division (A) (1) of this section, the 399
railway board of trustees may adopt a resolution setting the 400
date of the election in which the question of approval of the 401
sale is to be submitted to the electors of the municipal 402
corporation, along with the applicable ballot language as 403
described in division (D) of this section. 404

The board of trustees shall only sell a railway or portion 405
of a railway upon approval by the electors of the municipal 406
corporation, as described in divisions (B), (C), (D), and (E) of 407
this section. 408

(B) (1) The railway board of trustees, upon adopting a 409
resolution under division (A) (2) of this section, shall certify 410
the resolution to the legislative authority of the municipal 411
corporation and to the fiscal officer of the municipal 412
corporation. The legislative authority of the municipal 413
corporation, upon receiving a copy of the resolution, shall 414
certify the resolution to the board of elections not less than 415
ninety days before the date of the election specified in the 416
resolution. 417

(2) The board of elections shall submit the proposed 418
resolution for the approval or rejection of the electors of the 419
municipal corporation at the election specified in the 420
resolution. 421

(C) (1) The legislative authority of the municipal 422
corporation shall cause a notice of an election under this 423
section to be published in a newspaper of general circulation 424
within the municipal corporation for the two consecutive weeks 425
before the election, or as provided in section 7.16 of the 426
Revised Code. 427

(2) If the board of elections maintains a web site, the 428
board of elections shall post notice of the election on its web 429
site not later than thirty days before the election. 430

(3) A notice published under this section shall state the 431
time and place of the election and shall include a description 432
of the railway or portion of the railway to be sold, the name of 433
the proposed purchaser, the purchase price to be paid, including 434
the amount and due date of any installments of the purchase 435
price, the purposes for which the proceeds of the sale may be 436
used, and the initial minimum annual amount payable to the 437
municipal corporation, as described in section 746.05 of the 438

Revised Code. 439

(D) The ballot for an election under this section shall 440
include the following language, as applicable: 441

"Shall the _____ (name of railway board of trustees) be 442
authorized to sell _____ (name and description of railway or 443
portion of railway being sold) to _____ (name of the proposed 444
buyer) for a purchase price of _____ (amount proposed for the 445
sale), to be paid in _____ (number of installments) installments 446
during the years _____ (years in which an installment will be 447
paid), with the moneys received to be deposited into a trust 448
fund operated by _____ (railway board of trustees), with 449
_____ (municipal corporation) as the sole beneficiary, the 450
moneys to be annually disbursed to the municipal corporation in 451
an amount no less than _____ (dollar amount) per year, for the 452
purpose of the rehabilitation, modernization, or replacement of 453
existing streets, bridges, municipal buildings, parks and green 454
spaces, site improvements, recreation facilities, improvements 455
for parking purposes, and any other public facilities owned by 456
_____ (municipal corporation), and to pay for the costs of 457
administering the trust fund? 458

YES _____ 459

NO _____" 460

(E) If the question is approved by a majority of electors 461
voting on the question, the railway board of trustees may 462
proceed and take all necessary actions to complete the sale on 463
terms consistent with those described in the resolution adopted 464
under division (A) of this section. Notwithstanding any other 465
provisions of the Revised Code, any net proceeds from a sale 466
pursuant to this section shall be deposited into the trust fund 467

established under section 746.03 of the Revised Code. 468

(F) If the question is not approved by a majority of the 469
electors voting on the question, the railway board of trustees 470
shall not move forward with the sale. 471

Sec. 746.03. (A) A railway board of trustees that sells a 472
railway or any portion of a railway under section 746.02 of the 473
Revised Code shall establish a railway proceeds trust fund for 474
the purpose of receiving the net proceeds of the sale. The 475
municipal corporation that owned the railway or portion of the 476
railway before the sale shall be the sole beneficiary of the 477
trust fund. Any funds in the trust fund shall not be considered 478
part of the unencumbered balance or revenue of the subdivision 479
under section 5705.35 or 5705.36 of the Revised Code. 480

(B) The railway board of trustees shall manage and 481
administer the railway proceeds trust fund established under 482
division (A) of this section as trustees, in accordance with 483
this chapter and with ordinances passed by the legislative 484
authority of the municipal corporation not in conflict with this 485
chapter. 486

(C) Notwithstanding section 9.481 of the Revised Code, no 487
individual may be appointed to the railway board of trustees 488
after the effective date of this section unless the individual 489
is a resident of the municipal corporation. 490

Sec. 746.04. (A) A railway board of trustees that 491
establishes a trust fund under section 746.03 of the Revised 492
Code may invest and reinvest the moneys and assets held in the 493
trust fund, subject to this chapter. The railway board of 494
trustees shall invest and reinvest under the prudent investor 495
standard of care, as described in section 5809.02 of the Revised 496

Code. 497

(B) The railway board of trustees shall retain at least 498
one independent financial advisor to assist the railway board of 499
trustees in investing the trust fund. The railway board of 500
trustees may retain managers, administrative staff, agents, 501
attorneys, and employees, and engage advisors, as are 502
appropriate and reasonable in relation to the assets of the 503
trust fund, the purposes of the trust, and the skills and 504
knowledge of the members of the railway board of trustees, in 505
order to fulfill the board's duties and responsibilities in 506
administering the trust fund. The railway board of trustees 507
shall provide for payment of these and other reasonable expenses 508
of administering the trust fund from the investment earnings on 509
the trust fund. 510

(C) The railway board of trustees shall adopt management 511
and investment policies containing objectives and criteria 512
designed to ensure the trust fund is administered efficiently 513
and self-sustaining, and that the money and assets in the trust 514
fund are not diminished while providing the municipal 515
corporation payments pursuant to section 746.05 of the Revised 516
Code. These policies shall address asset allocation targets and 517
ranges, risk factors, asset class benchmarks, eligible 518
investments, time horizons, total return objectives, a strategy 519
for long-term growth of the principal of the trust fund, 520
competitive procurement processes, fees and administrative 521
expenses, and performance evaluation guidelines. 522

The management and investment policies, and any amendments 523
to those policies, shall be adopted after consultation with the 524
fiscal officer of the municipal corporation. 525

The railway board of trustees shall make public any 526

management and investment policies it adopts under this section. 527

(D) The railway board of trustees, following the creation 528
of a trust fund under this chapter, shall report to the fiscal 529
officer of the municipal corporation, each calendar year, the 530
fiscal transactions of the trust fund for the calendar year, the 531
amounts of accumulated moneys and securities, and the most 532
recent balance sheet showing the financial condition of the fund 533
by means of audited financial statements. The reports shall be 534
delivered at such times, and shall be in a form and content, as 535
reasonably requested by the fiscal officer of the municipal 536
corporation. 537

(E) Except as otherwise provided in this chapter, no 538
member of the railway board of trustees shall have any direct or 539
indirect interest in the gains or profits of any investment made 540
by the railway board of trustees. No member or person connected 541
with the railway board of trustees directly or indirectly, for 542
self or as an agent or partner of others, shall borrow any of 543
the funds or deposits of the railway board of trustees or trust 544
fund, or in any manner use the same except to make such current 545
and necessary payments as are authorized by the railway board of 546
trustees. No member or agent of the railway board of trustees 547
shall become an indorser or surety or become in any manner an 548
obligor for moneys loaned by or borrowed from the railway board 549
of trustees. 550

(F) The railway board of trustees, and the management and 551
investment of the trust fund, is not subject to Chapter 135., 552
sections 731.56 to 731.59, or any other conflicting provisions 553
of the Revised Code. 554

Sec. 746.05. Not later than the thirtieth day of September 555
of each year, the railway board of trustees shall certify to the 556

municipal corporation the amount of funds that the railway board 557
of trustees will disburse to the municipal corporation over the 558
course of the municipal corporation's immediately following 559
fiscal year. During the municipal corporation's immediately 560
following fiscal year, and with such frequency and in such 561
installments as may be determined by the railway board of 562
trustees after consultation with the fiscal officer of the 563
municipal corporation, the railway board of trustees shall 564
transmit to the municipal corporation the certified amount. 565

The railway board of trustees shall determine the amount 566
transferred pursuant to this section, which shall be not less 567
than the amount approved by the electors as provided in section 568
746.02 of the Revised Code, increased each year in the manner 569
set forth in the methodology approved pursuant to that section. 570
Amounts transferred pursuant to this section shall be paid from 571
investment earnings of the trust fund after payments of expenses 572
incurred under section 746.04 of the Revised Code. If there are 573
not sufficient investment earnings in a year to pay the amount 574
certified pursuant to this section, the railway board of 575
trustees shall remit the remainder of the certified amount to 576
the municipal corporation from the principal amount of the trust 577
fund. 578

Sec. 746.06. (A) As used in this section: 579

"Debt service" means the principal, interest, and 580
redemption premium payments, and any deposits pertaining 581
thereto, required with respect to bonds. 582

"Existing infrastructure improvements" means streets, 583
bridges, municipal buildings, parks and green space, site 584
improvements, recreation facilities, improvements for parking 585
purposes, and any other public facilities that are owned by a 586

municipal corporation with a useful life of five or more years. 587
"Existing infrastructure improvements" does not include the 588
construction of new infrastructure improvements. 589

(B) A municipal corporation that receives disbursements 590
under section 746.05 of the Revised Code shall deposit the 591
moneys received into a fund designated by the fiscal officer of 592
the municipal corporation. The municipal corporation shall spend 593
the funds received solely on the rehabilitation, modernization, 594
or replacement of existing infrastructure improvements. The 595
municipal corporation shall not use the funds received for 596
payment of debt service or for the construction of new 597
infrastructure improvements. 598

Sec. 746.07. All net earnings and income from the lease of 599
a railway established under the Ferguson Act of 1869 shall be 600
paid into the treasury of the municipal corporation that 601
established the railway, to the credit of the sinking fund or 602
bond retirement fund. 603

Sec. 3501.29. (A) The board of elections shall provide for 604
each precinct a polling place and provide adequate facilities at 605
each polling place for conducting the election. The board shall 606
provide a sufficient number of screened or curtained voting 607
compartments to which electors may retire and conveniently mark 608
their ballots, protected from the observation of others. Each 609
voting compartment shall be provided at all times with writing 610
implements, instructions how to vote, and other necessary 611
conveniences for marking the ballot. The voting location manager 612
shall ensure that the voting compartments at all times are 613
adequately lighted and contain the necessary supplies. The board 614
shall utilize, in so far as practicable, rooms in public schools 615
and other public buildings for polling places. Upon application 616

of the board of elections, the authority which has the control 617
of any building or grounds supported by taxation under the laws 618
of this state, shall make available the necessary space therein 619
for the purpose of holding elections and adequate space for the 620
storage of voting machines, without charge for the use thereof. 621
A reasonable sum may be paid for necessary janitorial service. 622
When polling places are established in private buildings, the 623
board may pay a reasonable rental therefor, and also the cost of 624
liability insurance covering the premises when used for election 625
purposes, or the board may purchase a single liability policy 626
covering the board and the owners of the premises when used for 627
election purposes. When removable buildings are supplied by the 628
board, they shall be constructed under the contract let to the 629
lowest and best bidder, and the board shall observe all 630
ordinances and regulations then in force as to safety. The board 631
shall remove all such buildings from streets and other public 632
places within thirty days after an election, unless another 633
election is to be held within ninety days. 634

(B) (1) Except as otherwise provided in this section, the 635
board shall ensure all of the following: 636

(a) That polling places are free of barriers that would 637
impede ingress and egress of persons with disabilities; 638

(b) That the minimum number of accessible parking 639
locations for persons with mobility disabilities are designated 640
at each polling place in accordance with 28 C.F.R. Part 36, 641
Appendix A, and in compliance with ~~division (E) of section~~ 642
~~4511.69~~ 4511.691 of the Revised Code; 643

(c) That the entrances of polling places are level or are 644
provided with a nonskid ramp that meets the requirements of the 645
"Americans with Disabilities Act of 1990," 104 Stat. 327, 42 646

U.S.C. 12101, et seq.; 647

(d) That doors are a minimum of thirty-two inches wide. 648

(2) Notwithstanding division (B) (1) (a), (c), or (d) of 649
this section, certain polling places may be specifically 650
exempted by the secretary of state upon certification by a board 651
of elections that a good faith, but unsuccessful, effort has 652
been made to modify, or change the location of, such polling 653
places. 654

(C) The board of elections shall permit any elector with a 655
disability who travels to that elector's polling place, but who 656
is physically unable to enter the polling place, to vote, with 657
the assistance of two polling place officials of major political 658
parties, in the vehicle that conveyed that elector to the 659
polling place, or to receive and cast that elector's ballot at 660
the door of the polling place. Under no other circumstance may 661
an elector vote in a vehicle or at the door of a polling place. 662

(D) The secretary of state shall: 663

(1) Work with other state agencies to facilitate the 664
distribution of information and technical assistance to boards 665
of elections to meet the requirements of division (B) of this 666
section; 667

(2) Work with organizations that represent or provide 668
services to citizens who are elderly or who have disabilities to 669
effect a wide dissemination of information about the 670
availability of absentee voting, voting in the voter's vehicle 671
or at the door of the polling place, or other election services 672
to citizens who are elderly or who have disabilities. 673

(E) Before the day of an election, the director of the 674
board of elections of each county shall sign a statement 675

verifying that each polling place that will be used in that 676
county at that election meets the requirements of division (B) 677
(1) (b) of this section. The signed statement shall be sent to 678
the secretary of state by certified mail or electronically. 679

Sec. 3781.111. (A) In addition to the powers conferred by 680
any other section of the Revised Code, the board of building 681
standards shall adopt standards and rules to facilitate the 682
reasonable access and use by all persons with a disability of 683
all buildings and the facilities of buildings for which plans 684
are submitted for approval under section 3791.04 of the Revised 685
Code. No standard or rule shall be applied to any building the 686
plans or drawings, specifications, and date of which have been 687
approved prior to the time that the standard or rule takes 688
effect. 689

(B) (1) Except as otherwise provided in this section, the 690
standards and rules adopted by the board pursuant to this 691
section shall be in accordance with the "Americans with 692
Disabilities Act of 1990," 104 Stat. 327, 42 ~~U.S.C.A.~~ U.S.C. 693
12101, ~~as amended,~~ et seq. and the "Fair Housing Amendments Act 694
of 1988," 102 Stat. 1619, 42 ~~U.S.C.A.~~ U.S.C. 3601, ~~as amended~~ et 695
seq. 696

(2) For purposes of enforcement by the Ohio civil rights 697
commission only, approval of a plan as required under section 698
3791.04 of the Revised Code creates a rebuttable presumption 699
that the plans, drawings, specifications, or data submitted are 700
in compliance with the rules adopted by the board pursuant to 701
this section as they relate to accessibility. 702

(C) All signs posted to designate special parking 703
locations for persons with a disability and persons with 704
disabilities that limit or impair the ability to walk in 705

accordance with ~~division (E) of section 4511.69~~ 4511.691 of the 706
Revised Code and the standards and rules adopted pursuant to 707
this section shall be mounted on a fixed or movable post or 708
otherwise affixed in a vertical position so that the distance 709
from the ground to the bottom edge of the sign measures not less 710
than five feet. If a new sign or a replacement sign designating 711
a special parking location is posted on or after October 14, 712
1999, there also shall be affixed upon the surface of that sign 713
or affixed next to the designating sign a notice that states the 714
fine applicable for the offense of parking a motor vehicle in 715
the special designated parking location if the motor vehicle is 716
not legally entitled to be parked in that location. 717

(D) As used in this section, "disability" has the same 718
meaning as in section 4112.01 of the Revised Code. As used in 719
division (C) of this section, "persons with disabilities that 720
limit or impair the ability to walk" has the same meaning as in 721
division ~~(A) (1)~~ (A) of section 4503.44 of the Revised Code. 722

(E) No owner of a building or facility where special 723
parking locations for persons with a disability must be 724
designated in accordance with the standards and rules adopted 725
pursuant to this section shall fail to properly mark the special 726
parking locations as required by those standards and rules or 727
fail to maintain the markings of the special parking locations, 728
including the erection and maintenance of the fixed or movable 729
signs. 730

(F) The board annually shall provide statewide training on 731
the rules adopted by the board pursuant to this section as they 732
relate to accessibility for nonresidential building department 733
personnel certified by the board who approve, review plans, and 734
inspect nonresidential construction. 735

Sec. 4503.10. (A) The owner of every snowmobile, off- 736
highway motorcycle, and all-purpose vehicle required to be 737
registered under section 4519.02 of the Revised Code shall file 738
an application for registration under section 4519.03 of the 739
Revised Code. The owner of a motor vehicle, other than a 740
snowmobile, off-highway motorcycle, or all-purpose vehicle, that 741
is not designed and constructed by the manufacturer for 742
operation on a street or highway may not register it under this 743
chapter except upon certification of inspection pursuant to 744
section 4513.02 of the Revised Code by the sheriff, or the chief 745
of police of the municipal corporation or township, with 746
jurisdiction over the political subdivision in which the owner 747
of the motor vehicle resides. Except as provided in ~~section~~ 748
sections 4503.103 and 4503.107 of the Revised Code, every owner 749
of every other motor vehicle not previously described in this 750
section and every person mentioned as owner in the last 751
certificate of title of a motor vehicle that is operated or 752
driven upon the public roads or highways shall cause to be filed 753
each year, by mail or otherwise, in the office of the registrar 754
of motor vehicles or a deputy registrar, a written or electronic 755
application or a preprinted registration renewal notice issued 756
under section 4503.102 of the Revised Code, the form of which 757
shall be prescribed by the registrar, for registration for the 758
following registration year, which shall begin on the first day 759
of January of every calendar year and end on the thirty-first 760
day of December in the same year. Applications for registration 761
and registration renewal notices shall be filed at the times 762
established by the registrar pursuant to section 4503.101 of the 763
Revised Code. A motor vehicle owner also may elect to apply for 764
or renew a motor vehicle registration by electronic means using 765
electronic signature in accordance with rules adopted by the 766
registrar. Except as provided in division (J) of this section, 767

applications for registration shall be made on blanks furnished 768
by the registrar for that purpose, containing the following 769
information: 770

(1) A brief description of the motor vehicle to be 771
registered, including the year, make, model, and vehicle 772
identification number, and, in the case of commercial cars, the 773
gross weight of the vehicle fully equipped computed in the 774
manner prescribed in section 4503.08 of the Revised Code; 775

(2) The name and residence address of the owner, and the 776
township and municipal corporation in which the owner resides; 777

(3) The district of registration, which shall be 778
determined as follows: 779

(a) In case the motor vehicle to be registered is used for 780
hire or principally in connection with any established business 781
or branch business, conducted at a particular place, the 782
district of registration is the municipal corporation in which 783
that place is located or, if not located in any municipal 784
corporation, the county and township in which that place is 785
located. 786

(b) In case the vehicle is not so used, the district of 787
registration is the municipal corporation or county in which the 788
owner resides at the time of making the application. 789

(4) Whether the motor vehicle is a new or used motor 790
vehicle; 791

(5) The date of purchase of the motor vehicle; 792

(6) Whether the fees required to be paid for the 793
registration or transfer of the motor vehicle, during the 794
preceding registration year and during the preceding period of 795

the current registration year, have been paid. Each application 796
for registration shall be signed by the owner, either manually 797
or by electronic signature, or pursuant to obtaining a limited 798
power of attorney authorized by the registrar for registration, 799
or other document authorizing such signature. If the owner 800
elects to apply for or renew the motor vehicle registration with 801
the registrar by electronic means, the owner's manual signature 802
is not required. 803

(7) The owner's social security number, driver's license 804
number, or state identification number, or, where a motor 805
vehicle to be registered is used for hire or principally in 806
connection with any established business, the owner's federal 807
taxpayer identification number. The bureau of motor vehicles 808
shall retain in its records all social security numbers provided 809
under this section, but the bureau shall not place social 810
security numbers on motor vehicle certificates of registration. 811

(8) Whether the applicant wishes to certify willingness to 812
make an anatomical gift if an applicant has not so certified 813
under section 2108.05 of the Revised Code. The applicant's 814
response shall not be considered in the decision of whether to 815
approve the application for registration. 816

(B) (1) When an applicant first registers a motor vehicle 817
in the applicant's name, the applicant shall provide proof of 818
ownership of that motor vehicle. Proof of ownership may include 819
any of the following: 820

(a) The applicant may present for inspection a physical 821
certificate of title or memorandum certificate showing title to 822
the motor vehicle to be registered in the name of the applicant. 823

(b) The applicant may present for inspection an electronic 824

certificate of title for the applicant's motor vehicle in a 825
manner prescribed by rules adopted by the registrar. 826

(c) The registrar or deputy registrar may electronically 827
confirm the applicant's ownership of the motor vehicle. 828

An applicant is not required to present a certificate of 829
title to an electronic motor vehicle dealer acting as a limited 830
authority deputy registrar in accordance with rules adopted by 831
the registrar. 832

(2) When a motor vehicle inspection and maintenance 833
program is in effect under section 3704.14 of the Revised Code 834
and rules adopted under it, each application for registration 835
for a vehicle required to be inspected under that section and 836
those rules shall be accompanied by an inspection certificate 837
for the motor vehicle issued in accordance with that section. 838

(3) An application for registration shall be refused if 839
any of the following applies: 840

(a) The application is not in proper form. 841

(b) The application is prohibited from being accepted by 842
division (D) of section 2935.27, division (A) of section 843
2937.221, division (A) of section 4503.13, division (B) of 844
section 4510.22, division (B)(1) of section 4521.10, or division 845
(B) of section 5537.041 of the Revised Code. 846

(c) Proof of ownership is required but is not presented or 847
confirmed in accordance with division (B)(1) of this section. 848

(d) All registration and transfer fees for the motor 849
vehicle, for the preceding year or the preceding period of the 850
current registration year, have not been paid. 851

(e) The owner or lessee does not have an inspection 852

certificate for the motor vehicle as provided in section 3704.14 853
of the Revised Code, and rules adopted under it, if that section 854
is applicable. 855

(4) This section does not require the payment of license 856
or registration taxes on a motor vehicle for any preceding year, 857
or for any preceding period of a year, if the motor vehicle was 858
not taxable for that preceding year or period under sections 859
4503.02, 4503.04, 4503.11, 4503.12, and 4503.16 or Chapter 4504. 860
of the Revised Code. 861

(5) When a certificate of registration is issued upon the 862
first registration of a motor vehicle by or on behalf of the 863
owner, the official issuing the certificate shall indicate the 864
issuance with a stamp on the certificate of title or memorandum 865
certificate or, in the case of an electronic certificate of 866
title or electronic verification of ownership, an electronic 867
stamp or other notation as specified in rules adopted by the 868
registrar, and with a stamp on the inspection certificate for 869
the motor vehicle, if any. 870

(6) The official also shall indicate, by a stamp or by 871
other means the registrar prescribes, on the registration 872
certificate issued upon the first registration of a motor 873
vehicle by or on behalf of the owner the odometer reading of the 874
motor vehicle as shown in the odometer statement included in or 875
attached to the certificate of title. Upon each subsequent 876
registration of the motor vehicle by or on behalf of the same 877
owner, the official also shall so indicate the odometer reading 878
of the motor vehicle as shown on the immediately preceding 879
certificate of registration. 880

(7) The registrar shall include in the permanent 881
registration record of any vehicle required to be inspected 882

under section 3704.14 of the Revised Code the inspection 883
certificate number from the inspection certificate that is 884
presented at the time of registration of the vehicle as required 885
under this division. 886

(C) (1) Except as otherwise provided in division (C) (1) of 887
this section, the registrar and each deputy registrar shall 888
collect an additional fee of eleven dollars for each application 889
for registration and registration renewal received. For vehicles 890
specified in divisions (A) (1) to (21) of section 4503.042 of the 891
Revised Code, the registrar and deputy registrar shall collect 892
an additional fee of thirty dollars for each application for 893
registration and registration renewal received. No additional 894
fee shall be charged for vehicles registered under section 895
4503.65 of the Revised Code. The additional fee is for the 896
purpose of defraying the department of public safety's costs 897
associated with the administration and enforcement of the motor 898
vehicle and traffic laws of Ohio. Each deputy registrar shall 899
transmit the fees collected under divisions (C) (1), (3), and (4) 900
of this section in the time and manner provided in this section. 901
The registrar shall deposit all moneys received under division 902
(C) (1) of this section into the public safety - highway purposes 903
fund established in section 4501.06 of the Revised Code. 904

(2) In addition, a charge of twenty-five cents shall be 905
made for each reflectorized safety license plate issued, and a 906
single charge of twenty-five cents shall be made for each county 907
identification sticker or each set of county identification 908
stickers issued, as the case may be, to cover the cost of 909
producing the license plates and stickers, including material, 910
manufacturing, and administrative costs. Those fees shall be in 911
addition to the license tax. If the total cost of producing the 912
plates is less than twenty-five cents per plate, or if the total 913

cost of producing the stickers is less than twenty-five cents 914
per sticker or per set issued, any excess moneys accruing from 915
the fees shall be distributed in the same manner as provided by 916
section 4501.04 of the Revised Code for the distribution of 917
license tax moneys. If the total cost of producing the plates 918
exceeds twenty-five cents per plate, or if the total cost of 919
producing the stickers exceeds twenty-five cents per sticker or 920
per set issued, the difference shall be paid from the license 921
tax moneys collected pursuant to section 4503.02 of the Revised 922
Code. 923

(3) The registrar and each deputy registrar shall collect 924
an additional fee of two hundred dollars for each application 925
for registration or registration renewal received for any plug- 926
in hybrid electric motor vehicle or battery electric motor 927
vehicle. The fee shall be prorated based on the number of months 928
for which the plug-in hybrid electric motor vehicle or battery 929
electric motor vehicle is registered. The registrar shall 930
transmit all money arising from the fee imposed by division (C) 931
(3) of this section to the treasurer of state for distribution 932
in accordance with division (E) of section 5735.051 of the 933
Revised Code, subject to division (D) of section 5735.05 of the 934
Revised Code. 935

(4) The registrar and each deputy registrar shall collect 936
an additional fee of one hundred dollars for each application 937
for registration or registration renewal received for any hybrid 938
motor vehicle. The fee shall be prorated based on the number of 939
months for which the hybrid motor vehicle is registered. The 940
registrar shall transmit all money arising from the fee imposed 941
by division (C)(4) of this section to the treasurer of state for 942
distribution in accordance with division (E) of section 5735.051 943
of the Revised Code, subject to division (D) of section 5735.05 944

of the Revised Code. 945

(D) Each deputy registrar shall be allowed a fee equal to 946
the amount established under section 4503.038 of the Revised 947
Code for each application for registration and registration 948
renewal notice the deputy registrar receives, which shall be for 949
the purpose of compensating the deputy registrar for the deputy 950
registrar's services, and such office and rental expenses, as 951
may be necessary for the proper discharge of the deputy 952
registrar's duties in the receiving of applications and renewal 953
notices and the issuing of registrations. 954

(E) Upon the certification of the registrar, the county 955
sheriff or local police officials shall recover license plates 956
erroneously or fraudulently issued. 957

(F) Each deputy registrar, upon receipt of any application 958
for registration or registration renewal notice, together with 959
the license fee and any local motor vehicle license tax levied 960
pursuant to Chapter 4504. of the Revised Code, shall transmit 961
that fee and tax, if any, in the manner provided in this 962
section, together with the original and duplicate copy of the 963
application, to the registrar. The registrar, subject to the 964
approval of the director of public safety, may deposit the funds 965
collected by those deputies in a local bank or depository to the 966
credit of the "state of Ohio, bureau of motor vehicles." Where a 967
local bank or depository has been designated by the registrar, 968
each deputy registrar shall deposit all moneys collected by the 969
deputy registrar into that bank or depository not more than one 970
business day after their collection and shall make reports to 971
the registrar of the amounts so deposited, together with any 972
other information, some of which may be prescribed by the 973
treasurer of state, as the registrar may require and as 974

prescribed by the registrar by rule. The registrar, within three 975
days after receipt of notification of the deposit of funds by a 976
deputy registrar in a local bank or depository, shall draw on 977
that account in favor of the treasurer of state. The registrar, 978
subject to the approval of the director and the treasurer of 979
state, may make reasonable rules necessary for the prompt 980
transmittal of fees and for safeguarding the interests of the 981
state and of counties, townships, municipal corporations, and 982
transportation improvement districts levying local motor vehicle 983
license taxes. The registrar may pay service charges usually 984
collected by banks and depositories for such service. If deputy 985
registrars are located in communities where banking facilities 986
are not available, they shall transmit the fees forthwith, by 987
money order or otherwise, as the registrar, by rule approved by 988
the director and the treasurer of state, may prescribe. The 989
registrar may pay the usual and customary fees for such service. 990

(G) This section does not prevent any person from making 991
an application for a motor vehicle license directly to the 992
registrar by mail, by electronic means, or in person at any of 993
the registrar's offices, upon payment of a service fee equal to 994
the amount established under section 4503.038 of the Revised 995
Code for each application. 996

(H) No person shall make a false statement as to the 997
district of registration in an application required by division 998
(A) of this section. Violation of this division is falsification 999
under section 2921.13 of the Revised Code and punishable as 1000
specified in that section. 1001

(I) (1) Where applicable, the requirements of division (B) 1002
of this section relating to the presentation of an inspection 1003
certificate issued under section 3704.14 of the Revised Code and 1004

rules adopted under it for a motor vehicle, the refusal of a 1005
license for failure to present an inspection certificate, and 1006
the stamping of the inspection certificate by the official 1007
issuing the certificate of registration apply to the 1008
registration of and issuance of license plates for a motor 1009
vehicle under sections 4503.102, 4503.12, 4503.14, 4503.15, 1010
4503.16, 4503.171, 4503.172, 4503.19, 4503.40, 4503.41, 4503.42, 1011
4503.43, ~~4503.44~~4503.441, 4503.46, 4503.47, and 4503.51 of the 1012
Revised Code. 1013

(2) (a) The registrar shall adopt rules ensuring that each 1014
owner registering a motor vehicle in a county where a motor 1015
vehicle inspection and maintenance program is in effect under 1016
section 3704.14 of the Revised Code and rules adopted under it 1017
receives information about the requirements established in that 1018
section and those rules and about the need in those counties to 1019
present an inspection certificate with an application for 1020
registration or preregistration. 1021

(b) Upon request, the registrar shall provide the director 1022
of environmental protection, or any person that has been awarded 1023
a contract under section 3704.14 of the Revised Code, an on-line 1024
computer data link to registration information for all passenger 1025
cars, noncommercial motor vehicles, and commercial cars that are 1026
subject to that section. The registrar also shall provide to the 1027
director of environmental protection a magnetic data tape 1028
containing registration information regarding passenger cars, 1029
noncommercial motor vehicles, and commercial cars for which a 1030
multi-year registration is in effect under section 4503.103 of 1031
the Revised Code or rules adopted under it, including, without 1032
limitation, the date of issuance of the multi-year registration, 1033
the registration deadline established under rules adopted under 1034
section 4503.101 of the Revised Code that was applicable in the 1035

year in which the multi-year registration was issued, and the 1036
registration deadline for renewal of the multi-year 1037
registration. 1038

(J) Subject to division (K) of this section, application 1039
for registration under the international registration plan, as 1040
set forth in sections 4503.60 to 4503.66 of the Revised Code, 1041
shall be made to the registrar on forms furnished by the 1042
registrar. In accordance with international registration plan 1043
guidelines and pursuant to rules adopted by the registrar, the 1044
forms shall include the following: 1045

(1) A uniform mileage schedule; 1046

(2) The gross vehicle weight of the vehicle or combined 1047
gross vehicle weight of the combination vehicle as declared by 1048
the registrant; 1049

(3) Any other information the registrar requires by rule. 1050

(K) The registrar shall determine the feasibility of 1051
implementing an electronic commercial fleet licensing and 1052
management program that will enable the owners of commercial 1053
tractors, commercial trailers, and commercial semitrailers to 1054
conduct electronic transactions by July 1, 2010, or sooner. If 1055
the registrar determines that implementing such a program is 1056
feasible, the registrar shall adopt new rules under this 1057
division or amend existing rules adopted under this division as 1058
necessary in order to respond to advances in technology. 1059

If international registration plan guidelines and 1060
provisions allow member jurisdictions to permit applications for 1061
registrations under the international registration plan to be 1062
made via the internet, the rules the registrar adopts under this 1063
division shall permit such action. 1064

Sec. 4503.103. (A) (1) The registrar of motor vehicles may 1065
adopt rules to permit any person or lessee, other than a person 1066
receiving an apportioned license plate under the international 1067
registration plan, who owns or leases one or more motor vehicles 1068
to file a written application for registration for no more than 1069
five succeeding registration years. The rules adopted by the 1070
registrar may designate the classes of motor vehicles that are 1071
eligible for such registration. At the time of application, all 1072
annual taxes and fees shall be paid for each year for which the 1073
person is registering. 1074

(2) (a) The registrar shall adopt rules to permit any 1075
person or lessee who owns or leases a trailer or semitrailer 1076
that is subject to the tax rate prescribed in either division 1077
(C) (1) or, beginning January 1, 2022, (C) (2) of section 4503.042 1078
of the Revised Code to file a written application for 1079
registration for any number of succeeding registration years, 1080
including a permanent registration, for such trailers or 1081
semitrailers. 1082

At the time of application, the applicant shall pay all of 1083
the following: 1084

(i) As applicable, either the annual tax prescribed in 1085
division (C) (1) of section 4503.042 of the Revised Code for each 1086
year for which the applicant is registering or the annual tax 1087
prescribed in division (C) (2) of section 4503.042 of the Revised 1088
Code, unless the applicant previously paid the tax specified in 1089
division (C) (2) of that section for the trailer or semitrailer 1090
being registered. However, an applicant paying the annual tax 1091
under division (C) (1) of section 4503.042 of the Revised Code 1092
shall not pay more than eight times the annual taxes due, 1093
regardless of the number of years for which the applicant is 1094

registering. 1095

(ii) The additional fee established under division (C) (1) 1096
of section 4503.10 of the Revised Code for each year of 1097
registration, provided that not more than eight times the 1098
additional fee due shall be paid, regardless of the number of 1099
years for which the applicant is registering. 1100

(iii) One single deputy registrar service fee in the 1101
amount specified in division (D) of section 4503.10 of the 1102
Revised Code or one single bureau of motor vehicles service fee 1103
in the amount specified in division (G) of that section, as 1104
applicable, regardless of the number of years for which the 1105
applicant is registering. 1106

(b) In addition, each applicant registering a trailer or 1107
semitrailer under division (A) (2) (a) of this section shall pay 1108
any applicable local motor vehicle license tax levied under 1109
Chapter 4504. of the Revised Code for each year for which the 1110
applicant is registering, provided that not more than eight 1111
times any such annual local taxes shall be due upon 1112
registration. 1113

(c) The period of registration for a trailer or 1114
semitrailer registered under division (A) (2) (a) of this section 1115
is exclusive to the trailer or semitrailer for which that 1116
certificate of registration is issued and is not transferable to 1117
any other trailer or semitrailer if the registration is a 1118
permanent registration. 1119

(3) Except as provided in division (A) (4) of this section, 1120
the registrar shall adopt rules to permit any person who owns a 1121
motor vehicle to file an application for registration for not 1122
more than five succeeding registration years. At the time of 1123

application, the person shall pay the annual taxes and fees for 1124
each registration year, calculated in accordance with division 1125
(C) of section 4503.11 of the Revised Code. A person who is 1126
registering a vehicle under division (A) (3) of this section 1127
shall pay for each year of registration the additional fee 1128
established under division (C) (1), (3), or (4) of section 1129
4503.10 of the Revised Code, as applicable. The person shall 1130
also pay the deputy registrar service fee or the bureau of motor 1131
vehicles service fee equal to the amount established under 1132
section 4503.038 of the Revised Code. 1133

(4) Division (A) (3) of this section does not apply to a 1134
person receiving an apportioned license plate under the 1135
international registration plan, or the owner of a commercial 1136
car used solely in intrastate commerce, or the owner of a bus as 1137
defined in section 4513.50 of the Revised Code. 1138

(5) A person registering a noncommercial trailer 1139
permanently shall register the trailer under section 4503.107 of 1140
the Revised Code. 1141

(B) No person applying for a multi-year registration under 1142
division (A) of this section is entitled to a refund of any 1143
taxes or fees paid. 1144

(C) The registrar shall not issue to any applicant who has 1145
been issued a final, nonappealable order under division (D) of 1146
this section a multi-year registration or renewal thereof under 1147
this division or rules adopted under it for any motor vehicle 1148
that is required to be inspected under section 3704.14 of the 1149
Revised Code the district of registration of which, as 1150
determined under section 4503.10 of the Revised Code, is or is 1151
located in the county named in the order. 1152

(D) Upon receipt from the director of environmental 1153
protection of a notice issued under rules adopted under section 1154
3704.14 of the Revised Code indicating that an owner of a motor 1155
vehicle that is required to be inspected under that section who 1156
obtained a multi-year registration for the vehicle under 1157
division (A) of this section or rules adopted under that 1158
division has not obtained a required inspection certificate for 1159
the vehicle, the registrar in accordance with Chapter 119. of 1160
the Revised Code shall issue an order to the owner impounding 1161
the certificate of registration and identification license 1162
plates for the vehicle. The order also shall prohibit the owner 1163
from obtaining or renewing a multi-year registration for any 1164
vehicle that is required to be inspected under that section, the 1165
district of registration of which is or is located in the same 1166
county as the county named in the order during the number of 1167
years after expiration of the current multi-year registration 1168
that equals the number of years for which the current multi-year 1169
registration was issued. 1170

An order issued under this division shall require the 1171
owner to surrender to the registrar the certificate of 1172
registration and license plates for the vehicle named in the 1173
order within five days after its issuance. If the owner fails to 1174
do so within that time, the registrar shall certify that fact to 1175
the county sheriff or local police officials who shall recover 1176
the certificate of registration and license plates for the 1177
vehicle. 1178

(E) Upon the occurrence of either of the following 1179
circumstances, the registrar in accordance with Chapter 119. of 1180
the Revised Code shall issue to the owner a modified order 1181
rescinding the provisions of the order issued under division (D) 1182
of this section impounding the certificate of registration and 1183

license plates for the vehicle named in that original order: 1184

(1) Receipt from the director of environmental protection 1185
of a subsequent notice under rules adopted under section 3704.14 1186
of the Revised Code that the owner has obtained the inspection 1187
certificate for the vehicle as required under those rules; 1188

(2) Presentation to the registrar by the owner of the 1189
required inspection certificate for the vehicle. 1190

(F) The owner of a motor vehicle for which the certificate 1191
of registration and license plates have been impounded pursuant 1192
to an order issued under division (D) of this section, upon 1193
issuance of a modified order under division (E) of this section, 1194
may apply to the registrar for their return. A fee of two 1195
dollars and fifty cents shall be charged for the return of the 1196
certificate of registration and license plates for each vehicle 1197
named in the application. 1198

Sec. 4503.107. (A) The registrar of motor vehicles shall 1199
permit any person or lessee who owns or leases a noncommercial 1200
trailer that is subject to the tax rates prescribed in division 1201
(E) of section 4503.04 of the Revised Code to file a written 1202
application for permanent registration of that noncommercial 1203
trailer. 1204

(B) (1) At the time of application, the applicant shall pay 1205
all of the following: 1206

(a) The equivalent of eight times the standard tax 1207
established for that noncommercial trailer by division (E) of 1208
section 4503.04 of the Revised Code; 1209

(b) The equivalent of eight times the additional fee 1210
established by division (C) (1) of section 4503.10 of the Revised 1211
Code; 1212

(c) A single deputy registrar service fee or a single bureau of motor vehicles service fee, as applicable, equal to the amount established by section 4503.038 of the Revised Code. 1213
1214
1215

(2) In addition to any other prescribed tax or fee, if the noncommercial trailer registered under this section is subject to local motor vehicle taxes under Chapter 4504. of the Revised Code, the applicant shall pay the equivalent of eight times any applicable local motor vehicle license tax levied under that chapter for that noncommercial trailer. 1216
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(C) Upon submission of a completed application, payment of all applicable taxes and fees, and compliance with all other applicable laws relating to the registration of motor vehicles, the registrar or deputy registrar shall issue the applicant a permanent license plate and a validation sticker. 1222
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(D) The permanent registration of a noncommercial trailer under this section is exclusive to the trailer for which that certificate of registration is issued. The registration is not transferable to any other trailer. 1227
1228
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1230

(E) No person applying for a permanent registration under this section is entitled to a refund of any taxes or fees paid. 1231
1232

Sec. 4503.11. (A) Except as provided by sections 4503.103, 4503.107, 4503.173, 4503.41, 4503.43, and 4503.46 of the Revised Code, no person who is the owner or chauffeur of a motor vehicle operated or driven upon the public roads or highways shall fail to file annually the application for registration or to pay the tax therefor. 1233
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(B) Except as provided by sections 4503.12 and 4503.16 of the Revised Code, the taxes payable on all applications made under sections 4503.10 and 4503.102 of the Revised Code shall be 1239
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1241

the sum of the tax due under division (B) (1) (a) or (b) of this 1242
section plus the tax due under division (B) (2) (a) or (b) of this 1243
section: 1244

(1) (a) If the application is made before the second month 1245
of the current registration period to which the motor vehicle is 1246
assigned as provided in section 4503.101 of the Revised Code, 1247
the tax due is the full amount of the tax provided in section 1248
4503.04 of the Revised Code; 1249

(b) If the application is made during or after the second 1250
month of the current registration period to which the motor 1251
vehicle is assigned as provided in section 4503.101 of the 1252
Revised Code, and prior to the beginning of the next such 1253
registration period, the amount of the tax provided in section 1254
4503.04 of the Revised Code shall be reduced by one-twelfth of 1255
the amount of such tax, rounded upward to the nearest cent, 1256
multiplied by the number of full months that have elapsed in the 1257
current registration period. The resulting amount shall be 1258
rounded upward to the next highest dollar and shall be the 1259
amount of tax due. 1260

(2) (a) If the application is made before the sixth month 1261
of the current registration period to which the motor vehicle is 1262
assigned as provided in section 4503.101 of the Revised Code, 1263
the amount of tax due is the full amount of local motor vehicle 1264
license taxes levied under Chapter 4504. of the Revised Code; 1265

(b) If the application is made during or after the sixth 1266
month of the current registration period to which the motor 1267
vehicle is assigned as provided in section 4503.101 of the 1268
Revised Code and prior to the beginning of the next such 1269
registration period, the amount of tax due is one-half of the 1270
amount of local motor vehicle license taxes levied under Chapter 1271

4504. of the Revised Code. 1272

(C) The taxes payable on all applications made under 1273
division (A) (3) of section 4503.103 of the Revised Code shall be 1274
the sum of the tax due under division (B) (1) (a) or (b) of this 1275
section plus the tax due under division (B) (2) (a) or (b) of this 1276
section for the first year plus the full amount of the tax 1277
provided in section 4503.04 of the Revised Code and the full 1278
amount of local motor vehicle license taxes levied under Chapter 1279
4504. of the Revised Code for each succeeding year. 1280

(D) Whoever violates this section is guilty of a minor 1281
misdemeanor. 1282

Sec. 4503.12. (A) Upon the transfer of ownership of a 1283
motor vehicle, the registration of the motor vehicle expires, 1284
and the original owner immediately shall remove the license 1285
plates from the motor vehicle, except that: 1286

(1) If a statutory merger or consolidation results in the 1287
transfer of ownership of a motor vehicle from a constituent 1288
corporation to the surviving corporation, or if the 1289
incorporation of a proprietorship or partnership results in the 1290
transfer of ownership of a motor vehicle from the proprietorship 1291
or partnership to the corporation, the registration shall be 1292
continued upon the filing by the surviving or new corporation, 1293
within thirty days of such transfer, of an application for an 1294
amended certificate of registration. Upon a proper filing, the 1295
registrar of motor vehicles shall issue an amended certificate 1296
of registration in the name of the new owner. 1297

(2) If the death of the owner of a motor vehicle results 1298
in the transfer of ownership of the motor vehicle to the 1299
surviving spouse of the owner or if a motor vehicle is owned by 1300

two persons under joint ownership with right of survivorship 1301
established under section 2131.12 of the Revised Code and one of 1302
those persons dies, the registration shall be continued upon the 1303
filing by the survivor of an application for an amended 1304
certificate of registration. In relation to a motor vehicle that 1305
is owned by two persons under joint ownership with right of 1306
survivorship established under section 2131.12 of the Revised 1307
Code, the application shall be accompanied by a copy of the 1308
certificate of title that specifies that the vehicle is owned 1309
under joint ownership with right of survivorship. Upon a proper 1310
filing, the registrar shall issue an amended certificate of 1311
registration in the name of the survivor. 1312

(3) If the death of the owner of a motor vehicle results 1313
in the transfer of ownership of the motor vehicle to a transfer- 1314
on-death beneficiary or beneficiaries designated under section 1315
2131.13 of the Revised Code, the registration shall be continued 1316
upon the filing by the transfer-on-death beneficiary or 1317
beneficiaries of an application for an amended certificate of 1318
registration. The application shall be accompanied by a copy of 1319
the certificate of title that specifies that the owner of the 1320
motor vehicle has designated the motor vehicle in beneficiary 1321
form under section 2131.13 of the Revised Code. Upon a proper 1322
filing, the registrar shall issue an amended certificate of 1323
registration in the name of the transfer-on-death beneficiary or 1324
beneficiaries. 1325

(4) If the original owner of a motor vehicle that has been 1326
transferred makes application for the registration of another 1327
motor vehicle at any time during the remainder of the 1328
registration period for which the transferred motor vehicle was 1329
registered, the owner may file an application for transfer of 1330
the registration and, where applicable, the license plates. The 1331

transfer of the registration and, where applicable, the license 1332
plates from the motor vehicle for which they originally were 1333
issued to a succeeding motor vehicle purchased by the same 1334
person in whose name the original registration and license 1335
plates were issued shall be done within a period not to exceed 1336
thirty days. During that thirty-day period, the license plates 1337
from the motor vehicle for which they originally were issued may 1338
be displayed on the succeeding motor vehicle, and the succeeding 1339
motor vehicle may be operated on the public roads and highways 1340
in this state. 1341

At the time of application for transfer, the registrar 1342
shall compute and collect the amount of tax due on the 1343
succeeding motor vehicle, based upon the amount that would be 1344
due on a new registration as of the date on which the transfer 1345
is made less a credit for the unused portion of the original 1346
registration beginning on that date. If the credit exceeds the 1347
amount of tax due on the new registration, no refund shall be 1348
made. In computing the amount of tax due and credits to be 1349
allowed under this division, the provisions of division (B) (1) 1350
(a) and (b) of section 4503.11 of the Revised Code shall apply. 1351
As to passenger cars, noncommercial vehicles, motor homes, and 1352
motorcycles, transfers within or between these classes of motor 1353
vehicles only shall be allowed. If the succeeding motor vehicle 1354
is of a different class than the motor vehicle for which the 1355
registration originally was issued, new license plates also 1356
shall be issued upon the surrender of the license plates 1357
originally issued and payment of the fees provided in divisions 1358
(C) and (D) of section 4503.10 of the Revised Code. 1359

(5) The owner of a commercial car having a gross vehicle 1360
weight or combined gross vehicle weight of more than ten 1361
thousand pounds may transfer the registration of that commercial 1362

car to another commercial car the owner owns without 1363
transferring ownership of the first commercial car. At any time 1364
during the remainder of the registration period for which the 1365
first commercial car was registered, the owner may file an 1366
application for the transfer of the registration and, where 1367
applicable, the license plates, accompanied by the certificate 1368
of registration of the first commercial car. The amount of any 1369
tax due or credit to be allowed for a transfer of registration 1370
under this division shall be computed in accordance with 1371
division (A) (4) of this section. 1372

No commercial car to which a registration is transferred 1373
under this division shall be operated on a public road or 1374
highway in this state until after the transfer of registration 1375
is completed in accordance with this division. 1376

(6) Upon application to the registrar or a deputy 1377
registrar, a person who owns or leases a motor vehicle may 1378
transfer special license plates assigned to that vehicle to any 1379
other vehicle that the person owns or leases or that is owned or 1380
leased by the person's spouse. As appropriate, the application 1381
also shall be accompanied by a power of attorney for the 1382
registration of a leased vehicle and a written statement 1383
releasing the special plates to the applicant. Upon a proper 1384
filing, the registrar or deputy registrar shall assign the 1385
special license plates to the motor vehicle owned or leased by 1386
the applicant and issue a new certificate of registration for 1387
that motor vehicle. 1388

(7) If a corporation transfers the ownership of a motor 1389
vehicle to an affiliated corporation, the affiliated corporation 1390
may apply to the registrar for the transfer of the registration 1391
and any license plates. The registrar may require the applicant 1392

to submit documentation of the corporate relationship and shall 1393
determine whether the application for registration transfer is 1394
made in good faith and not for the purposes of circumventing the 1395
provisions of this chapter. Upon a proper filing, the registrar 1396
shall issue an amended certificate of registration in the name 1397
of the new owner. 1398

(B) An application under division (A) of this section 1399
shall be accompanied by a service fee equal to the amount 1400
established under section 4503.038 of the Revised Code, a 1401
transfer fee of one dollar, and the original certificate of 1402
registration, if applicable. 1403

(C) Neither the registrar nor a deputy registrar shall 1404
transfer a registration under division (A) of this section if 1405
the registration is prohibited by division (D) of section 1406
2935.27, division (A) of section 2937.221, division (A) of 1407
section 4503.13, division (D) of section 4503.234, division (B) 1408
of section 4510.22, division (B)(1) of section 4521.10, or 1409
division (B) of section 5537.041 of the Revised Code. 1410

(D) Whoever violates division (A) of this section is 1411
guilty of a misdemeanor of the fourth degree. 1412

(E) As used in division (A)(6) of this section, "special 1413
license plates" means either of the following: 1414

(1) Any license plates for which the person to whom the 1415
license plates are issued must pay an additional fee in excess 1416
of the fees prescribed in section 4503.04 of the Revised Code, 1417
Chapter 4504. of the Revised Code, and the service fee 1418
prescribed in division (D) or (G) of section 4503.10 of the 1419
Revised Code; 1420

(2) License plates issued under section ~~4503.44~~ 4503.441 1421

of the Revised Code. 1422

Sec. 4503.191. (A) (1) The identification license plate 1423
shall be issued for a multi-year period as determined by the 1424
director of public safety, and, except as provided in division 1425
(A) (3) of this section, shall be accompanied by a validation 1426
sticker, to be attached to the license plate. Except as provided 1427
in divisions (A) (2) and (3) of this section, the validation 1428
sticker shall indicate the expiration of the registration period 1429
to which the motor vehicle for which the license plate is issued 1430
is assigned, in accordance with rules adopted by the registrar 1431
of motor vehicles. During each succeeding year of the multi-year 1432
period following the issuance of the plate and validation 1433
sticker, upon the filing of an application for registration and 1434
the payment of the tax therefor, a validation sticker alone 1435
shall be issued. The validation stickers required under this 1436
section shall be of different colors or shades each year, the 1437
new colors or shades to be selected by the director. 1438

(2) (a) The director shall develop a universal validation 1439
sticker that may be issued to any owner of five hundred or more 1440
passenger vehicles, so that a sticker issued to the owner may be 1441
placed on any passenger vehicle in that owner's fleet. Beginning 1442
January 1, 2019, the universal validation sticker shall not have 1443
an expiration date on it and shall not need replaced at the time 1444
of registration, except in the event of the loss, mutilation, or 1445
destruction of the validation sticker. The director may 1446
establish and charge an additional fee of not more than one 1447
dollar per registration to compensate for necessary costs of the 1448
universal validation sticker program. The additional fee shall 1449
be credited to the public safety - highway purposes fund created 1450
in section 4501.06 of the Revised Code. The director shall 1451
select the color or shade of the universal validation sticker. 1452

(b) A validation sticker issued for an all-purpose vehicle 1453
that is registered under Chapter 4519. of the Revised Code, for 1454
a noncommercial trailer that is permanently registered under 1455
section 4503.107 of the Revised Code, or for a trailer or 1456
semitrailer that is permanently registered under division (A) (2) 1457
of section 4503.103 of the Revised Code or is registered for any 1458
number of succeeding registration years may indicate the 1459
expiration of the registration period, if any, by any manner 1460
determined by the registrar by rule. 1461

(3) No validation sticker shall be issued, and a 1462
validation sticker is not required for display, on the license 1463
plate of a nonapportioned commercial tractor or any apportioned 1464
motor vehicle. 1465

(B) Identification license plates shall be produced by 1466
Ohio penal industries. Validation stickers and county 1467
identification stickers shall be produced by Ohio penal 1468
industries unless the registrar adopts rules expressly 1469
permitting the registrar or deputy registrars to provide for the 1470
printing or production of the stickers. 1471

Sec. 4503.44. ~~(A) As used in this section and in section~~ 1472
~~4511.69 sections 4503.44 to 4503.448~~ of the Revised Code: 1473

~~(1) (A)~~ "Person with a disability that limits or impairs 1474
the ability to walk" means any person who, as determined by a 1475
health care provider, meets any of the following criteria: 1476

~~(a) (1)~~ Cannot walk two hundred feet without stopping to 1477
rest; 1478

~~(b) (2)~~ Cannot walk without the use of, or assistance 1479
from, a brace, cane, crutch, another person, prosthetic device, 1480
wheelchair, or other assistive device; 1481

~~(e)~~ (3) Is restricted by a lung disease to such an extent 1482
that the person's forced (respiratory) expiratory volume for one 1483
second, when measured by spirometry, is less than one liter, or 1484
the arterial oxygen tension is less than sixty millimeters of 1485
mercury on room air at rest; 1486

~~(d)~~ (4) Uses portable oxygen; 1487

~~(e)~~ (5) Has a cardiac condition to the extent that the 1488
person's functional limitations are classified in severity as 1489
class III or class IV according to standards set by the American 1490
heart association; 1491

~~(f)~~ (6) Is severely limited in the ability to walk due to 1492
an arthritic, neurological, or orthopedic condition; 1493

~~(g)~~ (7) Is blind, legally blind, or severely visually 1494
impaired. 1495

~~(2)~~ (B) "Organization" means any private organization or 1496
corporation, or any governmental board, agency, department, 1497
division, or office, that, as part of its business or program, 1498
transports persons with disabilities that limit or impair the 1499
ability to walk on a regular basis in a motor vehicle that has 1500
not been altered for the purpose of providing it with special 1501
equipment for use by persons with disabilities. ~~This definition~~ 1502
~~does not apply to division (I) of this section.~~ 1503

~~(3)~~ (C) "Health care provider" means a physician, 1504
physician assistant, advanced practice registered nurse, 1505
optometrist, or chiropractor as defined in this section except 1506
that an optometrist shall only make determinations as to 1507
division ~~(A) (1) (g)~~ (A) (7) of this section. 1508

~~(4)~~ (D) "Physician" means a person licensed to practice 1509
medicine or surgery or osteopathic medicine and surgery under 1510

Chapter 4731. of the Revised Code. 1511

~~(5)~~ (E) "Chiropractor" means a person licensed to practice 1512
chiropractic under Chapter 4734. of the Revised Code. 1513

~~(6)~~ (F) "Advanced practice registered nurse" means a 1514
certified nurse practitioner, clinical nurse specialist, 1515
certified registered nurse anesthetist, or certified nurse- 1516
midwife who holds a certificate of authority issued by the board 1517
of nursing under Chapter 4723. of the Revised Code. 1518

~~(7)~~ (G) "Physician assistant" means a person who is 1519
licensed as a physician assistant under Chapter 4730. of the 1520
Revised Code. 1521

~~(8)~~ (H) "Optometrist" means a person licensed to engage in 1522
the practice of optometry under Chapter 4725. of the Revised 1523
Code. 1524

(I) "Accessible license plate" means a license plate 1525
issued to a person or organization under sections 4503.41 and 1526
4503.441 of the Revised Code. 1527

(J) "Removable windshield placard" means a removable 1528
windshield placard issued to a person or organization under 1529
section 4503.442 of the Revised Code and includes a temporary 1530
removable windshield placard, unless otherwise specified. 1531

~~(B) (1) An organization, or a person with a disability that~~ 1532
~~limits or impairs the ability to walk, may apply for the~~ 1533
~~registration of any motor vehicle the organization or person~~ 1534
~~owns or leases. When a motor vehicle has been altered for the~~ 1535
~~purpose of providing it with special equipment for a person with~~ 1536
~~a disability that limits or impairs the ability to walk, but is~~ 1537
~~owned or leased by someone other than such a person, the owner~~ 1538
~~or lessee may apply to the registrar or a deputy registrar for~~ 1539

~~registration under this section. The application for~~ 1540
~~registration of a motor vehicle owned or leased by a person with~~ 1541
~~a disability that limits or impairs the ability to walk shall be~~ 1542
~~accompanied by a signed statement from the applicant's health-~~ 1543
~~care provider certifying that the applicant meets at least one~~ 1544
~~of the criteria contained in division (A)(1) of this section and~~ 1545
~~that the disability is expected to continue for more than six~~ 1546
~~consecutive months. The application for registration of a motor-~~ 1547
~~vehicle that has been altered for the purpose of providing it~~ 1548
~~with special equipment for a person with a disability that~~ 1549
~~limits or impairs the ability to walk but is owned by someone~~ 1550
~~other than such a person shall be accompanied by such~~ 1551
~~documentary evidence of vehicle alterations as the registrar may~~ 1552
~~require by rule.~~ 1553

~~(2) When an organization, a person with a disability that~~ 1554
~~limits or impairs the ability to walk, or a person who does not~~ 1555
~~have a disability that limits or impairs the ability to walk but~~ 1556
~~owns a motor vehicle that has been altered for the purpose of~~ 1557
~~providing it with special equipment for a person with a~~ 1558
~~disability that limits or impairs the ability to walk first~~ 1559
~~submits an application for registration of a motor vehicle under~~ 1560
~~this section and every fifth year thereafter, the organization~~ 1561
~~or person shall submit a signed statement from the applicant's~~ 1562
~~health care provider, a completed application, and any required~~ 1563
~~documentary evidence of vehicle alterations as provided in~~ 1564
~~division (B)(1) of this section, and also a power of attorney~~ 1565
~~from the owner of the motor vehicle if the applicant leases the~~ 1566
~~vehicle. Upon submission of these items, the registrar or deputy~~ 1567
~~registrar shall issue to the applicant appropriate vehicle~~ 1568
~~registration and a set of license plates and validation~~ 1569
~~stickers, or validation stickers alone when required by section~~ 1570

~~4503.191 of the Revised Code. In addition to the letters and
numbers ordinarily inscribed thereon, the license plates shall
be imprinted with the international symbol of access. The
license plates and validation stickers shall be issued upon
payment of the regular license fee as prescribed under section
4503.04 of the Revised Code and any motor vehicle tax levied
under Chapter 4504. of the Revised Code, and the payment of a
service fee equal to the amount specified in division (D) or (G)
of section 4503.10 of the Revised Code.~~

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

~~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.~~

~~(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.~~

~~(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 4503.10 of the Revised Code for the renewal of a removable windshield placard. The registrar shall provide the application form and shall determine the information to be included thereon. The registrar also shall determine the form and size of the removable windshield placard, the material of which it is to be made, and any other information to be included thereon, and shall adopt rules relating to the issuance, expiration, revocation, surrender, and proper display of such placards. Any placard issued after October 14, 1999, shall be manufactured in~~

~~a manner that allows the expiration date of the placard to be indicated on it through the punching, drilling, boring, or creation by any other means of holes in the placard.~~

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

~~(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.~~ 1663
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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.~~ 1665
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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.~~ 1668
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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
the applicant to have the disability that limits or impairs the
applicant's ability to walk, which cannot exceed six months from
the date of the prescription. Upon receipt of an application for
a temporary removable windshield placard, presentation of the
prescription from the applicant's health care provider, 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
temporary removable windshield placard.~~ 1673
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~~(b) Any active duty member of the armed forces of the United States, including the reserve components of the armed forces and the national guard, who has an illness or injury that limits or impairs the ability to walk may apply to the registrar or a deputy registrar for a temporary removable windshield placard. With the application, the person shall present evidence of the person's active duty status and the illness or injury. Evidence of the illness or injury may include a current department of defense convalescent leave statement, any department of defense document indicating that the person currently has an ill or injured casualty status or has limited duties, or a prescription from any health care provider prescribing the placard for the applicant. Upon receipt of the application and the necessary evidence, the registrar or deputy registrar shall issue the applicant the temporary removable windshield placard without the payment of any service fee.~~

~~(2) The temporary removable windshield placard shall be of the same size and form as the removable windshield placard, shall be printed in white on a red-colored background, and shall bear the word "temporary" in letters of such size as the registrar shall prescribe. A temporary removable windshield placard also shall bear the date of expiration on the front and back of the placard, and shall be valid until expired, surrendered, or revoked, but in no case shall such a placard be valid for a period of less than sixty days. The registrar shall provide the application form and shall determine the information to be included on it, provided that the registrar shall not require a health care provider's prescription or certification for a person applying under division (D)(1)(b) of this section. The registrar also shall determine the material of which the temporary removable windshield placard is to be made and any~~

~~other information to be included on the placard and shall adopt~~ 1724
~~rules relating to the issuance, expiration, surrender,~~ 1725
~~revocation, and proper display of those placards. Any temporary~~ 1726
~~removable windshield placard issued after October 14, 1999,~~ 1727
~~shall be manufactured in a manner that allows for the expiration~~ 1728
~~date of the placard to be indicated on it through the punching,~~ 1729
~~drilling, boring, or creation by any other means of holes in the~~ 1730
~~placard.~~ 1731

~~(E) If an applicant for a removable windshield placard is~~ 1732
~~a veteran of the armed forces of the United States whose~~ 1733
~~disability, as defined in division (A) (1) of this section, is~~ 1734
~~service connected, the registrar or deputy registrar, upon~~ 1735
~~receipt of the application, presentation of a signed statement~~ 1736
~~from the applicant's health care provider certifying the~~ 1737
~~applicant's disability, and presentation of such documentary~~ 1738
~~evidence from the department of veterans affairs that the~~ 1739
~~disability of the applicant meets at least one of the criteria~~ 1740
~~identified in division (A) (1) of this section and is service~~ 1741
~~connected as the registrar may require by rule, but without the~~ 1742
~~payment of any service fee, shall issue the applicant a~~ 1743
~~removable windshield placard that is valid until expired,~~ 1744
~~surrendered, or revoked.~~ 1745

~~(F) Upon a conviction of a violation of division (H) or~~ 1746
~~(I) of this section, the court shall report the conviction, and~~ 1747
~~send the placard, if available, to the registrar, who thereupon~~ 1748
~~shall revoke the privilege of using the placard and send notice~~ 1749
~~in writing to the placardholder at that holder's last known~~ 1750
~~address as shown in the records of the bureau, and the~~ 1751
~~placardholder shall return the placard if not previously~~ 1752
~~surrendered to the court, to the registrar within ten days~~ 1753
~~following mailing of the notice.~~ 1754

~~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.~~ 1755
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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.~~ 1761
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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.~~ 1769
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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 valid.~~ 1773
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~~(I) No person or organization to which a removable windshield placard or temporary removable windshield placard is issued shall do either of the following:~~ 1777
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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~~ 1780
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~~disabilities that limit or impair the ability to walk;~~ 1784

~~(2) Refuse to return or surrender the placard, when required.~~ 1785
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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:~~ 1787
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~~(1) Furnishing suitable proof of the loss, destruction, or mutilation to the registrar;~~ 1791
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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.~~ 1793
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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.~~ 1795
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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 created in section 4501.06 of the Revised Code.~~ 1799
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~~(2) In addition to the fees collected under this section, the registrar or deputy registrar shall ask each person applying for a removable windshield placard or temporary removable windshield placard or duplicate removable windshield placard or license plate issued under this section, whether the person wishes to make a two dollar voluntary contribution to support rehabilitation employment services. The registrar shall transmit the contributions received under this division to the treasurer~~ 1805
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~~of state for deposit into the rehabilitation employment fund, 1813
which is hereby created in the state treasury. A deputy 1814
registrar shall transmit the contributions received under this 1815
division to the registrar in the time and manner prescribed by 1816
the registrar. The contributions in the fund shall be used by 1817
the opportunities for Ohioans with disabilities agency to 1818
purchase services related to vocational evaluation, work 1819
adjustment, personal adjustment, job placement, job coaching, 1820
and community based assessment from accredited community 1821
rehabilitation program facilities. 1822~~

~~(L) For purposes of enforcing this section, every peace 1823
officer is deemed to be an agent of the registrar. Any peace 1824
officer or any authorized employee of the bureau of motor 1825
vehicles who, in the performance of duties authorized by law, 1826
becomes aware of a person whose placard or parking card has been 1827
revoked pursuant to this section, may confiscate that placard or 1828
parking card and return it to the registrar. The registrar shall 1829
prescribe any forms used by law enforcement agencies in 1830
administering this section. 1831~~

~~No peace officer, law enforcement agency employing a peace 1832
officer, or political subdivision or governmental agency 1833
employing a peace officer, and no employee of the bureau is 1834
liable in a civil action for damages or loss to persons arising 1835
out of the performance of any duty required or authorized by 1836
this section. As used in this division, "peace officer" has the 1837
same meaning as in division (B) of section 2935.01 of the 1838
Revised Code. 1839~~

~~(M) All applications for registration of motor vehicles, 1840
removable windshield placards, and temporary removable 1841
windshield placards issued under this section, all renewal 1842~~

~~notices for such items, and all other publications issued by the~~ 1843
~~bureau that relate to this section shall set forth the criminal~~ 1844
~~penalties that may be imposed upon a person who violates any~~ 1845
~~provision relating to special license plates issued under this~~ 1846
~~section, the parking of vehicles displaying such license plates,~~ 1847
~~and the issuance, procurement, use, and display of removable~~ 1848
~~windshield placards and temporary removable windshield placards~~ 1849
~~issued under this section.~~ 1850

~~(N) Whoever violates this section is guilty of a~~ 1851
~~misdemeanor of the fourth degree.~~ 1852

Sec. 4503.441. (A) Any of the following owners or lessors 1853
of a motor vehicle may apply to register that motor vehicle for 1854
purposes of obtaining an accessible license plate under this 1855
section: 1856

(1) An organization; 1857

(2) A person with a disability that limits or impairs the 1858
ability to walk; 1859

(3) A person who owns or leases a motor vehicle that has 1860
been altered for the purpose of providing it with special 1861
equipment for a person with a disability that limits or impairs 1862
the ability to walk. 1863

(B) (1) The application for registration of a motor vehicle 1864
owned or leased by an organization shall be accompanied by 1865
documentary evidence showing that the organization regularly 1866
transports persons with disabilities that limit or impair the 1867
ability to walk. 1868

(2) The application for registration of a motor vehicle 1869
owned or leased by a person with a disability that limits or 1870
impairs the ability to walk shall be accompanied by an 1871

accessible parking certification form from the applicant's 1872
health care provider certifying that the applicant meets at 1873
least one of the criteria contained in division (A) of section 1874
4503.44 of the Revised Code and that the disability is expected 1875
to continue for more than six consecutive months. 1876

(3) The application for registration of a motor vehicle 1877
that has been altered for the purpose of providing it with 1878
special equipment for a person with a disability that limits or 1879
impairs the ability to walk shall be accompanied by such 1880
documentary evidence of vehicle alterations as the registrar may 1881
require by rule. 1882

(4) The application for registration of a leased motor 1883
vehicle under this section shall be accompanied by a power of 1884
attorney from the owner of the motor vehicle. 1885

(5) The supporting documents required by divisions (B) (1) 1886
to (4) of this section, as applicable, shall be submitted with 1887
the initial application for registration of the motor vehicle 1888
and every fifth year thereafter. 1889

(C) Upon submission of a completed application and any 1890
supporting documents required under division (B) of this 1891
section, the registrar or deputy registrar shall issue to the 1892
applicant the appropriate vehicle registration and an accessible 1893
license plate and validation sticker, or a validation sticker 1894
alone when required by section 4503.191 of the Revised Code. In 1895
addition to the letters and numbers ordinarily inscribed on the 1896
license plate, the license plate shall be imprinted with the 1897
international symbol of access. The license plate and validation 1898
sticker shall be issued upon payment of the regular license fee 1899
as prescribed under section 4503.04 of the Revised Code, any 1900
motor vehicle tax levied under Chapter 4504. of the Revised 1901

Code, and a service fee equal to the amount specified in section 1902
4503.038 of the Revised Code, and compliance with all other 1903
applicable laws relating to the registration of motor vehicles. 1904

(D) No person or organization that is not eligible for the 1905
issuance of an accessible license plate shall willfully and 1906
falsely represent that the person or organization is so 1907
eligible. 1908

(E) (1) Whoever violates division (D) of this section is 1909
guilty of a misdemeanor of the fourth degree. 1910

(2) The offense established under division (D) of this 1911
section is a strict liability offense and section 2901.20 of the 1912
Revised Code does not apply. The designation of this offense as 1913
a strict liability offense shall not be construed to imply that 1914
any other offense, for which there is no specified degree of 1915
culpability, is not a strict liability offense. 1916

Sec. 4503.442. (A) (1) A person with a disability that 1917
limits or impairs the ability to walk may apply to the registrar 1918
of motor vehicles for a removable windshield placard or a 1919
temporary removable windshield placard by completing and signing 1920
an application provided by the registrar. 1921

(2) The person shall include with the application an 1922
accessible parking certification form from the person's health 1923
care provider authorizing such a placard for the person. The 1924
health care provider shall base the authorization on a 1925
determination that the person meets at least one of the criteria 1926
contained in division (A) of section 4503.44 of the Revised 1927
Code. The health care provider shall state on the form the 1928
length of time the health care provider expects the applicant to 1929
have the disability that limits or impairs the person's ability 1930

to walk. If the length of time the applicant is expected to have 1931
the disability is six consecutive months or less, the applicant 1932
shall submit an application for a temporary removable windshield 1933
placard. 1934

(3) A person with a disability that limits or impairs the 1935
ability to walk is entitled to one additional placard, but only 1936
if the person applies separately for the additional placard and 1937
states the reasons why the additional placard is needed. The 1938
registrar shall determine whether good and justifiable cause 1939
exists to approve the request for the additional placard. 1940

(B) An organization may apply to the registrar for a 1941
removable windshield placard by completing and signing an 1942
application provided by the registrar. The organization shall 1943
include with the application documentary evidence showing that 1944
the organization regularly transports persons with disabilities 1945
that limit or impair the ability to walk. The organization shall 1946
comply with any procedures the registrar establishes by rule. 1947

(C) Upon receipt of a completed and signed application for 1948
a removable windshield placard, the accompanying documents 1949
required under either division (A) or (B) of this section, and 1950
payment of a service fee equal to the amount specified in 1951
section 4503.038 of the Revised Code, the registrar or deputy 1952
registrar shall issue to the applicant a removable windshield 1953
placard or a temporary removable windshield placard. 1954

(D) (1) A removable windshield placard shall display the 1955
date of expiration on both sides of the placard and is valid 1956
until expired, revoked, canceled, or surrendered. A removable 1957
windshield placard expires on the earliest of the following two 1958
dates: 1959

(a) The date that the person issued the placard is 1960
expected to no longer have the disability that limits or impairs 1961
the ability to walk, as indicated on the accessible parking 1962
certification form; 1963

(b) Ten years after the date of issuance of the placard. 1964

In no case shall a removable windshield placard be valid 1965
for a period of less than sixty days. 1966

(2) A person or organization shall renew a removable 1967
windshield placard upon application as provided in division (A) 1968
or (B) of this section and upon payment of a service fee equal 1969
to the amount specified in section 4503.038 of the Revised Code. 1970

(3) Not less than thirty days prior to the expiration date 1971
of a removable windshield placard, the bureau of motor vehicles 1972
shall send a renewal notice to the person or organization that 1973
has been issued the placard. The bureau shall send the notice to 1974
the person's or organization's last known address, as shown in 1975
the records of the bureau. The notice shall state that the 1976
placard is expiring and instructions on how to renew the 1977
placard. 1978

(4) If a person or organization fails to renew the 1979
removable windshield placard issued to that person or 1980
organization prior to the expiration date, the placard issued to 1981
that person or organization expires. 1982

(E) At least once every year, on a date determined by the 1983
registrar, the bureau shall examine the records of the office of 1984
vital statistics, located within the department of health, that 1985
pertain to deceased persons, and also the bureau's records of 1986
all persons who have been issued removable windshield placards. 1987
If the records of the office of vital statistics indicate that a 1988

person to whom a removable windshield placard has been issued is 1989
deceased, the bureau shall cancel that placard, and note the 1990
cancellation in its records. 1991

The office of vital statistics shall make available to the 1992
bureau all information necessary to enable the bureau to comply 1993
with division (E) of this section. 1994

(F) (1) The removable windshield placard shall be printed 1995
in white on a blue-colored background and shall display the 1996
international symbol of access, the name of the state, and the 1997
great seal of the state. The placard also shall display a 1998
distinguishing number assigned to the placard and the printed 1999
expiration date of the placard by month, day, and year. 2000

(2) The temporary removable windshield placard shall be 2001
the same size and form and shall have the same contents as the 2002
removable windshield placard, except that it shall be printed in 2003
white on a red-colored background and also shall display the 2004
word "temporary." 2005

(G) (1) Any active-duty member of the armed forces of the 2006
United States, including the reserve components of the armed 2007
forces and the national guard, who has an illness or injury that 2008
limits or impairs the ability to walk may apply to the registrar 2009
or a deputy registrar for a temporary removable windshield 2010
placard. 2011

(2) With the application, the applicant shall present 2012
evidence of the person's active-duty status and the illness or 2013
injury. Evidence of the illness or injury may include any of the 2014
following: 2015

(a) A current department of defense convalescent leave 2016
statement; 2017

(b) Any department of defense document indicating that the applicant currently has an ill or injured casualty status or has limited duties; 2018
2019
2020

(c) An accessible parking certification form from any health care provider authorizing the placard for the applicant. 2021
2022

(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. 2023
2024
2025
2026

(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: 2027
2028
2029

(a) The applicant is a veteran of the armed forces of the United States with a service-connected disability. 2030
2031

(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. 2032
2033
2034
2035

(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. 2036
2037
2038
2039

(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: 2040
2041
2042

(1) Furnishing suitable proof of the loss, destruction, or mutilation to the registrar; 2043
2044

(2) Paying a service fee equal to the amount specified in 2045

section 4503.038 of the Revised Code. 2046

Any person or organization who loses a placard and, after 2047
obtaining a duplicate, finds the original, immediately shall 2048
surrender the original placard to the registrar. 2049

(J) No person or organization that is not eligible for the 2050
issuance of a removable windshield placard shall willfully and 2051
falsely represent that the person or organization is so 2052
eligible. 2053

(K) Nothing in this section shall be construed to require 2054
a person or organization to apply for a removable windshield 2055
placard if the placard issued to the person or organization 2056
under prior law has not expired or been surrendered, revoked, or 2057
canceled. 2058

(L) The registrar shall pay all fees received under this 2059
section for the issuance of removable windshield placards into 2060
the state treasury to the credit of the public safety - highway 2061
purposes fund created in section 4501.06 of the Revised Code. 2062

(M) The registrar shall adopt any rules necessary to 2063
administer this section, including any necessary procedures or 2064
required documentary evidence. The rules shall include the 2065
creation of a model accessible parking certification form. The 2066
registrar shall make the form available on the bureau of motor 2067
vehicle's web site. 2068

(N) (1) Whoever violates division (J) of this section is 2069
guilty of a misdemeanor of the fourth degree. 2070

(2) The offense established under division (J) of this 2071
section is a strict liability offense and section 2901.20 of the 2072
Revised Code does not apply. The designation of this offense as 2073
a strict liability offense shall not be construed to imply that 2074

any other offense, for which there is no specified degree of 2075
culpability, is not a strict liability offense. 2076

Sec. 4503.443. In addition to the fees collected under 2077
sections 4503.441 and 4503.442 of the Revised Code, the 2078
registrar of motor vehicles or deputy registrar shall ask each 2079
person applying for a removable windshield placard, duplicate 2080
removable windshield placard, or an accessible license plate, 2081
whether the person wishes to make a two-dollar voluntary 2082
contribution to support rehabilitation employment services. The 2083
registrar shall transmit the contributions received under this 2084
section to the treasurer of state for deposit into the 2085
rehabilitation employment fund, which is hereby created in the 2086
state treasury. A deputy registrar shall transmit the 2087
contributions received under this section to the registrar in 2088
the time and manner prescribed by the registrar. 2089

The opportunities for Ohioans with disabilities agency 2090
shall use the contributions deposited in the fund to purchase 2091
from accredited community rehabilitation program facilities 2092
services related to vocational evaluation, work adjustment, 2093
personal adjustment, job placement, job coaching, and community- 2094
based assessment. 2095

Sec. 4503.444. (A) The following documents shall include 2096
the information listed in division (B) of this section: 2097

(1) An application for registration of a motor vehicle 2098
under section 4503.441 of the Revised Code; 2099

(2) An application for a removable windshield placard 2100
under section 4503.442 of the Revised Code; 2101

(3) A renewal notice for the items listed in divisions (A) 2102
(1) and (2) of this section; 2103

(4) All other publications issued by the bureau of motor vehicles that relate to sections 4503.44 to 4503.447 of the Revised Code. 2104
2105
2106

(B) The documents listed in division (A) of this section shall set forth the penalties that may be imposed upon a person who violates any of the following provisions: 2107
2108
2109

(1) The laws relating to the issuance, procurement, use, and display of accessible license plates issued under section 4503.441 of the Revised Code; 2110
2111
2112

(2) The laws relating to the issuance, procurement, use, and display of removable windshield placards issued under section 4503.442 of the Revised Code; 2113
2114
2115

(3) The laws relating to the parking of a motor vehicle displaying an accessible license plate or removable windshield placard in an accessible parking space. 2116
2117
2118

Sec. 4503.445. (A) No person shall operate a motor vehicle that displays an accessible license plate or a removable windshield placard if the plate or placard is expired, canceled, or revoked, was issued to a person who is deceased, or was issued to a person or organization that no longer qualifies for the plate or placard. 2119
2120
2121
2122
2123
2124

(B) (1) Whoever violates this section is guilty of a misdemeanor of the fourth degree. 2125
2126

(2) The offense established under this section is a strict liability offense and section 2901.20 of the Revised Code does not apply. The designation of this offense as a strict liability offense shall not be construed to imply that any other offense, for which there is no specified degree of culpability, is not a strict liability offense. 2127
2128
2129
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Sec. 4503.446. (A) Subject to section 4511.692 of the 2133
Revised Code, the operator of a motor vehicle displaying an 2134
accessible license plate or removable windshield placard is 2135
entitled to park the motor vehicle in any special parking 2136
location reserved for persons with disabilities that limit or 2137
impair the ability to walk, also known as accessible parking 2138
spaces or disability parking spaces. 2139

(B) No person or organization shall display an accessible 2140
license plate unless the license plate was issued for the motor 2141
vehicle on which it is displayed and is valid. 2142

(C) No person or organization issued a removable 2143
windshield placard shall do either of the following: 2144

(1) Display or allow the display of the placard on a motor 2145
vehicle when the motor vehicle is being used for an activity 2146
that does not include providing transportation for a person with 2147
a disability that limits or impairs the ability to walk; 2148

(2) Transfer the placard to any other person or entity. 2149

(D)(1) Whoever violates division (B) or (C) of this 2150
section is guilty of a misdemeanor of the fourth degree. 2151

(2) The offenses established under this section are strict 2152
liability offenses and section 2901.20 of the Revised Code does 2153
not apply. The designation of these offenses as strict liability 2154
offenses shall not be construed to imply that any other offense, 2155
for which there is no specified degree of culpability, is not a 2156
strict liability offense. 2157

(E) Upon a conviction of a violation of division (B) or 2158
(C) of this section, the court shall report the conviction, and 2159
send the placard, if available, to the registrar of motor 2160
vehicles. The registrar shall revoke the privilege of using the 2161

placard and send a written notice to the placardholder at that 2162
holder's last known address, as shown in the records of the 2163
bureau of motor vehicles. The placardholder shall return the 2164
placard, if not previously surrendered to the court, to the 2165
registrar within ten days following the mailing of the notice. 2166

Sec. 4503.447. For purposes of enforcing sections 4503.44 2167
to 4503.447 of the Revised Code, every peace officer is deemed 2168
to be an agent of the registrar of motor vehicles. Any peace 2169
officer or any authorized employee of the bureau of motor 2170
vehicles who, in the performance of duties authorized by law, 2171
becomes aware of a person whose removable windshield placard has 2172
been revoked, may confiscate that placard and return it to the 2173
registrar. The registrar shall prescribe any forms used by law 2174
enforcement agencies in administering this section. 2175

No peace officer, law enforcement agency employing a peace 2176
officer, or political subdivision or governmental agency 2177
employing a peace officer, and no employee of the bureau is 2178
liable in a civil action for damages or loss to persons arising 2179
out of the performance of any duty required or authorized by 2180
this section. 2181

As used in this section, "peace officer" has the same 2182
meaning as in division (B) of section 2935.01 of the Revised 2183
Code. 2184

Sec. 4503.448. No health care provider shall do any of the 2185
following: 2186

(A) Complete the accessible parking certification form to 2187
enable a person to be issued an accessible license plate, a 2188
removable windshield placard, or a temporary removable 2189
windshield placard under either section 4503.441 or 4503.442 of 2190

the Revised Code, knowing that the person does not meet any of 2191
the criteria contained in division (A) of section 4503.44 of the 2192
Revised Code; 2193

(B) Complete the accessible parking certification form 2194
described in division (A) of this section and knowingly misstate 2195
on the form the length of time the health care provider expects 2196
the person to have the disability that limits or impairs the 2197
person's ability to walk in order to enable the person to retain 2198
a removable windshield placard issued under section 4503.442 of 2199
the Revised Code for a period of time longer than that which 2200
would be estimated by a similar health care provider under the 2201
same or similar circumstances; 2202

(C) Fail to retain information sufficient to substantiate 2203
that the person is eligible for accessible parking privileges. 2204

(D) Whoever violates this section is guilty of a 2205
misdemeanor of the first degree. 2206

(E) A physician who violates this section and section 2207
4731.481 of the Revised Code may be charged under this section 2208
or section 4731.481 of the Revised Code, but not both. A 2209
chiropractor who violates this section and section 4734.161 of 2210
the Revised Code may be charged under this section or section 2211
4734.161 of the Revised Code, but not both. 2212

Sec. 4505.131. (A) Any person that purchases a motor 2213
vehicle that is financed shall choose, at the time that the 2214
security interest financing the motor vehicle is fully 2215
discharged, to either receive a physical certificate of title to 2216
that motor vehicle from the secured party or to have the 2217
certificate of title remain electronic. 2218

(B) Upon a secured party's receipt of good funds in the 2219

correct amount discharging the security interest financing the 2220
motor vehicle, the secured party shall send the purchaser a 2221
written form. The purchaser shall complete the form to 2222
affirmatively choose whether the purchaser wishes to receive a 2223
physical certificate of title or to have the certificate of 2224
title remain electronic. The form may be electronic or 2225
nonelectronic. 2226

(C) If the purchaser affirmatively selects to receive a 2227
physical certificate of title, the secured party shall deliver 2228
to the purchaser, without any additional fee, a physical 2229
certificate of title to the motor vehicle. 2230

(D) This section does not apply when a security interest 2231
financing a motor vehicle is discharged because the purchaser 2232
sold or traded the motor vehicle and no longer has an ownership 2233
interest in that motor vehicle. 2234

Sec. 4506.01. As used in this chapter: 2235

(A) "Alcohol concentration" means the concentration of 2236
alcohol in a person's blood, breath, or urine. When expressed as 2237
a percentage, it means grams of alcohol per the following: 2238

(1) One hundred milliliters of whole blood, blood serum, 2239
or blood plasma; 2240

(2) Two hundred ten liters of breath; 2241

(3) One hundred milliliters of urine. 2242

~~(B)~~(B)(1) "Commercial driver's license" means a license 2243
issued in accordance with this chapter that authorizes an 2244
individual to drive a commercial motor vehicle. Except as 2245
otherwise specifically provided, "commercial driver's license" 2246
includes an "enhanced commercial driver's license." 2247

(2) "Enhanced commercial driver's license" means a 2248
commercial driver's license issued in accordance with sections 2249
4507.021 and 4506.072 of the Revised Code that denotes 2250
citizenship and identity and is approved by the United States 2251
secretary of homeland security or other designated federal 2252
agency for purposes of entering the United States. 2253

(C) "Commercial driver's license information system" means 2254
the information system established pursuant to the requirements 2255
of the "Commercial Motor Vehicle Safety Act of 1986," 100 Stat. 2256
3207-171, 49 U.S.C.A. App. 2701. 2257

(D) Except when used in section 4506.25 of the Revised 2258
Code, "commercial motor vehicle" means any motor vehicle 2259
designed or used to transport persons or property that meets any 2260
of the following qualifications: 2261

(1) Any combination of vehicles with a gross vehicle 2262
weight or combined gross vehicle weight rating of twenty-six 2263
thousand one pounds or more, provided the gross vehicle weight 2264
or gross vehicle weight rating of the vehicle or vehicles being 2265
towed is in excess of ten thousand pounds; 2266

(2) Any single vehicle with a gross vehicle weight or 2267
gross vehicle weight rating of twenty-six thousand one pounds or 2268
more; 2269

(3) Any single vehicle or combination of vehicles that is 2270
not a class A or class B vehicle, but is designed to transport 2271
sixteen or more passengers including the driver; 2272

(4) Any school bus with a gross vehicle weight or gross 2273
vehicle weight rating of less than twenty-six thousand one 2274
pounds that is designed to transport fewer than sixteen 2275
passengers including the driver; 2276

(5) Is transporting hazardous materials for which 2277
placarding is required under subpart F of 49 C.F.R. part 172, as 2278
amended; 2279

(6) Any single vehicle or combination of vehicles that is 2280
designed to be operated and to travel on a public street or 2281
highway and is considered by the federal motor carrier safety 2282
administration to be a commercial motor vehicle, including, but 2283
not limited to, a motorized crane, a vehicle whose function is 2284
to pump cement, a rig for drilling wells, and a portable crane. 2285

(E) "Controlled substance" means all of the following: 2286

(1) Any substance classified as a controlled substance 2287
under the "Controlled Substances Act," 80 Stat. 1242 (1970), 21 2288
U.S.C.A. 802(6), as amended; 2289

(2) Any substance included in schedules I through V of 21 2290
C.F.R. part 1308, as amended; 2291

(3) Any drug of abuse. 2292

(F) "Conviction" means an unvacated adjudication of guilt 2293
or a determination that a person has violated or failed to 2294
comply with the law in a court of original jurisdiction or an 2295
authorized administrative tribunal, an unvacated forfeiture of 2296
bail or collateral deposited to secure the person's appearance 2297
in court, a plea of guilty or nolo contendere accepted by the 2298
court, the payment of a fine or court cost, or violation of a 2299
condition of release without bail, regardless of whether or not 2300
the penalty is rebated, suspended, or probated. 2301

(G) "Disqualification" means any of the following: 2302

(1) The suspension, revocation, or cancellation of a 2303
person's privileges to operate a commercial motor vehicle; 2304

(2) Any withdrawal of a person's privileges to operate a commercial motor vehicle as the result of a violation of state or local law relating to motor vehicle traffic control other than parking, vehicle weight, or vehicle defect violations;	2305 2306 2307 2308
(3) A determination by the federal motor carrier safety administration that a person is not qualified to operate a commercial motor vehicle under 49 C.F.R. 391.	2309 2310 2311
(H) "Domiciled" means having a true, fixed, principal, and permanent residence to which an individual intends to return.	2312 2313
(I) "Downgrade" means any of the following, as applicable:	2314
(1) A change in the commercial driver's license, or commercial driver's license temporary instruction permit, holder's self-certified status as described in division (A) (1) of section 4506.10 of the Revised Code;	2315 2316 2317 2318
(2) A change to a lesser class of vehicle;	2319
(3) Removal of commercial driver's license privileges from the individual's driver's license.	2320 2321
(J) "Drive" means to drive, operate, or be in physical control of a motor vehicle.	2322 2323
(K) "Driver" means any person who drives, operates, or is in physical control of a commercial motor vehicle or is required to have a commercial driver's license.	2324 2325 2326
(L) "Driver's license" means a license issued by the bureau of motor vehicles that authorizes an individual to drive.	2327 2328
(M) "Drug of abuse" means any controlled substance, dangerous drug as defined in section 4729.01 of the Revised Code, or over-the-counter medication that, when taken in	2329 2330 2331

quantities exceeding the recommended dosage, can result in 2332
impairment of judgment or reflexes. 2333

(N) "Electronic device" includes a cellular telephone, a 2334
personal digital assistant, a pager, a computer, and any other 2335
device used to input, write, send, receive, or read text. 2336

(O) "Eligible unit of local government" means a village, 2337
township, or county that has a population of not more than three 2338
thousand persons according to the most recent federal census. 2339

(P) "Employer" means any person, including the federal 2340
government, any state, and a political subdivision of any state, 2341
that owns or leases a commercial motor vehicle or assigns a 2342
person to drive such a motor vehicle. 2343

(Q) "Endorsement" means an authorization on a person's 2344
commercial driver's license that is required to permit the 2345
person to operate a specified type of commercial motor vehicle. 2346

(R) "Farm truck" means a truck controlled and operated by 2347
a farmer for use in the transportation to or from a farm, for a 2348
distance of not more than one hundred fifty miles, of products 2349
of the farm, including livestock and its products, poultry and 2350
its products, floricultural and horticultural products, and in 2351
the transportation to the farm, from a distance of not more than 2352
one hundred fifty miles, of supplies for the farm, including 2353
tile, fence, and every other thing or commodity used in 2354
agricultural, floricultural, horticultural, livestock, and 2355
poultry production, and livestock, poultry, and other animals 2356
and things used for breeding, feeding, or other purposes 2357
connected with the operation of the farm, when the truck is 2358
operated in accordance with this division and is not used in the 2359
operations of a motor carrier, as defined in section 4923.01 of 2360

the Revised Code. 2361

(S) "Fatality" means the death of a person as the result 2362
of a motor vehicle accident occurring not more than three 2363
hundred sixty-five days prior to the date of death. 2364

(T) "Felony" means any offense under federal or state law 2365
that is punishable by death or specifically classified as a 2366
felony under the law of this state, regardless of the penalty 2367
that may be imposed. 2368

(U) "Foreign jurisdiction" means any jurisdiction other 2369
than a state. 2370

(V) "Gross vehicle weight rating" means the value 2371
specified by the manufacturer as the maximum loaded weight of a 2372
single or a combination vehicle. The gross vehicle weight rating 2373
of a combination vehicle is the gross vehicle weight rating of 2374
the power unit plus the gross vehicle weight rating of each 2375
towed unit. 2376

(W) "Hazardous materials" means any material that has been 2377
designated as hazardous under 49 U.S.C. 5103 and is required to 2378
be placarded under subpart F of 49 C.F.R. part 172 or any 2379
quantity of a material listed as a select agent or toxin in 42 2380
C.F.R. part 73, as amended. 2381

(X) "Imminent hazard" means the existence of a condition 2382
that presents a substantial likelihood that death, serious 2383
illness, severe personal injury, or a substantial endangerment 2384
to health, property, or the environment may occur before the 2385
reasonably foreseeable completion date of a formal proceeding 2386
begun to lessen the risk of that death, illness, injury, or 2387
endangerment. 2388

(Y) "Medical variance" means one of the following received 2389

by a driver from the federal motor carrier safety administration 2390
that allows the driver to be issued a medical certificate: 2391

(1) An exemption letter permitting operation of a 2392
commercial motor vehicle under 49 C.F.R. 381, subpart C or 49 2393
C.F.R. 391.64; 2394

(2) A skill performance evaluation certificate permitting 2395
operation of a commercial motor vehicle pursuant to 49 C.F.R. 2396
391.49. 2397

(Z) "Mobile telephone" means a mobile communication device 2398
that falls under or uses any commercial mobile radio service as 2399
defined in 47 C.F.R. 20, except that mobile telephone does not 2400
include two-way or citizens band radio services. 2401

(AA) "Motor vehicle" means a vehicle, machine, tractor, 2402
trailer, or semitrailer propelled or drawn by mechanical power 2403
used on highways, except that such term does not include a 2404
vehicle, machine, tractor, trailer, or semitrailer operated 2405
exclusively on a rail. 2406

(BB) "Out-of-service order" means a declaration by an 2407
authorized enforcement officer of a federal, state, local, 2408
Canadian, or Mexican jurisdiction declaring that a driver, 2409
commercial motor vehicle, or commercial motor carrier operation 2410
is out of service as defined in 49 C.F.R. 390.5. 2411

(CC) "Peace officer" has the same meaning as in section 2412
2935.01 of the Revised Code. 2413

(DD) "Portable tank" means a liquid or gaseous packaging 2414
designed primarily to be loaded onto or temporarily attached to 2415
a vehicle and equipped with skids, mountings, or accessories to 2416
facilitate handling of the tank by mechanical means. 2417

(EE) "Public safety vehicle" has the same meaning as in	2418
divisions (E) (1) and (3) of section 4511.01 of the Revised Code.	2419
(FF) "Recreational vehicle" includes every vehicle that is	2420
defined as a recreational vehicle in section 4501.01 of the	2421
Revised Code and is used exclusively for purposes other than	2422
engaging in business for profit.	2423
(GG) "Residence" means any person's residence determined	2424
in accordance with standards prescribed in rules adopted by the	2425
registrar.	2426
(HH) "School bus" has the same meaning as in section	2427
4511.01 of the Revised Code.	2428
(II) "Serious traffic violation" means any of the	2429
following:	2430
(1) A conviction arising from a single charge of operating	2431
a commercial motor vehicle in violation of any provision of	2432
section 4506.03 of the Revised Code;	2433
(2) (a) Except as provided in division (II) (2) (b) of this	2434
section, a violation while operating a commercial motor vehicle	2435
of a law of this state, or any municipal ordinance or county or	2436
township resolution, or any other substantially similar law of	2437
another state or political subdivision of another state	2438
prohibiting either of the following:	2439
(i) Texting while driving;	2440
(ii) Using a handheld mobile telephone.	2441
(b) It is not a serious traffic violation if the person	2442
was texting or using a handheld mobile telephone to contact law	2443
enforcement or other emergency services.	2444

(3) A conviction arising from the operation of any motor vehicle that involves any of the following:	2445 2446
(a) A single charge of any speed in excess of the posted speed limit by fifteen miles per hour or more;	2447 2448
(b) Violation of section 4511.20 or 4511.201 of the Revised Code or any similar ordinance or resolution, or of any similar law of another state or political subdivision of another state;	2449 2450 2451 2452
(c) Violation of a law of this state or an ordinance or resolution relating to traffic control, other than a parking violation, or of any similar law of another state or political subdivision of another state, that results in a fatal accident;	2453 2454 2455 2456
(d) Violation of section 4506.03 of the Revised Code or a substantially similar municipal ordinance or county or township resolution, or of any similar law of another state or political subdivision of another state, that involves the operation of a commercial motor vehicle without a valid commercial driver's license with the proper class or endorsement for the specific vehicle group being operated or for the passengers or type of cargo being transported;	2457 2458 2459 2460 2461 2462 2463 2464
(e) Violation of section 4506.03 of the Revised Code or a substantially similar municipal ordinance or county or township resolution, or of any similar law of another state or political subdivision of another state, that involves the operation of a commercial motor vehicle without a valid commercial driver's license being in the person's possession;	2465 2466 2467 2468 2469 2470
(f) Violation of section 4511.33 or 4511.34 of the Revised Code, or any municipal ordinance or county or township resolution substantially similar to either of those sections, or	2471 2472 2473

any substantially similar law of another state or political 2474
subdivision of another state; 2475

(g) Violation of any other law of this state, any law of 2476
another state, or any ordinance or resolution of a political 2477
subdivision of this state or another state that meets both of 2478
the following requirements: 2479

(i) It relates to traffic control, other than a parking 2480
violation; 2481

(ii) It is determined to be a serious traffic violation by 2482
the United States secretary of transportation and is designated 2483
by the director as such by rule. 2484

(JJ) "State" means a state of the United States and 2485
includes the District of Columbia. 2486

(KK) "Tank vehicle" means any commercial motor vehicle 2487
that is designed to transport any liquid or gaseous materials 2488
within a tank or tanks that are either permanently or 2489
temporarily attached to the vehicle or its chassis and have an 2490
individual rated capacity of more than one hundred nineteen 2491
gallons and an aggregate rated capacity of one thousand gallons 2492
or more. "Tank vehicle" does not include a commercial motor 2493
vehicle transporting an empty storage container tank that is not 2494
designed for transportation, has a rated capacity of one 2495
thousand gallons or more, and is temporarily attached to a 2496
flatbed trailer. 2497

(LL) "Tester" means a person or entity acting pursuant to 2498
a valid agreement entered into pursuant to division (B) of 2499
section 4506.09 of the Revised Code. 2500

(MM) "Texting" means manually entering alphanumeric text 2501
into, or reading text from, an electronic device. Texting 2502

includes short message service, e-mail, instant messaging, a 2503
command or request to access a world wide web page, pressing 2504
more than a single button to initiate or terminate a voice 2505
communication using a mobile telephone, or engaging in any other 2506
form of electronic text retrieval or entry, for present or 2507
future communication. Texting does not include the following: 2508

(1) Using voice commands to initiate, receive, or 2509
terminate a voice communication using a mobile telephone; 2510

(2) Inputting, selecting, or reading information on a 2511
global positioning system or navigation system; 2512

(3) Pressing a single button to initiate or terminate a 2513
voice communication using a mobile telephone; or 2514

(4) Using, for a purpose that is not otherwise prohibited 2515
by law, a device capable of performing multiple functions, such 2516
as a fleet management system, a dispatching device, a mobile 2517
telephone, a citizens band radio, or a music player. 2518

(NN) "Texting while driving" means texting while operating 2519
a commercial motor vehicle, with the motor running, including 2520
while temporarily stationary because of traffic, a traffic 2521
control device, or other momentary delays. Texting while driving 2522
does not include operating a commercial motor vehicle with or 2523
without the motor running when the driver has moved the vehicle 2524
to the side of, or off, a highway and is stopped in a location 2525
where the vehicle can safely remain stationary. 2526

(OO) "United States" means the fifty states and the 2527
District of Columbia. 2528

(PP) "Upgrade" means a change in the class of vehicles, 2529
endorsements, or self-certified status as described in division 2530
(A) (1) of section 4506.10 of the Revised Code, that expands the 2531

ability of a current commercial driver's license holder to 2532
operate commercial motor vehicles under this chapter; 2533

(QQ) "Use of a handheld mobile telephone" means: 2534

(1) Using at least one hand to hold a mobile telephone to 2535
conduct a voice communication; 2536

(2) Dialing or answering a mobile telephone by pressing 2537
more than a single button; or 2538

(3) Reaching for a mobile telephone in a manner that 2539
requires a driver to maneuver so that the driver is no longer in 2540
a seated driving position, or restrained by a seat belt that is 2541
installed in accordance with 49 C.F.R. 393.93 and adjusted in 2542
accordance with the vehicle manufacturer's instructions. 2543

(RR) "Vehicle" has the same meaning as in section 4511.01 2544
of the Revised Code. 2545

Sec. 4506.072. (A) Pursuant to the memorandum of 2546
understanding agreement authorized by section 4507.021 of the 2547
Revised Code between the director of public safety and the 2548
United States department of homeland security or other 2549
designated federal agency, and in accordance with the rules 2550
adopted by the registrar of motor vehicles under that section, 2551
the registrar or a deputy registrar shall issue an enhanced 2552
commercial driver's license to an eligible applicant. An 2553
applicant for an enhanced commercial driver's license shall do 2554
all of the following: 2555

(1) Provide satisfactory proof of the applicant's identity 2556
and citizenship; 2557

(2) Submit a biometric identifier as required by rule; 2558

(3) Sign a declaration on a form prescribed by the 2559

registrar acknowledging the use of the one-to-many biometric 2560
match and radio frequency identification or other security 2561
features of the license; 2562

(4) Pay a fee of twenty-five dollars, in addition to any 2563
other applicable fees in section 4506.08 of the Revised Code for 2564
issuance of a commercial driver's license. The fee shall be paid 2565
into the state treasury to the credit of the public safety - 2566
highway purposes fund created in section 4501.06 of the Revised 2567
Code. 2568

(5) Comply with all other conditions, qualifications, and 2569
requirements for issuance of a commercial driver's license. 2570

(B) All provisions in the Revised Code relating to a 2571
commercial driver's license include and apply to an enhanced 2572
commercial driver's license. An enhanced commercial driver's 2573
license may be used in the same manner as a commercial driver's 2574
license and additionally is approved for purposes of entering 2575
the United States at authorized land and sea ports. 2576

Sec. 4506.11. (A) Every commercial driver's license shall 2577
be marked "commercial driver's license" or "CDL" and shall be of 2578
such material and so designed as to prevent its reproduction or 2579
alteration without ready detection. The commercial driver's 2580
license for licensees under twenty-one years of age shall have 2581
characteristics prescribed by the registrar of motor vehicles 2582
distinguishing it from that issued to a licensee who is twenty- 2583
one years of age or older. Every commercial driver's license 2584
shall display all of the following information: 2585

(1) The name and residence address of the licensee; 2586

(2) A color photograph of the licensee showing the 2587
licensee's uncovered face; 2588

(3) A physical description of the licensee, including sex,	2589
height, weight, and color of eyes and hair;	2590
(4) The licensee's date of birth;	2591
(5) The licensee's social security number if the person	2592
has requested that the number be displayed in accordance with	2593
section 4501.31 of the Revised Code or if federal law requires	2594
the social security number to be displayed and any number or	2595
other identifier the director of public safety considers	2596
appropriate and establishes by rules adopted under Chapter 119.	2597
of the Revised Code and in compliance with federal law;	2598
(6) The licensee's signature;	2599
(7) The classes of commercial motor vehicles the licensee	2600
is authorized to drive and any endorsements or restrictions	2601
relating to the licensee's driving of those vehicles;	2602
(8) The name of this state;	2603
(9) The dates of issuance and of expiration of the	2604
license;	2605
(10) If the licensee has certified willingness to make an	2606
anatomical gift under section 2108.05 of the Revised Code, any	2607
symbol chosen by the registrar of motor vehicles to indicate	2608
that the licensee has certified that willingness;	2609
(11) If the licensee has executed a durable power of	2610
attorney for health care or a declaration governing the use or	2611
continuation, or the withholding or withdrawal, of life-	2612
sustaining treatment and has specified that the licensee wishes	2613
the license to indicate that the licensee has executed either	2614
type of instrument, any symbol chosen by the registrar to	2615
indicate that the licensee has executed either type of	2616

instrument; 2617

(12) On and after October 7, 2009, if the licensee has 2618
specified that the licensee wishes the license to indicate that 2619
the licensee is a veteran, active duty, or reservist of the 2620
armed forces of the United States and has presented a copy of 2621
the licensee's DD-214 form or an equivalent document, any symbol 2622
chosen by the registrar to indicate that the licensee is a 2623
veteran, active duty, or reservist of the armed forces of the 2624
United States; 2625

(13) If the licensee is a noncitizen of the United States, 2626
a notation designating that the licensee is a noncitizen; 2627

(14) Any other information the registrar considers 2628
advisable and requires by rule. 2629

(B) Every enhanced commercial driver's license shall have 2630
any additional characteristics established by the rules adopted 2631
under section 4507.021 of the Revised Code. 2632

(C) The registrar may establish and maintain a file of 2633
negatives of photographs taken for the purposes of this section. 2634

~~(C)~~ (D) Neither the registrar nor any deputy registrar 2635
shall issue a commercial driver's license to anyone under 2636
twenty-one years of age that does not have the characteristics 2637
prescribed by the registrar distinguishing it from the 2638
commercial driver's license issued to persons who are twenty-one 2639
years of age or older. 2640

~~(D)~~ (E) Whoever violates division ~~(C)~~ (D) of this section 2641
is guilty of a minor misdemeanor. 2642

Sec. 4507.01. (A) As used in this chapter, "motor 2643
vehicle," "motorized bicycle," "state," "owner," "operator," 2644

"chauffeur," and "highways" have the same meanings as in section 2645
4501.01 of the Revised Code. 2646

"Driver's license" means a class D license issued to any 2647
person to operate a motor vehicle or motor-driven cycle, other 2648
than a commercial motor vehicle, and includes "probationary 2649
license," "restricted license," and any operator's or 2650
chauffeur's license issued before January 1, 1990. Except as 2651
otherwise specifically provided, "driver's license" includes an 2652
"enhanced driver's license." 2653

"Enhanced driver's license" means a driver's license 2654
issued in accordance with sections 4507.021 and 4507.063 of the 2655
Revised Code that denotes citizenship and identity and is 2656
approved by the United States secretary of homeland security or 2657
other designated federal agency for purposes of entering the 2658
United States. 2659

"Probationary license" means the license issued to any 2660
person between sixteen and eighteen years of age to operate a 2661
motor vehicle. 2662

"Restricted license" means the license issued to any 2663
person to operate a motor vehicle subject to conditions or 2664
restrictions imposed by the registrar of motor vehicles. 2665

"Commercial driver's license" means the license issued to 2666
a person under Chapter 4506. of the Revised Code to operate a 2667
commercial motor vehicle. 2668

"Commercial motor vehicle" has the same meaning as in 2669
section 4506.01 of the Revised Code. 2670

"Motorcycle operator's temporary instruction permit,
license, or endorsement" includes a temporary instruction 2671
permit, license, or endorsement for a motor-driven cycle or 2672
2673

motor scooter unless otherwise specified. 2674

"Motorized bicycle license" means the license issued under 2675
section 4511.521 of the Revised Code to any person to operate a 2676
motorized bicycle including a "probationary motorized bicycle 2677
license." 2678

"Probationary motorized bicycle license" means the license 2679
issued under section 4511.521 of the Revised Code to any person 2680
between fourteen and sixteen years of age to operate a motorized 2681
bicycle. 2682

"Identification card" means a card issued under sections 2683
4507.50 ~~and 4507.51~~ to 4507.52 of the Revised Code. Except as 2684
otherwise specifically provided, "identification card" includes 2685
an "enhanced identification card." 2686

"Enhanced identification card" means an identification 2687
card issued in accordance with sections 4507.021 and 4507.511 of 2688
the Revised Code that denotes citizenship and identity and is 2689
approved by the United States secretary of homeland security or 2690
other designated federal agency for purposes of entering the 2691
United States. 2692

"Resident" means a person who, in accordance with 2693
standards prescribed in rules adopted by the registrar, resides 2694
in this state on a permanent basis. 2695

"Temporary resident" means a person who, in accordance 2696
with standards prescribed in rules adopted by the registrar, 2697
resides in this state on a temporary basis. 2698

(B) In the administration of this chapter and Chapter 2699
4506. of the Revised Code, the registrar has the same authority 2700
as is conferred on the registrar by section 4501.02 of the 2701
Revised Code. Any act of an authorized deputy registrar of motor 2702

vehicles under direction of the registrar is deemed the act of 2703
the registrar. 2704

To carry out this chapter, the registrar shall appoint 2705
such deputy registrars in each county as are necessary. 2706

The registrar also shall provide at each place where an 2707
application for a driver's or commercial driver's license or 2708
identification card may be made the necessary equipment to take 2709
a color photograph of the applicant for such license or card as 2710
required under section 4506.11 or 4507.06 of the Revised Code, 2711
and to conduct the vision screenings required by section 4507.12 2712
of the Revised Code. 2713

The registrar shall assign one or more deputy registrars 2714
to any driver's license examining station operated under the 2715
supervision of the director of public safety, whenever the 2716
registrar considers such assignment possible. Space shall be 2717
provided in the driver's license examining station for any such 2718
deputy registrar so assigned. The deputy registrars shall not 2719
exercise the powers conferred by such sections upon the 2720
registrar, unless they are specifically authorized to exercise 2721
such powers by such sections. 2722

(C) No agent for any insurance company, writing automobile 2723
insurance, shall be appointed deputy registrar, and any such 2724
appointment is void. No deputy registrar shall in any manner 2725
solicit any form of automobile insurance, nor in any manner 2726
advise, suggest, or influence any licensee or applicant for 2727
license for or against any kind or type of automobile insurance, 2728
insurance company, or agent, nor have the deputy registrar's 2729
office directly connected with the office of any automobile 2730
insurance agent, nor impart any information furnished by any 2731
applicant for a license or identification card to any person, 2732

except the registrar. This division shall not apply to any 2733
nonprofit corporation appointed deputy registrar. 2734

(D) The registrar shall immediately remove a deputy 2735
registrar who violates the requirements of this chapter. 2736

Sec. 4507.021. (A) (1) The director of public safety shall 2737
enter into a memorandum of understanding agreement with the 2738
United States department of homeland security or other 2739
designated federal agency. The purpose of the agreement is to 2740
obtain approval to issue enhanced driver's licenses, enhanced 2741
commercial driver's licenses, and enhanced identification cards 2742
to Ohio residents for use as proof of identity and citizenship 2743
and for purposes of entering the United States at authorized 2744
land and sea ports. 2745

(2) In conjunction with the United States department of 2746
homeland security or other designated federal agency, the 2747
director may enter into an agreement with the United Mexican 2748
States, any country within the region of the Caribbean, Canada, 2749
or any Canadian province for the purpose of implementing a 2750
border-crossing initiative. 2751

(B) (1) Pursuant to an agreement under division (A) (1) of 2752
this section, the registrar of motor vehicles, subject to 2753
approval by the director, shall adopt rules in accordance with 2754
Chapter 119. of the Revised Code governing issuance of an 2755
enhanced driver's license, enhanced commercial driver's license, 2756
and enhanced identification card. 2757

(2) The rules shall establish all of the following: 2758

(a) Acceptable methods of proving citizenship for an 2759
applicant for an enhanced driver's license, enhanced commercial 2760
driver's license, or enhanced identification card; 2761

(b) Reasonable security measures to prevent counterfeiting 2762
of enhanced licenses and identification cards and to protect 2763
against unauthorized disclosure of personal information that is 2764
contained in an enhanced license or identification card. The 2765
rules may require a one-to-many biometric matching system for 2766
identification purposes, use of radio frequency identification 2767
technology, or use of other secure technology that is acceptable 2768
to the United States department of homeland security and is 2769
encrypted or otherwise secure from unauthorized data access. 2770

(c) Any other additional characteristics of an enhanced 2771
license or identification card as determined by the registrar. 2772

(C) The registrar may adopt any other rules necessary to 2773
administer the issuance of an enhanced driver's license, 2774
enhanced commercial driver's license, and enhanced 2775
identification card. 2776

Sec. 4507.061. (A) Beginning on and after July 1, 2022, 2777
the registrar of motor vehicles may authorize the online renewal 2778
of a driver's license or identification card issued by the 2779
bureau of motor vehicles for eligible applicants. An applicant 2780
is eligible for online renewal if all of the following apply: 2781

(1) The applicant's current driver's license or 2782
identification card was processed in person at a deputy 2783
registrar office. 2784

(2) The applicant has a photo on file with the bureau of 2785
motor vehicles from the applicant's current driver's license or 2786
identification card. 2787

(3) The applicant's current driver's license or 2788
identification card expires on the birthday of the applicant in 2789
the fourth year after the date it was issued. 2790

(4) The applicant is applying for a driver's license or identification card that expires on the birthday of the applicant in the fourth year after the date it is issued.	2791 2792 2793
(5) The applicant's current driver's license or identification card is unexpired or expired not more than six months prior to the date of the application.	2794 2795 2796
(6) The applicant is a citizen of the United States and a permanent resident of this state.	2797 2798
(7) The applicant is twenty-one years of age or older, but less than sixty-five years of age.	2799 2800
(8) The applicant's current driver's license or driving privileges are not suspended, canceled, revoked, or restricted, and the applicant is not otherwise prohibited by law from obtaining a driver's license or identification card.	2801 2802 2803 2804
(9) The applicant has no changes to the applicant's name or personal information, other than a change of address.	2805 2806
(10) The applicant has no medical restrictions that would require the applicant to apply for a driver's license or identification card in person at a deputy registrar office. The registrar shall determine the medical restrictions that require in person applications.	2807 2808 2809 2810 2811
(B) An applicant may not submit an application online for any of the following:	2812 2813
(1) A temporary instruction permit;	2814
(2) A commercial driver's license or a commercial driver's license temporary instruction permit;	2815 2816
(3) An initial issuance of an Ohio driver's license or	2817

identification card; 2818

(4) An initial issuance of a federally compliant driver's license or identification card; 2819
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(5) An initial issuance of an enhanced driver's license or enhanced identification card; 2821
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(6) An ignition interlock license; 2823

~~(6)~~ (7) A nonrenewable license. 2824

(C) The registrar may require an applicant to provide a digital copy of any identification documents and supporting documents as required by statute or administrative rule to comply with current state and federal requirements. 2825
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(D) Except as otherwise provided, an applicant shall comply with all other applicable laws related to the issuance of a driver's license or identification card in order to renew a driver's license or identification card under this section. 2829
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(E) The registrar may adopt rules in accordance with Chapter 119. of the Revised Code to implement and administer this section. 2833
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Sec. 4507.063. (A) Pursuant to the memorandum of understanding agreement authorized by section 4507.021 of the Revised Code between the director of public safety and the United States department of homeland security or other designated federal agency, and in accordance with the rules adopted by the registrar of motor vehicles under that section, the registrar or a deputy registrar shall issue an enhanced driver's license to an eligible applicant. An applicant for an enhanced driver's license shall do all of the following: 2836
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(1) Provide satisfactory proof of the applicant's identity 2845

<u>and citizenship;</u>	2846
<u>(2) Submit a biometric identifier as required by rule;</u>	2847
<u>(3) Sign a declaration on a form prescribed by the</u>	2848
<u>registrar acknowledging the use of the one-to-many biometric</u>	2849
<u>match and radio frequency identification or other security</u>	2850
<u>features of the license;</u>	2851
<u>(4) Pay a fee of twenty-five dollars, in addition to any</u>	2852
<u>other applicable fees in sections 4507.23 and 4507.24 of the</u>	2853
<u>Revised Code for issuance of a driver's license. The fee shall</u>	2854
<u>be paid into the state treasury to the credit of the public</u>	2855
<u>safety - highway purposes fund created in section 4501.06 of the</u>	2856
<u>Revised Code.</u>	2857
<u>(5) Comply with all other conditions, qualifications, and</u>	2858
<u>requirements for issuance of a driver's license.</u>	2859
<u>(B) All provisions in the Revised Code relating to a</u>	2860
<u>driver's license include and apply to an enhanced driver's</u>	2861
<u>license. An enhanced driver's license may be used in the same</u>	2862
<u>manner as a driver's license and additionally is approved for</u>	2863
<u>purposes of entering the United States at authorized land and</u>	2864
<u>sea ports.</u>	2865
Sec. 4507.13. (A) (1) The registrar of motor vehicles shall	2866
issue a driver's license to every person licensed as an operator	2867
of motor vehicles other than commercial motor vehicles. No	2868
person licensed as a commercial motor vehicle driver under	2869
Chapter 4506. of the Revised Code need procure a driver's	2870
license, but no person shall drive any commercial motor vehicle	2871
unless licensed as a commercial motor vehicle driver.	2872
(2) Every driver's license shall display all of the	2873
following information:	2874

- (a) The distinguishing number assigned to the licensee; 2875
- (b) The licensee's name and date of birth; 2876
- (c) The licensee's residence address and county of residence; 2877
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- (d) A color photograph of the licensee; 2879
- (e) A brief description of the licensee for the purpose of identification; 2880
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- (f) A facsimile of the signature of the licensee as it appears on the application for the license; 2882
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- (g) A notation, in a manner prescribed by the registrar, indicating any condition described in division (D) (3) of section 4507.08 of the Revised Code to which the licensee is subject; 2884
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- (h) If the licensee has executed a durable power of attorney for health care or a declaration governing the use or continuation, or the withholding or withdrawal, of life-sustaining treatment and has specified that the licensee wishes the license to indicate that the licensee has executed either type of instrument, any symbol chosen by the registrar to indicate that the licensee has executed either type of instrument; 2887
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- (i) If the licensee has specified that the licensee wishes the license to indicate that the licensee is a veteran, active duty, or reservist of the armed forces of the United States and has presented a copy of the licensee's DD-214 form or an equivalent document, any symbol chosen by the registrar to indicate that the licensee is a veteran, active duty, or reservist of the armed forces of the United States; 2895
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- (j) If the licensee is a noncitizen of the United States, 2902

a notation designating that the licensee is a noncitizen; 2903

(k) Any additional information that the registrar requires 2904
by rule. 2905

(3) No license shall display the licensee's social 2906
security number unless the licensee specifically requests that 2907
the licensee's social security number be displayed on the 2908
license. If federal law requires the licensee's social security 2909
number to be displayed on the license, the social security 2910
number shall be displayed on the license notwithstanding this 2911
section. 2912

(4) The driver's license for licensees under twenty-one 2913
years of age shall have characteristics prescribed by the 2914
registrar distinguishing it from that issued to a licensee who 2915
is twenty-one years of age or older, except that a driver's 2916
license issued to a person who applies no more than thirty days 2917
before the applicant's twenty-first birthday shall have the 2918
characteristics of a license issued to a person who is twenty- 2919
one years of age or older. 2920

(5) The driver's license issued to a temporary resident 2921
shall contain the word "nonrenewable" and shall have any 2922
additional characteristics prescribed by the registrar 2923
distinguishing it from a license issued to a resident. 2924

(6) Every enhanced driver's license shall have any 2925
additional characteristics established by the rules adopted 2926
under section 4507.021 of the Revised Code. 2927

(7) Every driver's or commercial driver's license 2928
displaying a motorcycle operator's endorsement and every 2929
restricted license to operate a motor vehicle also shall display 2930
the designation "novice," if the endorsement or license is 2931

issued to a person who is eighteen years of age or older and 2932
previously has not been licensed to operate a motorcycle by this 2933
state or another jurisdiction recognized by this state. The 2934
"novice" designation shall be effective for one year after the 2935
date of issuance of the motorcycle operator's endorsement or 2936
license. 2937

~~(7)~~ (8) Each license issued under this section shall be of 2938
such material and so designed as to prevent its reproduction or 2939
alteration without ready detection. 2940

(B) Except in regard to a driver's license issued to a 2941
person who applies no more than thirty days before the 2942
applicant's twenty-first birthday, neither the registrar nor any 2943
deputy registrar shall issue a driver's license to anyone under 2944
twenty-one years of age that does not have the characteristics 2945
prescribed by the registrar distinguishing it from the driver's 2946
license issued to persons who are twenty-one years of age or 2947
older. 2948

(C) Whoever violates division (B) of this section is 2949
guilty of a minor misdemeanor. 2950

Sec. 4507.511. (A) Pursuant to the memorandum of 2951
understanding agreement authorized by section 4507.021 of the 2952
Revised Code between the director of public safety and the 2953
United States department of homeland security or other 2954
designated federal agency, and in accordance with the rules 2955
adopted by the registrar of motor vehicles under that section, 2956
the registrar or a deputy registrar shall issue an enhanced 2957
identification card to an eligible applicant. An applicant for 2958
an enhanced identification card shall do all of the following: 2959

(1) Provide satisfactory proof of the applicant's identity 2960

and citizenship; 2961

(2) Submit a biometric identifier as required by rule; 2962

(3) Sign a declaration on a form prescribed by the 2963
registrar acknowledging the use of the one-to-many biometric 2964
match and radio frequency identification or other security 2965
features of the card; 2966

(4) Pay a fee of twenty-five dollars, in addition to any 2967
other applicable fees in section 4507.50 of the Revised Code for 2968
issuance of an identification card. The fee shall be paid into 2969
the state treasury to the credit of the public safety - highway 2970
purposes fund created in section 4501.06 of the Revised Code. 2971

(5) Comply with all other requirements for issuance of an 2972
identification card. 2973

(B) All provisions in the Revised Code relating to an 2974
identification card issued under sections 4507.50 to 4507.52 of 2975
the Revised Code include and apply to an enhanced identification 2976
card. An enhanced identification card may be used in the same 2977
manner as an identification card and additionally is approved 2978
for purposes of entering the United States at authorized land 2979
and sea ports. 2980

Sec. 4507.52. (A) (1) Each identification card issued by 2981
the registrar of motor vehicles or a deputy registrar shall 2982
display a distinguishing number assigned to the cardholder, and 2983
shall display the following inscription: 2984

"STATE OF OHIO IDENTIFICATION CARD 2985

This card is not valid for the purpose of operating a 2986
motor vehicle. It is provided solely for the purpose of 2987
establishing the identity of the bearer described on the card, 2988

who currently is not licensed to operate a motor vehicle in the 2989
state of Ohio." 2990

(2) The identification card shall display substantially 2991
the same information as contained in the application and as 2992
described in division (A)(1) of section 4507.51 of the Revised 2993
Code, including, if the cardholder is a noncitizen of the United 2994
States, a notation designating that the cardholder is a 2995
noncitizen. The identification card shall not display the 2996
cardholder's social security number unless the cardholder 2997
specifically requests that the cardholder's social security 2998
number be displayed on the card. If federal law requires the 2999
cardholder's social security number to be displayed on the 3000
identification card, the social security number shall be 3001
displayed on the card notwithstanding this section. 3002

(3) The identification card also shall display the color 3003
photograph of the cardholder. 3004

(4) If the cardholder has executed a durable power of 3005
attorney for health care or a declaration governing the use or 3006
continuation, or the withholding or withdrawal, of life- 3007
sustaining treatment and has specified that the cardholder 3008
wishes the identification card to indicate that the cardholder 3009
has executed either type of instrument, the card also shall 3010
display any symbol chosen by the registrar to indicate that the 3011
cardholder has executed either type of instrument. 3012

(5) If the cardholder has specified that the cardholder 3013
wishes the identification card to indicate that the cardholder 3014
is a veteran, active duty, or reservist of the armed forces of 3015
the United States and has presented a copy of the cardholder's 3016
DD-214 form or an equivalent document, the card also shall 3017
display any symbol chosen by the registrar to indicate that the 3018

cardholder is a veteran, active duty, or reservist of the armed 3019
forces of the United States. 3020

(6) The card shall be designed as to prevent its 3021
reproduction or alteration without ready detection. 3022

(7) The identification card for persons under twenty-one 3023
years of age shall have characteristics prescribed by the 3024
registrar distinguishing it from that issued to a person who is 3025
twenty-one years of age or older, except that an identification 3026
card issued to a person who applies no more than thirty days 3027
before the applicant's twenty-first birthday shall have the 3028
characteristics of an identification card issued to a person who 3029
is twenty-one years of age or older. 3030

(8) (a) Except as provided in division (A) (8) (b) of this 3031
section, every identification card issued to a resident of this 3032
state shall expire, unless canceled or surrendered earlier, on 3033
the birthday of the cardholder in the fourth or the eighth year 3034
after the date on which it is issued, based on the period of 3035
renewal requested by the applicant. 3036

(b) Upon request, the registrar or a deputy registrar 3037
shall issue an identification card to a resident of this state 3038
who is permanently or irreversibly disabled that shall expire, 3039
unless canceled or surrendered earlier, on the birthday of the 3040
cardholder in the eighth year after the date on which it is 3041
issued. The registrar shall issue a reminder notice to a 3042
cardholder, at the last known address of the cardholder, six 3043
months before the identification card is scheduled to expire. 3044
The registrar shall adopt rules governing the documentation a 3045
cardholder shall submit to certify that the cardholder is 3046
permanently or irreversibly disabled. 3047

As used in this section, "permanently or irreversibly disabled" means a condition of disability from which there is no present indication of recovery. 3048
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(c) Every identification card issued to a temporary resident shall expire in accordance with rules adopted by the registrar and is nonrenewable, but may be replaced with a new identification card upon the applicant's compliance with all applicable requirements. 3051
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(9) A cardholder may renew the cardholder's identification card within ninety days prior to the day on which it expires by filing an application and paying the prescribed fee, if required, in accordance with section 4507.50 of the Revised Code. 3056
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(10) If a cardholder applies for a driver's or commercial driver's license in this state or another licensing jurisdiction, the cardholder shall surrender the cardholder's identification card to the registrar or any deputy registrar before the license is issued. 3061
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(11) Every enhanced identification card shall have any additional characteristics established by the rules adopted under section 4507.021 of the Revised Code. 3066
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(B) (1) If a card is lost, destroyed, or mutilated, the person to whom the card was issued may obtain a duplicate by doing both of the following: 3069
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(a) Furnishing suitable proof of the loss, destruction, or mutilation to the registrar or a deputy registrar; 3072
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(b) Filing an application and presenting documentary evidence under section 4507.51 of the Revised Code. 3074
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(2) A cardholder may apply to obtain a reprint of the 3076
cardholder's identification card through electronic means in 3077
accordance with section 4507.40 of the Revised Code. 3078

(3) Any person who loses a card and, after obtaining a 3079
duplicate or reprint, finds the original, immediately shall 3080
surrender the original to the registrar or a deputy registrar. 3081

(4) A cardholder may obtain a replacement identification 3082
card that reflects any change of the cardholder's name by 3083
furnishing suitable proof of the change to the registrar or a 3084
deputy registrar and surrendering the cardholder's existing 3085
card. 3086

(5) Except as provided in division (A) (6) or (7) of this 3087
section, when a cardholder applies for a duplicate, reprint, or 3088
replacement identification card, the cardholder shall pay the 3089
following fees: 3090

(a) Two dollars and fifty cents; 3091

(b) A deputy registrar or service fee equal to the amount 3092
established under section 4503.038 of the Revised Code. 3093

(6) The following cardholders may apply for a duplicate, 3094
reprint, or replacement identification card without payment of 3095
any fee prescribed in division (B) (5) of this section: 3096

(a) A disabled veteran who has a service-connected 3097
disability rated at one hundred per cent by the veterans' 3098
administration; 3099

(b) A resident who is permanently or irreversibly disabled 3100
and who is unemployed. 3101

(7) A cardholder who is seventeen years of age or older 3102
may apply for a replacement identification card without payment 3103

of any fee prescribed in division (B) (5) of this section. 3104

(8) A duplicate, reprint, or replacement identification 3105
card expires on the same date as the card it replaces. 3106

(C) The registrar shall cancel any card upon determining 3107
that the card was obtained unlawfully, issued in error, or was 3108
altered. The registrar also shall cancel any card that is 3109
surrendered to the registrar or to a deputy registrar after the 3110
holder has obtained a duplicate, reprint, replacement, or 3111
driver's or commercial driver's license. 3112

(D) (1) No agent of the state or its political subdivisions 3113
shall condition the granting of any benefit, service, right, or 3114
privilege upon the possession by any person of an identification 3115
card. Nothing in this section shall preclude any publicly 3116
operated or franchised transit system from using an 3117
identification card for the purpose of granting benefits or 3118
services of the system. 3119

(2) No person shall be required to apply for, carry, or 3120
possess an identification card. 3121

(E) Except in regard to an identification card issued to a 3122
person who applies no more than thirty days before the 3123
applicant's twenty-first birthday, neither the registrar nor any 3124
deputy registrar shall issue an identification card to a person 3125
under twenty-one years of age that does not have the 3126
characteristics prescribed by the registrar distinguishing it 3127
from the identification card issued to persons who are twenty- 3128
one years of age or older. 3129

(F) Whoever violates division (E) of this section is 3130
guilty of a minor misdemeanor. 3131

Sec. 4511.092. As used in sections 4511.092 to 4511.0914 3132

of the Revised Code: 3133

(A) "Designated party" means the person whom the 3134
registered owner of a motor vehicle, upon receipt of a ticket 3135
based upon images recorded by a traffic law photo-monitoring 3136
device that indicate a traffic law violation, identifies as the 3137
person who was operating the vehicle of the registered owner at 3138
the time of the violation. 3139

(B) "Law enforcement officer" means a ~~sheriff, deputy~~ 3140
~~sheriff, marshal, deputy marshal, police officer of a police~~ 3141
~~department of any municipal corporation, police constable of any~~ 3142
~~township, or police officer of a township or joint police~~ 3143
~~district,~~ law enforcement officer who is employed on a permanent, 3144
full-time basis by the law enforcement agency of a local 3145
authority that assigns such person to the location of a traffic 3146
law photo-monitoring device. 3147

(C) "Local authority" means a municipal corporation, ~~—~~ 3148
~~county, or township.~~ 3149

(D) "Motor vehicle leasing dealer" has the same meaning as 3150
in section 4517.01 of the Revised Code. 3151

(E) "Motor vehicle renting dealer" has the same meaning as 3152
in section 4549.65 of the Revised Code. 3153

(F) "Recorded images" means any of the following images 3154
recorded by a traffic law photo-monitoring device that show, on 3155
at least one image or on a portion of the videotape, the rear of 3156
a motor vehicle and the letters and numerals on the rear license 3157
plate of the vehicle: 3158

(1) Two or more photographs, microphotographs, electronic 3159
images, or digital images; 3160

(2) Videotape.	3161
(G) "Registered owner" means all of the following:	3162
(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;	3163 3164 3165
(2) The lessee of a motor vehicle under a lease of six months or longer;	3166 3167
(3) The renter of a motor vehicle pursuant to a written rental agreement with a motor vehicle renting dealer.	3168 3169
(H) "System location" means the approach to an intersection or area of roadway toward which a traffic law photo-monitoring device is directed and is in operation.	3170 3171 3172
(I) "Ticket" means any traffic ticket, citation, summons, or other ticket issued in response to an alleged traffic law violation detected by a traffic law photo-monitoring device, that represents a civil violation.	3173 3174 3175 3176
(J) "Traffic law photo-monitoring device" means an electronic system consisting of a photographic, video, or electronic camera and a means of sensing the presence of a motor vehicle that automatically produces recorded images.	3177 3178 3179 3180
(K) "Traffic law violation" means either of the following:	3181
(1) A violation of section 4511.12 of the Revised Code based on the failure to comply with section 4511.13 of the Revised Code or a substantially equivalent municipal ordinance that occurs at an intersection due to failure to obey a traffic control signal;	3182 3183 3184 3185 3186
(2) A violation of section 4511.21 or 4511.211 of the	3187

Revised Code or a substantially equivalent municipal ordinance 3188
due to failure to observe the applicable speed limit. 3189

Sec. 4511.093. (A) A local authority may utilize a traffic 3190
law photo-monitoring device for the purpose of detecting traffic 3191
law violations. ~~If the local authority is a county or township,~~ 3192
~~the board of county commissioners or the board of township~~ 3193
~~trustees may adopt such resolutions as may be necessary to~~ 3194
~~enable the county or township to utilize traffic law photo-~~ 3195
~~monitoring devices.~~No county, township, or representative of a 3196
county or township shall utilize a traffic law photo-monitoring 3197
device to detect and enforce traffic law violations. 3198

(B) The use of a traffic law photo-monitoring device is 3199
subject to the following conditions: 3200

(1) A local authority shall use a traffic law photo- 3201
monitoring device to detect and enforce traffic law violations 3202
only if a law enforcement officer is present at the location of 3203
the device at all times during the operation of the device and 3204
if the local authority complies with sections 4511.094 and 3205
4511.095 of the Revised Code. 3206

(2) A law enforcement officer who is present at the 3207
location of any traffic law photo-monitoring device and who 3208
personally witnesses a traffic law violation may issue a ticket 3209
for the violation. Such a ticket shall be issued in accordance 3210
with section 2935.26 of the Revised Code and is not subject to 3211
sections 4511.096 to 4511.0910 and section 4511.912 of the 3212
Revised Code. 3213

(3) If a traffic law photo-monitoring device records a 3214
traffic law violation and the law enforcement officer who was 3215
present at the location of the traffic law photo-monitoring 3216

device does not issue a ticket as provided under division (B) (2) 3217
of this section, the local authority may only issue a ticket in 3218
accordance with sections 4511.096 to 4511.0912 of the Revised 3219
Code. 3220

~~(C) No township constable appointed under section 509.01 3221
of the Revised Code, member of a police force of a township or 3222
joint police district created under section 505.48 or 505.482 of 3223
the Revised Code, or other representative of a township shall 3224
utilize a traffic law photo monitoring device to detect and 3225
enforce traffic law violations on an interstate highway. 3226~~

Sec. 4511.69. (A) Every vehicle stopped or parked upon a 3227
roadway where there is an adjacent curb shall be stopped or 3228
parked with the right-hand wheels of the vehicle parallel with 3229
and not more than twelve inches from the right-hand curb, unless 3230
it is impossible to approach so close to the curb; in such case 3231
the stop shall be made as close to the curb as possible and only 3232
for the time necessary to discharge and receive passengers or to 3233
load or unload merchandise. Local authorities by ordinance may 3234
permit angle parking on any roadway under their jurisdiction, 3235
except that angle parking shall not be permitted on a state 3236
route within a municipal corporation unless an unoccupied 3237
roadway width of not less than twenty-five feet is available for 3238
free-moving traffic. 3239

(B) Local authorities by ordinance may permit parking of 3240
vehicles with the left-hand wheels adjacent to and within twelve 3241
inches of the left-hand curb of a one-way roadway. 3242

(C) (1) (a) Except as provided in division (C) (1) (b) of this 3243
section, no vehicle or trackless trolley shall be stopped or 3244
parked on a road or highway with the vehicle or trackless 3245
trolley facing in a direction other than the direction of travel 3246

on that side of the road or highway. 3247

(b) The operator of a motorcycle may back the motorcycle 3248
into an angled parking space so that when the motorcycle is 3249
parked it is facing in a direction other than the direction of 3250
travel on the side of the road or highway. 3251

(2) The operator of a motorcycle may back the motorcycle 3252
into a parking space that is located on the side of, and 3253
parallel to, a road or highway. The motorcycle may face any 3254
direction when so parked. Not more than two motorcycles at a 3255
time shall be parked in a parking space as described in division 3256
(C) (2) of this section irrespective of whether or not the space 3257
is metered. 3258

(D) Notwithstanding any statute or any rule, resolution, 3259
or ordinance adopted by any local authority, air compressors, 3260
tractors, trucks, and other equipment, while being used in the 3261
construction, reconstruction, installation, repair, or removal 3262
of facilities near, on, over, or under a street or highway, may 3263
stop, stand, or park where necessary in order to perform such 3264
work, provided a flagperson is on duty or warning signs or 3265
lights are displayed as may be prescribed by the director of 3266
transportation. 3267

~~(E) Special parking locations and privileges for persons 3268
with disabilities that limit or impair the ability to walk, also 3269
known as handicapped parking spaces or disability parking 3270
spaces, shall be provided and designated by all political 3271
subdivisions and by the state and all agencies and 3272
instrumentalities thereof at all offices and facilities, where 3273
parking is provided, whether owned, rented, or leased, and at 3274
all publicly owned parking garages. The locations shall be 3275
designated through the posting of an elevated sign, whether 3276~~

~~permanently affixed or movable, imprinted with the international 3277
symbol of access and shall be reasonably close to exits, 3278
entrances, elevators, and ramps. All elevated signs posted in 3279
accordance with this division and division (C) of section 3280
3781.111 of the Revised Code shall be mounted on a fixed or 3281
movable post, and the distance from the ground to the bottom 3282
edge of the sign shall measure not less than five feet. If a new 3283
sign or a replacement sign designating a special parking 3284
location is posted on or after October 14, 1999, there also 3285
shall be affixed upon the surface of that sign or affixed next 3286
to the designating sign a notice that states the fine applicable 3287
for the offense of parking a motor vehicle in the special 3288
designated parking location if the motor vehicle is not legally 3289
entitled to be parked in that location. 3290~~

~~(F) (1) (a) No person shall stop, stand, or park any motor 3291
vehicle at special parking locations provided under division (E) 3292
of this section or at special clearly marked parking locations 3293
provided in or on privately owned parking lots, parking garages, 3294
or other parking areas and designated in accordance with that 3295
division, unless one of the following applies: 3296~~

~~(i) The motor vehicle is being operated by or for the 3297
transport of a person with a disability that limits or impairs 3298
the ability to walk and is displaying a valid removable 3299
windshield placard or special license plates; 3300~~

~~(ii) The motor vehicle is being operated by or for the 3301
transport of a handicapped person and is displaying a parking 3302
card or special handicapped license plates. 3303~~

~~(b) Any motor vehicle that is parked in a special marked 3304
parking location in violation of division (F) (1) (a) (i) or (ii) 3305
of this section may be towed or otherwise removed from the 3306~~

~~parking location by the law enforcement agency of the political- 3307
subdivision in which the parking location is located. A motor- 3308
vehicle that is so towed or removed shall not be released to its 3309
owner until the owner presents proof of ownership of the motor- 3310
vehicle and pays all towing and storage fees normally imposed by 3311
that political subdivision for towing and storing motor- 3312
vehicles. If the motor vehicle is a leased vehicle, it shall not 3313
be released to the lessee until the lessee presents proof that- 3314
that person is the lessee of the motor vehicle and pays all- 3315
towing and storage fees normally imposed by that political- 3316
subdivision for towing and storing motor vehicles.- 3317~~

~~(c) If a person is charged with a violation of division- 3318
(F) (1) (a) (i) or (ii) of this section, it is an affirmative- 3319
defense to the charge that the person suffered an injury not- 3320
more than seventy two hours prior to the time the person was- 3321
issued the ticket or citation and that, because of the injury,- 3322
the person meets at least one of the criteria contained in- 3323
division (A) (1) of section 4503.44 of the Revised Code. 3324~~

~~(2) No person shall stop, stand, or park any motor vehicle 3325
in an area that is commonly known as an access aisle, which area 3326
is marked by diagonal stripes and is located immediately- 3327
adjacent to a special parking location provided under division- 3328
(E) of this section or at a special clearly marked parking- 3329
location provided in or on a privately owned parking lot,- 3330
parking garage, or other parking area and designated in- 3331
accordance with that division. 3332~~

~~(G) When a motor vehicle is being operated by or for the 3333
transport of a person with a disability that limits or impairs- 3334
the ability to walk and is displaying a removable windshield- 3335
placard or a temporary removable windshield placard or special- 3336~~

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

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

~~(I) 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 parking card or special
license plates issued to the person or organization under prior
law have not expired or been surrendered or revoked.~~

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

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

~~one hundred dollars if the offender, prior to sentencing, proves
either of the following to the satisfaction of the court:~~ 3367
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~~(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.~~ 3369
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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.~~ 3376
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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.~~ 3383
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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.~~ 3386
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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~~ 3393
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~~in division (J) (2) of this section, the political subdivision shall use the fine moneys it receives under divisions (J) (2) and (3) of this section to pay the expenses it incurs in complying with the signage and notice requirements contained in division (E) of this section. The political subdivision may use up to fifty per cent of each fine it receives under divisions (J) (2) and (3) of this section to pay the costs of educational, advocacy, support, and assistive technology programs for persons with disabilities, and for public improvements within the political subdivision that benefit or assist persons with disabilities, if governmental agencies or nonprofit organizations offer the programs.~~ 3396
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~~(3) Whoever violates division (F) (2) of this section shall be fined not less than two hundred fifty nor more than five hundred dollars.~~ 3408
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~~In no case shall an offender who violates division (F) (2) of this section be sentenced to any term of imprisonment. An arrest or conviction for a violation of division (F) (2) 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.~~ 3411
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~~(4) Whoever violates division (H) of this section shall be punished as follows:~~ 3419
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~~(a) Except as otherwise provided in division (J) (4) of this section, the offender shall be issued a warning.~~ 3421
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~~(b) If the offender previously has been convicted of or pleaded guilty to a violation of division (H) of this section or~~ 3423
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~~of a municipal ordinance that is substantially similar to that~~ 3425
~~division, the offender shall not be issued a warning but shall~~ 3426
~~be fined not more than twenty-five dollars for each parking~~ 3427
~~location that is not properly marked or whose markings are not~~ 3428
~~properly maintained.~~ 3429

~~(K) As used in this section:~~ 3430

~~(1) "Handicapped person" means any person who has lost the~~ 3431
~~use of one or both legs or one or both arms, who is blind, deaf,~~ 3432
~~or so severely handicapped as to be unable to move without the~~ 3433
~~aid of crutches or a wheelchair, or whose mobility is restricted~~ 3434
~~by a permanent cardiovascular, pulmonary, or other handicapping~~ 3435
~~condition.~~ 3436

~~(2) "Person with a disability that limits or impairs the~~ 3437
~~ability to walk" has the same meaning as in section 4503.44 of~~ 3438
~~the Revised Code.~~ 3439

~~(3) "Special license plates" and "removable windshield~~ 3440
~~placard" mean any license plates or removable windshield placard~~ 3441
~~or temporary removable windshield placard issued under section~~ 3442
~~4503.41 or 4503.44 of the Revised Code, and also mean any~~ 3443
~~substantially similar license plates or removable windshield~~ 3444
~~placard or temporary removable windshield placard issued by a~~ 3445
~~state, district, country, or sovereignty.~~ 3446

Sec. 4511.691. (A) As used in sections 4511.691 to 3447
4511.697 of the Revised Code: 3448

(1) "Access aisle" means the area marked by diagonal 3449
stripes located immediately adjacent to an accessible parking 3450
space that is provided under section 4511.691 of the Revised 3451
Code or at a clearly marked accessible parking space provided in 3452
a privately owned parking area. 3453

(2) "Accessible license plate" means any license plate issued under sections 4503.41 and 4503.441 of the Revised Code, and includes any substantially similar license plate issued by another state, district, country, or sovereignty. 3454
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(3) "Person with a disability that limits or impairs the ability to walk" and "organization" have the same meanings as in section 4503.44 of the Revised Code. 3458
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(4) "Public accommodation" has the same meaning as in 42 U.S.C. 12181. 3461
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(5) "Removable windshield placard" means any removable windshield placard issued under section 4503.442 of the Revised Code, and includes any substantially similar removable windshield placard issued by another state, district, country, or sovereignty. 3463
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(6) "Required entity" means all of the following: 3468

(a) A political subdivision; 3469

(b) The state and all agencies and instrumentalities thereof; 3470
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(c) The owner of a place of public accommodation. 3472

(B) (1) A required entity shall provide and designate special parking locations and privileges for persons with disabilities that limit or impair the ability to walk, also known as accessible parking spaces or disability parking spaces. 3473
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(2) The required entity shall make accessible parking spaces available at all offices, facilities, and places, where parking is provided, whether owned, rented, or leased by the entity. 3477
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(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. 3481
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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. 3485
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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. 3489
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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. 3493
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(D) No required entity shall fail to do any of the following: 3498
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(1) Properly designate the accessible parking locations in accordance with division (C) of this section; 3500
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(2) Maintain the markings of the accessible parking locations, including the erection and maintenance of the fixed or movable signs; 3502
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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. 3505
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(E) In order to maintain access as required under division (D) (3) of this section, a required entity may do either of the following: 3509
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(1) Remove any unreasonable obstruction of an accessible parking space, access aisle, or curb cut. If the obstruction is the result of an adverse weather event, the required entity shall remove the obstruction not later than twenty-four hours after the conclusion of that event; 3512
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(2) Provide suitable alternative parking spots, access aisle space, or access points similar to a curb cut if the obstruction cannot be removed. 3517
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(F) (1) Whoever violates this section shall be issued a warning for a first violation. If the offender previously has been convicted of or pleaded guilty to a violation of this section, or of a substantially similar municipal ordinance, the offender shall be fined not more than twenty-five dollars for each parking location that is not properly marked or properly maintained. 3520
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(2) Fines collected under this section shall be paid to the political subdivision in which the offense occurred and used for the purposes specified in division (I) of section 4511.692 of the Revised Code. 3527
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Sec. 4511.692. (A) No person shall stop, stand, or park any motor vehicle at an accessible parking space designated by a required entity under section 4511.691 of the Revised Code or at a clearly marked accessible parking space provided in a privately owned parking area, unless both of the following apply: 3531
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(1) The motor vehicle is being operated by or for the 3537

transport of a person with a disability that limits or impairs 3538
the ability to walk. 3539

(2) The motor vehicle is displaying a valid accessible 3540
license plate or removable windshield placard issued to either 3541
the person or organization operating the motor vehicle or the 3542
person being transported by the motor vehicle. 3543

(B) (1) Any motor vehicle that is parked in an accessible 3544
parking space in violation of division (A) of this section may 3545
be towed or otherwise removed from the parking space by either 3546
of the following: 3547

(a) The law enforcement agency of the political 3548
subdivision in which the parking space is located; 3549

(b) The owner of the parking area in which the parking 3550
space is located. 3551

(2) A motor vehicle that is so towed or removed shall not 3552
be released to its owner until the owner presents proof of 3553
ownership of the motor vehicle and pays all towing and storage 3554
fees normally imposed for towing and storing motor vehicles. If 3555
the motor vehicle is a leased vehicle, it shall not be released 3556
to the lessee until the lessee presents proof that that person 3557
is the lessee of the motor vehicle and pays all towing and 3558
storage fees normally imposed for towing and storing motor 3559
vehicles. 3560

(3) If a person is charged with a violation of division 3561
(A) of this section, it is not a defense to the charge that the 3562
sign posted does not comply with the technical requirements of 3563
section 4511.691 of the Revised Code, if a reasonable person 3564
would know that the parking space is reserved for a person with 3565
a disability that limits or impairs the ability to walk. 3566

(C) No person shall park in an accessible parking space 3567
when the person with a disability that limits or impairs the 3568
ability to walk will either: 3569

(1) Be dropped off and picked up at the entrance to the 3570
place of public accommodation; 3571

(2) Will not be entering or exiting the motor vehicle 3572
while it is parked. 3573

(D) No person shall stop, stand, or park any motor vehicle 3574
in any part of an access aisle, including a person that has been 3575
issued an accessible license plate or a removable windshield 3576
placard. 3577

(E) No person shall stop, stand, or park any motor vehicle 3578
in front of a ramp, curb cut, access entrance, or accessible 3579
route, including a person that has been issued an accessible 3580
license plate or a removable windshield placard. 3581

(F) (1) When a motor vehicle is being operated by or for 3582
the transport of a person with a disability that limits or 3583
impairs the ability to walk and is displaying either an 3584
accessible license plate or a removable windshield placard, the 3585
operator is permitted to park that motor vehicle for a period of 3586
two hours in excess of the legal parking period permitted by 3587
local authorities. 3588

(2) Division (F) (1) of this section does not apply when 3589
local ordinances or police rules provide otherwise or when the 3590
motor vehicle is parked in such a manner as to be clearly a 3591
traffic hazard. 3592

(G) (1) Except as provided in division (G) (2) of this 3593
section, whoever violates division (A), (C), (D), or (E) of this 3594
section is subject to the following civil penalties: 3595

(a) For a first offense, two hundred fifty dollars; 3596

(b) For a second offense within one year after the first offense, not less than two hundred fifty dollars nor more than five hundred dollars; 3597
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(c) For a third or subsequent offense within one year after the first offense, not less than five hundred nor more than seven hundred fifty dollars. 3600
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(2) Whoever violates division (A) of this section shall not be fined under division (G) (1) of this section if the offender, within thirty days of receiving the ticket in the mail, proves that either the offender or the person being transported by the offender, at the time of the violation, had a valid accessible license plate or removable windshield placard but the offender neglected to display the valid or the correct license plate or placard. 3603
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(H) (1) Tickets issued for a civil violation of division (A), (C), (D), or (E) of this section shall be issued in accordance with sections 4511.693 to 4511.697 of the Revised Code. 3611
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(2) The clerk of court or violations clerk of the parking violations bureau shall report all convictions for a violation of division (A), (C), (D), or (E) of this section to the registrar of motor vehicles. 3615
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(I) (1) The clerk of court or violations clerk of the parking violations bureau shall pay the civil penalties collected under division (G) of this section to the political subdivision in which the violation occurred. 3619
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(2) The political subdivision shall use the civil penalties paid to it under division (I) (1) of this section for 3623
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the following purposes: 3625

(a) Any expenses incurred in complying with the signage 3626
and notice requirements of section 4511.691 of the Revised Code; 3627

(b) For public improvements within the political 3628
subdivision that benefit or assist persons with disabilities; 3629

(c) To pay the costs of educational, advocacy, support, 3630
and assistive technology programs for persons with disabilities, 3631
if governmental agencies or nonprofit organizations offer the 3632
programs. 3633

(J) Whoever knowingly violates division (D) of this 3634
section when that violation prevents a person with a disability 3635
that limits or impairs the ability to walk from being able to 3636
enter or exit the motor vehicle transporting that person is 3637
guilty of unlawful restraint of a person with a disability that 3638
limits or impairs the ability to walk, a misdemeanor of the 3639
third degree. 3640

Sec. 4511.693. As used in sections 4511.693 to 4511.697 of 3641
the Revised Code: 3642

(A) "Designated party" means the person whom the 3643
registered owner of a motor vehicle, upon receipt of a ticket 3644
for an accessible parking law violation, identifies as the 3645
person who parked the vehicle of the registered owner at the 3646
time of the violation. 3647

(B) "Law enforcement officer" means a state highway patrol 3648
trooper, sheriff, deputy sheriff, marshal, deputy marshal, 3649
police officer of a police department of any municipal 3650
corporation, police constable of any township, or police officer 3651
of a township or joint police district, who is employed on a 3652
permanent, full-time basis by a law enforcement agency. 3653

(C) "Motor vehicle leasing dealer" has the same meaning as 3654
in section 4517.01 of the Revised Code. 3655

(D) "Motor vehicle renting dealer" has the same meaning as 3656
in section 4549.65 of the Revised Code. 3657

(E) "Registered owner" means any of the following: 3658

(1) Any person or entity identified by the bureau of motor 3659
vehicles or any other state motor vehicle registration bureau, 3660
department, or office as the owner of a motor vehicle; 3661

(2) The lessee of a motor vehicle under a lease of six 3662
months or longer; 3663

(3) The renter of a motor vehicle pursuant to a written 3664
rental agreement with a motor vehicle renting dealer. 3665

(F) "Ticket" means any parking ticket, citation, summons, 3666
or other ticket issued in response to an alleged accessible 3667
parking law violation that represents a civil violation. 3668

(G) "Accessible parking law violation" means a violation 3669
of division (A), (C), (D), or (E) of section 4511.692 of the 3670
Revised Code, or a substantially equivalent municipal ordinance. 3671

Sec. 4511.694. (A) When a law enforcement officer 3672
witnesses an accessible parking law violation, the officer may 3673
issue a ticket for the violation. The ticket shall comply with 3674
the requirements of this section and section 4511.695 of the 3675
Revised Code. If issuing a ticket, the officer shall take at 3676
least one photo of the violation that captures the motor 3677
vehicle, the license plate, and that demonstrates an accessible 3678
parking law violation occurred. 3679

(B) (1) If the operator of the motor vehicle is present, 3680
the officer shall record on the ticket the name of the operator 3681

in the space provided for identification of the offender. The 3682
officer shall personally serve a copy of the ticket on the 3683
operator. 3684

(2) If the operator of the motor vehicle is not present or 3685
cannot be identified, the officer shall insert the word "owner" 3686
in the space provided for identification of the offender. The 3687
officer shall constructively serve a copy of the parking ticket 3688
on the owner of the motor vehicle by affixing the ticket to the 3689
motor vehicle in a conspicuous place. 3690

(C) The original of any ticket issued in accordance with 3691
divisions (A) and (B) of this section and any photos of a 3692
violation taken in accordance with division (A) of this section 3693
shall be submitted to the law enforcement agency that employs 3694
the law enforcement officer. The law enforcement agency may use 3695
any lawful means to identify the registered owner of the motor 3696
vehicle if a copy of the ticket was left on the motor vehicle in 3697
accordance with division (B)(2) of this section. 3698

(D) After the identification of the registered owner under 3699
division (C) of this section, if applicable, and within thirty 3700
days of the accessible parking law violation, the law 3701
enforcement agency shall send by regular mail the ticket 3702
charging either the operator of the motor vehicle, if known, or 3703
the registered owner with the violation. The ticket shall 3704
include copies of the photos taken by the law enforcement 3705
officer. 3706

(E) A law enforcement agency that mails a ticket charging 3707
the operator or registered owner with the accessible parking law 3708
violation shall, without unnecessary delay, file a certified 3709
copy of the ticket with the municipal court, county court, or 3710
parking violations bureau with jurisdiction over the civil 3711

action. 3712

(F) A certified copy of the ticket alleging an accessible parking law violation is prima facie evidence of the facts contained therein and is admissible in a civil action or proceeding concerning the ticket issued under this section. 3713
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Sec. 4511.695. A law enforcement agency shall ensure that a ticket for an accessible parking law violation issued under section 4511.694 of the Revised Code contains all of the following: 3717
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(A) The name and address of the registered owner or the current operator of the motor vehicle, if known; 3721
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(B) The letters and numerals appearing on the license plate issued to the motor vehicle; 3723
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(C) The make and model of the motor vehicle; 3725

(D) The date, time, and place of the violation; 3726

(E) The accessible parking law violation charged; 3727

(F) The amount of the civil penalty imposed, the date by which the civil penalty is required to be paid, and the address of the municipal court, county court, or parking violations bureau with jurisdiction over the civil action to which the payment is to be sent; 3728
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(G) A statement signed by a law enforcement officer indicating that the motor vehicle was involved in an accessible parking law violation and the ticket is prima facie evidence of that accessible parking law violation; 3733
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(H) Information advising the person or entity alleged to be liable for the violation of the options prescribed in section 3737
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4511.696 of the Revised Code. The law enforcement agency shall 3739
include with the information the time, place, and manner in 3740
which the person or entity may appear in court or at the parking 3741
violations bureau to contest the violation and ticket and the 3742
procedure for disclaiming liability by submitting an affidavit 3743
to the municipal court, county court, or parking violations 3744
bureau as prescribed in section 4511.696 of the Revised Code. 3745

(I) A warning that failure to exercise one of the options 3746
prescribed in section 4511.696 of the Revised Code is deemed to 3747
be an admission of liability and waiver of the opportunity to 3748
contest the violation. 3749

Sec. 4511.696. A person or entity who receives a ticket 3750
for a civil violation under section 4511.694 of the Revised Code 3751
shall elect to do one of the following: 3752

(A) In accordance with instructions on the ticket, pay the 3753
civil penalty, thereby admitting liability and waiving the 3754
opportunity to contest the violation; 3755

(B) (1) Within thirty days after receipt of the ticket by 3756
mail, provide the municipal court, county court, or parking 3757
violations bureau with jurisdiction over the civil action with 3758
any of the following affidavits: 3759

(a) If the accessible parking law violation charged is a 3760
violation of division (A) of section 4511.692 of the Revised 3761
Code, an affidavit executed by the operator of the motor vehicle 3762
or registered owner stating that either the owner, the operator, 3763
or the person being transported in the motor vehicle, at the 3764
time of the violation, had a valid accessible license plate or 3765
removable windshield placard but the owner or operator neglected 3766
to display the valid or the correct license plate or placard. 3767

(b) An affidavit executed by the registered owner stating 3768
that another person was operating and parked the motor vehicle 3769
of the registered owner at the time of the violation, 3770
identifying that person as a designated party who may be held 3771
liable for the violation, and containing at a minimum the name 3772
and address of the designated party. 3773

(c) An affidavit executed by the registered owner stating 3774
that at the time of the violation, the motor vehicle or the 3775
license plate issued to the motor vehicle was stolen and 3776
therefore was in the care, custody, or control of some person or 3777
entity to whom the registered owner did not grant permission to 3778
use the motor vehicle. To demonstrate that the motor vehicle or 3779
the license plate was stolen prior to the accessible parking law 3780
violation and therefore was not under the control or possession 3781
of the registered owner at the time of the violation, the 3782
registered owner shall submit proof that a report about the 3783
stolen motor vehicle or license plate was filed with the 3784
appropriate law enforcement agency prior to the violation or 3785
within forty-eight hours after the violation occurred. 3786

(2) The operator of the motor vehicle or the registered 3787
owner is not responsible for an accessible parking law violation 3788
if, within thirty days after receipt of the ticket by mail, the 3789
operator or registered owner furnishes an affidavit specified in 3790
division (B) (1) (a), (b), or (c) of this section, as applicable, 3791
to the court or parking violations bureau with jurisdiction in a 3792
form established by the court or bureau and the following 3793
conditions are met: 3794

(a) If the operator of the motor vehicle or the registered 3795
owner submits an affidavit as specified in division (B) (1) (a) of 3796
this section, the affidavit is supported by evidence of the 3797

valid or correct accessible license plate or removable 3798
windshield placard. 3799

(b) If the registered owner submits an affidavit as 3800
specified in division (B)(1)(b) of this section, the designated 3801
party either accepts liability for the violation by paying the 3802
civil penalty, fails to request a court or parking violations 3803
bureau hearing within thirty days, or is determined liable in a 3804
hearing. 3805

(c) If the registered owner submits an affidavit as 3806
specified in division (B)(1)(c) of this section, the affidavit 3807
is supported by a stolen vehicle or stolen license plate report 3808
as required in that division. 3809

(C) If the registered owner is a motor vehicle leasing 3810
dealer or a motor vehicle renting dealer, notify the court or 3811
parking violations bureau with jurisdiction of the name and 3812
address of the lessee or renter of the motor vehicle at the time 3813
of the accessible parking law violation. The court or bureau 3814
shall establish the form of the notice. A motor vehicle leasing 3815
dealer or motor vehicle renting dealer who receives a ticket for 3816
an alleged accessible parking law violation is not liable for a 3817
ticket issued for a motor vehicle that was in the care, custody, 3818
or control of a lessee or renter at the time of the alleged 3819
violation. The dealer shall not pay such a ticket and 3820
subsequently attempt to collect a fee or assess the lessee or 3821
renter a charge for any payment of such a ticket made on behalf 3822
of the lessee or renter. 3823

(D) If the motor vehicle involved in the accessible 3824
parking law violation is a commercial motor vehicle and the 3825
ticket is issued to a corporate entity, provide to the court or 3826
parking violations bureau with jurisdiction an affidavit in a 3827

form established by the court or bureau, sworn to or affirmed by 3828
an agent of the corporate entity, that provides the name and 3829
address of the employee who was operating and parked the motor 3830
vehicle at the time of the alleged violation and who is the 3831
designated party. 3832

(E) Contest the ticket by filing a written request for a 3833
court or parking violations bureau hearing to review the ticket 3834
in a form established by the court or bureau. The person shall 3835
file the written request not later than thirty days after 3836
receipt of the ticket by mail. The failure to request a hearing 3837
within this time period constitutes a waiver of the right to 3838
contest the violation and ticket, and is deemed to constitute an 3839
admission of liability. 3840

Sec. 4511.697. (A) (1) A court or a parking violations 3841
bureau with jurisdiction that receives an affidavit described in 3842
division (B) (1) (b) or (D) of section 4511.696 of the Revised 3843
Code or a notification under division (C) of that section from a 3844
registered owner may proceed to notify the law enforcement 3845
agency to send a ticket that conforms with this section and 3846
section 4511.695 of the Revised Code to the designated party. 3847

(2) The law enforcement agency shall send the conforming 3848
ticket to the designated party by ordinary mail not later than 3849
twenty-one days after receipt of the notification from the court 3850
or parking violations bureau. 3851

(B) (1) If a hearing is requested under division (E) of 3852
section 4511.696 of the Revised Code, the court or bureau shall 3853
issue a written decision imposing liability for the violation 3854
upon an individual if the court or bureau finds by a 3855
preponderance of the evidence that: 3856

(a) The alleged accessible parking law violation did in fact occur; 3857
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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. 3859
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The court or bureau shall submit the decision to the law enforcement agency and the person named in the ticket. 3862
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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. 3864
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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 violation upon the individual and submit it to the law enforcement agency and the person named in the ticket. 3873
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(4) The court or bureau shall render a decision on the day a hearing takes place. 3879
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(C) The court or bureau shall charge the applicable costs and fees for the civil action to the party that does not prevail in the action. 3881
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Sec. 4513.241. (A) The director of public safety, in accordance with Chapter 119. of the Revised Code, shall adopt 3884
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rules governing the use of tinted glass, and the use of 3886
transparent, nontransparent, translucent, and reflectorized 3887
materials in or on motor vehicle windshields, side windows, 3888
sidewings, and rear windows that prevent a person of normal 3889
vision looking into the motor vehicle from seeing or identifying 3890
persons or objects inside the motor vehicle. 3891

(B) The rules adopted under this section may provide for 3892
persons who meet either of the following qualifications: 3893

(1) On November 11, 1994, or the effective date of any 3894
rule adopted under this section, own a motor vehicle that does 3895
not conform to the requirements of this section or of any rule 3896
adopted under this section; 3897

(2) Establish residency in this state and are required to 3898
register a motor vehicle that does not conform to the 3899
requirements of this section or of any rule adopted under this 3900
section. 3901

(C) No person shall operate, on any highway or other 3902
public or private property open to the public for vehicular 3903
travel or parking, lease, or rent any motor vehicle that is 3904
registered in this state unless the motor vehicle conforms to 3905
the requirements of this section and of any applicable rule 3906
adopted under this section. 3907

(D) No person shall install in or on any motor vehicle, 3908
any glass or other material that fails to conform to the 3909
requirements of this section or of any rule adopted under this 3910
section. 3911

(E) (1) No used motor vehicle dealer or new motor vehicle 3912
dealer, as defined in section 4517.01 of the Revised Code, shall 3913
sell any motor vehicle that fails to conform to the requirements 3914

of this section or of any rule adopted under this section. 3915

(2) No manufacturer, remanufacturer, or distributor, as 3916
defined in section 4517.01 of the Revised Code, shall provide to 3917
a motor vehicle dealer licensed under Chapter 4517. of the 3918
Revised Code or to any other person, a motor vehicle that fails 3919
to conform to the requirements of this section or of any rule 3920
adopted under this section. 3921

(F) No reflectorized materials shall be permitted upon or 3922
in any front windshield, side windows, sidewings, or rear 3923
window. 3924

(G) This section does not apply to the manufacturer's 3925
tinting or glazing of motor vehicle windows or windshields that 3926
is otherwise in compliance with or permitted by federal motor 3927
vehicle safety standard number two hundred five. 3928

(H) With regard to any side window behind a driver's seat 3929
or any rear window other than any window on an emergency door, 3930
this section does not apply to any school bus used to transport 3931
a child with disabilities pursuant to Chapter 3323. of the 3932
Revised Code, whom it is impossible or impractical to transport 3933
by regular school bus in the course of regular route 3934
transportation provided by a school district. As used in this 3935
division, "child with disabilities" has the same meaning as in 3936
section 3323.01 of the Revised Code. 3937

(I) This section does not apply to any school bus that is 3938
to be sold and operated outside this state. 3939

(J) (1) This section and the rules adopted under it do not 3940
apply to a motor vehicle used by a law enforcement agency under 3941
either of the following circumstances: 3942

(a) The vehicle does not have distinctive markings of a 3943

law enforcement vehicle but is operated by or on behalf of the 3944
law enforcement agency in an authorized investigation or other 3945
activity requiring that the presence and identity of the vehicle 3946
occupants be undisclosed. 3947

(b) The vehicle primarily is used by the law enforcement 3948
canine unit for transporting a police dog. 3949

(2) As used in this division, "law enforcement agency" 3950
means a police department, the office of a sheriff, the state 3951
highway patrol, a county prosecuting attorney, or a federal, 3952
state, or local governmental body that enforces criminal laws 3953
and that has employees who have a statutory power of arrest. 3954

(K) (1) Whoever violates division (C), ~~(E) (2)~~, or (F) of 3955
this section is guilty of a minor misdemeanor shall be fined not 3956
more than twenty-five dollars. 3957

(2) Whoever violates division (E) (1) of this section is 3958
guilty of a minor misdemeanor if the dealer or the dealer's 3959
agent knew of the nonconformity at the time of sale. 3960

(3) (a) Whoever violates division (D) of this section is 3961
guilty of a misdemeanor of the fourth degree, except that an 3962
organization may not be convicted unless the act of installation 3963
was authorized by the board of directors, trustees, partners, or 3964
by a high managerial officer acting on behalf of the 3965
organization, and installation was performed by an employee of 3966
the organization acting within the scope of the person's 3967
employment. 3968

(b) In addition to any other penalty imposed under this 3969
section, whoever violates division (D) of this section is liable 3970
in a civil action to the owner of a motor vehicle on which was 3971
installed the nonconforming glass or material for any damages 3972

incurred by that person as a result of the installation of the 3973
nonconforming glass or material, costs of maintaining the civil 3974
action, and attorney fees. 3975

(c) In addition to any other penalty imposed under this 3976
section, if the offender previously has been convicted of or 3977
pleaded guilty to a violation of division (D) of this section 3978
and the offender is a motor vehicle repair operator registered 3979
under Chapter 4775. of the Revised Code or a motor vehicle 3980
dealer licensed under Chapter 4517. of the Revised Code, whoever 3981
violates division (D) of this section is subject to a 3982
registration or license suspension, as applicable, for a period 3983
of not more than one hundred eighty days. 3984

(4) Whoever violates division (E) (2) of this section is 3985
guilty of a minor misdemeanor. 3986

(L) (1) Every county court judge, mayor of a mayor's court, 3987
and clerk of a court of record shall keep a full record of every 3988
case in which a person is charged with any violation of this 3989
section. If a person is convicted of or forfeits bail in 3990
relation to a violation of division (D) of this section, the 3991
county court judge, mayor of a mayor's court, or clerk, within 3992
ten days after the conviction or bail forfeiture, shall prepare 3993
and immediately forward to the motor vehicle repair board and 3994
the motor vehicle dealers board, an abstract, certified by the 3995
preparer to be true and correct, of the court record covering 3996
the case in which the person was convicted or forfeited bail. 3997

(2) The motor vehicle repair board and the motor vehicle 3998
dealers board each shall keep and maintain all abstracts 3999
received under this section. Within ten days after receipt of an 4000
abstract, each board, respectively, shall determine whether the 4001
person named in the abstract is registered or licensed with the 4002

board and, if the person is so registered or licensed, shall 4003
proceed in accordance with section 4775.09 or 4517.33 of the 4004
Revised Code, as applicable, and determine whether the person's 4005
registration or license is to be suspended for a period of not 4006
more than one hundred eighty days. 4007

Sec. 4513.34. (A) (1) The director of transportation with 4008
respect to all highways that are a part of the state highway 4009
system and local authorities with respect to highways under 4010
their jurisdiction, upon application in writing, shall issue a 4011
special regional heavy hauling permit authorizing the applicant 4012
to operate or move a vehicle or combination of vehicles as 4013
follows: 4014

(a) At a size or weight of vehicle or load exceeding the 4015
maximum specified in sections 5577.01 to 5577.09 of the Revised 4016
Code, or otherwise not in conformity with sections 4513.01 to 4017
4513.37 of the Revised Code; 4018

(b) Upon any highway under the jurisdiction of the 4019
authority granting the permit except those highways with a 4020
condition insufficient to bear the weight of the vehicle or 4021
combination of vehicles as stated in the application. 4022

Issuance of a special regional heavy hauling permit is 4023
subject to the payment of a fee established by the director or 4024
local authority in accordance with this section. 4025

(2) In circumstances where a person is not eligible to 4026
receive a permit under division (A) (1) of this section, the 4027
director of transportation with respect to all highways that are 4028
a part of the state highway system and local authorities with 4029
respect to highways under their jurisdiction, upon application 4030
in writing and for good cause shown, may issue a special permit 4031

in writing authorizing the applicant to operate or move a 4032
vehicle or combination of vehicles of a size or weight of 4033
vehicle or load exceeding the maximum specified in sections 4034
5577.01 to 5577.09 of the Revised Code, or otherwise not in 4035
conformity with sections 4513.01 to 4513.37 of the Revised Code, 4036
upon any highway under the jurisdiction of the authority 4037
granting the permit. 4038

(3) For purposes of this section, the director may 4039
designate certain state highways or portions of state highways 4040
as special economic development highways. If an application 4041
submitted to the director under this section involves travel of 4042
a nonconforming vehicle or combination of vehicles upon a 4043
special economic development highway, the director, in 4044
determining whether good cause has been shown that issuance of a 4045
permit is justified, shall consider the effect the travel of the 4046
vehicle or combination of vehicles will have on the economic 4047
development in the area in which the designated highway or 4048
portion of highway is located. 4049

~~(B)~~ (B) (1) Notwithstanding sections 715.22 and 723.01 of 4050
the Revised Code, the holder of a permit issued by the director 4051
under this section may move the vehicle or combination of 4052
vehicles described in the permit on any highway that is a part 4053
of the state highway system when the movement is partly within 4054
and partly without the corporate limits of a municipal 4055
corporation. No local authority shall require any other permit 4056
or license or charge any license fee or other charge against the 4057
holder of a permit for the movement of a vehicle or combination 4058
of vehicles on any highway that is a part of the state highway 4059
system. The director shall not require the holder of a permit 4060
issued by a local authority to obtain a special permit for the 4061
movement of vehicles or combination of vehicles on highways 4062

within the jurisdiction of the local authority. ~~Permits~~ 4063

(2) Except as provided in division (B) (3) of this section, 4064
permits may be issued for any period of time not to exceed one 4065
year, as the director in the director's discretion or a local 4066
authority in its discretion determines advisable, or for the 4067
duration of any public construction project. 4068

(3) The director and every county shall issue an annual 4069
permit under division (A) (2) of this section for: 4070

(a) A vehicle or combination of vehicles that haul farm 4071
machinery, provided that the farm machinery otherwise qualifies 4072
for the farm equipment permit or a similar permit offered by the 4073
county for farm machinery or equipment; 4074

(b) A vehicle or combination of vehicles that haul 4075
agricultural produce or agricultural production materials that 4076
otherwise could be hauled by farm machinery or equipment under 4077
the farm equipment permit or a similar permit offered by the 4078
county for farm machinery or equipment. 4079

(4) In addition to the annual permit issued under (B) (3) 4080
of this section, the director and every county may continue to 4081
issue a permit under division (A) (2) of this section for the 4082
vehicles specified in division (B) (3) of this section, for any 4083
period of time up to one year. 4084

(C) (1) The application for a permit issued under this 4085
section shall be in the form that the director or local 4086
authority prescribes. The director or local authority may 4087
prescribe a permit fee to be imposed and collected when any 4088
permit described in this section is issued. The permit fee may 4089
be in an amount sufficient to reimburse the director or local 4090
authority for the administrative costs incurred in issuing the 4091

permit, and also to cover the cost of the normal and expected 4092
damage caused to the roadway or a street or highway structure as 4093
the result of the operation of the nonconforming vehicle or 4094
combination of vehicles. The director, in accordance with 4095
Chapter 119. of the Revised Code, shall establish a schedule of 4096
fees for permits issued by the director under this section; 4097
however, the fee to operate a triple trailer unit, at locations 4098
authorized under federal law, shall be one hundred dollars. 4099

(2) For the purposes of this section and of rules adopted 4100
by the director under this section, milk transported in bulk by 4101
vehicle is deemed a nondivisible load. 4102

(3) For purposes of this section and of rules adopted by 4103
the director under this section, three or fewer aluminum coils, 4104
transported by a vehicle, are deemed a nondivisible load. The 4105
director shall adopt rules establishing requirements for an 4106
aluminum coil permit that are substantially similar to the 4107
requirements for a steel coil permit under Chapter 5501:2-1 of 4108
the Administrative Code. 4109

(D) The director or a local authority shall issue a 4110
special regional heavy hauling permit under division (A) (1) of 4111
this section upon application and payment of the applicable fee. 4112
~~However~~Except when required to issue a special permit under 4113
division (B) (3) of this section, the director or local authority 4114
may issue or withhold a special permit specified in division (A) 4115
(2) of this section. If a permit is to be issued, the director 4116
or local authority may limit or prescribe conditions of 4117
operation for the vehicle and may require the posting of a bond 4118
or other security conditioned upon the sufficiency of the permit 4119
fee to compensate for damage caused to the roadway or a street 4120
or highway structure. In addition, a local authority, as a 4121

condition of issuance of an overweight permit, may require the 4122
applicant to develop and enter into a mutual agreement with the 4123
local authority to compensate for or to repair excess damage 4124
caused to the roadway by travel under the permit. 4125

For a permit that will allow travel of a nonconforming 4126
vehicle or combination of vehicles on a special economic 4127
development highway, the director, as a condition of issuance, 4128
may require the applicant to agree to make periodic payments to 4129
the department to compensate for damage caused to the roadway by 4130
travel under the permit. 4131

(E) Every permit issued under this section shall be 4132
carried in the vehicle or combination of vehicles to which it 4133
refers and shall be open to inspection by any police officer or 4134
authorized agent of any authority granting the permit. No person 4135
shall violate any of the terms of a permit. 4136

(F) The director may debar an applicant from applying for 4137
a permit under this section upon a finding based on a reasonable 4138
belief that the applicant has done any of the following: 4139

(1) Abused the process by repeatedly submitting false 4140
information or false travel plans or by using another company or 4141
individual's name, insurance, or escrow account without proper 4142
authorization; 4143

(2) Failed to comply with or substantially perform under a 4144
previously issued permit according to its terms, conditions, and 4145
specifications within specified time limits; 4146

(3) Failed to cooperate in the application process for the 4147
permit or in any other procedures that are related to the 4148
issuance of the permit by refusing to provide information or 4149
documents required in a permit or by failing to respond to and 4150

correct matters related to the permit; 4151

(4) Accumulated repeated justified complaints regarding 4152
performance under a permit that was previously issued to the 4153
applicant or previously failed to obtain a permit when such a 4154
permit was required; 4155

(5) Attempted to influence a public employee to breach 4156
ethical conduct standards; 4157

(6) Been convicted of a disqualifying offense as 4158
determined under section 9.79 of the Revised Code; 4159

(7) Accumulated repeated convictions under a state or 4160
federal safety law governing commercial motor vehicles or a rule 4161
or regulation adopted under such a law; 4162

(8) Accumulated repeated convictions under a law, rule, or 4163
regulation governing the movement of traffic over the public 4164
streets and highways; 4165

(9) Failed to pay any fees associated with any permitted 4166
operation or move; 4167

(10) Deliberately or willfully submitted false or 4168
misleading information in connection with the application for, 4169
or performance under, a permit issued under this section. 4170

If the applicant is a partnership, association, or 4171
corporation, the director also may debar from consideration for 4172
permits any partner of the partnership, or the officers, 4173
directors, or employees of the association or corporation being 4174
debarred. 4175

The director may adopt rules in accordance with Chapter 4176
119. of the Revised Code governing the debarment of an 4177
applicant. 4178

(G) When the director reasonably believes that grounds for debarment exist, the director shall send the person that is subject to debarment a notice of the proposed debarment. A notice of proposed debarment shall indicate the grounds for the debarment of the person and the procedure for requesting a hearing. The notice and hearing shall be in accordance with Chapter 119. of the Revised Code. If the person does not respond with a request for a hearing in the manner specified in that chapter, the director shall issue the debarment decision without a hearing and shall notify the person of the decision by certified mail, return receipt requested. The debarment period may be of any length determined by the director, and the director may modify or rescind the debarment at any time. During the period of debarment, the director shall not issue, or consider issuing, a permit under this section to any partnership, association, or corporation that is affiliated with a debarred person. After the debarment period expires, the person, and any partnership, association, or corporation affiliated with the person, may reapply for a permit. 4179
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(H) (1) No person shall violate the terms of a permit issued under this section that relate to gross load limits. 4198
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(2) No person shall violate the terms of a permit issued under this section that relate to axle load by more than two thousand pounds per axle or group of axles. 4200
4201
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(3) No person shall violate the terms of a permit issued under this section that relate to an approved route except upon order of a law enforcement officer or authorized agent of the issuing authority. 4203
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(I) Whoever violates division (H) of this section shall be punished as provided in section 4513.99 of the Revised Code. 4207
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(J) A permit issued by the department of transportation or 4209
a local authority under this section for the operation of a 4210
vehicle or combination of vehicles is valid for the purposes of 4211
the vehicle operation in accordance with the conditions and 4212
limitations specified on the permit. Such a permit is voidable 4213
by law enforcement only for operation of a vehicle or 4214
combination of vehicles in violation of the weight, dimension, 4215
or route provisions of the permit. However, a permit is not 4216
voidable for operation in violation of a route provision of a 4217
permit if the operation is upon the order of a law enforcement 4218
officer. 4219

Sec. 4517.01. As used in sections 4517.01 to 4517.65 of 4220
the Revised Code: 4221

(A) "Persons" includes individuals, firms, partnerships, 4222
associations, joint stock companies, corporations, and any 4223
combinations of individuals. 4224

(B) "Motor vehicle" means motor vehicle as defined in 4225
section 4501.01 of the Revised Code and also includes "all- 4226
purpose vehicle" and "off-highway motorcycle" as those terms are 4227
defined in section 4519.01 of the Revised Code. "Motor vehicle" 4228
does not include a snowmobile as defined in section 4519.01 of 4229
the Revised Code or manufactured and mobile homes. 4230

(C) "New motor vehicle" means a motor vehicle, the legal 4231
title to which has never been transferred by a manufacturer, 4232
remanufacturer, distributor, or dealer to an ultimate purchaser. 4233

(D) "Ultimate purchaser" means, with respect to any new 4234
motor vehicle, the first person, other than a dealer purchasing 4235
in the capacity of a dealer, who in good faith purchases such 4236
new motor vehicle for purposes other than resale. 4237

(E) "Business" includes any activities engaged in by any 4238
person for the object of gain, benefit, or advantage either 4239
direct or indirect. 4240

(F) "Engaging in business" means commencing, conducting, 4241
or continuing in business, or liquidating a business when the 4242
liquidator thereof holds self out to be conducting such 4243
business; making a casual sale or otherwise making transfers in 4244
the ordinary course of business when the transfers are made in 4245
connection with the disposition of all or substantially all of 4246
the transferor's assets is not engaging in business. 4247

(G) "Retail sale" or "sale at retail" means the act or 4248
attempted act of selling, bartering, exchanging, or otherwise 4249
disposing of a motor vehicle to an ultimate purchaser for use as 4250
a consumer. 4251

(H) "Retail installment contract" includes any contract in 4252
the form of a note, chattel mortgage, conditional sales 4253
contract, lease, agreement, or other instrument payable in one 4254
or more installments over a period of time and arising out of 4255
the retail sale of a motor vehicle. 4256

(I) "Farm machinery" means all machines and tools used in 4257
the production, harvesting, and care of farm products. 4258

(J) "Dealer" or "motor vehicle dealer" means any new motor 4259
vehicle dealer, any motor vehicle leasing dealer, and any used 4260
motor vehicle dealer. 4261

(K) "New motor vehicle dealer" means any person engaged in 4262
the business of selling at retail, displaying, offering for 4263
sale, or dealing in new motor vehicles pursuant to a contract or 4264
agreement entered into with the manufacturer, remanufacturer, or 4265
distributor of the motor vehicles. 4266

(L) "Used motor vehicle dealer" means any person engaged 4267
in the business of selling, displaying, offering for sale, or 4268
dealing in used motor vehicles, at retail or wholesale, but does 4269
not mean any new motor vehicle dealer selling, displaying, 4270
offering for sale, or dealing in used motor vehicles 4271
incidentally to engaging in the business of selling, displaying, 4272
offering for sale, or dealing in new motor vehicles, any person 4273
engaged in the business of dismantling, salvaging, or rebuilding 4274
motor vehicles by means of using used parts, or any public 4275
officer performing official duties. 4276

(M) "Motor vehicle leasing dealer" means any person 4277
engaged in the business of regularly making available, offering 4278
to make available, or arranging for another person to use a 4279
motor vehicle pursuant to a bailment, lease, sublease, or other 4280
contractual arrangement under which a charge is made for its use 4281
at a periodic rate for a term of thirty days or more, and title 4282
to the motor vehicle is in and remains in the motor vehicle 4283
leasing dealer who originally leases it, irrespective of whether 4284
or not the motor vehicle is the subject of a later sublease, and 4285
not in the user, but does not mean a manufacturer or its 4286
affiliate leasing to its employees or to dealers. 4287

(N) "Salesperson" means any person employed by a dealer to 4288
sell, display, and offer for sale, or deal in motor vehicles for 4289
a commission, compensation, or other valuable consideration, but 4290
does not mean any public officer performing official duties. 4291

(O) "Casual sale" means any transfer of a motor vehicle by 4292
a person other than a new motor vehicle dealer, used motor 4293
vehicle dealer, motor vehicle salvage dealer, as defined in 4294
division (A) of section 4738.01 of the Revised Code, 4295
salesperson, motor vehicle auction owner, manufacturer, or 4296

distributor acting in the capacity of a dealer, salesperson, 4297
auction owner, manufacturer, or distributor, to a person who 4298
purchases the motor vehicle for use as a consumer. 4299

(P) "Motor vehicle auction owner" means any person who is 4300
engaged wholly or in part in the business of auctioning motor 4301
vehicles, but does not mean a construction equipment auctioneer 4302
or a construction equipment auction licensee. 4303

(Q) "Manufacturer" means a person who manufactures, 4304
assembles, or imports motor vehicles, including motor homes, but 4305
does not mean a person who only assembles or installs a body, 4306
special equipment unit, finishing trim, or accessories on a 4307
motor vehicle chassis supplied by a manufacturer or distributor. 4308

(R) "Tent-type fold-out camping trailer" means any vehicle 4309
intended to be used, when stationary, as a temporary shelter 4310
with living and sleeping facilities, and that is subject to the 4311
following properties and limitations: 4312

(1) A minimum of twenty-five per cent of the fold-out 4313
portion of the top and sidewalls combined must be constructed of 4314
canvas, vinyl, or other fabric, and form an integral part of the 4315
shelter. 4316

(2) When folded, the unit must not exceed: 4317

(a) Fifteen feet in length, exclusive of bumper and 4318
tongue; 4319

(b) Sixty inches in height from the point of contact with 4320
the ground; 4321

(c) Eight feet in width; 4322

(d) One ton gross weight at time of sale. 4323

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

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

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

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

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

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

(Y) "Factory representative" means a representative employed by a manufacturer, remanufacturer, or by a factory branch primarily for the purpose of promoting the sale of its

motor vehicles, parts, or accessories to dealers or for 4353
supervising or contacting its dealers or prospective dealers. 4354

(Z) "Administrative or executive management" means those 4355
individuals who are not subject to federal wage and hour laws. 4356

(AA) "Good faith" means honesty in the conduct or 4357
transaction concerned and the observance of reasonable 4358
commercial standards of fair dealing in the trade as is defined 4359
in section 1301.201 of the Revised Code, including, but not 4360
limited to, the duty to act in a fair and equitable manner so as 4361
to guarantee freedom from coercion, intimidation, or threats of 4362
coercion or intimidation; provided however, that recommendation, 4363
endorsement, exposition, persuasion, urging, or argument shall 4364
not be considered to constitute a lack of good faith. 4365

(BB) "Coerce" means to compel or attempt to compel by 4366
failing to act in good faith or by threat of economic harm, 4367
breach of contract, or other adverse consequences. Coerce does 4368
not mean to argue, urge, recommend, or persuade. 4369

(CC) "Relevant market area" means any area within a radius 4370
of ten miles from the site of a potential new dealership, except 4371
that for manufactured home or recreational vehicle dealerships 4372
the radius shall be twenty-five miles. The ten-mile radius shall 4373
be measured from the dealer's established place of business that 4374
is used exclusively for the purpose of selling, displaying, 4375
offering for sale, or dealing in motor vehicles. 4376

(DD) "Wholesale" or "at wholesale" means the act or 4377
attempted act of selling, bartering, exchanging, or otherwise 4378
disposing of a motor vehicle to a transferee for the purpose of 4379
resale and not for ultimate consumption by that transferee. 4380

(EE) "Motor vehicle wholesaler" means any person licensed 4381

as a dealer under the laws of another state and engaged in the 4382
business of selling, displaying, or offering for sale used motor 4383
vehicles, at wholesale, but does not mean any motor vehicle 4384
dealer as defined in this section. 4385

(FF) (1) "Remanufacturer" means a person who assembles or 4386
installs passenger seating, walls, a roof elevation, or a body 4387
extension on a conversion van with the motor vehicle chassis 4388
supplied by a manufacturer or distributor, a person who modifies 4389
a truck chassis supplied by a manufacturer or distributor for 4390
use as a public safety or public service vehicle, a person who 4391
modifies a motor vehicle chassis supplied by a manufacturer or 4392
distributor for use as a limousine or hearse, or a person who 4393
modifies an incomplete motor vehicle cab and chassis supplied by 4394
a new motor vehicle dealer or distributor for use as a tow 4395
truck, but does not mean either of the following: 4396

(a) A person who assembles or installs passenger seating, 4397
a roof elevation, or a body extension on a recreational vehicle 4398
as defined in division (Q) and referred to in division (B) of 4399
section 4501.01 of the Revised Code; 4400

(b) A person who assembles or installs special equipment 4401
or accessories for ~~handicapped persons~~ a person with a 4402
disability that limits or impairs the ability to walk, as 4403
defined in section 4503.44 of the Revised Code, upon a motor 4404
vehicle chassis supplied by a manufacturer or distributor. 4405

(2) For the purposes of division (FF) (1) of this section, 4406
"public safety vehicle or public service vehicle" means a fire 4407
truck, ambulance, school bus, street sweeper, garbage packing 4408
truck, or cement mixer, or a mobile self-contained facility 4409
vehicle. 4410

(3) For the purposes of division (FF)(1) of this section, 4411
"limousine" means a motor vehicle, designed only for the purpose 4412
of carrying nine or fewer passengers, that a person modifies by 4413
cutting the original chassis, lengthening the wheelbase by forty 4414
inches or more, and reinforcing the chassis in such a way that 4415
all modifications comply with all applicable federal motor 4416
vehicle safety standards. No person shall qualify as or be 4417
deemed to be a remanufacturer who produces limousines unless the 4418
person has a written agreement with the manufacturer of the 4419
chassis the person utilizes to produce the limousines to 4420
complete properly the remanufacture of the chassis into 4421
limousines. 4422

(4) For the purposes of division (FF)(1) of this section, 4423
"hearse" means a motor vehicle, designed only for the purpose of 4424
transporting a single casket, that is equipped with a 4425
compartment designed specifically to carry a single casket that 4426
a person modifies by cutting the original chassis, lengthening 4427
the wheelbase by ten inches or more, and reinforcing the chassis 4428
in such a way that all modifications comply with all applicable 4429
federal motor vehicle safety standards. No person shall qualify 4430
as or be deemed to be a remanufacturer who produces hearses 4431
unless the person has a written agreement with the manufacturer 4432
of the chassis the person utilizes to produce the hearses to 4433
complete properly the remanufacture of the chassis into hearses. 4434

(5) For the purposes of division (FF)(1) of this section, 4435
"mobile self-contained facility vehicle" means a mobile 4436
classroom vehicle, mobile laboratory vehicle, bookmobile, 4437
bloodmobile, testing laboratory, and mobile display vehicle, 4438
each of which is designed for purposes other than for passenger 4439
transportation and other than the transportation or displacement 4440
of cargo, freight, materials, or merchandise. A vehicle is 4441

remanufactured into a mobile self-contained facility vehicle in 4442
part by the addition of insulation to the body shell, and 4443
installation of all of the following: a generator, electrical 4444
wiring, plumbing, holding tanks, doors, windows, cabinets, 4445
shelving, and heating, ventilating, and air conditioning 4446
systems. 4447

(6) For the purposes of division (FF)(1) of this section, 4448
"tow truck" means both of the following: 4449

(a) An incomplete cab and chassis that are purchased by a 4450
remanufacturer from a new motor vehicle dealer or distributor of 4451
the cab and chassis and on which the remanufacturer then 4452
installs in a permanent manner a wrecker body it purchases from 4453
a manufacturer or distributor of wrecker bodies, installs an 4454
emergency flashing light pylon and emergency lights upon the 4455
mast of the wrecker body or rooftop, and installs such other 4456
related accessories and equipment, including push bumpers, front 4457
grille guards with pads and other custom-ordered items such as 4458
painting, special lettering, and safety striping so as to create 4459
a complete motor vehicle capable of lifting and towing another 4460
motor vehicle. 4461

(b) An incomplete cab and chassis that are purchased by a 4462
remanufacturer from a new motor vehicle dealer or distributor of 4463
the cab and chassis and on which the remanufacturer then 4464
installs in a permanent manner a car carrier body it purchases 4465
from a manufacturer or distributor of car carrier bodies, 4466
installs an emergency flashing light pylon and emergency lights 4467
upon the rooftop, and installs such other related accessories 4468
and equipment, including push bumpers, front grille guards with 4469
pads and other custom-ordered items such as painting, special 4470
lettering, and safety striping. 4471

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

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

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

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

work, recall work, and maintenance work by new motor vehicle dealers. 4502
4503

(JJ) "Recreational vehicle" has the same meaning as in section 4501.01 of the Revised Code. 4504
4505

(KK) "Construction equipment auctioneer" means a person who holds both a valid auction firm license issued under Chapter 4707. of the Revised Code and a valid construction equipment auction license issued under this chapter. 4506
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4509

(LL) "Large construction or transportation equipment" means vehicles having a gross vehicle weight rating of more than ten thousand pounds and includes road rollers, traction engines, power shovels, power cranes, commercial cars and trucks, or farm trucks, and other similar vehicles obtained primarily from the construction, mining, transportation or farming industries. 4510
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(MM) "Local market conditions" includes, but is not limited to: 4516
4517

(1) Demographics in the franchisee's area; 4518

(2) Geographical and market characteristics in the franchisee's area; 4519
4520

(3) Local economic circumstances; 4521

(4) The proximity of other motor vehicle dealers of the same line-make; 4522
4523

(5) The proximity of motor vehicle manufacturing facilities; 4524
4525

(6) The buying patterns of motor vehicle purchasers; 4526

(7) Customer drive time and drive distance. 4527

Sec. 4517.12. (A) The registrar of motor vehicles shall 4528

deny the application of any person for a license as a motor 4529
vehicle dealer, motor vehicle leasing dealer, or motor vehicle 4530
auction owner and refuse to issue the license if the registrar 4531
finds that the applicant: 4532

(1) Has made any false statement of a material fact in the 4533
application; 4534

(2) Has not complied with sections 4517.01 to 4517.45 of 4535
the Revised Code; 4536

(3) Is of bad business repute or has habitually defaulted 4537
on financial obligations; 4538

(4) Is engaged or will engage in the business of selling 4539
at retail any new motor vehicles without having written 4540
authority from the manufacturer or distributor thereof to sell 4541
new motor vehicles and to perform repairs under the terms of the 4542
manufacturer's or distributor's new motor vehicle warranty, 4543
except as provided in division (C) of this section and except 4544
that a person who assembles or installs special equipment or 4545
accessories for ~~handicapped persons~~ a person with a disability 4546
that limits or impairs the ability to walk, as defined in 4547
section 4503.44 of the Revised Code, upon a motor vehicle 4548
chassis supplied by a manufacturer or distributor shall not be 4549
denied a license pursuant to division (A) (4) of this section; 4550

(5) Has been convicted of a disqualifying offense as 4551
determined in accordance with section 9.79 of the Revised Code; 4552

(6) Has entered into or is about to enter into a contract 4553
or agreement with a manufacturer or distributor of motor 4554
vehicles that is contrary to sections 4517.01 to 4517.45 of the 4555
Revised Code; 4556

(7) Is insolvent; 4557

(8) Is of insufficient responsibility to ensure the prompt 4558
payment of any final judgments that might reasonably be entered 4559
against the applicant because of the transaction of business as 4560
a motor vehicle dealer, motor vehicle leasing dealer, or motor 4561
vehicle auction owner during the period of the license applied 4562
for, or has failed to satisfy any such judgment; 4563

(9) Has no established place of business that, where 4564
applicable, is used or will be used for the purpose of selling, 4565
displaying, offering for sale, dealing in, or leasing motor 4566
vehicles at the location for which application is made; 4567

(10) Has, less than twelve months prior to making 4568
application, been denied a motor vehicle dealer's, motor vehicle 4569
leasing dealer's, or motor vehicle auction owner's license, or 4570
has any such license revoked; 4571

(11) Is a manufacturer, or a parent company, subsidiary, 4572
or affiliated entity of a manufacturer, applying for a license 4573
to sell or lease new or used motor vehicles at retail. Division 4574
(A) (11) of this section shall not serve as a basis for the 4575
termination, revocation, or nonrenewal of a license granted 4576
prior to September 4, 2014. Nothing in division (A) (11) of this 4577
section shall prohibit a manufacturer from doing either of the 4578
following: 4579

(a) Owning, operating, or controlling not more than three 4580
licensed motor vehicle dealerships if, as of January 1, 2014, 4581
the manufacturer was selling or otherwise distributing its motor 4582
vehicles at an established place of business in this state. Such 4583
ownership, operation, or control may continue unless the 4584
manufacturer's motor vehicle operations are sold or acquired or 4585
the manufacturer produces any motor vehicles other than all- 4586
electric motor vehicles. 4587

(b) Disposing of motor vehicles at wholesale at the 4588
termination of a consumer lease through a motor vehicle auction. 4589

(B) If the applicant is a corporation or partnership, the 4590
registrar may refuse to issue a license if any officer, 4591
director, or partner of the applicant has been guilty of any act 4592
or omission that would be cause for refusing or revoking a 4593
license issued to such officer, director, or partner as an 4594
individual. The registrar's finding may be based upon facts 4595
contained in the application or upon any other information the 4596
registrar may have. Immediately upon denying an application for 4597
any of the reasons in this section, the registrar shall enter a 4598
final order together with the registrar's findings and certify 4599
the same to the motor vehicle dealers' and salespersons' 4600
licensing board. 4601

(C) Notwithstanding division (A) (4) of this section, the 4602
registrar shall not deny the application of any person and 4603
refuse to issue a license if the registrar finds that the 4604
applicant is engaged or will engage in the business of selling 4605
at retail any new motor vehicles and demonstrates all of the 4606
following in the form prescribed by the registrar: 4607

(1) That the applicant has posted a bond, surety, or 4608
certificate of deposit with the registrar in an amount not less 4609
than one hundred thousand dollars for the protection and benefit 4610
of the applicant's customers except that a new motor vehicle 4611
dealer who is not exclusively engaged in the business of selling 4612
remanufactured vehicles shall not be required to post the bond, 4613
surety, or certificate of deposit otherwise required by division 4614
(C) (1) of this section; 4615

(2) That, at the time of the sale of the vehicle, each 4616
customer of the applicant will be furnished with a warranty 4617

issued by the remanufacturer for a term of at least one year; 4618

(3) That the applicant provides and maintains at the 4619
applicant's location and place of business a permanent facility 4620
with all of the following: 4621

(a) A showroom with space, under roof, for the display of 4622
at least one new motor vehicle; 4623

(b) A service and parts facility for remanufactured 4624
vehicles; 4625

(c) Full-time service and parts personnel with the proper 4626
training and technical expertise to service the remanufactured 4627
vehicles sold by the applicant. 4628

Sec. 4521.01. As used in this chapter: 4629

(A) "Parking infraction" means a violation of any 4630
ordinance, resolution, or regulation enacted by a local 4631
authority that regulates the standing or parking of vehicles and 4632
that is authorized pursuant to section 505.17 or 4511.07 of the 4633
Revised Code, or a violation of any ordinance, resolution, or 4634
regulation enacted by a local authority as authorized by this 4635
chapter, if the local authority in either of these cases also 4636
has enacted an ordinance, resolution, or regulation of the type 4637
described in division (A) of section 4521.02 of the Revised Code 4638
in relation to the particular regulatory ordinance, resolution, 4639
or regulation. 4640

(B) "Vehicle" has the same meaning as in section 4511.01 4641
of the Revised Code. 4642

(C) "Court" means a municipal court, county court, 4643
juvenile court, or mayor's court, unless specifically identified 4644
as one of these courts, in which case it means the specifically 4645

identified court. 4646

(D) "Local authority" means every county, municipal 4647
corporation, township, or other local board or body having 4648
authority to adopt police regulations pursuant to the 4649
constitution and laws of this state. 4650

(E) "~~Disability~~ Accessible parking space" means a motor 4651
vehicle parking location that is reserved for the exclusive 4652
standing or parking of a vehicle that is operated by or on 4653
behalf of a person with a disability that limits or impairs the 4654
ability to walk and displays ~~a placard or an accessible license~~ 4655
~~plates~~ plate issued under section ~~4503.44-4503.41~~ or 4503.441 of 4656
the Revised Code or a removable windshield placard issued under 4657
section 4503.442 of the Revised Code. 4658

(F) "Person with a disability that limits or impairs the 4659
ability to walk" has the same meaning as in section 4503.44 of 4660
the Revised Code. 4661

Sec. 4521.02. (A) A local authority that enacts any 4662
ordinance, resolution, or regulation that regulates the standing 4663
or parking of vehicles and that is authorized pursuant to 4664
section 505.17 or 4511.07 of the Revised Code also by ordinance, 4665
resolution, or regulation may specify that a violation of the 4666
regulatory ordinance, resolution, or regulation shall not be 4667
considered a criminal offense for any purpose, that a person who 4668
commits the violation shall not be arrested as a result of the 4669
commission of the violation, and that the violation shall be 4670
handled pursuant to this chapter. If such a specification is 4671
made, the local authority also by ordinance, resolution, or 4672
regulation shall adopt a fine for a violation of the regulatory 4673
ordinance, resolution, or regulation and prescribe an additional 4674
penalty or penalties for failure to answer any charges of the 4675

violation in a timely manner. In no case shall any fine adopted 4676
or additional penalty prescribed pursuant to this division 4677
exceed the fine established by the municipal or county court 4678
having territorial jurisdiction over the entire or a majority of 4679
the political subdivision of the local authority, in its 4680
schedule of fines established pursuant to Traffic Rule 13(C), 4681
for a substantively comparable violation. Except as provided in 4682
this division, in no case shall any fine adopted or additional 4683
penalty prescribed pursuant to this division exceed one hundred 4684
dollars, plus costs and other administrative charges, per 4685
violation. 4686

If a local authority chooses to adopt a specific fine for 4687
a violation of an ordinance, resolution, or regulation that 4688
regulates the standing or parking of a vehicle in a ~~disability~~ 4689
an accessible parking space, the fine the local authority 4690
establishes for such offense shall be an amount not less than 4691
two hundred fifty dollars but not more than ~~five~~ seven hundred 4692
fifty dollars. 4693

(B) A local authority that enacts an ordinance, 4694
resolution, or regulation pursuant to division (A) of this 4695
section also may enact an ordinance, resolution, or regulation 4696
that provides for the impoundment or immobilization of vehicles 4697
found standing or parked in violation of the regulatory 4698
ordinance, resolution, or regulation and the release of the 4699
vehicles to their owners. In no case shall an ordinance, 4700
resolution, or regulation require the owner of the vehicle to 4701
post bond or deposit cash in excess of one thousand dollars in 4702
order to obtain release of the vehicle. 4703

(C) A local authority that enacts any ordinance, 4704
resolution, or regulation pursuant to division (A) of this 4705

section also shall enact an ordinance, resolution, or regulation 4706
that specifies the time within which a person who is issued a 4707
parking ticket must answer in relation to the parking infraction 4708
charged in the ticket. 4709

Sec. 4731.481. No physician shall do ~~either any~~ of the 4710
following: 4711

(A) ~~Furnish a person with a prescription in order~~ Complete 4712
the accessible parking certification form to enable ~~the a~~ person 4713
to be issued an accessible license plate, a removable windshield 4714
placard, or a temporary removable windshield placard, ~~or license~~ 4715
~~plates~~ under either section ~~4503.44~~4503.441 or 4503.442 of the 4716
Revised Code, knowing that the person does not meet any of the 4717
criteria contained in division ~~(A)(1)~~ (A) of ~~that~~ section 4718
4503.44 of the Revised Code; 4719

(B) ~~Furnish a person with a prescription~~ Complete the 4720
accessible parking certification form described in division (A) 4721
of this section and knowingly misstate on the ~~prescription form~~ 4722
the length of time the physician expects the person to have the 4723
disability that limits or impairs the person's ability to walk 4724
in order to enable the person to retain a removable windshield 4725
placard issued under section ~~4503.44~~ 4503.442 of the Revised 4726
Code for a period of time longer than that which would be 4727
estimated by a similar practitioner under the same or similar 4728
circumstances; 4729

(C) Fail to retain information sufficient to substantiate 4730
that the person is eligible for accessible parking privileges. 4731

Sec. 4734.161. No chiropractor shall do ~~either any~~ of the 4732
following: 4733

(A) ~~Furnish a person with a prescription~~ Complete the 4734

accessible parking certification form in order to enable ~~the a~~ 4735
person to be issued an accessible license plate, a removable 4736
windshield placard, or a temporary removable windshield placard, 4737
~~or license plates~~ under either section 4503.444503.441 or 4738
4503.442 of the Revised Code, knowing that the person does not 4739
meet any of the criteria contained in division ~~(A) (1)~~ (A) of 4740
~~that section 4503.44~~ of the Revised Code; 4741

(B) ~~Furnish a person with a prescription~~ Complete the 4742
accessible parking certification form described in division (A) 4743
of this section and knowingly misstate on the ~~prescription form~~ 4744
the length of time the chiropractor expects the person to have 4745
the disability that limits or impairs the person's ability to 4746
walk in order to enable the person to retain a removable 4747
windshield placard issued under section ~~4503.44~~ 4503.442 of the 4748
Revised Code for a period of time longer than that which would 4749
be estimated by a similar practitioner under the same or similar 4750
circumstances; 4751

(C) Fail to retain information sufficient to substantiate 4752
that the person is eligible for accessible parking privileges. 4753

Sec. 4955.50. (A) As used in this section: 4754

(1) "Wayside detector system" means an electronic device 4755
or a series of connected devices that scan passing trains, 4756
rolling stock, on-track equipment, and their component equipment 4757
and parts for defects. 4758

(2) "Defects" include hot wheel bearings, hot wheels, 4759
defective bearings that are detected through acoustics, dragging 4760
equipment, excessive height or weight, shifted loads, low hoses, 4761
rail temperature, and wheel condition. 4762

(B) The public utilities commission in conjunction with 4763

the department of transportation shall work with each railroad 4764
company that does business in this state to ensure that wayside 4765
detector systems are installed and are operating along railroad 4766
tracks on which the railroad operates and to ensure that such 4767
systems meet all of following standards: 4768

(1) The systems are properly installed, maintained, 4769
repaired, and operational in accordance with the latest 4770
guidelines issued by the United States department of 4771
transportation, the federal railroad administration, and the 4772
association of American railroads. 4773

(2) Any expired, nonworking, or outdated wayside detector 4774
system or component parts of a system are removed and replaced 4775
with new parts or an entirely new system that reflects the 4776
current best practices and standards of the industry. 4777

(3) The distance between wayside detector systems is 4778
appropriate when accounting for the natural terrain surrounding 4779
the railroad track on which the railroad operates and the safety 4780
of the trains, rolling stock, on-track equipment, their 4781
operators, their passengers, and the persons and property in the 4782
vicinity of such railroad track so that if defects are detected 4783
operators have sufficient time to do the following: 4784

(a) Respond to the alerts projected by the wayside 4785
detector system; 4786

(b) Stop the train, rolling stock, or on-track equipment, 4787
if necessary; 4788

(c) Make all necessary repairs or, if repair is impossible 4789
at the location, to remove the component parts or equipment that 4790
is defective. 4791

(4) The railroad company has defined, written standards 4792

and training for its employees pertaining to wayside detector 4793
system defect alerts, the course of action that employees are 4794
required to take to respond to an alert, and appropriate 4795
monitoring and responses by the company if employees fail to 4796
take the required course of action. 4797

(C) If a railroad company refuses to work or otherwise 4798
cooperate with the public utilities commission and the 4799
department of transportation in good faith in accordance with 4800
this section, the commission and department shall investigate 4801
that railroad company's safety practices and standards. The 4802
commission and department shall determine whether the company 4803
appears to be in compliance with federal railroad safety 4804
standards, as defined in 49 C.F.R. Part 209. 4805

(D) (1) If a railroad company does not appear to be in 4806
compliance with the applicable federal standards based on an 4807
investigation conducted under division (C) of this section, not 4808
later than sixty days after the conclusion of the investigation, 4809
the commission and department shall make a report to the federal 4810
railroad administration. The report shall detail the results of 4811
the investigation and recommend that the administration take 4812
enforcement action in accordance with its authority against the 4813
railroad company for the safety violations discovered through 4814
that investigation. 4815

(2) The commission and department shall send a copy of the 4816
report to the governor, the president of the senate, the speaker 4817
of the house of representatives, and the minority leaders of 4818
both the senate and the house of representatives. 4819

Sec. 4981.02. (A) There is hereby created the Ohio rail 4820
development commission, as an independent agency of the state 4821
within the department of transportation, consisting of ~~seven~~ 4822

~~members appointed by the governor with the advice and consent of~~ 4823
~~the senate, two~~ the following members: 4824

(1) Two members of the Ohio senate, one of whom shall be 4825
appointed by and serve at the pleasure of the president of the 4826
senate and one of whom shall be appointed by and serve at the 4827
pleasure of the minority leader of the senate, ~~two~~; 4828

(2) Two members of the Ohio house of representatives, one 4829
of whom shall be appointed by and serve at the pleasure of the 4830
speaker of the house of representatives and one of whom shall be 4831
appointed by and serve at the pleasure of the minority leader of 4832
the house of representatives, ~~and two~~; 4833

(3) Two members representing the general public, one of 4834
whom shall be appointed by the president of the senate and one 4835
of whom shall be appointed by the speaker of the house of 4836
representatives. ~~The director of transportation and the director~~ 4837
~~of development, or their designees, shall be ex officio members~~ 4838
~~of the commission. Of the~~; 4839

(4) The director of transportation, or the director's 4840
designee, who shall be an ex officio member; 4841

(5) The director of development, or the director's 4842
designee, who shall be an ex officio member; 4843

(6) The following members appointed by the governor, ~~one~~ 4844
with the advice and consent of the senate: 4845

(a) One member, who shall serve as ~~chairman~~ chairperson of 4846
the commission, ~~one~~ until October 21, 2025, or an earlier date 4847
if the member resigns or otherwise leaves office; 4848

(b) One member, who shall represent the interests of a 4849
freight rail company, ~~one~~; 4850

(c) One member, who shall represent the interests of 4851
passenger rail service,~~one~~; 4852

(d) One member, who shall have expertise in infrastructure 4853
financing,~~one~~; 4854

(e) One member, who shall represent the interests of 4855
organized labor,~~one~~; 4856

(f) One member, who shall represent the interests of 4857
manufacturers,~~and one~~; 4858

(g) One member who shall represent the general public, 4859
subject to division (B) of this section. All- 4860

(B) Beginning on October 21, 2025, or at an earlier date 4861
if there is a vacancy in the position of chairperson, the 4862
director of transportation or the director's designee shall 4863
serve as the chairperson of the commission. Upon the director or 4864
director's designee assuming the position of chairperson, the 4865
governor shall appoint an additional member to the commission to 4866
represent the general public. 4867

(C) All members shall be reimbursed for actual expenses 4868
incurred in the performance of their duties. The members of the 4869
commission from the Ohio senate and the Ohio house of 4870
representatives shall serve as nonvoting members. No more than 4871
four members of the seven appointed to the commission by the 4872
governor shall be from the same political party. Each member of 4873
the commission shall be a resident of this state. 4874

~~(B)-(D)~~ Within sixty days after the effective date of this 4875
amendment October 20, 1994, the governor shall make initial 4876
appointments to the commission. Of the initial appointments made 4877
to the commission, three shall be for a term ending three years 4878
after ~~the effective date of this amendment~~ October 20, 1994, and 4879

three shall be for a term ending six years after that date. 4880
Terms for all other appointments made to the commission shall be 4881
for six years. Vacancies shall be filled in the manner provided 4882
for original appointments. Any member appointed to fill a 4883
vacancy shall have the same qualifications as ~~his~~ the member's 4884
predecessor. Each term shall end on the same day of the same 4885
month of the year as did the term which it succeeds. Each 4886
appointed member shall hold office from the date of ~~his~~ the 4887
member's appointment until the end of the term for which ~~he~~ the 4888
member was appointed. Any member appointed to fill a vacancy 4889
before the expiration of the term for which ~~his~~ the member's 4890
predecessor was appointed shall hold office for the remainder of 4891
that term. Any appointed member shall continue in office 4892
subsequent to the expiration date of ~~his~~ the member's term until 4893
~~his~~ the member's successor takes office, or for a period of 4894
sixty days, whichever occurs first. All members shall be 4895
eligible for reappointment. 4896

~~(C)~~ (E) The commission may employ an executive director, 4897
who shall have appropriate experience as determined by the 4898
commission, and a secretary-treasurer and other employees that 4899
the commission considers appropriate. The commission may fix the 4900
compensation of the employees. 4901

~~(D)~~ (F) Six members of the commission shall constitute a 4902
quorum, and the affirmative vote of six members shall be 4903
necessary for any action taken by the commission. No vacancy in 4904
the membership of the commission shall impair the rights of a 4905
quorum to exercise all the rights and perform all the duties of 4906
the commission. 4907

~~(E)~~ (G) All members of the commission are subject to 4908
Chapter 102. of the Revised Code. 4909

~~(F)~~ (H) The department of transportation may use all 4910
appropriate sources of revenue to assist the commission in 4911
developing and implementing rail service. 4912

~~(G)~~ (I) Expenditures by the department of transportation, 4913
the Ohio rail development commission, or any other state agency 4914
for capital improvements for the development of passenger rail 4915
shall be subject to the approval of the controlling board with 4916
an affirmative vote of not fewer than five members, including 4917
the affirmative vote of a majority of the controlling board 4918
members appointed by the president of the senate and a majority 4919
of the controlling board members appointed by the speaker of the 4920
house of representatives. All public funds acquired by the 4921
commission shall be used for developing, implementing, and 4922
regulating rail service and not for operating rail service 4923
unless the general assembly specifically approves the 4924
expenditure of funds for operating rail service. 4925

Sec. 4981.04. (A) The Ohio rail development commission 4926
shall prepare a plan for the construction and operation of an 4927
intercity conventional or high speed passenger transportation 4928
system in this state. The system shall be constructed and 4929
operated by the commission or its designees. The plan for 4930
construction and operation shall be based on existing studies, 4931
and shall state that the ~~system's initial route system~~ will 4932
connect ~~Cleveland, Columbus, and Cincinnati~~ and any points in 4933
~~between those cities~~ Ohio and nearby states as determined by the 4934
authority. The plan shall include the following information: 4935

- (1) The route alignment of the proposed system; 4936
- (2) The proposed technology; 4937
- (3) The size, nature, and scope of the proposed system; 4938

- (4) The sources of the public and private revenue needed to finance the system; 4939
4940
- (5) The projected ability of all revenue sources to meet both capital and operating funding requirements of the proposed system; 4941
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- (6) The construction, operation, and management plan for the system, including a timetable for construction and the proposed location and number of transit stations considered necessary; 4944
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- (7) The likelihood that Ohio-based corporations will be used to manufacture or supply components of the proposed system; 4948
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- (8) The likelihood that additional or subsidiary development will be generated; 4950
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- (9) The extent to which the proposed system will create an additional or reduced demand for sources of energy; 4952
4953
- (10) Any changes in the law necessary to implement the proposed system; 4954
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- (11) The proposed system's impact on the economy of the state and on the economic and other public policies of the state. 4956
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- The commission may revise any plan of the Ohio high speed rail authority or may submit a separate plan for construction and operation and a funding request to the governor, the speaker of the house of representatives, and to the president of the senate. Any plan for an intercity conventional or high speed passenger transportation system submitted by the commission pursuant to this section shall not propose the operation of such a system by the state other than through the commission. 4959
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Sec. 4999.09. (A) A train or light engine used in 4967
connection with the movement of freight shall have a crew that 4968
consists of at least two individuals. No superintendent, 4969
trainmaster, or other employee of a railroad shall order or 4970
otherwise require a train or light engine used in connection 4971
with the movement of freight to be operated unless it has a crew 4972
that consists of at least two individuals. 4973

As used in this division, "train or light engine used in 4974
connection with the movement of freight" does not include 4975
hostler service or utility employees. 4976

(B) (1) The public utilities commission may assess a civil 4977
penalty against a person who willfully violates division (A) of 4978
this section. If the commission assesses a civil penalty, the 4979
commission shall do so as follows: 4980

(a) If, within three years of the violation, the 4981
commission has not previously assessed a civil penalty against 4982
the person under this section, in an amount not less than two 4983
hundred fifty, but not more than one thousand dollars; 4984

(b) If, within three years of the violation, the 4985
commission has previously assessed one civil penalty against the 4986
person under this section, in an amount not less than one 4987
thousand, but not more than five thousand dollars; 4988

(c) If, within three years of the violation, the 4989
commission has previously assessed two or more civil penalties 4990
against the person under this section, in an amount not less 4991
than five thousand, but not more than ten thousand dollars. 4992

(2) The attorney general, upon the request of the public 4993
utilities commission, shall bring a civil action to collect the 4994
penalties described in division (B) (1) of this section. All 4995

penalties collected under the division shall be deposited into 4996
the state treasury to the credit of the public utilities fund 4997
created in section 4905.10 of the Revised Code. 4998

Sec. 5501.31. (A) The director of transportation shall 4999
have general supervision of all roads comprising the state 5000
highway system. The director may alter, widen, straighten, 5001
realign, relocate, establish, construct, reconstruct, improve, 5002
maintain, repair, and preserve any road or highway on the state 5003
highway system, and, in connection therewith, relocate, alter, 5004
widen, deepen, clean out, or straighten the channel of any 5005
watercourse as the director considers necessary, and purchase or 5006
appropriate property for the disposal of surplus materials or 5007
borrow pits, and, where an established road has been relocated, 5008
establish, construct, and maintain such connecting roads between 5009
the old and new location as will provide reasonable access 5010
thereto. 5011

The director may purchase or appropriate property 5012
necessary for the location or construction of any culvert, 5013
bridge, or viaduct, or the approaches thereto, including any 5014
property needed to extend, widen, or alter any feeder or outlet 5015
road, street, or way adjacent to or under the bridge or viaduct 5016
when the extension, widening, or alteration of the feeder road, 5017
street, or way is necessary for the full utilization of the 5018
bridge or viaduct, or for any other highway improvement. The 5019
director may purchase or appropriate, for such length of time as 5020
is necessary and desirable, any additional property required for 5021
the construction and maintenance of slopes, detour roads, 5022
sewers, roadside parks, rest areas, recreational park areas, 5023
park and ride facilities, and park and carpool or vanpool 5024
facilities, scenic view areas, drainage systems, or land to 5025
replace wetlands, incident to any highway improvement, that the 5026

director is or may be authorized to locate or construct. Also 5027
incident to any authorized highway improvement, the director may 5028
purchase property from a willing seller as required for the 5029
construction and maintenance of bikeways and bicycle paths or to 5030
replace, preserve, or conserve any environmental resource if the 5031
replacement, preservation, or conservation is required by state 5032
or federal law. 5033

Title to property purchased or appropriated by the 5034
director shall be taken in the name of the state either in fee 5035
simple or in any lesser estate or interest that the director 5036
considers necessary or proper, in accordance with forms to be 5037
prescribed by the attorney general. The deed shall contain a 5038
description of the property and be recorded in the county where 5039
the property is situated and, when recorded, shall be kept on 5040
file in the department of transportation. The property may be 5041
described by metes and bounds or by the department of 5042
transportation parcel number as shown on a right of way plan 5043
recorded in the county where the property is located. 5044

Provided that when property, other than property used by a 5045
railroad for operating purposes, is acquired in connection with 5046
improvements involving projects affecting railroads wherein the 5047
department is obligated to acquire property under grade 5048
separation statutes, or on other improvements wherein the 5049
department is obligated to acquire lands under agreements with 5050
railroads, or with a public utility, political subdivision, 5051
public corporation, or private corporation owning transportation 5052
facilities for the readjustment, relocation, or improvement of 5053
their facilities, a fee simple title or an easement may be 5054
acquired by purchase or appropriation in the name of the 5055
railroad, public utility, political subdivision, public 5056
corporation, or private corporation in the discretion of the 5057

director. When the title to lands, which are required to adjust, 5058
relocate, or improve such facilities pursuant to agreements with 5059
the director, is taken in the name of the state, then, in the 5060
discretion of the director, the title to such lands may be 5061
conveyed to the railroad, public utility, political subdivision, 5062
or public corporation for which they were acquired. The 5063
conveyance shall be prepared by the attorney general and 5064
executed by the governor and bear the great seal of the state of 5065
Ohio. 5066

The director, in the maintenance or repair of state 5067
highways, is not limited to the use of the materials with which 5068
the highways, including the bridges and culverts thereon, were 5069
originally constructed, but may use any material that is proper 5070
or suitable. The director may aid any board of county 5071
commissioners in establishing, creating, and repairing suitable 5072
systems of drainage for all highways within the jurisdiction or 5073
control of the board and advise with it as to the establishment, 5074
construction, improvement, maintenance, and repair of the 5075
highways. 5076

Chapters 4561., 5501., 5503., 5511., 5513., 5515., 5516., 5077
5517., 5519., 5521., 5523., 5525., 5527., 5528., 5529., 5531., 5078
5533., and 5535. of the Revised Code do not prohibit the federal 5079
government, any government agency, or any individual or 5080
corporation, from contributing a portion of the cost of the 5081
establishment, construction, reconstruction, relocating, 5082
widening, resurfacing, maintenance, and repair of the highways 5083
or transportation facilities. 5084

Except in the case of maintaining, repairing, erecting 5085
traffic signs on, or pavement marking of state highways within 5086
villages, which is mandatory as required by section 5521.01 of 5087

the Revised Code, and except as provided in section 5501.49 of 5088
the Revised Code, no duty of constructing, reconstructing, 5089
widening, resurfacing, maintaining, or repairing state highways 5090
within municipal corporations, or the culverts thereon, shall 5091
attach to or rest upon the director, but the director may 5092
construct, reconstruct, widen, resurface, maintain, and repair 5093
the same with or without the cooperation of any municipal 5094
corporation, or with or without the cooperation of boards of 5095
county commissioners upon each municipal corporation consenting 5096
thereto. 5097

(B) The director of transportation shall adopt rules in 5098
accordance with Chapter 119. of the Revised Code that establish 5099
standards of uniform application in this state for the 5100
construction of bicycle lanes on public streets and highways. 5101
The rules shall include the following: 5102

(1) Engineering and safety standards; 5103

(2) Planning and design requirements, including the 5104
consideration of environmental factors; 5105

(3) Standards for signage, traffic lights, and signals to 5106
increase the level of public awareness of dedicated bicycle 5107
lanes; 5108

(4) With respect to political subdivisions with a 5109
population of three hundred thousand or more according to the 5110
most recent federal decennial census, a prohibition against the 5111
construction of a bicycle lane in the center of a street or 5112
highway. 5113

Sec. 5501.60. (A) When the boundaries of two municipal 5114
corporations are adjacent, the department of transportation 5115
shall ensure that limited access exit and entrance interchanges 5116

to an interstate highway located in those municipal corporations 5117
are constructed at intervals of at least one interchange every 5118
four and one-half miles when the following conditions exist: 5119

(1) The adjacent municipal corporations each have a 5120
population of more than thirty-five thousand according to the 5121
most recent federal decennial census. 5122

(2) The municipal corporations are located in different 5123
counties. 5124

(3) At least one of the municipal corporations is located 5125
in a county with a population of more than one million according 5126
to the most recent federal decennial census. 5127

(B) The department shall use money appropriated to it for 5128
highway purposes to comply with this section. 5129

Sec. 5503.031. (A) Beginning July 1, 2023, the following 5130
officers of the state highway patrol shall be paid in accordance 5131
with the indicated pay ranges from schedule E-1 of division (B) 5132
of section 124.152 of the Revised Code: 5133

(1) A lieutenant or equivalent officer shall be paid in 5134
accordance with pay range 15. 5135

(2) A staff lieutenant or equivalent officer shall be paid 5136
in accordance with pay range 16. 5137

(3) A captain or equivalent officer shall be paid in 5138
accordance with pay range 17. 5139

(4) A major or equivalent officer shall be paid in 5140
accordance with pay range 18. 5141

~~(5) A~~ (B) Beginning July 1, 2023, a lieutenant colonel or 5142
equivalent officer in the state highway patrol shall be paid in 5143

accordance with pay range ~~19 established in rules adopted in~~ 5144
~~accordance with division (D) of section 45 from schedule E-2 of~~ 5145
division (B) of section 124.152 of the Revised Code. 5146

Sec. 5531.09. (A) As used in this section and section 5147
5531.10 of the Revised Code: 5148

(1) "Qualified project" means any public or private 5149
transportation project as determined by the director of 5150
transportation, including, without limitation, planning, 5151
environmental impact studies, engineering, construction, 5152
reconstruction, resurfacing, restoring, rehabilitation, or 5153
replacement of public or private transportation facilities 5154
within the state, studying the feasibility thereof, and the 5155
acquisition of real or personal property or interests therein; 5156
any highway, public transit, aviation, rail, or other 5157
transportation project eligible for financing or aid under any 5158
federal or state program; and any project involving the 5159
maintaining, repairing, improving, or construction of any public 5160
or private highway, road, street, parkway, public transit, 5161
aviation, or rail project, and any related rights-of-way, 5162
bridges, tunnels, railroad-highway crossings, drainage 5163
structures, signs, guardrails, or protective structures. 5164

(2) "Small municipal corporation" means a municipal 5165
corporation that is determined by the department of 5166
transportation to be an eligible small city in accordance with 5167
the department's small city program. 5168

(B) The state infrastructure bank shall consist of the 5169
highway and transit infrastructure bank fund, the aviation 5170
infrastructure bank fund, the rail infrastructure bank fund, and 5171
the infrastructure bank obligations fund, which are hereby 5172
created as funds of the state treasury, to be administered by 5173

the director of transportation and used for the purposes 5174
described in division ~~(B)~~(C) of this section. The highway and 5175
transit infrastructure bank fund, the aviation infrastructure 5176
bank fund, and the rail infrastructure bank fund shall consist 5177
of federal grants and awards or other assistance received by the 5178
state and eligible for deposit therein under applicable federal 5179
law, payments received by the department in connection with 5180
providing financial assistance for qualifying projects under 5181
division ~~(B)~~(C) of this section, and such other amounts as may 5182
be provided by law. The infrastructure bank obligations fund 5183
shall consist of such amounts of the proceeds of obligations 5184
issued under section 5531.10 of the Revised Code as the director 5185
of transportation determines with the advice of the director of 5186
budget and management; and such other amounts as may be provided 5187
by law. The director of budget and management, upon the request 5188
of the director of transportation, may transfer amounts between 5189
the funds created in this division, except the infrastructure 5190
bank obligations fund. The investment earnings of each fund 5191
created by this division shall be credited to such fund. 5192

~~(B)~~(C) The director of transportation shall use the state 5193
infrastructure bank to encourage public and private investment 5194
in transportation facilities that contribute to the multi-modal 5195
and intermodal transportation capabilities of the state, develop 5196
a variety of financing techniques designed to expand the 5197
availability of funding resources and to reduce direct state 5198
costs, maximize private and local participation in financing 5199
projects, and improve the efficiency of the state transportation 5200
system by using and developing the particular advantages of each 5201
transportation mode to the fullest extent. In furtherance of 5202
these purposes, the director shall use the state infrastructure 5203
bank to provide financial assistance to public or private 5204

entities for qualified projects. Such assistance shall be in the 5205
form of loans, loan guarantees, letters of credit, leases, 5206
lease-purchase agreements, interest rate subsidies, debt service 5207
reserves, and such other forms as the director determines to be 5208
appropriate. All fees, charges, rates of interest, payment 5209
schedules, security for, and other terms and conditions relating 5210
to such assistance shall be determined by the director. Any loan 5211
made to a small municipal corporation from the state 5212
infrastructure bank shall be a zero interest loan. 5213

~~(C)~~ (D) The director of transportation shall adopt rules 5214
establishing guidelines necessary for the implementation and 5215
exercise of the authority granted by this section, including 5216
rules for receiving, reviewing, evaluating, and selecting 5217
projects for which financial assistance may be approved. 5218

~~(D)~~ As used in this section and in section 5531.10 of the 5219
Revised Code, "qualified project" means any public or private 5220
transportation project as determined by the director of 5221
transportation, including, without limitation, planning, 5222
environmental impact studies, engineering, construction, 5223
reconstruction, resurfacing, restoring, rehabilitation, or 5224
replacement of public or private transportation facilities 5225
within the state, studying the feasibility thereof, and the 5226
acquisition of real or personal property or interests therein; 5227
any highway, public transit, aviation, rail, or other 5228
transportation project eligible for financing or aid under any 5229
federal or state program; and any project involving the 5230
maintaining, repairing, improving, or construction of any public 5231
or private highway, road, street, parkway, public transit, 5232
aviation, or rail project, and any related rights of way, 5233
bridges, tunnels, railroad highway crossings, drainage 5234
structures, signs, guardrails, or protective structures. 5235

(E) The general assembly finds that state infrastructure projects, as defined in division (A) (8) of section 5531.10 of the Revised Code, and the state infrastructure bank, will materially contribute to the economic revitalization of areas of the state and result in improving the economic welfare of all the people of the state. Accordingly, it is declared to be the public purpose of the state, through operations under sections 5531.09 and 5531.10 of the Revised Code, and other applicable laws adopted pursuant to Section 13 of Article VIII, Ohio Constitution, and other authority vested in the general assembly, to assist in and facilitate the purposes set forth in division (B) of section 5531.10 of the Revised Code, and to assist and cooperate with any governmental agency in achieving such purposes.

Sec. 5531.10. (A) As used in this chapter:

(1) "Bond proceedings" means the resolution, order, trust agreement, indenture, lease, lease-purchase agreements, and other agreements, amendments and supplements to the foregoing, or any one or more or combination thereof, authorizing or providing for the terms and conditions applicable to, or providing for the security or liquidity of, obligations issued pursuant to this section, and the provisions contained in such obligations.

(2) "Bond service charges" means principal, including mandatory sinking fund requirements for retirement of obligations, and interest, and redemption premium, if any, required to be paid by the state on obligations.

(3) "Bond service fund" means the applicable fund and accounts therein created for and pledged to the payment of bond service charges, which may be, or may be part of, the state

infrastructure bank revenue bond service fund created by 5266
division (R) of this section including all moneys and 5267
investments, and earnings from investments, credited and to be 5268
credited thereto. 5269

(4) "Issuing authority" means the treasurer of state, or 5270
the officer who by law performs the functions of the treasurer 5271
of state. 5272

(5) "Obligations" means bonds, notes, or other evidence of 5273
obligation including interest coupons pertaining thereto, issued 5274
pursuant to this section. 5275

(6) "Pledged receipts" means moneys accruing to the state 5276
from the lease, lease-purchase, sale, or other disposition, or 5277
use, of qualified projects, and from the repayment, including 5278
interest, of loans made from proceeds received from the sale of 5279
obligations; accrued interest received from the sale of 5280
obligations; income from the investment of the special funds; 5281
any gifts, grants, donations, and pledges, and receipts 5282
therefrom, available for the payment of bond service charges; 5283
and any amounts in the state infrastructure bank pledged to the 5284
payment of such charges. If the amounts in the state 5285
infrastructure bank are insufficient for the payment of such 5286
charges, "pledged receipts" also means moneys that are 5287
apportioned by the United States secretary of transportation 5288
under United States Code, Title XXIII, as amended, or any 5289
successor legislation, or under any other federal law relating 5290
to aid for highways, and that are to be received as a grant by 5291
the state, to the extent the state is not prohibited by state or 5292
federal law from using such moneys and the moneys are pledged to 5293
the payment of such bond service charges. 5294

(7) "Special funds" or "funds" means, except where the 5295

context does not permit, the bond service fund, and any other 5296
funds, including reserve funds, created under the bond 5297
proceedings, and the state infrastructure bank revenue bond 5298
service fund created by division (R) of this section to the 5299
extent provided in the bond proceedings, including all moneys 5300
and investments, and earnings from investment, credited and to 5301
be credited thereto. 5302

(8) "State infrastructure project" means any public 5303
transportation project undertaken by the state, including, but 5304
not limited to, all components of any such project, as described 5305
in division ~~(D)~~(A) (1) of section 5531.09 of the Revised Code. 5306

(9) "District obligations" means bonds, notes, or other 5307
evidence of obligation including interest coupons pertaining 5308
thereto, issued to finance a qualified project by a 5309
transportation improvement district created pursuant to section 5310
5540.02 of the Revised Code, of which the principal, including 5311
mandatory sinking fund requirements for retirement of such 5312
obligations, and interest and redemption premium, if any, are 5313
payable by the department of transportation. 5314

(B) The issuing authority, after giving written notice to 5315
the director of budget and management and upon the certification 5316
by the director of transportation to the issuing authority of 5317
the amount of moneys or additional moneys needed either for 5318
state infrastructure projects or to provide financial assistance 5319
for any of the purposes for which the state infrastructure bank 5320
may be used under section 5531.09 of the Revised Code, or needed 5321
for capitalized interest, funding reserves, and paying costs and 5322
expenses incurred in connection with the issuance, carrying, 5323
securing, paying, redeeming, or retirement of the obligations or 5324
any obligations refunded thereby, including payment of costs and 5325

expenses relating to letters of credit, lines of credit, 5326
insurance, put agreements, standby purchase agreements, 5327
indexing, marketing, remarketing and administrative 5328
arrangements, interest swap or hedging agreements, and any other 5329
credit enhancement, liquidity, remarketing, renewal, or 5330
refunding arrangements, all of which are authorized by this 5331
section, shall issue obligations of the state under this section 5332
in the required amount. The proceeds of such obligations, except 5333
for the portion to be deposited in special funds, including 5334
reserve funds, as may be provided in the bond proceedings, shall 5335
as provided in the bond proceedings be credited to the 5336
infrastructure bank obligations fund of the state infrastructure 5337
bank created by section 5531.09 of the Revised Code and 5338
disbursed as provided in the bond proceedings for such 5339
obligations. The issuing authority may appoint trustees, paying 5340
agents, transfer agents, and authenticating agents, and may 5341
retain the services of financial advisors, accounting experts, 5342
and attorneys, and retain or contract for the services of 5343
marketing, remarketing, indexing, and administrative agents, 5344
other consultants, and independent contractors, including 5345
printing services, as are necessary in the issuing authority's 5346
judgment to carry out this section. The costs of such services 5347
are payable from funds of the state infrastructure bank or as 5348
otherwise provided in the bond proceedings. 5349

(C) The holders or owners of such obligations shall have 5350
no right to have moneys raised by taxation by the state of Ohio 5351
obligated or pledged, and moneys so raised shall not be 5352
obligated or pledged, for the payment of bond service charges. 5353
The right of such holders and owners to the payment of bond 5354
service charges is limited to all or that portion of the pledged 5355
receipts and those special funds pledged thereto pursuant to the 5356

bond proceedings for such obligations in accordance with this 5357
section, and each such obligation shall bear on its face a 5358
statement to that effect. Moneys received as repayment of loans 5359
made by the state infrastructure bank pursuant to section 5360
5531.09 of the Revised Code shall not be considered moneys 5361
raised by taxation by the state of Ohio regardless of the source 5362
of the moneys. 5363

(D) Obligations shall be authorized by order of the 5364
issuing authority and the bond proceedings shall provide for the 5365
purpose thereof and the principal amount or amounts, and shall 5366
provide for or authorize the manner or agency for determining 5367
the principal maturity or maturities, not exceeding twenty-five 5368
years from the date of issuance or, with respect to obligations 5369
issued to finance a transportation facility pursuant to a 5370
public-private agreement, not exceeding forty-five years from 5371
the date of issuance, the interest rate or rates or the maximum 5372
interest rate, the date of the obligations and the dates of 5373
payment of interest thereon, their denomination, and the 5374
establishment within or without the state of a place or places 5375
of payment of bond service charges. Sections 9.98 to 9.983 of 5376
the Revised Code are applicable to obligations issued under this 5377
section. The purpose of such obligations may be stated in the 5378
bond proceedings in terms describing the general purpose or 5379
purposes to be served. The bond proceedings also shall provide, 5380
subject to the provisions of any other applicable bond 5381
proceedings, for the pledge of all, or such part as the issuing 5382
authority may determine, of the pledged receipts and the 5383
applicable special fund or funds to the payment of bond service 5384
charges, which pledges may be made either prior or subordinate 5385
to other expenses, claims, or payments, and may be made to 5386
secure the obligations on a parity with obligations theretofore 5387

or thereafter issued, if and to the extent provided in the bond 5388
proceedings. The pledged receipts and special funds so pledged 5389
and thereafter received by the state immediately are subject to 5390
the lien of such pledge without any physical delivery thereof or 5391
further act, and the lien of any such pledges is valid and 5392
binding against all parties having claims of any kind against 5393
the state or any governmental agency of the state, irrespective 5394
of whether such parties have notice thereof, and shall create a 5395
perfected security interest for all purposes of Chapter 1309. of 5396
the Revised Code, without the necessity for separation or 5397
delivery of funds or for the filing or recording of the bond 5398
proceedings by which such pledge is created or any certificate, 5399
statement, or other document with respect thereto; and the 5400
pledge of such pledged receipts and special funds is effective 5401
and the money therefrom and thereof may be applied to the 5402
purposes for which pledged without necessity for any act of 5403
appropriation. Every pledge, and every covenant and agreement 5404
made with respect thereto, made in the bond proceedings may 5405
therein be extended to the benefit of the owners and holders of 5406
obligations authorized by this section, and to any trustee 5407
therefor, for the further security of the payment of the bond 5408
service charges. 5409

For purposes of this division, "transportation facility" 5410
and "public-private agreement" have the same meanings as in 5411
section 5501.70 of the Revised Code. 5412

(E) The bond proceedings may contain additional provisions 5413
as to: 5414

(1) The redemption of obligations prior to maturity at the 5415
option of the issuing authority at such price or prices and 5416
under such terms and conditions as are provided in the bond 5417

proceedings;	5418
(2) Other terms of the obligations;	5419
(3) Limitations on the issuance of additional obligations;	5420
(4) The terms of any trust agreement or indenture securing the obligations or under which the same may be issued;	5421 5422
(5) The deposit, investment, and application of special funds, and the safeguarding of moneys on hand or on deposit, without regard to Chapter 131. or 135. of the Revised Code, but subject to any special provisions of this section with respect to particular funds or moneys, provided that any bank or trust company which acts as depository of any moneys in the special funds may furnish such indemnifying bonds or may pledge such securities as required by the issuing authority;	5423 5424 5425 5426 5427 5428 5429 5430
(6) Any or every provision of the bond proceedings being binding upon such officer, board, commission, authority, agency, department, or other person or body as may from time to time have the authority under law to take such actions as may be necessary to perform all or any part of the duty required by such provision;	5431 5432 5433 5434 5435 5436
(7) Any provision that may be made in a trust agreement or indenture;	5437 5438
(8) Any other or additional agreements with the holders of the obligations, or the trustee therefor, relating to the obligations or the security therefor, including the assignment of mortgages or other security relating to financial assistance for qualified projects under section 5531.09 of the Revised Code.	5439 5440 5441 5442 5443 5444
(F) The obligations may have the great seal of the state	5445

or a facsimile thereof affixed thereto or printed thereon. The 5446
obligations and any coupons pertaining to obligations shall be 5447
signed or bear the facsimile signature of the issuing authority. 5448
Any obligations or coupons may be executed by the person who, on 5449
the date of execution, is the proper issuing authority although 5450
on the date of such bonds or coupons such person was not the 5451
issuing authority. In case the issuing authority whose signature 5452
or a facsimile of whose signature appears on any such obligation 5453
or coupon ceases to be the issuing authority before delivery 5454
thereof, such signature or facsimile nevertheless is valid and 5455
sufficient for all purposes as if the former issuing authority 5456
had remained the issuing authority until such delivery; and in 5457
case the seal to be affixed to obligations has been changed 5458
after a facsimile of the seal has been imprinted on such 5459
obligations, such facsimile seal shall continue to be sufficient 5460
as to such obligations and obligations issued in substitution or 5461
exchange therefor. 5462

(G) All obligations are negotiable instruments and 5463
securities under Chapter 1308. of the Revised Code, subject to 5464
the provisions of the bond proceedings as to registration. The 5465
obligations may be issued in coupon or in registered form, or 5466
both, as the issuing authority determines. Provision may be made 5467
for the registration of any obligations with coupons attached 5468
thereto as to principal alone or as to both principal and 5469
interest, their exchange for obligations so registered, and for 5470
the conversion or reconversion into obligations with coupons 5471
attached thereto of any obligations registered as to both 5472
principal and interest, and for reasonable charges for such 5473
registration, exchange, conversion, and reconversion. 5474

(H) Obligations may be sold at public sale or at private 5475
sale, as determined in the bond proceedings. 5476

(I) Pending preparation of definitive obligations, the 5477
issuing authority may issue interim receipts or certificates 5478
which shall be exchanged for such definitive obligations. 5479

(J) In the discretion of the issuing authority, 5480
obligations may be secured additionally by a trust agreement or 5481
indenture between the issuing authority and a corporate trustee 5482
which may be any trust company or bank possessing corporate 5483
trust powers that has a place of business within or without the 5484
state. Any such agreement or indenture may contain the order 5485
authorizing the issuance of the obligations, any provisions that 5486
may be contained in any bond proceedings, and other provisions 5487
which are customary or appropriate in an agreement or indenture 5488
of such type, including, but not limited to: 5489

(1) Maintenance of each pledge, trust agreement, 5490
indenture, or other instrument comprising part of the bond 5491
proceedings until the state has fully paid the bond service 5492
charges on the obligations secured thereby, or provision 5493
therefor has been made; 5494

(2) In the event of default in any payments required to be 5495
made by the bond proceedings, or any other agreement of the 5496
issuing authority made as a part of the contract under which the 5497
obligations were issued, enforcement of such payments or 5498
agreement by mandamus, the appointment of a receiver, suit in 5499
equity, action at law, or any combination of the foregoing; 5500

(3) The rights and remedies of the holders of obligations 5501
and of the trustee, and provisions for protecting and enforcing 5502
them, including limitations on the rights of individual holders 5503
of obligations; 5504

(4) The replacement of any obligations that become 5505

mutilated or are destroyed, lost, or stolen; 5506

(5) Such other provisions as the trustee and the issuing 5507
authority agree upon, including limitations, conditions, or 5508
qualifications relating to any of the foregoing. 5509

(K) Any holder of obligations or a trustee under the bond 5510
proceedings, except to the extent that the holder's or trustee's 5511
rights are restricted by the bond proceedings, may by any 5512
suitable form of legal proceedings, protect and enforce any 5513
rights under the laws of this state or granted by such bond 5514
proceedings. Such rights include the right to compel the 5515
performance of all duties of the issuing authority and the 5516
director of transportation required by the bond proceedings or 5517
sections 5531.09 and 5531.10 of the Revised Code; to enjoin 5518
unlawful activities; and in the event of default with respect to 5519
the payment of any bond service charges on any obligations or in 5520
the performance of any covenant or agreement on the part of the 5521
issuing authority or the director of transportation in the bond 5522
proceedings, to apply to a court having jurisdiction of the 5523
cause to appoint a receiver to receive and administer the 5524
pledged receipts and special funds, other than those in the 5525
custody of the treasurer of state, which are pledged to the 5526
payment of the bond service charges on such obligations or which 5527
are the subject of the covenant or agreement, with full power to 5528
pay, and to provide for payment of bond service charges on, such 5529
obligations, and with such powers, subject to the direction of 5530
the court, as are accorded receivers in general equity cases, 5531
excluding any power to pledge additional revenues or receipts or 5532
other income or moneys of the state or local governmental 5533
entities, or agencies thereof, to the payment of such principal 5534
and interest and excluding the power to take possession of, 5535
mortgage, or cause the sale or otherwise dispose of any project 5536

facilities. 5537

Each duty of the issuing authority and the issuing 5538
authority's officers and employees, and of each state or local 5539
governmental agency and its officers, members, or employees, 5540
undertaken pursuant to the bond proceedings or any loan, loan 5541
guarantee, lease, lease-purchase agreement, or other agreement 5542
made under authority of section 5531.09 of the Revised Code, and 5543
in every agreement by or with the issuing authority, is hereby 5544
established as a duty of the issuing authority, and of each such 5545
officer, member, or employee having authority to perform such 5546
duty, specifically enjoined by the law resulting from an office, 5547
trust, or station within the meaning of section 2731.01 of the 5548
Revised Code. 5549

The person who is at the time the issuing authority, or 5550
the issuing authority's officers or employees, are not liable in 5551
their personal capacities on any obligations issued by the 5552
issuing authority or any agreements of or with the issuing 5553
authority. 5554

(L) The issuing authority may authorize and issue 5555
obligations for the refunding, including funding and retirement, 5556
and advance refunding with or without payment or redemption 5557
prior to maturity, of any obligations previously issued by the 5558
issuing authority or district obligations. Such refunding 5559
obligations may be issued in amounts sufficient for payment of 5560
the principal amount of the prior obligations or district 5561
obligations, any redemption premiums thereon, principal 5562
maturities of any such obligations or district obligations 5563
maturing prior to the redemption of the remaining obligations or 5564
district obligations on a parity therewith, interest accrued or 5565
to accrue to the maturity dates or dates of redemption of such 5566

obligations or district obligations, and any expenses incurred 5567
or to be incurred in connection with such issuance and such 5568
refunding, funding, and retirement. Subject to the bond 5569
proceedings therefor, the portion of proceeds of the sale of 5570
refunding obligations issued under this division to be applied 5571
to bond service charges on the prior obligations or district 5572
obligations shall be credited to an appropriate account held by 5573
the trustee for such prior or new obligations or to the 5574
appropriate account in the bond service fund for such 5575
obligations or district obligations. Obligations authorized 5576
under this division shall be deemed to be issued for those 5577
purposes for which such prior obligations or district 5578
obligations were issued and are subject to the provisions of 5579
this section pertaining to other obligations, except as 5580
otherwise provided in this section. The last maturity of 5581
obligations authorized under this division shall not be later 5582
than the latest permitted maturity of the original securities 5583
issued for the original purpose. 5584

(M) The authority to issue obligations under this section 5585
includes authority to issue obligations in the form of bond 5586
anticipation notes and to renew the same from time to time by 5587
the issuance of new notes. The holders of such notes or interest 5588
coupons pertaining thereto shall have a right to be paid solely 5589
from the pledged receipts and special funds that may be pledged 5590
to the payment of the bonds anticipated, or from the proceeds of 5591
such bonds or renewal notes, or both, as the issuing authority 5592
provides in the order authorizing such notes. Such notes may be 5593
additionally secured by covenants of the issuing authority to 5594
the effect that the issuing authority and the state will do such 5595
or all things necessary for the issuance of such bonds or 5596
renewal notes in the appropriate amount, and apply the proceeds 5597

thereof to the extent necessary, to make full payment of the 5598
principal of and interest on such notes at the time or times 5599
contemplated, as provided in such order. For such purpose, the 5600
issuing authority may issue bonds or renewal notes in such 5601
principal amount and upon such terms as may be necessary to 5602
provide funds to pay when required the principal of and interest 5603
on such notes, notwithstanding any limitations prescribed by or 5604
for purposes of this section. Subject to this division, all 5605
provisions for and references to obligations in this section are 5606
applicable to notes authorized under this division. 5607

The issuing authority in the bond proceedings authorizing 5608
the issuance of bond anticipation notes shall set forth for such 5609
bonds an estimated interest rate and a schedule of principal 5610
payments for such bonds and the annual maturity dates thereof. 5611

(N) Obligations issued under this section are lawful 5612
investments for banks, societies for savings, savings and loan 5613
associations, deposit guarantee associations, trust companies, 5614
trustees, fiduciaries, insurance companies, including domestic 5615
for life and domestic not for life, trustees or other officers 5616
having charge of sinking and bond retirement or other special 5617
funds of political subdivisions and taxing districts of this 5618
state, the commissioners of the sinking fund of the state, the 5619
administrator of workers' compensation, the state teachers 5620
retirement system, the public employees retirement system, the 5621
school employees retirement system, and the Ohio police and fire 5622
pension fund, notwithstanding any other provisions of the 5623
Revised Code or rules adopted pursuant thereto by any agency of 5624
the state with respect to investments by them, and are also 5625
acceptable as security for the deposit of public moneys. 5626

(O) Unless otherwise provided in any applicable bond 5627

proceedings, moneys to the credit of or in the special funds 5628
established by or pursuant to this section may be invested by or 5629
on behalf of the issuing authority only in notes, bonds, or 5630
other obligations of the United States, or of any agency or 5631
instrumentality of the United States, obligations guaranteed as 5632
to principal and interest by the United States, obligations of 5633
this state or any political subdivision of this state, and 5634
certificates of deposit of any national bank located in this 5635
state and any bank, as defined in section 1101.01 of the Revised 5636
Code, subject to inspection by the superintendent of financial 5637
institutions. If the law or the instrument creating a trust 5638
pursuant to division (J) of this section expressly permits 5639
investment in direct obligations of the United States or an 5640
agency of the United States, unless expressly prohibited by the 5641
instrument, such moneys also may be invested in no-front-end- 5642
load money market mutual funds consisting exclusively of 5643
obligations of the United States or an agency of the United 5644
States and in repurchase agreements, including those issued by 5645
the fiduciary itself, secured by obligations of the United 5646
States or an agency of the United States; and in collective 5647
investment funds as defined in division (A) of section 1111.01 5648
of the Revised Code and consisting exclusively of any such 5649
securities. The income from such investments shall be credited 5650
to such funds as the issuing authority determines, and such 5651
investments may be sold at such times as the issuing authority 5652
determines or authorizes. 5653

(P) Provision may be made in the applicable bond 5654
proceedings for the establishment of separate accounts in the 5655
bond service fund and for the application of such accounts only 5656
to the specified bond service charges on obligations pertinent 5657
to such accounts and bond service fund and for other accounts 5658

therein within the general purposes of such fund. Unless 5659
otherwise provided in any applicable bond proceedings, moneys to 5660
the credit of or in the several special funds established 5661
pursuant to this section shall be disbursed on the order of the 5662
treasurer of state, provided that no such order is required for 5663
the payment from the bond service fund when due of bond service 5664
charges on obligations. 5665

(Q) (1) The issuing authority may pledge all, or such 5666
portion as the issuing authority determines, of the pledged 5667
receipts to the payment of bond service charges on obligations 5668
issued under this section, and for the establishment and 5669
maintenance of any reserves, as provided in the bond 5670
proceedings, and make other provisions therein with respect to 5671
pledged receipts as authorized by this chapter, which provisions 5672
are controlling notwithstanding any other provisions of law 5673
pertaining thereto. 5674

(2) An action taken under division (Q) (2) of this section 5675
does not limit the generality of division (Q) (1) of this 5676
section, and is subject to division (C) of this section and, if 5677
and to the extent otherwise applicable, Section 13 of Article 5678
VIII, Ohio Constitution. The bond proceedings may contain a 5679
covenant that, in the event the pledged receipts primarily 5680
pledged and required to be used for the payment of bond service 5681
charges on obligations issued under this section, and for the 5682
establishment and maintenance of any reserves, as provided in 5683
the bond proceedings, are insufficient to make any such payment 5684
in full when due, or to maintain any such reserve, the director 5685
of transportation shall so notify the governor, and shall 5686
determine to what extent, if any, the payment may be made or 5687
moneys may be restored to the reserves from lawfully available 5688
moneys previously appropriated for that purpose to the 5689

department of transportation. The covenant also may provide that 5690
if the payments are not made or the moneys are not immediately 5691
and fully restored to the reserves from such moneys, the 5692
director shall promptly submit to the governor and to the 5693
director of budget and management a written request for either 5694
or both of the following: 5695

(a) That the next biennial budget submitted by the 5696
governor to the general assembly include an amount to be 5697
appropriated from lawfully available moneys to the department 5698
for the purpose of and sufficient for the payment in full of 5699
bond service charges previously due and for the full 5700
replenishment of the reserves; 5701

(b) That the general assembly be requested to increase 5702
appropriations from lawfully available moneys for the department 5703
in the current biennium sufficient for the purpose of and for 5704
the payment in full of bond service charges previously due and 5705
to come due in the biennium and for the full replenishment of 5706
the reserves. 5707

The director of transportation shall include with such 5708
requests a recommendation that the payment of the bond service 5709
charges and the replenishment of the reserves be made in the 5710
interest of maximizing the benefits of the state infrastructure 5711
bank. Any such covenant shall not obligate or purport to 5712
obligate the state to pay the bond service charges on such bonds 5713
or notes or to deposit moneys in a reserve established for such 5714
payments other than from moneys that may be lawfully available 5715
and appropriated for that purpose during the then-current 5716
biennium. 5717

(R) There is hereby created the state infrastructure bank 5718
revenue bond service fund, which shall be in the custody of the 5719

treasurer of state but shall not be a part of the state 5720
treasury. All moneys received by or on account of the issuing 5721
authority or state agencies and required by the applicable bond 5722
proceedings, consistent with this section, to be deposited, 5723
transferred, or credited to the bond service fund, and all other 5724
moneys transferred or allocated to or received for the purposes 5725
of the fund, shall be deposited and credited to such fund and to 5726
any separate accounts therein, subject to applicable provisions 5727
of the bond proceedings, but without necessity for any act of 5728
appropriation. The state infrastructure bank revenue bond 5729
service fund is a trust fund and is hereby pledged to the 5730
payment of bond service charges to the extent provided in the 5731
applicable bond proceedings, and payment thereof from such fund 5732
shall be made or provided for by the treasurer of state in 5733
accordance with such bond proceedings without necessity for any 5734
act of appropriation. 5735

(S) The obligations issued pursuant to this section, the 5736
transfer thereof, and the income therefrom, including any profit 5737
made on the sale thereof, shall at all times be free from 5738
taxation within this state. 5739

Sec. 5540.01. As used in this chapter: 5740

(A) "Transportation improvement district" or "district" 5741
means a transportation improvement district designated pursuant 5742
to section 5540.02 of the Revised Code. 5743

(B) "Governmental agency" means a department, division, or 5744
other unit of state government; a county, township, or municipal 5745
corporation or other political subdivision; a regional transit 5746
authority or regional transit commission created pursuant to 5747
Chapter 306. of the Revised Code; a port authority created 5748
pursuant to Chapter 4582. of the Revised Code; and the United 5749

States or any agency thereof. 5750

(C) "Project" means a street, highway, parking facility, 5751
freight rail tracks and necessarily related freight rail 5752
facilities, or other transportation project constructed or 5753
improved under this chapter and includes all bridges, tunnels, 5754
overpasses, underpasses, interchanges, approaches, those 5755
portions of connecting streets or highways that serve 5756
interchanges and are determined by the district to be necessary 5757
for the safe merging of traffic between the project and those 5758
streets or highways, service facilities, and administration, 5759
storage, and other buildings, property, and facilities, that the 5760
district considers necessary for the operation of the project, 5761
together with all property and rights that must be acquired by 5762
the district for the construction, maintenance, or operation of 5763
the project. "Project" includes a qualifying project. 5764

(D) "Cost," as applied to the construction of a project, 5765
includes the cost of construction, including bridges over or 5766
under existing highways and railroads, acquisition of all 5767
property acquired by the district for such construction, 5768
demolishing or removing any buildings or structures on land so 5769
acquired, including the cost of acquiring any lands to which 5770
such buildings or structures may be moved, site clearance, 5771
improvement, and preparation, diverting streets or highways, 5772
interchanges with streets or highways, access roads to private 5773
property, including the cost of land or easements therefor, all 5774
machinery, furnishings, and equipment, communications 5775
facilities, financing and auditing expenses, interest prior to 5776
and during construction and for one year after completion of 5777
construction, traffic estimates, indemnity and surety bonds and 5778
premiums on insurance, and guarantees, engineering, feasibility 5779
studies, and legal expenses, plans, specifications, surveys, 5780

estimates of cost and revenues, other expenses necessary or 5781
incidental to determining the feasibility or practicability of 5782
constructing a project, and such other expense as may be 5783
necessary or incident to the construction of the project and the 5784
financing of such construction. Any obligation or expense 5785
incurred by any governmental agency or person for surveys, 5786
borings, preparation of plans and specifications, and other 5787
engineering services, or any other cost described above, in 5788
connection with the construction of a project may be regarded as 5789
part of the cost of the project and reimbursed from revenues, 5790
taxes, or the proceeds of bonds as authorized by this chapter. 5791

(E) "Owner" includes any person having any title or 5792
interest in any property authorized to be acquired by a district 5793
under this chapter. 5794

(F) "Revenues" means all moneys received by a district 5795
with respect to the lease, sublease, or sale, including 5796
installment sale, conditional sale, or sale under a lease- 5797
purchase agreement, of a project, all moneys received by a 5798
district under an agreement pursuant to Section 515.03 of H.B. 5799
66 of the 126th ~~General Assembly~~ general assembly, Section 5800
555.10 of H.B. 67 of the 127th general assembly, or Section 5801
755.20 of H.B. 153 of the 129th general assembly, any gift or 5802
grant received with respect to a project, tolls, special 5803
assessments levied by the district, sales and use taxes received 5804
from a qualifying regional transit authority for any purpose 5805
authorized by section 306.353 of the Revised Code, proceeds of 5806
bonds to the extent the use thereof for payment of principal or 5807
of premium, if any, or interest on the bonds is authorized by 5808
the district, proceeds from any insurance, condemnation, or 5809
guaranty pertaining to a project or property mortgaged to secure 5810
bonds or pertaining to the financing of a project, and income 5811

and profit from the investment of the proceeds of bonds or of 5812
any revenues. 5813

(G) "Street or highway" has the same meaning as in section 5814
4511.01 of the Revised Code. 5815

(H) "Financing expenses" means all costs and expenses 5816
relating to the authorization, issuance, sale, delivery, 5817
authentication, deposit, custody, clearing, registration, 5818
transfer, exchange, fractionalization, replacement, payment, and 5819
servicing of bonds including, without limitation, costs and 5820
expenses for or relating to publication and printing, postage, 5821
delivery, preliminary and final official statements, offering 5822
circulars, and informational statements, travel and 5823
transportation, underwriters, placement agents, investment 5824
bankers, paying agents, registrars, authenticating agents, 5825
remarketing agents, custodians, clearing agencies or 5826
corporations, securities depositories, financial advisory 5827
services, certifications, audits, federal or state regulatory 5828
agencies, accounting and computation services, legal services 5829
and obtaining approving legal opinions and other legal opinions, 5830
credit ratings, redemption premiums, and credit enhancement 5831
facilities. 5832

(I) "Bond proceedings" means the resolutions, trust 5833
agreements, certifications, notices, sale proceedings, leases, 5834
lease-purchase agreements, assignments, credit enhancement 5835
facility agreements, and other agreements, instruments, and 5836
documents, as amended and supplemented, or any one or more of 5837
combination thereof, authorizing, or authorizing or providing 5838
for the terms and conditions applicable to, or providing for the 5839
security or sale or award or liquidity of, bonds, and includes 5840
the provisions set forth or incorporated in those bonds and bond 5841

proceedings. 5842

(J) "Bond service charges" means principal, including any 5843
mandatory sinking fund or mandatory redemption requirements for 5844
retirement of bonds, and interest and any redemption premium 5845
payable on bonds, as those payments come due and are payable to 5846
the bondholder or to a person making payment under a credit 5847
enhancement facility of those bond service charges to a 5848
bondholder. 5849

(K) "Bond service fund" means the applicable fund created 5850
by the bond proceedings for and pledged to the payment of bond 5851
service charges on bonds provided for by those proceedings, 5852
including all moneys and investments, and earnings from 5853
investments, credited and to be credited to that fund as 5854
provided in the bond proceedings. 5855

(L) "Bonds" means bonds, notes, including notes 5856
anticipating bonds or other notes, commercial paper, 5857
certificates of participation, or other evidences of obligation, 5858
including any interest coupons pertaining thereto, issued 5859
pursuant to this chapter. 5860

(M) "Net revenues" means revenues lawfully available to 5861
pay both current operating expenses of a district and bond 5862
service charges in any fiscal year or other specified period, 5863
less current operating expenses of the district and any amount 5864
necessary to maintain a working capital reserve for that period. 5865

(N) "Pledged revenues" means net revenues, moneys and 5866
investments, and earnings on those investments, in the 5867
applicable bond service fund and any other special funds, and 5868
the proceeds of any bonds issued for the purpose of refunding 5869
prior bonds, all as lawfully available and by resolution of the 5870

district committed for application as pledged revenues to the 5871
payment of bond service charges on particular issues of bonds. 5872

(O) "Special funds" means the applicable bond service fund 5873
and any accounts and subaccounts in that fund, any other funds 5874
or accounts permitted by and established under, and identified 5875
as a special fund or special account in, the bond proceedings, 5876
including any special fund or account established for purposes 5877
of rebate or other requirements under federal income tax laws. 5878

(P) "Credit enhancement facilities" means letters of 5879
credit, lines of credit, standby, contingent, or firm securities 5880
purchase agreements, insurance, or surety arrangements, 5881
guarantees, and other arrangements that provide for direct or 5882
contingent payment of bond service charges, for security or 5883
additional security in the event of nonpayment or default in 5884
respect of bonds, or for making payment of bond service charges 5885
and at the option and on demand of bondholders or at the option 5886
of the district or upon certain conditions occurring under put 5887
or similar arrangements, or for otherwise supporting the credit 5888
or liquidity of the bonds, and includes credit, reimbursement, 5889
marketing, remarketing, indexing, carrying, interest rate hedge, 5890
and subrogation agreements, and other agreements and 5891
arrangements for payment and reimbursement of the person 5892
providing the credit enhancement facility and the security for 5893
that payment and reimbursement. 5894

(Q) "Refund" means to fund and retire outstanding bonds, 5895
including advance refunding with or without payment or 5896
redemption prior to stated maturity. 5897

(R) "Property" includes interests in property. 5898

(S) "Administrative agent," "agent," "commercial paper," 5899

"floating rate interest structure," "indexing agent," "interest rate hedge," "interest rate period," "put arrangement," and "remarketing agent" have the same meanings as in section 9.98 of the Revised Code. 5900
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5903

(T) "Outstanding" as applied to bonds means outstanding in accordance with the terms of the bonds and the applicable bond proceedings. 5904
5905
5906

(U) "Interstate system" has the same meaning as in section 5516.01 of the Revised Code. 5907
5908

(V) "Qualifying regional transit authority," "qualifying project," "qualifying bonds," and "sales and use tax" have the same meanings as in section 306.353 of the Revised Code. 5909
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5911

Sec. 5540.02. (A) A transportation improvement district may be created by the board of county commissioners of a county. The board, by resolution, shall determine the structure of the board of trustees of the transportation improvement district it creates by adopting the structure contained either in division (C) (1) or (2) of this section. 5912
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(B) A transportation improvement district is a body both corporate and politic, and the exercise by it of the powers conferred by this chapter in the financing, construction, maintenance, repair, and operation of a project are and shall be held to be essential governmental functions. 5918
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5921
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(C) (1) If the board of county commissioners so elects, a transportation improvement district shall be governed by a board of trustees consisting of the following members: 5923
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5925

(a) Two members appointed by the board of county commissioners; 5926
5927

- (b) Three members appointed by the legislative authority 5928
of the most populous municipal corporation in the district; 5929
- (c) Two members appointed by the legislative authority of 5930
the second most populous municipal corporation in the district; 5931
- (d) Two members appointed by the board of township 5932
trustees of the township in the county that is most populous in 5933
its unincorporated area; 5934
- (e) The county engineer; 5935
- (f) One member appointed by the legislative authority of 5936
any township or municipal corporation that cannot otherwise 5937
appoint a member to the board pursuant to this section, and that 5938
is wholly or partially within the area of the transportation 5939
improvement district as the district was originally designated 5940
by the board of county commissioners; 5941
- (g) If the area of a transportation improvement district 5942
is expanded by the board of county commissioners, the 5943
legislative authority of any township or municipal corporation 5944
that is wholly or partially within the area of expansion and 5945
that cannot otherwise appoint a member to the board pursuant to 5946
this section, with the consent of the board of trustees of the 5947
district, may appoint one member to the board; 5948
- (h) One member appointed by the regional planning 5949
commission for the county, who shall be a nonvoting member of 5950
the board; 5951
- (i) One member appointed at the discretion of the speaker 5952
of the house of representatives, who, if appointed, shall be a 5953
nonvoting member of the board and who may be a member of the 5954
house of representatives; 5955

(j) One member appointed at the discretion of the 5956
president of the senate, who, if appointed, shall be a nonvoting 5957
member of the board and who may be a member of the senate. 5958

One of each of the appointments made by the board of 5959
county commissioners, the legislative authority of a municipal 5960
corporation, and the board of township trustees under divisions 5961
(C) (1) (a), (b), (c), and (d) of this section, shall be members 5962
of the chamber of commerce for the respective political 5963
subdivision. 5964

Whenever the addition of members to the board of trustees 5965
of a transportation improvement district pursuant to division 5966
(C) (1) (f) or (g) of this section results in an even number of 5967
total voting members on the board, the board of trustees of the 5968
district may appoint an additional person to its membership to 5969
maintain an odd number of voting members. 5970

(2) As an alternative to the structure prescribed in 5971
division (C) (1) of this section, a board of county 5972
commissioners, by resolution, may elect that the transportation 5973
improvement district it creates be governed by a board of 5974
trustees consisting of the following members: 5975

(a) Five members appointed by the board of county 5976
commissioners; 5977

(b) One member appointed at the discretion of the speaker 5978
of the house of representatives, who, if appointed, shall be a 5979
nonvoting member of the board and who may be a member of the 5980
house of representatives; 5981

(c) One member appointed at the discretion of the 5982
president of the senate, who, if appointed, shall be a nonvoting 5983
member of the board and who may be a member of the senate. 5984

(D) Each appointed member of the board shall hold office 5985
for a term of two years but subject to removal at the pleasure 5986
of the authority that appointed the member. Members may be 5987
reappointed. Except as otherwise provided in this division, any 5988
vacancy on the board shall be filled in the same manner as the 5989
original appointment. Any vacancy on a board appointed under 5990
division (C)(1) of this section lasting longer than thirty days 5991
due to the failure of the legislative authority of a municipal 5992
corporation or a board of township trustees to make an 5993
appointment shall be filled by the board of trustees of the 5994
transportation improvement district. 5995

(E) The voting members of the board shall elect from the 5996
entire board membership a chairperson, vice-chairperson, and 5997
secretary-treasurer. A majority of the voting members of the 5998
board constitutes a quorum, the affirmative vote of which is 5999
necessary for any action of the district. No vacancy in the 6000
membership of the board impairs the right of a quorum to 6001
exercise all the rights and perform all duties of the district. 6002

(F) The board of county commissioners of ~~the any~~ county, 6003
the legislative authority of any municipal corporation, and the 6004
board of township trustees of any township ~~that is part of the~~ 6005
~~district,~~ may make appropriations from moneys available to them 6006
and not otherwise appropriated, to pay costs incurred by the 6007
district in the exercise of its functions under this chapter, 6008
provided those moneys are available to use for that purpose. 6009

(G) An organizational meeting of the board of trustees of 6010
a transportation improvement district created under this section 6011
shall be held at the time and place designated by the board 6012
member who has served the most years as a member of the board of 6013
county commissioners that created the transportation improvement 6014

district. 6015

Sec. 5540.03. (A) A transportation improvement district 6016
may: 6017

(1) Adopt bylaws for the regulation of its affairs and the 6018
conduct of its business; 6019

(2) Adopt an official seal; 6020

(3) Sue and be sued in its own name, plead and be 6021
impleaded, provided any actions against the district shall be 6022
brought in the court of common pleas of the county in which the 6023
principal office of the district is located, or in the court of 6024
common pleas of the county in which the cause of action arose, 6025
and all summonses, exceptions, and notices of every kind shall 6026
be served on the district by leaving a copy thereof at its 6027
principal office with the secretary-treasurer; 6028

(4) Purchase, fund, finance, construct, maintain, repair, 6029
sell, exchange, police, operate, or lease projects; 6030

(5) Issue either or both of the following for the purpose 6031
of providing funds to pay the costs of any project or part 6032
thereof: 6033

(a) Transportation improvement district revenue bonds; 6034

(b) Bonds pursuant to Section 13 of Article VIII, Ohio 6035
Constitution. 6036

(6) Maintain such funds as it considers necessary; 6037

(7) Direct its agents or employees, when properly 6038
identified in writing and after at least five days' written 6039
notice, to enter upon lands within its jurisdiction to make 6040
surveys and examinations preliminary to the location and 6041

construction of projects for the district, without liability of 6042
the district or its agents or employees except for actual damage 6043
done; 6044

(8) Make and enter into all contracts and agreements 6045
necessary or incidental to the performance of its functions and 6046
the execution of its powers under this chapter; 6047

(9) Employ or retain or contract for the services of 6048
consulting engineers, superintendents, managers, and such other 6049
engineers, construction and accounting experts, auditors, 6050
financial advisers, trustees, marketing, remarketing, and 6051
administrative agents, attorneys, and other employees, 6052
independent contractors, or agents as are necessary in its 6053
judgment and fix their compensation, provided all such expenses 6054
shall be payable solely from the proceeds of bonds or from 6055
revenues; 6056

(10) Receive and accept from the federal or any state or 6057
local government, including, but not limited to, any agency, 6058
entity, or instrumentality of any of the foregoing, loans and 6059
grants for or in aid of the construction, maintenance, or repair 6060
of any project, and receive and accept aid or contributions from 6061
any source or person of money, property, labor, or other things 6062
of value, to be held, used, and applied only for the purposes 6063
for which such loans, grants, and contributions are made. 6064
Nothing in division (A) (10) of this section shall be construed 6065
as imposing any liability on this state for any loan received by 6066
a transportation improvement district from a third party unless 6067
this state has entered into an agreement to accept such 6068
liability. 6069

(11) Acquire, hold, and dispose of property in the 6070
exercise of its powers and the performance of its duties under 6071

this chapter; 6072

(12) Establish and collect tolls or user charges for its 6073
projects; 6074

(13) Subject to section 5540.18 of the Revised Code, enter 6075
into an agreement with a contiguous board of county 6076
commissioners other than the board of county commissioners that 6077
created the transportation improvement district, for the 6078
district to exercise all or any portion of its powers with 6079
respect to a project that is located wholly or partially within 6080
the county that is party to the agreement; 6081

(14) Cooperate with any governmental agencies in the 6082
planning, design, acquisition, construction, maintenance, 6083
funding, and financing of projects, including qualifying 6084
projects. In doing so, the district may enter into agreements 6085
with other governmental agencies to plan, design, acquire, 6086
construct, maintain, fund, and finance the projects or 6087
qualifying projects and to use pledged or assigned sales and use 6088
tax revenue to pay the debt service on qualifying bonds. 6089

(15) Enter into an agreement with the board of county 6090
commissioners that created the transportation improvement 6091
district and with the boards of county commissioners of any 6092
contiguous group of counties to exercise all powers of the 6093
district with respect to a project that is both of the 6094
following: 6095

(a) Located partially or wholly within any county that is 6096
a party to the agreement; 6097

(b) Partially funded with federal money. 6098

(16) Do all acts necessary and proper to carry out the 6099
powers expressly granted in this chapter. 6100

(B) (1) Chapters 123., 124., 125., and 153., and sections 6101
9.331 to 9.335 and 307.86 of the Revised Code do not apply to 6102
contracts or projects of a transportation improvement district. 6103

(2) A transportation improvement district is subject to 6104
sections 4115.03 to 4115.21 and 4115.99 of the Revised Code, 6105
unless the amount of state or local government funds, including, 6106
but not limited to, those provided by any agency, entity, or 6107
instrumentality of the state or a local government as described 6108
in division (A) (10) of this section received for the contract or 6109
project, is, in the aggregate, less than the amounts described 6110
in or calculated under section 4115.03 of the Revised Code. 6111

Sec. 5540.06. (A) The board of trustees of a 6112
transportation improvement district may provide by resolution 6113
for the issuance, at one time or from time to time, of bonds of 6114
the district for the purpose of paying all or any part of the 6115
cost of any one or more projects. The bond service charges shall 6116
be payable solely from pledged revenues pledged for such payment 6117
pursuant to the applicable bond proceedings. The bonds of each 6118
issue shall be dated, shall bear interest at a rate or rates or 6119
at variable rates, and shall mature or be payable at such time 6120
or times, with a final maturity not to exceed thirty years from 6121
their date or dates, all as determined by the board in the bond 6122
proceedings. The board shall determine the form of the bonds, 6123
including any interest coupons to be attached thereto, and shall 6124
fix the denomination or denominations of the bonds and the place 6125
or places of payment of bond service charges. 6126

(B) The bonds shall be signed by the chairperson or vice- 6127
chairperson of the board or by the facsimile signature of that 6128
officer, the official seal of the district or a facsimile 6129
thereof may be affixed thereto or printed thereon and attested 6130

by the secretary-treasurer of the district, which may be by 6131
facsimile signature, and any coupons attached thereto shall bear 6132
the facsimile signature of the chairperson or vice-chairperson 6133
of the board. In case any officer whose signature, or a 6134
facsimile of whose signature, appears on any bonds or coupons 6135
ceases to be such officer before delivery of the bonds, such 6136
signature or facsimile shall nevertheless be valid and 6137
sufficient for all purposes the same as if the officer had 6138
remained in office until such delivery. 6139

(C) Subject to the bond proceedings and provisions for 6140
registration, the bonds shall have all the qualities and 6141
incidents of negotiable instruments under Title XIII of the 6142
Revised Code. The bonds may be issued in such form or forms as 6143
the board determines, including without limitation coupon, book 6144
entry, and fully registered form, and provision may be made for 6145
the registration of any coupon bonds as to principal alone and 6146
also as to both principal and interest, and for the exchange of 6147
bonds between forms. The board may sell such bonds by 6148
competitive bid on the best bid after advertisement or request 6149
for bids or by private sale in the manner, and for the price, it 6150
determines to be for the best interest of the district. 6151

(D) The proceeds of the bonds of each issue shall be used 6152
solely for the payment of the costs of the project or projects 6153
for which the bonds were issued, and shall be disbursed in such 6154
manner and under such restrictions as the board provides in the 6155
bond proceedings. 6156

(E) Prior to the preparation of definitive bonds, the 6157
board may, under like restrictions, issue interim receipts or 6158
temporary bonds or bond anticipation notes, with or without 6159
coupons, exchangeable for definitive bonds when such bonds have 6160

been executed and are available for delivery. The board may 6161
provide for the replacement of any mutilated, stolen, destroyed, 6162
or lost bonds. 6163

(F) Sections 9.98 to 9.983 of the Revised Code apply to 6164
the bonds. 6165

(G) The bond proceedings shall provide, subject to the 6166
provisions of any other applicable bond proceedings, for the 6167
pledge to the payment of bond service charges and of any costs 6168
of or relating to credit enhancement facilities of all, or such 6169
part as the board may determine, of the pledged revenues and the 6170
applicable special fund or funds, which pledges may be made to 6171
secure the bonds on a parity with bonds theretofore or 6172
thereafter issued if and to the extent provided in the bond 6173
proceedings. Every pledge, and every covenant and agreement with 6174
respect thereto, made in the bond proceedings may in the bond 6175
proceedings be extended to the benefit of the owners and holders 6176
of bonds and to any trustee and any person providing a credit 6177
enhancement facility for those bonds, for the further security 6178
for the payment of the bond service charges and credit 6179
enhancement facility costs. 6180

(H) The bond proceedings may contain additional provisions 6181
as to: 6182

(1) The redemption of bonds prior to maturity at the 6183
option of the board or of the bondholders or upon the occurrence 6184
of certain stated conditions, and at such price or prices and 6185
under such terms and conditions as are provided in the bond 6186
proceedings; 6187

(2) Other terms of the bonds; 6188

(3) Limitations on the issuance of additional bonds; 6189

(4) The terms of any trust agreement securing the bonds or 6190
under which the same may be issued; 6191

(5) Any or every provision of the bond proceedings being 6192
binding upon the board and state agencies, or other person as 6193
may from time to time have the authority under law to take such 6194
actions as may be necessary to perform all or any part of the 6195
duty required by such provision; 6196

(6) Any provision that may be made in a trust agreement; 6197

(7) Any other or additional agreements with the holders of 6198
the bonds, or the trustee therefor, relating to the bonds or the 6199
security for the bonds, including agreements for credit 6200
enhancement facilities. 6201

(I) Any holder of bonds or a trustee under the bond 6202
proceedings, except to the extent that the holder's or trustee's 6203
rights are restricted by the bond proceedings, may by any 6204
suitable form of legal proceedings, protect and enforce any 6205
rights under the laws of this state or granted by the bond 6206
proceedings. Those rights include the right to compel the 6207
performance of all duties of the board required by this chapter 6208
or the bond proceedings; to enjoin unlawful activities; and in 6209
the event of default with respect to the payment of any bond 6210
service charges on any bonds or in the performance of any 6211
covenant or agreement on the part of the board contained in the 6212
bond proceedings, to apply to a court having jurisdiction of the 6213
cause to appoint a receiver to receive and administer the 6214
revenues and the pledged revenues which are pledged to the 6215
payment of the bond service charges on such bonds or that are 6216
the subject of the covenant or agreement, with full power to 6217
pay, and to provide for payment of, bond service charges on such 6218
bonds, and with such powers, subject to the direction of the 6219

court, as are accorded receivers in general equity cases, 6220
excluding any power to pledge additional revenue or receipts or 6221
other income, funds, or moneys of the board to the payment of 6222
such bond service charges and excluding the power to take 6223
possession of, mortgage, or cause the sale or otherwise dispose 6224
of any project or other property of the board. 6225

(J) Each duty of the board and the board's officers and 6226
employees, undertaken pursuant to the bond proceedings, is 6227
hereby established as a duty of the board, and of each such 6228
officer, member, or employee having authority to perform the 6229
duty, specifically enjoined by law resulting from an office, 6230
trust, or station within the meaning of section 2731.01 of the 6231
Revised Code. 6232

(K) The board's officers or employees are not liable in 6233
their personal capacities on any bonds issued by the board or 6234
any agreements of or with the board relating to those bonds. 6235

(L) The bonds are lawful investments for banks, savings 6236
and loan associations, credit union share guaranty corporations, 6237
trust companies, trustees, fiduciaries, insurance companies, 6238
including domestic for life and domestic not for life, trustees 6239
or other officers having charge of sinking and bond retirement 6240
or other funds of the state or its political subdivisions and 6241
taxing districts, the commissioners of the sinking fund of the 6242
state, the administrator of workers' compensation, the state 6243
teachers retirement system, the public employees retirement 6244
system, the school employees retirement system, and the Ohio 6245
police and fire pension fund, notwithstanding any other 6246
provisions of the Revised Code or rules adopted pursuant thereto 6247
by any state agency with respect to investments by them, and 6248
also are acceptable as security for the repayment of the deposit 6249

of public moneys. 6250

(M) Provision may be made in the applicable bond 6251
proceedings for the establishment of separate accounts in the 6252
bond service fund and for the application of such accounts only 6253
to the specified bond service charges pertinent to such accounts 6254
and bond service fund, and for other accounts therein within the 6255
general purposes of such fund. 6256

(N) The board may pledge all, or such portion as it 6257
determines, of the pledged revenues to the payment of bond 6258
service charges, and for the establishment and maintenance of 6259
any reserves and special funds, as provided in the bond 6260
proceedings, and make other provisions therein with respect to 6261
pledged revenues, revenues, and net revenues as authorized by 6262
this chapter, which provisions shall be controlling 6263
notwithstanding any other provisions of law pertaining thereto. 6264

(O) The board may pledge all, or such portion as it 6265
determines, of the pledged or assigned sales and use taxes 6266
received from a qualifying regional transit authority to the 6267
payment of debt service charges on any qualifying bonds issued 6268
by the transportation improvement district to fund or finance 6269
qualifying projects under section 306.353 of the Revised Code. 6270

Sec. 5577.044. (A) Notwithstanding sections 5577.02 and 6271
5577.04 of the Revised Code, a vehicle fueled solely by 6272
compressed natural gas or liquid natural gas or powered 6273
primarily by means of an electric battery may exceed by not more 6274
than two thousand pounds the gross vehicle weight provisions of 6275
sections 5577.01 to 5577.09 of the Revised Code or the axle load 6276
limits of those sections. 6277

(B) If a vehicle described in division (A) of this section 6278

exceeds the weight provisions of sections 5577.01 to 5577.09 of 6279
the Revised Code by more than the allowance provided for in 6280
division (A) of this section, both of the following apply: 6281

(1) The applicable penalty prescribed in section 5577.99 6282
of the Revised Code; 6283

(2) The civil liability imposed by section 5577.12 of the 6284
Revised Code. 6285

(C) Division (A) of this section does not apply to the 6286
operation of a vehicle on a highway, road, or bridge that is 6287
subject to reduced maximum weights under section 4513.33, 6288
5577.07, 5577.071, 5577.08, 5577.09, or 5591.42 of the Revised 6289
Code. 6290

Sec. 5589.25. (A) (1) A railroad company that violates 6291
division (A) of section 5589.21 of the Revised Code shall submit 6292
to the public utilities commission an incident report of the 6293
violation within a time and in a manner determined in rules 6294
established by the commission in accordance with division (B) of 6295
this section. A railroad company shall comply with this division 6296
even if the company is not charged or cited with the violation. 6297

(2) By the first day of July each year, the public 6298
utilities commission shall compile all incident reports 6299
submitted during the prior calendar year and submit an annual 6300
report to the president and minority leader of the senate and 6301
the speaker and minority leader of the house of representatives. 6302
The annual report shall consist of aggregated incident 6303
information and shall be presented in a manner that depicts the 6304
number of incident reports attributable to each railroad company 6305
and the aggregate amount of time that each railroad company 6306
blocked railroad crossings during the year in violation of 6307

division (A) of section 5589.21 of the Revised Code. 6308

(B) The public utilities commission shall adopt rules in accordance with Chapter 119. of the Revised Code that specify all of the following: 6309
6310
6311

(1) The time period after an incident by which a railroad company must submit an incident report in accordance with division (A) of this section; 6312
6313
6314

(2) The manner in which the railroad company must submit the incident report; 6315
6316

(3) The information that a railroad company must include in each incident report, including all of the following: 6317
6318

(a) The date on which the incident occurred; 6319

(b) The railroad crossing that was blocked by the railroad company during the incident; 6320
6321

(c) The duration of the blocked railroad crossing and the time the blocking began and the time the blocking concluded. 6322
6323

(C) A railroad company that submits an incident report in accordance with division (A) of this section regarding a blocked railroad crossing for which no charges, citations, or complaints have been made or filed is not subject to the penalty established in division (D) of section 5589.99 of the Revised Code solely as a result of the submission of the report. 6324
6325
6326
6327
6328
6329

(D) Notwithstanding any provision of section 121.95 of the Revised Code to the contrary, a regulatory restriction contained in a rule adopted under this section is not subject to sections 121.95 to 121.953 of the Revised Code. 6330
6331
6332
6333

Sec. 5589.99. (A) Whoever violates section 5589.01 of the 6334

Revised Code is guilty of a misdemeanor of the third degree. 6335

(B) Whoever violates section 5589.02, 5589.03, 5589.05, 6336
5589.06, 5589.08, 5589.081, 5589.09, 5589.11, 5589.12, 5589.32, 6337
or 5589.33 of the Revised Code is guilty of a minor misdemeanor. 6338

(C) Whoever violates section 5589.07 or 5589.10 of the 6339
Revised Code is guilty of a misdemeanor of the fourth degree. 6340

(D) Whoever recklessly violates division (A) of section 6341
5589.21 or division (A) of section 5589.25 of the Revised Code 6342
is guilty of a misdemeanor of the first degree and shall be 6343
fined ~~one~~ as follows: 6344

(1) For a first violation within a thirty-day period, five 6345
thousand dollars; 6346

(2) For any subsequent violation within a thirty-day 6347
period, ten thousand dollars. 6348

(E) Whoever violates section 5589.211 of the Revised Code 6349
is guilty of a misdemeanor of the first degree and shall be 6350
fined five thousand dollars. 6351

Sec. 5747.502. (A) As used in this section: 6352

(1) "Local authority" and "traffic law photo-monitoring 6353
device" have the same meanings as in section 4511.092 of the 6354
Revised Code. 6355

(2) "School zone" has the same meaning as in section 6356
4511.21 of the Revised Code. 6357

(3) "Transportation district" means a territorial district 6358
established by the director of transportation under section 6359
5501.14 of the Revised Code. 6360

(4) "District deputy director" means the person appointed 6361

and assigned by the director of transportation under section 6362
5501.14 of the Revised Code to administer the activities of a 6363
transportation district. 6364

(5) "Gross amount" means the entire amount of traffic 6365
camera fines and fees paid by a driver. 6366

(6) "Local government fund adjustment" or "LGF adjustment" 6367
means the sum of: 6368

(a) The gross amount of all traffic camera fines collected 6369
by a local authority during the preceding fiscal year, as 6370
reported under division (B) (1) of this section, if such a report 6371
is required; plus 6372

(b) The residual adjustment computed for the local 6373
authority under division (B) (4) of this section, if such an 6374
adjustment applies. 6375

(7) "Local government fund payments" or "LGF payments" 6376
means the payments a local authority would receive under 6377
sections ~~5747.50~~5747.503, 5747.51, and 5747.53, and division 6378
(C) of section 5747.50 of the Revised Code, as applicable, if 6379
not for the reductions required by divisions (C) and (D) of this 6380
section. 6381

(8) "Residual adjustment" means the most recent LGF 6382
adjustment computed for a local authority under division (B) (2) 6383
or (3) of this section minus the sum of the reductions applied 6384
after that computation under division (C) of this section to the 6385
local authority's LGF payments. 6386

(9) "Traffic camera fines" means civil fines for any 6387
violation of any local ordinance or resolution that are based 6388
upon evidence recorded by a traffic law photo-monitoring device. 6389

(10) "Qualifying village" has the same meaning as in 6390
section 5747.503 of the Revised Code. 6391

(B)(1) Annually, on or before the thirty-first day of 6392
July, any local authority that directly or indirectly collected 6393
traffic camera fines during the preceding fiscal year shall file 6394
a report with the tax commissioner that includes a detailed 6395
statement of the gross amount of all traffic camera fines the 6396
local authority collected during that period and the gross 6397
amount of such fines that the local authority collected for 6398
violations that occurred within a school zone. 6399

(2) Annually, on or before the tenth day of August, the 6400
commissioner shall compute a local government fund adjustment 6401
for each local authority that files a report under division (B) 6402
(1) of this section or with respect to which a residual 6403
adjustment applies. Subject to division (B)(3) of this section, 6404
the LGF adjustment shall be used by the commissioner to 6405
determine the amount of the reductions required under division 6406
(C) of this section for each of the next twelve months, starting 6407
with the month in which the LGF adjustment is computed. After 6408
those twelve months, the LGF adjustment ceases to apply and, if 6409
an LGF adjustment continues to be required, the amount of the 6410
reductions required under division (C) of this section shall be 6411
determined based on an updated LGF adjustment computed under 6412
this division. 6413

(3) Upon receipt of a report described by division (B)(1) 6414
of this section that is not timely filed, the commissioner shall 6415
do both of the following: 6416

(a) If one or more payments to the local authority has 6417
been withheld under division (D) of this section because of the 6418
local authority's failure to file the report, notify the county 6419

auditor and county treasurer of the appropriate county that the 6420
report has been received and that, subject to division (C) of 6421
this section, payments to the local authority from the undivided 6422
local government fund are to resume. 6423

(b) Compute the local authority's LGF adjustment using the 6424
information in the report. An LGF adjustment computed under this 6425
division shall be used by the commissioner to determine the 6426
amount of the reductions required under division (C) of this 6427
section starting with the next required reduction. The LGF 6428
adjustment ceases to apply on the thirty-first day of the 6429
ensuing July, following which, if an LGF adjustment continues to 6430
be required, the amount of the reductions required under 6431
division (C) of this section shall be determined based on an 6432
updated LGF adjustment computed under division (B) (2) of this 6433
section. 6434

(4) Annually, on or before the tenth day of August, the 6435
commissioner shall compute a residual adjustment for each local 6436
authority whose LGF adjustment for the preceding year exceeds 6437
the amount by which the local authority's LGF payments were 6438
reduced during that year under division (C) of this section. The 6439
residual adjustment shall be used to compute the LGF adjustment 6440
for the ensuing year under division (B) (2) of this section. 6441

(C) The commissioner shall do the following, as 6442
applicable, respecting any local authority to which an LGF 6443
adjustment computed under division (B) of this section applies: 6444

(1) If the local authority is a municipal corporation with 6445
a population of one thousand or more, reduce payments to the 6446
municipal corporation under division (C) of section 5747.50 of 6447
the Revised Code by one-twelfth of the LGF adjustment. If one- 6448
twelfth of the LGF adjustment exceeds the amount of money the 6449

municipal corporation would otherwise receive under division (C) 6450
of section 5747.50 of the Revised Code, the commissioner also 6451
shall reduce payments to the appropriate county undivided local 6452
government fund under division (B) of section 5747.50 of the 6453
Revised Code by an amount equal to the lesser of (a) one-twelfth 6454
of the excess, or (b) the amount of the payment the municipal 6455
corporation would otherwise receive from the fund under section 6456
5747.51 or 5747.53 of the Revised Code. 6457

(2) If the local authority is a township or qualifying 6458
village, reduce the supplemental payments to the appropriate 6459
county undivided local government fund under section 5747.503 of 6460
the Revised Code by the lesser of one-twelfth of the LGF 6461
adjustment, or the amount of money the township or qualifying 6462
village would otherwise receive under that section. If one- 6463
twelfth of the LGF adjustment exceeds the amount of money the 6464
township or qualifying village would otherwise receive under 6465
section 5747.503 of the Revised Code, the commissioner also 6466
shall reduce payments to the appropriate county undivided local 6467
government fund under division (B) of section 5747.50 of the 6468
Revised Code by an amount equal to the lesser of (a) one-twelfth 6469
of the excess, or (b) the amount of the payment the township or 6470
qualifying village would otherwise receive from the fund under 6471
section 5747.51 or 5747.53 of the Revised Code. 6472

(3) If the local authority is a county, reduce payments to 6473
the appropriate county undivided local government fund under 6474
division (B) of section 5747.50 of the Revised Code by an amount 6475
equal to the lesser of (a) one-twelfth of the LGF adjustment, or 6476
(b) the amount of the payment the county would otherwise receive 6477
from the fund under section 5747.51 or 5747.53 of the Revised 6478
Code. 6479

(4) For any local authority, on or before the tenth day of 6480
each month a reduction is made under division (C) (1), (2), or 6481
(3) of this section, make a payment to the local authority in an 6482
amount equal to the lesser of (a) one-twelfth of the gross 6483
amount of traffic camera fines the local authority collected in 6484
the preceding fiscal year for violations that occurred within a 6485
school zone, as indicated on the report filed by the local 6486
authority pursuant to division (B) (1) of this section, or (b) 6487
the amount by which the local authority's LGF payments were 6488
reduced that month pursuant to division (C) (1), (2), or (3) of 6489
this section. Payments received by a local authority under this 6490
division shall be used by the local authority for school safety 6491
purposes or for acquiring or updating public safety technology, 6492
including body cameras, license plate readers, and gunfire 6493
locator or detection systems. 6494

(D) Upon discovery, based on information in the 6495
commissioner's possession, that a local authority required to 6496
file a report under division (B) (1) of this section has failed 6497
to do so, the commissioner shall do the following, as 6498
applicable: 6499

(1) If the local authority is a municipal corporation with 6500
a population of one thousand or more, cease providing for 6501
payments to the municipal corporation under section 5747.50 of 6502
the Revised Code beginning with the next required payment and 6503
until such time as the report is received by the commissioner; 6504

(2) If the local authority is a township or qualifying 6505
village, reduce the supplemental payments to the appropriate 6506
county undivided local government fund under section 5747.503 of 6507
the Revised Code by an amount equal to the amount of such 6508
payments the local authority would otherwise receive under that 6509

section, beginning with the next required payment and until such 6510
time as the report is received by the commissioner; 6511

(3) For any local authority, reduce payments to the 6512
appropriate county undivided local government fund under 6513
division (B) of section 5747.50 of the Revised Code by an amount 6514
equal to the amount of such payments the local authority would 6515
otherwise receive under section 5747.51 or 5747.53 of the 6516
Revised Code, beginning with the next required payment and until 6517
such time as the report is received by the commissioner; 6518

(4) For any local authority, notify the county auditor and 6519
county treasurer that such payments are to cease until the 6520
commissioner notifies the auditor and treasurer under division 6521
(E) of this section that the payments are to resume. 6522

(E) The commissioner shall notify the county auditor and 6523
county treasurer on or before the day the commissioner first 6524
reduces a county undivided local government fund payment to that 6525
county under division (C) of this section. The notice shall 6526
include the full amount of the reduction, a list of the local 6527
authorities to which the reduction applies, and the amount of 6528
reduction attributed to each such local authority. The 6529
commissioner shall send an updated notice to the county auditor 6530
and county treasurer any time the amount the reduction 6531
attributed to any local authority changes. 6532

A county treasurer that receives a notice from the 6533
commissioner under this division or division (B) (3) (a) or (D) (4) 6534
of this section shall reduce, cease, or resume payments from the 6535
undivided local government fund to the local authority that is 6536
the subject of the notice as specified by the commissioner in 6537
the notice. Unless otherwise specified in the notice, the 6538
payments shall be reduced, ceased, or resumed beginning with the 6539

next required payment. 6540

(F) There is hereby created in the state treasury the Ohio 6541
highway and transportation safety fund. On or before the tenth 6542
day of each month, the commissioner shall deposit in the fund an 6543
amount equal to the total amount by which payments to local 6544
authorities were reduced or ceased under division (C) or (D) of 6545
this section minus the total amount of payments made under 6546
division (C)(4) of this section. The amount deposited with 6547
respect to a local authority shall be credited to an account to 6548
be created in the fund for the transportation district in which 6549
that local authority is located. If the local authority is 6550
located within more than one transportation district, the amount 6551
credited to the account of each such transportation district 6552
shall be prorated on the basis of the number of centerline miles 6553
of public roads and highways in both the local authority and the 6554
respective districts. Amounts credited to a transportation 6555
district's account shall be used by the department of 6556
transportation and the district deputy director exclusively to 6557
enhance public safety on public roads and highways within that 6558
transportation district. 6559

Section 101.02. That existing sections 124.152, 303.02, 6560
306.353, 311.30, 505.541, 509.04, 519.02, 3501.29, 3781.111, 6561
4503.10, 4503.103, 4503.11, 4503.12, 4503.191, 4503.44, 4506.01, 6562
4506.11, 4507.01, 4507.061, 4507.13, 4507.52, 4511.092, 6563
4511.093, 4511.69, 4513.241, 4513.34, 4517.01, 4517.12, 4521.01, 6564
4521.02, 4731.481, 4734.161, 4981.02, 4981.04, 5501.31, 6565
5503.031, 5531.09, 5531.10, 5540.01, 5540.02, 5540.03, 5540.06, 6566
5577.044, 5589.99, and 5747.502 of the Revised Code are hereby 6567
repealed. 6568

Section 105.01. That section 5501.09 of the Revised Code 6569

is hereby repealed. 6570

Section 201.10. Except as otherwise provided in this act, 6571
all appropriation items in this act are appropriated out of any 6572
moneys in the state treasury to the credit of the designated 6573
fund that are not otherwise appropriated. For all appropriations 6574
made in this act, the amounts in the first column are for fiscal 6575
year 2024 and the amounts in the second column are for fiscal 6576
year 2025. 6577

Section 203.10. 6578

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	1	2	3	4	5
A			DOT DEPARTMENT OF TRANSPORTATION		
B			General Revenue Fund		
C	GRF	775470	Public Transportation - State	\$37,014,636	\$37,014,636
D			TOTAL General Revenue Fund	\$37,014,636	\$37,014,636
E			Highway Operating Fund Group		
F	2120	772426	Highway Infrastructure Bank - Federal	\$5,750,500	\$5,750,500
G	2120	772427	Highway Infrastructure	\$15,099,500	\$15,099,500

			Bank - State		
H	2130	772431	Roadway Infrastructure Bank - State	\$3,750,000	\$3,750,000
I	2130	777477	Aviation Infrastructure Bank - State	\$2,400,000	\$2,400,000
J	5XI0	772504	Ohio Highway Transportation Safety	\$2,736,000	\$1,600,000
K	7002	770003	Transportation Facilities Lease Rental Bond Payments	\$23,000,000	\$23,000,000
L	7002	771411	Planning and Research - State	\$30,078,120	\$29,650,000
M	7002	771412	Planning and Research - Federal	\$57,095,074	\$57,095,074
N	7002	772421	Highway Construction - State	\$902,000,000	\$734,000,000
O	7002	772422	Highway Construction - Federal	\$2,120,000,000	\$1,950,000,000

P	7002	772424	Highway Construction - Other	\$83,500,000	\$83,500,000
Q	7002	772437	Major New State Infrastructure Bond Debt Service - State	\$18,500,000	\$18,500,000
R	7002	772438	Major New State Infrastructure Bond Debt Service - Federal	\$132,500,000	\$132,500,000
S	7002	772603	Brent Spence Bridge Corridor - State	\$182,800,000	\$0
T	7002	772604	Brent Spence Bridge Corridor - Federal	\$1,909,200,000	\$0
U	7002	772605	Brent Spence Bridge Corridor - Other	\$809,000,000	\$0
V	7002	773431	Highway Maintenance - State	\$635,000,000	\$640,427,010
W	7002	775452	Public Transportation - Federal	\$57,445,919	\$63,004,296

X	7002	775454	Public Transportation - Other	\$1,570,000	\$1,570,000
Y	7002	776462	Grade Crossings - Federal	\$14,068,961	\$14,068,961
Z	7002	777472	Airport Improvements - Federal	\$405,000	\$405,000
AA	7002	777475	Aviation Administration	\$6,635,945	\$6,699,938
AB	7002	779491	Administration - State	\$115,424,899	\$115,593,642
AC	TOTAL	HOF Highway Operating Fund Group		\$7,127,959,918	\$3,898,613,921
AD	Dedicated Purpose Fund Group				
AE	4N40	776664	Rail Transportation - Other	\$2,911,491	\$2,911,491
AF	5CV3	776672	Strategic Transportation and Development Analysis	\$10,000,000	\$0
AG	5W90	777615	County Airport Maintenance	\$620,000	\$620,000

AH 5ZR0	776673	Rural Highway Construction	\$1,000,000,000	\$0
AI TOTAL	DPF	Dedicated Purpose Fund Group	\$1,013,531,491	\$3,531,491
AJ Capital Projects Fund Group				
AK 7042	772723	Highway Construction - Bonds	\$94,450,000	\$94,450,000
AL 7045	772428	Highway Infrastructure Bank - Bonds	\$83,950,000	\$83,950,000
AM TOTAL	CPF	Capital Projects Fund Group	\$178,400,000	\$178,400,000
AN TOTAL	ALL BUDGET FUND GROUPS		\$8,356,906,045	\$4,117,560,048

Section 203.20. TRANSPORTATION FACILITIES LEASE RENTAL 6580
BOND PAYMENTS 6581

The foregoing appropriation item 770003, Transportation 6582
Facilities Lease Rental Bond Payments, shall be used to meet all 6583
payments during the period from July 1, 2023, through June 30, 6584
2025, pursuant to the leases and agreements for facilities made 6585
under Chapter 154. of the Revised Code. These appropriations are 6586
the source of funds pledged for bond service charges on related 6587
obligations issued under Chapter 154. of the Revised Code. 6588

Should the appropriation in appropriation item 770003, 6589
Transportation Facilities Lease Rental Bond Payments, exceed the 6590

associated debt service payments in either fiscal year of the 6591
biennium ending June 30, 2025, the balance may be transferred to 6592
appropriation item 772421, Highway Construction - State, 773431, 6593
Highway Maintenance - State, or 779491, Administration - State, 6594
upon the written request of the Director of Transportation and 6595
with the approval of the Director of Budget and Management. The 6596
transfers are hereby appropriated and shall be reported to the 6597
Controlling Board. 6598

Section 203.30. ROADS FOR DNR, METROPOLITAN PARKS, 6599
EXPOSITIONS COMMISSION, AND HISTORY CONNECTION 6600

(A) Notwithstanding section 5511.06 of the Revised Code, 6601
in each fiscal year of the biennium ending June 30, 2025, the 6602
Director of Transportation shall determine portions of the 6603
foregoing appropriation item 772421, Highway Construction - 6604
State, which shall be used for the construction, reconstruction, 6605
or maintenance of public access roads, including support 6606
features, to and within state facilities owned or operated by 6607
the Department of Natural Resources. 6608

(B) Notwithstanding section 5511.06 of the Revised Code, 6609
of the foregoing appropriation item 772421, Highway Construction 6610
- State, \$2,562,000 in each fiscal year shall be used for the 6611
construction, reconstruction, or maintenance of park drives or 6612
park roads within the boundaries of metropolitan parks. 6613

(C) Notwithstanding section 5511.06 of the Revised Code, 6614
of the foregoing appropriation item 772421, Highway Construction 6615
- State, \$500,000 in each fiscal year shall be used for the 6616
construction, reconstruction, or maintenance of park drives or 6617
park roads within the boundaries of state parks and wildlife 6618
areas greater than 10,000 contiguous acres that were purchased 6619
in a single, or series, of transactions, and \$500,000 in each 6620

fiscal year shall be used for construction, reconstruction, or 6621
maintenance of drives and roads leading to such state parks and 6622
wildlife areas. 6623

(D) The Department of Transportation may use the foregoing 6624
appropriation item 772421, Highway Construction - State, to 6625
perform: 6626

(1) Related road work on behalf of the Ohio Expositions 6627
Commission at the state fairgrounds, including reconstruction or 6628
maintenance of public access roads and support features to and 6629
within fairgrounds facilities, as requested by the Commission 6630
and approved by the Director of Transportation; and 6631

(2) Related road work on behalf of the Ohio History 6632
Connection, including reconstruction or maintenance of public 6633
access roads and support features to and within Ohio History 6634
Connection facilities, as requested by the Ohio History 6635
Connection and approved by the Director of Transportation. 6636

Section 203.40. TRANSPORTATION IMPROVEMENT DISTRICTS 6637

(A) Of the foregoing appropriation item 772421, Highway 6638
Construction - State, \$4,500,000 in each fiscal year shall be 6639
made available for distribution by the Director of 6640
Transportation to Transportation Improvement Districts that have 6641
facilitated funding for the cost of a project or projects in 6642
conjunction with and through other governmental agencies. 6643

(B) A Transportation Improvement District shall submit 6644
requests for project funding to the Director of Transportation 6645
by a day determined by the Director. The Department shall notify 6646
the Transportation Improvement District whether the Department 6647
has approved or disapproved the project funding request within 6648
ninety days after the day the request was submitted by the 6649

Transportation Improvement District. 6650

(C) Any funding provided to a Transportation Improvement 6651
District specified in this section shall not be used for the 6652
purposes of administrative costs or administrative staffing and 6653
must be used to fund a specific project or projects within that 6654
District's area. The total amount of a specific project's cost 6655
shall not be fully funded by the amount of funds provided under 6656
this section. The total amount of funding provided for each 6657
project is limited to \$500,000 per fiscal year. Transportation 6658
Improvement Districts that are co-sponsoring a specific project 6659
may individually apply for up to \$500,000 for that project per 6660
fiscal year. 6661

(D) Funding provided under this section may be used for 6662
preliminary engineering, detailed design, right-of-way 6663
acquisition, and construction of the specific project and such 6664
other project costs that are defined in section 5540.01 of the 6665
Revised Code and approved by the Director of Transportation. 6666
Upon receipt of a copy of an invoice for work performed on the 6667
specific project, the Director shall reimburse a Transportation 6668
Improvement District for the expenditures described above, 6669
subject to the requirements of this section. 6670

(E) A Transportation Improvement District that is 6671
requesting funds under this section shall register with the 6672
Director of Transportation. The Director shall register a 6673
Transportation Improvement District only if the district has a 6674
specific, eligible project and may cancel the registration of a 6675
Transportation Improvement District that is not eligible to 6676
receive funds under this section. The Director shall not provide 6677
funds to any Transportation Improvement District under this 6678
section if the district is not registered. The Director shall 6679

not register a Transportation Improvement District and may 6680
cancel the registration of a currently registered Transportation 6681
Improvement District unless at least one of the following 6682
applies: 6683

(1) The Transportation Improvement District, by a 6684
resolution or resolutions, designated a project or program of 6685
projects and facilitated, including in conjunction with and 6686
through other governmental agencies, funding for costs of a 6687
project or program of projects in an aggregate amount of not 6688
less than \$15,000,000 from the commencement date of the project 6689
or program of projects. 6690

(2) The Transportation Improvement District has 6691
designated, by a resolution or resolutions, a project or program 6692
of projects that has estimated aggregate costs in excess of 6693
\$10,000,000 and the County Engineer of the county in which the 6694
Transportation Improvement District is located has attested by a 6695
sworn affidavit that the costs of the project or program of 6696
projects exceeds \$10,000,000 and that the Transportation 6697
Improvement District is facilitating a portion of funding for 6698
that project or program of projects. 6699

(F) For the purposes of this section: 6700

(1) "Project" has the same meaning as in division (C) of 6701
section 5540.01 of the Revised Code. 6702

(2) "Governmental agency" has the same meaning as in 6703
division (B) of section 5540.01 of the Revised Code. 6704

(3) "Cost" has the same meaning as in division (D) of 6705
section 5540.01 of the Revised Code. 6706

Section 203.43. HIGHWAY CONSTRUCTION - FEDERAL 6707

Of the foregoing appropriation item 772422, Highway 6708
Construction - Federal, \$33,000,000 in each fiscal year shall be 6709
used to support public transportation statewide through the 6710
Federal Highway Administration (FHWA) flexible funding program. 6711

Section 203.45. REGIONAL TRANSPORTATION PLANNING 6712
ORGANIZATIONS 6713

Of the foregoing appropriation item 772422 Highway 6714
Construction - Federal, \$10,000,000 in each fiscal year shall be 6715
used by Regional Transportation Planning Organizations to 6716
conduct a rural transportation planning grant program. 6717

OHIO WORKFORCE MOBILITY PARTNERSHIP PROGRAM 6718

Of the foregoing appropriation item 772422 Highway 6719
Construction - Federal, \$15,000,000 in each fiscal year shall be 6720
used by the Ohio Department of Transportation to administer the 6721
Ohio Workforce Mobility Partnership Program established in 6722
Section 755.20 of this act. 6723

Section 203.47. STRATEGIC TRANSPORTATION AND DEVELOPMENT 6724
ANALYSIS 6725

The foregoing appropriation item 776672, Strategic 6726
Transportation and Development Analysis, shall be used for a 6727
statewide study of the Ohio transportation system, in 6728
collaboration with the Department of Development and the 6729
Governor's Office of Workforce Transformation. The study shall 6730
analyze statewide and regional demographics, investigate 6731
economic development growth opportunities, examine current 6732
transportation systems and capacities, forecast passenger and 6733
freight travel needs over a ten, twenty, and thirty year 6734
timeframe, identify current and future transportation links, 6735
evaluate and rank current and potential risks of future system 6736

congestion, and make actionable recommendations for 6737
transportation system projects to support statewide economic 6738
growth, including improving links between Toledo and Columbus 6739
and between Sandusky and Columbus. At any time, individual 6740
hotspot locations may receive advanced analysis of conceptual 6741
remedies with planning-level costs. The Department of 6742
Transportation may contract with third parties as necessary to 6743
execute this study. 6744

BRENT SPENCE BRIDGE CORRIDOR PROJECT 6745

All spending related to the Brent Spence Bridge Corridor 6746
Project shall be documented in the Ohio Administrative Knowledge 6747
System (OAKS) and made visible in the Ohio State and Local 6748
Government Expenditure Database pursuant to section 113.71 of 6749
the Revised Code. 6750

Section 203.49. RURAL HIGHWAY CONSTRUCTION 6751

The foregoing appropriation item 776673, Rural Highway 6752
Construction, shall be used to provide supplemental funding for 6753
rural highway construction projects that would be submitted and 6754
approved by the Transportation Review Advisory Council (TRAC) 6755
approval process under the Major/New Capacity Program. The 6756
unexpended, unencumbered portion of appropriation item 776673, 6757
Rural Highway Construction, at the end of fiscal year 2024 is 6758
reappropriated for the same purpose in fiscal year 2025. 6759

Eighty per cent of the funding available under 6760
appropriation item 776673, Rural Highway Construction, shall be 6761
used for direct funding of rural highway projects approved under 6762
TRAC. The remaining twenty per cent of this appropriation shall 6763
be used to provide any local matching funds that are necessary 6764
to receive approval for any such rural highway construction 6765

projects paid for through this appropriation under the Major/New Capacity Program. 6766
6767

Section 203.50. BOND ISSUANCE AUTHORIZATION 6768

The Treasurer of State, upon the request of the Director of Transportation, is authorized to issue and sell, in accordance with Section 2m of Article VIII, Ohio Constitution, and Chapter 151. and particularly sections 151.01 and 151.06 of the Revised Code, obligations, including bonds and notes, in the aggregate amount of \$251,000,000 in addition to the original issuance of obligations authorized by prior acts of the General Assembly. 6769
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The obligations shall be issued and sold from time to time in amounts necessary to provide sufficient moneys to the credit of the Highway Capital Improvement Fund (Fund 7042) created by section 5528.53 of the Revised Code to pay costs charged to the fund when due as estimated by the Director of Transportation, provided, however, that not more than \$220,000,000 original principal amount of obligations, plus the principal amount of obligations that in prior fiscal years could have been, but were not, issued within the \$220,000,000 limit, may be issued in any fiscal year, and not more than \$1,200,000,000 original principal amount of such obligations are outstanding at any one time. 6777
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Section 203.60. APPROPRIATION TRANSFERS, APPROPRIATION INCREASES, AND CASH TRANSFERS 6788
6789

(A) TRANSFERS OF HIGHWAY OPERATING FUND APPROPRIATIONS: EMERGENCIES, INCLEMENT WEATHER, AND FEDERAL FUNDING CHANGES 6790
6791

The Director of Transportation may request the Controlling Board to approve transfers between Highway Operating Fund (Fund 7002) appropriations for planning and research (appropriation 6792
6793
6794

items 771411 and 771412), highway construction and debt service 6795
(appropriation items 772421, 772422, 772424, 772425, 772437, 6796
772438, and 770003), highway maintenance (appropriation item 6797
773431), public transportation - federal (appropriation item 6798
775452), rail grade crossings (appropriation item 776462), 6799
aviation (appropriation item 777475), airport improvement 6800
(appropriation item 777472), and administration (appropriation 6801
item 779491). The Director of Transportation may not seek 6802
requests of appropriation transfers out of debt service 6803
appropriation items unless the Director determines that the 6804
appropriated amounts exceed the actual and projected debt 6805
service requirements. 6806

This transfer request authorization is intended to provide 6807
for emergency situations or for the purchase of goods and 6808
services relating to dangerous inclement weather that arise 6809
during the biennium ending June 30, 2025. It also is intended to 6810
allow the Department to adjust to circumstances affecting the 6811
obligation and expenditure of federal funds. 6812

(B) TRANSFERS OF FEDERAL AND LOCAL FUNDED APPROPRIATIONS: 6813
HIGHWAY, PLANNING, TRANSIT, RAIL, AND AVIATION 6814

The Director of Transportation may request the Controlling 6815
Board to approve the transfer of appropriations between 6816
appropriation items 772422, Highway Construction - Federal, 6817
771412, Planning and Research - Federal, 775452, Public 6818
Transportation - Federal, 775454, Public Transportation - Other, 6819
776475, Federal Rail Administration, 776462, Grade Crossing - 6820
Federal, and 777472, Airport Improvements - Federal. 6821

(C) TRANSFERS OF APPROPRIATIONS AND CASH: STATE 6822
INFRASTRUCTURE BANK 6823

The Director of Transportation may request the Controlling Board to approve the transfer of appropriations and cash of the Infrastructure Bank funds created in section 5531.09 of the Revised Code, including transfers between fiscal years 2024 and 2025.

The Director of Transportation may request the Controlling Board to approve the transfer of appropriations and cash from the Highway Operating Fund (Fund 7002) to the Infrastructure Bank funds created in section 5531.09 of the Revised Code. The Director of Budget and Management may transfer from the Infrastructure Bank funds to Fund 7002 up to the amounts originally transferred to the Infrastructure Bank funds under this section. However, the Director may not make transfers between modes or transfers between different funding sources.

(D) TRANSFERS OF APPROPRIATIONS AND CASH: TOLLING FUNDS

The Director of Transportation may request the Controlling Board to approve the transfer of appropriations and cash of the Ohio Toll Fund and any subaccounts created in section 5531.14 of the Revised Code, including transfers between fiscal years 2024 and 2025.

(E) INCREASING APPROPRIATIONS: STATE FUNDS

In the event that receipts or unexpended balances credited to the Highway Operating Fund (Fund 7002) exceed the estimates upon which the appropriations have been made in this act, upon the request of the Director of Transportation, the Controlling Board may approve expenditures, in excess of the amounts appropriated, from the Highway Operating Fund in the manner prescribed in section 131.35 of the Revised Code. The amounts approved by the Controlling Board under this division are hereby

appropriated. 6853

(F) INCREASING APPROPRIATIONS: FEDERAL AND LOCAL FUNDS 6854

In the event that receipts or unexpended balances credited 6855
to the Highway Operating Fund (Fund 7002) or apportionments or 6856
allocations made available from the federal and local 6857
governments exceed the estimates upon which the appropriations 6858
have been made in this act, upon the request of the Director of 6859
Transportation, the Controlling Board may approve expenditures, 6860
in excess of the amounts appropriated, from the Highway 6861
Operating Fund in the manner prescribed in section 131.35 of the 6862
Revised Code. The amounts approved by the Controlling Board 6863
under this division are hereby appropriated. 6864

(G) TRANSFERS OF CASH BETWEEN THE HIGHWAY OPERATING FUND 6865
AND THE HIGHWAY CAPITAL IMPROVEMENT FUND 6866

Upon the request of the Director of Transportation, the 6867
Director of Budget and Management may transfer cash from the 6868
Highway Operating Fund (Fund 7002) to the Highway Capital 6869
Improvement Fund (Fund 7042) created in section 5528.53 of the 6870
Revised Code. The Director of Budget and Management may transfer 6871
cash from Fund 7042 to Fund 7002 up to the amount of cash 6872
previously transferred to Fund 7042 under this section. 6873

(H) DEPUTY INSPECTOR GENERAL FOR ODOT FUNDING 6874

On July 1 and January 1 of each year in the biennium 6875
ending June 30, 2025, or as soon as possible thereafter, 6876
respectively, the Director of Budget and Management shall 6877
transfer \$200,000 cash, for each semiannual period, from the 6878
Highway Operating Fund (Fund 7002) to the Deputy Inspector 6879
General for ODOT Fund (Fund 5FA0). 6880

The Inspector General, with the consent of the Director of 6881

Budget and Management, may request the Controlling Board to 6882
approve additional transfers of cash and expenditures in excess 6883
of the amount appropriated under appropriation item 965603, 6884
Deputy Inspector General for ODOT, if additional amounts are 6885
necessary. The amounts approved by the Controlling Board are 6886
hereby appropriated. 6887

(I) LIQUIDATION OF UNFORESEEN LIABILITIES 6888

Any appropriation made from the Highway Operating Fund 6889
(Fund 7002) not otherwise restricted by law is available to 6890
liquidate unforeseen liabilities arising from contractual 6891
agreements of prior years when the prior year encumbrance is 6892
insufficient. 6893

(J) ELECTRIC VEHICLE EXPENDITURES 6894

The Director of Transportation shall request Controlling 6895
Board approval for any expenditure of funds received under the 6896
federal "Infrastructure Investment and Jobs Act," Pub. L. No. 6897
117-58, that are to be used for the construction or maintenance 6898
of electric vehicle charging stations. Any such expenditures 6899
approved by the Controlling Board are hereby appropriated. 6900

Section 203.65. REAPPROPRIATIONS 6901

In each year of the biennium ending June 30, 2025, the 6902
Director of Budget and Management may request the Controlling 6903
Board to approve the expenditure of any remaining unencumbered 6904
balances of prior years' appropriations to the Ohio Highway 6905
Transportation Safety Fund (Fund 5XI0), the Highway Operating 6906
Fund (Fund 7002), the Highway Capital Improvement Fund (Fund 6907
7042), and the Infrastructure Bank funds created in section 6908
5531.09 of the Revised Code for the same purpose in the 6909
following fiscal year. The amounts approved by the Controlling 6910

Board are hereby reappropriated. 6911

Prior to the Director of Budget and Management's seeking 6912
approval of the Controlling Board, the Director of 6913
Transportation shall develop a reappropriation request plan that 6914
identifies the appropriate fund and appropriation item of the 6915
reappropriation, and the reappropriation request amount and 6916
submit the plan to the Director of Budget and Management for 6917
evaluation. The Director of Budget and Management may request 6918
additional information necessary for evaluating the 6919
reappropriation request plan, and the Director of Transportation 6920
shall provide the requested information to the Director of 6921
Budget and Management. Based on the information provided by the 6922
Director of Transportation, the Director of Budget and 6923
Management shall determine amounts to be reappropriated by fund 6924
and appropriation item to submit to the Controlling Board for 6925
its approval. 6926

Any balances of prior years' unencumbered appropriations 6927
to the Highway Operating Fund (Fund 7002), the Highway Capital 6928
Improvement Fund (Fund 7042), the Ohio Highway Transportation 6929
Safety Fund (Fund 5XI0), and the Infrastructure Bank funds 6930
created in section 5531.09 of the Revised Code for which 6931
reappropriations are requested and approved are subject to the 6932
availability of revenue in the funds. 6933

Section 203.70. MAINTENANCE OF INTERSTATE HIGHWAYS 6934

The Department of Transportation has the responsibility to 6935
maintain all interstate highways in the state. The Director of 6936
Transportation may enter into an agreement with a political 6937
subdivision to allow the political subdivision to remove snow 6938
and ice and maintain, repair, improve, or provide lighting upon 6939
interstate highways that are located within the boundaries of 6940

the political subdivision, in a manner adequate to meet the 6941
requirements of federal law. 6942

When agreed in writing by the Director of Transportation 6943
and the legislative authority of a political subdivision and 6944
notwithstanding sections 125.01 and 125.11 of the Revised Code, 6945
the Department of Transportation may reimburse a political 6946
subdivision for all or any part of the costs, as provided by 6947
such agreement, incurred by the political subdivision in 6948
maintaining, repairing, lighting, and removing snow and ice from 6949
the interstate system. 6950

Section 203.80. PUBLIC TRANSPORTATION HIGHWAY PURPOSE 6951
GRANTS 6952

The Director of Transportation may use revenues from the 6953
state motor vehicle fuel tax to match approved federal grants 6954
awarded to the Department of Transportation, regional transit 6955
authorities, or eligible public transportation systems, for 6956
public transportation highway purposes, or to support local or 6957
state-funded projects for public transportation highway 6958
purposes. 6959

Public transportation highway purposes include (1) the 6960
construction or repair of high-occupancy vehicle traffic lanes, 6961
(2) the acquisition or construction of park-and-ride facilities, 6962
(3) the acquisition or construction of public transportation 6963
vehicle loops, (4) the construction or repair of bridges used by 6964
public transportation vehicles or that are the responsibility of 6965
a regional transit authority or other public transportation 6966
system, or (5) other similar construction that is designated as 6967
an eligible public transportation highway purpose. Motor vehicle 6968
fuel tax revenues may not be used for operating assistance or 6969
for the purchase of vehicles, equipment, or maintenance 6970

facilities. 6971

Section 203.90. AGREEMENTS WITH FEDERAL AGENCIES FOR 6972
ENVIRONMENTAL REVIEW PURPOSES 6973

The Director of Transportation may enter into agreements 6974
as provided in this section with the United States or any 6975
department or agency of the United States, including, but not 6976
limited to, the United States Army Corps of Engineers, the 6977
United States Forest Service, the United States Environmental 6978
Protection Agency, and the United States Fish and Wildlife 6979
Service. An agreement entered into pursuant to this section 6980
shall be solely for the purpose of dedicating staff to the 6981
expeditious and timely review of environmentally related 6982
documents submitted by the Director of Transportation, as 6983
necessary for the approval of federal permits. 6984

The agreements may include provisions for advance payment 6985
by the Director of Transportation for labor and all other 6986
identifiable costs of the United States or any department or 6987
agency of the United States providing the services, as may be 6988
estimated by the United States, or the department or agency of 6989
the United States. 6990

The Director shall submit a request to the Controlling 6991
Board indicating the amount of the agreement, the services to be 6992
performed by the United States or the department or agency of 6993
the United States, and the circumstances giving rise to the 6994
agreement. 6995

Section 203.100. INDEFINITE DELIVERY INDEFINITE QUANTITY 6996
CONTRACTS 6997

(A) As used in this section, "indefinite delivery 6998
indefinite quantity contract" means a contract for an indefinite 6999

quantity, within stated limits, of supplies or services that 7000
will be delivered by the awarded bidder over a defined contract 7001
period. 7002

(B) The Director of Transportation shall advertise and 7003
seek bids for, and shall award, indefinite delivery indefinite 7004
quantity contracts for not more than two projects in fiscal year 7005
2024 and for not more than two projects in fiscal year 2025. For 7006
purposes of entering into indefinite delivery indefinite 7007
quantity contracts, the Director shall do all of the following: 7008

(1) Prepare bidding documents; 7009

(2) Establish contract forms; 7010

(3) Determine contract terms and conditions, including the 7011
following: 7012

(a) The maximum overall value of the contract, which may 7013
include an allowable increase of one hundred thousand dollars or 7014
five per cent of the advertised contract value, whichever is 7015
less; 7016

(b) The duration of the contract, including a time 7017
extension of up to one year if determined appropriate by the 7018
Director; 7019

(c) The defined geographical area to which the contract 7020
applies, which shall be not greater than the size of one 7021
district of the Department of Transportation. 7022

(4) Develop and implement a work order process in order to 7023
provide the awarded bidder adequate notice of requested supplies 7024
or services, the anticipated quantities of supplies, and work 7025
location information for each work order; 7026

(5) Take any other action necessary to fulfill the duties 7027

and obligations of the Director under this section. 7028

(C) Section 5525.01 of the Revised Code applies to 7029
indefinite delivery indefinite quantity contracts. 7030

Section 207.10. 7031

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A	DEV DEPARTMENT OF DEVELOPMENT				
B	Dedicated Purpose Fund Group				
C	4W00	195629	Roadwork Development	\$15,200,000	\$15,200,000
D	TOTAL DPF Dedicated Purpose Fund Group			\$15,200,000	\$15,200,000
E	TOTAL ALL BUDGET FUND GROUPS			\$15,200,000	\$15,200,000

Section 207.20. ROADWORK DEVELOPMENT 7033

The foregoing appropriation item 195629, Roadwork 7034
Development, shall be used for road improvements associated with 7035
economic development opportunities that will retain or attract 7036
businesses for Ohio, including the construction, reconstruction, 7037
maintenance, or repair of public roads that provide access to a 7038
public airport or are located within a public airport. "Road 7039
improvements" are improvements to public roadway facilities 7040
located on, or serving or capable of serving, a project site, 7041
and include the construction, reconstruction, maintenance or 7042
repair of public roads that provide access to a public airport 7043
or are located within a public airport. The appropriation item 7044

may be used in conjunction with any other state funds 7045
appropriated for infrastructure improvements. 7046

The Director of Budget and Management, pursuant to a plan 7047
submitted by the Director of Development or as otherwise 7048
determined by the Director of Budget and Management, shall set a 7049
cash transfer schedule to meet the cash needs of the Roadwork 7050
Development Fund (Fund 4W00) used by the Department of 7051
Development, less any other available cash. The Director of 7052
Budget and Management shall transfer such cash amounts from the 7053
Highway Operating Fund (Fund 7002) to Fund 4W00 at such times as 7054
determined by the transfer schedule. 7055

The Director of Transportation, under the direction of the 7056
Director of Development, shall provide these funds in accordance 7057
with all guidelines and requirements established for other 7058
Department of Development programs, including Controlling Board 7059
review and approval, as well as the requirements for usage of 7060
motor vehicle fuel tax revenue prescribed in Section 5a of 7061
Article XII, Ohio Constitution. Should the Department of 7062
Development require the assistance of the Department of 7063
Transportation to bring a project to completion, the Department 7064
of Transportation shall use its authority under Title 55 of the 7065
Revised Code to provide such assistance and may enter into 7066
contracts on behalf of the Department of Development. 7067

Section 209.10. 7068

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B	Dedicated Purpose Fund Group				
C	7052	150402	Local Transportation Improvement Program - Operating	\$328,705	\$323,792
D	7052	150701	Local Transportation Improvement Program	\$60,000,000	\$64,000,000
E	TOTAL DPF Dedicated Purpose Fund Group			\$60,328,705	\$64,323,792
F	TOTAL ALL BUDGET FUND GROUPS			\$60,328,705	\$64,323,792

Section 209.20. REAPPROPRIATIONS 7070

All capital appropriations from the Local Transportation
Improvement Program Fund (Fund 7052) in H.B. 74 of the 134th
General Assembly remaining unencumbered as of June 30, 2023, may
be reappropriated for use during the period July 1, 2023,
through June 30, 2024, for the same purpose. 7071
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Notwithstanding division (B) of section 127.14 of the
Revised Code, all capital appropriations and reappropriations
from the Local Transportation Improvement Program Fund (Fund
7052) in this act remaining unencumbered as of June 30, 2024,
are reappropriated for use during the period July 1, 2024,
through June 30, 2025, for the same purposes, subject to the
availability of revenue as determined by the Director of the
Public Works Commission. 7076
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TEMPORARY TRANSFERS 7084

Notwithstanding section 127.14 of the Revised Code, the
Director of Budget and Management may transfer cash from the
Local Transportation Improvement Fund (Fund 7052) to the State 7085
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Capital Improvement Fund (Fund 7038) and the Clean Ohio 7088
Conservation Fund (Fund 7056). The Director of Budget and 7089
Management may approve temporary cash transfers if such 7090
transfers are needed for capital outlays for which notes or 7091
bonds will be issued. When there is a sufficient cash balance in 7092
the fund that receives a cash transfer under this section, the 7093
Director of Budget and Management shall transfer cash from that 7094
fund to Fund 7052 in order to repay Fund 7052 for the amount of 7095
the temporary cash transfers made under this section. Any 7096
transfers executed under this section shall be reported to the 7097
Controlling Board by June 30 of the fiscal year in which the 7098
transfer occurred. 7099

Section 501.10. LIMITATION ON USE OF CAPITAL 7100
APPROPRIATIONS 7101

The capital appropriations made in this act for buildings 7102
or structures, including remodeling and renovations, are limited 7103
to: 7104

(A) Acquisition of real property or interests in real 7105
property; 7106

(B) Buildings and structures, which includes construction, 7107
demolition, complete heating and cooling, lighting and lighting 7108
fixtures, and all necessary utilities, ventilating, plumbing, 7109
sprinkling, water, and sewer systems, when such systems are 7110
authorized or necessary; 7111

(C) Architectural, engineering, and professional services 7112
expenses directly related to the projects; 7113

(D) Machinery that is a part of structures at the time of 7114
initial acquisition or construction; 7115

(E) Acquisition, development, and deployment of new 7116

computer systems, including the redevelopment or integration of 7117
existing and new computer systems, but excluding regular or 7118
ongoing maintenance or support agreements; 7119

(F) Furniture, fixtures, or equipment that meets all the 7120
following criteria: 7121

(1) Is essential in bringing the facility up to its 7122
intended use or is necessary for the functioning of the 7123
particular facility or project; 7124

(2) Has a unit cost, and not the individual parts of a 7125
unit, of about \$100 or more; and 7126

(3) Has a useful life of five years or more. 7127

Furniture, fixtures, or equipment that is not an integral 7128
part of or directly related to the basic purpose or function of 7129
a project for which moneys are appropriated shall not be paid 7130
from these appropriations. 7131

Section 503.10. STATE ARBITRAGE REBATE AUTHORIZATION 7132

If it is determined that a payment is necessary in the 7133
amount computed at the time to represent the portion of 7134
investment income to be rebated or amounts in lieu of or in 7135
addition to any rebate amount to be paid to the federal 7136
government in order to maintain the exclusion from gross income 7137
for federal income tax purposes of interest on those state 7138
obligations under section 148(f) of the Internal Revenue Code, 7139
such amount is hereby appropriated from those funds designated 7140
by or pursuant to the applicable proceedings authorizing the 7141
issuance of state obligations. 7142

Payments for this purpose shall be approved and vouchered 7143
by the Office of Budget and Management. 7144

Section 509.10. AUTHORIZATION FOR TREASURER OF STATE AND 7145
OBM TO EFFECTUATE CERTAIN LEASE RENTAL PAYMENTS 7146

The Office of Budget and Management shall process payments 7147
from lease rental payment appropriation items during the period 7148
from July 1, 2023, to June 30, 2025, pursuant to the lease and 7149
other agreements relating to bonds or notes issued under Section 7150
2i of Article VIII of the Ohio Constitution and Chapters 152. 7151
and 154. of the Revised Code, and acts of the General Assembly. 7152
Payments shall be made upon certification by the Treasurer of 7153
State of the dates and amounts due on those dates. 7154

Section 509.20. LEASE AND DEBT SERVICE PAYMENTS 7155

Certain appropriations are in this act for the purpose of 7156
paying debt service and financing costs on general obligation 7157
bonds or notes of the state and for the purpose of making lease 7158
rental and other payments under leases and agreements relating 7159
to bonds or notes issued under the Ohio Constitution, Revised 7160
Code, and acts of the General Assembly. If it is determined that 7161
additional appropriations are necessary for this purpose, such 7162
amounts are hereby appropriated. 7163

Section 513.10. FISCAL YEAR 2023 GENERAL REVENUE FUND 7164
ENDING BALANCE 7165

The Director of Budget and Management shall determine the 7166
surplus General Revenue Fund revenue that exists on June 30, 7167
2023. Notwithstanding section 131.44 of the Revised Code or any 7168
other provision of law to the contrary, the remaining surplus 7169
revenue, except for the transfer listed in this section, shall 7170
remain in the General Revenue Fund. The Director shall transfer 7171
cash, not to exceed the amount of the remaining surplus revenue, 7172
in the amount of \$1,000,000,000 to the Rural Highway Fund (Fund 7173

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Section 610.10. That Section 265.325 of H.B. 110 of the 7175
134th General Assembly be amended to read as follows: 7176

Sec. 265.325. SCHOOL BUS PURCHASE 7177

The foregoing appropriation item 200663, School Bus 7178
Purchase, shall be used to distribute bus purchasing grants to 7179
city, local, and exempted village school districts pursuant to 7180
section 3317.071 of the Revised Code. 7181

An amount equal to the unexpended, unencumbered balance of 7182
the foregoing appropriation item 200663, School Bus Purchase, at 7183
the end of fiscal year 2022 is hereby reappropriated for the 7184
same purpose in fiscal year 2023. 7185

Notwithstanding any provision of law to the contrary, 7186
awards under this section may be used by recipients through 7187
fiscal year 2024 according to guidelines established by the 7188
Department of Education. 7189

Section 610.11. That existing Section 265.325 of H.B. 110 7190
of the 134th General Assembly is hereby repealed. 7191

Section 610.16. That Section 223.15 of H.B. 687 of the 7192
134th General Assembly be amended to read as follows: 7193

Sec. 223.15. The foregoing appropriation item C725E2, 7194
Local Parks, Recreation, and Conservation Projects, shall be 7195
used to support the projects listed in this section. An amount 7196
equal to two per cent of the projects listed may be used by the 7197
Department of Natural Resources for the administration of local 7198
projects. 7199

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	1	2
A	Project List	
B	Heritage Trail Extension	\$2,500,000
C	Lima Community Pool	\$2,400,000
D	Cleveland Zoo Primate Rainforest	\$1,700,000
E	Columbus Zoo	\$1,400,000
F	Cincinnati Findlay Community and Recreation Center	\$1,200,000
G	Gateway to Freedom Park	\$1,200,000
H	Akron Area YMCA Camp Y-Noah Capital Improvement	\$1,000,000
I	Euclid Waterfront Improvement Plan - Phase III	\$1,000,000
J	Franklin Park Conservatory Renovation of the Wolfe Palm House and the Davis Showhouse	\$1,000,000
K	Cincinnati Zoo and Botanical Garden Pedestrian Bridge	\$900,000
L	The Wilds RV Park and Campground	\$900,000
M	Irishtown Bend and Canal Basin Park	\$850,000

N	Cincinnati Playhouse in the Park	\$800,000
O	Lima Rotary Community Stage and Park	\$800,000
P	Copley Ridgewood Trail	\$750,000
Q	Delhi Towne Square	\$750,000
R	Environmental Education Pavilion at Forest Lawn Stormwater Park	\$750,000
S	Glen Helen Nature Preserve Accessibility Improvements	\$750,000
T	Lebanon Scenic Railway Bridge	\$750,000
U	Strongsville Town Center Enhancement and Walkability Initiative	\$725,000
V	Salem City Village Green Park	\$700,000
W	Green Township Veterans Park Enhancement	\$650,000
X	Ohio Bird Sanctuary	\$600,000
Y	Stark Parks Magnolia Flouring Mill Public Access	\$571,000
Z	ArtsinStark Park	\$500,000
AA	Indian Lake Maintenance	\$500,000

AB	North Ridgeville Mills Creek	\$500,000
AC	Sidney Feeder Canal Bike Trail	\$500,000
AD	Sylvania YMCA	\$500,000
AE	The Foundry	\$500,000
AF	Vienna Air Heritage Park	\$500,000
AG	Litzenberg Memorial Woods Improvement Project	\$498,000
AH	Geneva Township Park - Old Lake Road Shoreline Restoration	\$450,000
AI	Hamilton-Clover Groff Trail Project	\$450,000
AJ	Lake Erie Shoreline Erosion Mitigation	\$450,000
AK	McCord Park Renovations	\$450,000
AL	Mentor Marsh Observation Tower	\$450,000
AM	Replacement of Discovery Frontier Playground at Fryer Park	\$450,000
AN	Mosquito Creek Lake Park Improvements	\$404,000
AO	Avon Traxler Preserve	\$400,000

AP	Chagrin Meadows Preserve	\$400,000
AQ	Fort Colerain Phase III	\$400,000
AR	Kelleys Island East Lakeshore Shoreline Protection	\$400,000
AS	Lake Metroparks Lake Erie Shoreline Trail and Revetment Wall	\$400,000
AT	Mason Makino Park	\$400,000
AU	McDonald Commons Renovation and Construction	\$400,000
AV	Ripley Freedom Landing Riverfront Development	\$400,000
AW	Solon to Chagrin Falls Multi- Purpose Trail	\$400,000
AX	Hamilton Beltline Recreational Trail	\$380,000
AY	Holbrook Hollows Park Expansion	\$375,000
AZ	Alum Creek Pedestrian/Bike Bridge - Bexley	\$350,000
BA	Boeckling Building Pier	\$350,000
BB	CROWN Wasson Way Crossing Improvements	\$350,000

BC	Fairport Harbor Marina Boat Launch	\$350,000
BD	Hiking Trails and Playground Refurbishment - Cincinnati	\$350,000
BE	Elyria Intergenerational Community Center	\$350,000
BF	Medina Recreation Center	\$350,000
BG	Project Playground Galena	\$350,000
BH	Wauseon Community Social and Recreational Center	\$350,000
BI	Twinsburg Glen Chamberlin Park	\$338,000
BJ	Botkins Community Park	\$300,000
BK	Camp Joy	\$300,000
BL	Canal Fulton Community Park	\$300,000
BM	Canton Township Faircrest Park	\$300,000
BN	Chagrin River Trail	\$300,000
BO	Creston Community Park Renovations	\$300,000
BP	Edge Adventure Park	\$300,000
BQ	Harbin Park ADA-Accessible Play Area and Splash Pad	\$300,000

BR	Kalida St. Michael Holy Name Ballpark	\$300,000
BS	Legacy Park Shelter House and Restrooms Project - Cridersville	\$300,000
BT	Liberty Landing Phase II	\$300,000
BU	Lincoln Heights Memorial Athletic Field Renovations	\$300,000
BV	Marysville Heritage Park	\$300,000
BW	Massillon Park Splash Pad	\$300,000
BX	Mayerson JCC Expansion	\$300,000
BY	Meredith Park	\$300,000
BZ	Niles Bike Path Bridge Improvements	\$300,000
CA	North Canton Dogwood Pool House	\$300,000
CB	Olmsted Township Nature Trail and Bark Park	\$300,000
CC	Plain Township Diamond Park Historic Barn	\$300,000
CD	Town Square Redevelopment - Blue Ash	\$300,000
CE	Willadale Trail-Boettler/Southgate	\$275,000

	Connector	
CF	Fallen Timbers Family Recreation Center Pool Replacement <u>Capital</u> <u>Improvements</u>	\$275,000
CG	Grailville Park Improvements	\$260,000
CH	Streetsboro Industrial Park	\$250,000
CI	Brunswick Recreation Center	\$250,000
CJ	Chudzinski Johansen Conservancy Park	\$250,000
CK	Clearcreek Park Trail	\$250,000
CL	Coke Oven Community Civic Center Park	\$250,000
CM	Covington - Schoolhouse Park	\$250,000
CN	Girl Scouts of Western Ohio - EMPOWER HER	\$250,000
CO	Girl Scouts of Western Ohio Camp Libbey	\$250,000
CP	Johnstown Splash Pad	\$250,000
CQ	Lockington Trail Bridge	\$250,000
CR	Lodi Community Park	\$250,000
CS	Louisville Metzger Park	\$250,000

CT	Noble County Heritage Park	\$250,000
CU	Rotary Lodge at River Cliff Park Renovation	\$250,000
CV	Schoonover Observatory Improvements	\$250,000
CW	SPIRE Institute and Academy	\$250,000
CX	Timken Gatehouse Renovation	\$250,000
CY	West Carrollton Whitewater Park	\$250,000
CZ	Wooster Barnes Preserve	\$250,000
DA	Valleyview Park	\$240,000
DB	Cave Lake Dam	\$225,000
DC	Moonville Rail Trail	\$225,000
DD	Dan Beard Scout Camp Flooding and Erosion Mitigation	\$223,000
DE	Chillicothe Paint Creek Recreational Trail	\$215,000
DF	Ashtabula Township Park - Restoration	\$200,000
DG	Augusta Community Park	\$200,000
DH	Bryan Lincoln Park	\$200,000

DI	Camp Oty'Okwa Capital Improvements	\$200,000
DJ	Center Gateway Improvement Project - Rocky River	\$200,000
DK	Centerville Benham's Grove	\$200,000
DL	City of Monroe Lookout Point	\$200,000
DM	Coshocton County Connector	\$200,000
DN	Franklin Furnace Park	\$200,000
DO	Great Miami River Trail - Middletown to Monroe Segment Construction Project	\$200,000
DP	Memorial Park All-Purpose Trail - North Royalton	\$200,000
DQ	Mount Aloysius Community Rec Center	\$200,000
DR	Portage Bike and Hike Trail - Mill Race Segment	\$200,000
DS	Seven Gables Park Playground Replacement	\$200,000
DT	Sylvania Plummer Pool	\$200,000
DU	Tuscarawas Memorial Park Improvements	\$200,000

DV	Wellness at the Generational Recreation Complex- Construction	\$200,000
DW	West Farmington Park Improvements	\$200,000
DX	Shawnee West Buckeye Trail	\$195,000
DY	Jim Terrell Park Canoe/Kayak Launch	\$190,000
DZ	Racine Star Mill Park	\$190,000
EA	Darke County Art Trail	\$180,000
EB	Bryn Du Barn	\$175,000
EC	Erie MetroParks Nature Center	\$175,000
ED	Norton Bicentennial Park	\$175,000
EE	Ohio and Erie Canal Restoration	\$175,000
EF	Concord Township Park Renovation	\$172,000
EG	Ward Park Swimming Pool Filtration System Replacement	\$171,000
EH	Ashland County Corner Park	\$150,000
EI	Brown County Board of Developmental Disabilities Resource and Community Center	\$150,000
EJ	Buckeye Lake Boat Ramps and Pier	\$150,000

	Enabling Project	
EK	Deer Park Chamberlin Park	\$150,000
EL	Elyria Holly Hall	\$150,000
EM	Forest Park Central Park Improvements	\$150,000
EN	Fostoria Splash Pad	\$150,000
EO	Geneva Township Park Commission - Handicap Accessible Ramp	\$150,000
EP	Gibsonburg Logyard Park	\$150,000
EQ	Greenville Downtown Park	\$150,000
ER	Hammertown Lake Improvements Project	\$150,000
ES	Kingsbury Riverfront Park Rehabilitation Project	\$150,000
ET	Lock Nine Riverfront Park	\$150,000
EU	MAGNET's Manufacturing Innovation, Technology and Job Center Park	\$150,000
EV	Mansfield B&O Trail Connector	\$150,000
EW	Mansfield Central Park	\$150,000
EX	Middle Point Recreation Center	\$150,000

EY	Mount Gilead Park Site Preparations	\$150,000
EZ	Navarre Park	\$150,000
FA	North Kingsville Village - Community Park	\$150,000
FB	North Olmsted Community Park Improvements	\$150,000
FC	Olmsted Falls East River Road Park	\$150,000
FD	Portsmouth Market Square Park	\$150,000
FE	Powhatan Point Municipal Park District	\$150,000
FF	Restore Rockefeller	\$150,000
FG	Richwood Splash Pad	\$150,000
FH	Rio Grande Reservoir and Park Improvements	\$150,000
FI	Seven Hills Calvin Park Drainage Improvements	\$150,000
FJ	Unger Park Multi-Use Loop Trail	\$150,000
FK	Urban Meadow Park Connector Trail	\$150,000
FL	Wellsville Marina Dredging	\$150,000

FM	Austintown Township Park Bandshell Replacement	\$140,000
FN	West Union SR 41 Shared Use Path Phase II	\$140,000
FO	Bellefontaine Blue Jacket Park	\$135,000
FP	Alliance Memorial Park	\$125,000
FQ	Alliance Thompson- Snodgrass Park	\$125,000
FR	Antwerp Holly Kobee Memorial Splash Pad	\$125,000
FS	Carey Splash Pad	\$125,000
FT	Flight Line: East Dayton Rails- to-Trails	\$125,000
FU	Friedt Park	\$125,000
FV	Kirtland Community Center	\$125,000
FW	Miami Valley Research Park Bike Path and Pedestrian Bridge	\$125,000
FX	Old Murray City School Building Demolition	\$125,000
FY	Vermillion Main Street Beach and Harbor Access Project	\$125,000
FZ	Clepper Park Pickleball Courts	\$122,000

GA	Village of Fort Loramie Community Park Improvements	\$122,000
GB	North Fork Preserve of Bath	\$120,000
GC	Rootstown Community Park and Gracie Field Paving	\$120,000
GD	New Knoxville Splash Pad and Shelter House	\$110,000
GE	Sally Buffalo Park Stage	\$110,000
GF	South Lebanon Veteran's Park Playground	\$110,000
GG	Middleburg Heights Memorial Hall Courtyard	\$104,000
GH	Akron Zoo Additional Animal Housing Phase II	\$100,000
GI	Bay Village Green Improvements	\$100,000
GJ	Brecksville Field House	\$100,000
GK	Cobblestone Park - Medina	\$100,000
GL	Fairfield Township Veterans Memorial Project	\$100,000
GM	Gahanna Exploration Center	\$100,000
GN	Harmony Park	\$100,000

GO	Highland Heights Park Connector	\$100,000
GP	Holden Arboretum All-Season Trails	\$100,000
GQ	Kenton Saulisberry Park at France Lake	\$100,000
GR	Mansfield Sterkel Park	\$100,000
GS	Marion Lincoln Park	\$100,000
GT	Mecca Township Recreation Center	\$100,000
GU	Montgomery Cultural Arts and Performance Fountain	\$100,000
GV	Ottawa Memorial Pool Splash Pad	\$100,000
GW	Outdoor Theater and Performing Arts Community Park - Hillsboro	\$100,000
GX	Painesville Kiwanis Recreation Park	\$100,000
GY	Pickleball Courts at Patricia Allyn Park	\$100,000
GZ	Plain City Heritage Trail	\$100,000
HA	Plan4Health Perry Township Park Trail Improvement Plan	\$100,000
HB	Police and Fire Dedication Playground - Lyndhurst	\$100,000

HC	Sheffield Village James Day Park	\$100,000
HD	Syracuse Skatepark	\$100,000
HE	The Pony Wagon Trail	\$100,000
HF	The Wilds Shade and Shelter Improvements	\$100,000
HG	Veterans Memorial at Rose Run Park	\$100,000
HH	Village of Bellville Historic Bandstand Renovations	\$100,000
HI	Village of Bentleyville Riverview Community Park	\$100,000
HJ	Village of Middlefield Parks Upgrades	\$100,000
HK	Weatherstone Park - Wadsworth	\$100,000
HL	West Alexandria Smith Street Park	\$100,000
HM	Wintersville Recreation Complex	\$100,000
HN	Acres of Adventure Learning Center	\$90,000
HO	Byesville Patriot Park	\$90,000
HP	Malta Park Improvements	\$90,000

HQ	Parma Park Improvements	\$90,000
HR	Perrysville Weltmer Park - Playground	\$85,000
HS	4-H Camp Piedmont Upgrades	\$75,000
HT	Brook Park Central Park	\$75,000
HU	Cuyahoga Heights Willowbrook Connector Trail	\$75,000
HV	Fairborn Memorial Park	\$75,000
HW	Fairview Park Bain Park	\$75,000
HX	Havener Park Improvements	\$75,000
HY	Independence Pool Facility Improvements	\$75,000
HZ	Lancaster Nature Trail at AHA!	\$75,000
IA	Leipsic Buckeye Park	\$75,000
IB	Little Miami River Access and Park Development	\$75,000
IC	Loveland Heights Playground Improvements	\$75,000
ID	Middleport-Pomeroy Walking Path Project Phase IV	\$75,000
IE	Monroe Township Park Playground	\$75,000

IF	Mt. Sterling Mason Park	\$75,000
IG	New Concord Swimming Pool	\$75,000
IH	Outdoor Sports Court Revitalization - Springdale	\$75,000
II	Sharon Nature Preserve Trails Phase I	\$75,000
IJ	Wadsworth Safety Town Park	\$75,000
IK	Voice of America MetroPark Tylersville Road Entrance	\$70,000
IL	Wilhelmina Park Trail and Shelter Project	\$70,000
IM	Ellsworth Hills Learning Lab	\$65,000
IN	Roscoe Village Infrastructure Project	\$60,000
IO	Buckeye Trail East Fork Wildlife Area	\$57,000
IP	Caldwell Walking Track Expansion	\$55,000
IQ	Reservoir Park Pathway Pedestrian Bridge - Deshler	\$52,000
IR	McCulloughs Run - Newton	\$50,000
IS	Bellaire Walking Trail	\$50,000

IT	Big Walnut Trail Extension and Park	\$50,000
IU	Big Walnut Trail SE Columbus - Eastland Area	\$50,000
IV	Brunswick Lake ADA Canoe/Kayak Launch	\$50,000
IW	Bryan George Bible Park	\$50,000
IX	Buckeye Lake Crystal Lagoon and Public Park	\$50,000
IY	Center Ice Foundation	\$50,000
IZ	Cleveland Botanical Garden Public Accessible Garden Path	\$50,000
JA	Concord Township Park Restroom Facility Project	\$50,000
JB	Doylestown Memorial Park	\$50,000
JC	Drews Track Memorial Pump Track Expansion	\$50,000
JD	Glass City Enrichment Center	\$50,000
JE	Greenwich Reservoir Park	\$50,000
JF	Leila McGuire Jeffrey Park Playground	\$50,000
JG	Levitt Pavilion Dayton	\$50,000

JH	Madison Village Dana's Park	\$50,000
JI	Madison Village Wetland Trail	\$50,000
JJ	Martins Ferry Recreation Center- Water Splash Park/Ice Rink	\$50,000
JK	Millersport Lions Park	\$50,000
JL	Moscow Ohio River Stabilization, Phase II	\$50,000
JM	Ohio FFA Camp Muskingum	\$50,000
JN	P&G MLB Cincinnati Reds Youth Academy	\$50,000
JO	Penney Nature Center Improvement Project	\$50,000
JP	Prairie Trail/Stitt Park Improvements	\$50,000
JQ	Caldwell Race Track Upgrades	\$50,000
JR	Richmond Heights Community Park Gazebo	\$50,000
JS	Richwood Park Lynn St. Shelterhouse and Parking	\$50,000
JT	Salt Fork State Park	\$50,000
JU	Shade Community Center Upgrades	\$50,000

JV	Tinker's Creek Trail	\$50,000
JW	Village of Bloomdale Reservoir Project	\$50,000
JX	Wapakoneta Waterpark	\$50,000
JY	Walton Hills Thomas Young Park	\$48,000
JZ	Byrd Township Community Center	\$45,000
KA	Selby Building Revitalization	\$45,000
KB	Village of Dunkirk Splash Pad and Storage Building	\$45,000
KC	Burr Oak State Park	\$44,000
KD	Veterans Memorial Park Accessibility Improvements - Liberty Center	\$42,000
KE	Chippewa Falls Rail Trail Parking Lot	\$40,000
KF	Chippewa Park Shelter House	\$40,000
KG	Gates Mills Community House Improvements	\$40,000
KH	Hartinger Park/Diles Park Playground Improvements	\$40,000
KI	Fifth Street Park Play Structure and Splash Pad	\$30,000

KJ	Keener Park Sledding Hill	\$30,000
KK	Alger Park Upgrades	\$25,000
KL	Blue Heron Park Trail Phase II	\$25,000
KM	Charlement Reservation Stable	\$25,000
KN	Gloria Glens Southwest Park Grading	\$25,000
KO	Pickerington Promenade	\$25,000
KP	Plymouth Mary Fate Park	\$25,000
KQ	Blue Heron Park Flood Mitigation	\$20,000
KR	Hardin County Veterans Memorial Park	\$20,000
KS	Malinta Community Park	\$20,000
KT	Zuck Riparian Preserve Trail	\$18,000
KU	Perrysville Weltmer Park - Electrical	\$15,000
KV	Sardinia Veteran's Community Park Revitalization	\$15,000
KW	Kokosing Gap Trail	\$14,000
KX	Paulding County Park District Floating Pier Addition	\$10,000

KY	Buckeye Trail Boesel Easement Bridge	\$2,800
KZ	Paulding County Park District Boat Launch Improvement	\$2,500
LA	Paulding County Park District	\$1,000
LB	Paulding County Park District Pier	\$1,000

Section 610.17. That existing Section 223.15 of H.B. 687 7201
of the 134th General Assembly is hereby repealed. 7202

Section 610.50. That Section 15149 of the General Code, 7203
Section 1 of Am. S.B. 200 of the 98th General Assembly, and 7204
Section 3 of H.B. 69 of the 112th General Assembly are hereby 7205
repealed. 7206

Section 610.51. Any proceedings pending or in progress on 7207
the effective date of sections 746.01, 746.02, 746.03, 746.04, 7208
746.05, 746.06, and 746.07 of the Revised Code as enacted by 7209
this act are deemed to have been taken in conformity with those 7210
sections. 7211

Section 755.10. (A) Upon recommendation under division (D) 7212
of this section, the Department of Transportation shall contract 7213
with a neutral third-party entity to conduct a study of the 7214
Department's pavement-selection process. The study shall 7215
include, but not be limited to, life cycle cost analysis, user 7216
delay analysis, constructability, and environmental factors. The 7217
Department shall hold the contract with the neutral third-party 7218
entity, and the contract shall be submitted to the Controlling 7219
Board for approval. The Controlling Board shall approve or 7220

disapprove the contract in the same manner in which contracts 7221
entered into under Chapter 5526. of the Revised Code are 7222
approved or disapproved. The entity shall be an individual or an 7223
academic, research, or professional association with an 7224
expertise in pavement-selection decisions and shall not be a 7225
research center for concrete or asphalt pavement. 7226

The study conducted by the neutral third-party entity 7227
shall compare and contrast the Department's pavement-selection 7228
process with those of other states and with model selection 7229
processes as described by the American Association of State 7230
Highway and Transportation Officials and the Federal Highway 7231
Administration. 7232

(B) The Director of Transportation shall appoint an 7233
advisory council to recommend the neutral third-party entity, 7234
approve the entity's scope of study, and issue a final report 7235
with recommendations in accordance with division (D) of this 7236
section. The advisory council shall consist of the following 7237
members: 7238

(1) The Director of Transportation, who shall act as 7239
Chairperson of the council; 7240

(2) A member of the Ohio Society of Certified Public 7241
Accountants; 7242

(3) A member of a statewide business organization 7243
representing major corporate entities from a list of three names 7244
recommended by the Speaker of the House of Representatives; 7245

(4) A member of the Ohio Society of Professional 7246
Engineers; 7247

(5) A member of a business organization representing small 7248
or independent businesses from a list of three names recommended 7249

by the President of the Senate; 7250

(6) A representative of the Ohio Concrete Construction 7251
Association; 7252

(7) A representative of Flexible Pavements Association of 7253
Ohio, Inc. 7254

(C) Members of the advisory council representing the Ohio 7255
Society of Certified Public Accountants, the Ohio Society of 7256
Professional Engineers, the small or independent businesses, and 7257
the major corporate entities shall have no conflict of interest 7258
with the position. For purposes of this section, "conflict of 7259
interest" means taking any action that violates any provision of 7260
Chapter 102. or 2921. of the Revised Code. 7261

(D) The Director shall appoint the advisory council no 7262
later than July 31, 2023. The advisory council shall recommend 7263
the neutral third-party entity to the Director and shall 7264
determine the scope of the study to be conducted by the entity 7265
not later than September 1, 2023. Once appointed, the advisory 7266
council shall meet, at a minimum, every thirty days to direct 7267
and monitor the work of the neutral third-party entity, 7268
including responding to any questions raised by the neutral 7269
third-party entity. The council shall publish a schedule of 7270
meetings and provide adequate public notice of these meetings. 7271
The meetings are subject to applicable public meeting 7272
requirements. 7273

The advisory council shall issue a final report with 7274
recommendations concerning the Department's pavement selection 7275
process to the Director. The report and recommendations shall 7276
take into account the study conducted by the neutral third-party 7277
entity. The advisory council shall allow a comment period of not 7278

less than thirty days before it issues the final report. The 7279
advisory council shall issue the report on or before December 7280
31, 2023. Upon issuing its final report, the advisory council 7281
ceases to exist. 7282

(E) The Department shall make changes to its pavement- 7283
selection process based on the neutral third-party entity's 7284
study and recommendations included in the advisory council's 7285
final report. 7286

Section 755.20. (A) As used in this section: 7287

(1) "Economically significant employment center" means a 7288
single site, multiple adjoining sites, or a business park where 7289
the employers located at the site or park employ not less than 7290
two hundred fifty full-time employees who work onsite. 7291

(2) "Rural or urban transit authorities" means regional 7292
transit authorities that are established pursuant to sections 7293
306.30 to 306.53 of the Revised Code and that serve either a 7294
rural population, an urban population, or both populations. 7295

(B) There is hereby established the Ohio Workforce 7296
Mobility Partnership Program. The Department of Transportation 7297
shall administer the Program. Under the Program, one or more 7298
boards of trustees of rural or urban transit authorities may 7299
either singularly or jointly apply for competitive grant funding 7300
for individual or collaborative projects. All grant funding 7301
shall be spent in accordance with division (C) of this section. 7302

(C) Any boards of trustees awarded grants under this 7303
section shall use the grant funding for purposes of transporting 7304
resident workforce members between the service territories of 7305
the joint rural or urban transit authorities. The boards shall 7306
also use the grant money to focus on transportation that 7307

supports the employment needs of economically significant 7308
employment centers located within or near the service 7309
territories of the rural or urban transit authorities. Such 7310
support shall include efforts to easily, efficiently, and 7311
economically transport a resident workforce that either lives 7312
within a service territory that has little or no public transit 7313
service to an employment center or lives within one service 7314
territory but is employed full-time within another service 7315
territory. 7316

(D) The Director of Transportation shall establish any 7317
procedures and requirements necessary to administer this 7318
section, including grant application, evaluation of 7319
applications, and award processes, and any conditions for the 7320
expenditure of grant funding awarded under the Program. 7321

(E) This section expires two years after its effective 7322
date. 7323

Section 755.30. (A) As used in this section: 7324

(1) "Low-income individual" means an individual residing 7325
within a family unit with an income that is equal to or less 7326
than four hundred per cent of the poverty federal poverty level. 7327

(2) "Private transit voucher" means a voucher for 7328
ridesharing, transportation network company, taxicab, or other 7329
similar vehicle for hire arrangements. 7330

(B) The Office of Transit within the Department of 7331
Transportation shall conduct a study to evaluate the use of 7332
private transit vouchers for low-income individuals. 7333
Specifically, the study shall evaluate both of the following: 7334

(1) Whether the use of private transit vouchers would 7335
benefit low-income individuals in maintaining effective access 7336

to transportation services; 7337

(2) Whether the distribution of private transit vouchers 7338
is a cost-effective option to eliminate public transit routes 7339
with low ridership. 7340

(C) The Office shall submit a report of its findings and 7341
recommendations not later than July 1, 2024, to the President of 7342
the Senate, the Speaker of the House of Representatives, and the 7343
chairs of the respective committees of the House of 7344
Representatives and Senate responsible for transportation- 7345
related matters. 7346

Section 757.10. MOTOR FUEL TAX DISTRIBUTIONS TO HIGHWAY 7347
OPERATING FUND 7348

On the last day of each month in the biennium ending June 7349
30, 2025, before making any of the distributions specified in 7350
section 5735.051 of the Revised Code but after any transfers to 7351
the tax refund fund as required by that section and section 7352
5703.052 of the Revised Code, the Treasurer of State shall 7353
deposit the first two per cent of the amount of motor fuel tax 7354
received for the preceding calendar month to the credit of the 7355
Highway Operating Fund (Fund 7002). 7356

Section 757.20. MOTOR FUEL DEALER REFUNDS 7357

Notwithstanding Chapter 5735. of the Revised Code, the 7358
following apply for the period of July 1, 2023, to June 30, 7359
2025: 7360

(A) For the discount under section 5735.06 of the Revised 7361
Code, if the monthly report is timely filed and the tax is 7362
timely paid, one per cent of the total number of gallons of 7363
motor fuel received by the motor fuel dealer within the state 7364
during the preceding calendar month, less the total number of 7365

gallons deducted under divisions (B) (1) (a) and (b) of section 7366
5735.06 of the Revised Code, less one-half of one per cent of 7367
the total number of gallons of motor fuel that were sold to a 7368
retail dealer during the preceding calendar month. 7369

(B) For the semiannual periods ending December 31, 2023, 7370
June 30, 2024, December 31, 2024, and June 30, 2025, the refund 7371
provided to retail dealers under section 5735.141 of the Revised 7372
Code shall be one-half of one per cent of the Ohio motor fuel 7373
taxes paid on fuel purchased during those semiannual periods. 7374

Section 757.30. MONTHLY TRANSFERS TO GASOLINE EXCISE TAX 7375
FUND 7376

The Director of Budget and Management shall transfer cash 7377
in equal monthly increments totaling \$166,055,868 in fiscal year 7378
2024 and in equal monthly increments totaling \$168,885,288 in 7379
fiscal year 2025 from the Highway Operating Fund (Fund 7002) to 7380
the Gasoline Excise Tax Fund (Fund 7060). The monthly amounts 7381
transferred under this section shall be distributed as follows: 7382

(A) 42.86 per cent shall be distributed among the 7383
municipal corporations within the state under division (A) (2) (b) 7384
(i) of section 5735.051 of the Revised Code; 7385

(B) 37.14 per cent shall be distributed among the counties 7386
within the state under division (A) (2) (b) (ii) of section 7387
5735.051 of the Revised Code; and 7388

(C) 20 per cent shall be distributed among the townships 7389
within the state under division (A) (2) (b) (iii) of section 7390
5735.051 of the Revised Code. 7391

Section 801.10. PROVISIONS OF LAW GENERALLY APPLICABLE TO 7392
APPROPRIATIONS 7393

Law contained in the main operating appropriations act of 7394
the 135th General Assembly that is generally applicable to the 7395
appropriations made in the main operating appropriations act 7396
also is generally applicable to the appropriations made in this 7397
act. 7398

Section 806.10. SEVERABILITY 7399

The items of law contained in this act, and their 7400
applications, are severable. If any item of law contained in 7401
this act, or if any application of any item of law contained in 7402
this act, is held invalid, the invalidity does not affect other 7403
items of law contained in this act and their applications that 7404
can be given effect without the invalid item or application. 7405

Section 809.10. An item of law, other than an amending, 7406
enacting, or repealing clause, that composes the whole or part 7407
of an uncodified section contained in this act has no effect 7408
after June 30, 2025, unless its context clearly indicates 7409
otherwise. 7410

Section 812.10. LAWS AND REFERENDUM 7411

Except as otherwise provided in this act, the amendment, 7412
enactment, or repeal by this act of a section of law is subject 7413
to the referendum under Ohio Constitution, Article II, Section 7414
1c and therefore takes effect on the ninety-first day after this 7415
act is filed with the Secretary of State or, if a later 7416
effective date is specified below, on that date. 7417

Section 812.15. The Director of the Department of 7418
Administrative Services shall take no action with respect to the 7419
amendments to section 124.152 of the Revised Code contained in 7420
H.B. 462 of the 134th General Assembly. The amendments to 7421
sections 124.152 and 5503.031 of the Revised Code as made in 7422

this act shall become effective on July 1, 2023. 7423

Section 812.20. APPROPRIATIONS AND REFERENDUM 7424

In this section, an "appropriation" includes another 7425
provision of law in this act that relates to the subject of the 7426
appropriation. 7427

An appropriation of money made in this act is not subject 7428
to the referendum insofar as a contemplated expenditure 7429
authorized thereby is wholly to meet a current expense within 7430
the meaning of Ohio Constitution, Article II, Section 1d and 7431
section 1.471 of the Revised Code. To that extent, the 7432
appropriation takes effect immediately when this act becomes 7433
law. Conversely, the appropriation is subject to the referendum 7434
insofar as a contemplated expenditure authorized thereby is 7435
wholly or partly not to meet a current expense within the 7436
meaning of Ohio Constitution, Article II, Section 1d. To that 7437
extent, the appropriation takes effect on the ninety-first day 7438
after this act is filed with the Secretary of State. 7439

Section 820.10. The General Assembly, applying the 7440
principle stated in division (B) of section 1.52 of the Revised 7441
Code that amendments are to be harmonized if reasonably capable 7442
of simultaneous operation, finds that the following sections, 7443
presented in this act as composites of the sections as amended 7444
by the acts indicated, are the resulting versions of the 7445
sections in effect prior to the effective date of the sections 7446
as presented in this act: 7447

Section 3501.29 of the Revised Code as amended by both 7448
H.B. 281 and H.B. 458 of the 134th General Assembly. 7449

Section 4503.10 of the Revised Code as amended by H.B. 21, 7450
H.B. 74, and S.B. 162, all of the 134th General Assembly. 7451