

**As Reported by the House Homeland Security Committee**

**135th General Assembly**

**Regular Session**

**2023-2024**

**Am. H. B. No. 237**

**Representatives Miller, K., Plummer**

**Cosponsors: Representatives Hall, Johnson, Klopfenstein**



**A BILL**

To amend sections 1531.01, 1533.01, 1533.103, 1  
1533.18, 2131.12, 2131.13, 2744.01, 2911.21, 2  
2921.331, 2923.16, 4501.01, 4501.13, 4503.01, 3  
4503.038, 4503.04, 4503.10, 4503.191, 4503.312, 4  
4504.01, 4505.01, 4505.06, 4505.09, 4505.11, 5  
4510.036, 4511.01, 4511.214, 4511.713, 4513.02, 6  
4513.221, 4513.263, 4517.01, 4519.01, 4519.02, 7  
4519.03, 4519.031, 4519.04, 4519.05, 4519.08, 8  
4519.09, 4519.10, 4519.11, 4519.20, 4519.21, 9  
4519.22, 4519.401, 4519.41, 4519.42, 4519.43, 10  
4519.44, 4519.45, 4519.46, 4519.47, 4519.48, 11  
4519.511, 4519.512, 4519.52, 4519.521, 4519.53, 12  
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4519.58, 4519.59, 4519.60, 4519.61, 4519.62, 14  
4519.63, 4519.631, 4519.64, 4519.65, 4519.66, 15  
4519.67, 4519.68, 4519.69, 4519.70, 5553.044, 16  
5739.02, and 5815.36; to enact new section 17  
4519.40 and sections 4519.041, 4519.23, 18  
4519.402, 4519.403, and 4519.99; and to repeal 19  
sections 4511.215, 4511.216, and 4519.40 of the 20  
Revised Code to make changes to the laws 21  
governing all-purpose vehicles, off-highway 22

motorcycles, snowmobiles, utility vehicles, and 23  
mini-trucks. 24

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

**Section 1.** That sections 1531.01, 1533.01, 1533.103, 25  
1533.18, 2131.12, 2131.13, 2744.01, 2911.21, 2921.331, 2923.16, 26  
4501.01, 4501.13, 4503.01, 4503.038, 4503.04, 4503.10, 4503.191, 27  
4503.312, 4504.01, 4505.01, 4505.06, 4505.09, 4505.11, 4510.036, 28  
4511.01, 4511.214, 4511.713, 4513.02, 4513.221, 4513.263, 29  
4517.01, 4519.01, 4519.02, 4519.03, 4519.031, 4519.04, 4519.05, 30  
4519.08, 4519.09, 4519.10, 4519.11, 4519.20, 4519.21, 4519.22, 31  
4519.401, 4519.41, 4519.42, 4519.43, 4519.44, 4519.45, 4519.46, 32  
4519.47, 4519.48, 4519.511, 4519.512, 4519.52, 4519.521, 33  
4519.53, 4519.54, 4519.55, 4519.551, 4519.56, 4519.57, 4519.58, 34  
4519.59, 4519.60, 4519.61, 4519.62, 4519.63, 4519.631, 4519.64, 35  
4519.65, 4519.66, 4519.67, 4519.68, 4519.69, 4519.70, 5553.044, 36  
5739.02, and 5815.36 be amended and new section 4519.40 and 37  
sections 4519.041, 4519.23, 4519.402, 4519.403, and 4519.99 of 38  
the Revised Code be enacted to read as follows: 39

**Sec. 1531.01.** As used in this chapter and Chapter 1533. of 40  
the Revised Code: 41

(A) "Person" means a person as defined in section 1.59 of 42  
the Revised Code or a company; an employee, agent, or officer of 43  
such a person or company; a combination of individuals; the 44  
state; a political subdivision of the state; an interstate body 45  
created by a compact; or the federal government or a department, 46  
agency, or instrumentality of it. 47

(B) "Resident" means any individual who has resided in 48

this state for not less than six months preceding the date of 49  
making application for a license or permit. 50

(C) "Nonresident" means any individual who does not 51  
qualify as a resident. 52

(D) "Division rule" or "rule" means any rule adopted by 53  
the chief of the division of wildlife under section 1531.10 of 54  
the Revised Code unless the context indicates otherwise. 55

(E) "Closed season" means that period of time during which 56  
the taking of wild animals protected by this chapter and Chapter 57  
1533. of the Revised Code is prohibited. 58

(F) "Open season" means that period of time during which 59  
the taking of wild animals protected by this chapter and Chapter 60  
1533. of the Revised Code is permitted. 61

(G) "Take or taking" includes pursuing, shooting, hunting, 62  
killing, trapping, angling, fishing with a trotline, or netting 63  
any clam, mussel, crayfish, aquatic insect, fish, frog, turtle, 64  
wild bird, or wild quadruped, and any lesser act, such as 65  
wounding, or placing, setting, drawing, or using any other 66  
device for killing or capturing any wild animal, whether it 67  
results in killing or capturing the animal or not. "Take or 68  
taking" includes every attempt to kill or capture and every act 69  
of assistance to any other person in killing or capturing or 70  
attempting to kill or capture a wild animal. 71

(H) "Possession" means both actual and constructive 72  
possession and any control of things referred to. 73

(I) "Bag limit" means the number, measurement, or weight 74  
of any kind of crayfish, aquatic insects, fish, frogs, turtles, 75  
wild birds, and wild quadrupeds permitted to be taken. 76

(J) "Transport and transportation" means carrying or moving or causing to be carried or moved.	77 78
(K) "Sell and sale" means barter, exchange, or offer or expose for sale.	79 80
(L) "Whole to include part" means that every provision relating to any wild animal protected by this chapter and Chapter 1533. of the Revised Code applies to any part of the wild animal with the same effect as it applies to the whole.	81 82 83 84
(M) "Angling" means fishing with not more than two hand lines, not more than two units of rod and line, or a combination of not more than one hand line and one rod and line, either in hand or under control at any time while fishing. The hand line or rod and line shall have attached to it not more than three baited hooks, not more than three artificial fly rod lures, or one artificial bait casting lure equipped with not more than three sets of three hooks each.	85 86 87 88 89 90 91 92
(N) "Trotline" means a device for catching fish that consists of a line having suspended from it, at frequent intervals, vertical lines with hooks attached.	93 94 95
(O) "Fish" means a cold-blooded vertebrate having fins.	96
(P) "Measurement of fish" means length from the end of the nose to the longest tip or end of the tail.	97 98
(Q) "Wild birds" includes game birds and nongame birds.	99
(R) "Game" includes game birds, game quadrupeds, and fur-bearing animals.	100 101
(S) "Game birds" includes mourning doves, ringneck pheasants, bobwhite quail, ruffed grouse, sharp-tailed grouse, pinnated grouse, wild turkey, Hungarian partridge, Chukar	102 103 104

partridge, woodcocks, black-breasted plover, golden plover,	105
Wilson's snipe or jacksnipe, greater and lesser yellowlegs,	106
rail, coots, gallinules, duck, geese, brant, and crows.	107
(T) "Nongame birds" includes all other wild birds not	108
included and defined as game birds or migratory game birds.	109
(U) "Wild quadrupeds" includes game quadrupeds and fur-	110
bearing animals.	111
(V) "Game quadrupeds" includes cottontail rabbits, gray	112
squirrels, black squirrels, fox squirrels, red squirrels, flying	113
squirrels, chipmunks, groundhogs or woodchucks, white-tailed	114
deer, wild boar, elk, and black bears.	115
(W) "Fur-bearing animals" includes minks, weasels,	116
raccoons, skunks, opossums, muskrats, fox, beavers, badgers,	117
otters, coyotes, and bobcats.	118
(X) "Wild animals" includes mollusks, crustaceans, aquatic	119
insects, fish, reptiles, amphibians, wild birds, wild	120
quadrupeds, and all other wild mammals, but does not include	121
domestic deer.	122
(Y) "Hunting" means pursuing, shooting, killing, following	123
after or on the trail of, lying in wait for, shooting at, or	124
wounding wild birds or wild quadrupeds while employing any	125
device commonly used to kill or wound wild birds or wild	126
quadrupeds whether or not the acts result in killing or	127
wounding. "Hunting" includes every attempt to kill or wound and	128
every act of assistance to any other person in killing or	129
wounding or attempting to kill or wound wild birds or wild	130
quadrupeds.	131
(Z) "Trapping" means securing or attempting to secure	132
possession of a wild bird or wild quadruped by means of setting,	133

placing, drawing, or using any device that is designed to close 134  
upon, hold fast, confine, or otherwise capture a wild bird or 135  
wild quadruped whether or not the means results in capture. 136  
"Trapping" includes every act of assistance to any other person 137  
in capturing wild birds or wild quadrupeds by means of the 138  
device whether or not the means results in capture. 139

(AA) "Muskrat spear" means any device used in spearing 140  
muskrats. 141

(BB) "Channels and passages" means those narrow bodies of 142  
water lying between islands or between an island and the 143  
mainland in Lake Erie. 144

(CC) "Island" means a rock or land elevation above the 145  
waters of Lake Erie having an area of five or more acres above 146  
water. 147

(DD) "Reef" means an elevation of rock, either broken or 148  
in place, or gravel shown by the latest United States chart to 149  
be above the common level of the surrounding bottom of the lake, 150  
other than the rock bottom, or in place forming the base or 151  
foundation rock of an island or mainland and sloping from the 152  
shore of it. "Reef" also means all elevations shown by that 153  
chart to be above the common level of the sloping base or 154  
foundation rock of an island or mainland, whether running from 155  
the shore of an island or parallel with the contour of the shore 156  
of an island or in any other way and whether formed by rock, 157  
broken or in place, or from gravel. 158

(EE) "Fur farm" means any area used exclusively for 159  
raising fur-bearing animals or in addition thereto used for 160  
hunting game, the boundaries of which are plainly marked as 161  
such. 162

(FF) "Waters" includes any lake, pond, reservoir, stream, 163  
channel, lagoon, or other body of water, or any part thereof, 164  
whether natural or artificial. 165

(GG) "Crib" or "car" refers to that particular compartment 166  
of the net from which the fish are taken when the net is lifted. 167

(HH) "Commercial fish" means those species of fish 168  
permitted to be taken, possessed, bought, or sold unless 169  
otherwise restricted by the Revised Code or division rule and 170  
are alewife (*Alosa pseudoharengus*), American eel (*Anguilla*  
*rostrata*), bowfin (*Amia calva*), burbot (*Lota lota*), carp 171  
(*Cyprinus carpio*), smallmouth buffalo (*Ictiobus bubalus*), 172  
bigmouth buffalo (*Ictiobus cyprinellus*), black bullhead 173  
(*Ictalurus melas*), yellow bullhead (*Ictalurus natalis*), brown 174  
bullhead (*Ictalurus nebulosus*), channel catfish (*Ictalurus*  
*punctatus*), flathead catfish (*Pylodictis olivaris*), whitefish 175  
(*Coregonus* sp.), cisco (*Coregonus* sp.), freshwater drum or 176  
sheepshead (*Aplodinotus grunniens*), gar (*Lepisosteus* sp.), 177  
gizzard shad (*Dorosoma cepedianum*), goldfish (*Carassius*  
*auratus*), lake trout (*Salvelinus namaycush*), mooneye (*Hiodon*  
*tergisus*), quillback (*Carpiodes cyprinus*), smelt (*Allosmerus*  
*elongatus*, *Hypomesus* sp., *Osmerus* sp., *Spirinchus* sp.), sturgeon 183  
(*Acipenser* sp., *Scaphirhynchus* sp.), sucker other than buffalo 184  
and quillback (*Carpiodes* sp., *Catostomus* sp., *Hypentelium* sp., 185  
*Minytrema* sp., *Moxostoma* sp.), white bass (*Morone chrysops*), 186  
white perch (*Roccus americanus*), and yellow perch (*Perca*  
*flavescens*). When the common name of a fish is used in this 187  
chapter or Chapter 1533. of the Revised Code, it refers to the 188  
fish designated by the scientific name in this definition. 189  
190

(II) "Fishing" means taking or attempting to take fish by 191  
any method, and all other acts such as placing, setting, 192

drawing, or using any device commonly used to take fish whether	193
resulting in a taking or not.	194
(JJ) "Fillet" means the pieces of flesh taken or cut from	195
both sides of a fish, joined to form one piece of flesh.	196
(KK) "Part fillet" means a piece of flesh taken or cut	197
from one side of a fish.	198
(LL) "Round" when used in describing fish means with head	199
and tail intact.	200
(MM) "Migrate" means the transit or movement of fish to or	201
from one place to another as a result of natural forces or	202
instinct and includes, but is not limited to, movement of fish	203
induced or caused by changes in the water flow.	204
(NN) "Spreader bar" means a brail or rigid bar placed	205
across the entire width of the back, at the top and bottom of	206
the cars in all trap, crib, and fyke nets for the purpose of	207
keeping the meshes hanging squarely while the nets are fishing.	208
(OO) "Fishing guide" means any person who, for	209
consideration or hire, operates a boat, rents, leases, or	210
otherwise furnishes angling devices, ice fishing shanties or	211
shelters of any kind, or other fishing equipment, and	212
accompanies, guides, directs, or assists any other person in	213
order for the other person to engage in fishing.	214
(PP) "Net" means fishing devices with meshes composed of	215
twine or synthetic material and includes, but is not limited to,	216
trap nets, fyke nets, crib nets, carp aprons, dip nets, and	217
seines, except minnow seines and minnow dip nets.	218
(QQ) "Commercial fishing gear" means seines, trap nets,	219
fyke nets, dip nets, carp aprons, trotlines, other similar gear,	220



and any boat used in conjunction with that gear, but does not 221  
include gill nets. 222

(RR) "Native wildlife" means any species of the animal 223  
kingdom indigenous to this state. 224

(SS) "Gill net" means a single section of fabric or 225  
netting seamed to a float line at the top and a lead line at the 226  
bottom, which is designed to entangle fish in the net openings 227  
as they swim into it. 228

(TT) "Tag fishing tournament" means a contest in which a 229  
participant pays a fee, or gives other valuable consideration, 230  
for a chance to win a prize by virtue of catching a tagged or 231  
otherwise specifically marked fish within a limited period of 232  
time. 233

(UU) "Tenant" means an individual who resides on land for 234  
which the individual pays rent and whose annual income is 235  
primarily derived from agricultural production conducted on that 236  
land, as "agricultural production" is defined in section 929.01 237  
of the Revised Code. 238

(VV) "Nonnative wildlife" means any wild animal not 239  
indigenous to this state, but does not include domestic deer. 240

(WW) "Reptiles" includes common musk turtle (*sternotherus* 241  
*odoratus*), common snapping turtle (*Chelydra serpentina* 242  
*serpentina*), spotted turtle (*Clemmys guttata*), eastern box 243  
turtle (*Terrapene carolina carolina*), Blanding's turtle 244  
(*Emydoidea blandingii*), common map turtle (*Graptemys* 245  
*geographica*), ouachita map turtle (*Graptemys pseudogeographica* 246  
*ouachitensis*), midland painted turtle (*Chrysemys picta* 247  
*marginata*), red-eared slider (*Trachemys scripta elegans*), 248  
eastern spiny softshell turtle (*Apalone spinifera spinifera*), 249

midland smooth softshell turtle ( <i>Apalone mutica mutica</i> ),	250
northern fence lizard ( <i>Sceloporus undulatus hyacinthinus</i> ),	251
ground skink ( <i>Scincella lateralis</i> ), five-lined skink ( <i>Eumeces fasciatus</i> ), broadhead skink ( <i>Eumeces laticeps</i> ), northern coal	252
skink ( <i>Eumeces anthracinus anthracinus</i> ), European wall lizard	253
( <i>Podarcis muralis</i> ), queen snake ( <i>Regina septemvittata</i> ),	254
Kirtland's snake ( <i>Clonophis kirtlandii</i> ), northern water snake	255
( <i>Nerodia sipedon sipedon</i> ), Lake Erie watersnake ( <i>Nerodia sipedon</i>	256
<i>insularum</i> ), copperbelly water snake ( <i>Nerodia erythrogaster</i>	257
<i>neglecta</i> ), northern brown snake ( <i>Storeria dekayi dekayi</i> ),	258
midland brown snake ( <i>Storeria dekayi wrightorum</i> ), northern	259
redbelly snake ( <i>Storeria occipitomaculata occipitomaculata</i> ),	260
eastern garter snake ( <i>Thamnophis sirtalis sirtalis</i> ), eastern	261
plains garter snake ( <i>Thamnophis radix radix</i> ), Butler's garter	262
snake ( <i>Thamnophis butleri</i> ), shorthead garter snake ( <i>Thamnophis</i>	263
<i>brachystoma</i> ), eastern ribbon snake ( <i>Thamnophis sauritus</i>	264
<i>sauritus</i> ), northern ribbon snake ( <i>Thamnophis sauritus</i>	265
<i>septentrionalis</i> ), eastern hognose snake ( <i>Heterodon platirhinos</i> ),	266
eastern smooth earth snake ( <i>Virginia valeriae valeriae</i> ),	267
northern ringneck snake ( <i>Diadophis punctatus edwardsii</i> ), midwest	268
worm snake ( <i>Carphophis amoenus helenae</i> ), eastern worm snake	269
( <i>Carphophis amoenus amoenus</i> ), black racer ( <i>Coluber constrictor</i>	270
<i>constrictor</i> ), blue racer ( <i>Coluber constrictor foxii</i> ), rough	271
green snake ( <i>Opheodrys aestivus</i> ), smooth green snake ( <i>Opheodrys</i>	272
<i>vernalis vernalis</i> ), black rat snake ( <i>Elaphe obsoleta obsoleta</i> ),	273
eastern fox snake ( <i>Elaphe vulpina gloydi</i> ), black kingsnake	274
( <i>Lampropeltis getula nigra</i> ), eastern milk snake ( <i>Lampropeltis</i>	275
<i>triangulum triangulum</i> ), northern copperhead ( <i>Agkistrodon</i>	276
<i>contortrix mokasen</i> ), eastern massasauga ( <i>Sistrurus catenatus</i>	277
<i>catenatus</i> ), and timber rattlesnake ( <i>Crotalus horridus horridus</i> ).	278
(XX) "Amphibians" includes eastern hellbender	279
	280

(Cryptobranchus alleganiensis alleganiensis), mudpuppy (Necturus maculosus maculosus),	281
red-spotted newt (Notophthalmus viridescens viridescens),	282
Jefferson salamander (Ambystoma jeffersonianum),	283
spotted salamander (Ambystoma maculatum),	284
blue-spotted salamander (Ambystoma laterale),	285
smallmouth salamander (Ambystoma texanum),	286
streamside salamander (Ambystoma barbouri),	287
marbled salamander (Ambystoma opacum),	288
eastern tiger salamander (Ambystoma tigrinum tigrinum),	289
northern dusky salamander (Desmognathus fuscus fuscus),	290
mountain dusky salamander (Desmognathus ochrophaeus),	291
redback salamander (Plethodon cinereus),	292
ravine salamander (Plethodon richmondi),	293
northern slimy salamander (Plethodon glutinosus),	294
Wehrle's salamander (Plethodon wehrlei),	295
four-toed salamander (Hemidactylium scutatum),	296
Kentucky spring salamander (Gyrinophilus porphyriticus duryi),	297
northern spring salamander (Gyrinophilus porphyriticus porphyriticus),	298
mud salamander (Pseudotriton montanus),	299
northern red salamander (Pseudotriton ruber ruber),	300
green salamander (Aneides aeneus),	301
northern two-lined salamander (Eurycea bislineata),	302
longtail salamander (Eurycea longicauda longicauda),	303
cave salamander (Eurycea lucifuga),	304
southern two-lined salamander (Eurycea cirrigera),	305
Fowler's toad (Bufo woodhousii fowleri),	306
American toad (Bufo americanus),	307
eastern spadefoot (Scaphiopus holbrookii),	308
Blanchard's cricket frog (Acris crepitans blanchardi),	309
northern spring peeper (Pseudacris crucifer crucifer),	310
gray treefrog (Hyla versicolor),	311
Cope's gray treefrog (Hyla chrysoscelis),	
western chorus frog (Pseudacris triseriata triseriata),	
mountain chorus frog (Pseudacris brachyphona),	
bullfrog (Rana catesbeiana),	
green frog (Rana clamitans melanota),	
northern leopard frog (Rana pipiens),	
pickereel frog (Rana palustris),	
southern leopard frog (Rana utricularia),	
and wood frog (Rana sylvatica).	

(YY) "Deer" means white-tailed deer ( <i>Odocoileus virginianus</i> ).	312 313
(ZZ) "Domestic deer" means nonnative deer that have been legally acquired or their offspring and that are held in private ownership for primarily agricultural purposes.	314 315 316
(AAA) "Migratory game bird" includes waterfowl ( <i>Anatidae</i> ); doves ( <i>Columbidae</i> ); cranes ( <i>Gruidae</i> ); cormorants ( <i>Phalacrocoracidae</i> ); rails, coots, and gallinules ( <i>Rallidae</i> ); and woodcock and snipe ( <i>Scolopacidae</i> ).	317 318 319 320
(BBB) "Accompany" means to go along with another person while staying within a distance from the person that enables uninterrupted, unaided visual and auditory communication.	321 322 323
(CCC) <del>"All-purpose-All-terrain vehicle" means any vehicle that is designed primarily for cross-country travel on land, water, or land and water and that is steered by wheels, caterpillar treads, or a combination of wheels and caterpillar treads and includes vehicles that operate on a cushion of air, vehicles commonly known as all terrain vehicles, all season vehicles, mini-bikes, and trail bikes</del> <u>has the same meaning as in section 4519.01 of the Revised Code.</u>	324 325 326 327 328 329 330 331
(DDD) "Wholly enclosed preserve" means an area of land that is surrounded by a fence that is at least six feet in height, unless otherwise specified in division rule, and is constructed of a woven wire mesh, or another enclosure that the division of wildlife may approve, where game birds, game quadrupeds, reptiles, amphibians, or fur-bearing animals are raised and may be sold under the authority of a commercial propagating license or captive white-tailed deer propagation license obtained under section 1533.71 of the Revised Code.	332 333 334 335 336 337 338 339 340

(EEE) "Commercial bird shooting preserve" means an area of 341  
land where game birds are released and hunted by shooting as 342  
authorized by a commercial bird shooting preserve license 343  
obtained under section 1533.72 of the Revised Code. 344

(FFF) "Wild animal hunting preserve" means an area of land 345  
where game, captive white-tailed deer, and nonnative wildlife, 346  
other than game birds, are released and hunted as authorized by 347  
a wild animal hunting preserve license obtained under section 348  
1533.721 of the Revised Code. 349

(GGG) "Captive white-tailed deer" means legally acquired 350  
deer that are held in private ownership at a facility licensed 351  
under section 943.03 or 943.031 of the Revised Code and under 352  
section 1533.71 or 1533.721 of the Revised Code. 353

**Sec. 1533.01.** As used in this chapter, "person," 354  
"resident," "nonresident," "division rule," "rule," "closed 355  
season," "open season," "take or taking," "possession," "bag 356  
limit," "transport and transportation," "sell and sale," "whole 357  
to include part," "angling," "trotline," "fish," "measurement of 358  
fish," "wild birds," "game," "game birds," "nongame birds," 359  
"wild quadrupeds," "game quadrupeds," "fur-bearing animals," 360  
"wild animals," "hunting," "trapping," "muskrat spear," 361  
"channels and passages," "island," "reef," "fur farm," "waters," 362  
"crib," "car," "commercial fish," "fishing," "fillet," "part 363  
fillet," "round," "migrate," "spreader bar," "fishing guide," 364  
"net," "commercial fishing gear," "native wildlife," "gill net," 365  
"tag fishing tournament," "tenant," "nonnative wildlife," 366  
"reptiles," "amphibians," "deer," "domestic deer," "migratory 367  
game bird," "accompany," "~~all-purpose~~all-terrain vehicle," 368  
"wholly enclosed preserve," "commercial bird shooting preserve," 369  
"wild animal hunting preserve," and "captive white-tailed deer" 370

have the same meanings as in section 1531.01 of the Revised Code. 371  
372

**Sec. 1533.103.** The chief of the division of wildlife shall 373  
adopt rules under section 1531.10 of the Revised Code that are 374  
necessary to administer the issuance of permits for the use of 375  
~~all-purpose-all-terrain~~ vehicles or motor vehicles by persons 376  
with mobility impairments to hunt wild quadrupeds or game birds 377  
in public and private areas. The rules shall establish 378  
eligibility requirements, an application procedure, the duration 379  
of a permit, identification and designation of public and 380  
private areas in which ~~all-purpose-all-terrain~~ vehicles or motor 381  
vehicles may be used by permit holders, and any other procedures 382  
and requirements governing the permits that the chief determines 383  
are necessary. The chief shall not charge a fee for the issuance 384  
of a permit under this section. 385

**Sec. 1533.18.** As used in sections 1533.18 and 1533.181 of 386  
the Revised Code: 387

(A) "Premises" means all privately owned lands, ways, and 388  
waters, and any buildings and structures thereon, and all 389  
privately owned and state-owned lands, ways, and waters leased 390  
to a private person, firm, or organization, including any 391  
buildings and structures thereon. 392

(B) "Recreational user" means a person to whom permission 393  
has been granted, without the payment of a fee or consideration 394  
to the owner, lessee, or occupant of premises, other than a fee 395  
or consideration paid to the state or any agency of the state, 396  
or a lease payment or fee paid to the owner of privately owned 397  
lands, to enter upon premises to hunt, fish, trap, camp, hike, 398  
or swim, or to operate a snowmobile, ~~all-purpose-all-terrain~~ 399  
vehicle, or four-wheel drive motor vehicle, or to engage in 400

other recreational pursuits. 401

(C) "~~All-purpose~~ All-terrain vehicle" has the same meaning 402  
as in section 4519.01 of the Revised Code. 403

**Sec. 2131.12.** (A) As used in this section and section 404  
2131.13 of the Revised Code: 405

(1) "Motor vehicle" has the same meaning as in section 406  
4505.01 of the Revised Code. 407

(2) "Joint ownership with right of survivorship" means a 408  
form of ownership of a ~~motor vehicle, all-purpose vehicle, off-~~ 409  
~~highway motorcycle, watercraft, or outboard motor~~ titled mode of 410  
transportation that is established pursuant to this section and 411  
pursuant to which the entire interest in the ~~motor vehicle, all-~~ 412  
~~purpose vehicle, off-highway motorcycle, watercraft, or outboard~~ 413  
~~motor~~ titled mode of transportation is held by two persons for 414  
their joint lives and thereafter by the survivor of them. 415

(3) "Watercraft" has the same meaning as in division (A) 416  
of section 1548.01 of the Revised Code. 417

(4) "~~All-purpose~~ All-terrain vehicle," ~~has~~ "off-highway 418  
motorcycle," "snowmobile," and "mini-truck" have the same 419  
~~meaning~~ meanings as in section 4519.01 of the Revised Code. 420

(5) "~~Off-highway motorcycle~~ Utility vehicle" has the same 421  
meaning as in section ~~4519.01~~ 4501.01 of the Revised Code. 422

(6) "Certificate of title" means a certificate of title 423  
for a titled mode of transportation that is required or 424  
authorized to be titled under Chapter 1548., 4505., or 4519. of 425  
the Revised Code. 426

(7) "Titled mode of transportation" means a motor vehicle, 427  
an all-terrain vehicle, an off-highway motorcycle, a snowmobile, 428

a mini-truck, a utility vehicle, a watercraft, or an outboard motor. 429  
430

(B) (1) Any two persons may establish in accordance with 431  
this section joint ownership with right of survivorship in a 432  
~~motor vehicle, an all-purpose vehicle, an off-highway~~ 433  
~~motorcycle, a watercraft, or an outboard motor~~ titled mode of 434  
transportation for which a certificate of title is required or 435  
authorized under Chapter 1548., 4505., or 4519. of the Revised 436  
Code. 437

(2) If two persons wish to establish joint ownership with 438  
right of survivorship in a ~~motor vehicle, an all-purpose~~ 439  
~~vehicle, an off-highway motorcycle, a watercraft, or an outboard~~ 440  
~~motor~~ titled mode of transportation that is required or 441  
authorized to be titled under Chapter 1548., 4505., or 4519. of 442  
the Revised Code, they may make a joint application for a 443  
certificate of title under section 1548.07, 4505.06, or 4519.55 444  
of the Revised Code, as applicable. 445

(C) If two persons have established ~~in a certificate of~~ 446  
~~title~~ joint ownership with right of survivorship in a ~~motor~~ 447  
~~vehicle, an all-purpose vehicle, an off-highway motorcycle, a~~ 448  
~~watercraft, or an outboard motor~~ that is required to be titled 449  
~~under Chapter 1548., 4505., or 4519. of the Revised Code, and if~~ 450  
~~one of those persons dies~~ certificate of title, the interest of 451  
the deceased person in the ~~motor vehicle, all-purpose vehicle,~~ 452  
~~off-highway motorcycle, watercraft, or outboard motor~~ titled 453  
mode of transportation shall pass to the survivor of them upon 454  
transfer of title to the ~~motor vehicle, all-purpose vehicle,~~ 455  
~~off-highway motorcycle, watercraft, or outboard motor~~ titled 456  
mode of transportation in accordance with section 1548.11, 457  
4505.10, or 4519.60 of the Revised Code. The ~~motor vehicle, all-~~ 458



~~purpose vehicle, off highway motorcycle, watercraft, or outboard~~ 459  
~~motor-titled mode of transportation~~ shall not be considered an 460  
estate asset and shall not be included and stated in the estate 461  
inventory. 462

**Sec. 2131.13.** (A) As used in this section: 463

(1) "Designate or designation in beneficiary form" means 464  
to designate, or the designation of, a ~~motor vehicle, an all-~~ 465  
~~purpose vehicle, an off highway motorcycle, a watercraft, or an~~ 466  
~~outboard motor-titled mode of transportation~~ in a certificate of 467  
title that indicates the present owner of the ~~motor vehicle,~~ 468  
~~all-purpose vehicle, off highway motorcycle, watercraft, or~~ 469  
~~outboard motor-titled mode of transportation~~ and the intention 470  
of the present owner with respect to the transfer of ownership 471  
on the present owner's death by designating one or more persons 472  
as the beneficiary or beneficiaries who will become the owner or 473  
owners of the ~~motor vehicle, all purpose vehicle, off highway-~~ 474  
~~motorcycle, watercraft, or outboard motor-titled mode of~~ 475  
~~transportation~~ upon the death of the present owner. 476

(2) ~~"Motor vehicle" has the same meaning as in section-~~ 477  
~~4505.01 of the Revised Code.~~ 478

~~(3)~~ "Person" means an individual, a corporation, an 479  
organization, or other legal entity. 480

~~(4)~~ (3) "Transfer-on-death beneficiary or beneficiaries" 481  
means a person or persons specified in a certificate of title of 482  
a ~~motor vehicle, all purpose vehicle, off highway motorcycle,~~ 483  
~~watercraft, or outboard motor-titled mode of transportation~~ who 484  
will become the owner or owners of the ~~motor vehicle, all-~~ 485  
~~purpose vehicle, off highway motorcycle, watercraft, or outboard-~~ 486  
~~motor-titled mode of transportation~~ upon the death of the 487

present owner of the ~~motor vehicle, all purpose vehicle, off-~~ 488  
~~highway motorcycle, watercraft, or outboard motor~~ titled mode of 489  
transportation. 490

~~(5) "Watercraft" has the same meaning as in section~~ 491  
~~1548.01 of the Revised Code.~~ 492

~~(6)~~ (4) "Owner" includes the plural as well as the 493  
singular, as specified in section 1.43 of the Revised Code. 494

~~(7) "Joint ownership with right of survivorship" has the~~ 495  
~~same meaning as in section 2131.12 of the Revised Code.~~ 496

~~(8) "All purpose vehicle" has the same meaning as in~~ 497  
~~section 4519.01 of the Revised Code.~~ 498

~~(9) "Off-highway motorcycle" has the same meaning as in~~ 499  
~~section 4519.01 of the Revised Code.~~ 500

(B) (1) An individual whose certificate of title of a ~~motor-~~ 501  
~~vehicle, all purpose vehicle, off-highway motorcycle,~~ 502  
~~watercraft, or outboard motor~~ titled mode of transportation 503  
shows sole ownership by that individual may make an application 504  
for a certificate of title under section 1548.07, 4505.06, or 505  
4519.55 of the Revised Code, as applicable, to designate that 506  
~~motor vehicle, all purpose vehicle, off-highway motorcycle,~~ 507  
~~watercraft, or outboard motor~~ titled mode of transportation in 508  
beneficiary form pursuant to this section. 509

(2) Individuals whose certificate of title of a ~~motor-~~ 510  
~~vehicle, all purpose vehicle, off-highway motorcycle,~~ 511  
~~watercraft, or outboard motor~~ titled mode of transportation 512  
shows joint ownership with right of survivorship may jointly 513  
make an application for a certificate of title under section 514  
1548.07, 4505.06, or 4519.55 of the Revised Code, as applicable, 515  
to designate that ~~motor vehicle, all purpose vehicle, off-~~ 516

~~highway motorcycle, watercraft, or outboard motor titled mode of~~ 517  
transportation in beneficiary form pursuant to this section. 518

(C) (1) A ~~motor vehicle, all purpose vehicle, off-highway~~ 519  
~~motorcycle, watercraft, or outboard motor titled mode of~~ 520  
transportation is designated in beneficiary form if the 521  
certificate of title of the ~~motor vehicle, all purpose vehicle,~~ 522  
~~off-highway motorcycle, watercraft, or outboard motor titled~~ 523  
mode of transportation includes the name or names of the 524  
transfer-on-death beneficiary or beneficiaries. 525

(2) The designation of a ~~motor vehicle, all purpose~~ 526  
~~vehicle, off-highway motorcycle, watercraft, or outboard motor~~ 527  
titled mode of transportation in beneficiary form is not 528  
required to be supported by consideration, and the certificate 529  
of title in which the designation is made is not required to be 530  
delivered to the transfer-on-death beneficiary or beneficiaries 531  
in order for the designation in beneficiary form to be 532  
effective. 533

(D) The designation of a ~~motor vehicle, all purpose~~ 534  
~~vehicle, off-highway motorcycle, watercraft, or outboard motor~~ 535  
titled mode of transportation in beneficiary form may be shown 536  
in the certificate of title by the words "transfer-on-death" or 537  
the abbreviation "TOD" after the name of the owner of a ~~motor~~ 538  
~~vehicle, all purpose vehicle, off-highway motorcycle,~~ 539  
~~watercraft, or outboard motor titled mode of transportation~~ and 540  
before the name or names of the transfer-on-death beneficiary or 541  
beneficiaries. 542

(E) The designation of a transfer-on-death beneficiary or 543  
beneficiaries on a certificate of title has no effect on the 544  
ownership of a ~~motor vehicle, all purpose vehicle, off-highway~~ 545  
~~motorcycle, watercraft, or outboard motor titled mode of~~ 546

transportation until the death of the owner of the ~~motor~~ 547  
~~vehicle, all-purpose vehicle, off-highway motorcycle,~~ 548  
~~watercraft, or outboard motor~~titled mode of transportation. The 549  
owner of a ~~motor vehicle, all-purpose vehicle, off-highway~~ 550  
~~motorcycle, watercraft, or outboard motor~~ titled mode of 551  
transportation may cancel or change the designation of a 552  
transfer-on-death beneficiary or beneficiaries on a certificate 553  
of title at any time without the consent of the transfer-on- 554  
death beneficiary or beneficiaries by making an application for 555  
a certificate of title under section 1548.07, 4505.06, or 556  
4519.55 of the Revised Code, as applicable. 557

(F) (1) Upon the death of the owner of a ~~motor vehicle,~~ 558  
~~all-purpose vehicle, off-highway motorcycle, watercraft, or~~ 559  
~~outboard motor~~ titled mode of transportation designated in 560  
beneficiary form, the ownership of the ~~motor vehicle, all-~~ 561  
~~purpose vehicle, off-highway motorcycle, watercraft, or outboard~~ 562  
~~motor~~ titled mode of transportation shall pass to the transfer- 563  
on-death beneficiary or beneficiaries who survive the owner upon 564  
transfer of title to the ~~motor vehicle, all-purpose vehicle,~~ 565  
~~off-highway motorcycle, watercraft, or outboard motor~~ titled 566  
mode of transportation in accordance with section 1548.11, 567  
4505.10, or 4519.60 of the Revised Code, as applicable. The 568  
transfer-on-death beneficiary or beneficiaries who survive the 569  
owner may apply for a certificate of title to the ~~motor vehicle,~~ 570  
~~all-purpose vehicle, off-highway motorcycle, watercraft, or~~ 571  
~~outboard motor~~ titled mode of transportation upon submitting 572  
proof of the death of the owner of the ~~motor vehicle, all-~~ 573  
~~purpose vehicle, off-highway motorcycle, watercraft, or outboard~~ 574  
~~motor~~ titled mode of transportation. 575

(2) If no transfer-on-death beneficiary or beneficiaries 576  
survive the owner of a ~~motor vehicle, watercraft, or outboard~~ 577

~~motor~~titled mode of transportation, the ~~motor vehicle~~,  
~~watercraft, or outboard motor~~ titled mode of transportation  
shall be included in the probate estate of the deceased owner.

(G) (1) Any transfer of a ~~motor vehicle, all-purpose  
vehicle, off-highway motorcycle, watercraft, or outboard motor~~  
titled mode of transportation to a transfer-on-death beneficiary  
or beneficiaries that results from a designation of the ~~motor  
vehicle, all purpose vehicle, off highway motorcycle,  
watercraft, or outboard motor~~ titled mode of transportation in  
beneficiary form is not testamentary.

(2) This section does not limit the rights of any creditor  
of the owner of a ~~motor vehicle, all-purpose vehicle, off-  
highway motorcycle, watercraft, or outboard motor~~ titled mode of  
transportation against any transfer-on-death beneficiary or  
beneficiaries or other transferees of the ~~motor vehicle, all-  
purpose vehicle, off highway motorcycle, watercraft, or outboard  
motor~~ titled mode of transportation under other laws of this  
state.

(H) (1) This section shall be known and may be cited as the  
"Transfer-on-Death ~~of Motor Vehicle, All-Purpose Vehicle, Off-  
Highway Motorcycle, Watercraft, or Outboard Motor~~ Statute."

(2) Divisions (A) to (H) of this section shall be  
liberally construed and applied to promote their underlying  
purposes and policy.

(3) Unless displaced by particular provisions of divisions  
(A) to (H) of this section, the principles of law and equity  
supplement the provisions of those divisions.

**Sec. 2744.01.** As used in this chapter:

(A) "Emergency call" means a call to duty, including, but

not limited to, communications from citizens, police dispatches, 607  
and personal observations by peace officers of inherently 608  
dangerous situations that demand an immediate response on the 609  
part of a peace officer. 610

(B) "Employee" means an officer, agent, employee, or 611  
servant, whether or not compensated or full-time or part-time, 612  
who is authorized to act and is acting within the scope of the 613  
officer's, agent's, employee's, or servant's employment for a 614  
political subdivision. "Employee" does not include an 615  
independent contractor and does not include any individual 616  
engaged by a school district pursuant to section 3319.301 of the 617  
Revised Code. "Employee" includes any elected or appointed 618  
official of a political subdivision. "Employee" also includes a 619  
person who has been convicted of or pleaded guilty to a criminal 620  
offense and who has been sentenced to perform community service 621  
work in a political subdivision whether pursuant to section 622  
2951.02 of the Revised Code or otherwise, and a child who is 623  
found to be a delinquent child and who is ordered by a juvenile 624  
court pursuant to section 2152.19 or 2152.20 of the Revised Code 625  
to perform community service or community work in a political 626  
subdivision. 627

(C) (1) "Governmental function" means a function of a 628  
political subdivision that is specified in division (C) (2) of 629  
this section or that satisfies any of the following: 630

(a) A function that is imposed upon the state as an 631  
obligation of sovereignty and that is performed by a political 632  
subdivision voluntarily or pursuant to legislative requirement; 633

(b) A function that is for the common good of all citizens 634  
of the state; 635

(c) A function that promotes or preserves the public 636  
peace, health, safety, or welfare; that involves activities that 637  
are not engaged in or not customarily engaged in by 638  
nongovernmental persons; and that is not specified in division 639  
(G) (2) of this section as a proprietary function. 640

(2) A "governmental function" includes, but is not limited 641  
to, the following: 642

(a) The provision or nonprovision of police, fire, 643  
emergency medical, ambulance, and rescue services or protection; 644

(b) The power to preserve the peace; to prevent and 645  
suppress riots, disturbances, and disorderly assemblages; to 646  
prevent, mitigate, and clean up releases of oil and hazardous 647  
and extremely hazardous substances as defined in section 3750.01 648  
of the Revised Code; and to protect persons and property; 649

(c) The provision of a system of public education; 650

(d) The provision of a free public library system; 651

(e) The regulation of the use of, and the maintenance and 652  
repair of, roads, highways, streets, avenues, alleys, sidewalks, 653  
bridges, aqueducts, viaducts, and public grounds; 654

(f) Judicial, quasi-judicial, prosecutorial, legislative, 655  
and quasi-legislative functions; 656

(g) The construction, reconstruction, repair, renovation, 657  
maintenance, and operation of buildings that are used in 658  
connection with the performance of a governmental function, 659  
including, but not limited to, office buildings and courthouses; 660

(h) The design, construction, reconstruction, renovation, 661  
repair, maintenance, and operation of jails, places of juvenile 662  
detention, workhouses, or any other detention facility, as 663

defined in section 2921.01 of the Revised Code;	664
(i) The enforcement or nonperformance of any law;	665
(j) The regulation of traffic, and the erection or nonerection of traffic signs, signals, or control devices;	666 667
(k) The collection and disposal of solid wastes, as defined in section 3734.01 of the Revised Code, including, but not limited to, the operation of solid waste disposal facilities, as "facilities" is defined in that section, and the collection and management of hazardous waste generated by households. As used in division (C) (2) (k) of this section, "hazardous waste generated by households" means solid waste originally generated by individual households that is listed specifically as hazardous waste in or exhibits one or more characteristics of hazardous waste as defined by rules adopted under section 3734.12 of the Revised Code, but that is excluded from regulation as a hazardous waste by those rules.	668 669 670 671 672 673 674 675 676 677 678 679
(l) The provision or nonprovision, planning or design, construction, or reconstruction of a public improvement, including, but not limited to, a sewer system;	680 681 682
(m) The operation of a job and family services department or agency, including, but not limited to, the provision of assistance to aged and infirm persons and to persons who are indigent;	683 684 685 686
(n) The operation of a health board, department, or agency, including, but not limited to, any statutorily required or permissive program for the provision of immunizations or other inoculations to all or some members of the public, provided that a "governmental function" does not include the supply, manufacture, distribution, or development of any drug or	687 688 689 690 691 692



vaccine employed in any such immunization or inoculation program	693
by any supplier, manufacturer, distributor, or developer of the	694
drug or vaccine;	695
(o) The operation of mental health facilities,	696
developmental disabilities facilities, alcohol treatment and	697
control centers, and children's homes or agencies;	698
(p) The provision or nonprovision of inspection services	699
of all types, including, but not limited to, inspections in	700
connection with building, zoning, sanitation, fire, plumbing,	701
and electrical codes, and the taking of actions in connection	702
with those types of codes, including, but not limited to, the	703
approval of plans for the construction of buildings or	704
structures and the issuance or revocation of building permits or	705
stop work orders in connection with buildings or structures;	706
(q) Urban renewal projects and the elimination of slum	707
conditions, including the performance of any activity that a	708
county land reutilization corporation is authorized to perform	709
under Chapter 1724. or 5722. of the Revised Code;	710
(r) Flood control measures;	711
(s) The design, construction, reconstruction, renovation,	712
operation, care, repair, and maintenance of a township cemetery;	713
(t) The issuance of revenue obligations under section	714
140.06 of the Revised Code;	715
(u) The design, construction, reconstruction, renovation,	716
repair, maintenance, and operation of any school athletic	717
facility, school auditorium, or gymnasium or any recreational	718
area or facility, including, but not limited to, any of the	719
following:	720

(i) A park, playground, or playfield;	721
(ii) An indoor recreational facility;	722
(iii) A zoo or zoological park;	723
(iv) A bath, swimming pool, pond, water park, wading pool, wave pool, water slide, or other type of aquatic facility;	724 725
(v) A golf course;	726
(vi) A bicycle motocross facility or other type of recreational area or facility in which bicycling, skating, skate boarding, or scooter riding is engaged;	727 728 729
(vii) A rope course or climbing walls;	730
(viii) An <del>all-purpose-all-terrain</del> vehicle facility in which <del>all-purpose-all-terrain</del> vehicles, as defined in section 4519.01 of the Revised Code, are contained, maintained, or operated for recreational activities.	731 732 733 734
(v) The provision of public defender services by a county or joint county public defender's office pursuant to Chapter 120. of the Revised Code;	735 736 737
(w) (i) At any time before regulations prescribed pursuant to 49 U.S.C.A 20153 become effective, the designation, establishment, design, construction, implementation, operation, repair, or maintenance of a public road rail crossing in a zone within a municipal corporation in which, by ordinance, the legislative authority of the municipal corporation regulates the sounding of locomotive horns, whistles, or bells;	738 739 740 741 742 743 744
(ii) On and after the effective date of regulations prescribed pursuant to 49 U.S.C.A. 20153, the designation, establishment, design, construction, implementation, operation,	745 746 747

repair, or maintenance of a public road rail crossing in such a 748  
zone or of a supplementary safety measure, as defined in 49 749  
U.S.C.A 20153, at or for a public road rail crossing, if and to 750  
the extent that the public road rail crossing is excepted, 751  
pursuant to subsection (c) of that section, from the requirement 752  
of the regulations prescribed under subsection (b) of that 753  
section. 754

(x) A function that the general assembly mandates a 755  
political subdivision to perform. 756

(D) "Law" means any provision of the constitution, 757  
statutes, or rules of the United States or of this state; 758  
provisions of charters, ordinances, resolutions, and rules of 759  
political subdivisions; and written policies adopted by boards 760  
of education. When used in connection with the "common law," 761  
this definition does not apply. 762

(E) "Motor vehicle" has the same meaning as in section 763  
4511.01 of the Revised Code. 764

(F) "Political subdivision" or "subdivision" means a 765  
municipal corporation, township, county, school district, or 766  
other body corporate and politic responsible for governmental 767  
activities in a geographic area smaller than that of the state. 768  
"Political subdivision" includes, but is not limited to, a 769  
county hospital commission appointed under section 339.14 of the 770  
Revised Code, board of hospital commissioners appointed for a 771  
municipal hospital under section 749.04 of the Revised Code, 772  
board of hospital trustees appointed for a municipal hospital 773  
under section 749.22 of the Revised Code, regional planning 774  
commission created pursuant to section 713.21 of the Revised 775  
Code, county planning commission created pursuant to section 776  
713.22 of the Revised Code, joint planning council created 777

pursuant to section 713.231 of the Revised Code, interstate 778  
regional planning commission created pursuant to section 713.30 779  
of the Revised Code, port authority created pursuant to section 780  
4582.02 or 4582.26 of the Revised Code or in existence on 781  
December 16, 1964, regional council established by political 782  
subdivisions pursuant to Chapter 167. of the Revised Code, 783  
emergency planning district and joint emergency planning 784  
district designated under section 3750.03 of the Revised Code, 785  
joint emergency medical services district created pursuant to 786  
section 307.052 of the Revised Code, fire and ambulance district 787  
created pursuant to section 505.375 of the Revised Code, joint 788  
interstate emergency planning district established by an 789  
agreement entered into under that section, county solid waste 790  
management district and joint solid waste management district 791  
established under section 343.01 or 343.012 of the Revised Code, 792  
community school established under Chapter 3314. of the Revised 793  
Code, county land reutilization corporation organized under 794  
Chapter 1724. of the Revised Code, the county or counties served 795  
by a community-based correctional facility and program or 796  
district community-based correctional facility and program 797  
established and operated under sections 2301.51 to 2301.58 of 798  
the Revised Code, a community-based correctional facility and 799  
program or district community-based correctional facility and 800  
program that is so established and operated, and the facility 801  
governing board of a community-based correctional facility and 802  
program or district community-based correctional facility and 803  
program that is so established and operated. 804

(G) (1) "Proprietary function" means a function of a 805  
political subdivision that is specified in division (G) (2) of 806  
this section or that satisfies both of the following: 807

(a) The function is not one described in division (C) (1) 808

(a) or (b) of this section and is not one specified in division	809
(C) (2) of this section;	810
(b) The function is one that promotes or preserves the	811
public peace, health, safety, or welfare and that involves	812
activities that are customarily engaged in by nongovernmental	813
persons.	814
(2) A "proprietary function" includes, but is not limited	815
to, the following:	816
(a) The operation of a hospital by one or more political	817
subdivisions;	818
(b) The design, construction, reconstruction, renovation,	819
repair, maintenance, and operation of a public cemetery other	820
than a township cemetery;	821
(c) The establishment, maintenance, and operation of a	822
utility, including, but not limited to, a light, gas, power, or	823
heat plant, a railroad, a busline or other transit company, an	824
airport, and a municipal corporation water supply system;	825
(d) The maintenance, destruction, operation, and upkeep of	826
a sewer system;	827
(e) The operation and control of a public stadium,	828
auditorium, civic or social center, exhibition hall, arts and	829
crafts center, band or orchestra, or off-street parking	830
facility.	831
(H) "Public roads" means public roads, highways, streets,	832
avenues, alleys, and bridges within a political subdivision.	833
"Public roads" does not include berms, shoulders, rights-of-way,	834
or traffic control devices unless the traffic control devices	835
are mandated by the Ohio manual of uniform traffic control	836

devices. 837

(I) "State" means the state of Ohio, including, but not 838  
limited to, the general assembly, the supreme court, the offices 839  
of all elected state officers, and all departments, boards, 840  
offices, commissions, agencies, colleges and universities, 841  
institutions, and other instrumentalities of the state of Ohio. 842  
"State" does not include political subdivisions. 843

**Sec. 2911.21.** (A) No person, without privilege to do so, 844  
shall do any of the following: 845

(1) Knowingly enter or remain on the land or premises of 846  
another; 847

(2) Knowingly enter or remain on the land or premises of 848  
another, the use of which is lawfully restricted to certain 849  
persons, purposes, modes, or hours, when the offender knows the 850  
offender is in violation of any such restriction or is reckless 851  
in that regard; 852

(3) Recklessly enter or remain on the land or premises of 853  
another, as to which notice against unauthorized access or 854  
presence is given by actual communication to the offender, or in 855  
a manner prescribed by law, or by posting in a manner reasonably 856  
calculated to come to the attention of potential intruders, or 857  
by fencing or other enclosure manifestly designed to restrict 858  
access; 859

(4) Being on the land or premises of another, negligently 860  
fail or refuse to leave upon being notified by signage posted in 861  
a conspicuous place or otherwise being notified to do so by the 862  
owner or occupant, or the agent or servant of either; 863

(5) Knowingly enter or remain on a critical infrastructure 864  
facility. 865

(B) It is no defense to a charge under this section that 866  
the land or premises involved was owned, controlled, or in 867  
custody of a public agency. 868

(C) It is no defense to a charge under this section that 869  
the offender was authorized to enter or remain on the land or 870  
premises involved, when such authorization was secured by 871  
deception. 872

(D) (1) Whoever violates this section is guilty of criminal 873  
trespass. Criminal trespass in violation of division (A) (1), 874  
(2), (3), or (4) of this section is a misdemeanor of the fourth 875  
degree. Criminal trespass in violation of division (A) (5) of 876  
this section is a misdemeanor of the first degree. 877

(2) Notwithstanding section 2929.28 of the Revised Code, 878  
if the person, in committing the violation of this section, used 879  
a snowmobile, off-highway motorcycle, utility vehicle, or ~~all-~~ 880  
~~purpose-all-terrain~~ vehicle, the court shall impose a fine of 881  
two times the usual amount imposed for the violation. 882

(3) If an offender previously has been convicted of or 883  
pleaded guilty to two or more violations of this section or a 884  
substantially equivalent municipal ordinance, and the offender, 885  
in committing each violation, used a snowmobile, off-highway 886  
motorcycle, utility vehicle, or ~~all-purpose-all-terrain~~ vehicle, 887  
the court, in addition to or independent of all other penalties 888  
imposed for the violation, may impound the certificate of 889  
registration of that snowmobile or off-highway motorcycle or the 890  
certificate of registration and license plate of that ~~all-~~ 891  
~~purpose-utility vehicle or all-terrain~~ vehicle for not less than 892  
sixty days. In such a case, section 4519.47 of the Revised Code 893  
applies. 894

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

(F) As used in this section:

(1) "~~All-purpose-All-terrain~~ vehicle," "off-highway motorcycle," and "snowmobile" have the same meanings as in section 4519.01 of the Revised Code.

(2) "Utility vehicle" has the same meaning as in section 4501.01 of the Revised Code.

(3) "Land or premises" includes any land, building, structure, or place belonging to, controlled by, or in custody of another, and any separate enclosure or room, or portion thereof.

~~(3)~~ (4) "Production operation," "well," and "well pad" have the same meanings as in section 1509.01 of the Revised Code.

~~(4)~~ (5) "Critical infrastructure facility" means:

(a) One of the following, if completely enclosed by a fence or other physical barrier that is obviously designed to exclude intruders, or if clearly marked with signs that are reasonably likely to come to the attention of potential intruders and that indicate entry is forbidden without site authorization:

(i) A petroleum or alumina refinery;

(ii) An electric generating facility, substation,



switching station, electrical control center, or electric	923
transmission and distribution lines and associated equipment;	924
(iii) A chemical, polymer, or rubber manufacturing	925
facility;	926
(iv) A water intake structure, water treatment facility,	927
waste water facility, drainage facility, water management	928
facility, or any similar water or sewage treatment system and	929
its water and sewage piping;	930
(v) A natural gas company facility or interstate natural	931
gas pipeline, including a pipeline interconnection, a natural	932
gas compressor station and associated facilities, city gate or	933
town border station, metering station, above-ground piping,	934
regulator station, valve site, delivery station, fabricated	935
assembly, or any other part of a natural gas storage facility	936
involved in the gathering, storage, transmission, or	937
distribution of gas;	938
(vi) A telecommunications central switching office or	939
remote switching facility or an equivalent network facility that	940
serves a similar purpose;	941
(vii) Wireline or wireless telecommunications	942
infrastructure, including telecommunications towers and	943
telephone poles and lines, including fiber optic lines;	944
(viii) A port, trucking terminal, or other freight	945
transportation facility;	946
(ix) A gas processing plant, including a plant used in the	947
processing, treatment, or fractionation of natural gas or	948
natural gas liquids;	949
(x) A transmission facility used by a federally licensed	950

radio or television station;	951
(xi) A steel-making facility that uses an electric arc furnace to make steel;	952 953
(xii) A facility identified and regulated by the United States department of homeland security's chemical facility anti-terrorism standards program under 6 C.F.R. part 27;	954 955 956
(xiii) A dam that is regulated by the state or federal government;	957 958
(xiv) A crude oil or refined products storage and distribution facility, including valve sites, pipeline interconnections, pump station, metering station, below- or above-ground pipeline, or piping and truck loading or off-loading facility;	959 960 961 962 963
(xv) A video service network and broadband infrastructure, including associated buildings and facilities, video service headends, towers, utility poles, and utility lines such as fiber optic lines. As used in this division, "video service network" has the same meaning as in section 1332.21 of the Revised Code.	964 965 966 967 968
(xvi) Any above-ground portion of an oil, gas, hazardous liquid or chemical pipeline, tank, or other storage facility;	969 970
(xvii) Any above-ground portion of a well, well pad, or production operation;	971 972
(xviii) A laydown area or construction site for pipe and other equipment intended for use on an interstate or intrastate natural gas or crude oil pipeline;	973 974 975
(xix) Any mining operation, including any processing equipment, batching operation, or support facility for that mining operation.	976 977 978

(b) With respect to a video service network or broadband or wireless telecommunications infrastructure, the above-ground portion of a facility installed in a public right-of-way on a utility pole or in a conduit;	979 980 981 982
(c) Any railroad property;	983
(d) An electronic asset of any of the following:	984
(i) An electric light company that is a public utility under section 4905.02 of the Revised Code;	985 986
(ii) An electric cooperative, as defined in section 4928.01 of the Revised Code;	987 988
(iii) A municipal electric utility, as defined in section 4928.01 of the Revised Code;	989 990
(iv) A natural gas company that is a public utility under section 4905.02 of the Revised Code;	991 992
(v) A telephone company that is a public utility under section 4905.02 of the Revised Code;	993 994
(vi) A video service provider, including a cable operator, as those terms are defined in section 1332.21 of the Revised Code.	995 996 997
<del>(5)</del> <u>(6)</u> "Electronic asset" includes, but is not limited to, the hardware, software, and data of a programmable electronic device; all communications, operations, and customer data networks; and the contents of those data networks.	998 999 1000 1001
<b>Sec. 2921.331.</b> (A) No person shall fail to comply with any lawful order or direction of any police officer invested with authority to direct, control, or regulate traffic.	1002 1003 1004
(B) No person shall operate a motor vehicle, <u>off-highway</u>	1005

motorcycle, all-terrain vehicle, snowmobile, utility vehicle, or 1006  
mini-truck so as ~~willfully~~ purposely to elude or flee a police 1007  
officer after receiving a visible or audible signal from a 1008  
police officer to bring the person's motor vehicle, off-highway 1009  
motorcycle, all-terrain vehicle, snowmobile, utility vehicle, or 1010  
mini-truck to a stop. 1011

(C) (1) Whoever violates this section is guilty of failure 1012  
to comply with an order or signal of a police officer. 1013

(2) A violation of division (A) of this section is a 1014  
misdemeanor of the first degree. 1015

(3) Except as provided in divisions (C) (4) and (5) of this 1016  
section, a violation of division (B) of this section is a 1017  
misdemeanor of the first degree. 1018

(4) Except as provided in division (C) (5) of this section, 1019  
a violation of division (B) of this section is a felony of the 1020  
fourth degree if the jury or judge as trier of fact finds by 1021  
proof beyond a reasonable doubt that, in committing the offense, 1022  
the offender was fleeing immediately after the commission of a 1023  
felony. 1024

(5) (a) A violation of division (B) of this section is a 1025  
felony of the third degree if the jury or judge as trier of fact 1026  
finds any of the following by proof beyond a reasonable doubt: 1027

(i) The operation of the motor vehicle, off-highway 1028  
motorcycle, all-terrain vehicle, snowmobile, utility vehicle, or 1029  
mini-truck by the offender was a proximate cause of serious 1030  
physical harm to persons or property. 1031

(ii) The operation of the motor vehicle, off-highway 1032  
motorcycle, all-terrain vehicle, snowmobile, utility vehicle, or 1033  
mini-truck by the offender caused a substantial risk of serious 1034

physical harm to persons or property. 1035

(b) If a police officer pursues an offender who is 1036  
violating division (B) of this section and division (C) (5) (a) of 1037  
this section applies, the sentencing court, in determining the 1038  
seriousness of an offender's conduct for purposes of sentencing 1039  
the offender for a violation of division (B) of this section, 1040  
shall consider, along with the factors set forth in sections 1041  
2929.12 and 2929.13 of the Revised Code that are required to be 1042  
considered, all of the following: 1043

(i) The duration of the pursuit; 1044

(ii) The distance of the pursuit; 1045

(iii) The rate of speed at which the offender operated the 1046  
motor vehicle, off-highway motorcycle, all-terrain vehicle, 1047  
snowmobile, utility vehicle, or mini-truck during the pursuit; 1048

(iv) Whether the offender failed to stop for traffic 1049  
lights or stop signs during the pursuit; 1050

(v) The number of traffic lights or stop signs for which 1051  
the offender failed to stop during the pursuit; 1052

(vi) Whether the offender operated the motor vehicle, off- 1053  
highway motorcycle, all-terrain vehicle, snowmobile, utility 1054  
vehicle, or mini-truck during the pursuit without lighted lights 1055  
during a time when lighted lights are required; 1056

(vii) Whether the offender committed a moving violation 1057  
during the pursuit; 1058

(viii) The number of moving violations the offender 1059  
committed during the pursuit; 1060

(ix) Any other relevant factors indicating that the 1061

offender's conduct is more serious than conduct normally 1062  
constituting the offense. 1063

(D) If an offender is sentenced pursuant to division (C) 1064  
(4) or (5) of this section for a violation of division (B) of 1065  
this section, and if the offender is sentenced to a prison term 1066  
for that violation, the offender shall serve the prison term 1067  
consecutively to any other prison term or mandatory prison term 1068  
imposed upon the offender. 1069

(E) In addition to any other sanction imposed for a felony 1070  
violation of division (B) of this section, the court shall 1071  
impose a class two suspension from the range specified in 1072  
division (A) (2) of section 4510.02 of the Revised Code. In 1073  
addition to any other sanction imposed for a violation of 1074  
division (A) of this section or a misdemeanor violation of 1075  
division (B) of this section, the court shall impose a class 1076  
five suspension from the range specified in division (A) (5) of 1077  
section 4510.02 of the Revised Code. If the offender previously 1078  
has been found guilty of an offense under this section, in 1079  
addition to any other sanction imposed for the offense, the 1080  
court shall impose a class one suspension as described in 1081  
division (A) (1) of that section. The court shall not grant 1082  
limited driving privileges to the offender on a suspension 1083  
imposed for a felony violation of this section. The court may 1084  
grant limited driving privileges to the offender on a suspension 1085  
imposed for a misdemeanor violation of this section as set forth 1086  
in section 4510.021 of the Revised Code. No judge shall suspend 1087  
the first three years of suspension under a class two suspension 1088  
of an offender's license, permit, or privilege required by this 1089  
division ~~on~~ or any portion of the suspension under a class one 1090  
suspension of an offender's license, permit, or privilege 1091  
required by this division. 1092

(F)	1093
As used in this section:	1094
(1) "Moving violation" has the same meaning as in section 2743.70 of the Revised Code.	1095 1096
(2) "Police officer" has the same meaning as in section 4511.01 of the Revised Code.	1097 1098
<b>Sec. 2923.16.</b> (A) No person shall knowingly discharge a firearm while in or on a motor vehicle.	1099 1100
(B) No person shall knowingly transport or have a loaded firearm in a motor vehicle in such a manner that the firearm is accessible to the operator or any passenger without leaving the vehicle.	1101 1102 1103 1104
(C) No person shall knowingly transport or have a firearm in a motor vehicle, unless the person may lawfully possess that firearm under applicable law of this state or the United States, the firearm is unloaded, and the firearm is carried in one of the following ways:	1105 1106 1107 1108 1109
(1) In a closed package, box, or case;	1110
(2) In a compartment that can be reached only by leaving the vehicle;	1111 1112
(3) In plain sight and secured in a rack or holder made for the purpose;	1113 1114
(4) If the firearm is at least twenty-four inches in overall length as measured from the muzzle to the part of the stock furthest from the muzzle and if the barrel is at least eighteen inches in length, either in plain sight with the action open or the weapon stripped, or, if the firearm is of a type on	1115 1116 1117 1118 1119

which the action will not stay open or which cannot easily be 1120  
stripped, in plain sight. 1121

(D) No person shall knowingly transport or have a loaded 1122  
handgun in a motor vehicle if, at the time of that 1123  
transportation or possession, any of the following applies: 1124

(1) The person is under the influence of alcohol, a drug 1125  
of abuse, or a combination of them. 1126

(2) The person's whole blood, blood serum or plasma, 1127  
breath, or urine contains a concentration of alcohol, a listed 1128  
controlled substance, or a listed metabolite of a controlled 1129  
substance prohibited for persons operating a vehicle, as 1130  
specified in division (A) of section 4511.19 of the Revised 1131  
Code, regardless of whether the person at the time of the 1132  
transportation or possession as described in this division is 1133  
the operator of or a passenger in the motor vehicle. 1134

(E) No person who has been issued a concealed handgun 1135  
license or who is an active duty member of the armed forces of 1136  
the United States and is carrying a valid military 1137  
identification card and documentation of successful completion 1138  
of firearms training that meets or exceeds the training 1139  
requirements described in division (G) (1) of section 2923.125 of 1140  
the Revised Code, who is the driver or an occupant of a motor 1141  
vehicle that is stopped as a result of a traffic stop or a stop 1142  
for another law enforcement purpose or is the driver or an 1143  
occupant of a commercial motor vehicle that is stopped by an 1144  
employee of the motor carrier enforcement unit for the purposes 1145  
defined in section 5503.34 of the Revised Code, and who is 1146  
transporting or has a loaded handgun in the motor vehicle or 1147  
commercial motor vehicle in any manner, shall do any of the 1148  
following: 1149



(1) Before or at the time a law enforcement officer asks 1150  
if the person is carrying a concealed handgun, knowingly fail to 1151  
disclose that the person then possesses or has a loaded handgun 1152  
in the motor vehicle, provided that it is not a violation of 1153  
this division if the person fails to disclose that fact to an 1154  
officer during the stop and the person already has notified 1155  
another officer of that fact during the same stop; 1156

(2) Before or at the time an employee of the motor carrier 1157  
enforcement unit asks if the person is carrying a concealed 1158  
handgun, knowingly fail to disclose that the person then 1159  
possesses or has a loaded handgun in the commercial motor 1160  
vehicle, provided that it is not a violation of this division if 1161  
the person fails to disclose that fact to an employee of the 1162  
unit during the stop and the person already has notified another 1163  
employee of the unit of that fact during the same stop; 1164

(3) Knowingly fail to remain in the motor vehicle while 1165  
stopped or knowingly fail to keep the person's hands in plain 1166  
sight at any time after any law enforcement officer begins 1167  
approaching the person while stopped and before the law 1168  
enforcement officer leaves, unless the failure is pursuant to 1169  
and in accordance with directions given by a law enforcement 1170  
officer; 1171

(4) Knowingly have contact with the loaded handgun by 1172  
touching it with the person's hands or fingers in the motor 1173  
vehicle at any time after the law enforcement officer begins 1174  
approaching and before the law enforcement officer leaves, 1175  
unless the person has contact with the loaded handgun pursuant 1176  
to and in accordance with directions given by the law 1177  
enforcement officer; 1178

(5) Knowingly disregard or fail to comply with any lawful 1179

order of any law enforcement officer given while the motor 1180  
vehicle is stopped, including, but not limited to, a specific 1181  
order to the person to keep the person's hands in plain sight. 1182

(F) (1) Divisions (A), (B), (C), and (E) of this section do 1183  
not apply to any of the following: 1184

(a) An officer, agent, or employee of this or any other 1185  
state or the United States, or a law enforcement officer, when 1186  
authorized to carry or have loaded or accessible firearms in 1187  
motor vehicles and acting within the scope of the officer's, 1188  
agent's, or employee's duties; 1189

(b) Any person who is employed in this state, who is 1190  
authorized to carry or have loaded or accessible firearms in 1191  
motor vehicles, and who is subject to and in compliance with the 1192  
requirements of section 109.801 of the Revised Code, unless the 1193  
appointing authority of the person has expressly specified that 1194  
the exemption provided in division (F) (1) (b) of this section 1195  
does not apply to the person. 1196

(2) Division (A) of this section does not apply to a 1197  
person if all of the following circumstances apply: 1198

(a) The person discharges a firearm from a motor vehicle 1199  
at a coyote or groundhog, the discharge is not during the deer 1200  
gun hunting season as set by the chief of the division of 1201  
wildlife of the department of natural resources, and the 1202  
discharge at the coyote or groundhog, but for the operation of 1203  
this section, is lawful. 1204

(b) The motor vehicle from which the person discharges the 1205  
firearm is on real property that is located in an unincorporated 1206  
area of a township and that either is zoned for agriculture or 1207  
is used for agriculture. 1208

(c) The person owns the real property described in 1209  
division (F) (2) (b) of this section, is the spouse or a child of 1210  
another person who owns that real property, is a tenant of 1211  
another person who owns that real property, or is the spouse or 1212  
a child of a tenant of another person who owns that real 1213  
property. 1214

(d) The person does not discharge the firearm in any of 1215  
the following manners: 1216

(i) While under the influence of alcohol, a drug of abuse, 1217  
or alcohol and a drug of abuse; 1218

(ii) In the direction of a street, highway, or other 1219  
public or private property used by the public for vehicular 1220  
traffic or parking; 1221

(iii) At or into an occupied structure that is a permanent 1222  
or temporary habitation; 1223

(iv) In the commission of any violation of law, including, 1224  
but not limited to, a felony that includes, as an essential 1225  
element, purposely or knowingly causing or attempting to cause 1226  
the death of or physical harm to another and that was committed 1227  
by discharging a firearm from a motor vehicle. 1228

(3) Division (A) of this section does not apply to a 1229  
person if all of the following apply: 1230

(a) The person possesses a valid ~~all-purpose~~ all-terrain 1231  
vehicle permit issued under section 1533.103 of the Revised Code 1232  
by the chief of the division of wildlife. 1233

(b) The person discharges a firearm at a wild quadruped or 1234  
game bird as defined in section 1531.01 of the Revised Code 1235  
during the open hunting season for the applicable wild quadruped 1236

or game bird. 1237

(c) The person discharges a firearm from a stationary ~~all-~~ 1238  
~~purpose all-terrain~~ vehicle as defined in section 1531.01 of the 1239  
~~Revised Code~~ from private or publicly owned lands or from a 1240  
motor vehicle that is parked on a road that is owned or 1241  
administered by the division of wildlife. 1242

(d) The person does not discharge the firearm in any of 1243  
the following manners: 1244

(i) While under the influence of alcohol, a drug of abuse, 1245  
or alcohol and a drug of abuse; 1246

(ii) In the direction of a street, a highway, or other 1247  
public or private property that is used by the public for 1248  
vehicular traffic or parking; 1249

(iii) At or into an occupied structure that is a permanent 1250  
or temporary habitation; 1251

(iv) In the commission of any violation of law, including, 1252  
but not limited to, a felony that includes, as an essential 1253  
element, purposely or knowingly causing or attempting to cause 1254  
the death of or physical harm to another and that was committed 1255  
by discharging a firearm from a motor vehicle. 1256

(4) Divisions (B) and (C) of this section do not apply to 1257  
a person if all of the following circumstances apply: 1258

(a) At the time of the alleged violation of either of 1259  
those divisions, the person is the operator of or a passenger in 1260  
a motor vehicle. 1261

(b) The motor vehicle is on real property that is located 1262  
in an unincorporated area of a township and that either is zoned 1263  
for agriculture or is used for agriculture. 1264

(c) The person owns the real property described in 1265  
division (F) (4) (b) of this section, is the spouse or a child of 1266  
another person who owns that real property, is a tenant of 1267  
another person who owns that real property, or is the spouse or 1268  
a child of a tenant of another person who owns that real 1269  
property. 1270

(d) The person, prior to arriving at the real property 1271  
described in division (F) (4) (b) of this section, did not 1272  
transport or possess a firearm in the motor vehicle in a manner 1273  
prohibited by division (B) or (C) of this section while the 1274  
motor vehicle was being operated on a street, highway, or other 1275  
public or private property used by the public for vehicular 1276  
traffic or parking. 1277

(5) Divisions (B) and (C) of this section do not apply to 1278  
a person who transports or possesses a handgun in a motor 1279  
vehicle if, at the time of that transportation or possession, 1280  
both of the following apply: 1281

(a) The person transporting or possessing the handgun has 1282  
been issued a concealed handgun license that is valid at the 1283  
time in question or the person is an active duty member of the 1284  
armed forces of the United States and is carrying a valid 1285  
military identification card and documentation of successful 1286  
completion of firearms training that meets or exceeds the 1287  
training requirements described in division (G) (1) of section 1288  
2923.125 of the Revised Code. 1289

(b) The person transporting or possessing the handgun is 1290  
not knowingly in a place described in division (B) of section 1291  
2923.126 of the Revised Code. 1292

(6) Divisions (B) and (C) of this section do not apply to 1293

a person if all of the following apply: 1294

(a) The person possesses a valid ~~all-purpose-all-terrain~~ 1295  
vehicle permit issued under section 1533.103 of the Revised Code 1296  
by the chief of the division of wildlife. 1297

(b) The person is on or in an ~~all-purpose-all-terrain~~ 1298  
vehicle ~~as defined in section 1531.01 of the Revised Code~~ or a 1299  
motor vehicle during the open hunting season for a wild 1300  
quadruped or game bird. 1301

(c) The person is on or in an ~~all-purpose-all-terrain~~ 1302  
vehicle ~~as defined in section 1531.01 of the Revised Code~~ on 1303  
private or publicly owned lands or on or in a motor vehicle that 1304  
is parked on a road that is owned or administered by the 1305  
division of wildlife. 1306

(7) Nothing in this section prohibits or restricts a 1307  
person from possessing, storing, or leaving a firearm in a 1308  
locked motor vehicle that is parked in the state underground 1309  
parking garage at the state capitol building or in the parking 1310  
garage at the Riffe center for government and the arts in 1311  
Columbus, if the person's transportation and possession of the 1312  
firearm in the motor vehicle while traveling to the premises or 1313  
facility was not in violation of division (A), (B), (C), (D), or 1314  
(E) of this section or any other provision of the Revised Code. 1315

(G) (1) The affirmative defenses authorized in divisions 1316  
(D) (1) and (2) of section 2923.12 of the Revised Code are 1317  
affirmative defenses to a charge under division (B) or (C) of 1318  
this section that involves a firearm other than a handgun. 1319

(2) It is an affirmative defense to a charge under 1320  
division (B) or (C) of this section of improperly handling 1321  
firearms in a motor vehicle that the actor transported or had 1322

the firearm in the motor vehicle for any lawful purpose and 1323  
while the motor vehicle was on the actor's own property, 1324  
provided that this affirmative defense is not available unless 1325  
the person, immediately prior to arriving at the actor's own 1326  
property, did not transport or possess the firearm in a motor 1327  
vehicle in a manner prohibited by division (B) or (C) of this 1328  
section while the motor vehicle was being operated on a street, 1329  
highway, or other public or private property used by the public 1330  
for vehicular traffic. 1331

(H) (1) No person who is charged with a violation of 1332  
division (B), (C), or (D) of this section shall be required to 1333  
obtain a concealed handgun license as a condition for the 1334  
dismissal of the charge. 1335

(2) (a) If a person is convicted of, was convicted of, 1336  
pleads guilty to, or has pleaded guilty to a violation of 1337  
division (E) of this section as it existed prior to September 1338  
30, 2011, and the conduct that was the basis of the violation no 1339  
longer would be a violation of division (E) of this section on 1340  
or after September 30, 2011, or if a person is convicted of, was 1341  
convicted of, pleads guilty to, or has pleaded guilty to a 1342  
violation of division (E) (1) or (2) of this section as it 1343  
existed prior to June 13, 2022, the person may file an 1344  
application under section 2953.35 of the Revised Code requesting 1345  
the expungement of the record of conviction. 1346

If a person is convicted of, was convicted of, pleads 1347  
guilty to, or has pleaded guilty to a violation of division (B) 1348  
or (C) of this section as the division existed prior to 1349  
September 30, 2011, and if the conduct that was the basis of the 1350  
violation no longer would be a violation of division (B) or (C) 1351  
of this section on or after September 30, 2011, due to the 1352

application of division (F) (5) of this section as it exists on 1353  
and after September 30, 2011, the person may file an application 1354  
under section 2953.35 of the Revised Code requesting the 1355  
expungement of the record of conviction. 1356

(b) The attorney general shall develop a public media 1357  
advisory that summarizes the expungement procedure established 1358  
under section 2953.35 of the Revised Code and the offenders 1359  
identified in division (H) (2) (a) of this section and those 1360  
identified in division (E) (2) of section 2923.12 of the Revised 1361  
Code who are authorized to apply for the expungement. Within 1362  
thirty days after September 30, 2011, with respect to violations 1363  
of division (B), (C), or (E) of this section as they existed 1364  
prior to that date, and within thirty days after June 13, 2022, 1365  
with respect to a violation of division (E) (1) or (2) of this 1366  
section or division (B) (1) of section 2923.12 of the Revised 1367  
Code as they existed prior to June 13, 2022, the attorney 1368  
general shall provide a copy of the advisory to each daily 1369  
newspaper published in this state and each television station 1370  
that broadcasts in this state. The attorney general may provide 1371  
the advisory in a tangible form, an electronic form, or in both 1372  
tangible and electronic forms. 1373

(I) Whoever violates this section is guilty of improperly 1374  
handling firearms in a motor vehicle. A violation of division 1375  
(A) of this section is a felony of the fourth degree. A 1376  
violation of division (C) of this section is a misdemeanor of 1377  
the fourth degree. A violation of division (D) of this section 1378  
is a felony of the fifth degree or, if the loaded handgun is 1379  
concealed on the person's person, a felony of the fourth degree. 1380  
A violation of division (E) (1) or (2) of this section is a 1381  
misdemeanor of the second degree. A violation of division (E) (4) 1382  
of this section is a felony of the fifth degree. A violation of 1383



division (E) (3) or (5) of this section is a misdemeanor of the 1384  
first degree or, if the offender previously has been convicted 1385  
of or pleaded guilty to a violation of division (E) (3) or (5) of 1386  
this section, a felony of the fifth degree. In addition to any 1387  
other penalty or sanction imposed for a misdemeanor violation of 1388  
division (E) (3) or (5) of this section, the offender's concealed 1389  
handgun license shall be suspended pursuant to division (A) (2) 1390  
of section 2923.128 of the Revised Code. A violation of division 1391  
(B) of this section is a felony of the fourth degree. 1392

(J) If a law enforcement officer stops a motor vehicle for 1393  
a traffic stop or any other purpose, if any person in the motor 1394  
vehicle surrenders a firearm to the officer, either voluntarily 1395  
or pursuant to a request or demand of the officer, and if the 1396  
officer does not charge the person with a violation of this 1397  
section or arrest the person for any offense, the person is not 1398  
otherwise prohibited by law from possessing the firearm, and the 1399  
firearm is not contraband, the officer shall return the firearm 1400  
to the person at the termination of the stop. If a court orders 1401  
a law enforcement officer to return a firearm to a person 1402  
pursuant to the requirement set forth in this division, division 1403  
(B) of section 2923.163 of the Revised Code applies. 1404

(K) As used in this section: 1405

(1) "Motor vehicle," "street," and "highway" have the same 1406  
meanings as in section 4511.01 of the Revised Code. 1407

(2) "Occupied structure" has the same meaning as in 1408  
section 2909.01 of the Revised Code. 1409

(3) "Agriculture" has the same meaning as in section 1410  
519.01 of the Revised Code. 1411

(4) "Tenant" has the same meaning as in section 1531.01 of 1412

the Revised Code. 1413

(5) (a) "Unloaded" means, with respect to a firearm other 1414  
than a firearm described in division (K) (6) of this section, 1415  
that no ammunition is in the firearm in question, no magazine or 1416  
speed loader containing ammunition is inserted into the firearm 1417  
in question, and one of the following applies: 1418

(i) There is no ammunition in a magazine or speed loader 1419  
that is in the vehicle in question and that may be used with the 1420  
firearm in question. 1421

(ii) Any magazine or speed loader that contains ammunition 1422  
and that may be used with the firearm in question is stored in a 1423  
compartment within the vehicle in question that cannot be 1424  
accessed without leaving the vehicle or is stored in a container 1425  
that provides complete and separate enclosure. 1426

(b) For the purposes of division (K) (5) (a) (ii) of this 1427  
section, a "container that provides complete and separate 1428  
enclosure" includes, but is not limited to, any of the 1429  
following: 1430

(i) A package, box, or case with multiple compartments, as 1431  
long as the loaded magazine or speed loader and the firearm in 1432  
question either are in separate compartments within the package, 1433  
box, or case, or, if they are in the same compartment, the 1434  
magazine or speed loader is contained within a separate 1435  
enclosure in that compartment that does not contain the firearm 1436  
and that closes using a snap, button, buckle, zipper, hook and 1437  
loop closing mechanism, or other fastener that must be opened to 1438  
access the contents or the firearm is contained within a 1439  
separate enclosure of that nature in that compartment that does 1440  
not contain the magazine or speed loader; 1441

(ii) A pocket or other enclosure on the person of the 1442  
person in question that closes using a snap, button, buckle, 1443  
zipper, hook and loop closing mechanism, or other fastener that 1444  
must be opened to access the contents. 1445

(c) For the purposes of divisions (K) (5) (a) and (b) of 1446  
this section, ammunition held in stripper-clips or in en-bloc 1447  
clips is not considered ammunition that is loaded into a 1448  
magazine or speed loader. 1449

(6) "Unloaded" means, with respect to a firearm employing 1450  
a percussion cap, flintlock, or other obsolete ignition system, 1451  
when the weapon is uncapped or when the priming charge is 1452  
removed from the pan. 1453

(7) "Commercial motor vehicle" has the same meaning as in 1454  
division (A) of section 4506.25 of the Revised Code. 1455

(8) "Motor carrier enforcement unit" means the motor 1456  
carrier enforcement unit in the department of public safety, 1457  
division of state highway patrol, that is created by section 1458  
5503.34 of the Revised Code. 1459

(9) "All-terrain vehicle" has the same meaning as in 1460  
section 4519.01 of the Revised Code. 1461

(L) Divisions (K) (5) (a) and (b) of this section do not 1462  
affect the authority of a person who has been issued a concealed 1463  
handgun license that is valid at the time in question to have 1464  
one or more magazines or speed loaders containing ammunition 1465  
anywhere in a vehicle, without being transported as described in 1466  
those divisions, as long as no ammunition is in a firearm, other 1467  
than a handgun, in the vehicle other than as permitted under any 1468  
other provision of this chapter. A person who has been issued a 1469  
concealed handgun license that is valid at the time in question 1470

may have one or more magazines or speed loaders containing 1471  
ammunition anywhere in a vehicle without further restriction, as 1472  
long as no ammunition is in a firearm, other than a handgun, in 1473  
the vehicle other than as permitted under any provision of this 1474  
chapter. 1475

**Sec. 4501.01.** As used in this chapter and Chapters 4503., 1476  
4505., 4507., 4509., 4510., 4511., 4513., 4515., and 4517. of 1477  
the Revised Code, and in the penal laws, except as otherwise 1478  
provided: 1479

(A) "Vehicles" means everything on wheels or runners, 1480  
including motorized bicycles, but does not mean electric 1481  
personal assistive mobility devices, low-speed micromobility 1482  
devices, vehicles that are operated exclusively on rails or 1483  
tracks or from overhead electric trolley wires, and vehicles 1484  
that belong to any police department, municipal fire department, 1485  
or volunteer fire department, or that are used by such a 1486  
department in the discharge of its functions. 1487

(B) "Motor vehicle" means any vehicle, including mobile 1488  
homes and recreational vehicles, that is propelled or drawn by 1489  
power other than muscular power or power collected from overhead 1490  
electric trolley wires. "Motor vehicle" does not include utility 1491  
vehicles as defined in division (VV) of this section, under- 1492  
speed vehicles as defined in division (XX) of this section, 1493  
mini-trucks as defined in division (BBB) of this section, 1494  
motorized bicycles, electric bicycles, road rollers, traction 1495  
engines, power shovels, power cranes, and other equipment used 1496  
in construction work and not designed for or employed in general 1497  
highway transportation, well-drilling machinery, ditch-digging 1498  
machinery, farm machinery, and trailers that are designed and 1499  
used exclusively to transport a boat between a place of storage 1500

and a marina, or in and around a marina, when drawn or towed on 1501  
a public road or highway for a distance of no more than ten 1502  
miles and at a speed of twenty-five miles per hour or less. 1503

(C) "Agricultural tractor" and "traction engine" mean any 1504  
self-propelling vehicle that is designed or used for drawing 1505  
other vehicles or wheeled machinery, but has no provisions for 1506  
carrying loads independently of such other vehicles, and that is 1507  
used principally for agricultural purposes. 1508

(D) "Commercial tractor," except as defined in division 1509  
(C) of this section, means any motor vehicle that has motive 1510  
power and either is designed or used for drawing other motor 1511  
vehicles, or is designed or used for drawing another motor 1512  
vehicle while carrying a portion of the other motor vehicle or 1513  
its load, or both. 1514

(E) "Passenger car" means any motor vehicle that is 1515  
designed and used for carrying not more than nine persons and 1516  
includes any motor vehicle that is designed and used for 1517  
carrying not more than fifteen persons in a ridesharing 1518  
arrangement. 1519

(F) "Collector's vehicle" means any motor vehicle or 1520  
agricultural tractor or traction engine that is of special 1521  
interest, that has a fair market value of one hundred dollars or 1522  
more, whether operable or not, and that is owned, operated, 1523  
collected, preserved, restored, maintained, or used essentially 1524  
as a collector's item, leisure pursuit, or investment, but not 1525  
as the owner's principal means of transportation. "Licensed 1526  
collector's vehicle" means a collector's vehicle, other than an 1527  
agricultural tractor or traction engine, that displays current, 1528  
valid license tags issued under section 4503.45 of the Revised 1529  
Code, or a similar type of motor vehicle that displays current, 1530

valid license tags issued under substantially equivalent 1531  
provisions in the laws of other states. 1532

(G) "Historical motor vehicle" means any motor vehicle 1533  
that is over twenty-five years old and is owned solely as a 1534  
collector's item and for participation in club activities, 1535  
exhibitions, tours, parades, and similar uses, but that in no 1536  
event is used for general transportation. 1537

(H) "Noncommercial motor vehicle" means any motor vehicle, 1538  
including a farm truck as defined in section 4503.04 of the 1539  
Revised Code, that is designed by the manufacturer to carry a 1540  
load of no more than one ton and is used exclusively for 1541  
purposes other than engaging in business for profit. 1542

(I) "Bus" means any motor vehicle that has motor power and 1543  
is designed and used for carrying more than nine passengers, 1544  
except any motor vehicle that is designed and used for carrying 1545  
not more than fifteen passengers in a ridesharing arrangement. 1546

(J) "Commercial car" or "truck" means any motor vehicle 1547  
that has motor power and is designed and used for carrying 1548  
merchandise or freight, or that is used as a commercial tractor. 1549

(K) "Bicycle" means every device, other than a device that 1550  
is designed solely for use as a play vehicle by a child, that is 1551  
propelled solely by human power upon which a person may ride, 1552  
and that has two or more wheels, any of which is more than 1553  
fourteen inches in diameter. 1554

(L) "Motorized bicycle" or "moped" means any vehicle that 1555  
either has two tandem wheels or one wheel in the front and two 1556  
wheels in the rear, that may be pedaled, and that is equipped 1557  
with a helper motor of not more than fifty cubic centimeters 1558  
piston displacement that produces no more than one brake 1559

horsepower and is capable of propelling the vehicle at a speed 1560  
of no greater than twenty miles per hour on a level surface. 1561  
"Motorized bicycle" or "moped" does not include an electric 1562  
bicycle. 1563

(M) "Trailer" means any vehicle without motive power that 1564  
is designed or used for carrying property or persons wholly on 1565  
its own structure and for being drawn by a motor vehicle, and 1566  
includes any such vehicle that is formed by or operated as a 1567  
combination of a semitrailer and a vehicle of the dolly type 1568  
such as that commonly known as a trailer dolly, a vehicle used 1569  
to transport agricultural produce or agricultural production 1570  
materials between a local place of storage or supply and the 1571  
farm when drawn or towed on a public road or highway at a speed 1572  
greater than twenty-five miles per hour, and a vehicle that is 1573  
designed and used exclusively to transport a boat between a 1574  
place of storage and a marina, or in and around a marina, when 1575  
drawn or towed on a public road or highway for a distance of 1576  
more than ten miles or at a speed of more than twenty-five miles 1577  
per hour. "Trailer" does not include a manufactured home or 1578  
travel trailer. 1579

(N) "Noncommercial trailer" means any trailer, except a 1580  
travel trailer or trailer that is used to transport a boat as 1581  
described in division (B) of this section, but, where 1582  
applicable, includes a vehicle that is used to transport a boat 1583  
as described in division (M) of this section, that has a gross 1584  
weight of no more than ten thousand pounds, and that is used 1585  
exclusively for purposes other than engaging in business for a 1586  
profit, such as the transportation of personal items for 1587  
personal or recreational purposes. 1588

(O) "Mobile home" means a building unit or assembly of 1589

closed construction that is fabricated in an off-site facility, 1590  
is more than thirty-five body feet in length or, when erected on 1591  
site, is three hundred twenty or more square feet, is built on a 1592  
permanent chassis, is transportable in one or more sections, and 1593  
does not qualify as a manufactured home as defined in division 1594  
(C) (4) of section 3781.06 of the Revised Code or as an 1595  
industrialized unit as defined in division (C) (3) of section 1596  
3781.06 of the Revised Code. 1597

(P) "Semitrailer" means any vehicle of the trailer type 1598  
that does not have motive power and is so designed or used with 1599  
another and separate motor vehicle that in operation a part of 1600  
its own weight or that of its load, or both, rests upon and is 1601  
carried by the other vehicle furnishing the motive power for 1602  
propelling itself and the vehicle referred to in this division, 1603  
and includes, for the purpose only of registration and taxation 1604  
under those chapters, any vehicle of the dolly type, such as a 1605  
trailer dolly, that is designed or used for the conversion of a 1606  
semitrailer into a trailer. 1607

(Q) "Recreational vehicle" means a vehicular portable 1608  
structure that meets all of the following conditions: 1609

(1) It is designed for the sole purpose of recreational 1610  
travel. 1611

(2) It is not used for the purpose of engaging in business 1612  
for profit. 1613

(3) It is not used for the purpose of engaging in 1614  
intrastate commerce. 1615

(4) It is not used for the purpose of commerce as defined 1616  
in 49 C.F.R. 383.5, as amended. 1617

(5) It is not regulated by the public utilities commission 1618



pursuant to Chapter 4905., 4921., or 4923. of the Revised Code. 1619

(6) It is classed as one of the following: 1620

(a) "Travel trailer" or "house vehicle" means a nonself- 1621  
propelled recreational vehicle that does not exceed an overall 1622  
length of forty feet, exclusive of bumper and tongue or 1623  
coupling. "Travel trailer" includes a tent-type fold-out camping 1624  
trailer as defined in section 4517.01 of the Revised Code. 1625

(b) "Motor home" means a self-propelled recreational 1626  
vehicle that has no fifth wheel and is constructed with 1627  
permanently installed facilities for cold storage, cooking and 1628  
consuming of food, and for sleeping. 1629

(c) "Truck camper" means a nonself-propelled recreational 1630  
vehicle that does not have wheels for road use and is designed 1631  
to be placed upon and attached to a motor vehicle. "Truck 1632  
camper" does not include truck covers that consist of walls and 1633  
a roof, but do not have floors and facilities enabling them to 1634  
be used as a dwelling. 1635

(d) "Fifth wheel trailer" means a vehicle that is of such 1636  
size and weight as to be movable without a special highway 1637  
permit, that is constructed with a raised forward section that 1638  
allows a bi-level floor plan, and that is designed to be towed 1639  
by a vehicle equipped with a fifth-wheel hitch ordinarily 1640  
installed in the bed of a truck. 1641

(e) "Park trailer" means a vehicle that is commonly known 1642  
as a park model recreational vehicle, meets the American 1643  
national standard institute standard A119.5 (1988) for park 1644  
trailers, is built on a single chassis, has a gross trailer area 1645  
of four hundred square feet or less when set up, is designed for 1646  
seasonal or temporary living quarters, and may be connected to 1647

utilities necessary for the operation of installed features and 1648  
appliances. 1649

(R) "Pneumatic tires" means tires of rubber and fabric or 1650  
tires of similar material, that are inflated with air. 1651

(S) "Solid tires" means tires of rubber or similar elastic 1652  
material that are not dependent upon confined air for support of 1653  
the load. 1654

(T) "Solid tire vehicle" means any vehicle that is 1655  
equipped with two or more solid tires. 1656

(U) "Farm machinery" means all machines and tools that are 1657  
used in the production, harvesting, and care of farm products, 1658  
and includes trailers that are used to transport agricultural 1659  
produce or agricultural production materials between a local 1660  
place of storage or supply and the farm, agricultural tractors, 1661  
threshing machinery, hay-baling machinery, corn shellers, 1662  
hammermills, and machinery used in the production of 1663  
horticultural, agricultural, and vegetable products. 1664

(V) "Owner" includes any person or firm, other than a 1665  
manufacturer or dealer, that has title to a motor vehicle, 1666  
except that, in sections 4505.01 to 4505.19 of the Revised Code, 1667  
"owner" includes in addition manufacturers and dealers. 1668

(W) "Manufacturer" and "dealer" include all persons and 1669  
firms that are regularly engaged in the business of 1670  
manufacturing, selling, displaying, offering for sale, or 1671  
dealing in motor vehicles, at an established place of business 1672  
that is used exclusively for the purpose of manufacturing, 1673  
selling, displaying, offering for sale, or dealing in motor 1674  
vehicles. A place of business that is used for manufacturing, 1675  
selling, displaying, offering for sale, or dealing in motor 1676

vehicles shall be deemed to be used exclusively for those 1677  
purposes even though snowmobiles or ~~all-purpose~~ all-terrain 1678  
vehicles are sold or displayed for sale thereat, even though 1679  
farm machinery is sold or displayed for sale thereat, or even 1680  
though repair, accessory, gasoline and oil, storage, parts, 1681  
service, or paint departments are maintained thereat, or, in any 1682  
county having a population of less than seventy-five thousand at 1683  
the last federal census, even though a department in a place of 1684  
business is used to dismantle, salvage, or rebuild motor 1685  
vehicles by means of used parts, if such departments are 1686  
operated for the purpose of furthering and assisting in the 1687  
business of manufacturing, selling, displaying, offering for 1688  
sale, or dealing in motor vehicles. Places of business or 1689  
departments in a place of business used to dismantle, salvage, 1690  
or rebuild motor vehicles by means of using used parts are not 1691  
considered as being maintained for the purpose of assisting or 1692  
furthering the manufacturing, selling, displaying, and offering 1693  
for sale or dealing in motor vehicles. 1694

(X) "Operator" includes any person who drives or operates 1695  
a motor vehicle upon the public highways. 1696

(Y) "Chauffeur" means any operator who operates a motor 1697  
vehicle, other than a taxicab, as an employee for hire; or any 1698  
operator whether or not the owner of a motor vehicle, other than 1699  
a taxicab, who operates such vehicle for transporting, for gain, 1700  
compensation, or profit, either persons or property owned by 1701  
another. Any operator of a motor vehicle who is voluntarily 1702  
involved in a ridesharing arrangement is not considered an 1703  
employee for hire or operating such vehicle for gain, 1704  
compensation, or profit. 1705

(Z) "State" includes the territories and federal districts 1706

of the United States, and the provinces of Canada. 1707

(AA) "Public roads and highways" for vehicles includes all 1708  
public thoroughfares, bridges, and culverts. 1709

(BB) "Manufacturer's number" means the manufacturer's 1710  
original serial number that is affixed to or imprinted upon the 1711  
chassis or other part of the motor vehicle. 1712

(CC) "Motor number" means the manufacturer's original 1713  
number that is affixed to or imprinted upon the engine or motor 1714  
of the vehicle. 1715

(DD) "Distributor" means any person who is authorized by a 1716  
motor vehicle manufacturer to distribute new motor vehicles to 1717  
licensed motor vehicle dealers at an established place of 1718  
business that is used exclusively for the purpose of 1719  
distributing new motor vehicles to licensed motor vehicle 1720  
dealers, except when the distributor also is a new motor vehicle 1721  
dealer, in which case the distributor may distribute at the 1722  
location of the distributor's licensed dealership. 1723

(EE) "Ridesharing arrangement" means the transportation of 1724  
persons in a motor vehicle where the transportation is 1725  
incidental to another purpose of a volunteer driver and includes 1726  
ridesharing arrangements known as carpools, vanpools, and 1727  
buspools. 1728

(FF) "Apportionable vehicle" means any vehicle that is 1729  
used or intended for use in two or more international 1730  
registration plan member jurisdictions that allocate or 1731  
proportionally register vehicles, that is used for the 1732  
transportation of persons for hire or designed, used, or 1733  
maintained primarily for the transportation of property, and 1734  
that meets any of the following qualifications: 1735

(1) Is a power unit having a gross vehicle weight in excess of twenty-six thousand pounds;	1736 1737
(2) Is a power unit having three or more axles, regardless of the gross vehicle weight;	1738 1739
(3) Is a combination vehicle with a gross vehicle weight in excess of twenty-six thousand pounds.	1740 1741
"Apportionable vehicle" does not include recreational vehicles, vehicles displaying restricted plates, city pick-up and delivery vehicles, or vehicles owned and operated by the United States, this state, or any political subdivisions thereof.	1742 1743 1744 1745 1746
(GG) "Chartered party" means a group of persons who contract as a group to acquire the exclusive use of a passenger-carrying motor vehicle at a fixed charge for the vehicle in accordance with the carrier's tariff, lawfully on file with the United States department of transportation, for the purpose of group travel to a specified destination or for a particular itinerary, either agreed upon in advance or modified by the chartered group after having left the place of origin.	1747 1748 1749 1750 1751 1752 1753 1754
(HH) "International registration plan" means a reciprocal agreement of member jurisdictions that is endorsed by the American association of motor vehicle administrators, and that promotes and encourages the fullest possible use of the highway system by authorizing apportioned registration of fleets of vehicles and recognizing registration of vehicles apportioned in member jurisdictions.	1755 1756 1757 1758 1759 1760 1761
(II) "Restricted plate" means a license plate that has a restriction of time, geographic area, mileage, or commodity, and includes license plates issued to farm trucks under division (J)	1762 1763 1764

of section 4503.04 of the Revised Code. 1765

(JJ) "Gross vehicle weight," with regard to any commercial 1766  
car, trailer, semitrailer, or bus that is taxed at the rates 1767  
established under section 4503.042 or 4503.65 of the Revised 1768  
Code, means the unladen weight of the vehicle fully equipped 1769  
plus the maximum weight of the load to be carried on the 1770  
vehicle. 1771

(KK) "Combined gross vehicle weight" with regard to any 1772  
combination of a commercial car, trailer, and semitrailer, that 1773  
is taxed at the rates established under section 4503.042 or 1774  
4503.65 of the Revised Code, means the total unladen weight of 1775  
the combination of vehicles fully equipped plus the maximum 1776  
weight of the load to be carried on that combination of 1777  
vehicles. 1778

(LL) "Chauffeured limousine" means a motor vehicle that is 1779  
designed to carry nine or fewer passengers and is operated for 1780  
hire pursuant to a prearranged contract for the transportation 1781  
of passengers on public roads and highways along a route under 1782  
the control of the person hiring the vehicle and not over a 1783  
defined and regular route. "Prearranged contract" means an 1784  
agreement, made in advance of boarding, to provide 1785  
transportation from a specific location in a chauffeured 1786  
limousine. "Chauffeured limousine" does not include any vehicle 1787  
that is used exclusively in the business of funeral directing. 1788

(MM) "Manufactured home" has the same meaning as in 1789  
division (C) (4) of section 3781.06 of the Revised Code. 1790

(NN) "Acquired situs," with respect to a manufactured home 1791  
or a mobile home, means to become located in this state by the 1792  
placement of the home on real property, but does not include the 1793

placement of a manufactured home or a mobile home in the 1794  
inventory of a new motor vehicle dealer or the inventory of a 1795  
manufacturer, remanufacturer, or distributor of manufactured or 1796  
mobile homes. 1797

(OO) "Electronic" includes electrical, digital, magnetic, 1798  
optical, electromagnetic, or any other form of technology that 1799  
entails capabilities similar to these technologies. 1800

(PP) "Electronic record" means a record generated, 1801  
communicated, received, or stored by electronic means for use in 1802  
an information system or for transmission from one information 1803  
system to another. 1804

(QQ) "Electronic signature" means a signature in 1805  
electronic form attached to or logically associated with an 1806  
electronic record. 1807

(RR) "Financial transaction device" has the same meaning 1808  
as in division (A) of section 113.40 of the Revised Code. 1809

(SS) "Electronic motor vehicle dealer" means a motor 1810  
vehicle dealer licensed under Chapter 4517. of the Revised Code 1811  
whom the registrar of motor vehicles determines meets the 1812  
criteria designated in section 4503.035 of the Revised Code for 1813  
electronic motor vehicle dealers and designates as an electronic 1814  
motor vehicle dealer under that section. 1815

(TT) "Electric personal assistive mobility device" means a 1816  
self-balancing two non-tandem wheeled device that is designed to 1817  
transport only one person, has an electric propulsion system of 1818  
an average of seven hundred fifty watts, and when ridden on a 1819  
paved level surface by an operator who weighs one hundred 1820  
seventy pounds has a maximum speed of less than twenty miles per 1821  
hour. 1822

(UU) "Limited driving privileges" means the privilege to 1823  
operate a motor vehicle that a court grants under section 1824  
4510.021 of the Revised Code to a person whose driver's or 1825  
commercial driver's license or permit or nonresident operating 1826  
privilege has been suspended. 1827

(VV) "Utility vehicle" means a self-propelled vehicle with 1828  
not less than four wheels, including a vehicle commonly known as 1829  
a side-by-side, designed with a bed, principally for the purpose 1830  
of transporting material or cargo in connection with 1831  
construction, agricultural, forestry, grounds maintenance, lawn 1832  
and garden, materials handling, or similar activitiesprimarily 1833  
for off-road use, that has non-straddle seating and a steering 1834  
wheel for steering control. 1835

(WW) "Low-speed vehicle" means a three- or four-wheeled 1836  
motor vehicle with an attainable speed in one mile on a paved 1837  
level surface of more than twenty miles per hour but not more 1838  
than twenty-five miles per hour and with a gross vehicle weight 1839  
rating less than three thousand pounds. 1840

(XX) "Under-speed vehicle" means a three- or four-wheeled 1841  
vehicle, including a vehicle commonly known as a golf cart, with 1842  
an attainable speed on a paved level surface of not more than 1843  
twenty miles per hour and with a gross vehicle weight rating 1844  
less than three thousand pounds. 1845

(YY) "Motor-driven cycle or motor scooter" means any 1846  
vehicle designed to travel on not more than three wheels in 1847  
contact with the ground, with a seat for the driver and floor 1848  
pad for the driver's feet, and is equipped with a motor with a 1849  
piston displacement between fifty and one hundred cubic 1850  
centimeters piston displacement that produces not more than five 1851  
brake horsepower and is capable of propelling the vehicle at a 1852



speed greater than twenty miles per hour on a level surface. 1853

(ZZ) "Motorcycle" means a motor vehicle with motive power 1854  
having a seat or saddle for the use of the operator, designed to 1855  
travel on not more than three wheels in contact with the ground, 1856  
and having no occupant compartment top or occupant compartment 1857  
top that can be installed or removed by the user. 1858

(AAA) "Cab-enclosed motorcycle" means a motor vehicle with 1859  
motive power having a seat or saddle for the use of the 1860  
operator, designed to travel on not more than three wheels in 1861  
contact with the ground, and having an occupant compartment top 1862  
or an occupant compartment top that is installed. 1863

(BBB) "Mini-truck" means a vehicle that has four wheels, 1864  
is propelled by an electric motor with a rated power of seven 1865  
thousand five hundred watts or less or an internal combustion 1866  
engine with a piston displacement capacity of six hundred sixty 1867  
cubic centimeters or less, has a total dry weight of nine 1868  
hundred to two thousand two hundred pounds, contains an enclosed 1869  
cabin and a seat for the vehicle operator, resembles a pickup 1870  
truck or van with a cargo area or bed located at the rear of the 1871  
vehicle, and was not originally manufactured to meet federal 1872  
motor vehicle safety standards. 1873

(CCC) "Autocycle" means a three-wheeled motorcycle that is 1874  
manufactured to comply with federal safety requirements for 1875  
motorcycles and that is equipped with safety belts, a steering 1876  
wheel, and seating that does not require the operator to 1877  
straddle or sit astride to ride the motorcycle. 1878

(DDD) "Plug-in hybrid electric motor vehicle" means a 1879  
passenger car powered in part by a battery cell energy system 1880  
that can be recharged via an external source of electricity. 1881

(EEE) "Hybrid motor vehicle" means a passenger car powered 1882  
by an internal propulsion system consisting of both of the 1883  
following: 1884

(1) A combustion engine; 1885

(2) A battery cell energy system that cannot be recharged 1886  
via an external source of electricity but can be recharged by 1887  
other vehicle mechanisms that capture and store electric energy. 1888

(FFF) "Low-speed micromobility device" means a device 1889  
weighing less than one hundred pounds that has handlebars, is 1890  
propelled by an electric motor or human power, and has an 1891  
attainable speed on a paved level surface of not more than 1892  
twenty miles per hour when propelled by the electric motor. 1893

(GGG) "Specialty license plate" means a license plate, 1894  
authorized by the general assembly, that displays a combination 1895  
of words, markings, logos, or other graphic artwork that is in 1896  
addition to the words, images, and distinctive numbers and 1897  
letters required by section 4503.22 of the Revised Code. 1898

(HHH) "Battery electric motor vehicle" means a passenger 1899  
car powered wholly by a battery cell energy system that can be 1900  
recharged via an external source of electricity. 1901

**Sec. 4501.13.** (A) The motorcycle safety and education fund 1902  
is hereby created in the state treasury. The fund shall consist 1903  
of the following: 1904

(1) Six dollars of each registration fee designated for 1905  
payment to the registrar of motor vehicles in division ~~(A)(1)(b)~~ 1906  
(A)(2) of section 4503.04 of the Revised Code; 1907

(2) The tuition fees collected by the director of public 1908  
safety under section 4508.08 of the Revised Code for the 1909

motorcycle safety and education program; 1910

(3) The fees collected for the initial authorization of a 1911  
private organization or corporation to offer a nationally 1912  
recognized motorcycle operator training course or curriculum 1913  
under section 4508.08 of the Revised Code; 1914

(4) The fees collected for the initial state certification 1915  
of an instructor of motorcycle operator training course or 1916  
curriculum under section 4508.08 of the Revised Code; 1917

(5) The fees collected for the two-year program evaluation 1918  
required under division (C) of section 4508.08 of the Revised 1919  
Code for a private organization or corporation to continue to 1920  
offer a nationally recognized motorcycle operator training 1921  
course or curriculum under that section. 1922

All investment earnings of the motorcycle safety and 1923  
education fund shall be credited to the fund. 1924

(B) The fund shall be used solely to pay part or all of 1925  
the costs of conducting the motorcycle safety and education 1926  
program created by section 4508.08 of the Revised Code. 1927

**Sec. 4503.01.** (A) "Motor vehicle" as defined in section 1928  
4505.01 of the Revised Code applies to sections 4503.02 to 1929  
4503.10, and 4503.12 to 4503.18 of the Revised Code. ~~For~~ 1930

(B) ~~For~~ the purposes of sections 4503.02 to 4503.04, 1931  
4503.10 to 4503.12, 4503.182, 4503.19, 4503.21, 4503.22, and 1932  
4503.25 of the Revised Code, the term "motor vehicle" also 1933  
includes ~~a~~ all of the following: 1934

(1) A motorized bicycle and a or moped; 1935

(2) A motor-driven cycle or motor scooter; 1936

(3) A trailer or semitrailer whose weight is four thousand 1937  
pounds or less; 1938

(4) An under-speed vehicle when a local authority 1939  
authorizes its operation on a public street or highway in 1940  
accordance with section 4511.214 of the Revised Code. 1941

(C) As used in this chapter, "motor vehicle" does not 1942  
include a concrete pump or a concrete conveyor. 1943

**Sec. 4503.038.** ~~(A) Not later than ninety days after the~~ 1944  
~~effective date of this amendment, the~~ The registrar of motor 1945  
vehicles shall adopt rules in accordance with Chapter 119. of 1946  
the Revised Code establishing a service fee that applies for 1947  
purposes of sections 4503.03, 4503.036, 4503.042, 4503.10, 1948  
4503.102, 4503.12, 4503.182, 4503.24, 4503.65, 4505.061, 1949  
4506.08, 4507.24, 4507.50, 4507.52, 4509.05, 4519.03, 4519.05, 1950  
4519.10, 4519.56, and 4519.69 of the Revised Code. The service 1951  
fee shall be five dollars. 1952

~~(B) Not later than ninety days after the effective date of~~ 1953  
~~this amendment~~ the effective date of this amendment, the 1954  
registrar shall adopt rules in accordance with Chapter 119. of 1955  
the Revised Code establishing prorated service fees that apply 1956  
for purposes of multi-year registrations authorized under 1957  
~~section~~ sections 4503.103 and 4519.041 of the Revised Code. 1958

**Sec. 4503.04.** Except as provided in sections 4503.042 and 1959  
4503.65 of the Revised Code for the registration of commercial 1960  
cars, trailers, semitrailers, and certain buses, the rates of 1961  
the taxes imposed by section 4503.02 of the Revised Code shall 1962  
be as follows: 1963

~~(A) (1) For motor vehicles having three wheels or less, the~~ 1964  
~~license tax is:~~ 1965

<del>(a)</del> For each motorized bicycle or moped, ten dollars;	1966
<del>(b)</del> <u>(2)</u> For each motorcycle, autocycle, cab-enclosed motorcycle, motor-driven cycle, or motor scooter, fourteen dollars.	1967 1968 1969
<del>(2)</del> <u>(3)</u> For each low-speed, <u>vehicle or under-speed,</u> and <del>utility vehicle, and each mini-truck,</del> ten dollars.	1970 1971
(B) For each passenger car, twenty dollars;	1972
(C) For each manufactured home, each mobile home, and each travel trailer or house vehicle, ten dollars;	1973 1974
(D) For each noncommercial motor vehicle designed by the manufacturer to carry a load of no more than three-quarters of one ton and for each motor home, thirty-five dollars; for each noncommercial motor vehicle designed by the manufacturer to carry a load of more than three-quarters of one ton, but not more than one ton, seventy dollars;	1975 1976 1977 1978 1979 1980
(E) For each noncommercial trailer, the license tax is:	1981
(1) Eighty-five cents for each one hundred pounds or part thereof for the first two thousand pounds or part thereof of weight of vehicle fully equipped;	1982 1983 1984
(2) One dollar and forty cents for each one hundred pounds or part thereof in excess of two thousand pounds up to and including ten thousand pounds.	1985 1986 1987
(F) Notwithstanding its weight, twelve dollars for any:	1988
(1) Vehicle equipped, owned, and used by a charitable or nonprofit corporation exclusively for the purpose of administering chest x-rays or receiving blood donations;	1989 1990 1991
(2) Van used principally for the transportation of persons	1992

with disabilities that has been modified by being equipped with 1993  
adaptive equipment to facilitate the movement of such persons 1994  
into and out of the van; 1995

(3) Bus used principally for the transportation of persons 1996  
with disabilities or persons sixty-five years of age or older. 1997

(G) Notwithstanding its weight, twenty dollars for any bus 1998  
used principally for the transportation of persons in a 1999  
ridesharing arrangement. 2000

(H) For each transit bus having motor power the license 2001  
tax is twelve dollars. 2002

"Transit bus" means either a motor vehicle having a 2003  
seating capacity of more than seven persons which is operated 2004  
and used by any person in the rendition of a public mass 2005  
transportation service primarily in a municipal corporation or 2006  
municipal corporations and provided at least seventy-five per 2007  
cent of the annual mileage of such service and use is within 2008  
such municipal corporation or municipal corporations or a motor 2009  
vehicle having a seating capacity of more than seven persons 2010  
which is operated solely for the transportation of persons 2011  
associated with a charitable or nonprofit corporation, but does 2012  
not mean any motor vehicle having a seating capacity of more 2013  
than seven persons when such vehicle is used in a ridesharing 2014  
capacity or any bus described by division (F) (3) of this 2015  
section. 2016

The application for registration of such transit bus shall 2017  
be accompanied by an affidavit prescribed by the registrar of 2018  
motor vehicles and signed by the person or an agent of the firm 2019  
or corporation operating such bus stating that the bus has a 2020  
seating capacity of more than seven persons, and that it is 2021

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

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

(I) Except as otherwise provided in division (A) or (J) of this section, the minimum tax for any vehicle having motor power is ten dollars and eighty cents, and for each noncommercial trailer, five dollars.

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

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

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

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

pounds; 2051

(d) Two dollars for each one hundred pounds or part 2052  
thereof in excess of six thousand pounds up to and including ten 2053  
thousand pounds; 2054

(e) Two dollars and twenty-five cents for each one hundred 2055  
pounds or part thereof in excess of ten thousand pounds; 2056

(f) The minimum license tax for any farm truck shall be 2057  
twelve dollars. 2058

(2) The owner of a farm truck may register the truck for a 2059  
period of one-half year by paying one-half the registration tax 2060  
imposed on the truck under this chapter and one-half the amount 2061  
of any tax imposed on the truck under Chapter 4504. of the 2062  
Revised Code. 2063

(3) A farm bus may be registered for a period of three 2064  
hundred ten days from the date of issue of the license plates 2065  
for the bus, for a fee of ten dollars, provided such license 2066  
plates shall not be issued for more than one such period in any 2067  
calendar year. Such use does not include the operation of trucks 2068  
by commercial processors of agricultural products. 2069

(4) License plates for farm trucks and for farm buses 2070  
shall have some distinguishing marks, letters, colors, or other 2071  
characteristics to be determined by the director of public 2072  
safety. 2073

(5) Every person registering a farm truck or bus under 2074  
this section shall furnish an affidavit certifying that the 2075  
truck or bus licensed to that person is to be so used as to meet 2076  
the requirements necessary for the farm truck or farm bus 2077  
classification. 2078



Any farmer may use a truck owned by the farmer for 2079  
commercial purposes by paying the difference between the 2080  
commercial truck registration fee and the farm truck 2081  
registration fee for the remaining part of the registration 2082  
period for which the truck is registered. Such remainder shall 2083  
be calculated from the beginning of the semiannual period in 2084  
which application for such commercial license is made. 2085

Taxes at the rates provided in this section are in lieu of 2086  
all taxes on or with respect to the ownership of such motor 2087  
vehicles, except as provided in sections 4503.042, 4503.06, and 2088  
4503.65 of the Revised Code. 2089

(K) Other than trucks registered under the international 2090  
registration plan in another jurisdiction and for which this 2091  
state has received an apportioned registration fee, the license 2092  
tax for each truck which is owned, controlled, or operated by a 2093  
nonresident, and licensed in another state, and which is used 2094  
exclusively for the transportation of nonprocessed agricultural 2095  
products intrastate, from the place of production to the place 2096  
of processing, is twenty-four dollars. 2097

"Truck," as used in this division, means any pickup truck, 2098  
straight truck, semitrailer, or trailer other than a travel 2099  
trailer. Nonprocessed agricultural products, as used in this 2100  
division, does not include livestock or grain. 2101

A license issued under this division shall be issued for a 2102  
period of one hundred thirty days in the same manner in which 2103  
all other licenses are issued under this section, provided that 2104  
no truck shall be so licensed for more than one one-hundred- 2105  
thirty-day period during any calendar year. 2106

The license issued pursuant to this division shall consist 2107

of a windshield decal to be designed by the director of public 2108  
safety. 2109

Every person registering a truck under this division shall 2110  
furnish an affidavit certifying that the truck licensed to the 2111  
person is to be used exclusively for the purposes specified in 2112  
this division. 2113

(L) Every person registering a motor vehicle as a 2114  
noncommercial motor vehicle as defined in section 4501.01 of the 2115  
Revised Code, or registering a trailer as a noncommercial 2116  
trailer as defined in that section, shall furnish an affidavit 2117  
certifying that the motor vehicle or trailer so licensed to the 2118  
person is to be so used as to meet the requirements necessary 2119  
for the noncommercial vehicle classification. 2120

(M) Every person registering a van or bus as provided in 2121  
divisions (F) (2) and (3) of this section shall furnish a 2122  
notarized statement certifying that the van or bus licensed to 2123  
the person is to be used for the purposes specified in those 2124  
divisions. The form of the license plate issued for such motor 2125  
vehicles shall be prescribed by the registrar. 2126

(N) Every person registering as a passenger car a motor 2127  
vehicle designed and used for carrying more than nine but not 2128  
more than fifteen passengers, and every person registering a bus 2129  
as provided in division (G) of this section, shall furnish an 2130  
affidavit certifying that the vehicle so licensed to the person 2131  
is to be used in a ridesharing arrangement and that the person 2132  
will have in effect whenever the vehicle is used in a 2133  
ridesharing arrangement a policy of liability insurance with 2134  
respect to the motor vehicle in amounts and coverages no less 2135  
than those required by section 4509.79 of the Revised Code. The 2136  
form of the license plate issued for such a motor vehicle shall 2137

be prescribed by the registrar. 2138

(O) (1) If an application for registration renewal is not 2139  
applied for prior to the expiration date of the registration or 2140  
within thirty days after that date, the registrar or deputy 2141  
registrar shall collect a fee of ten dollars for the issuance of 2142  
the vehicle registration. For any motor vehicle that is used on 2143  
a seasonal basis, whether used for general transportation or 2144  
not, and that has not been used on the public roads or highways 2145  
since the expiration of the registration, the registrar or 2146  
deputy registrar shall waive the fee established under this 2147  
division if the application is accompanied by supporting 2148  
evidence of seasonal use as the registrar may require. The 2149  
registrar or deputy registrar may waive the fee for other good 2150  
cause shown if the application is accompanied by supporting 2151  
evidence as the registrar may require. The fee shall be in 2152  
addition to all other fees established by this section. A deputy 2153  
registrar shall retain fifty cents of the fee and shall transmit 2154  
the remaining amount to the registrar at the time and in the 2155  
manner provided by section 4503.10 of the Revised Code. The 2156  
registrar shall deposit all moneys received under this division 2157  
into the public safety - highway purposes fund established in 2158  
section 4501.06 of the Revised Code. 2159

(2) Division (O) (1) of this section does not apply to a 2160  
farm truck or farm bus registered under division (J) of this 2161  
section. 2162

(P) As used in this section: 2163

(1) "Van" means any motor vehicle having a single rear 2164  
axle and an enclosed body without a second seat. 2165

(2) "Person with a disability" means any person who has 2166

lost the use of one or both legs, or one or both arms, or is 2167  
blind, deaf, or unable to move about without the aid of crutches 2168  
or a wheelchair. 2169

(3) "Farm truck" means a truck used in the transportation 2170  
from the farm of products of the farm, including livestock and 2171  
its products, poultry and its products, floricultural and 2172  
horticultural products, and in the transportation to the farm of 2173  
supplies for the farm, including tile, fence, and every other 2174  
thing or commodity used in agricultural, floricultural, 2175  
horticultural, livestock, and poultry production and livestock, 2176  
poultry, and other animals and things used for breeding, 2177  
feeding, or other purposes connected with the operation of the 2178  
farm. 2179

(4) "Farm bus" means a bus used only for the 2180  
transportation of agricultural employees and used only in the 2181  
transportation of such employees as are necessary in the 2182  
operation of the farm. 2183

(5) "Farm supplies" includes fuel used exclusively in the 2184  
operation of a farm, including one or more homes located on and 2185  
used in the operation of one or more farms, and furniture and 2186  
other things used in and around such homes. 2187

**Sec. 4503.10.** (A) ~~The owner of every snowmobile, off-~~ 2188  
~~highway motorcycle, and all purpose vehicle required to be~~ 2189  
~~registered under section 4519.02 of the Revised Code shall file~~ 2190  
~~an application for registration under section 4519.03 of the~~ 2191  
~~Revised Code. The owner of a motor vehicle, other than a~~ 2192  
~~snowmobile, off-highway motorcycle, or all purpose vehicle, that~~ 2193  
~~is not designed and constructed by the manufacturer for~~ 2194  
~~operation on a street or highway may not register it under this~~ 2195  
~~chapter except upon certification of inspection pursuant to~~ 2196

~~section 4513.02 of the Revised Code by the sheriff, or the chief- 2197~~  
~~of police of the municipal corporation or township, with- 2198~~  
~~jurisdiction over the political subdivision in which the owner- 2199~~  
~~of the motor vehicle resides. Except as provided in division (L) 2200~~  
~~of this section and in sections 4503.103 and 4503.107 of the 2201~~  
Revised Code, every owner of ~~every other~~ a motor vehicle ~~not~~ 2202  
~~previously described in this section~~ and every person mentioned 2203  
as owner in the last certificate of title of a motor vehicle 2204  
that is operated or driven upon the public roads or highways 2205  
shall ~~cause to be filed~~ file each year, by mail or otherwise, in 2206  
the office of the registrar of motor vehicles or a deputy 2207  
registrar, a written or electronic application or a preprinted 2208  
registration renewal notice issued under section 4503.102 of the 2209  
Revised Code, ~~the~~. The registrar shall prescribe the form of 2210  
~~which shall be prescribed by the registrar,~~ application for 2211  
registration for the following registration year, ~~which shall~~ 2212  
~~begin~~. The registration year begins on the first day of January 2213  
of every calendar year and ~~end~~ ends on the thirty-first day of 2214  
December in the same year. ~~Applications~~ An applicant shall file 2215  
an application for registration and registration renewal ~~notices~~ 2216  
~~shall be filed~~ notice at ~~the times~~ a time established by the 2217  
registrar pursuant to section 4503.101 of the Revised Code. A 2218  
motor vehicle owner also may elect to apply for or renew a motor 2219  
vehicle registration by electronic means using an electronic 2220  
signature in accordance with rules adopted by the registrar. 2221  
Except as provided in division (J) of this section, ~~applications~~ 2222  
an applicant shall apply for registration ~~shall be made on~~ 2223  
blanks furnished by the registrar for that purpose, containing 2224  
the following information: 2225

(1) A brief description of the motor vehicle to be 2226  
registered, including the year, make, model, and vehicle 2227

identification number, and, in the case of commercial cars, the gross weight of the vehicle fully equipped computed in the manner prescribed in section 4503.08 of the Revised Code;

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

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

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

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

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

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

(6) Whether the fees required to be paid for the registration or transfer of the motor vehicle, during the preceding registration year and during the preceding period of the current registration year, have been paid. Each application for registration shall be signed by the owner, either manually or by electronic signature, or pursuant to obtaining a limited power of attorney authorized by the registrar for registration, or other document authorizing such signature. If the owner elects to apply for or renew the motor vehicle registration with

the registrar by electronic means, the owner's manual signature 2257  
is not required. 2258

(7) The owner's social security number, driver's license 2259  
number, or state identification number, or, where a motor 2260  
vehicle to be registered is used for hire or principally in 2261  
connection with any established business, the owner's federal 2262  
taxpayer identification number. The bureau of motor vehicles 2263  
shall retain in its records all social security numbers provided 2264  
under this section, but the bureau shall not place social 2265  
security numbers on motor vehicle certificates of registration. 2266

(8) Whether the applicant wishes to certify willingness to 2267  
make an anatomical gift if an applicant has not so certified 2268  
under section 2108.05 of the Revised Code. The applicant's 2269  
response shall not be considered in the decision of whether to 2270  
approve the application for registration. 2271

(B) (1) When an applicant first registers a motor vehicle 2272  
in the applicant's name, the applicant shall provide proof of 2273  
ownership of that motor vehicle. Proof of ownership may include 2274  
any of the following: 2275

(a) The applicant may present for inspection a physical 2276  
certificate of title or memorandum certificate showing title to 2277  
the motor vehicle to be registered in the name of the applicant. 2278

(b) The applicant may present for inspection an electronic 2279  
certificate of title for the applicant's motor vehicle in a 2280  
manner prescribed by rules adopted by the registrar. 2281

(c) The registrar or deputy registrar may electronically 2282  
confirm the applicant's ownership of the motor vehicle. 2283

An applicant is not required to present a certificate of 2284  
title to an electronic motor vehicle dealer acting as a limited 2285

authority deputy registrar in accordance with rules adopted by the registrar.	2286 2287
(2) When a motor vehicle inspection and maintenance program is in effect under section 3704.14 of the Revised Code and rules adopted under it, each application for registration for a vehicle required to be inspected under that section and those rules shall be accompanied by an inspection certificate for the motor vehicle issued in accordance with that section.	2288 2289 2290 2291 2292 2293
(3) An application for registration shall be refused if any of the following applies:	2294 2295
(a) The application is not in proper form.	2296
(b) The application is prohibited from being accepted by division (D) of section 2935.27, division (A) of section 2937.221, division (A) of section 4503.13, division (B) of section 4510.22, division (B)(1) of section 4521.10, or division (B) of section 5537.041 of the Revised Code.	2297 2298 2299 2300 2301
(c) Proof of ownership is required but is not presented or confirmed in accordance with division (B)(1) of this section.	2302 2303
(d) All registration and transfer fees for the motor vehicle, for the preceding year or the preceding period of the current registration year, have not been paid.	2304 2305 2306
(e) The owner or lessee does not have an inspection certificate for the motor vehicle as provided in section 3704.14 of the Revised Code, and rules adopted under it, if that section is applicable.	2307 2308 2309 2310
(4) This section does not require the payment of license or registration taxes on a motor vehicle for any preceding year, or for any preceding period of a year, if the motor vehicle was	2311 2312 2313



not taxable for that preceding year or period under sections 2314  
4503.02, 4503.04, 4503.11, 4503.12, and 4503.16 or Chapter 4504. 2315  
of the Revised Code. 2316

(5) When a certificate of registration is issued upon the 2317  
first registration of a motor vehicle by or on behalf of the 2318  
owner, the official issuing the certificate shall indicate the 2319  
issuance with a stamp on the certificate of title or memorandum 2320  
certificate or, in the case of an electronic certificate of 2321  
title or electronic verification of ownership, an electronic 2322  
stamp or other notation as specified in rules adopted by the 2323  
registrar, and with a stamp on the inspection certificate for 2324  
the motor vehicle, if any. 2325

(6) The official also shall indicate, by a stamp or by 2326  
other means the registrar prescribes, on the registration 2327  
certificate issued upon the first registration of a motor 2328  
vehicle by or on behalf of the owner the odometer reading of the 2329  
motor vehicle as shown in the odometer statement included in or 2330  
attached to the certificate of title. Upon each subsequent 2331  
registration of the motor vehicle by or on behalf of the same 2332  
owner, the official also shall so indicate the odometer reading 2333  
of the motor vehicle as shown on the immediately preceding 2334  
certificate of registration. 2335

(7) The registrar shall include in the permanent 2336  
registration record of any vehicle required to be inspected 2337  
under section 3704.14 of the Revised Code the inspection 2338  
certificate number from the inspection certificate that is 2339  
presented at the time of registration of the vehicle as required 2340  
under this division. 2341

(C) (1) Except as otherwise provided in division (C) (1) of 2342  
this section, the registrar and each deputy registrar shall 2343

collect an additional fee of eleven dollars for each application 2344  
for registration and registration renewal received. For vehicles 2345  
specified in divisions (A) (1) to (21) of section 4503.042 of the 2346  
Revised Code, the registrar and deputy registrar shall collect 2347  
an additional fee of thirty dollars for each application for 2348  
registration and registration renewal received. No additional 2349  
fee shall be charged for vehicles registered under section 2350  
4503.65 of the Revised Code. The additional fee is for the 2351  
purpose of defraying the department of public safety's costs 2352  
associated with the administration and enforcement of the motor 2353  
vehicle and traffic laws of Ohio. Each deputy registrar shall 2354  
transmit the fees collected under divisions (C) (1) and (3) of 2355  
this section in the time and manner provided in this section. 2356  
The registrar shall deposit all moneys received under division 2357  
(C) (1) of this section into the public safety - highway purposes 2358  
fund established in section 4501.06 of the Revised Code. 2359

(2) In addition, a charge of twenty-five cents shall be 2360  
made for each reflectorized safety license plate issued, and a 2361  
single charge of twenty-five cents shall be made for each county 2362  
identification sticker or each set of county identification 2363  
stickers issued, as the case may be, to cover the cost of 2364  
producing the license plates and stickers, including material, 2365  
manufacturing, and administrative costs. Those fees shall be in 2366  
addition to the license tax. If the total cost of producing the 2367  
plates is less than twenty-five cents per plate, or if the total 2368  
cost of producing the stickers is less than twenty-five cents 2369  
per sticker or per set issued, any excess moneys accruing from 2370  
the fees shall be distributed in the same manner as provided by 2371  
section 4501.04 of the Revised Code for the distribution of 2372  
license tax moneys. If the total cost of producing the plates 2373  
exceeds twenty-five cents per plate, or if the total cost of 2374

producing the stickers exceeds twenty-five cents per sticker or 2375  
per set issued, the difference shall be paid from the license 2376  
tax moneys collected pursuant to section 4503.02 of the Revised 2377  
Code. 2378

(3) The registrar and each deputy registrar shall collect 2379  
the following additional fee, as applicable, for each 2380  
application for registration or registration renewal received 2381  
for any hybrid motor vehicle, plug-in hybrid electric motor 2382  
vehicle, or battery electric motor vehicle: 2383

(a) One hundred dollars for a hybrid motor vehicle; 2384

(b) One hundred fifty dollars for a plug-in hybrid 2385  
electric motor vehicle; 2386

(c) Two hundred dollars for a battery electric motor 2387  
vehicle. 2388

Each fee imposed under this division shall be prorated 2389  
based on the number of months for which the vehicle is 2390  
registered. The registrar shall transmit all money arising from 2391  
each fee to the treasurer of state for distribution in 2392  
accordance with division (E) of section 5735.051 of the Revised 2393  
Code, subject to division (D) of section 5735.05 of the Revised 2394  
Code. 2395

(D) Each deputy registrar shall be allowed a fee equal to 2396  
the amount established under section 4503.038 of the Revised 2397  
Code for each application for registration and registration 2398  
renewal notice the deputy registrar receives, which shall be for 2399  
the purpose of compensating the deputy registrar for the deputy 2400  
registrar's services, and such office and rental expenses, as 2401  
may be necessary for the proper discharge of the deputy 2402  
registrar's duties in the receiving of applications and renewal 2403

notices and the issuing of registrations. 2404

(E) Upon the certification of the registrar, the county 2405  
sheriff or local police officials shall recover license plates 2406  
erroneously or fraudulently issued. 2407

(F) Each deputy registrar, upon receipt of any application 2408  
for registration or registration renewal notice, together with 2409  
the license fee and any local motor vehicle license tax levied 2410  
pursuant to Chapter 4504. of the Revised Code, shall transmit 2411  
that fee and tax, if any, in the manner provided in this 2412  
section, together with the original and duplicate copy of the 2413  
application, to the registrar. The registrar, subject to the 2414  
approval of the director of public safety, may deposit the funds 2415  
collected by those deputies in a local bank or depository to the 2416  
credit of the "state of Ohio, bureau of motor vehicles." Where a 2417  
local bank or depository has been designated by the registrar, 2418  
each deputy registrar shall deposit all moneys collected by the 2419  
deputy registrar into that bank or depository not more than one 2420  
business day after their collection and shall make reports to 2421  
the registrar of the amounts so deposited, together with any 2422  
other information, some of which may be prescribed by the 2423  
treasurer of state, as the registrar may require and as 2424  
prescribed by the registrar by rule. The registrar, within three 2425  
days after receipt of notification of the deposit of funds by a 2426  
deputy registrar in a local bank or depository, shall draw on 2427  
that account in favor of the treasurer of state. The registrar, 2428  
subject to the approval of the director and the treasurer of 2429  
state, may make reasonable rules necessary for the prompt 2430  
transmittal of fees and for safeguarding the interests of the 2431  
state and of counties, townships, municipal corporations, and 2432  
transportation improvement districts levying local motor vehicle 2433  
license taxes. The registrar may pay service charges usually 2434

collected by banks and depositories for such service. If deputy 2435  
registrars are located in communities where banking facilities 2436  
are not available, they shall transmit the fees forthwith, by 2437  
money order or otherwise, as the registrar, by rule approved by 2438  
the director and the treasurer of state, may prescribe. The 2439  
registrar may pay the usual and customary fees for such service. 2440

(G) This section does not prevent any person from making 2441  
an application for a motor vehicle license directly to the 2442  
registrar by mail, by electronic means, or in person at any of 2443  
the registrar's offices, upon payment of a service fee equal to 2444  
the amount established under section 4503.038 of the Revised 2445  
Code for each application. 2446

(H) No person shall make a false statement as to the 2447  
district of registration in an application required by division 2448  
(A) of this section. Violation of this division is falsification 2449  
under section 2921.13 of the Revised Code and punishable as 2450  
specified in that section. 2451

(I) (1) Where applicable, the requirements of division (B) 2452  
of this section relating to the presentation of an inspection 2453  
certificate issued under section 3704.14 of the Revised Code and 2454  
rules adopted under it for a motor vehicle, the refusal of a 2455  
license for failure to present an inspection certificate, and 2456  
the stamping of the inspection certificate by the official 2457  
issuing the certificate of registration apply to the 2458  
registration of and issuance of license plates for a motor 2459  
vehicle under sections 4503.102, 4503.12, 4503.14, 4503.15, 2460  
4503.16, 4503.171, 4503.172, 4503.19, 4503.40, 4503.41, 4503.42, 2461  
4503.43, 4503.44, 4503.46, 4503.47, and 4503.51 of the Revised 2462  
Code. 2463

(2) (a) The registrar shall adopt rules ensuring that each 2464

owner registering a motor vehicle in a county where a motor 2465  
vehicle inspection and maintenance program is in effect under 2466  
section 3704.14 of the Revised Code and rules adopted under it 2467  
receives information about the requirements established in that 2468  
section and those rules and about the need in those counties to 2469  
present an inspection certificate with an application for 2470  
registration or preregistration. 2471

(b) Upon request, the registrar shall provide the director 2472  
of environmental protection, or any person that has been awarded 2473  
a contract under section 3704.14 of the Revised Code, an on-line 2474  
computer data link to registration information for all passenger 2475  
cars, noncommercial motor vehicles, and commercial cars that are 2476  
subject to that section. The registrar also shall provide to the 2477  
director of environmental protection a magnetic data tape 2478  
containing registration information regarding passenger cars, 2479  
noncommercial motor vehicles, and commercial cars for which a 2480  
multi-year registration is in effect under section 4503.103 of 2481  
the Revised Code or rules adopted under it, including, without 2482  
limitation, the date of issuance of the multi-year registration, 2483  
the registration deadline established under rules adopted under 2484  
section 4503.101 of the Revised Code that was applicable in the 2485  
year in which the multi-year registration was issued, and the 2486  
registration deadline for renewal of the multi-year 2487  
registration. 2488

(J) Subject to division (K) of this section, application 2489  
for registration under the international registration plan, as 2490  
set forth in sections 4503.60 to 4503.66 of the Revised Code, 2491  
shall be made to the registrar on forms furnished by the 2492  
registrar. In accordance with international registration plan 2493  
guidelines and pursuant to rules adopted by the registrar, the 2494  
forms shall include the following: 2495

(1) A uniform mileage schedule;	2496
(2) The gross vehicle weight of the vehicle or combined gross vehicle weight of the combination vehicle as declared by the registrant;	2497 2498 2499
(3) Any other information the registrar requires by rule.	2500
(K) The registrar shall determine the feasibility of implementing an electronic commercial fleet licensing and management program that will enable the owners of commercial tractors, commercial trailers, and commercial semitrailers to conduct electronic transactions by July 1, 2010, or sooner. If the registrar determines that implementing such a program is feasible, the registrar shall adopt new rules under this division or amend existing rules adopted under this division as necessary in order to respond to advances in technology.	2501 2502 2503 2504 2505 2506 2507 2508 2509
If international registration plan guidelines and provisions allow member jurisdictions to permit applications for registrations under the international registration plan to be made via the internet, the rules the registrar adopts under this division shall permit such action.	2510 2511 2512 2513 2514
<u>(L) The owner of every snowmobile, off-highway motorcycle, mini-truck, utility vehicle, and all-terrain vehicle required to be registered under section 4519.02 of the Revised Code shall file an application for registration under section 4519.03 of the Revised Code. The owner of a motor vehicle, other than a snowmobile, off-highway motorcycle, mini-truck, utility vehicle, and all-terrain vehicle, that is not designed and constructed by the manufacturer for operation on a street or highway may not register it under this chapter except upon certification of inspection pursuant to section 4513.02 of the Revised Code by</u>	2515 2516 2517 2518 2519 2520 2521 2522 2523 2524

the sheriff, or the chief of police of the municipal corporation 2525  
or township, with jurisdiction over the political subdivision in 2526  
which the owner of the motor vehicle resides. 2527

**Sec. 4503.191.** (A) (1) The identification license plate 2528  
shall be issued for a multi-year period as determined by the 2529  
director of public safety, and, except as provided in division 2530  
(A) (3) of this section, shall be accompanied by a validation 2531  
sticker, to be attached to the license plate. Except as provided 2532  
in divisions (A) (2) and (3) of this section, the validation 2533  
sticker shall indicate the expiration of the registration period 2534  
to which the motor vehicle for which the license plate is issued 2535  
is assigned, in accordance with rules adopted by the registrar 2536  
of motor vehicles. During each succeeding year of the multi-year 2537  
period following the issuance of the plate and validation 2538  
sticker, upon the filing of an application for registration and 2539  
the payment of the tax therefor, a validation sticker alone 2540  
shall be issued. The validation stickers required under this 2541  
section shall be of different colors or shades each year, the 2542  
new colors or shades to be selected by the director. 2543

(2) (a) The director shall develop a universal validation 2544  
sticker that may be issued to any owner of five hundred or more 2545  
passenger vehicles, so that a sticker issued to the owner may be 2546  
placed on any passenger vehicle in that owner's fleet. Beginning 2547  
January 1, 2019, the universal validation sticker shall not have 2548  
an expiration date on it and shall not need replaced at the time 2549  
of registration, except in the event of the loss, mutilation, or 2550  
destruction of the validation sticker. The director may 2551  
establish and charge an additional fee of not more than one 2552  
dollar per registration to compensate for necessary costs of the 2553  
universal validation sticker program. The additional fee shall 2554  
be credited to the public safety - highway purposes fund created 2555



in section 4501.06 of the Revised Code. The director shall 2556  
select the color or shade of the universal validation sticker. 2557

(b) A validation sticker issued for an ~~all-purpose all-~~ 2558  
terrain vehicle, mini-truck, or utility vehicle that is 2559  
registered under Chapter 4519. of the Revised Code, for a 2560  
noncommercial trailer that is permanently registered under 2561  
section 4503.107 of the Revised Code, or for a trailer or 2562  
semitrailer that is permanently registered under division (A) (2) 2563  
of section 4503.103 of the Revised Code or is registered for any 2564  
number of succeeding registration years may indicate the 2565  
expiration of the registration period, if any, by any manner 2566  
determined by the registrar by rule. 2567

(3) No validation sticker shall be issued, and a 2568  
validation sticker is not required for display, on the license 2569  
plate of a nonapportioned commercial tractor or any apportioned 2570  
motor vehicle. 2571

(B) Identification license plates shall be produced by 2572  
Ohio penal industries. Validation stickers and county 2573  
identification stickers shall be produced by Ohio penal 2574  
industries unless the registrar adopts rules expressly 2575  
permitting the registrar or deputy registrars to provide for the 2576  
printing or production of the stickers. 2577

**Sec. 4503.312.** As used in this section: 2578

(A) "Utility trailer" means any trailer, except a travel 2579  
trailer or trailer for transporting watercraft, having a gross 2580  
weight of less than four thousand pounds. 2581

(B) "Snowmobile" and "~~all-purpose all-terrain~~ vehicle" 2582  
have the same meanings as in section 4519.01 of the Revised 2583  
Code. 2584

(C) "Distributor" means any person authorized by a 2585  
manufacturer of utility trailers or trailers for transporting 2586  
motorcycles, snowmobiles, or ~~all-purpose-all-terrain~~ vehicles to 2587  
distribute new trailers to persons for purposes of resale. 2588

A manufacturer, distributor, or retail seller of utility 2589  
trailers or trailers for transporting motorcycles, snowmobiles, 2590  
or ~~all-purpose-all-terrain~~ vehicles may apply for registration 2591  
with the registrar of motor vehicles for each place in this 2592  
state where the manufacturer, distributor, or retail seller 2593  
carries on the business of manufacturing, distributing, or 2594  
selling at retail such trailers. Applications for annual 2595  
registration shall be made at the time provided for payment of 2596  
the tax imposed by section 4503.09 of the Revised Code; shall be 2597  
in the manner to be prescribed by the registrar; and shall be 2598  
accompanied by an affidavit certifying that the applicant is a 2599  
manufacturer, distributor, or retail seller of utility trailers 2600  
or trailers for transporting motorcycles, snowmobiles, or ~~all-~~ 2601  
~~purpose-all-terrain~~ vehicles. The fee for such registration 2602  
shall be twenty-five dollars and shall not be reduced when the 2603  
registration is for a part of a year. 2604

Upon the filing of the application and affidavit, and 2605  
payment of the fee and appropriate postage as required by the 2606  
registrar, the registrar shall assign to the applicant a 2607  
distinctive number which shall be displayed on the rear of each 2608  
trailer when it is operated on the public highway. Any trailer 2609  
for transporting motorcycles, snowmobiles, or ~~all-purpose-all-~~ 2610  
~~terrain~~ vehicles that is not loaded may be operated on the 2611  
public highway until it is sold or transferred; and any utility 2612  
trailer that is not loaded, or that is being used to transport 2613  
another utility trailer for purposes of demonstration or 2614  
delivery, may be operated on the public highway until it is sold 2615

or transferred. 2616

At the time the registrar assigns the distinctive number, 2617  
the registrar shall furnish one placard with the number thereon. 2618  
The manufacturer, distributor, or retail seller may procure a 2619  
reasonable number of certified copies of the registration 2620  
certificate upon the payment of a fee of five dollars and 2621  
postage. With each of such certified copies, the registrar shall 2622  
furnish one placard with the same number provided in the 2623  
original registration certificate, and shall add thereto such 2624  
special designation as necessary to distinguish one set of 2625  
placards from another. All placards furnished by the registrar 2626  
pursuant to this section shall be so marked as to be 2627  
distinguishable from placards issued to dealers in or 2628  
manufacturers of motor vehicles or trailers for transporting 2629  
watercraft. 2630

The fees collected by the registrar pursuant to this 2631  
section shall be paid into the public safety - highway purposes 2632  
fund established by section 4501.06 of the Revised Code and used 2633  
for the purposes described in that section. 2634

**Sec. 4504.01.** As used in this chapter: 2635

(A) "Motor vehicle" means all vehicles included within the 2636  
definition of motor vehicle in ~~sections 4501.01 and 4505.01~~ 2637  
divisions (A) and (B) of section 4503.01 of the Revised Code ~~and~~ 2638  
~~also includes motorized bicycles.~~ "Motor vehicle" does not 2639  
include a concrete pump or a concrete conveyor. 2640

(B) "County motor vehicle license tax" means a tax imposed 2641  
by a county pursuant to this chapter. 2642

(C) "Township motor vehicle license tax" means a tax 2643  
imposed by a township pursuant to this chapter. 2644

(D) "Municipal motor vehicle license tax" means a tax imposed by a municipal corporation pursuant to this chapter.	2645 2646
(E) "Registrar" means the registrar of motor vehicles as provided in section 4501.02 of the Revised Code.	2647 2648
(F) "Deputy registrar" means any deputy appointed by the registrar of motor vehicles pursuant to sections 4501.02 and 4503.03 of the Revised Code.	2649 2650 2651
<b>Sec. 4505.01.</b> (A) As used in this chapter:	2652
<u>"All-terrain vehicle" has the same meaning as in section 4519.01 of the Revised Code.</u>	2653 2654
"Buyer" and "transferee" mean the applicant for a certificate of title.	2655 2656
"Certificate of title" and "title" include an electronic certificate of title, unless otherwise specified.	2657 2658
"Electronic certificate of title" means an electronic record stored in the automated title processing system that establishes ownership of a motor vehicle and any security interests that exist on that motor vehicle.	2659 2660 2661 2662
"Lien" includes, unless the context requires a different meaning, a security interest in a motor vehicle.	2663 2664
"Manufactured home" has the same meaning as section 3781.06 of the Revised Code.	2665 2666
"Manufactured housing dealer," "manufactured housing broker," and "manufactured housing salesperson" have the same meanings as in section 4781.01 of the Revised Code.	2667 2668 2669
<u>"Mini-truck" has the same meaning as in section 4519.01 of the Revised Code.</u>	2670 2671

"Mobile home" has the same meaning as in section 4501.01 2672  
of the Revised Code. 2673

"Motor vehicle" includes manufactured homes, mobile homes, 2674  
recreational vehicles, and trailers and semitrailers whose 2675  
weight exceeds four thousand pounds. "Motor vehicle" does not 2676  
include an off-highway motorcycle, all-terrain vehicle, 2677  
snowmobile, utility vehicle, or mini-truck. 2678

"Motor vehicle dealer" and "dealer" have the same meaning 2679  
as in section 4517.01 of the Revised Code and includes 2680  
manufactured housing dealers. 2681

"Motor vehicle salesperson" includes manufactured housing 2682  
salespersons. 2683

"Off-highway motorcycle" has the same meaning as in 2684  
section 4519.01 of the Revised Code. 2685

"Resident" means any person who either maintains their 2686  
principal residence in this state or is determined by the 2687  
registrar of motor vehicles to be a permanent or temporary 2688  
resident in accordance with the standards adopted by the 2689  
registrar under section 4507.01 of the Revised Code. 2690

"Signature" includes an electronic signature as defined by 2691  
section 1306.01 of the Revised Code. 2692

"Snowmobile" has the same meaning as in section 4519.01 of 2693  
the Revised Code. 2694

"Utility vehicle" has the same meaning as in 4501.01 of 2695  
the Revised Code. 2696

(B) The various certificates, applications, and 2697  
assignments necessary to provide certificates of title for 2698  
manufactured homes, mobile homes, recreational vehicles, and 2699

trailers and semitrailers whose weight exceeds four thousand 2700  
pounds, shall be made upon forms prescribed by the registrar of 2701  
motor vehicles. 2702

**Sec. 4505.06.** (A) (1) Application for a certificate of 2703  
title shall be made in a form prescribed by the registrar of 2704  
motor vehicles and shall be sworn to before a notary public or 2705  
other officer empowered to administer oaths. The application 2706  
shall be filed with the clerk of any court of common pleas. An 2707  
application for a certificate of title may be filed 2708  
electronically by any electronic means approved by the registrar 2709  
in any county with the clerk of the court of common pleas of 2710  
that county. Any payments required by this chapter shall be 2711  
considered as accompanying any electronically transmitted 2712  
application when payment actually is received by the clerk. 2713  
Payment of any fee or taxes may be made by electronic transfer 2714  
of funds. 2715

(2) The application for a certificate of title shall be 2716  
accompanied by the fee prescribed in section 4505.09 of the 2717  
Revised Code. The fee shall be retained by the clerk who issues 2718  
the certificate of title and shall be distributed in accordance 2719  
with that section. If a clerk of a court of common pleas, other 2720  
than the clerk of the court of common pleas of an applicant's 2721  
county of residence, issues a certificate of title to the 2722  
applicant, the clerk shall transmit data related to the 2723  
transaction to the automated title processing system. 2724

(3) If a certificate of title previously has been issued 2725  
for a motor vehicle in this state, the application for a 2726  
certificate of title also shall be accompanied by that 2727  
certificate of title duly assigned, unless otherwise provided in 2728  
this chapter. If a certificate of title previously has not been 2729

issued for the motor vehicle in this state, the application, 2730  
unless otherwise provided in this chapter, shall be accompanied 2731  
by a manufacturer's or importer's certificate or by a 2732  
certificate of title of another state from which the motor 2733  
vehicle was brought into this state. If the application refers 2734  
to a motor vehicle last previously registered in another state, 2735  
the application also shall be accompanied by the physical 2736  
inspection certificate required by section 4505.061 of the 2737  
Revised Code. If the application is made by two persons 2738  
regarding a motor vehicle in which they wish to establish joint 2739  
ownership with right of survivorship, they may do so as provided 2740  
in section 2131.12 of the Revised Code. If the applicant 2741  
requests a designation of the motor vehicle in beneficiary form 2742  
so that upon the death of the owner of the motor vehicle, 2743  
ownership of the motor vehicle will pass to a designated 2744  
transfer-on-death beneficiary or beneficiaries, the applicant 2745  
may do so as provided in section 2131.13 of the Revised Code. A 2746  
person who establishes ownership of a motor vehicle that is 2747  
transferable on death in accordance with section 2131.13 of the 2748  
Revised Code may terminate that type of ownership or change the 2749  
designation of the transfer-on-death beneficiary or 2750  
beneficiaries by applying for a certificate of title pursuant to 2751  
this section. The clerk shall retain the evidence of title 2752  
presented by the applicant and on which the certificate of title 2753  
is issued, except that, if an application for a certificate of 2754  
title is filed electronically by an electronic motor vehicle 2755  
dealer on behalf of the purchaser of a motor vehicle, the clerk 2756  
shall retain the completed electronic record to which the dealer 2757  
converted the certificate of title application and other 2758  
required documents. The registrar, after consultation with the 2759  
attorney general, shall adopt rules that govern the location at 2760  
which, and the manner in which, are stored the actual 2761

application and all other documents relating to the transfer of 2762  
a motor vehicle when an electronic motor vehicle dealer files 2763  
the application for a certificate of title electronically on 2764  
behalf of the purchaser. Not later than December 31, 2017, the 2765  
registrar shall arrange for a service that enables all 2766  
electronic motor vehicle dealers to file applications for 2767  
certificates of title on behalf of purchasers of motor vehicles 2768  
electronically by transferring the applications directly from 2769  
the computer systems of the dealers to the clerk. 2770

The clerk shall use reasonable diligence in ascertaining 2771  
whether or not the facts in the application for a certificate of 2772  
title are true by checking the application and documents 2773  
accompanying it or the electronic record to which a dealer 2774  
converted the application and accompanying documents with the 2775  
records of motor vehicles in the clerk's office. If the clerk is 2776  
satisfied that the applicant is the owner of the motor vehicle 2777  
and that the application is in the proper form, the clerk, 2778  
within five business days after the application is filed and 2779  
except as provided in section 4505.021 of the Revised Code, 2780  
shall issue a physical certificate of title over the clerk's 2781  
signature and sealed with the clerk's seal, unless the applicant 2782  
specifically requests the clerk not to issue a physical 2783  
certificate of title and instead to issue an electronic 2784  
certificate of title. For purposes of the transfer of a 2785  
certificate of title, if the clerk is satisfied that the secured 2786  
party has duly discharged a lien notation but has not canceled 2787  
the lien notation with a clerk, the clerk may cancel the lien 2788  
notation on the automated title processing system and notify the 2789  
clerk of the county of origin. 2790

(4) In the case of the sale of a motor vehicle to a 2791  
general buyer or user by a dealer, by a motor vehicle leasing 2792



dealer selling the motor vehicle to the lessee or, in a case in 2793  
which the leasing dealer subleased the motor vehicle, the 2794  
sublessee, at the end of the lease agreement or sublease 2795  
agreement, or by a manufactured housing broker, the certificate 2796  
of title shall be obtained in the name of the buyer by the 2797  
dealer, leasing dealer, or manufactured housing broker, as the 2798  
case may be, upon application signed by the buyer. The 2799  
certificate of title shall be issued, or the process of entering 2800  
the certificate of title application information into the 2801  
automated title processing system if a physical certificate of 2802  
title is not to be issued shall be completed, within five 2803  
business days after the application for title is filed with the 2804  
clerk. If the buyer of the motor vehicle previously leased the 2805  
motor vehicle and is buying the motor vehicle at the end of the 2806  
lease pursuant to that lease, the certificate of title shall be 2807  
obtained in the name of the buyer by the motor vehicle leasing 2808  
dealer who previously leased the motor vehicle to the buyer or 2809  
by the motor vehicle leasing dealer who subleased the motor 2810  
vehicle to the buyer under a sublease agreement. 2811

In all other cases, except as provided in section 4505.032 2812  
and division (D)(2) of section 4505.11 of the Revised Code, such 2813  
certificates shall be obtained by the buyer. 2814

(5)(a)(i) If the certificate of title is being obtained in 2815  
the name of the buyer by a motor vehicle dealer or motor vehicle 2816  
leasing dealer and there is a security interest to be noted on 2817  
the certificate of title, the dealer or leasing dealer shall 2818  
submit the application for the certificate of title and payment 2819  
of the applicable tax to a clerk within seven business days 2820  
after the later of the delivery of the motor vehicle to the 2821  
buyer or the date the dealer or leasing dealer obtains the 2822  
manufacturer's or importer's certificate, or certificate of 2823

title issued in the name of the dealer or leasing dealer, for 2824  
the motor vehicle. Submission of the application for the 2825  
certificate of title and payment of the applicable tax within 2826  
the required seven business days may be indicated by postmark or 2827  
receipt by a clerk within that period. 2828

(ii) Upon receipt of the certificate of title with the 2829  
security interest noted on its face, the dealer or leasing 2830  
dealer shall forward the certificate of title to the secured 2831  
party at the location noted in the financing documents or 2832  
otherwise specified by the secured party. 2833

(iii) A motor vehicle dealer or motor vehicle leasing 2834  
dealer is liable to a secured party for a late fee of ten 2835  
dollars per day for each certificate of title application and 2836  
payment of the applicable tax that is submitted to a clerk more 2837  
than seven business days but less than twenty-one days after the 2838  
later of the delivery of the motor vehicle to the buyer or the 2839  
date the dealer or leasing dealer obtains the manufacturer's or 2840  
importer's certificate, or certificate of title issued in the 2841  
name of the dealer or leasing dealer, for the motor vehicle and, 2842  
from then on, twenty-five dollars per day until the application 2843  
and applicable tax are submitted to a clerk. 2844

(b) In all cases of transfer of a motor vehicle except the 2845  
transfer of a manufactured home or mobile home, the application 2846  
for certificate of title shall be filed within thirty days after 2847  
the assignment or delivery of the motor vehicle. 2848

(c) An application for a certificate of title for a new 2849  
manufactured home shall be filed within thirty days after the 2850  
delivery of the new manufactured home to the purchaser. The date 2851  
of the delivery shall be the date on which an occupancy permit 2852  
for the manufactured home is delivered to the purchaser of the 2853

home by the appropriate legal authority. 2854

(d) An application for a certificate of title for a used 2855  
manufactured home or a used mobile home shall be filed as 2856  
follows: 2857

(i) If a certificate of title for the used manufactured 2858  
home or used mobile home was issued to the motor vehicle dealer 2859  
prior to the sale of the manufactured or mobile home to the 2860  
purchaser, the application for certificate of title shall be 2861  
filed within thirty days after the date on which an occupancy 2862  
permit for the manufactured or mobile home is delivered to the 2863  
purchaser by the appropriate legal authority. 2864

(ii) If the motor vehicle dealer has been designated by a 2865  
secured party to display the manufactured or mobile home for 2866  
sale, or to sell the manufactured or mobile home under section 2867  
4505.20 of the Revised Code, but the certificate of title has 2868  
not been transferred by the secured party to the motor vehicle 2869  
dealer, and the dealer has complied with the requirements of 2870  
division (A) of section 4505.181 of the Revised Code, the 2871  
application for certificate of title shall be filed within 2872  
thirty days after the date on which the motor vehicle dealer 2873  
obtains the certificate of title for the home from the secured 2874  
party or the date on which an occupancy permit for the 2875  
manufactured or mobile home is delivered to the purchaser by the 2876  
appropriate legal authority, whichever occurs later. 2877

(6) If an application for a certificate of title is not 2878  
filed within the period specified in division (A) (5) (b), (c), or 2879  
(d) of this section, the clerk shall collect a fee of five 2880  
dollars for the issuance of the certificate, except that no such 2881  
fee shall be required from a motor vehicle salvage dealer, as 2882  
defined in division (A) of section 4738.01 of the Revised Code, 2883

who immediately surrenders the certificate of title for 2884  
cancellation. The fee shall be in addition to all other fees 2885  
established by this chapter, and shall be retained by the clerk. 2886  
The registrar shall provide, on the certificate of title form 2887  
prescribed by section 4505.07 of the Revised Code, language 2888  
necessary to give evidence of the date on which the assignment 2889  
or delivery of the motor vehicle was made. 2890

(7) As used in division (A) of this section, "lease 2891  
agreement," "lessee," and "sublease agreement" have the same 2892  
meanings as in section 4505.04 of the Revised Code and "new 2893  
manufactured home," "used manufactured home," and "used mobile 2894  
home" have the same meanings as in section 5739.0210 of the 2895  
Revised Code. 2896

(B) (1) The clerk, except as provided in this section, 2897  
shall refuse to accept for filing any application for a 2898  
certificate of title and shall refuse to issue a certificate of 2899  
title unless the dealer or the applicant, in cases in which the 2900  
certificate shall be obtained by the buyer, submits with the 2901  
application payment of the tax levied by or pursuant to Chapters 2902  
5739. and 5741. of the Revised Code based on the purchaser's 2903  
county of residence. Upon payment of the tax in accordance with 2904  
division (E) of this section, the clerk shall issue a receipt 2905  
prescribed by the registrar and agreed upon by the tax 2906  
commissioner showing payment of the tax or a receipt issued by 2907  
the commissioner showing the payment of the tax. When submitting 2908  
payment of the tax to the clerk, a dealer shall retain any 2909  
discount to which the dealer is entitled under section 5739.12 2910  
of the Revised Code. 2911

(2) For receiving and disbursing such taxes paid to the 2912  
clerk by a resident of the clerk's county, the clerk may retain 2913

a poundage fee of one and one one-hundredth per cent, and the 2914  
clerk shall pay the poundage fee into the certificate of title 2915  
administration fund created by section 325.33 of the Revised 2916  
Code. The clerk shall not retain a poundage fee from payments of 2917  
taxes by persons who do not reside in the clerk's county. 2918

A clerk, however, may retain from the taxes paid to the 2919  
clerk an amount equal to the poundage fees associated with 2920  
certificates of title issued by other clerks of courts of common 2921  
pleas to applicants who reside in the first clerk's county. The 2922  
registrar, in consultation with the tax commissioner and the 2923  
clerks of the courts of common pleas, shall develop a report 2924  
from the automated title processing system that informs each 2925  
clerk of the amount of the poundage fees that the clerk is 2926  
permitted to retain from those taxes because of certificates of 2927  
title issued by the clerks of other counties to applicants who 2928  
reside in the first clerk's county. 2929

(3) In the case of casual sales of motor vehicles, as 2930  
defined in section 4517.01 of the Revised Code, the price for 2931  
the purpose of determining the tax shall be the purchase price 2932  
on the assigned certificate of title, or assignment form 2933  
prescribed by the registrar, executed by the seller and filed 2934  
with the clerk by the buyer on a form to be prescribed by the 2935  
registrar, which shall be prima-facie evidence of the amount for 2936  
the determination of the tax. 2937

(4) Each county clerk shall forward to the treasurer of 2938  
state all sales and use tax collections resulting from sales of 2939  
motor vehicles, off-highway motorcycles, and ~~all-purpose-all-~~ 2940  
terrain vehicles during a calendar week on or before the Friday 2941  
following the close of that week. If, on any Friday, the offices 2942  
of the clerk of courts or the state are not open for business, 2943

the tax shall be forwarded to the treasurer of state on or 2944  
before the next day on which the offices are open. Every 2945  
remittance of tax under division (B) (4) of this section shall be 2946  
accompanied by a remittance report in such form as the tax 2947  
commissioner prescribes. Upon receipt of a tax remittance and 2948  
remittance report, the treasurer of state shall date stamp the 2949  
report and forward it to the tax commissioner. If the tax due 2950  
for any week is not remitted by a clerk of courts as required 2951  
under division (B) (4) of this section, the commissioner may 2952  
require the clerk to forfeit the poundage fees for the sales 2953  
made during that week. The treasurer of state may require the 2954  
clerks of courts to transmit tax collections and remittance 2955  
reports electronically. 2956

(C) (1) If the transferor indicates on the certificate of 2957  
title that the odometer reflects mileage in excess of the 2958  
designed mechanical limit of the odometer, the clerk shall enter 2959  
the phrase "exceeds mechanical limits" following the mileage 2960  
designation. If the transferor indicates on the certificate of 2961  
title that the odometer reading is not the actual mileage, the 2962  
clerk shall enter the phrase "nonactual: warning - odometer 2963  
discrepancy" following the mileage designation. The clerk shall 2964  
use reasonable care in transferring the information supplied by 2965  
the transferor, but is not liable for any errors or omissions of 2966  
the clerk or those of the clerk's deputies in the performance of 2967  
the clerk's duties created by this chapter. 2968

The registrar shall prescribe an affidavit in which the 2969  
transferor shall swear to the true selling price and, except as 2970  
provided in this division, the true odometer reading of the 2971  
motor vehicle. The registrar may prescribe an affidavit in which 2972  
the seller and buyer provide information pertaining to the 2973  
odometer reading of the motor vehicle in addition to that 2974

required by this section, as such information may be required by 2975  
the United States secretary of transportation by rule prescribed 2976  
under authority of subchapter IV of the "Motor Vehicle 2977  
Information and Cost Savings Act," 86 Stat. 961 (1972), 15 2978  
U.S.C. 1981. 2979

(2) Division (C)(1) of this section does not require the 2980  
giving of information concerning the odometer and odometer 2981  
reading of a motor vehicle when ownership of a motor vehicle is 2982  
being transferred as a result of a bequest, under the laws of 2983  
intestate succession, to a survivor pursuant to section 2106.18, 2984  
2131.12, or 4505.10 of the Revised Code, to a transfer-on-death 2985  
beneficiary or beneficiaries pursuant to section 2131.13 of the 2986  
Revised Code, in connection with the creation of a security 2987  
interest or for a vehicle with a gross vehicle weight rating of 2988  
more than sixteen thousand pounds. 2989

(D) When the transfer to the applicant was made in some 2990  
other state or in interstate commerce, the clerk, except as 2991  
provided in this section, shall refuse to issue any certificate 2992  
of title unless the tax imposed by or pursuant to Chapter 5741. 2993  
of the Revised Code based on the purchaser's county of residence 2994  
has been paid as evidenced by a receipt issued by the tax 2995  
commissioner, or unless the applicant submits with the 2996  
application payment of the tax. Upon payment of the tax in 2997  
accordance with division (E) of this section, the clerk shall 2998  
issue a receipt prescribed by the registrar and agreed upon by 2999  
the tax commissioner, showing payment of the tax. 3000

For receiving and disbursing such taxes paid to the clerk 3001  
by a resident of the clerk's county, the clerk may retain a 3002  
poundage fee of one and one one-hundredth per cent. The clerk 3003  
shall not retain a poundage fee from payments of taxes by 3004

persons who do not reside in the clerk's county. 3005

A clerk, however, may retain from the taxes paid to the 3006  
clerk an amount equal to the poundage fees associated with 3007  
certificates of title issued by other clerks of courts of common 3008  
pleas to applicants who reside in the first clerk's county. The 3009  
registrar, in consultation with the tax commissioner and the 3010  
clerks of the courts of common pleas, shall develop a report 3011  
from the automated title processing system that informs each 3012  
clerk of the amount of the poundage fees that the clerk is 3013  
permitted to retain from those taxes because of certificates of 3014  
title issued by the clerks of other counties to applicants who 3015  
reside in the first clerk's county. 3016

When the vendor is not regularly engaged in the business 3017  
of selling motor vehicles, the vendor shall not be required to 3018  
purchase a vendor's license or make reports concerning those 3019  
sales. 3020

(E) The clerk shall accept any payment of a tax in cash, 3021  
or by cashier's check, certified check, draft, money order, or 3022  
teller check issued by any insured financial institution payable 3023  
to the clerk and submitted with an application for a certificate 3024  
of title under division (B) or (D) of this section. The clerk 3025  
also may accept payment of the tax by corporate, business, or 3026  
personal check, credit card, electronic transfer or wire 3027  
transfer, debit card, or any other accepted form of payment made 3028  
payable to the clerk. The clerk may require bonds, guarantees, 3029  
or letters of credit to ensure the collection of corporate, 3030  
business, or personal checks. Any service fee charged by a third 3031  
party to a clerk for the use of any form of payment may be paid 3032  
by the clerk from the certificate of title administration fund 3033  
created in section 325.33 of the Revised Code, or may be 3034



assessed by the clerk upon the applicant as an additional fee. 3035  
Upon collection, the additional fees shall be paid by the clerk 3036  
into that certificate of title administration fund. 3037

The clerk shall make a good faith effort to collect any 3038  
payment of taxes due but not made because the payment was 3039  
returned or dishonored, but the clerk is not personally liable 3040  
for the payment of uncollected taxes or uncollected fees. The 3041  
clerk shall notify the tax commissioner of any such payment of 3042  
taxes that is due but not made and shall furnish the information 3043  
to the commissioner that the commissioner requires. The clerk 3044  
shall deduct the amount of taxes due but not paid from the 3045  
clerk's periodic remittance of tax payments, in accordance with 3046  
procedures agreed upon by the tax commissioner. The commissioner 3047  
may collect taxes due by assessment in the manner provided in 3048  
section 5739.13 of the Revised Code. 3049

Any person who presents payment that is returned or 3050  
dishonored for any reason is liable to the clerk for payment of 3051  
a penalty over and above the amount of the taxes due. The clerk 3052  
shall determine the amount of the penalty, and the penalty shall 3053  
be no greater than that amount necessary to compensate the clerk 3054  
for banking charges, legal fees, or other expenses incurred by 3055  
the clerk in collecting the returned or dishonored payment. The 3056  
remedies and procedures provided in this section are in addition 3057  
to any other available civil or criminal remedies. Subsequently 3058  
collected penalties, poundage fees, and title fees, less any 3059  
title fee due the state, from returned or dishonored payments 3060  
collected by the clerk shall be paid into the certificate of 3061  
title administration fund. Subsequently collected taxes, less 3062  
poundage fees, shall be sent by the clerk to the treasurer of 3063  
state at the next scheduled periodic remittance of tax payments, 3064  
with information as the commissioner may require. The clerk may 3065

abate all or any part of any penalty assessed under this 3066  
division. 3067

(F) In the following cases, the clerk shall accept for 3068  
filing an application and shall issue a certificate of title 3069  
without requiring payment or evidence of payment of the tax: 3070

(1) When the purchaser is this state or any of its 3071  
political subdivisions, a church, or an organization whose 3072  
purchases are exempted by section 5739.02 of the Revised Code; 3073

(2) When the transaction in this state is not a retail 3074  
sale as defined by section 5739.01 of the Revised Code; 3075

(3) When the purchase is outside this state or in 3076  
interstate commerce and the purpose of the purchaser is not to 3077  
use, store, or consume within the meaning of section 5741.01 of 3078  
the Revised Code; 3079

(4) When the purchaser is the federal government; 3080

(5) When the motor vehicle was purchased outside this 3081  
state for use outside this state; 3082

(6) When the motor vehicle is purchased by a nonresident 3083  
under the circumstances described in division (B)(1) of section 3084  
5739.029 of the Revised Code, and upon presentation of a copy of 3085  
the statement provided by that section, and a copy of the 3086  
exemption certificate provided by section 5739.03 of the Revised 3087  
Code. 3088

(G) An application, as prescribed by the registrar and 3089  
agreed to by the tax commissioner, shall be filled out and sworn 3090  
to by the buyer of a motor vehicle in a casual sale. The 3091  
application shall contain the following notice in bold 3092  
lettering: "WARNING TO TRANSFEROR AND TRANSFEREE (SELLER AND 3093

BUYER): You are required by law to state the true selling price. 3094  
A false statement is in violation of section 2921.13 of the 3095  
Revised Code and is punishable by six months' imprisonment or a 3096  
fine of up to one thousand dollars, or both. All transfers are 3097  
audited by the department of taxation. The seller and buyer must 3098  
provide any information requested by the department of taxation. 3099  
The buyer may be assessed any additional tax found to be due." 3100

(H) For sales of manufactured homes or mobile homes 3101  
occurring on or after January 1, 2000, the clerk shall accept 3102  
for filing, pursuant to Chapter 5739. of the Revised Code, an 3103  
application for a certificate of title for a manufactured home 3104  
or mobile home without requiring payment of any tax pursuant to 3105  
section 5739.02, 5741.021, 5741.022, or 5741.023 of the Revised 3106  
Code, or a receipt issued by the tax commissioner showing 3107  
payment of the tax. For sales of manufactured homes or mobile 3108  
homes occurring on or after January 1, 2000, the applicant shall 3109  
pay to the clerk an additional fee of five dollars for each 3110  
certificate of title issued by the clerk for a manufactured or 3111  
mobile home pursuant to division (H) of section 4505.11 of the 3112  
Revised Code and for each certificate of title issued upon 3113  
transfer of ownership of the home. The clerk shall credit the 3114  
fee to the county certificate of title administration fund, and 3115  
the fee shall be used to pay the expenses of archiving those 3116  
certificates pursuant to division (A) of section 4505.08 and 3117  
division (H) (3) of section 4505.11 of the Revised Code. The tax 3118  
commissioner shall administer any tax on a manufactured or 3119  
mobile home pursuant to Chapters 5739. and 5741. of the Revised 3120  
Code. 3121

(I) Every clerk shall have the capability to transact by 3122  
electronic means all procedures and transactions relating to the 3123  
issuance of motor vehicle certificates of title that are 3124

described in the Revised Code as being accomplished by 3125  
electronic means. 3126

**Sec. 4505.09.** (A) (1) The clerk of a court of common pleas 3127  
shall charge and retain fees as follows: 3128

(a) Five dollars for each certificate of title that is not 3129  
applied for within thirty days after the later of the assignment 3130  
or delivery of the motor vehicle described in it. The entire fee 3131  
shall be retained by the clerk. 3132

(b) Fifteen dollars for each certificate of title or 3133  
duplicate certificate of title including the issuance of a 3134  
memorandum certificate of title, or authorization to print a 3135  
non-negotiable evidence of ownership described in division (G) 3136  
of section 4505.08 of the Revised Code, non-negotiable evidence 3137  
of ownership printed by the clerk under division (H) of that 3138  
section, and notation of any lien on a certificate of title that 3139  
is applied for at the same time as the certificate of title. The 3140  
clerk shall retain eleven dollars and fifty cents of that fee 3141  
for each certificate of title when there is a notation of a lien 3142  
or security interest on the certificate of title, twelve dollars 3143  
and twenty-five cents when there is no lien or security interest 3144  
noted on the certificate of title, and eleven dollars and fifty 3145  
cents for each duplicate certificate of title. 3146

(c) Four dollars and fifty cents for each certificate of 3147  
title with no security interest noted that is issued to a 3148  
licensed motor vehicle dealer for resale purposes and, in 3149  
addition, a separate fee of fifty cents. The clerk shall retain 3150  
two dollars and twenty-five cents of that fee. 3151

(d) Five dollars for each memorandum certificate of title 3152  
or non-negotiable evidence of ownership that is applied for 3153

separately. The clerk shall retain that entire fee. 3154

(2) The fees that are not retained by the clerk shall be 3155  
paid to the registrar of motor vehicles by monthly returns, 3156  
which shall be forwarded to the registrar not later than the 3157  
fifth day of the month next succeeding that in which the 3158  
certificate is issued or that in which the registrar is notified 3159  
of a lien or cancellation of a lien. 3160

(B)(1) The registrar shall pay twenty-five cents of the 3161  
amount received for each certificate of title issued to a motor 3162  
vehicle dealer for resale, one dollar for certificates of title 3163  
issued with a lien or security interest noted on the certificate 3164  
of title, and twenty-five cents for each certificate of title 3165  
with no lien or security interest noted on the certificate of 3166  
title into the public safety - highway purposes fund established 3167  
in section 4501.06 of the Revised Code. 3168

(2) Fifty cents of the amount received for each 3169  
certificate of title shall be paid by the registrar as follows: 3170

(a) Four cents shall be paid into the state treasury to 3171  
the credit of the motor vehicle dealers board fund, which is 3172  
hereby created. All investment earnings of the fund shall be 3173  
credited to the fund. The moneys in the motor vehicle dealers 3174  
board fund shall be used by the motor vehicle dealers board 3175  
created under section 4517.30 of the Revised Code, together with 3176  
other moneys appropriated to it, in the exercise of its powers 3177  
and the performance of its duties under Chapter 4517. of the 3178  
Revised Code, except that the director of budget and management 3179  
may transfer excess money from the motor vehicle dealers board 3180  
fund to the public safety - highway purposes fund if the 3181  
registrar determines that the amount of money in the motor 3182  
vehicle dealers board fund, together with other moneys 3183

appropriated to the board, exceeds the amount required for the 3184  
exercise of its powers and the performance of its duties under 3185  
Chapter 4517. of the Revised Code and requests the director to 3186  
make the transfer. 3187

(b) Thirty-one cents shall be paid into the highway 3188  
operating fund created by section 5735.051 of the Revised Code. 3189

(c) Fifteen cents shall be paid into the state treasury to 3190  
the credit of the motor vehicle sales audit fund, which is 3191  
hereby created. The moneys in the fund shall be used by the tax 3192  
commissioner together with other funds available to the 3193  
commissioner to conduct a continuing investigation of sales and 3194  
use tax returns filed for motor vehicles in order to determine 3195  
if sales and use tax liability has been satisfied. The 3196  
commissioner shall refer cases of apparent violations of section 3197  
2921.13 of the Revised Code made in connection with the titling 3198  
or sale of a motor vehicle and cases of any other apparent 3199  
violations of the sales or use tax law to the appropriate county 3200  
prosecutor whenever the commissioner considers it advisable. 3201

(3) Two dollars of the amount received by the registrar 3202  
under divisions (A) (1) (a), (b), and (d) of this section and one 3203  
dollar and fifty cents of the amount received by the registrar 3204  
under division (A) (1) (c) of this section for each certificate of 3205  
title shall be paid into the state treasury to the credit of the 3206  
automated title processing fund, which is hereby created and 3207  
which shall consist of moneys collected under division (B) (3) of 3208  
this section and under sections 1548.10 and 4519.59 of the 3209  
Revised Code. All investment earnings of the fund shall be 3210  
credited to the fund. The moneys in the fund shall be used as 3211  
follows: 3212

(a) Except for moneys collected under section 1548.10 of 3213

the Revised Code, moneys collected under division (B) (3) of this section shall be used to implement and maintain an automated title processing system for the issuance of motor vehicle, off-highway motorcycle, and ~~all purpose~~ all-terrain vehicle certificates of title in the offices of the clerks of the courts of common pleas. Those moneys also shall be used to pay expenses that arise as a result of enabling electronic motor vehicle dealers to directly transfer applications for certificates of title under division (A) (3) of section 4505.06 of the Revised Code.

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

(4) The registrar shall pay the fifty-cent separate fee collected from a licensed motor vehicle dealer under division (A) (1) (c) of this section into the title defect recision fund created by section 1345.52 of the Revised Code.

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

the procurement of automated title processing system equipment 3244  
and ribbons, cartridges, or other devices necessary for the 3245  
operation of that equipment. Voting members of the board, 3246  
excluding the registrar or the registrar's representative, shall 3247  
serve without compensation, but shall be reimbursed for travel 3248  
and other necessary expenses incurred in the conduct of their 3249  
official duties. The registrar or the registrar's representative 3250  
shall receive neither compensation nor reimbursement as a board 3251  
member. 3252

(2) The automated title processing board shall determine 3253  
each of the following: 3254

(a) The automated title processing equipment and 3255  
certificates of title requirements for each county; 3256

(b) The payment of expenses that may be incurred by the 3257  
counties in implementing an automated title processing system; 3258

(c) The repayment to the counties for existing title 3259  
processing equipment; 3260

(d) With the approval of the director of public safety, 3261  
the award of grants from the automated title processing fund to 3262  
the clerk of courts of any county who employs a person who 3263  
assists with the design of, updates to, tests of, installation 3264  
of, or any other activity related to, an automated title 3265  
processing system. Any grant awarded under division (C) (2) (d) of 3266  
this section shall be deposited into the appropriate county 3267  
certificate of title administration fund created under section 3268  
325.33 of the Revised Code and shall not be used to supplant any 3269  
other funds. 3270

(3) The registrar shall purchase, lease, or otherwise 3271  
acquire any automated title processing equipment and 3272



certificates of title that the board determines are necessary 3273  
from moneys in the automated title processing fund established 3274  
by division (B) (3) of this section. 3275

(D) All counties shall conform to the requirements of the 3276  
registrar regarding the operation of their automated title 3277  
processing system for motor vehicle titles, certificates of 3278  
title for off-highway motorcycles and ~~all-purpose all-terrain~~ 3279  
vehicles, certificates of title for snowmobiles, utility 3280  
vehicles, and mini-trucks, and certificates of title for 3281  
watercraft and outboard motors. 3282

~~Sec. 4505.11. This section shall also apply to all-purpose~~ 3283  
~~vehicles and off-highway motorcycles as defined in section~~ 3284  
~~4519.01 of the Revised Code.~~ 3285

(A) Each owner of a motor vehicle and each person 3286  
mentioned as owner in the last certificate of title, when the 3287  
motor vehicle is dismantled, destroyed, or changed in such 3288  
manner that it loses its character as a motor vehicle, or 3289  
changed in such manner that it is not the motor vehicle 3290  
described in the certificate of title, shall surrender the 3291  
certificate of title to that motor vehicle to a clerk of a court 3292  
of common pleas, and the clerk, with the consent of any holders 3293  
of any liens noted on the certificate of title, then shall enter 3294  
a cancellation upon the clerk's records and shall notify the 3295  
registrar of motor vehicles of the cancellation. 3296

Upon the cancellation of a certificate of title in the 3297  
manner prescribed by this section, any clerk and the registrar 3298  
of motor vehicles may cancel and destroy all certificates and 3299  
all memorandum certificates in that chain of title. 3300

(B) (1) If an Ohio certificate of title, salvage 3301

certificate of title, or assignment form as prescribed by the 3302  
registrar for a motor vehicle is assigned to a salvage dealer, 3303  
the dealer is not required to obtain an Ohio certificate of 3304  
title or a salvage certificate of title to the motor vehicle in 3305  
the dealer's own name if the dealer dismantles or destroys the 3306  
motor vehicle, indicates the number of the dealer's motor 3307  
vehicle salvage dealer's license on it, marks "FOR DESTRUCTION" 3308  
across the face of the certificate of title, salvage certificate 3309  
of title, or assignment form and surrenders the certificate of 3310  
title, salvage certificate of title, or assignment form to a 3311  
clerk of a court of common pleas as provided in division (A) of 3312  
this section. If the salvage dealer retains the motor vehicle 3313  
for resale, the dealer shall make application for a salvage 3314  
certificate of title to the motor vehicle in the dealer's own 3315  
name as provided in division (C) (1) of this section. 3316

(2) At the time any salvage motor vehicle is sold at 3317  
auction or through a pool, the salvage motor vehicle auction or 3318  
salvage motor vehicle pool shall give a copy of the salvage 3319  
certificate of title, certificate of title, or assignment form 3320  
marked "FOR DESTRUCTION" to the purchaser. 3321

(C) (1) When an insurance company declares it economically 3322  
impractical to repair such a motor vehicle and has paid an 3323  
agreed price for the purchase of the motor vehicle to any 3324  
insured or claimant owner, the insurance company shall proceed 3325  
as follows: 3326

(a) If an insurance company receives the certificate of 3327  
title and the motor vehicle, within thirty business days, the 3328  
insurance company shall deliver the certificate of title to a 3329  
clerk of a court of common pleas and shall make application for 3330  
a salvage certificate of title. This certificate of title, any 3331

supporting power of attorney, or application for a salvage 3332  
certificate of title shall be exempt from the requirements of 3333  
notarization and verification as described in this chapter and 3334  
in section 1337.25 of the Revised Code, and may be signed 3335  
electronically. 3336

(b) If an insurance company obtains possession of the 3337  
motor vehicle and a physical certificate of title was issued for 3338  
the vehicle but the insurance company is unable to obtain the 3339  
properly endorsed certificate of title for the motor vehicle 3340  
within thirty business days following the vehicle's owner or 3341  
lienholder's acceptance of the insurance company's payment for 3342  
the vehicle, the insurance company may apply to the clerk of a 3343  
court of common pleas for a salvage certificate of title without 3344  
delivering the certificate of title for the motor vehicle. The 3345  
application, which may be signed electronically, shall be 3346  
accompanied by evidence that the insurance company has paid a 3347  
total loss claim on the vehicle, a copy of the written request 3348  
for the certificate of title from the insurance company or its 3349  
designee, and proof that the request was delivered by a 3350  
nationally recognized courier service to the last known address 3351  
of the owner of the vehicle and any known lienholder, to obtain 3352  
the certificate of title. 3353

(c) If an insurance company obtains possession of the 3354  
motor vehicle and a physical certificate of title was not issued 3355  
for the vehicle, the insurance company may apply to the clerk of 3356  
a court of common pleas for a salvage certificate of title 3357  
without delivering a certificate of title for the motor vehicle. 3358  
The application shall be accompanied by the electronic 3359  
certificate of title control number and a properly executed 3360  
power of attorney, or other appropriate document, from the owner 3361  
of the motor vehicle authorizing the insurance company to apply 3362

for a salvage certificate of title. The application for a 3363  
salvage certificate of title, any supporting power of attorney, 3364  
and any other appropriate document shall be exempt from the 3365  
requirements of notarization and verification as described in 3366  
this chapter and in section 1337.25 of the Revised Code, and may 3367  
be signed electronically. 3368

(d) Upon receipt of a properly completed application for a 3369  
salvage certificate of title as described in division (C) (1) (a), 3370  
(b), or (c) or (C) (2) of this section, the clerk shall issue the 3371  
salvage certificate of title on a form, prescribed by the 3372  
registrar, that shall be easily distinguishable from the 3373  
original certificate of title and shall bear the same 3374  
information as the original certificate of title except that it 3375  
may bear a different number than that of the original 3376  
certificate of title. The salvage certificate of title shall 3377  
include the following notice in bold lettering: 3378

"SALVAGE MOTOR VEHICLE - PURSUANT TO R.C. 4738.01." 3379

Except as provided in division (C) (3) of this section, the 3380  
salvage certificate of title shall be assigned by the insurance 3381  
company to a salvage dealer or any other person for use as 3382  
evidence of ownership upon the sale or other disposition of the 3383  
motor vehicle, and the salvage certificate of title shall be 3384  
transferable to any other person. The clerk shall charge a fee 3385  
of four dollars for the cost of processing each salvage 3386  
certificate of title. 3387

(2) If an insurance company requests that a salvage motor 3388  
vehicle auction take possession of a motor vehicle that is the 3389  
subject of an insurance claim, and subsequently the insurance 3390  
company denies coverage with respect to the motor vehicle or 3391  
does not otherwise take ownership of the motor vehicle, the 3392

salvage motor vehicle auction may proceed as follows. After the 3393  
salvage motor vehicle auction has possession of the motor 3394  
vehicle for forty-five days, it may apply to the clerk of a 3395  
court of common pleas for a salvage certificate of title without 3396  
delivering the certificate of title for the motor vehicle. The 3397  
application shall be accompanied by a copy of the written 3398  
request that the vehicle be removed from the facility on the 3399  
salvage motor vehicle auction's letterhead, and proof that the 3400  
request was delivered by a nationally recognized courier service 3401  
to the last known address of the owner of the vehicle and any 3402  
known lienholder, requesting that the vehicle be removed from 3403  
the facility of the salvage motor vehicle auction. Upon receipt 3404  
of a properly completed application, the clerk shall follow the 3405  
process as described in division (C) (1) (d) of this section. The 3406  
salvage certificate of title so issued shall be free and clear 3407  
of all liens. 3408

(3) If an insurance company considers a motor vehicle as 3409  
described in division (C) (1) (a), (b), or (c) of this section to 3410  
be impossible to restore for highway operation, the insurance 3411  
company may assign the certificate of title to the motor vehicle 3412  
to a salvage dealer or scrap metal processing facility and send 3413  
the assigned certificate of title to the clerk of the court of 3414  
common pleas of any county. The insurance company shall mark the 3415  
face of the certificate of title "FOR DESTRUCTION" and shall 3416  
deliver a photocopy of the certificate of title to the salvage 3417  
dealer or scrap metal processing facility for its records. 3418

(4) If an insurance company declares it economically 3419  
impractical to repair a motor vehicle, agrees to pay to the 3420  
insured or claimant owner an amount in settlement of a claim 3421  
against a policy of motor vehicle insurance covering the motor 3422  
vehicle, and agrees to permit the insured or claimant owner to 3423

retain possession of the motor vehicle, the insurance company 3424  
shall not pay the insured or claimant owner any amount in 3425  
settlement of the insurance claim until the owner obtains a 3426  
salvage certificate of title to the vehicle and furnishes a copy 3427  
of the salvage certificate of title to the insurance company. 3428

(D) When a self-insured organization, rental or leasing 3429  
company, or secured creditor becomes the owner of a motor 3430  
vehicle that is burned, damaged, or dismantled and is determined 3431  
to be economically impractical to repair, the self-insured 3432  
organization, rental or leasing company, or secured creditor 3433  
shall do one of the following: 3434

(1) Mark the face of the certificate of title to the motor 3435  
vehicle, or assignment form as prescribed by the registrar, "FOR 3436  
DESTRUCTION" and surrender the certificate of title or 3437  
assignment form to a clerk of a court of common pleas for 3438  
cancellation as described in division (A) of this section. The 3439  
self-insured organization, rental or leasing company, or secured 3440  
creditor then shall deliver the motor vehicle, together with a 3441  
photocopy of the certificate of title or assignment form, to a 3442  
salvage dealer or scrap metal processing facility and shall 3443  
cause the motor vehicle to be dismantled, flattened, crushed, or 3444  
destroyed. 3445

(2) Obtain a salvage certificate of title to the motor 3446  
vehicle in the name of the self-insured organization, rental or 3447  
leasing company, or secured creditor, as provided in division 3448  
(C) (1) of this section, and then sell or otherwise dispose of 3449  
the motor vehicle. If the motor vehicle is sold, the self- 3450  
insured organization, rental or leasing company, or secured 3451  
creditor shall obtain a salvage certificate of title to the 3452  
motor vehicle in the name of the purchaser from a clerk of a 3453

court of common pleas. 3454

(E) If a motor vehicle titled with a salvage certificate 3455  
of title is restored for operation upon the highways, 3456  
application shall be made to a clerk of a court of common pleas 3457  
for a certificate of title. Upon inspection by the state highway 3458  
patrol, which shall include establishing proof of ownership and 3459  
an inspection of the motor number and vehicle identification 3460  
number of the motor vehicle and of documentation or receipts for 3461  
the materials used in restoration by the owner of the motor 3462  
vehicle being inspected, which documentation or receipts shall 3463  
be presented at the time of inspection, the clerk, upon 3464  
surrender of the salvage certificate of title, shall issue a 3465  
certificate of title for a fee prescribed by the registrar. The 3466  
certificate of title shall be in the same form as the original 3467  
certificate of title and shall bear the words "REBUILT SALVAGE" 3468  
in black boldface letters on its face. Every subsequent 3469  
certificate of title, memorandum certificate of title, or 3470  
duplicate certificate of title issued for the motor vehicle also 3471  
shall bear the words "REBUILT SALVAGE" in black boldface letters 3472  
on its face. The exact location on the face of the certificate 3473  
of title of the words "REBUILT SALVAGE" shall be determined by 3474  
the registrar, who shall develop an automated procedure within 3475  
the automated title processing system to comply with this 3476  
division. The clerk shall use reasonable care in performing the 3477  
duties imposed on the clerk by this division in issuing a 3478  
certificate of title pursuant to this division, but the clerk is 3479  
not liable for any of the clerk's errors or omissions or those 3480  
of the clerk's deputies, or the automated title processing 3481  
system in the performance of those duties. A fee of fifty 3482  
dollars shall be assessed by the state highway patrol for each 3483  
inspection made pursuant to this division and shall be deposited 3484

into the public safety - highway purposes fund established by 3485  
section 4501.06 of the Revised Code. 3486

(F) No person shall operate upon the highways in this 3487  
state a motor vehicle, title to which is evidenced by a salvage 3488  
certificate of title, except to deliver the motor vehicle 3489  
pursuant to an appointment for an inspection under this section. 3490

(G) No motor vehicle the certificate of title or 3491  
assignment form to which has been marked "FOR DESTRUCTION" and 3492  
surrendered to a clerk of a court of common pleas shall be used 3493  
for anything except parts and scrap metal. 3494

(H) (1) Except as otherwise provided in this division, an 3495  
owner of a manufactured or mobile home that will be taxed as 3496  
real property pursuant to division (B) of section 4503.06 of the 3497  
Revised Code shall surrender the certificate of title to the 3498  
auditor of the county containing the taxing district in which 3499  
the home is located. An owner whose home qualifies for real 3500  
property taxation under divisions (B) (1) (a) and (b) of section 3501  
4503.06 of the Revised Code shall surrender the certificate 3502  
within fifteen days after the home meets the conditions 3503  
specified in those divisions. The auditor shall deliver the 3504  
certificate of title to the clerk of the court of common pleas 3505  
who issued it. 3506

(2) If the certificate of title for a manufactured or 3507  
mobile home that is to be taxed as real property is held by a 3508  
lienholder, the lienholder shall surrender the certificate of 3509  
title to the auditor of the county containing the taxing 3510  
district in which the home is located, and the auditor shall 3511  
deliver the certificate of title to the clerk of the court of 3512  
common pleas who issued it. The lienholder shall surrender the 3513  
certificate within thirty days after both of the following have 3514



occurred: 3515

(a) The homeowner has provided written notice to the 3516  
lienholder requesting that the certificate of title be 3517  
surrendered to the auditor of the county containing the taxing 3518  
district in which the home is located. 3519

(b) The homeowner has either paid the lienholder the 3520  
remaining balance owed to the lienholder, or, with the 3521  
lienholder's consent, executed and delivered to the lienholder a 3522  
mortgage on the home and land on which the home is sited in the 3523  
amount of the remaining balance owed to the lienholder. 3524

(3) Upon the delivery of a certificate of title by the 3525  
county auditor to the clerk, the clerk shall inactivate it and 3526  
maintain it in the automated title processing system for a 3527  
period of thirty years. 3528

(4) Upon application by the owner of a manufactured or 3529  
mobile home that is taxed as real property pursuant to division 3530  
(B) of section 4503.06 of the Revised Code and that no longer 3531  
satisfies divisions (B) (1) (a) and (b) or divisions (B) (2) (a) and 3532  
(b) of that section, the clerk shall reactivate the record of 3533  
the certificate of title that was inactivated under division (H) 3534  
(3) of this section and shall issue a new certificate of title, 3535  
but only if the application contains or has attached to it all 3536  
of the following: 3537

(a) An endorsement of the county treasurer that all real 3538  
property taxes charged against the home under Title LVII of the 3539  
Revised Code and division (B) of section 4503.06 of the Revised 3540  
Code for all preceding tax years have been paid; 3541

(b) An endorsement of the county auditor that the home 3542  
will be removed from the real property tax list; 3543

(c) Proof that there are no outstanding mortgages or other 3544  
liens on the home or, if there are such mortgages or other 3545  
liens, that the mortgagee or lienholder has consented to the 3546  
reactivation of the certificate of title. 3547

(I) (1) Whoever violates division (F) of this section shall 3548  
be fined not more than two thousand dollars, imprisoned not more 3549  
than one year, or both. 3550

(2) Whoever violates division (G) of this section shall be 3551  
fined not more than one thousand dollars, imprisoned not more 3552  
than six months, or both. 3553

**Sec. 4510.036.** (A) The bureau of motor vehicles shall 3554  
record within ten days of conviction or bail forfeiture and 3555  
shall keep at its main office, all abstracts received under this 3556  
section or section 4510.03, 4510.031, 4510.032, or 4510.034 of 3557  
the Revised Code and shall maintain records of convictions and 3558  
bond forfeitures for any violation of a state law or a municipal 3559  
ordinance regulating the operation of vehicles, streetcars, and 3560  
trackless trolleys on highways and streets, except a violation 3561  
related to parking a motor vehicle. 3562

(B) Every court of record or mayor's court before which a 3563  
person is charged with a violation for which points are 3564  
chargeable by this section shall assess and transcribe to the 3565  
abstract of conviction that is furnished by the bureau to the 3566  
court the number of points chargeable by this section in the 3567  
correct space assigned on the reporting form. A United States 3568  
district court that has jurisdiction within this state and 3569  
before which a person is charged with a violation for which 3570  
points are chargeable by this section may assess and transcribe 3571  
to the abstract of conviction report that is furnished by the 3572  
bureau the number of points chargeable by this section in the 3573

correct space assigned on the reporting form. If the federal 3574  
court so assesses and transcribes the points chargeable for the 3575  
offense and furnishes the report to the bureau, the bureau shall 3576  
record the points in the same manner as those assessed and 3577  
transcribed by a court of record or mayor's court. 3578

(C) A court shall assess the following points for an 3579  
offense based on the following formula: 3580

(1) Aggravated vehicular homicide, vehicular homicide, 3581  
vehicular manslaughter, aggravated vehicular assault, or 3582  
vehicular assault when the offense involves the operation of a 3583  
vehicle, streetcar, or trackless trolley on a highway or street 3584  
\_\_\_\_\_ 6 points 3585

(2) A violation of section 2921.331 of the Revised Code or 3586  
any ordinance prohibiting the ~~willful~~purposeful fleeing or 3587  
eluding of a law enforcement officer \_\_\_\_\_ 6 points 3588

(3) A violation of section 4549.02 or 4549.021 of the 3589  
Revised Code or any ordinance requiring the driver of a vehicle 3590  
to stop and disclose identity at the scene of an accident 3591  
\_\_\_\_\_ 6 points 3592

(4) A violation of section 4511.251 of the Revised Code or 3593  
any ordinance prohibiting street racing \_\_\_\_\_ 6 points 3594

(5) A violation of section 4510.037 of the Revised Code or 3595  
any ordinance prohibiting the operation of a motor vehicle while 3596  
the driver's or commercial driver's license is under a twelve- 3597  
point suspension \_\_\_\_\_ 6 points 3598

(6) A violation of section 4510.14 of the Revised Code, or 3599  
any ordinance prohibiting the operation of a motor vehicle upon 3600  
the public roads or highways within this state while the 3601  
driver's or commercial driver's license of the person is under 3602

suspension and the suspension was imposed under section 4511.19, 3603  
4511.191, or 4511.196 of the Revised Code or section 4510.07 of 3604  
the Revised Code due to a conviction for a violation of a 3605  
municipal OVI ordinance or any ordinance prohibiting the 3606  
operation of a motor vehicle while the driver's or commercial 3607  
driver's license is under suspension for an OVI offense 3608  
\_\_\_\_\_ 6 points 3609

(7) A violation of division (A) of section 4511.19 of the 3610  
Revised Code, any ordinance prohibiting the operation of a 3611  
vehicle while under the influence of alcohol, a drug of abuse, 3612  
or a combination of them, or any ordinance substantially 3613  
equivalent to division (A) of section 4511.19 of the Revised 3614  
Code prohibiting the operation of a vehicle with a prohibited 3615  
concentration of alcohol, a controlled substance, or a 3616  
metabolite of a controlled substance in the whole blood, blood 3617  
serum or plasma, breath, or urine \_\_\_\_\_ 6 points 3618

(8) A violation of section 2913.03 of the Revised Code 3619  
that does not involve an aircraft or motorboat or any ordinance 3620  
prohibiting the operation of a vehicle without the consent of 3621  
the owner \_\_\_\_\_ 6 points 3622

(9) Any offense under the motor vehicle laws of this state 3623  
that is a felony, or any other felony in the commission of which 3624  
a motor vehicle was used \_\_\_\_\_ 6 points 3625

(10) A violation of division (B) of section 4511.19 of the 3626  
Revised Code or any ordinance substantially equivalent to that 3627  
division prohibiting the operation of a vehicle with a 3628  
prohibited concentration of alcohol in the whole blood, blood 3629  
serum or plasma, breath, or urine \_\_\_\_\_ 4 points 3630

(11) A violation of section 4511.20 of the Revised Code or 3631

any ordinance prohibiting the operation of a motor vehicle in 3632  
willful or wanton disregard of the safety of persons or property 3633  
\_\_\_\_\_ 4 points 3634

(12) A violation of any law or ordinance pertaining to 3635  
speed: 3636

(a) Notwithstanding divisions (C) (12) (b) and (c) of this 3637  
section, when the speed exceeds the lawful speed limit by thirty 3638  
miles per hour or more \_\_\_\_\_ 4 points 3639

(b) When the speed exceeds the lawful speed limit of 3640  
fifty-five miles per hour or more by more than ten miles per 3641  
hour \_\_\_\_\_ 2 points 3642

(c) When the speed exceeds the lawful speed limit of less 3643  
than fifty-five miles per hour by more than five miles per hour 3644  
\_\_\_\_\_ 2 points 3645

(d) When the speed does not exceed the amounts set forth 3646  
in divisions (C) (12) (a), (b), or (c) of this section \_\_\_\_\_ 3647  
0 points 3648

(13) A violation of division (A) of section 4511.204 of 3649  
the Revised Code or any substantially similar municipal 3650  
ordinance: 3651

(a) For a first offense within any two-year period 3652  
\_\_\_\_\_ 2 points 3653

(b) For a second offense within any two-year period 3654  
\_\_\_\_\_ 3 points 3655

(c) For a third or subsequent offense within any two-year 3656  
period \_\_\_\_\_ 4 points. 3657

(14) Operating a motor vehicle in violation of a 3658

restriction imposed by the registrar \_\_\_\_\_ 2 points 3659

(15) A violation of section 4510.11, 4510.111, 4510.16, or 3660  
4510.21 of the Revised Code or any ordinance prohibiting the 3661  
operation of a motor vehicle while the driver's or commercial 3662  
driver's license is under suspension \_\_\_\_\_ 2 points 3663

(16) With the exception of violations under section 3664  
4510.12 of the Revised Code where no points shall be assessed, 3665  
all other moving violations reported under this section 3666  
\_\_\_\_\_ 2 points 3667

(D) Upon receiving notification from the proper court, 3668  
including a United States district court that has jurisdiction 3669  
within this state, the bureau shall delete any points entered 3670  
for a bond forfeiture if the driver is acquitted of the offense 3671  
for which bond was posted. 3672

(E) If a person is convicted of or forfeits bail for two 3673  
or more offenses arising out of the same facts and points are 3674  
chargeable for each of the offenses, points shall be charged for 3675  
only the conviction or bond forfeiture for which the greater 3676  
number of points is chargeable, and, if the number of points 3677  
chargeable for each offense is equal, only one offense shall be 3678  
recorded, and points shall be charged only for that offense. 3679

**Sec. 4511.01.** As used in this chapter and in Chapter 4513. 3680  
of the Revised Code: 3681

(A) "Vehicle" means every device, including a motorized 3682  
bicycle and an electric bicycle, in, upon, or by which any 3683  
person or property may be transported or drawn upon a highway, 3684  
except that "vehicle" does not include any motorized wheelchair, 3685  
any electric personal assistive mobility device, any low-speed 3686  
micromobility device, any personal delivery device as defined in 3687

section 4511.513 of the Revised Code, any device that is moved 3688  
by power collected from overhead electric trolley wires or that 3689  
is used exclusively upon stationary rails or tracks, or any 3690  
device, other than a bicycle, that is moved by human power. 3691

(B) "Motor vehicle" means every vehicle propelled or drawn 3692  
by power other than muscular power or power collected from 3693  
overhead electric trolley wires, except motorized bicycles, 3694  
electric bicycles, road rollers, traction engines, power 3695  
shovels, power cranes, and other equipment used in construction 3696  
work and not designed for or employed in general highway 3697  
transportation, hole-digging machinery, well-drilling machinery, 3698  
ditch-digging machinery, farm machinery, and trailers designed 3699  
and used exclusively to transport a boat between a place of 3700  
storage and a marina, or in and around a marina, when drawn or 3701  
towed on a street or highway for a distance of no more than ten 3702  
miles and at a speed of twenty-five miles per hour or less. 3703

(C) "Motorcycle" means every motor vehicle, other than a 3704  
tractor, having a seat or saddle for the use of the operator and 3705  
designed to travel on not more than three wheels in contact with 3706  
the ground, including, but not limited to, motor vehicles known 3707  
as "motor-driven cycle," "motor scooter," "autocycle," "cab- 3708  
enclosed motorcycle," or "motorcycle" without regard to weight 3709  
or brake horsepower. 3710

(D) "Emergency vehicle" means emergency vehicles of 3711  
municipal, township, or county departments or public utility 3712  
corporations when identified as such as required by law, the 3713  
director of public safety, or local authorities, and motor 3714  
vehicles when commandeered by a police officer. 3715

(E) "Public safety vehicle" means any of the following: 3716

(1) Ambulances, including private ambulance companies	3717
under contract to a municipal corporation, township, or county,	3718
and private ambulances and nontransport vehicles bearing license	3719
plates issued under section 4503.49 of the Revised Code;	3720
(2) Motor vehicles used by public law enforcement officers	3721
or other persons sworn to enforce the criminal and traffic laws	3722
of the state;	3723
(3) Any motor vehicle when properly identified as required	3724
by the director of public safety, when used in response to fire	3725
emergency calls or to provide emergency medical service to ill	3726
or injured persons, and when operated by a duly qualified person	3727
who is a member of a volunteer rescue service or a volunteer	3728
fire department, and who is on duty pursuant to the rules or	3729
directives of that service. The state fire marshal shall be	3730
designated by the director of public safety as the certifying	3731
agency for all public safety vehicles described in division (E)	3732
(3) of this section.	3733
(4) Vehicles used by fire departments, including motor	3734
vehicles when used by volunteer fire fighters responding to	3735
emergency calls in the fire department service when identified	3736
as required by the director of public safety.	3737
Any vehicle used to transport or provide emergency medical	3738
service to an ill or injured person, when certified as a public	3739
safety vehicle, shall be considered a public safety vehicle when	3740
transporting an ill or injured person to a hospital regardless	3741
of whether such vehicle has already passed a hospital.	3742
(5) Vehicles used by the motor carrier enforcement unit	3743
for the enforcement of orders and rules of the public utilities	3744
commission as specified in section 5503.34 of the Revised Code.	3745



(F) "School bus" means every bus designed for carrying 3746  
more than nine passengers that is owned by a public, private, or 3747  
governmental agency or institution of learning and operated for 3748  
the transportation of children to or from a school session or a 3749  
school function, or owned by a private person and operated for 3750  
compensation for the transportation of children to or from a 3751  
school session or a school function, provided "school bus" does 3752  
not include a bus operated by a municipally owned transportation 3753  
system, a mass transit company operating exclusively within the 3754  
territorial limits of a municipal corporation, or within such 3755  
limits and the territorial limits of municipal corporations 3756  
immediately contiguous to such municipal corporation, nor a 3757  
common passenger carrier certified by the public utilities 3758  
commission unless such bus is devoted exclusively to the 3759  
transportation of children to and from a school session or a 3760  
school function, and "school bus" does not include a van or bus 3761  
used by a licensed child day-care center or type A family day- 3762  
care home to transport children from the child day-care center 3763  
or type A family day-care home to a school if the van or bus 3764  
does not have more than fifteen children in the van or bus at 3765  
any time. 3766

(G) "Bicycle" means every device, other than a device that 3767  
is designed solely for use as a play vehicle by a child, that is 3768  
propelled solely by human power upon which a person may ride, 3769  
and that has two or more wheels, any of which is more than 3770  
fourteen inches in diameter. 3771

(H) "Motorized bicycle" or "moped" means any vehicle 3772  
having either two tandem wheels or one wheel in the front and 3773  
two wheels in the rear, that may be pedaled, and that is 3774  
equipped with a helper motor of not more than fifty cubic 3775  
centimeters piston displacement that produces not more than one 3776

brake horsepower and is capable of propelling the vehicle at a 3777  
speed of not greater than twenty miles per hour on a level 3778  
surface. "Motorized bicycle" or "moped" does not include an 3779  
electric bicycle. 3780

(I) "Commercial tractor" means every motor vehicle having 3781  
motive power designed or used for drawing other vehicles and not 3782  
so constructed as to carry any load thereon, or designed or used 3783  
for drawing other vehicles while carrying a portion of such 3784  
other vehicles, or load thereon, or both. 3785

(J) "Agricultural tractor" means every self-propelling 3786  
vehicle designed or used for drawing other vehicles or wheeled 3787  
machinery but having no provision for carrying loads 3788  
independently of such other vehicles, and used principally for 3789  
agricultural purposes. 3790

(K) "Truck" means every motor vehicle, except trailers and 3791  
semitrailers, designed and used to carry property. 3792

(L) "Bus" means every motor vehicle designed for carrying 3793  
more than nine passengers and used for the transportation of 3794  
persons other than in a ridesharing arrangement, and every motor 3795  
vehicle, automobile for hire, or funeral car, other than a 3796  
taxicab or motor vehicle used in a ridesharing arrangement, 3797  
designed and used for the transportation of persons for 3798  
compensation. 3799

(M) "Trailer" means every vehicle designed or used for 3800  
carrying persons or property wholly on its own structure and for 3801  
being drawn by a motor vehicle, including any such vehicle when 3802  
formed by or operated as a combination of a "semitrailer" and a 3803  
vehicle of the dolly type, such as that commonly known as a 3804  
"trailer dolly," a vehicle used to transport agricultural 3805

produce or agricultural production materials between a local 3806  
place of storage or supply and the farm when drawn or towed on a 3807  
street or highway at a speed greater than twenty-five miles per 3808  
hour, and a vehicle designed and used exclusively to transport a 3809  
boat between a place of storage and a marina, or in and around a 3810  
marina, when drawn or towed on a street or highway for a 3811  
distance of more than ten miles or at a speed of more than 3812  
twenty-five miles per hour. 3813

(N) "Semitrailer" means every vehicle designed or used for 3814  
carrying persons or property with another and separate motor 3815  
vehicle so that in operation a part of its own weight or that of 3816  
its load, or both, rests upon and is carried by another vehicle. 3817

(O) "Pole trailer" means every trailer or semitrailer 3818  
attached to the towing vehicle by means of a reach, pole, or by 3819  
being boomed or otherwise secured to the towing vehicle, and 3820  
ordinarily used for transporting long or irregular shaped loads 3821  
such as poles, pipes, or structural members capable, generally, 3822  
of sustaining themselves as beams between the supporting 3823  
connections. 3824

(P) "Railroad" means a carrier of persons or property 3825  
operating upon rails placed principally on a private right-of- 3826  
way. 3827

(Q) "Railroad train" means a steam engine or an electric 3828  
or other motor, with or without cars coupled thereto, operated 3829  
by a railroad. 3830

(R) "Streetcar" means a car, other than a railroad train, 3831  
for transporting persons or property, operated upon rails 3832  
principally within a street or highway. 3833

(S) "Trackless trolley" means every car that collects its 3834

power from overhead electric trolley wires and that is not 3835  
operated upon rails or tracks. 3836

(T) "Explosives" means any chemical compound or mechanical 3837  
mixture that is intended for the purpose of producing an 3838  
explosion that contains any oxidizing and combustible units or 3839  
other ingredients in such proportions, quantities, or packing 3840  
that an ignition by fire, by friction, by concussion, by 3841  
percussion, or by a detonator of any part of the compound or 3842  
mixture may cause such a sudden generation of highly heated 3843  
gases that the resultant gaseous pressures are capable of 3844  
producing destructive effects on contiguous objects, or of 3845  
destroying life or limb. Manufactured articles shall not be held 3846  
to be explosives when the individual units contain explosives in 3847  
such limited quantities, of such nature, or in such packing, 3848  
that it is impossible to procure a simultaneous or a destructive 3849  
explosion of such units, to the injury of life, limb, or 3850  
property by fire, by friction, by concussion, by percussion, or 3851  
by a detonator, such as fixed ammunition for small arms, 3852  
firecrackers, or safety fuse matches. 3853

(U) "Flammable liquid" means any liquid that has a flash 3854  
point of seventy degrees fahrenheit, or less, as determined by a 3855  
tagliabue or equivalent closed cup test device. 3856

(V) "Gross weight" means the weight of a vehicle plus the 3857  
weight of any load thereon. 3858

(W) "Person" means every natural person, firm, co- 3859  
partnership, association, or corporation. 3860

(X) "Pedestrian" means any natural person afoot. 3861  
"Pedestrian" includes a personal delivery device as defined in 3862  
section 4511.513 of the Revised Code unless the context clearly 3863

suggests otherwise. 3864

(Y) "Driver or operator" means every person who drives or 3865  
is in actual physical control of a vehicle, trackless trolley, 3866  
or streetcar. 3867

(Z) "Police officer" means every officer authorized to 3868  
direct or regulate traffic, or to make arrests for violations of 3869  
traffic regulations. 3870

(AA) "Local authorities" means every county, municipal, 3871  
and other local board or body having authority to adopt police 3872  
regulations under the constitution and laws of this state. 3873

(BB) "Street" or "highway" means the entire width between 3874  
the boundary lines of every way open to the use of the public as 3875  
a thoroughfare for purposes of vehicular travel. 3876

(CC) "Controlled-access highway" means every street or 3877  
highway in respect to which owners or occupants of abutting 3878  
lands and other persons have no legal right of access to or from 3879  
the same except at such points only and in such manner as may be 3880  
determined by the public authority having jurisdiction over such 3881  
street or highway. 3882

(DD) "Private road or driveway" means every way or place 3883  
in private ownership used for vehicular travel by the owner and 3884  
those having express or implied permission from the owner but 3885  
not by other persons. 3886

(EE) "Roadway" means that portion of a highway improved, 3887  
designed, or ordinarily used for vehicular travel, except the 3888  
berm or shoulder. If a highway includes two or more separate 3889  
roadways the term "roadway" means any such roadway separately 3890  
but not all such roadways collectively. 3891

(FF) "Sidewalk" means that portion of a street between the 3892  
curb lines, or the lateral lines of a roadway, and the adjacent 3893  
property lines, intended for the use of pedestrians. 3894

(GG) "Laned highway" means a highway the roadway of which 3895  
is divided into two or more clearly marked lanes for vehicular 3896  
traffic. 3897

(HH) "Through highway" means every street or highway as 3898  
provided in section 4511.65 of the Revised Code. 3899

(II) "State highway" means a highway under the 3900  
jurisdiction of the department of transportation, outside the 3901  
limits of municipal corporations, provided that the authority 3902  
conferred upon the director of transportation in section 5511.01 3903  
of the Revised Code to erect state highway route markers and 3904  
signs directing traffic shall not be modified by sections 3905  
4511.01 to 4511.79 and 4511.99 of the Revised Code. 3906

(JJ) "State route" means every highway that is designated 3907  
with an official state route number and so marked. 3908

(KK) "Intersection" means: 3909

(1) The area embraced within the prolongation or 3910  
connection of the lateral curb lines, or, if none, the lateral 3911  
boundary lines of the roadways of two highways that join one 3912  
another at, or approximately at, right angles, or the area 3913  
within which vehicles traveling upon different highways that 3914  
join at any other angle might come into conflict. The junction 3915  
of an alley or driveway with a roadway or highway does not 3916  
constitute an intersection unless the roadway or highway at the 3917  
junction is controlled by a traffic control device. 3918

(2) If a highway includes two roadways that are thirty 3919  
feet or more apart, then every crossing of each roadway of such 3920

divided highway by an intersecting highway constitutes a 3921  
separate intersection. If both intersecting highways include two 3922  
roadways thirty feet or more apart, then every crossing of any 3923  
two roadways of such highways constitutes a separate 3924  
intersection. 3925

(3) At a location controlled by a traffic control signal, 3926  
regardless of the distance between the separate intersections as 3927  
described in division (KK)(2) of this section: 3928

(a) If a stop line, yield line, or crosswalk has not been 3929  
designated on the roadway within the median between the separate 3930  
intersections, the two intersections and the roadway and median 3931  
constitute one intersection. 3932

(b) Where a stop line, yield line, or crosswalk line is 3933  
designated on the roadway on the intersection approach, the area 3934  
within the crosswalk and any area beyond the designated stop 3935  
line or yield line constitute part of the intersection. 3936

(c) Where a crosswalk is designated on a roadway on the 3937  
departure from the intersection, the intersection includes the 3938  
area that extends to the far side of the crosswalk. 3939

(LL) "Crosswalk" means: 3940

(1) That part of a roadway at intersections ordinarily 3941  
included within the real or projected prolongation of property 3942  
lines and curb lines or, in the absence of curbs, the edges of 3943  
the traversable roadway; 3944

(2) Any portion of a roadway at an intersection or 3945  
elsewhere, distinctly indicated for pedestrian crossing by lines 3946  
or other markings on the surface; 3947

(3) Notwithstanding divisions (LL)(1) and (2) of this 3948

section, there shall not be a crosswalk where local authorities 3949  
have placed signs indicating no crossing. 3950

(MM) "Safety zone" means the area or space officially set 3951  
apart within a roadway for the exclusive use of pedestrians and 3952  
protected or marked or indicated by adequate signs as to be 3953  
plainly visible at all times. 3954

(NN) "Business district" means the territory fronting upon 3955  
a street or highway, including the street or highway, between 3956  
successive intersections within municipal corporations where 3957  
fifty per cent or more of the frontage between such successive 3958  
intersections is occupied by buildings in use for business, or 3959  
within or outside municipal corporations where fifty per cent or 3960  
more of the frontage for a distance of three hundred feet or 3961  
more is occupied by buildings in use for business, and the 3962  
character of such territory is indicated by official traffic 3963  
control devices. 3964

(OO) "Residence district" means the territory, not 3965  
comprising a business district, fronting on a street or highway, 3966  
including the street or highway, where, for a distance of three 3967  
hundred feet or more, the frontage is improved with residences 3968  
or residences and buildings in use for business. 3969

(PP) "Urban district" means the territory contiguous to 3970  
and including any street or highway which is built up with 3971  
structures devoted to business, industry, or dwelling houses 3972  
situated at intervals of less than one hundred feet for a 3973  
distance of a quarter of a mile or more, and the character of 3974  
such territory is indicated by official traffic control devices. 3975

(QQ) "Traffic control device" means a flagger, sign, 3976  
signal, marking, or other device used to regulate, warn, or 3977



guide traffic, placed on, over, or adjacent to a street, 3978  
highway, private road open to public travel, pedestrian 3979  
facility, or shared-use path by authority of a public agency or 3980  
official having jurisdiction, or, in the case of a private road 3981  
open to public travel, by authority of the private owner or 3982  
private official having jurisdiction. 3983

(RR) "Traffic control signal" means any highway traffic 3984  
signal by which traffic is alternately directed to stop and 3985  
permitted to proceed. 3986

(SS) "Railroad sign or signal" means any sign, signal, or 3987  
device erected by authority of a public body or official or by a 3988  
railroad and intended to give notice of the presence of railroad 3989  
tracks or the approach of a railroad train. 3990

(TT) "Traffic" means pedestrians, ridden or herded 3991  
animals, vehicles, streetcars, trackless trolleys, and other 3992  
devices, either singly or together, while using for purposes of 3993  
travel any highway or private road open to public travel. 3994

(UU) "Right-of-way" means either of the following, as the 3995  
context requires: 3996

(1) The right of a vehicle, streetcar, trackless trolley, 3997  
or pedestrian to proceed uninterruptedly in a lawful manner in 3998  
the direction in which it or the individual is moving in 3999  
preference to another vehicle, streetcar, trackless trolley, or 4000  
pedestrian approaching from a different direction into its or 4001  
the individual's path; 4002

(2) A general term denoting land, property, or the 4003  
interest therein, usually in the configuration of a strip, 4004  
acquired for or devoted to transportation purposes. When used in 4005  
this context, right-of-way includes the roadway, shoulders or 4006

berm, ditch, and slopes extending to the right-of-way limits 4007  
under the control of the state or local authority. 4008

(VV) "Rural mail delivery vehicle" means every vehicle 4009  
used to deliver United States mail on a rural mail delivery 4010  
route. 4011

(WW) "Funeral escort vehicle" means any motor vehicle, 4012  
including a funeral hearse, while used to facilitate the 4013  
movement of a funeral procession. 4014

(XX) "Alley" means a street or highway intended to provide 4015  
access to the rear or side of lots or buildings in urban 4016  
districts and not intended for the purpose of through vehicular 4017  
traffic, and includes any street or highway that has been 4018  
declared an "alley" by the legislative authority of the 4019  
municipal corporation in which such street or highway is 4020  
located. 4021

(YY) "Freeway" means a divided multi-lane highway for 4022  
through traffic with all crossroads separated in grade and with 4023  
full control of access. 4024

(ZZ) "Expressway" means a divided arterial highway for 4025  
through traffic with full or partial control of access with an 4026  
excess of fifty per cent of all crossroads separated in grade. 4027

(AAA) "Thruway" means a through highway whose entire 4028  
roadway is reserved for through traffic and on which roadway 4029  
parking is prohibited. 4030

(BBB) "Stop intersection" means any intersection at one or 4031  
more entrances of which stop signs are erected. 4032

(CCC) "Arterial street" means any United States or state 4033  
numbered route, controlled access highway, or other major radial 4034

or circumferential street or highway designated by local 4035  
authorities within their respective jurisdictions as part of a 4036  
major arterial system of streets or highways. 4037

(DDD) "Ridesharing arrangement" means the transportation 4038  
of persons in a motor vehicle where such transportation is 4039  
incidental to another purpose of a volunteer driver and includes 4040  
ridesharing arrangements known as carpools, vanpools, and 4041  
buspools. 4042

(EEE) "Motorized wheelchair" means any self-propelled 4043  
vehicle designed for, and used by, a person with a disability 4044  
and that is incapable of a speed in excess of eight miles per 4045  
hour. 4046

(FFF) "Child day-care center" and "type A family day-care 4047  
home" have the same meanings as in section 5104.01 of the 4048  
Revised Code. 4049

(GGG) "Multi-wheel agricultural tractor" means a type of 4050  
agricultural tractor that has two or more wheels or tires on 4051  
each side of one axle at the rear of the tractor, is designed or 4052  
used for drawing other vehicles or wheeled machinery, has no 4053  
provision for carrying loads independently of the drawn vehicles 4054  
or machinery, and is used principally for agricultural purposes. 4055

(HHH) "Operate" means to cause or have caused movement of 4056  
a vehicle, streetcar, or trackless trolley. 4057

(III) "Predicate motor vehicle or traffic offense" means 4058  
any of the following: 4059

(1) A violation of section 4511.03, 4511.051, 4511.12, 4060  
4511.132, 4511.16, 4511.20, 4511.201, 4511.21, 4511.211, 4061  
4511.213, 4511.214, 4511.22, 4511.23, 4511.25, 4511.26, 4511.27, 4062  
4511.28, 4511.29, 4511.30, 4511.31, 4511.32, 4511.33, 4511.34, 4063

4511.35, 4511.36, 4511.37, 4511.38, 4511.39, 4511.40, 4511.41, 4064  
4511.42, 4511.43, 4511.431, 4511.432, 4511.44, 4511.441, 4065  
4511.451, 4511.452, 4511.46, 4511.47, 4511.48, 4511.481, 4066  
4511.49, 4511.50, 4511.511, 4511.522, 4511.53, 4511.54, 4511.55, 4067  
4511.56, 4511.57, 4511.58, 4511.59, 4511.60, 4511.61, 4511.64, 4068  
4511.66, 4511.661, 4511.68, 4511.70, 4511.701, 4511.71, 4069  
4511.711, 4511.712, 4511.713, 4511.72, 4511.73, 4511.763, 4070  
4511.771, 4511.78, ~~or~~ 4511.84, 4519.401, 4519.402, 4519.403, or 4071  
4519.41 of the Revised Code; 4072

(2) A violation of division (A) (2) of section 4511.17, 4073  
divisions (A) to (D) of section 4511.51, or division (A) of 4074  
section 4511.74 of the Revised Code; 4075

(3) A violation of any provision of sections 4511.01 to 4076  
4511.76 of the Revised Code for which no penalty otherwise is 4077  
provided in the section that contains the provision violated; 4078

~~(4) A violation of section 4511.214 of the Revised Code;~~ 4079

~~(5)~~ A violation of a municipal ordinance that is 4080  
substantially similar to any section or provision set forth or 4081  
described in division (III) (1), (2), or (3), ~~or~~ (4) of this 4082  
section. 4083

(JJJ) "Road service vehicle" means wreckers, utility 4084  
repair vehicles, and state, county, and municipal service 4085  
vehicles equipped with visual signals by means of flashing, 4086  
rotating, or oscillating lights. 4087

(KKK) "Beacon" means a highway traffic signal with one or 4088  
more signal sections that operate in a flashing mode. 4089

(LLL) "Hybrid beacon" means a type of beacon that is 4090  
intentionally placed in a dark mode between periods of operation 4091  
where no indications are displayed and, when in operation, 4092

displays both steady and flashing traffic control signal 4093  
indications. 4094

(MMM) "Highway traffic signal" means a power-operated 4095  
traffic control device by which traffic is warned or directed to 4096  
take some specific action. "Highway traffic signal" does not 4097  
include a power-operated sign, steadily illuminated pavement 4098  
marker, warning light, or steady burning electric lamp. 4099

(NNN) "Median" means the area between two roadways of a 4100  
divided highway, measured from edge of traveled way to edge of 4101  
traveled way, but excluding turn lanes. The width of a median 4102  
may be different between intersections, between interchanges, 4103  
and at opposite approaches of the same intersection. 4104

(OOO) "Private road open to public travel" means a private 4105  
toll road or road, including any adjacent sidewalks that 4106  
generally run parallel to the road, within a shopping center, 4107  
airport, sports arena, or other similar business or recreation 4108  
facility that is privately owned but where the public is allowed 4109  
to travel without access restrictions. "Private road open to 4110  
public travel" includes a gated toll road but does not include a 4111  
road within a private gated property where access is restricted 4112  
at all times, a parking area, a driving aisle within a parking 4113  
area, or a private grade crossing. 4114

(PPP) "Shared-use path" means a bikeway outside the 4115  
traveled way and physically separated from motorized vehicular 4116  
traffic by an open space or barrier and either within the 4117  
highway right-of-way or within an independent alignment. A 4118  
shared-use path also may be used by pedestrians, including 4119  
skaters, joggers, users of manual and motorized wheelchairs, and 4120  
other authorized motorized and non-motorized users. A shared-use 4121  
path does not include any trail that is intended to be used 4122

primarily for mountain biking, hiking, equestrian use, or other 4123  
similar uses, or any other single track or natural surface trail 4124  
that has historically been reserved for nonmotorized use. 4125

(QQQ) "Highway maintenance vehicle" means a vehicle used 4126  
in snow and ice removal or road surface maintenance, including a 4127  
snow plow, traffic line striper, road sweeper, mowing machine, 4128  
asphalt distributing vehicle, or other such vehicle designed for 4129  
use in specific highway maintenance activities. 4130

(RRR) "Waste collection vehicle" means a vehicle used in 4131  
the collection of garbage, refuse, trash, or recyclable 4132  
materials. 4133

(SSS) "Electric bicycle" means a "class 1 electric 4134  
bicycle," a "class 2 electric bicycle," or a "class 3 electric 4135  
bicycle" as defined in this section. 4136

(TTT) "Class 1 electric bicycle" means a bicycle that is 4137  
equipped with fully operable pedals and an electric motor of 4138  
less than seven hundred fifty watts that provides assistance 4139  
only when the rider is pedaling and ceases to provide assistance 4140  
when the bicycle reaches the speed of twenty miles per hour. 4141

(UUU) "Class 2 electric bicycle" means a bicycle that is 4142  
equipped with fully operable pedals and an electric motor of 4143  
less than seven hundred fifty watts that may provide assistance 4144  
regardless of whether the rider is pedaling and is not capable 4145  
of providing assistance when the bicycle reaches the speed of 4146  
twenty miles per hour. 4147

(VVV) "Class 3 electric bicycle" means a bicycle that is 4148  
equipped with fully operable pedals and an electric motor of 4149  
less than seven hundred fifty watts that provides assistance 4150  
only when the rider is pedaling and ceases to provide assistance 4151

when the bicycle reaches the speed of twenty-eight miles per 4152  
hour. 4153

(WWW) "Low-speed micromobility device" means a device 4154  
weighing less than one hundred pounds that has handlebars, is 4155  
propelled by an electric motor or human power, and has an 4156  
attainable speed on a paved level surface of not more than 4157  
twenty miles per hour when propelled by the electric motor. 4158

**Sec. 4511.214.** (A) (1) No person shall operate a low-speed 4159  
vehicle upon any street or highway having an established speed 4160  
limit greater than thirty-five miles per hour. 4161

(2) No person shall operate an under-speed ~~or utility~~ 4162  
~~vehicle or a mini-truck~~ upon any street or highway ~~except as~~ 4163  
~~follows:~~ 4164

~~(a) Upon a street or highway having an established speed~~ 4165  
~~limit not greater than thirty-five miles per hour and only. No~~ 4166  
~~person shall operate an under-speed vehicle upon such streets or~~ 4167  
~~highways where unless a local authority has granted permission~~ 4168  
~~for such operation in accordance with division (C) of this~~ 4169  
~~section 4511.215 of the Revised Code;~~ 4170

~~(b) A state park or political subdivision employee or~~ 4171  
~~volunteer operating a utility vehicle exclusively within the~~ 4172  
~~boundaries of state parks or political subdivision parks for the~~ 4173  
~~operation or maintenance of state or political subdivision park~~ 4174  
~~facilities.~~ 4175

(3) No person shall operate a motor-driven cycle or motor 4176  
scooter upon any street or highway having an established speed 4177  
limit greater than forty-five miles per hour. 4178

~~(B) This section does not prohibit either of the~~ 4179  
~~following:~~ 4180

~~(1) (B) (1) A person operating may operate a low-speed vehicle, or an under-speed, or utility vehicle or a mini-truck from proceeding across an intersection of a street or highway having a speed limit greater than thirty-five miles per hour;~~ 4181  
4182  
4183  
4184

(2) A person ~~operating may operate~~ a motor-driven cycle or motor scooter ~~from proceeding~~ across an intersection of a street or highway having a speed limit greater than forty-five miles per hour. 4185  
4186  
4187  
4188

(C) ~~Nothing in this section shall prevent a~~ By ordinance or resolution, a local authority may authorize the operation of under-speed vehicles on a public street or highway under its jurisdiction. A local authority that authorizes the operation of under-speed vehicles shall do all of the following: 4189  
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4191  
4192  
4193

(1) Limit the operation of those vehicles to streets and highways having an established speed limit not greater than thirty-five miles per hour; 4194  
4195  
4196

(2) Require the vehicle owner who wishes to operate the under-speed vehicle on the public streets or highways to submit the vehicle to an inspection conducted by a local law enforcement agency that complies with inspection requirements established by the department of public safety under section 4513.02 of the Revised Code; 4197  
4198  
4199  
4200  
4201  
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(3) Permit the operation on public streets or highways of only those vehicles that successfully pass the required vehicle inspection, are registered in accordance with Chapter 4503. of the Revised Code, and are titled in accordance with Chapter 4505. of the Revised Code; 4203  
4204  
4205  
4206  
4207

(4) Notify the director of public safety, in a manner the director determines, of the authorization for the operation of 4208  
4209



under-speed vehicles. 4210

(D) A local authority ~~from adopting~~ may adopt more 4211  
stringent local ordinances, resolutions, or regulations 4212  
governing the operation of a low-speed vehicle ~~or a mini-truck,~~ 4213  
~~or an~~ under-speed vehicle, a motor-driven cycle, or a motor 4214  
scooter. 4215

~~(D)~~ (E) Except as otherwise provided in this division, 4216  
whoever violates division (A) of this section is guilty of a 4217  
minor misdemeanor. If within one year of the offense, the 4218  
offender previously has been convicted of or pleaded guilty to 4219  
one predicate motor vehicle or traffic offense, whoever violates 4220  
this section is guilty of a misdemeanor of the fourth degree. If 4221  
within one year of the offense, the offender previously has been 4222  
convicted of two or more predicate motor vehicle or traffic 4223  
offenses, whoever violates this section is guilty of a 4224  
misdemeanor of the third degree. 4225

**Sec. 4511.713.** (A) No person shall operate a motor 4226  
vehicle, snowmobile, or ~~all-purpose-all-terrain~~ vehicle upon any 4227  
path set aside for the exclusive use of bicycles, when an 4228  
appropriate sign giving notice of such use is posted on the 4229  
path. 4230

Nothing in this section shall be construed to affect any 4231  
rule of the director of natural resources governing the 4232  
operation of motor vehicles, snowmobiles, ~~all-purpose-all-~~ 4233  
terrain vehicles, and bicycles on lands under the director's 4234  
jurisdiction. 4235

(B) Except as otherwise provided in this division, whoever 4236  
violates this section is guilty of a minor misdemeanor. If, 4237  
within one year of the offense, the offender previously has been 4238

convicted of or pleaded guilty to one predicate motor vehicle or 4239  
traffic offense, whoever violates this section is guilty of a 4240  
misdemeanor of the fourth degree. If, within one year of the 4241  
offense, the offender previously has been convicted of two or 4242  
more predicate motor vehicle or traffic offenses, whoever 4243  
violates this section is guilty of a misdemeanor of the third 4244  
degree. 4245

If the offender commits the offense while distracted and 4246  
the distracting activity is a contributing factor to the 4247  
commission of the offense, the offender is subject to the 4248  
additional fine established under section 4511.991 of the 4249  
Revised Code. 4250

**Sec. 4513.02.** (A) No person shall drive or move, or cause 4251  
or knowingly permit to be driven or moved, on any highway any 4252  
vehicle or combination of vehicles which is in such unsafe 4253  
condition as to endanger any person. 4254

(B) When directed by any state highway patrol trooper, the 4255  
operator of any motor vehicle shall stop and submit such motor 4256  
vehicle to an inspection under division (B) (1) or (2) of this 4257  
section, as appropriate, and such tests as are necessary. 4258

(1) Any motor vehicle not subject to inspection by the 4259  
public utilities commission shall be inspected and tested to 4260  
determine whether it is unsafe or not equipped as required by 4261  
law, or that its equipment is not in proper adjustment or 4262  
repair, or in violation of the equipment provisions of Chapter 4263  
4513. of the Revised Code. 4264

Such inspection shall be made with respect to the brakes, 4265  
lights, turn signals, steering, horns and warning devices, 4266  
glass, mirrors, exhaust system, windshield wipers, tires, and 4267

such other items of equipment as designated by the 4268  
superintendent of the state highway patrol by rule or regulation 4269  
adopted pursuant to sections 119.01 to 119.13 of the Revised 4270  
Code. 4271

Upon determining that a motor vehicle is in safe operating 4272  
condition and its equipment in conformity with Chapter 4513. of 4273  
the Revised Code, the inspecting officer shall issue to the 4274  
operator an official inspection sticker, which shall be in such 4275  
form as the superintendent prescribes except that its color 4276  
shall vary from year to year. 4277

(2) Any motor vehicle subject to inspection by the public 4278  
utilities commission shall be inspected and tested in accordance 4279  
with rules adopted by the commission. Upon determining that the 4280  
vehicle and operator are in compliance with rules adopted by the 4281  
commission, the inspecting officer shall issue to the operator 4282  
an appropriate official inspection sticker. 4283

(C) The superintendent of the state highway patrol, 4284  
pursuant to sections 119.01 to 119.13 of the Revised Code, shall 4285  
determine and promulgate standards for any inspection program 4286  
conducted by a political subdivision of this state. These 4287  
standards shall exempt licensed collector's vehicles and 4288  
historical motor vehicles from inspection. Any motor vehicle 4289  
bearing a valid certificate of inspection issued by another 4290  
state or a political subdivision of this state whose inspection 4291  
program conforms to the superintendent's standards, and any 4292  
licensed collector's vehicle or historical motor vehicle which 4293  
is not in a condition which endangers the safety of persons or 4294  
property, shall be exempt from the tests provided in division 4295  
(B) of this section. 4296

(D) Every person, firm, association, or corporation that, 4297

in the conduct of its business, owns and operates not less than 4298  
fifteen motor vehicles in this state that are not subject to 4299  
regulation by the public utilities commission and that, for the 4300  
purpose of storing, repairing, maintaining, and servicing such 4301  
motor vehicles, equips and operates one or more service 4302  
departments within this state, may file with the superintendent 4303  
of the state highway patrol applications for permits for such 4304  
service departments as official inspection stations for its own 4305  
motor vehicles. Upon receiving an application for each such 4306  
service department, and after determining that it is properly 4307  
equipped and has competent personnel to perform the inspections 4308  
referred to in this section, the superintendent shall issue the 4309  
necessary inspection stickers and permit to operate as an 4310  
official inspection station. Any such person who has had one or 4311  
more service departments so designated as official inspection 4312  
stations may have motor vehicles that are owned and operated by 4313  
the person and that are not subject to regulation by the public 4314  
utilities commission, excepting private passenger cars owned by 4315  
the person or the person's employees, inspected at such service 4316  
department; and any motor vehicle bearing a valid certificate of 4317  
inspection issued by such service department shall be exempt 4318  
from the tests provided in division (B) of this section. 4319

No permit for an official inspection station shall be 4320  
assigned or transferred or used at any location other than 4321  
therein designated, and every such permit shall be posted in a 4322  
conspicuous place at the location designated. 4323

If a person, firm, association, or corporation owns and 4324  
operates fifteen or more motor vehicles in the conduct of 4325  
business and is subject to regulation by the public utilities 4326  
commission, that person, firm, association, or corporation is 4327  
not eligible to apply to the superintendent for permits to 4328

enable any of its service departments to serve as official 4329  
inspection stations for its own motor vehicles. 4330

(E) When any motor vehicle is found to be unsafe for 4331  
operation, the inspecting officer may order it removed from the 4332  
highway and not operated, except for purposes of removal and 4333  
repair, until it has been repaired pursuant to a repair order as 4334  
provided in division (F) of this section. 4335

(F) When any motor vehicle is found to be defective or in 4336  
violation of Chapter 4513. of the Revised Code, the inspecting 4337  
officer may issue a repair order, in such form and containing 4338  
such information as the superintendent shall prescribe, to the 4339  
owner or operator of the motor vehicle. The owner or operator 4340  
shall thereupon obtain such repairs as are required and shall, 4341  
as directed by the inspecting officer, return the repair order 4342  
together with proof of compliance with its provisions. When any 4343  
motor vehicle or operator subject to rules of the public 4344  
utilities commission fails the inspection, the inspecting 4345  
officer shall issue an appropriate order to obtain compliance 4346  
with such rules. 4347

(G) Sections 4513.01 to 4513.37 of the Revised Code, with 4348  
respect to equipment on vehicles, do not apply to implements of 4349  
husbandry, road machinery, road rollers, or agricultural 4350  
tractors except as made applicable to such articles of 4351  
machinery. 4352

(H) A local law enforcement agency conducting an 4353  
inspection on an under-speed vehicle in accordance with section 4354  
4511.214 of the Revised Code or on a mini-truck, utility 4355  
vehicle, all-terrain vehicle, off-highway motorcycle, or 4356  
snowmobile in accordance with sections 4519.401 to 4519.41 of 4357  
the Revised Code may charge the owner of the motorcycle or 4358

vehicle a one-time fee of ten dollars for the completion of the 4359  
inspection. The agency that conducts the inspection shall retain 4360  
the fee to offset the costs to the agency of conducting the 4361  
inspection. 4362

(I) Whoever violates this section is guilty of a minor 4363  
misdemeanor. 4364

**Sec. 4513.221.** (A) The board of county commissioners of 4365  
any county, and the board of township trustees of any township 4366  
subject to section 505.17 of the Revised Code, may regulate 4367  
passenger car and motorcycle noise on streets and highways under 4368  
their jurisdiction. Such regulations shall include maximum 4369  
permissible noise limits measured in decibels, subject to the 4370  
requirements of this section. 4371

(B) Regulations establishing maximum permissible noise 4372  
limits measured in decibels shall prohibit the operation, within 4373  
the speed limits specified herein, of a passenger car or 4374  
motorcycle of a type subject to registration at any time or 4375  
under any condition of load, acceleration, or deceleration in 4376  
such manner as to exceed the following maximum noise limits, 4377  
based on a distance of not less than fifty feet from the center 4378  
of the line of travel: 4379

(1) For passenger cars: 4380

(a) When operated at a speed of thirty-five miles per hour 4381  
or less, a maximum noise limit of seventy decibels; 4382

(b) When operated at a speed of more than thirty-five 4383  
miles per hour, a maximum noise limit of seventy-nine decibels. 4384

(2) For motorcycles: 4385

(a) When operated at a speed of thirty-five miles per hour 4386

or less, a maximum noise limit of eighty-two decibels; 4387

(b) When operated at a speed of more than thirty-five 4388  
miles per hour, a maximum noise limit of eighty-six decibels. 4389

(C) Maximum noise limits established pursuant to division 4390  
(B) of this section shall be measured on the "A" scale of a 4391  
standard sound level meter meeting the applicable requirements 4392  
for a type 2 sound level meter as defined in American national 4393  
standards institute standard S1.4 - 1983, or the most recent 4394  
revision thereof. Measurement practices shall be in substantial 4395  
conformity with standards and recommended practice established 4396  
by the society of automotive engineers, including SAE standard J 4397  
986 A NOV81, SAE standard J 366 MAR85, SAE standard J 331 A, and 4398  
such other standards and practices as may be approved by the 4399  
federal government. 4400

(D) No regulation enacted under division (B) of this 4401  
section shall be effective until signs giving notice of the 4402  
regulation are posted upon or at the entrance to the highway or 4403  
part thereof affected, as may be most appropriate. 4404

(E) A board of county commissioners of any county may 4405  
regulate noise from passenger cars, motorcycles, or other 4406  
devices using internal combustion engines in the unincorporated 4407  
area of the county, and a board of township trustees may 4408  
regulate such noise in the unincorporated area of the township, 4409  
in any of the following ways: 4410

(1) By prohibiting operating or causing to be operated any 4411  
motor vehicle, agricultural tractor, motorcycle, ~~all-purpose~~ 4412  
all-terrain vehicle, or snowmobile not equipped with a factory- 4413  
installed muffler or equivalent muffler in good working order 4414  
and in constant operation; 4415

(2) By prohibiting the removing or rendering inoperative, 4416  
or causing to be removed or rendered inoperative, other than for 4417  
purposes of maintenance, repair, or replacement, of any muffler; 4418

(3) By prohibiting the discharge into the open air of 4419  
exhaust of any stationary or portable internal combustion engine 4420  
except through a factory-installed muffler or equivalent muffler 4421  
in good working order and in constant operation; 4422

(4) By prohibiting racing the motor of any vehicle 4423  
described in division (E) (1) of this section in such a manner 4424  
that the exhaust system emits a loud, cracking, or chattering 4425  
noise unusual to its normal operation. 4426

(F) Whoever violates any maximum noise limit established 4427  
as provided in division (B) of this section or any of the 4428  
prohibitions authorized in division (E) of this section is 4429  
guilty of a minor misdemeanor. Fines collected under this 4430  
section by the county shall be paid into the county general 4431  
fund, and such fines collected by the township shall be paid 4432  
into the township general fund. 4433

No regulation adopted under this section shall apply to 4434  
commercial racetrack operations. 4435

**Sec. 4513.263.** (A) As used in this section ~~and in section~~ 4436  
~~4513.99 of the Revised Code:~~ 4437

(1) "Automobile" means any commercial tractor, passenger 4438  
car, commercial car, or truck that is required to be factory- 4439  
equipped with an occupant restraining device for the operator or 4440  
any passenger by regulations adopted by the United States 4441  
secretary of transportation ~~pursuant to the "National Traffic-~~ 4442  
~~and Motor Vehicle Safety Act of 1966," 80 Stat. 719, 15 U.S.C.A.~~ 4443  
~~1392~~ and the national highway traffic safety administration. 4444



"Automobile" does not include a utility vehicle. 4445

(2) "Occupant restraining device" means a seat safety 4446  
belt, shoulder belt, harness, or other safety device for 4447  
restraining a person who is an operator of or passenger in an 4448  
automobile and that satisfies the minimum federal vehicle safety 4449  
standards established by the United States department of 4450  
transportation. 4451

(3) "Passenger" means any person in an automobile, other 4452  
than its operator, who is occupying a seating position for which 4453  
an occupant restraining device is provided. 4454

(4) "Commercial tractor," "passenger car," and "commercial 4455  
car" have the same meanings as in section 4501.01 of the Revised 4456  
Code. 4457

(5) "Vehicle" and "motor vehicle," as used in the 4458  
definitions of the terms set forth in division (A)(4) of this 4459  
section, have the same meanings as in section 4511.01 of the 4460  
Revised Code. 4461

(6) "Tort action" means a civil action for damages for 4462  
injury, death, or loss to person or property. "Tort action" 4463  
includes a product liability claim, as defined in section 4464  
2307.71 of the Revised Code, and an asbestos claim, as defined 4465  
in section 2307.91 of the Revised Code, but does not include a 4466  
civil action for damages for breach of contract or another 4467  
agreement between persons. 4468

(B) No person shall do any of the following: 4469

(1) Operate an automobile on any street or highway unless 4470  
that person is wearing all of the available elements of a 4471  
properly adjusted occupant restraining device, or operate a 4472  
school bus that has an occupant restraining device installed for 4473

use in its operator's seat unless that person is wearing all of 4474  
the available elements of the device, as properly adjusted; 4475

(2) Operate an automobile on any street or highway unless 4476  
each passenger in the automobile who is subject to the 4477  
requirement set forth in division (B)(3) of this section is 4478  
wearing all of the available elements of a properly adjusted 4479  
occupant restraining device; 4480

(3) Occupy, as a passenger, a seating position on the 4481  
front seat of an automobile being operated on any street or 4482  
highway unless that person is wearing all of the available 4483  
elements of a properly adjusted occupant restraining device; 4484

(4) Operate a taxicab on any street or highway unless all 4485  
factory-equipped occupant restraining devices in the taxicab are 4486  
maintained in usable form. 4487

(C) (1) Division (B)(3) of this section does not apply to a 4488  
person who is required by section 4511.81 of the Revised Code to 4489  
be secured in a child restraint device or booster seat. 4490

(2) Division (B)(1) of this section does not apply to a 4491  
person who is an employee of the United States postal service or 4492  
of a newspaper home delivery service, during any period in which 4493  
the person is engaged in the operation of an automobile to 4494  
deliver mail or newspapers to addressees. 4495

(3) Divisions (B)(1) and (3) of this section do not apply 4496  
to a person who has an affidavit signed by a physician licensed 4497  
to practice in this state under Chapter 4731. of the Revised 4498  
Code or a chiropractor licensed to practice in this state under 4499  
Chapter 4734. of the Revised Code that states the following: 4500

(a) That the person has a physical impairment that makes 4501  
use of an occupant restraining device impossible or impractical; 4502

(b) Whether the physical impairment is temporary, 4503  
permanent, or reasonably expected to be permanent; 4504

(c) If the physical impairment is temporary, how long the 4505  
physical impairment is expected to make the use of an occupant 4506  
restraining device impossible or impractical. 4507

(4) Divisions (B) (1) and (3) of this section do not apply 4508  
to a person who has registered with the registrar of motor 4509  
vehicles in accordance with division (C) (5) of this section. 4510

(5) A person who has received an affidavit under division 4511  
(C) (3) of this section stating that the person has a permanent 4512  
or reasonably expected to be permanent physical impairment that 4513  
makes use of an occupant restraining device impossible or 4514  
impracticable may register with the registrar attesting to that 4515  
fact. Upon such registration, the registrar shall make that 4516  
information available in the law enforcement automated data 4517  
system. A person included in the database under division (C) (5) 4518  
of this section is not required to have the affidavit obtained 4519  
in accordance with division (C) (3) of this section in their 4520  
possession while operating or occupying an automobile. 4521

(6) A physician or chiropractor who issues an affidavit 4522  
for the purposes of division (C) (3) or (4) of this section is 4523  
immune from civil liability arising from any injury or death 4524  
sustained by the person who was issued the affidavit due to the 4525  
failure of the person to wear an occupant restraining device 4526  
unless the physician or chiropractor, in issuing the affidavit, 4527  
acted in a manner that constituted willful, wanton, or reckless 4528  
misconduct. 4529

(7) The registrar shall adopt rules in accordance with 4530  
Chapter 119. of the Revised Code establishing a process for a 4531

person to be included in the database under division (C) (5) of 4532  
this section. The information provided and included in the 4533  
database under division (C) (5) of this section is not a public 4534  
record subject to inspection or copying under section 149.43 of 4535  
the Revised Code. 4536

(D) Notwithstanding any provision of law to the contrary, 4537  
no law enforcement officer shall cause an operator of an 4538  
automobile being operated on any street or highway to stop the 4539  
automobile for the sole purpose of determining whether a 4540  
violation of division (B) of this section has been or is being 4541  
committed or for the sole purpose of issuing a ticket, citation, 4542  
or summons for a violation of that nature or causing the arrest 4543  
of or commencing a prosecution of a person for a violation of 4544  
that nature, and no law enforcement officer shall view the 4545  
interior or visually inspect any automobile being operated on 4546  
any street or highway for the sole purpose of determining 4547  
whether a violation of that nature has been or is being 4548  
committed. 4549

~~(E) (E) (1)~~ All fines collected for violations of division 4550  
(B) of this section, or for violations of any ordinance or 4551  
resolution of a political subdivision that is substantively 4552  
comparable to that division, shall be forwarded to the treasurer 4553  
of state for deposit into the state treasury to the credit of 4554  
the trauma and emergency medical services fund, which is hereby 4555  
created. ~~In addition, the~~ 4556

(2) The trauma and emergency medical services fund shall 4557  
also consist of all of the following which shall be deposited 4558  
into the fund: 4559

(a) The portion of the driver's license reinstatement fee 4560  
described in division (F) (2) (g) of section 4511.191 of the 4561

Revised Code, <del> plus all</del> ;	4562
<u>(b) All fines imposed under section 4519.23 of the Revised</u>	4563
<u>Code;</u>	4564
<u>(c) All fees collected under section 4765.11 of the</u>	4565
Revised Code, <del> plus all</del> ;	4566
<u>(d) All fines imposed under section 4765.55 of the Revised</u>	4567
Code, <del> plus the</del> ;	4568
<u>(e) All fees and other moneys specified in section 4766.05</u>	4569
of the Revised Code, <del> and plus five</del> ;	4570
<u>(f) Five per cent of fines and moneys arising from bail</u>	4571
forfeitures as directed by section 5503.04 of the Revised Code, <del></del>	4572
<del> also shall be deposited into the trauma and emergency medical</del>	4573
<del> services fund. All</del>	4574
<u>(3) All money deposited into the trauma and emergency</u>	4575
medical services fund shall be used by the department of public	4576
safety for the administration and operation of the division of	4577
emergency medical services and the state board of emergency	4578
medical, fire, and transportation services, and by the state	4579
board of emergency medical, fire, and transportation services to	4580
make grants, in accordance with section 4765.07 of the Revised	4581
Code and rules the board adopts under section 4765.11 of the	4582
Revised Code. <del>The</del>	4583
<u>(4) The director of budget and management may transfer</u>	4584
excess money from the trauma and emergency medical services fund	4585
to the public safety - highway purposes fund established in	4586
section 4501.06 of the Revised Code if the director of public	4587
safety determines that the amount of money in the trauma and	4588
emergency medical services fund exceeds the amount required to	4589
cover such costs incurred by the emergency medical services	4590

agency and the grants made by the state board of emergency 4591  
medical, fire, and transportation services and requests the 4592  
director of budget and management to make the transfer. 4593

(F) (1) Subject to division (F) (2) of this section, the 4594  
failure of a person to wear all of the available elements of a 4595  
properly adjusted occupant restraining device in violation of 4596  
division (B) (1) or (3) of this section or the failure of a 4597  
person to ensure that each minor who is a passenger of an 4598  
automobile being operated by that person is wearing all of the 4599  
available elements of a properly adjusted occupant restraining 4600  
device in violation of division (B) (2) of this section shall not 4601  
be considered or used by the trier of fact in a tort action as 4602  
evidence of negligence or contributory negligence. But, the 4603  
trier of fact may determine based on evidence admitted 4604  
consistent with the Ohio Rules of Evidence that the failure 4605  
contributed to the harm alleged in the tort action and may 4606  
diminish a recovery of compensatory damages that represents 4607  
noneconomic loss, as defined in section 2307.011 of the Revised 4608  
Code, in a tort action that could have been recovered but for 4609  
the plaintiff's failure to wear all of the available elements of 4610  
a properly adjusted occupant restraining device. Evidence of 4611  
that failure shall not be used as a basis for a criminal 4612  
prosecution of the person other than a prosecution for a 4613  
violation of this section; and shall not be admissible as 4614  
evidence in a criminal action involving the person other than a 4615  
prosecution for a violation of this section. 4616

(2) If, at the time of an accident involving a passenger 4617  
car equipped with occupant restraining devices, any occupant of 4618  
the passenger car who sustained injury or death was not wearing 4619  
an available occupant restraining device, was not wearing all of 4620  
the available elements of such a device, or was not wearing such 4621

a device as properly adjusted, then, consistent with the Rules of Evidence, the fact that the occupant was not wearing the available occupant restraining device, was not wearing all of the available elements of such a device, or was not wearing such a device as properly adjusted is admissible in evidence in relation to any claim for relief in a tort action to the extent that the claim for relief satisfies all of the following:

(a) It seeks to recover damages for injury or death to the occupant.

(b) The defendant in question is the manufacturer, designer, distributor, or seller of the passenger car.

(c) The claim for relief against the defendant in question is that the injury or death sustained by the occupant was enhanced or aggravated by some design defect in the passenger car or that the passenger car was not crashworthy.

(G) (1) Whoever violates division (B) (1) of this section shall be fined thirty dollars.

(2) Whoever violates division (B) (3) of this section shall be fined twenty dollars.

(3) Except as otherwise provided in this division, whoever violates division (B) (4) of this section is guilty of a minor misdemeanor. If the offender previously has been convicted of or pleaded guilty to a violation of division (B) (4) of this section, whoever violates division (B) (4) of this section is guilty of a misdemeanor of the third degree.

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

(A) "Persons" includes individuals, firms, partnerships,

associations, joint stock companies, corporations, and any 4650  
combinations of individuals. 4651

(B) "Motor vehicle" means motor vehicle as defined in 4652  
section 4501.01 of the Revised Code and also includes "~~all-~~ 4653  
~~purpose-all-terrain~~ vehicle" and "off-highway motorcycle" as 4654  
those terms are defined in section 4519.01 of the Revised Code. 4655  
"Motor vehicle" does not include a snowmobile as defined in 4656  
section 4519.01 of the Revised Code or manufactured and mobile 4657  
homes. 4658

(C) "New motor vehicle" means a motor vehicle, the legal 4659  
title to which has never been transferred by a manufacturer, 4660  
remanufacturer, distributor, or dealer to an ultimate purchaser. 4661

(D) "Ultimate purchaser" means, with respect to any new 4662  
motor vehicle, the first person, other than a dealer purchasing 4663  
in the capacity of a dealer, who in good faith purchases such 4664  
new motor vehicle for purposes other than resale. 4665

(E) "Business" includes any activities engaged in by any 4666  
person for the object of gain, benefit, or advantage either 4667  
direct or indirect. 4668

(F) "Engaging in business" means commencing, conducting, 4669  
or continuing in business, or liquidating a business when the 4670  
liquidator thereof holds self out to be conducting such 4671  
business; making a casual sale or otherwise making transfers in 4672  
the ordinary course of business when the transfers are made in 4673  
connection with the disposition of all or substantially all of 4674  
the transferor's assets is not engaging in business. 4675

(G) "Retail sale" or "sale at retail" means the act or 4676  
attempted act of selling, bartering, exchanging, or otherwise 4677  
disposing of a motor vehicle to an ultimate purchaser for use as 4678



a consumer. 4679

(H) "Retail installment contract" includes any contract in 4680  
the form of a note, chattel mortgage, conditional sales 4681  
contract, lease, agreement, or other instrument payable in one 4682  
or more installments over a period of time and arising out of 4683  
the retail sale of a motor vehicle. 4684

(I) "Farm machinery" means all machines and tools used in 4685  
the production, harvesting, and care of farm products. 4686

(J) "Dealer" or "motor vehicle dealer" means any new motor 4687  
vehicle dealer, any motor vehicle leasing dealer, and any used 4688  
motor vehicle dealer. 4689

(K) "New motor vehicle dealer" means any person engaged in 4690  
the business of selling at retail, displaying, offering for 4691  
sale, or dealing in new motor vehicles pursuant to a contract or 4692  
agreement entered into with the manufacturer, remanufacturer, or 4693  
distributor of the motor vehicles. 4694

(L) "Used motor vehicle dealer" means any person engaged 4695  
in the business of selling, displaying, offering for sale, or 4696  
dealing in used motor vehicles, at retail or wholesale, but does 4697  
not mean any new motor vehicle dealer selling, displaying, 4698  
offering for sale, or dealing in used motor vehicles 4699  
incidentally to engaging in the business of selling, displaying, 4700  
offering for sale, or dealing in new motor vehicles, any person 4701  
engaged in the business of dismantling, salvaging, or rebuilding 4702  
motor vehicles by means of using used parts, or any public 4703  
officer performing official duties. 4704

(M) "Motor vehicle leasing dealer" means any person 4705  
engaged in the business of regularly making available, offering 4706  
to make available, or arranging for another person to use a 4707

motor vehicle pursuant to a bailment, lease, sublease, or other 4708  
contractual arrangement under which a charge is made for its use 4709  
at a periodic rate for a term of thirty days or more, and title 4710  
to the motor vehicle is in and remains in the motor vehicle 4711  
leasing dealer who originally leases it, irrespective of whether 4712  
or not the motor vehicle is the subject of a later sublease, and 4713  
not in the user, but does not mean a manufacturer or its 4714  
affiliate leasing to its employees or to dealers. 4715

(N) "Salesperson" means any person employed by a dealer to 4716  
sell, display, and offer for sale, or deal in motor vehicles for 4717  
a commission, compensation, or other valuable consideration, but 4718  
does not mean any public officer performing official duties. 4719

(O) "Casual sale" means any transfer of a motor vehicle by 4720  
a person other than a new motor vehicle dealer, used motor 4721  
vehicle dealer, motor vehicle salvage dealer, as defined in 4722  
division (A) of section 4738.01 of the Revised Code, 4723  
salesperson, motor vehicle auction owner, manufacturer, or 4724  
distributor acting in the capacity of a dealer, salesperson, 4725  
auction owner, manufacturer, or distributor, to a person who 4726  
purchases the motor vehicle for use as a consumer. 4727

(P) "Motor vehicle auction owner" means any person who is 4728  
engaged wholly or in part in the business of auctioning motor 4729  
vehicles, but does not mean a construction equipment auctioneer 4730  
or a construction equipment auction licensee. 4731

(Q) "Manufacturer" means a person who manufactures, 4732  
assembles, or imports motor vehicles, including motor homes, but 4733  
does not mean a person who only assembles or installs a body, 4734  
special equipment unit, finishing trim, or accessories on a 4735  
motor vehicle chassis supplied by a manufacturer or distributor. 4736

(R) "Tent-type fold-out camping trailer" means any vehicle 4737  
intended to be used, when stationary, as a temporary shelter 4738  
with living and sleeping facilities, and that is subject to the 4739  
following properties and limitations: 4740

(1) A minimum of twenty-five per cent of the fold-out 4741  
portion of the top and sidewalls combined must be constructed of 4742  
canvas, vinyl, or other fabric, and form an integral part of the 4743  
shelter. 4744

(2) When folded, the unit must not exceed: 4745

(a) Fifteen feet in length, exclusive of bumper and 4746  
tongue; 4747

(b) Sixty inches in height from the point of contact with 4748  
the ground; 4749

(c) Eight feet in width; 4750

(d) One ton gross weight at time of sale. 4751

(S) "Distributor" means any person authorized by a motor 4752  
vehicle manufacturer to distribute new motor vehicles to 4753  
licensed new motor vehicle dealers, but does not mean a person 4754  
who only assembles or installs a body, special equipment unit, 4755  
finishing trim, or accessories on a motor vehicle chassis 4756  
supplied by a manufacturer or distributor. 4757

(T) "Flea market" means a market place, other than a 4758  
dealer's location licensed under this chapter, where a space or 4759  
location is provided for a fee or compensation to a seller to 4760  
exhibit and offer for sale or trade, motor vehicles to the 4761  
general public. 4762

(U) "Franchise" means any written agreement, contract, or 4763  
understanding between any motor vehicle manufacturer or 4764

remanufacturer engaged in commerce and any motor vehicle dealer 4765  
that purports to fix the legal rights and liabilities of the 4766  
parties to such agreement, contract, or understanding. 4767

(V) "Franchisee" means a person who receives new motor 4768  
vehicles from the franchisor under a franchise agreement and who 4769  
offers, sells, and provides service for such new motor vehicles 4770  
to the general public. 4771

(W) "Franchisor" means a new motor vehicle manufacturer, 4772  
remanufacturer, or distributor who supplies new motor vehicles 4773  
under a franchise agreement to a franchisee. 4774

(X) "Dealer organization" means a state or local trade 4775  
association the membership of which is comprised predominantly 4776  
of new motor vehicle dealers. 4777

(Y) "Factory representative" means a representative 4778  
employed by a manufacturer, remanufacturer, or by a factory 4779  
branch primarily for the purpose of promoting the sale of its 4780  
motor vehicles, parts, or accessories to dealers or for 4781  
supervising or contacting its dealers or prospective dealers. 4782

(Z) "Administrative or executive management" means those 4783  
individuals who are not subject to federal wage and hour laws. 4784

(AA) "Good faith" means honesty in the conduct or 4785  
transaction concerned and the observance of reasonable 4786  
commercial standards of fair dealing in the trade as is defined 4787  
in section 1301.201 of the Revised Code, including, but not 4788  
limited to, the duty to act in a fair and equitable manner so as 4789  
to guarantee freedom from coercion, intimidation, or threats of 4790  
coercion or intimidation; provided however, that recommendation, 4791  
endorsement, exposition, persuasion, urging, or argument shall 4792  
not be considered to constitute a lack of good faith. 4793

(BB) "Coerce" means to compel or attempt to compel by 4794  
failing to act in good faith or by threat of economic harm, 4795  
breach of contract, or other adverse consequences. Coerce does 4796  
not mean to argue, urge, recommend, or persuade. 4797

(CC) "Relevant market area" means any area within a radius 4798  
of ten miles from the site of a potential new dealership, except 4799  
that for manufactured home or recreational vehicle dealerships 4800  
the radius shall be twenty-five miles. The ten-mile radius shall 4801  
be measured from the dealer's established place of business that 4802  
is used exclusively for the purpose of selling, displaying, 4803  
offering for sale, or dealing in motor vehicles. 4804

(DD) "Wholesale" or "at wholesale" means the act or 4805  
attempted act of selling, bartering, exchanging, or otherwise 4806  
disposing of a motor vehicle to a transferee for the purpose of 4807  
resale and not for ultimate consumption by that transferee. 4808

(EE) "Motor vehicle wholesaler" means any person licensed 4809  
as a dealer under the laws of another state and engaged in the 4810  
business of selling, displaying, or offering for sale used motor 4811  
vehicles, at wholesale, but does not mean any motor vehicle 4812  
dealer as defined in this section. 4813

(FF) (1) "Remanufacturer" means a person who assembles or 4814  
installs passenger seating, walls, a roof elevation, or a body 4815  
extension on a conversion van with the motor vehicle chassis 4816  
supplied by a manufacturer or distributor, a person who modifies 4817  
a truck chassis supplied by a manufacturer or distributor for 4818  
use as a public safety or public service vehicle, a person who 4819  
modifies a motor vehicle chassis supplied by a manufacturer or 4820  
distributor for use as a limousine or hearse, or a person who 4821  
modifies an incomplete motor vehicle cab and chassis supplied by 4822  
a new motor vehicle dealer or distributor for use as a tow 4823

truck, but does not mean either of the following: 4824

(a) A person who assembles or installs passenger seating, 4825  
a roof elevation, or a body extension on a recreational vehicle 4826  
as defined in division (Q) and referred to in division (B) of 4827  
section 4501.01 of the Revised Code; 4828

(b) A person who assembles or installs equipment or 4829  
accessories for ~~persons~~ a person with disabilities a disability 4830  
that limits or impairs the ability to walk, as defined in 4831  
section 4503.44 of the Revised Code, upon a motor vehicle 4832  
chassis supplied by a manufacturer or distributor. 4833

(2) For the purposes of division (FF)(1) of this section, 4834  
"public safety vehicle or public service vehicle" means a fire 4835  
truck, ambulance, school bus, street sweeper, garbage packing 4836  
truck, or cement mixer, or a mobile self-contained facility 4837  
vehicle. 4838

(3) For the purposes of division (FF)(1) of this section, 4839  
"limousine" means a motor vehicle, designed only for the purpose 4840  
of carrying nine or fewer passengers, that a person modifies by 4841  
cutting the original chassis, lengthening the wheelbase by forty 4842  
inches or more, and reinforcing the chassis in such a way that 4843  
all modifications comply with all applicable federal motor 4844  
vehicle safety standards. No person shall qualify as or be 4845  
deemed to be a remanufacturer who produces limousines unless the 4846  
person has a written agreement with the manufacturer of the 4847  
chassis the person utilizes to produce the limousines to 4848  
complete properly the remanufacture of the chassis into 4849  
limousines. 4850

(4) For the purposes of division (FF)(1) of this section, 4851  
"hearse" means a motor vehicle, designed only for the purpose of 4852

transporting a single casket, that is equipped with a 4853  
compartment designed specifically to carry a single casket that 4854  
a person modifies by cutting the original chassis, lengthening 4855  
the wheelbase by ten inches or more, and reinforcing the chassis 4856  
in such a way that all modifications comply with all applicable 4857  
federal motor vehicle safety standards. No person shall qualify 4858  
as or be deemed to be a remanufacturer who produces hearses 4859  
unless the person has a written agreement with the manufacturer 4860  
of the chassis the person utilizes to produce the hearses to 4861  
complete properly the remanufacture of the chassis into hearses. 4862

(5) For the purposes of division (FF)(1) of this section, 4863  
"mobile self-contained facility vehicle" means a mobile 4864  
classroom vehicle, mobile laboratory vehicle, bookmobile, 4865  
bloodmobile, testing laboratory, and mobile display vehicle, 4866  
each of which is designed for purposes other than for passenger 4867  
transportation and other than the transportation or displacement 4868  
of cargo, freight, materials, or merchandise. A vehicle is 4869  
remanufactured into a mobile self-contained facility vehicle in 4870  
part by the addition of insulation to the body shell, and 4871  
installation of all of the following: a generator, electrical 4872  
wiring, plumbing, holding tanks, doors, windows, cabinets, 4873  
shelving, and heating, ventilating, and air conditioning 4874  
systems. 4875

(6) For the purposes of division (FF)(1) of this section, 4876  
"tow truck" means both of the following: 4877

(a) An incomplete cab and chassis that are purchased by a 4878  
remanufacturer from a new motor vehicle dealer or distributor of 4879  
the cab and chassis and on which the remanufacturer then 4880  
installs in a permanent manner a wrecker body it purchases from 4881  
a manufacturer or distributor of wrecker bodies, installs an 4882

emergency flashing light pylon and emergency lights upon the 4883  
mast of the wrecker body or rooftop, and installs such other 4884  
related accessories and equipment, including push bumpers, front 4885  
grille guards with pads and other custom-ordered items such as 4886  
painting, special lettering, and safety striping so as to create 4887  
a complete motor vehicle capable of lifting and towing another 4888  
motor vehicle. 4889

(b) An incomplete cab and chassis that are purchased by a 4890  
remanufacturer from a new motor vehicle dealer or distributor of 4891  
the cab and chassis and on which the remanufacturer then 4892  
installs in a permanent manner a car carrier body it purchases 4893  
from a manufacturer or distributor of car carrier bodies, 4894  
installs an emergency flashing light pylon and emergency lights 4895  
upon the rooftop, and installs such other related accessories 4896  
and equipment, including push bumpers, front grille guards with 4897  
pads and other custom-ordered items such as painting, special 4898  
lettering, and safety striping. 4899

As used in division (FF) (6) (b) of this section, "car 4900  
carrier body" means a mechanical or hydraulic apparatus capable 4901  
of lifting and holding a motor vehicle on a flat level surface 4902  
so that one or more motor vehicles can be transported, once the 4903  
car carrier is permanently installed upon an incomplete cab and 4904  
chassis. 4905

(GG) "Operating as a new motor vehicle dealership" means 4906  
engaging in activities such as displaying, offering for sale, 4907  
and selling new motor vehicles at retail, operating a service 4908  
facility to perform repairs and maintenance on motor vehicles, 4909  
offering for sale and selling motor vehicle parts at retail, and 4910  
conducting all other acts that are usual and customary to the 4911  
operation of a new motor vehicle dealership. For the purposes of 4912



this chapter only, possession of either a valid new motor 4913  
vehicle dealer franchise agreement or a new motor vehicle 4914  
dealers license, or both of these items, is not evidence that a 4915  
person is operating as a new motor vehicle dealership. 4916

(HH) "Outdoor power equipment" means garden and small 4917  
utility tractors, walk-behind and riding mowers, chainsaws, and 4918  
tillers. 4919

(II) "Remote service facility" means premises that are 4920  
separate from a licensed new motor vehicle dealer's sales 4921  
facility by not more than one mile and that are used by the 4922  
dealer to perform repairs, warranty work, recall work, and 4923  
maintenance on motor vehicles pursuant to a franchise agreement 4924  
entered into with a manufacturer of motor vehicles. A remote 4925  
service facility shall be deemed to be part of the franchise 4926  
agreement and is subject to all the rights, duties, obligations, 4927  
and requirements of Chapter 4517. of the Revised Code that 4928  
relate to the performance of motor vehicle repairs, warranty 4929  
work, recall work, and maintenance work by new motor vehicle 4930  
dealers. 4931

(JJ) "Recreational vehicle" has the same meaning as in 4932  
section 4501.01 of the Revised Code. 4933

(KK) "Construction equipment auctioneer" means a person 4934  
who holds both a valid auction firm license issued under Chapter 4935  
4707. of the Revised Code and a valid construction equipment 4936  
auction license issued under this chapter. 4937

(LL) "Large construction or transportation equipment" 4938  
means vehicles having a gross vehicle weight rating of more than 4939  
ten thousand pounds and includes road rollers, traction engines, 4940  
power shovels, power cranes, commercial cars and trucks, or farm 4941

trucks, and other similar vehicles obtained primarily from the 4942  
construction, mining, transportation or farming industries. 4943

(MM) "Local market conditions" includes, but is not 4944  
limited to: 4945

(1) Demographics in the franchisee's area; 4946

(2) Geographical and market characteristics in the 4947  
franchisee's area; 4948

(3) Local economic circumstances; 4949

(4) The proximity of other motor vehicle dealers of the 4950  
same line-make; 4951

(5) The proximity of motor vehicle manufacturing 4952  
facilities; 4953

(6) The buying patterns of motor vehicle purchasers; 4954

(7) Customer drive time and drive distance. 4955

**Sec. 4519.01.** As used in this chapter: 4956

(A) "Snowmobile" means any self-propelled vehicle designed 4957  
primarily for use on snow or ice, and steered by skis, runners, 4958  
or caterpillar treads. 4959

(B) "~~All purpose All-terrain~~ vehicle" means any a self- 4960  
propelled vehicle with three or four wheels, designed primarily 4961  
for ~~cross country travel on land and water, or on more than one~~ 4962  
~~type of terrain, and steered by wheels or caterpillar treads, or~~ 4963  
~~any combination thereof, including vehicles that operate on a~~ 4964  
~~cushion of air, vehicles commonly known as all terrain vehicles,~~ 4965  
~~all season vehicles, mini bikes, and trail bikes. "All purpose~~ 4966  
~~vehicle" does not include a utility vehicle as defined in~~ 4967  
~~section 4501.01 of the Revised Code or any vehicle principally~~ 4968

~~used in playing golf, any motor vehicle or aircraft required to~~ 4969  
~~be registered under Chapter 4503. or 4561. of the Revised Code,~~ 4970  
~~and any vehicle excepted from definition as a motor vehicle by~~ 4971  
~~division (B) of section 4501.01 of the Revised Code~~off-road use, 4972  
that has a seat designed to be straddled by the operator and 4973  
handlebars for steering control. 4974

(C) "Owner" means any person or firm, other than a 4975  
lienholder or dealer, having title to a snowmobile, off-highway 4976  
motorcycle, mini-truck, utility vehicle, or ~~all purpose all-~~ 4977  
terrain vehicle, or other right to the possession thereof. 4978

(D) "Operator" means any person who operates or is in 4979  
actual physical control of a snowmobile, off-highway motorcycle, 4980  
mini-truck, utility vehicle, or ~~all purpose all-terrain~~ vehicle. 4981

(E) "Dealer" means any person or firm engaged in the 4982  
business of manufacturing or selling snowmobiles, off-highway 4983  
motorcycles, or ~~all purpose all-terrain~~ vehicles at wholesale or 4984  
retail, or who rents, leases, or otherwise furnishes 4985  
snowmobiles, off-highway motorcycles, or ~~all purpose all-terrain~~ 4986  
vehicles for hire. 4987

(F) "Street or highway" has the same meaning as in section 4988  
4511.01 of the Revised Code. 4989

(G) "Limited access highway" and "freeway" have the same 4990  
meanings as in section 5511.02 of the Revised Code. 4991

(H) "Interstate highway" means any part of the interstate 4992  
system of highways as defined in subsection (e), 90 Stat. 431 4993  
(1976), 23 U.S.C.A. 103, as amended. 4994

(I) "Off-highway motorcycle" means every motorcycle, as 4995  
defined in section 4511.01 of the Revised Code, that is designed 4996  
to be operated primarily on lands other than a street or 4997

highway.	4998
(J) "Electronic" and "electronic record" have the same meanings as in section 4501.01 of the Revised Code.	4999 5000
(K) "Electronic dealer" means a dealer whom the registrar of motor vehicles designates under section 4519.511 of the Revised Code.	5001 5002 5003
(L) "Mini-truck" means a vehicle that has four wheels, is propelled by an electric motor with a rated power of seven thousand five hundred watts or less or an internal combustion engine with a piston displacement capacity of six hundred sixty cubic centimeters or less, has a total dry weight of nine hundred to two thousand two hundred pounds, contains an enclosed cabin and a seat for the vehicle operator, resembles a pickup truck or van with a cargo area or bed located at the rear of the vehicle, and was not originally manufactured to meet federal motor vehicle safety standards.	5004 5005 5006 5007 5008 5009 5010 5011 5012 5013
(M) "State highway" and "state route" have the same meanings as in section 4511.01 of the Revised Code.	5014 5015
(N) "Proof of financial responsibility" has the same meaning as in section 4509.01 of the Revised Code.	5016 5017
<u>(O) "Utility vehicle" has the same meaning as in section 4501.01 of the Revised Code.</u>	5018 5019
<u>(P) "Local authority" means either of the following:</u>	5020
<u>(1) The legislative authority of a municipal corporation acting on behalf of that municipal corporation;</u>	5021 5022
<u>(2) The board of county commissioners acting on behalf of that county or on behalf of a township within that county.</u>	5023 5024

(Q) "Predicate motor vehicle or traffic offense" has the 5025  
same meaning as in section 4511.01 of the Revised Code. 5026

**Sec. 4519.02.** ~~(A)(1)~~ (A) Except as provided in divisions 5027  
(B), (C), ~~and (D)~~, and (E) of this section, no person shall 5028  
operate any snowmobile, off-highway motorcycle, mini-truck, 5029  
utility vehicle, or ~~all-purpose all-terrain~~ vehicle within this 5030  
state unless the ~~snowmobile, off-highway motorcycle,~~ or ~~all-~~ 5031  
~~purpose~~ vehicle is registered and numbered in accordance with 5032  
sections 4519.03 and 4519.04 of the Revised Code. 5033

~~(2) Except as provided in section 4511.215 of the Revised~~ 5034  
~~Code, no registration is required for a mini-truck that is~~ 5035  
~~operated within this state. A mini-truck may be operated only in~~ 5036  
~~accordance with that section and section 4519.401 of the Revised~~ 5037  
~~Code.~~ 5038

~~(B)(1)~~ (B) No registration is required for a snowmobile ~~or~~ 5039  
, off-highway motorcycle, mini-truck, utility vehicle, or all- 5040  
terrain vehicle that is operated exclusively upon lands owned by 5041  
the ~~its~~ owner ~~of the snowmobile or off-highway motorcycle,~~ or on 5042  
lands to which the ~~its~~ owner ~~of the snowmobile or off-highway~~ 5043  
~~motorcycle~~ has a contractual right. 5044

~~(2) No registration is required for an all-purpose vehicle~~ 5045  
~~that is used primarily for agricultural purposes when the owner~~ 5046  
~~qualifies for the current agricultural use valuation tax credit,~~ 5047  
~~unless it is to be used on any public land, trail, or right-of-~~ 5048  
~~way.~~ 5049

~~(3) Any all purpose vehicle exempted from registration~~ 5050  
~~under division (B)(2) of this section and operated for~~ 5051  
~~agricultural purposes may use public roads and rights-of-way~~ 5052  
~~when traveling from one farm field to another, when such use~~ 5053

~~does not violate section 4519.41 of the Revised Code.~~ 5054

~~(4) No registration is required for a snowmobile or all-  
purpose vehicle that is operated on a state highway as  
authorized by division (F) of section 4519.41 of the Revised  
Code.~~ 5055  
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(C) No registration is required for a snowmobile, off-  
highway motorcycle, mini-truck, utility vehicle, or ~~all-purpose-~~  
all-terrain vehicle owned and used in this state by a resident  
of another state ~~whenever~~ if that state has in effect a  
registration law similar to this chapter and the ~~snowmobile,~~  
~~off-highway motorcycle,~~ or ~~all-purpose~~ vehicle is properly  
registered under that state's law. Any snowmobile, off-highway  
motorcycle, mini-truck, utility vehicle, or ~~all-purpose~~ all-  
terrain vehicle owned and used in this state by a resident of a  
state not having a registration law similar to this chapter  
shall comply with section 4519.09 of the Revised Code. 5059  
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(D) No registration is required for a snowmobile, off-  
highway motorcycle, mini-truck, utility vehicle, or ~~all-purpose-~~  
all-terrain vehicle owned and used in this state by the United  
States, another state, or a political subdivision thereof, but  
the ~~snowmobile, off-highway motorcycle,~~ or ~~all-purpose~~ vehicle  
shall display the name of the owner thereon. If such a vehicle  
or motorcycle is registered, the registration shall be free of  
charge in accordance with section 4519.08 of the Revised Code. 5070  
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(E) No registration is required for a snowmobile that is  
operated on a state highway as authorized by division (A) (6) of  
section 4519.41 of the Revised Code, provided all other uses of  
the snowmobile would not require registration. 5078  
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(F) The owner or operator of any all-purpose-all-terrain 5082

vehicle operated or used upon the waters in this state shall 5083  
comply with Chapters 1547. and 1548. of the Revised Code 5084  
relative to the operation of watercraft. 5085

~~(F)~~ (G) Except as otherwise provided in this division, 5086  
whoever violates division (A) of this section shall be fined not 5087  
less than fifty dollars but not more than one hundred dollars. 5088

**Sec. 4519.03.** (A) The owner of every snowmobile, off- 5089  
highway motorcycle, mini-truck, utility vehicle, and all-purpose- 5090  
all-terrain vehicle required to be registered under section 5091  
4519.02 of the Revised Code shall file an application for 5092  
registration with the registrar of motor vehicles or a deputy 5093  
registrar, on blanks furnished by the registrar for that purpose 5094  
and containing all of the following information: 5095

(1) A brief description of the snowmobile, off-highway 5096  
motorcycle, mini-truck, utility vehicle, or all-purpose-all- 5097  
terrain vehicle, including the year, make, model, and the 5098  
vehicle identification number; 5099

(2) The name, residence, and business address of the 5100  
owner; 5101

(3) A statement that the snowmobile, off-highway 5102  
motorcycle, mini-truck, utility vehicle, or all-purpose-all- 5103  
terrain vehicle is equipped as required by section 4519.20 of 5104  
the Revised Code and any rule adopted under that section. The 5105  
statement shall include a check list of the required equipment 5106  
items in the form the registrar shall prescribe; 5107

(4) If the vehicle is an all-terrain vehicle, a mini- 5108  
truck, or a utility vehicle, whether that vehicle is used 5109  
primarily for agricultural purposes and whether the owner 5110  
qualifies for the current agricultural use valuation tax credit. 5111

The owner shall present documentary evidence as required by the 5112  
registrar to prove that the owner qualifies for the tax credit. 5113

The application shall be signed by the owner of the 5114  
snowmobile, off-highway motorcycle, mini-truck, utility vehicle, 5115  
or ~~all-purpose~~ all-terrain vehicle and shall be accompanied by a 5116  
~~fee~~ any applicable taxes and fees as provided in division (C) of 5117  
section 4519.04 of the Revised Code. 5118

If the application is not in proper form, or if the 5119  
vehicle for which registration is sought does not appear to be 5120  
equipped as required by section 4519.20 of the Revised Code or 5121  
any rule adopted under that section, the registration shall be 5122  
refused, and no registration sticker, license plate, or 5123  
validation sticker shall be issued. 5124

~~(B) No certificate of registration or renewal of a~~ 5125  
~~certificate of registration shall be issued for an off-highway~~ 5126  
~~motorcycle or all-purpose~~ When an applicant first registers a 5127  
snowmobile, off-highway motorcycle, mini-truck, utility vehicle, 5128  
or all-terrain vehicle that is required to be registered under 5129  
section 4519.02 of the Revised Code in the applicant's name, ~~and~~ 5130  
~~no certificate of registration issued under this chapter for an~~ 5131  
~~off-highway motorcycle or all-purpose vehicle that is sold or~~ 5132  
~~otherwise transferred shall be transferred to the new owner of~~ 5133  
~~the off-highway motorcycle or all-purpose vehicle as permitted~~ 5134  
~~by division (B) of section 4519.05 of the Revised Code, unless a~~ 5135  
~~certificate of title has been issued under this chapter for the~~ 5136  
~~motorcycle or vehicle, and the owner or new owner, as the case~~ 5137  
~~may be, presents~~ the applicant shall provide proof of ownership 5138  
of the motorcycle or vehicle. Proof of ownership may include any 5139  
of the following: 5140

(1) The applicant may present for inspection a physical 5141



~~certificate of title or memorandum certificate of title for~~ 5142  
~~inspection at the time the owner or new owner first submits a~~ 5143  
~~registration application, registration renewal application, or~~ 5144  
~~registration transfer application for the motorcycle or vehicle~~ 5145  
~~if a physical certificate of title or memorandum certificate has~~ 5146  
~~been issued by a clerk of a court of common pleas showing title~~ 5147  
~~to the motorcycle or vehicle to be registered in the name of the~~ 5148  
~~applicant. If, under sections 4519.512 and 4519.58 of the~~ 5149  
~~Revised Code, a clerk instead has issued~~ 5150

(2) The applicant may present for inspection an electronic 5151  
~~certificate of title for the applicant's off-highway motorcycle~~ 5152  
~~or all-purpose vehicle, that certificate may be presented for~~ 5153  
~~inspection at the time of first registration in a manner~~ 5154  
~~prescribed by rules adopted by the registrar.~~ 5155

(3) The applicant may present for inspection a bill of 5156  
~~sale or other affidavit of ownership if there is no certificate~~ 5157  
~~of title for the motorcycle or vehicle.~~ 5158

(4) The registrar or deputy registrar may electronically 5159  
~~confirm the applicant's ownership of the motorcycle or vehicle.~~ 5160

~~(C) When the owner of an off-highway motorcycle or all-~~ 5161  
~~purpose vehicle first registers it in the owner's name, and a~~ 5162  
~~certificate of title has been issued for the motorcycle or~~ 5163  
~~vehicle, the owner shall present for inspection a physical~~ 5164  
~~certificate of title or memorandum certificate of title showing~~ 5165  
~~title to the off-highway motorcycle or all-purpose vehicle in~~ 5166  
~~the name of the owner if a physical certificate of title or~~ 5167  
~~memorandum certificate has been issued by a clerk of a court of~~ 5168  
~~common pleas. If, under sections 4519.512 and 4519.58 of the~~ 5169  
~~Revised Code, a clerk instead has issued an electronic~~ 5170  
~~certificate of title for the applicant's off-highway motorcycle~~ 5171

~~or all purpose vehicle, that certificate may be presented for~~ 5172  
~~inspection at the time of first registration in a manner~~ 5173  
~~prescribed by rules adopted by the registrar. If, when the owner~~ 5174  
~~of such an off highway motorcycle or all purpose vehicle first~~ 5175  
~~makes application to register it in the owner's name, the~~ 5176  
The registrar or deputy registrar shall refuse an application for 5177  
registration if either of the following apply: 5178

(1) The application is not in proper form or the 5179  
~~certificate of title or memorandum certificate of title does not~~ 5180  
~~accompany the registration or, in the case of an electronic~~ 5181  
~~certificate of title is not presented in a manner prescribed by~~ 5182  
~~the registrar, the registration shall be refused, and neither a~~ 5183  
~~certificate of registration nor a registration sticker, license~~ 5184  
~~plate, or validation sticker shall be issued.~~ 5185

(2) Proof of ownership is required but is not presented or 5186  
confirmed in accordance with division (B) of this section. ~~When~~ 5187

(D) When a certificate of registration and registration 5188  
sticker, license plate, or validation sticker are issued upon 5189  
the first registration of a snowmobile, an off-highway 5190  
motorcycle, a mini-truck, a utility vehicle, or all purpose an 5191  
all-terrain vehicle by or on behalf of the owner, and if the 5192  
motorcycle or vehicle has a certificate of title, the official 5193  
issuing them the registration shall indicate the issuance with a 5194  
stamp on the certificate of title or memorandum certificate of 5195  
title or, in the case of an electronic certificate of title, an 5196  
electronic stamp or other notation as specified in rules adopted 5197  
by the registrar. 5198

~~(D)~~ (E) (1) Each deputy registrar shall be allowed a fee 5199  
equal to the amount established under section 4503.038 of the 5200  
Revised Code for each application or renewal application 5201

received by the deputy registrar, which shall be for the purpose 5202  
of compensating the deputy registrar for services, and office 5203  
and rental expense, as may be necessary for the proper discharge 5204  
of the deputy registrar's duties in the receiving of 5205  
applications and the issuing of certificates of registration. 5206

(2) Each deputy registrar, upon receipt of any application 5207  
for registration, together with the registration fee, shall 5208  
transmit the fee, together with the original and duplicate copy 5209  
of the application, to the registrar in the manner and at the 5210  
times the registrar, subject to the approval of the director of 5211  
public safety and the treasurer of state, shall prescribe by 5212  
rule. 5213

**Sec. 4519.031.** The registrar of motor vehicles shall 5214  
transmit to the tax commissioner the names, addresses, and any 5215  
other information requested by the commissioner, of all persons 5216  
who register a snowmobile, off-highway motorcycle, mini-truck, 5217  
utility vehicle, or ~~all-purpose all-terrain~~ vehicle under 5218  
section 4519.03 of the Revised Code. Such information shall be 5219  
transmitted in a form agreed to by the registrar and the 5220  
commissioner. 5221

**Sec. 4519.04.** (A) Upon the filing of an application for 5222  
registration of a snowmobile, off-highway motorcycle, mini- 5223  
truck, utility vehicle, or ~~all-purpose all-terrain~~ vehicle and 5224  
the payment of the tax therefor, the registrar of motor vehicles 5225  
or a deputy registrar shall assign to the ~~snowmobile, off-~~ 5226  
~~highway motorcycle,~~ or ~~all-purpose~~ vehicle a distinctive number 5227  
and issue and deliver to the owner in such manner as the 5228  
registrar may select, a certificate of registration, in such 5229  
form as the registrar shall prescribe. Any number so assigned to 5230  
a snowmobile, off-highway motorcycle, mini-truck, utility 5231

~~vehicle, or all-purpose-all-terrain vehicle~~ shall be a permanent 5232  
number, and shall not be issued to any other ~~snowmobile, off-~~ 5233  
~~highway motorcycle, or all-purpose vehicle.~~ 5234

(B) (1) In addition to the certificate of registration, the 5235  
registrar or deputy registrar also shall issue to the owner of a 5236  
snowmobile or off-highway motorcycle two decal registration 5237  
stickers. The registrar shall prescribe the color and size of 5238  
the stickers and the combination of numerals and letters 5239  
displayed on them. The placement of the decal stickers shall be 5240  
one on either side of the forward cowling or fuel tank. 5241

(2) ~~The~~ In addition to the certificate of registration, 5242  
the registrar or deputy registrar also shall issue to the owner 5243  
of a mini-truck, a utility vehicle, or an all-purpose-all- 5244  
terrain vehicle, ~~in addition to the certificate of registration,~~ 5245  
one license plate and a validation sticker, or a validation 5246  
sticker alone when applicable upon a registration renewal. The 5247  
license plate and validation sticker shall be displayed on the 5248  
~~all-purpose mini-truck, utility vehicle, or all-terrain vehicle~~ 5249  
so that they are distinctly visible, in accordance with such 5250  
rules as the registrar adopts. The validation sticker shall 5251  
indicate the expiration date of the registration period of the 5252  
~~all-purpose vehicle.~~ During each succeeding registration period 5253  
following the issuance of the license plate and validation 5254  
sticker, upon the filing of an application for registration and 5255  
payment of the ~~fee~~ applicable taxes and fees specified in 5256  
division (C) of this section, a validation sticker alone shall 5257  
be issued. 5258

~~(C)~~ (C) (1) Unless previously canceled, each certificate of 5259  
registration issued for a snowmobile, off-highway motorcycle, or 5260  
~~all-purpose-all-terrain vehicle~~ expires upon the thirty-first 5261

day of December in the third year after the date it is issued. 5262  
Unless previously canceled and except as provided in section 5263  
4519.041 of the Revised Code, each certificate of registration 5264  
issued for a mini-truck or a utility vehicle expires annually 5265  
upon the thirty-first day of December after the date it is 5266  
issued. Application for renewal of a certificate may be made not 5267  
earlier than ninety days preceding the expiration date, and. 5268

(2) Except as provided in section 4519.08 of the Revised 5269  
Code, the application for and renewal of a certificate of 5270  
registration for a snowmobile, off-highway motorcycle, or all- 5271  
terrain vehicle shall be accompanied by a fee of thirty-one 5272  
dollars and twenty-five cents. 5273

~~Notwithstanding section 4519.11 of the Revised Code, of Of~~ 5274  
each thirty-one dollar and twenty-five-cent fee collected ~~for~~ 5275  
~~the registration of an all-purpose vehicle,~~ the registrar shall 5276  
retain not more than five dollars to pay for the licensing and 5277  
registration costs the bureau of motor vehicles incurs in 5278  
registering the ~~all-purpose~~ vehicle. The remainder of the fee 5279  
shall be deposited into the state treasury to the credit of the 5280  
state recreational vehicle fund created by section 4519.11 of 5281  
the Revised Code. 5282

(3) Except as provided in section 4519.041 or 4519.08 of 5283  
the Revised Code, the application for and renewal of a 5284  
certificate of registration for a mini-truck or utility vehicle 5285  
shall be accompanied by the following taxes and fees: 5286

(a) A tax of ten dollars to be deposited into the state 5287  
treasury to the credit of the auto registration distribution 5288  
fund established in section 4501.03 of the Revised Code; 5289

(b) An additional fee of eleven dollars for the purpose of 5290

defraying the department of public safety's costs associated 5291  
with the administration and enforcement of the motor vehicle and 5292  
traffic laws of Ohio to be deposited into the public safety - 5293  
highway purposes fund established in section 4501.06 of the 5294  
Revised Code. 5295

(4) (a) If the owner of a utility vehicle intends to use 5296  
the utility vehicle on trails and other similar areas of 5297  
operation managed by the department of natural resources and 5298  
open to all-terrain vehicles, off-highway motorcycles, 5299  
snowmobiles, and utility vehicles, the owner shall pay a fee of 5300  
eight dollars and seventy-five cents. The fee shall be deposited 5301  
into the state treasury to the credit of the state recreational 5302  
vehicle fund established in section 4519.11 of the Revised Code. 5303  
The registrar or deputy registrar shall issue a decal sticker to 5304  
the owner that verifies payment of the fee and authorization to 5305  
use the state trails and similar areas that allow the use of 5306  
utility vehicles. 5307

(b) The owner shall place the decal sticker on the utility 5308  
vehicle. The decal sticker expires upon the thirty-first day of 5309  
December after the date it is issued. Application for renewal of 5310  
a decal sticker may be made not earlier than ninety days 5311  
preceding the expiration date. 5312

**Sec. 4519.041.** (A) The registrar of motor vehicles shall 5313  
authorize any person who owns a mini-truck or a utility vehicle 5314  
to file an application for registration for not more than five 5315  
succeeding registration years. At the time of application, the 5316  
applicant shall pay all of the following taxes and fees: 5317

(1) The annual taxes for each registration year, 5318  
calculated in accordance with division (C)(3)(a) of section 5319  
4519.04 of the Revised Code, and multiplied by the number of 5320

years for which the applicant is registering; 5321

(2) The annual bureau of motor vehicles fee, calculated in accordance with division (C) (3) (b) of section 4519.04 of the Revised Code, and multiplied by the number of years for which the applicant is registering; 5322  
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(3) The deputy registrar service fee or the bureau of motor vehicles service fee equal to the amount established under section 4503.038 of the Revised Code. 5326  
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(B) The registrar shall authorize any person who owns a utility vehicle to apply to use the vehicle on trails and other similar areas of operation managed by the department of natural resources for not more than five succeeding years. At the time of application, the applicant shall pay the state recreational vehicle fund fee, calculated in accordance with division (C) (4) of section 4519.04 of the Revised Code, and multiplied by the number of years for which the applicant is registering. 5329  
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(C) Each certificate of registration or decal sticker issued for a mini-truck or utility vehicle under this section expires upon the thirty-first day of December in the second, third, fourth, or fifth year after the date that it is issued, as applicable. Application for renewal of a certificate or decal sticker may be made not earlier than ninety days preceding the expiration date. 5337  
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(D) No person applying for a multi-year registration under division (A) or a multi-year decal sticker under division (B) of this section is entitled to a refund of any taxes or fees paid. 5344  
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**Sec. 4519.05.** (A) Whenever a registered snowmobile, off-highway motorcycle, mini-truck, utility vehicle, or all-purpose-all-terrain vehicle is destroyed or similarly disposed of, the 5347  
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owner shall surrender the certificate of registration to the 5350  
registrar of motor vehicles or a deputy registrar within fifteen 5351  
days following the destruction or disposal. The registrar 5352  
thereupon shall cancel the certificate and enter that fact in 5353  
the registrar's records. 5354

In the case of ~~an~~a snowmobile, off-highway motorcycle, 5355  
mini-truck, utility vehicle, or ~~all-purpose~~all-terrain vehicle 5356  
for which a certificate of title has been issued, the owner also 5357  
shall surrender the certificate of title to the clerk of the 5358  
court of common pleas who issued it and the clerk, with the 5359  
consent of any lienholders noted thereon, shall enter a 5360  
cancellation upon the clerk's records and shall notify the 5361  
registrar of the cancellation. Upon the cancellation of a 5362  
certificate of title in the manner prescribed by this division, 5363  
the clerk and the registrar may cancel and destroy all 5364  
certificates of title and memorandum certificates of title in 5365  
that chain of title. 5366

(B) Subject to division (B) of section 4519.03 of the 5367  
Revised Code, whenever the ownership of a registered snowmobile, 5368  
off-highway motorcycle, mini-truck, utility vehicle, or ~~all-~~ 5369  
~~purpose~~all-terrain vehicle is transferred by sale or otherwise, 5370  
the new owner, within fifteen days following the transfer, shall 5371  
make application to the registrar or a deputy registrar for the 5372  
transfer of the certificate of registration. Upon receipt of the 5373  
application and a fee of one dollar, the registrar shall 5374  
transfer the certificate to the new owner and shall enter the 5375  
new owner's name and address in the registrar's records. 5376

(C) Whenever the owner of a registered snowmobile, off- 5377  
highway motorcycle, mini-truck, utility vehicle, or ~~all-purpose~~ 5378  
all-terrain vehicle changes address, the owner shall surrender 5379



the certificate of registration to the registrar or a deputy 5380  
registrar within fifteen days following the address change. Upon 5381  
receipt of the certificate, the registrar shall enter the new 5382  
address thereon and shall make the appropriate change in the 5383  
registrar's records. In a case where the owner's change of 5384  
address involves a move outside of the state, the registrar 5385  
shall cancel the certificate of registration for that 5386  
~~snowmobile, off-highway motorcycle, or all-purpose vehicle.~~ 5387

(D) Whenever a certificate of registration for a 5388  
snowmobile, off-highway motorcycle, mini-truck, utility vehicle, 5389  
or ~~all-purpose all-terrain~~ vehicle is lost, mutilated, or 5390  
destroyed, the owner may obtain a duplicate certificate, which 5391  
shall be identified as such, upon application and the payment of 5392  
a fee of one dollar. 5393

(E) The registrar and each deputy registrar may collect 5394  
and retain an additional fee equal to the amount established 5395  
under section 4503.038 of the Revised Code for each application 5396  
for the transfer of a certificate of registration or duplicate 5397  
certificate of registration received by the registrar or deputy 5398  
registrar. 5399

(F) Whoever violates division (A), (B), or (C) of this 5400  
section shall be fined not more than twenty-five dollars for a 5401  
first offense; for each subsequent offense, the offender shall 5402  
be fined not less than twenty-five nor more than fifty dollars. 5403

**Sec. 4519.08.** (A) Any snowmobile, off-highway motorcycle, 5404  
mini-truck, utility vehicle, or all-purpose all-terrain vehicle 5405  
owned or leased by the state, by any of its political 5406  
subdivisions, or by any volunteer organization that uses such 5407  
vehicles exclusively for emergency purposes shall be registered 5408  
free of charge. ~~The~~ 5409

(B) Any all-terrain vehicle, mini-truck, or utility vehicle that is used primarily for agricultural purposes, when the owner qualifies for the current agricultural use valuation tax credit, shall be registered free of charge. 5410  
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(C) The registration number and registration sticker assigned to each such snowmobile or off-highway motorcycle, and the license plate and validation sticker assigned to each such ~~an all-purpose mini-truck, utility vehicle, or all-terrain~~ vehicle, registered free of charge in accordance with this section, shall be displayed as required by section 4519.04 of the Revised Code. 5414  
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**Sec. 4519.09.** (A) Every owner or operator of a snowmobile, off-highway motorcycle, ~~mini-truck, utility vehicle, or all-purpose all-terrain~~ vehicle who is a resident of a state not having a registration law similar to this chapter, and who expects to use the snowmobile, off-highway motorcycle, ~~mini-truck, utility vehicle, or all-purpose all-terrain~~ vehicle in Ohio, shall apply to the registrar of motor vehicles or a deputy registrar for a temporary operating permit. ~~The~~ 5421  
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(B) The temporary operating permit shall ~~be~~ : 5429

(1) Be issued for a period not to exceed one year from the date of issuance, ~~shall be~~ ; 5430  
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(2) Be in such form as the registrar determines, ~~shall include~~ ; 5432  
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(3) Include the name and address of the owner and operator of the ~~snowmobile, off-highway motorcycle, or all-purpose~~ vehicle, and any other information as the registrar considers necessary, ~~and shall be~~ ; 5434  
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(4) Be issued upon payment of a fee of eleven dollars and 5438

twenty-five cents. ~~Every~~ 5439

(C) Every owner or operator receiving a temporary 5440  
operating permit shall display it upon the reasonable request of 5441  
any law enforcement officer or other person as authorized by 5442  
sections 4519.42 and 4519.43 of the Revised Code. 5443

**Sec. 4519.10.** (A) The purchaser of ~~an a snowmobile,~~ off- 5444  
highway motorcycle, mini-truck, utility vehicle, or ~~all purpose~~ 5445  
all-terrain vehicle, upon application and proof of purchase, may 5446  
obtain a temporary motor vehicle license registration for it. 5447  
The application shall be signed by the purchaser of the ~~off-~~ 5448  
~~highway~~ motorcycle or ~~all purpose~~ vehicle. The temporary motor 5449  
vehicle license registration shall be issued only for the 5450  
applicant's use of the ~~off highway~~ motorcycle or ~~all purpose~~ 5451  
vehicle to enable the applicant to operate it legally while 5452  
proper title and a registration sticker or license plate and 5453  
validation sticker are being obtained and shall be displayed on 5454  
no other ~~off highway~~ motorcycle or ~~all purpose~~ vehicle. A 5455  
temporary motor vehicle license registration issued under this 5456  
section shall be in a form prescribed by the registrar of motor 5457  
vehicles, shall differ in some distinctive manner from a 5458  
registration issued under section 4503.182 of the Revised Code, 5459  
shall be valid for a period of forty-five days from the date of 5460  
issuance, and shall not be transferable or renewable. The 5461  
temporary motor vehicle license registration either shall 5462  
consist of or be coated with such material as will enable it to 5463  
remain legible and relatively intact despite the environmental 5464  
conditions to which it is likely to be exposed during the forty- 5465  
five-day period for which it is valid. The purchaser of ~~an a~~ 5466  
snowmobile, off-highway motorcycle, mini-truck, utility vehicle, 5467  
or ~~all purpose~~ all-terrain vehicle shall attach the temporary 5468  
motor vehicle license registration to it, in a manner prescribed 5469

by rules the registrar shall adopt, so that the numerals or 5470  
letters are clearly visible. 5471

The fee for a temporary motor vehicle license registration 5472  
issued under this section is two dollars. If the temporary motor 5473  
vehicle license registration is issued by a deputy registrar, 5474  
the deputy registrar shall charge an additional fee equal to the 5475  
amount established under section 4503.038 of the Revised Code, 5476  
which the deputy registrar shall retain. The deputy registrar 5477  
shall transmit each two-dollar fee received by the deputy 5478  
registrar under this section to the registrar, who shall pay the 5479  
two dollars to the treasurer of state for deposit into the 5480  
public safety - highway purposes fund established by section 5481  
4501.06 of the Revised Code. 5482

(B) The registrar may issue temporary motor vehicle 5483  
license registrations to a dealer to be issued to purchasers for 5484  
use on vehicles sold by the dealer, in accordance with rules 5485  
prescribed by the registrar. The dealer shall notify the 5486  
registrar within forty-eight hours of proof of issuance on a 5487  
form prescribed by the registrar. 5488

The fee for each such temporary motor vehicle license 5489  
registration issued by the registrar to a dealer shall be two 5490  
dollars plus a fee equal to the amount established under section 5491  
4503.038 of the Revised Code. 5492

**Sec. 4519.11.** ~~(A) Five dollars of each fee collected under~~ 5493  
~~section 4519.04 of the Revised Code and one dollar and twenty~~ 5494  
~~five cents of each fee collected under section 4519.09 of the~~ 5495  
~~Revised Code shall be paid into the public safety - highway~~ 5496  
~~purposes fund created by section 4501.06 of the Revised Code.~~ 5497  
All other fees, and all taxes, and fines levied, charged, or 5498  
referred to in this chapter, unless otherwise designated by law, 5499

shall be deposited into the state treasury to the credit of the 5500  
state recreational vehicle fund, which is hereby created. ~~The~~ 5501

(B) The state recreational vehicle fund shall be used for 5502  
the purpose of enforcing following purposes: 5503

(1) Enforcing and administering the law relative to the 5504  
registration and operation of snowmobiles, off-highway 5505  
motorcycles, utility vehicles, and ~~all-purpose all-terrain~~ 5506  
vehicles within the state, ~~for the purpose of expanding;~~ 5507

(2) Expanding the activities of the department of natural 5508  
resources to provide trails and other areas for the operation of 5509  
such motorcycles and vehicles on state-controlled land and 5510  
waters, ~~for the;~~ 5511

(3) The purchase of additional land to be used for such 5512  
the purposes, and for the stated in division (B) (2) of this 5513  
section; 5514

(4) The development and implementation by the department 5515  
of programs relating to the safe use and enjoyment of 5516  
snowmobiles, off-highway motorcycles, utility vehicles, and ~~all-~~ 5517  
~~purpose all-terrain~~ vehicles. 5518

(C) All investment earnings of the state recreational 5519  
vehicle fund shall be credited to the fund. 5520

(D) Notwithstanding section 1501.01 of the Revised Code, 5521  
nothing in this section authorizes the appropriation of property 5522  
to provide trails and other areas for the operation of 5523  
snowmobiles, off-highway motorcycles, utility vehicles, and ~~all-~~ 5524  
~~purpose all-terrain~~ vehicles. 5525

**Sec. 4519.20.** (A) The director of public safety, pursuant 5526  
to Chapter 119. of the Revised Code, shall adopt rules for the 5527

equipment of snowmobiles, off-highway motorcycles, mini-trucks, 5528  
utility vehicles, and ~~all-purpose all-terrain~~ vehicles. The 5529  
rules may be revised from time to time as the director considers 5530  
necessary, and shall include, but not necessarily be limited to, 5531  
requirements for the following items of equipment: 5532

(1) At least one headlight for a snowmobile or an off- 5533  
highway motorcycle and two headlights for a mini-truck, a 5534  
utility vehicle, or an all-terrain vehicle, having a minimum 5535  
candlepower of sufficient intensity to reveal persons and 5536  
objects at a distance of at least one hundred feet ahead under 5537  
normal atmospheric conditions during hours of darkness; 5538

(2) At least one red tail light for a snowmobile or an 5539  
off-highway motorcycle and two red tail lights for a mini-truck, 5540  
a utility vehicle, or an all-terrain vehicle, having a minimum 5541  
candlepower of sufficient intensity to be plainly visible from a 5542  
distance of five hundred feet to the rear under normal 5543  
atmospheric conditions during hours of darkness; 5544

(3) Adequate brakes. Every snowmobile, while traveling on 5545  
packed snow, shall be capable of carrying a driver who weighs 5546  
one hundred seventy-five pounds or more, and, while carrying 5547  
such driver, be capable of stopping in not more than forty feet 5548  
from an initial steady speed of twenty miles per hour, or 5549  
locking its traction belt. 5550

(4) A muffler system capable of precluding the emission of 5551  
excessive smoke or exhaust fumes, and of limiting the engine 5552  
noise of vehicles. On snowmobiles manufactured after January 1, 5553  
1973, such requirement shall include sound dampening equipment 5554  
such that noise does not exceed eighty-two decibels on the "A" 5555  
scale at fifty feet as measured according to SAE J192 (September 5556  
1970). 5557

(5) Additionally, for utility vehicles, all of the 5558  
following: 5559

(a) A roll cage; 5560

(b) Two red reflectors that are of such size and 5561  
characteristics and so maintained as to be visible at night from 5562  
all distances within three hundred feet to fifty feet from the 5563  
vehicle; 5564

(c) A mirror located so as to reflect to the operator a 5565  
view of the highway to the rear of the vehicle; 5566

(d) Either a windshield, or if there is no windshield, the 5567  
operator of the vehicle shall wear safety glasses or another 5568  
protective eye device; 5569

(e) Occupant restraining devices for the operator and all 5570  
passengers in the vehicle. 5571

(B) No person shall operate any snowmobile, off-highway 5572  
motorcycle, mini-truck, utility vehicle, or all-purpose-all- 5573  
terrain vehicle in violation of division ~~(A) (1), (2), (3), or~~ 5574  
~~(4)(A)~~ of this section, except that are applicable to the 5575  
particular vehicle. The equipment specified in divisions (A) (1) 5576  
and (2) of this section shall not be required on snowmobiles, 5577  
off-highway motorcycles, or ~~all-purpose-all-terrain~~ vehicles 5578  
operated only during the daylight hours. 5579

(C) Except as otherwise provided in this division, whoever 5580  
violates division (B) of this section shall be fined not more 5581  
than fifty dollars. If the offender within the preceding year 5582  
previously has committed a violation of division (B) of this 5583  
section, whoever violates division (B) of this section shall be 5584  
fined not less than fifteen nor more than one hundred dollars, 5585  
imprisoned not more than three days, or both. 5586

**Sec. 4519.21.** The director of public safety may authorize 5587  
sample tests of new snowmobiles, off-highway motorcycles, mini- 5588  
trucks, utility vehicles, and ~~all-purpose-all-terrain~~ vehicles 5589  
to determine their degree of conformity to rules adopted under 5590  
section 4519.20 of the Revised Code. In prescribing tests for 5591  
muffler equipment, the director may require sound pressure 5592  
levels in decibels to be measured on the "A" scale of a sound 5593  
level meter having characteristics defined by the American 5594  
standards association standard S1.4-1961 "General Purpose Sound 5595  
Meter," and also may require the use of applicable measurement 5596  
practices outlined in the procedures for sound level measurement 5597  
of snowmobiles endorsed by the international snowmobile industry 5598  
association, January 1969, or such other sources of standards 5599  
for the measurement of sound levels as the director may consider 5600  
advisable. 5601

Upon finding that any make or model of vehicle authorized 5602  
to be tested under this section does not meet an applicable 5603  
standard adopted by the director, the person conducting the test 5604  
shall report that fact to the director, who immediately shall 5605  
notify the manufacturer of the vehicle and the registrar of 5606  
motor vehicles. Upon receipt of a notification, the registrar 5607  
shall refuse to issue a certificate of registration to an owner 5608  
or dealer with respect to any vehicle of the same make or model 5609  
as that named in the notification until the vehicle has been 5610  
modified in such manner as the director shall prescribe, and 5611  
meets the applicable standard. 5612

**Sec. 4519.22.** (A) No person shall have for sale, sell, 5613  
offer for sale, lease, rent, or otherwise furnish for hire in 5614  
this state any new snowmobile, off-highway motorcycle, mini- 5615  
truck, utility vehicle, or ~~all-purpose-all-terrain~~ vehicle that 5616  
fails to comply with any rule adopted by the director of public 5617



safety under section 4519.20 of the Revised Code, after the 5618  
effective date of the rule. 5619

(B) Except as otherwise provided in this division, whoever 5620  
violates this section shall be fined not more than fifty 5621  
dollars. If the offender within the preceding year previously 5622  
has committed a violation of this section, whoever violates this 5623  
section shall be fined not less than fifteen nor more than one 5624  
hundred dollars, imprisoned not more than three days, or both. 5625

Sec. 4519.23. (A) The operator of a utility vehicle shall 5626  
ensure that the total number of occupants of the utility vehicle 5627  
does not exceed the total number of occupant restraining devices 5628  
originally installed in the utility vehicle by its manufacturer. 5629

(B) The operator and each occupant of a utility vehicle 5630  
shall wear all of the available elements of a properly adjusted 5631  
occupant restraining device while the utility vehicle is being 5632  
operated on any street or highway. 5633

(C) (1) Whoever violates division (A) or (B) of this 5634  
section shall be fined thirty dollars. 5635

(2) All fines collected for violations of division (A) or 5636  
(B) of this section, or for violations of any ordinance or 5637  
resolution of a political subdivision that is substantively 5638  
comparable to those divisions, shall be transmitted to the 5639  
treasurer of state for deposit into the state treasury to the 5640  
credit of the trauma and emergency medical services fund created 5641  
by section 4513.263 of the Revised Code. 5642

Sec. 4519.40. (A) Notwithstanding sections 4519.401, 5643  
4519.402, 4519.403, and 4519.41 of the Revised Code, the 5644  
director of public safety may authorize a person to operate an 5645  
off-highway motorcycle, an all-terrain vehicle, a snowmobile, a 5646

utility vehicle, or a mini-truck on a public street or highway 5647  
for emergency travel during such time and in such manner as 5648  
designated by the director. 5649

(B) When authorized to operate on a public street or 5650  
highway, the applicable provisions of Chapters 4511., 4513., and 5651  
4549. of the Revised Code apply to the operation of an off- 5652  
highway motorcycle, an all-terrain vehicle, a snowmobile, a 5653  
utility vehicle, or a mini-truck. 5654

(C) A person may operate an off-highway motorcycle, an 5655  
all-terrain vehicle, a snowmobile, a utility vehicle, or a mini- 5656  
truck without local authorization as follows: 5657

(1) When the person operates the motorcycle or vehicle 5658  
exclusively on lands owned by the owner of the motorcycle or 5659  
vehicle or lands to which the owner has a contractual right; 5660

(2) On other private property when the person has the 5661  
permission of the owner of the private property or any other 5662  
person having a right to the possession of the property. 5663

(D) No person shall operate an off-highway motorcycle, an 5664  
all-terrain vehicle, a snowmobile, a utility vehicle, or a mini- 5665  
truck on any of the following: 5666

(1) Private property, unless authorized under division (C) 5667  
of this section; 5668

(2) Any land or water controlled by the state, unless the 5669  
person is operating the motorcycle or vehicle at a location 5670  
where a sign is posted permitting such operation; 5671

(3) The tracks or right-of-way of an operating railroad; 5672

(4) A freeway. 5673

(E) Except as provided in sections 1533.103 and 2923.26 of 5674  
the Revised Code or by rules adopted by the department of 5675  
natural resources, no person shall operate an off-highway 5676  
motorcycle, an all-terrain vehicle, a snowmobile, a utility 5677  
vehicle, or a mini-truck while doing either of the following: 5678

(1) Transporting a firearm, bow, or other implement for 5679  
hunting, unless that firearm, bow, or other implement is 5680  
unloaded and securely encased; 5681

(2) Chasing, pursuing, capturing, or killing an animal or 5682  
wildfowl. 5683

(F) Whoever violates division (D) or (E) of this section 5684  
shall be fined not less than fifty nor more than five hundred 5685  
dollars, imprisoned not less than three nor more than thirty 5686  
days, or both. 5687

**Sec. 4519.401.** ~~(A) Except as provided in this section and~~ 5688  
~~section 4511.215 of the Revised Code, no~~ A person shall may 5689  
operate a mini-truck within this state on public streets and 5690  
highways where the local authority has authorized the operation 5691  
of mini-trucks in accordance with division (B) of this section. 5692

~~(B) A~~ By ordinance or resolution, a local authority may 5693  
authorize the operation of mini-trucks on the public streets or 5694  
highways under its jurisdiction, provided the local authority 5695  
does all of the following: 5696

(1) Limits the operation of the mini-trucks to streets and 5697  
highways having an established speed limit not greater than 5698  
thirty-five miles per hour; 5699

(2) Requires the mini-truck to meet the equipment 5700  
requirements specified by the director of public safety under 5701  
section 4519.20 of the Revised Code and pass a vehicle 5702

inspection conducted by a local law enforcement agency that 5703  
complies with the inspection requirements under section 4513.02 5704  
of the Revised Code; 5705

(3) Requires the mini-truck owner to register the mini- 5706  
truck in accordance with this chapter; 5707

(4) Notifies the director, in a manner the director 5708  
determines, of the authorization for the operation of mini- 5709  
trucks on its streets and highways. 5710

(C) Where authorized to operate on a public street or 5711  
highway, a person operating a mini-truck may proceed across an 5712  
intersection of a street or highway having a speed limit greater 5713  
than thirty-five miles per hour. 5714

(D) A person may operate a mini-truck ~~on a farm for~~ 5715  
agricultural purposes only when the owner of the farm qualifies 5716  
for the current agricultural use valuation tax credit. A mini- 5717  
truck may be operated by or on behalf of such a farm owner on 5718  
public roads ~~streets and rights of way~~ only highways without 5719  
local authorization when traveling from one farm field to 5720  
another for agricultural purposes if the vehicle is displaying a 5721  
triangular slow-moving vehicle emblem as described in section 5722  
4513.112 of the Revised Code and the vehicle meets all of the 5723  
equipment, inspection, and registration requirements of this 5724  
chapter. 5725

~~(C)~~ (E) A person may operate a mini-truck on property 5726  
owned or leased by a dealer who sells mini-trucks at retail 5727  
without local authorization. 5728

~~(D) Whoever~~ (F) No person shall operate a mini-truck in a 5729  
manner that is not authorized by this section or section 4519.40 5730  
of the Revised Code, or that is not authorized by a local 5731

authority in accordance with this section. 5732

(G) Except as otherwise provided in this division, whoever 5733  
violates this section shall be penalized as provided in division 5734  
(D) of section 4511.214 of the Revised Code is guilty of a minor 5735  
misdemeanor. If within one year of the offense, the offender 5736  
previously has been convicted of or pleaded guilty to one 5737  
predicate motor vehicle or traffic offense, whoever violates 5738  
this section is guilty of a misdemeanor of the fourth degree. If 5739  
within one year of the offense, the offender previously has been 5740  
convicted of two or more predicate motor vehicle or traffic 5741  
offenses, whoever violates this section is guilty of a 5742  
misdemeanor of the third degree. 5743

**Sec. 4519.402.** (A) A person may operate a utility vehicle 5744  
on public streets and highways where the local authority has 5745  
authorized the operation of utility vehicles in accordance with 5746  
division (B) of this section. 5747

(B) By ordinance or resolution, a local authority may 5748  
authorize the operation of utility vehicles on the public 5749  
streets or highways under its jurisdiction, provided the local 5750  
authority does all of the following: 5751

(1) Limits the operation of the utility vehicles to 5752  
streets and highways having an established speed limit not 5753  
greater than fifty-five miles per hour; 5754

(2) Requires the utility vehicle to meet the equipment 5755  
requirements specified by the director of public safety under 5756  
section 4519.20 of the Revised Code and pass a vehicle 5757  
inspection conducted by a local law enforcement agency that 5758  
complies with the inspection requirements under section 4513.02 5759  
of the Revised Code; 5760

(3) Requires the utility vehicle owner to register the utility vehicle in accordance with this chapter; 5761  
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(4) Notifies the director, in a manner the director determines, of the authorization for the operation of utility vehicles on its streets and highways. 5763  
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(C) Where authorized to operate on a public street or highway, a person operating a utility vehicle may do both of the following: 5766  
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(1) Proceed across an intersection of a street or highway having a speed limit greater than fifty-five miles per hour; 5769  
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(2) Travel along a state highway with an established speed limit not greater than fifty-five miles per hour, provided that the operator enters the state highway from a public street or highway authorized under division (B)(1) of this section and then exits at the next intersecting street or highway. 5771  
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The authorization granted in division (C)(2) of this section does not apply if the state highway is a freeway or if the next intersecting street or highway is not authorized for the operation of utility vehicles. 5776  
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(D) A person may operate a utility vehicle on a public street or highway without local authorization when traveling from one farm field to another for agricultural purposes if the vehicle is displaying a triangular slow-moving vehicle emblem as described in section 4513.112 of the Revised Code and the vehicle meets all of the equipment, inspection, and registration requirements of this chapter. 5780  
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(E) A state park or political subdivision employee or volunteer may operate a utility vehicle exclusively within the boundaries of state parks or political subdivision parks for the 5787  
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operation or maintenance of state or political subdivision park facilities. 5790  
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(F) No person shall operate a utility vehicle in a manner that is not authorized by this section or section 4519.40 of the Revised Code, or that is not authorized by a local authority in accordance with this section. 5792  
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(G) Except as otherwise provided in this division, whoever violates this section is guilty of a minor misdemeanor. If within one year of the offense, the offender previously has been convicted of or pleaded guilty to one predicate motor vehicle or traffic offense, whoever violates this section is guilty of a misdemeanor of the fourth degree. If within one year of the offense, the offender previously has been convicted of two or more predicate motor vehicle or traffic offenses, whoever violates this section is guilty of a misdemeanor of the third degree. 5796  
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**Sec. 4519.403.** (A) A person may operate an all-terrain vehicle on a public street or highway if both of the following apply: 5806  
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(1) The street or highway is under the jurisdiction of a local authority that, prior to the effective date of this section, authorized the operation of all-terrain vehicles on its public streets or highways by either an ordinance or resolution; 5809  
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(2) The local authority did not repeal or rescind the ordinance or resolution prior to the effective date of this section. 5813  
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The authorization established under this division ceases if the local authority repeals or rescinds the ordinance or resolution on or after the effective date of this section. 5816  
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(B) By ordinance or resolution, a local authority may 5819  
authorize a person to operate an all-terrain vehicle to make a 5820  
crossing of a public street or highway under its jurisdiction, 5821  
when all of the following apply: 5822

(1) The crossing can be made in safety and will not 5823  
interfere with the movement of vehicular traffic approaching 5824  
from any direction on the highway. 5825

(2) The operator yields the right-of-way to any 5826  
approaching traffic that presents an immediate hazard. 5827

(3) The all-terrain vehicle is displaying a triangular 5828  
slow-moving vehicle emblem as described in section 4513.112 of 5829  
the Revised Code. 5830

(4) The all-terrain vehicle meets all of the equipment, 5831  
inspection, and registration requirements of this chapter. 5832

(C) A person may operate an all-terrain vehicle on a 5833  
public street or highway without local authorization when 5834  
traveling from one farm field to another for agricultural 5835  
purposes if the vehicle is displaying a triangular slow-moving 5836  
vehicle emblem as described in section 4513.112 of the Revised 5837  
Code and the vehicle meets all of the equipment, inspection, and 5838  
registration requirements of this chapter. 5839

(D) No person shall operate an all-terrain vehicle in a 5840  
manner that is not authorized by this section or section 4519.40 5841  
of the Revised Code, or that is not authorized by a local 5842  
authority in accordance with this section. 5843

(E) Except as otherwise provided in this division, whoever 5844  
violates this section is guilty of a minor misdemeanor. If 5845  
within one year of the offense, the offender previously has been 5846  
convicted of or pleaded guilty to one predicate motor vehicle or 5847



traffic offense, whoever violates this section is guilty of a 5848  
misdemeanor of the fourth degree. If within one year of the 5849  
offense, the offender previously has been convicted of two or 5850  
more predicate motor vehicle or traffic offenses, whoever 5851  
violates this section is guilty of a misdemeanor of the third 5852  
degree. 5853

**Sec. 4519.41.** (A) Snowmobiles, and off-highway 5854  
motorcycles, ~~and all-purpose vehicles~~ may be operated as 5855  
follows: 5856

~~(A)~~ (1) To make a crossing of a highway, other than a 5857  
state highway as designated in division (A)(1) of section 5858  
4519.40 of the Revised Code, whenever the crossing can be made 5859  
in safety and will not interfere with the movement of vehicular 5860  
traffic approaching from any direction on the highway, and 5861  
provided that the operator yields the right-of-way to any 5862  
approaching traffic that presents an immediate hazard; 5863

~~(B)~~ (2) On highways in the county or township road systems 5864  
whenever the local authority having jurisdiction over such 5865  
highways so permits and provided the snowmobile or off-highway 5866  
motorcycle meets all of the equipment, inspection, and 5867  
registration requirements of this chapter; 5868

~~(C)~~ (3) Off and alongside a street or highway for limited 5869  
distances from the point of unloading from a conveyance to the 5870  
point at which the snowmobile, or off-highway motorcycle, ~~or~~ 5871  
~~all-purpose vehicle~~ is intended and authorized to be operated; 5872

~~(D)~~ (4) On the berm or shoulder of a highway, other than a 5873  
state highway as designated in division (A)(1) of section 5874  
4519.40 of the Revised Code, when the terrain permits such 5875  
operation to be undertaken safely and without the necessity of 5876

entering any traffic lane; 5877

~~(E) (5)~~ On the berm or shoulder of a county or township 5878  
road, while traveling from one area of operation of the 5879  
snowmobile, ~~or off-highway motorcycle, or all-purpose vehicle~~ to 5880  
another such area; 5881

~~(F) (6)~~ For snowmobiles without metal studded tracks ~~and~~ 5882  
~~all-purpose vehicles~~, on state highways located on an island in 5883  
Lake Erie, including limited access highways and freeways, 5884  
between the first day of November and the thirtieth day of 5885  
April, provided that all of the following conditions apply: 5886

~~(1) (a)~~ The operator has a valid driver's license as 5887  
required under section 4519.44 of the Revised Code. 5888

~~(2) (b)~~ The snowmobile ~~or all-purpose vehicle~~ is in 5889  
compliance with rules governing safety equipment adopted under 5890  
section 4519.20 of the Revised Code. 5891

~~(3) (c)~~ The owner of the snowmobile ~~or all-purpose vehicle~~ 5892  
maintains proof of financial responsibility for both on-road and 5893  
off-road use of the snowmobile ~~or all-purpose vehicle~~. 5894

~~(4) (d)~~ The operator obeys all traffic rules and 5895  
regulations. 5896

(B) No person shall operate a snowmobile or an off-highway 5897  
motorcycle in a manner that is not authorized by this section or 5898  
section 4519.40 of the Revised Code, or that is not authorized 5899  
by a local authority in accordance with this section. 5900

(C) Except as otherwise provided in this division, whoever 5901  
violates this section is guilty of a minor misdemeanor. If 5902  
within one year of the offense, the offender previously has been 5903  
convicted of or pleaded guilty to one predicate motor vehicle or 5904

traffic offense, whoever violates this section is guilty of a 5905  
misdemeanor of the fourth degree. If within one year of the 5906  
offense, the offender previously has been convicted of two or 5907  
more predicate motor vehicle or traffic offenses, whoever 5908  
violates this section is guilty of a misdemeanor of the third 5909  
degree. 5910

**Sec. 4519.42.** (A) The director of natural resources shall 5911  
adopt rules for the operation of snowmobiles, off-highway 5912  
motorcycles, utility vehicles, mini-trucks, and ~~all-purpose-all-~~ 5913  
terrain vehicles on land or waters controlled by the state. ~~The~~ 5914

(B) ~~The~~ director also shall undertake a program relating 5915  
to the development of trails and special areas for the use of 5916  
snowmobiles, off-highway motorcycles, utility vehicles, and ~~all-~~ 5917  
~~purpose-all-terrain~~ vehicles, and may require any permits for 5918  
such use as the director considers necessary. 5919

(C) The director may designate employees of the department 5920  
of natural resources to enforce any rules adopted under this 5921  
section. An employee so designated shall have full authority to 5922  
enforce any provision of this chapter with respect to the proper 5923  
titling, registration, equipping, and operation of snowmobiles, 5924  
off-highway motorcycles, utility vehicles, mini-trucks, or ~~all-~~ 5925  
~~purpose-all-terrain~~ vehicles on land or waters controlled by the 5926  
state. 5927

**Sec. 4519.43.** A board of park commissioners of any park 5928  
district created under Chapter 1545. of the Revised Code may 5929  
provide by rule for the operation of snowmobiles, off-highway 5930  
motorcycles, utility vehicles, mini-trucks, and ~~all-purpose-all-~~ 5931  
terrain vehicles in the parks, parkways, and other reservations 5932  
of land under its jurisdiction, and shall file a copy of any 5933  
such rules with the director of natural resources. 5934

Any employee of a board of park commissioners designated 5935  
pursuant to section 1545.13 of the Revised Code shall have full 5936  
authority to enforce any of the provisions of this chapter with 5937  
respect to the proper titling, registration, equipping, and 5938  
operation of snowmobiles, off-highway motorcycles, utility 5939  
vehicles, mini-trucks, or ~~all-purpose-all-terrain~~ vehicles 5940  
within the lands under the jurisdiction and control of the 5941  
board. 5942

**Sec. 4519.44.** (A) No person who does not hold a valid, 5943  
current motor vehicle driver's or commercial driver's license, 5944  
motorcycle operator's endorsement, or probationary license, 5945  
issued under Chapter 4506. or 4507. of the Revised Code or a 5946  
valid, current driver's license issued by another jurisdiction, 5947  
shall operate a snowmobile, off-highway motorcycle, utility 5948  
vehicle, mini-truck, or ~~all-purpose-all-terrain~~ vehicle on any 5949  
street or highway in this state, on any portion of the right-of- 5950  
way thereof, or on any public land or waters. 5951

(B) No person who is less than sixteen years of age shall 5952  
operate a snowmobile, off-highway motorcycle, utility vehicle, 5953  
mini-truck, or ~~all-purpose-all-terrain~~ vehicle on any land or 5954  
waters other than private property or waters owned by or leased 5955  
to the person's parent or guardian, unless accompanied by 5956  
another person who is eighteen years of age, or older, and who 5957  
holds a license as provided in division (A) of this section, 5958  
except that the department of natural resources may permit such 5959  
operation on state controlled land under its jurisdiction when 5960  
such person is less than sixteen years of age and is accompanied 5961  
by a parent or guardian who is a licensed driver eighteen years 5962  
of age or older. 5963

(C) Whoever violates this section shall be fined not less 5964

than fifty nor more than five hundred dollars, imprisoned not 5965  
less than three nor more than thirty days, or both. 5966

**Sec. 4519.45.** (A) Any dealer who rents, leases, or 5967  
otherwise furnishes a snowmobile, off-highway motorcycle, 5968  
utility vehicle, mini-truck, or all-purpose-all-terrain vehicle 5969  
for hire shall maintain the vehicle in safe operating condition. 5970  
No dealer, or agent or employee of a dealer, shall rent, lease, 5971  
or otherwise furnish a snowmobile, off-highway motorcycle, 5972  
utility vehicle, mini-truck, or all-purpose-all-terrain vehicle 5973  
for hire to any person who does not hold a license as required 5974  
by division (A) of section 4519.44 of the Revised Code, or to 5975  
any person whom the dealer or an agent or employee of the dealer 5976  
has reasonable cause to believe is incompetent to operate the 5977  
vehicle in a safe and lawful manner. 5978

(B) Whoever violates this section shall be fined not less 5979  
than one hundred nor more than five hundred dollars. 5980

**Sec. 4519.46.** The operator of a snowmobile, off-highway 5981  
motorcycle, utility vehicle, mini-truck, or all-purpose-all- 5982  
terrain vehicle involved in any accident resulting in bodily 5983  
injury to or death of any person, or damage to the property of 5984  
any person in excess of one hundred dollars, shall report the 5985  
accident within forty-eight hours to the state highway patrol, 5986  
the sheriff of the county within which the accident occurred, or 5987  
the chief of police, if the accident occurred within a municipal 5988  
corporation, and, within thirty days, shall forward a written 5989  
report of the accident to the registrar of motor vehicles on a 5990  
form prescribed by the registrar. If the operator is physically 5991  
incapable of making the reports and there is another participant 5992  
in the accident not so incapacitated, the participant shall make 5993  
the reports. In the event there is no other participant, and the 5994

operator is other than the owner, the owner, within the 5995  
prescribed periods of time, shall make the reports. 5996

Any law enforcement officer, or other person authorized by 5997  
sections 4519.42 and 4519.43 of the Revised Code, who 5998  
investigates or receives information of an accident involving a 5999  
snowmobile, off-highway motorcycle, utility vehicle, mini-truck, 6000  
or ~~all-purpose-all-terrain~~ vehicle, shall forward to the 6001  
registrar a written report of the accident within forty-eight 6002  
hours. 6003

The registrar shall maintain a file of all reports 6004  
received by the registrar of accidents involving a snowmobile, 6005  
off-highway motorcycle, utility vehicle, mini-truck, or ~~all-~~ 6006  
~~purpose-all-terrain~~ vehicle. The reports shall be for the 6007  
confidential use of the director of public safety and the 6008  
director of natural resources in the development of equipment 6009  
and operating regulations, and of programs relating to the safe 6010  
use of snowmobiles, off-highway motorcycles, utility vehicles, 6011  
mini-truck, and ~~all-purpose-all-terrain~~ vehicles, except that 6012  
the registrar shall furnish a copy of such report to any person 6013  
claiming to have been injured or damaged in such accident, or 6014  
the person's attorney, upon the payment of a fee of one dollar. 6015

**Sec. 4519.47.** (A) Whenever a person is found guilty of 6016  
operating a snowmobile, off-highway motorcycle, mini-truck, 6017  
utility vehicle, or ~~all-purpose-all-terrain~~ vehicle in violation 6018  
of any rule authorized to be adopted under section 4519.21 or 6019  
4519.42 of the Revised Code, the trial judge of any court of 6020  
record, in addition to or independent of any other penalties 6021  
provided by law, may impound for not less than sixty days the 6022  
certificate of registration and license plate, if applicable, of 6023  
that snowmobile, off-highway motorcycle, mini-truck, utility 6024

vehicle, or ~~all-purpose-all-terrain~~ vehicle. The court shall 6025  
send the impounded certificate of registration and license 6026  
plate, if applicable, to the registrar of motor vehicles, who 6027  
shall retain the certificate of registration and license plate, 6028  
if applicable, until the expiration of the period of 6029  
impoundment. 6030

(B) If a court impounds the certificate of registration 6031  
and license plate of a utility vehicle or an ~~all-purpose-all-~~ 6032  
~~terrain~~ vehicle pursuant to section 2911.21 of the Revised Code, 6033  
the court shall send the impounded certificate of registration 6034  
and license plate to the registrar, who shall retain them until 6035  
the expiration of the period of impoundment. 6036

**Sec. 4519.48.** ~~Nothing contained in this chapter shall~~ 6037  
~~prevent local authorities from regulating the operation of~~ 6038  
~~snowmobiles, off-highway motorcycles, and all-purpose vehicles~~ 6039  
~~on streets and highways and other public property under their~~ 6040  
~~jurisdiction, and within the reasonable exercise of the police~~ 6041  
~~power, except that no~~ No local authority shall require the local 6042  
registration or licensing of any snowmobile, off-highway 6043  
motorcycle, mini-truck, utility vehicle, or ~~all-purpose-all-~~ 6044  
~~terrain~~ vehicle required or authorized to be registered or 6045  
titled under this chapter. 6046

**Sec. 4519.511.** (A) The registrar of motor vehicles shall 6047  
designate as an electronic dealer a dealer who meets both of the 6048  
following criteria: 6049

~~(A)~~ (1) The dealer has the capability, via electronic 6050  
means, to send title and registration information relating to 6051  
off-highway motorcycles and ~~all-purpose-all-terrain~~ vehicles, as 6052  
specified by the registrar, to the registrar and the clerks of 6053  
the courts of common pleas. 6054

~~(B)-(2)~~ The dealer meets other criteria for electronic 6055  
dealers that the registrar may establish by rule adopted under 6056  
Chapter 119. of the Revised Code. 6057

(B) An electronic dealer also may, via electronic means, 6058  
send title and registration information relating to snowmobiles, 6059  
utility vehicles, and mini-trucks, as specified by the 6060  
registrar, to the registrar and the clerks of the courts of 6061  
common pleas. 6062

**Sec. 4519.512.** (A) The owner of an off-highway motorcycle 6063  
~~or all-purpose all-terrain vehicle, snowmobile, utility vehicle,~~ 6064  
~~or mini-truck~~ shall apply for a certificate of title for the 6065  
motorcycle or vehicle when required by this chapter, ~~but, except~~ 6066  
~~. Except~~ as otherwise specifically required in this chapter, the 6067  
owner may elect whether or not to have the clerk of the court of 6068  
common pleas to whom the certificate of title application is 6069  
submitted issue a physical certificate of title for the 6070  
motorcycle or vehicle, as provided in section 4519.58 of the 6071  
Revised Code. 6072

(B) Except as otherwise specifically provided in this 6073  
chapter, any provision of this chapter relating to the 6074  
cancellation, issuance, or surrender of a certificate of title, 6075  
including, but not limited to, provisions that contain a phrase 6076  
such as "when a certificate of title is issued," "the clerk 6077  
shall issue a certificate of title," or "the person shall obtain 6078  
a certificate of title to the ~~off-highway motorcycle or all-~~ 6079  
~~purpose vehicle,...~~" or another phrase of similar import, shall 6080  
include those circumstances when a clerk enters certificate of 6081  
title information into the automated title processing system, 6082  
but does not take any further action relating to a physical 6083  
certificate of title for the motorcycle or vehicle. 6084



**Sec. 4519.52.** (A) Except as provided in sections 4519.521 6085  
and 4519.54 of the Revised Code, no dealer engaged in the 6086  
business of selling new or used off-highway motorcycles or ~~all-~~ 6087  
~~purpose-all-terrain~~ vehicles shall sell or otherwise transfer a 6088  
new or used off-highway motorcycle or ~~all-purpose-all-terrain~~ 6089  
vehicle without obtaining a certificate of title to the new or 6090  
used motorcycle or vehicle, in accordance with this chapter, and 6091  
delivering the certificate of title or memorandum certificate of 6092  
title to the purchaser or transferee. 6093

(B) (1) ~~A person who is not a dealer engaged in the~~ 6094  
~~business of selling new or used off-highway motorcycles or all-~~ 6095  
~~purpose vehicles and~~ In addition to the circumstances in which a 6096  
certificate of title is required under division (A) of this 6097  
section, any person who owns an off-highway motorcycle or all- 6098  
purpose, an all-terrain vehicle, a snowmobile, a utility 6099  
vehicle, or a mini-truck may choose to obtain a certificate of 6100  
title to the motorcycle or vehicle. The person shall comply with 6101  
this chapter in order to obtain the certificate of title. 6102

(2) If a person ~~who is not a dealer engaged in the~~ 6103  
~~business of selling new or used off-highway motorcycles or all-~~ 6104  
~~purpose vehicles and~~ who owns an off-highway motorcycle ~~or all-~~ 6105  
~~purpose, an all-terrain vehicle, a snowmobile, a utility~~ 6106  
vehicle, or a mini-truck obtains a certificate of title to the 6107  
motorcycle or vehicle, that person, except as otherwise provided 6108  
in section 4519.521 of the Revised Code, shall not sell or 6109  
otherwise transfer the motorcycle or vehicle without delivering 6110  
to the purchaser or transferee a certificate of title with an 6111  
assignment on it as is necessary to show title in the purchaser 6112  
or transferee, and no person shall subsequently purchase or 6113  
otherwise acquire the motorcycle or vehicle without obtaining a 6114  
certificate of title to the motorcycle or vehicle in the 6115

person's own name. 6116

(C) Whoever violates this section shall be fined fifty 6117  
dollars. 6118

**Sec. 4519.521.** (A) (1) If a person who is not an electronic 6119  
dealer owns an off-highway motorcycle ~~or all-purpose~~, an all- 6120  
terrain vehicle, a snowmobile, a utility vehicle, or a mini- 6121  
truck for which a physical certificate of title has not been 6122  
issued by a clerk of a court of common pleas and the person 6123  
sells the motorcycle or vehicle to an electronic dealer, the 6124  
person is not required to obtain a physical certificate of title 6125  
to the motorcycle or vehicle in order to transfer ownership to 6126  
the dealer. The person shall present the dealer, in a manner 6127  
approved by the registrar of motor vehicles, with sufficient 6128  
proof of the person's identity and complete and sign a form 6129  
prescribed by the registrar attesting to the person's identity 6130  
and assigning the motorcycle or vehicle to the dealer. The 6131  
electronic dealer then shall inform a clerk of a court of common 6132  
pleas via electronic means of the sale of the motorcycle or 6133  
vehicle and assignment of ownership of the motorcycle or vehicle 6134  
to the dealer. The clerk shall enter the information relating to 6135  
the assignment into the automated title processing system, and 6136  
ownership of the motorcycle or vehicle passes to the dealer when 6137  
the clerk enters this information into the system. The dealer is 6138  
not required to obtain a certificate of title to the motorcycle 6139  
or vehicle in the dealer's name. 6140

(2) A clerk shall charge and collect from a dealer a fee 6141  
of five dollars for each motorcycle or vehicle assigned to the 6142  
dealer under division (A) (1) of this section. The fee shall be 6143  
distributed in accordance with section 4519.59 of the Revised 6144  
Code. 6145

(B) If a person who is not an electronic dealer owns an 6146  
off-highway motorcycle ~~or all-purpose~~, an all-terrain vehicle, 6147  
a snowmobile, a utility vehicle, or a mini-truck that is titled 6148  
but for which a physical certificate of title has not been 6149  
issued by a clerk of a court of common pleas and the person 6150  
sells the motorcycle or vehicle to a person who is not an 6151  
electronic dealer, the person shall obtain a physical 6152  
certificate of title to the motorcycle or vehicle in order to 6153  
transfer ownership of the motorcycle or vehicle to the person 6154  
who is not an electronic dealer. 6155

**Sec. 4519.53.** (A) (1) No person who acquires an off-highway 6156  
motorcycle ~~or all-purpose~~, all-terrain vehicle, snowmobile, 6157  
utility vehicle, or mini-truck for which a certificate of title 6158  
is required by this chapter from the owner of it, whether the 6159  
owner is a manufacturer, importer, dealer, or any other person, 6160  
acquires any right, title, claim, or interest in or to the ~~off-~~ 6161  
~~highway motorcycle or all-purpose vehicle~~ until one of the 6162  
following occurs: 6163

(a) The person has been ~~is~~ issued a certificate of title 6164  
to the ~~off-highway motorcycle or all-purpose vehicle, or there~~ 6165  
~~is delivered to the~~. 6166

(b) The person receives a manufacturer's or importer's 6167  
certificate for ~~it, or the motorcycle or vehicle.~~ 6168

(c) The person is assigned a certificate of title to ~~it is~~ 6169  
~~assigned the motorcycle or vehicle~~ as authorized by section 6170  
4519.521 of the Revised Code. ~~No~~ 6171

(2) No waiver or estoppel operates in favor of that person 6172  
against a person having possession or assignment of the 6173  
certificate of title to, or manufacturer's or importer's 6174

certificate for, the ~~off-highway~~ motorcycle or ~~all-purpose~~ vehicle, for a valuable consideration. 6175  
6176

(B) No court in any case at law or in equity shall 6177  
recognize the right, title, claim, or interest of any person in 6178  
or to any ~~off-highway~~ such motorcycle or ~~all-purpose~~ vehicle, 6179  
for which a certificate of title is required by this chapter, 6180  
sold or disposed of, or mortgaged or encumbered, unless 6181  
evidenced by one of the following: 6182

~~(A)~~ (1) A certificate of title ~~or a~~; 6183

(2) A manufacturer's or importer's certificate issued in 6184  
accordance with this chapter, ~~or an~~; 6185

(3) An assignment of a certificate of title made under 6186  
section 4519.521 of the Revised Code; 6187

~~(B)~~ (4) Admission in the pleadings or stipulation of the 6188  
parties. 6189

**Sec. 4519.54.** (A) No manufacturer, importer, dealer, or 6190  
other person shall sell or otherwise dispose of a new off- 6191  
highway motorcycle or ~~all-purpose~~ all-terrain vehicle to a 6192  
dealer to be used by the dealer for purposes of display and 6193  
resale, without delivering to the dealer a manufacturer's or 6194  
importer's certificate executed in accordance with this section, 6195  
and with such assignments thereon as are necessary to show title 6196  
in the purchaser. No dealer shall purchase or acquire a new off- 6197  
highway motorcycle or ~~all-purpose~~ all-terrain vehicle without 6198  
obtaining from the seller the manufacturer's or importer's 6199  
certificate. 6200

(B) A manufacturer's or importer's certificate of the 6201  
origin of an off-highway motorcycle or ~~all-purpose~~ all-terrain 6202  
vehicle shall contain the following information, in such form 6203

and together with such further information as the registrar of 6204  
motor vehicles may require: 6205

~~(A)~~ (1) A description of the off-highway motorcycle or 6206  
~~all-purpose all-terrain~~ vehicle, including its make, year, 6207  
series or model, if any, body type, and manufacturer's vehicle 6208  
identification number; 6209

~~(B)~~ (2) Certification of the date of transfer of the off- 6210  
highway motorcycle or ~~all-purpose all-terrain~~ vehicle to a 6211  
distributor or dealer or other transferee, and the name and 6212  
address of the transferee; 6213

~~(C)~~ (3) Certification that this was the first transfer of 6214  
the new off-highway motorcycle or ~~all-purpose all-terrain~~ 6215  
vehicle in ordinary trade and commerce; 6216

~~(D)~~ (4) The signature and address of a representative of 6217  
the transferor. 6218

(C) An assignment of a manufacturer's or importer's 6219  
certificate before a notary public or other officer empowered to 6220  
administer oaths shall be printed on the reverse side of the 6221  
manufacturer's or importer's certificate in a form to be 6222  
prescribed by the registrar. The assignment form shall include 6223  
the name and address of the transferee, a certification that the 6224  
off-highway motorcycle or ~~all-purpose all-terrain~~ vehicle is 6225  
new, and a warranty that the title at the time of delivery is 6226  
subject only to such liens and encumbrances as are set forth and 6227  
described in full in the assignment. 6228

**Sec. 4519.55.** ~~Application~~ (A) (1) Any application for a 6229  
certificate of title for an off-highway motorcycle ~~or all-~~ 6230  
~~purpose~~, all-terrain vehicle, snowmobile, utility vehicle, or 6231  
mini-truck shall be made upon a form prescribed by the registrar 6232

of motor vehicles and shall be sworn to before a notary public 6233  
or other officer empowered to administer oaths. The application 6234  
shall be filed with the clerk of any court of common pleas. An 6235  
application for a certificate of title may be filed 6236  
electronically by any electronic means approved by the registrar 6237  
in any county with the clerk of the court of common pleas of 6238  
that county. 6239

(2) If an application for a certificate of title is filed 6240  
electronically by an electronic dealer on behalf of the 6241  
purchaser of an off-highway motorcycle ~~or all-purpose~~, an all- 6242  
terrain vehicle, a snowmobile, a utility vehicle, or a mini- 6243  
truck, the clerk shall retain the completed electronic record to 6244  
which the electronic dealer converted the certificate of title 6245  
application and other required documents. The registrar, after 6246  
consultation with the attorney general, shall adopt rules that 6247  
govern the location at which, and the manner in which, are 6248  
stored the actual application and all other documents relating 6249  
to the sale ~~of an off-highway motorcycle or all-purpose vehicle~~ 6250  
when an electronic dealer files the application for a 6251  
certificate of title electronically on behalf of the purchaser. 6252

(B) The application shall be accompanied by the fee 6253  
prescribed in section 4519.59 of the Revised Code. The fee shall 6254  
be retained by the clerk who issues the certificate of title and 6255  
shall be distributed in accordance with that section. If a clerk 6256  
of a court of common pleas, other than the clerk of the court of 6257  
common pleas of an applicant's county of residence, issues a 6258  
certificate of title to the applicant, the clerk shall transmit 6259  
data related to the transaction to the automated title 6260  
processing system. 6261

(C) (1) If a certificate of title previously has been 6262

issued for ~~an~~ the off-highway motorcycle ~~or all purpose~~, all- 6263  
terrain vehicle, snowmobile, utility vehicle, or mini-truck, the 6264  
application also shall be accompanied by the certificate of 6265  
title duly assigned, unless otherwise provided in this chapter. 6266  
~~if~~ 6267

(2) If a certificate of title previously has not been 6268  
issued for the off-highway motorcycle ~~or all purpose~~, all- 6269  
terrain vehicle, snowmobile, utility vehicle, or mini-truck, the 6270  
application, unless otherwise provided in this chapter, shall be 6271  
accompanied by ~~a~~ one of the following: 6272

(a) A manufacturer's or importer's certificate; ~~by a~~ 6273

(b) A sworn statement of ownership; ~~or by a~~ 6274

(c) A certificate of title, bill of sale, or other 6275  
evidence of ownership required by law of another state from 6276  
which the ~~off-highway motorcycle or all purpose~~ vehicle was 6277  
brought into this state. ~~The~~ 6278

(3) The registrar, in accordance with Chapter 119. of the 6279  
Revised Code, shall prescribe the types of additional 6280  
documentation sufficient to establish proof of ownership, 6281  
including, but not limited to, receipts from the purchase of 6282  
parts or components, photographs, and affidavits of other 6283  
persons. 6284

(D) (1) If the application is made by two persons regarding 6285  
an off-highway motorcycle ~~or~~, an all purpose all-terrain 6286  
vehicle, a snowmobile, a utility vehicle, or a mini-truck in 6287  
which they wish to establish joint ownership with right of 6288  
survivorship, they may do so as provided in section 2131.12 of 6289  
the Revised Code. ~~if~~ 6290

(2) If the applicant requests a designation of the off- 6291

highway motorcycle ~~or all-purpose~~, all-terrain vehicle, 6292  
snowmobile, utility vehicle, or mini-truck in beneficiary form 6293  
so that upon the death of the owner of the ~~off-highway~~ 6294  
motorcycle or ~~all-purpose~~ vehicle, ownership of the ~~off-highway~~ 6295  
motorcycle or ~~all-purpose~~ vehicle will pass to a designated 6296  
transfer-on-death beneficiary or beneficiaries, the applicant 6297  
may do so as provided in section 2131.13 of the Revised Code. A 6298  
person who establishes ownership of ~~an off-highway~~ the 6299  
motorcycle or ~~an all-purpose~~ vehicle that is transferable on 6300  
death in accordance with section 2131.13 of the Revised Code may 6301  
terminate that type of ownership or change the designation of 6302  
the transfer-on-death beneficiary or beneficiaries by applying 6303  
for a certificate of title pursuant to this section. 6304

(E) For purposes of the transfer of a certificate of 6305  
title, if the clerk is satisfied that a secured party has duly 6306  
discharged a lien notation but has not canceled the lien 6307  
notation with a clerk, the clerk may cancel the lien notation on 6308  
the automated title processing system and notify the clerk of 6309  
the county of origin. 6310

(F) (1) In the case of the sale of an off-highway 6311  
motorcycle or ~~all-purpose~~ all-terrain vehicle by a dealer to a 6312  
general purchaser or user, the certificate of title shall be 6313  
obtained in the name of the purchaser by the dealer upon 6314  
application signed by the purchaser. ~~In~~ 6315

(2) In the case of a dealer selling a snowmobile, utility 6316  
vehicle, or mini-truck to a general purchaser, the dealer may 6317  
obtain a certificate of title in the name of the purchaser upon 6318  
application signed by the purchaser. 6319

(3) In all other cases not specified by division (F) (1) or 6320  
(2) of this section, the certificate shall be obtained by the 6321



purchaser. ~~In~~ 6322

(4) In all cases of transfer of ~~an~~ a titled off-highway 6323  
motorcycle or all-purpose, all-terrain vehicle, snowmobile, 6324  
utility vehicle, or mini-truck, the application for certificate 6325  
of title shall be filed within thirty days after the later of 6326  
the date of purchase or assignment of ownership of the ~~off-~~ 6327  
~~highway motorcycle or all-purpose vehicle. If~~ 6328

(5) If the application for certificate of title is not 6329  
filed within the thirty days ~~after the later of the date of~~ 6330  
~~purchase or assignment of ownership of the off-highway~~ 6331  
~~motorcycle or all-purpose vehicle~~ specified by division (F) (4) of 6332  
this section, the clerk shall charge a late filing fee of five 6333  
dollars in addition to the fee prescribed by section 4519.59 of 6334  
the Revised Code. The clerk shall retain the entire amount of 6335  
each late filing fee. 6336

(G) (1) Except in the case of an off-highway motorcycle or 6337  
all-purpose vehicle purchased prior to July 1, 1999 as provided 6338  
by division (G) (3) of this section, the clerk shall refuse to 6339  
accept an application for certificate of title unless the 6340  
applicant either tenders with the application payment of all 6341  
taxes levied by or pursuant to Chapter 5739. or 5741. of the 6342  
Revised Code based on the purchaser's county of residence, or 6343  
submits either of the following: 6344

~~(A)~~ (a) A receipt issued by the tax commissioner or a 6345  
clerk of courts showing payment of the tax; 6346

~~(B)~~ (b) An exemption certificate, in any form prescribed 6347  
by the tax commissioner, that specifies why the purchase is not 6348  
subject to the tax imposed by Chapter 5739. or 5741. of the 6349  
Revised Code. 6350

(2) Payment of the tax shall be made in accordance with 6351  
division (E) of section 4505.06 of the Revised Code and any 6352  
rules issued by the tax commissioner. When a dealer submits 6353  
payment of the tax to the clerk, the dealer shall retain any 6354  
discount to which the dealer is entitled under section 5739.12 6355  
of the Revised Code. The clerk shall issue a receipt in the form 6356  
prescribed by the tax commissioner to any applicant who tenders 6357  
payment of the tax with the application for a certificate of 6358  
title. ~~If the application for a certificate of title is for an-~~ 6359  
~~off-highway motorcycle or all-purpose vehicle purchased prior to-~~ 6360  
~~July 1, 1999, the-~~ 6361

(3) A clerk shall accept ~~the~~ an application for a 6362  
certificate of title without payment of the taxes levied by or 6363  
pursuant to Chapter 5739. or 5741. of the Revised Code or 6364  
presentation of either of the items listed in division ~~(A) or-~~ 6365  
~~(B)-(G)~~ (1) of this section for both of the following: 6366

(a) An off-highway motorcycle or all-terrain vehicle 6367  
purchased prior to July 1, 1999; 6368

(b) A snowmobile, utility vehicle, or mini-truck purchased 6369  
prior to the effective date of this amendment. 6370

(H) (1) For receiving and disbursing such taxes paid to the 6371  
clerk by a resident of the clerk's county, the clerk may retain 6372  
a poundage fee of one and one-hundredth per cent of the taxes 6373  
collected, which shall be paid into the certificate of title 6374  
administration fund created by section 325.33 of the Revised 6375  
Code. The clerk shall not retain a poundage fee from payments of 6376  
taxes by persons who do not reside in the clerk's county. 6377

(2) A clerk, however, may retain from the taxes paid to 6378  
the clerk an amount equal to the poundage fees associated with 6379

certificates of title issued by other clerks of courts of common 6380  
pleas to applicants who reside in the first clerk's county. The 6381  
registrar, in consultation with the tax commissioner and the 6382  
clerks of the courts of common pleas, shall develop a report 6383  
from the automated title processing system that informs each 6384  
clerk of the amount of the poundage fees that the clerk is 6385  
permitted to retain from those taxes because of certificates of 6386  
title issued by the clerks of other counties to applicants who 6387  
reside in the first clerk's county. 6388

(3) In the case of casual sales of ~~off-highway such~~ 6389  
motorcycles or ~~all-purpose~~ vehicles that are subject to the tax 6390  
imposed by Chapter 5739. or 5741. of the Revised Code, the 6391  
purchase price for the purpose of determining the tax shall be 6392  
the purchase price on an affidavit executed and filed with the 6393  
clerk by the seller on a form to be prescribed by the registrar, 6394  
which shall be prima-facie evidence of the price for the 6395  
determination of the tax. 6396

(I) In addition to the information required by section 6397  
4519.57 of the Revised Code, each certificate of title shall 6398  
contain in bold lettering the following notification and 6399  
statements: "WARNING TO TRANSFEROR AND TRANSFEREE (SELLER AND 6400  
BUYER): You are required by law to state the true selling price. 6401  
A false statement is in violation of section 2921.13 of the 6402  
Revised Code and is punishable by six months imprisonment or a 6403  
fine of up to one thousand dollars, or both. All transfers are 6404  
audited by the department of taxation. The seller and buyer must 6405  
provide any information requested by the department of taxation. 6406  
The buyer may be assessed any additional tax found to be due." 6407

(J) The clerk shall forward all payments of taxes, less 6408  
poundage fees, to the treasurer of state in a manner to be 6409

prescribed by the tax commissioner and shall furnish information 6410  
to the commissioner as the commissioner may require. 6411

(K) Every clerk shall have the capability to transact by 6412  
electronic means all procedures and transactions relating to the 6413  
issuance of certificates of title for off-highway motorcycles 6414  
~~and all purpose~~, all-terrain vehicles, snowmobiles, utility 6415  
vehicles, and mini-trucks that are described in the Revised Code 6416  
as being accomplished by electronic means. 6417

**Sec. 4519.551.** Notwithstanding any general requirement in 6418  
this chapter to the effect that an application for a certificate 6419  
of title to an off-highway motorcycle ~~or all purpose~~, an all- 6420  
terrain vehicle, a snowmobile, a utility vehicle, or a mini- 6421  
truck shall be "sworn to" or shall be "sworn to before a notary 6422  
public or other officer empowered to administer oaths," that 6423  
requirement shall apply only in the case of a transfer of ~~an~~ 6424  
~~off highway a~~ motorcycle or ~~all purpose~~ vehicle between parties 6425  
in the course of a sale by a person other than a registered 6426  
dealer to a person who purchases the ~~off-highway~~ motorcycle or 6427  
~~all purpose~~ vehicle for use as a consumer. 6428

**Sec. 4519.56.** ~~(A)~~ (A) (1) An application for a certificate 6429  
of title shall be sworn to before a notary public or other 6430  
officer empowered to administer oaths by the lawful owner or 6431  
purchaser of the off-highway motorcycle ~~or all purpose~~, all- 6432  
terrain vehicle, snowmobile, utility vehicle, or mini-truck and 6433  
shall contain at least the following information in a form and 6434  
together with any other information the registrar of motor 6435  
vehicles may require: 6436

~~(1)~~ (a) Name, address, and social security number or 6437  
employer's tax identification number of the applicant; 6438

~~(2)~~ ~~(b)~~ Statement of how the ~~off-highway~~ motorcycle or ~~all-purpose~~ vehicle was acquired; 6439  
6440

~~(3)~~ ~~(c)~~ Name and address of the previous owner; 6441

~~(4)~~ ~~(d)~~ A statement of all liens, mortgages, or other encumbrances on the ~~off-highway~~ motorcycle or ~~all-purpose~~ vehicle, and the name and address of each holder thereof; 6442  
6443  
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~~(5)~~ ~~(e)~~ If there are no outstanding liens, mortgages, or other encumbrances, a statement of that fact; 6445  
6446

~~(6)~~ ~~(f)~~ A description of the ~~off-highway~~ motorcycle or ~~all-purpose~~ vehicle, including the make, year, series or model, if any, body type, and manufacturer's vehicle identification number. 6447  
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(2) If the off-highway motorcycle ~~or all-purpose~~, all-terrain vehicle, snowmobile, utility vehicle, or mini-truck contains a permanent identification number placed thereon by the manufacturer, this number shall be used as the vehicle identification number. Except as provided in division (B) of this section, if the application for a certificate of title refers to an off-highway motorcycle ~~or all-purpose~~, an all-terrain vehicle, a snowmobile, a utility vehicle, or a mini-truck that contains such a permanent identification number, but for which no certificate of title has been issued previously by this state, the application shall be accompanied by a physical inspection certificate as described in that division. 6451  
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(3) If there is no manufacturer's vehicle identification number or if the manufacturer's vehicle identification number has been removed or obliterated, the registrar, upon receipt of a prescribed application and proof of ownership, but prior to issuance of a certificate of title, shall assign a vehicle 6463  
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identification number for the off-highway motorcycle ~~or all-~~ 6468  
~~purpose, all-terrain vehicle, snowmobile, utility vehicle, or~~ 6469  
mini-truck. This assigned vehicle identification number shall be 6470  
permanently affixed to or imprinted upon the ~~off-highway-~~ 6471  
motorcycle or ~~all-purpose~~ vehicle by the state highway patrol. 6472  
The state highway patrol shall assess a fee of fifty dollars for 6473  
affixing the number to the ~~off-highway~~ motorcycle or ~~all-purpose-~~ 6474  
vehicle and shall deposit each such fee in the public safety - 6475  
highway purposes fund established by section 4501.06 of the 6476  
Revised Code. 6477

~~(B)(1)~~ Except in the case of a new off-highway 6478  
motorcycle or all-purpose vehicle sold by a dealer title to 6479  
which is evidenced by a manufacturer's or importer's 6480  
certificate as provided in division (B)(2) of this section, if 6481  
the application for a certificate of title refers to an off- 6482  
highway motorcycle ~~or all-purpose, all-terrain vehicle,~~ 6483  
snowmobile, utility vehicle, or mini-truck that contains a 6484  
permanent identification number placed thereon by the 6485  
manufacturer, but for which no certificate of title previously 6486  
has been issued by this state, the application shall be 6487  
accompanied by a physical inspection certificate issued by the 6488  
department of public safety ~~verifying~~. The physical inspection 6489  
certificate shall verify the make, year, series or model, if 6490  
any, body type, and manufacturer's vehicle identification number 6491  
of the ~~off-highway~~ motorcycle or ~~all-purpose~~ vehicle for which 6492  
the certificate of title is desired. The physical inspection 6493  
certificate shall be in such form as is designated by the 6494  
registrar. The physical inspection shall be made at a deputy 6495  
registrar's office or at an established place of business 6496  
operated by a licensed motor vehicle dealer. The deputy 6497  
registrar or motor vehicle dealer may charge a maximum fee equal 6498

to the amount established under section 4503.038 of the Revised Code for conducting the physical inspection. 6499  
6500

(2) A new off-highway motorcycle or all-terrain vehicle that is sold by a dealer and is evidenced by a manufacturer's or importer's certificate does not require an accompanying physical inspection certificate under division (B)(1) of this section. 6501  
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(C) The clerk of the court of common pleas shall charge a fee of one dollar and fifty cents for the processing of each physical inspection certificate. The clerk shall retain fifty cents of the one dollar and fifty cents so charged and shall pay the remaining one dollar to the registrar by monthly returns, which shall be forwarded to the registrar not later than the fifth day of the month next succeeding that in which the certificate is received by the clerk. The registrar shall pay such remaining sums into the public safety - highway purposes fund established by section 4501.06 of the Revised Code. 6505  
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**Sec. 4519.57.** ~~(A)~~ (A)(1) When the clerk of a court of common pleas issues a physical certificate of title for an off-highway motorcycle ~~or all-purpose~~, all-terrain vehicle, snowmobile, utility vehicle, or mini-truck, the clerk shall issue it over the clerk's official seal. The front side of each physical certificate of title shall contain the information required in the application for it as prescribed by section 4519.56 of the Revised Code, spaces for the dates of notation and cancellation of two liens, mortgages, or encumbrances, and any other pertinent information as may be required by the registrar of motor vehicles, ~~but~~. The physical certificate of title shall contain neither the social security number nor taxpayer identification number of the applicant. ~~The~~ 6515  
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(2) The reverse side of each physical certificate of title 6528

shall contain all of the information specified in division (F) 6529  
of section 4505.07 of the Revised Code. An assignment of 6530  
certificate of title before a notary public or other officer 6531  
empowered to administer oaths shall appear on the reverse side 6532  
of each physical certificate of title in the form to be 6533  
prescribed by the registrar. The assignment form shall include a 6534  
warranty that the signer is the owner of the off-highway 6535  
~~motorcycle or all-purpose~~, all-terrain vehicle, snowmobile, 6536  
utility vehicle, or mini-truck and that there are no mortgages, 6537  
liens, or encumbrances on the ~~off-highway motorcycle or all-~~ 6538  
~~purpose~~ vehicle except as are noted on the face of the 6539  
certificate of title. 6540

(3) Physical certificates of title also shall ~~bear display~~ 6541  
a statement that liens applicable to the off-highway motorcycle 6542  
~~or all-purpose~~, all-terrain vehicle, snowmobile, utility 6543  
vehicle, or mini-truck other than the two for which there are 6544  
spaces on the certificates may exist and, if so, are entered 6545  
into the automated title processing system. 6546

(B) An electronic certificate of title is an electronic 6547  
record stored in the automated title processing system that 6548  
establishes ownership of an off-highway motorcycle ~~or all-~~ 6549  
~~purpose~~, all-terrain vehicle, snowmobile, utility vehicle, or 6550  
mini-truck, as well as any security interests that exist in that 6551  
~~off-highway motorcycle or all-purpose~~ vehicle. 6552

**Sec. 4519.58.** ~~(A)~~ (A) (1) When the clerk of a court of 6553  
common pleas issues a physical certificate of title, the clerk 6554  
shall issue the certificate of title on a form and in a manner 6555  
prescribed by the registrar of motor vehicles. The clerk shall 6556  
file a copy of the physical evidence for the creation of the 6557  
certificate of title in a manner prescribed by the registrar. A 6558



clerk may retain digital images of documents used as evidence 6559  
for issuance of a certificate of title. Certified printouts of 6560  
documents retained as digital images shall have the same 6561  
evidentiary value as the original physical documents. The record 6562  
of the issuance of the certificate of title shall be maintained 6563  
in the automated title processing system. ~~The~~ 6564

(2) The clerk shall sign and affix the clerk's seal to the 6565  
original certificate of title and, if there are no liens on the 6566  
off-highway motorcycle ~~or all purpose~~, all-terrain vehicle, 6567  
snowmobile, utility vehicle, or mini-truck, shall deliver the 6568  
certificate to the applicant or the selling dealer, as 6569  
applicable. Except as otherwise provided in this section, if 6570  
there are one or more liens on the ~~off-highway motorcycle or~~ 6571  
~~all-purpose~~ vehicle, the certificate of title shall be delivered 6572  
to the holder of the first lien. If the certificate of title is 6573  
obtained by a dealer on behalf of the applicant and there are 6574  
one or more liens on the ~~off-highway motorcycle or all-purpose~~ 6575  
vehicle, the clerk shall issue a certificate of title and may 6576  
issue a memorandum certificate of title. The certificate of 6577  
title and memorandum certificate of title, if issued, shall be 6578  
delivered to the holder of the first lien or the selling dealer, 6579  
who shall deliver the certificate of title to the holder of the 6580  
first lien and the memorandum certificate of title to the 6581  
applicant. The selling dealer also may make arrangements with 6582  
the clerk to have the clerk deliver the memorandum certificate 6583  
of title to the applicant. 6584

~~(B)~~ (B) (1) The registrar shall prescribe a uniform method 6585  
of numbering certificates of title. The numbering shall be in 6586  
such manner that the county of issuance is indicated. Numbers 6587  
shall be assigned to certificates of title in the manner 6588  
prescribed by the registrar. The clerk shall file all 6589

certificates of title according to the rules to be prescribed by 6590  
the registrar, and the clerk shall maintain in the clerk's 6591  
office indexes for the certificates of title. 6592

(2) The clerk need not retain on file any current 6593  
certificates of title, current duplicate certificates of title, 6594  
current memorandum certificates of title, or current salvage 6595  
certificates of title, or supporting evidence of them, covering 6596  
any off-highway motorcycle ~~or all purpose~~, all-terrain vehicle, 6597  
snowmobile, utility vehicle, or mini-truck for a period longer 6598  
than seven years after the date of their filing; ~~thereafter.~~ 6599  
Thereafter, the documents and supporting evidence may be 6600  
destroyed. The clerk need not retain on file any inactive 6601  
records, including certificates of title, duplicate certificates 6602  
of title, or memorandum certificates of title, or supporting 6603  
evidence of them, including the electronic record described in 6604  
section 4519.55 of the Revised Code, covering any off-highway 6605  
motorcycle ~~or all purpose~~, all-terrain vehicle, snowmobile, 6606  
utility vehicle, or mini-truck for a period longer than five 6607  
years after the date of their filing; ~~thereafter.~~ Thereafter, 6608  
the documents and supporting evidence may be destroyed. 6609

(3) The automated title processing system shall contain 6610  
all active records and an index of the active records, and shall 6611  
contain a record and index of all inactive titles for ten years, 6612  
and a record and index of all inactive titles for ~~manufactured-~~ 6613  
~~and mobile homes~~ off-highway motorcycles, all-terrain vehicles, 6614  
snowmobiles, utility vehicles, or mini-trucks for thirty years. 6615  
If the clerk provides a written copy of any information 6616  
contained in the database, the copy shall be considered the 6617  
original for purposes of the clerk certifying the record of such 6618  
information for use in any legal proceedings. 6619

(C) Except as provided in this division, the clerk shall 6620  
issue a physical certificate of title to an applicant unless the 6621  
applicant specifically requests the clerk not to issue a 6622  
physical certificate of title and instead to issue an electronic 6623  
certificate of title. In the case of a title application that is 6624  
submitted electronically to the clerk, the clerk shall issue an 6625  
electronic certificate of title unless the applicant requests 6626  
the issuance of a physical certificate of title. The fact that a 6627  
physical certificate of title is not issued for an off-highway 6628  
motorcycle ~~or all-purpose~~, all-terrain vehicle, snowmobile, 6629  
utility vehicle, or mini-truck does not affect ownership of the 6630  
motorcycle or vehicle. In that case, when the clerk completes 6631  
the process of entering certificate of title application 6632  
information into the automated title processing system, the 6633  
effect of the completion of the process is the same as if the 6634  
clerk actually issued a physical certificate of title for the 6635  
motorcycle or vehicle. 6636

(D) An electronic dealer, who applies for a certificate of 6637  
title on behalf of a customer ~~who purchases an off-highway~~ 6638  
~~motorcycle or all-purpose vehicle from the dealer~~, may print a 6639  
non-negotiable evidence of ownership for the customer if the 6640  
customer so requests. The authorization to print the non- 6641  
negotiable evidence of ownership shall come from the clerk with 6642  
whom the dealer makes application for the certificate of title 6643  
for the customer, but the printing by the dealer does not create 6644  
an agency relationship of any kind between the dealer and the 6645  
clerk. 6646

(E) The owner of the off-highway motorcycle ~~or all-purpose~~ 6647  
~~,~~ all-terrain vehicle, snowmobile, utility vehicle, or mini- 6648  
truck may apply at any time to a clerk of a court of common 6649  
pleas for a non-negotiable evidence of ownership for the ~~off-~~ 6650

~~highway motorcycle or all-purpose vehicle.~~ 6651

**Sec. 4519.59.** (A) (1) The clerk of a court of common pleas 6652  
shall charge and retain fees as follows: 6653

(a) Fifteen dollars for each certificate of title or 6654  
duplicate certificate of title including the issuance of a 6655  
memorandum certificate of title, authorization to print a non- 6656  
negotiable evidence of ownership described in division (D) of 6657  
section 4519.58 of the Revised Code, non-negotiable evidence of 6658  
ownership printed by the clerk under division (E) of that 6659  
section, and notation of any lien on a certificate of title that 6660  
is applied for at the same time as the certificate of title. The 6661  
clerk shall retain eleven dollars and fifty cents of that fee 6662  
for each certificate of title when there is a notation of a lien 6663  
or security interest on the certificate of title, twelve dollars 6664  
and twenty-five cents when there is no lien or security interest 6665  
noted on the certificate of title, and eleven dollars and fifty 6666  
cents for each duplicate certificate of title. 6667

(b) Five dollars for each certificate of title with no 6668  
security interest noted that is issued to a licensed motor 6669  
vehicle dealer for resale purposes. The clerk shall retain two 6670  
dollars and twenty-five cents of that fee. 6671

(c) Five dollars for each memorandum certificate of title 6672  
or non-negotiable evidence of ownership that is applied for 6673  
separately. The clerk shall retain that entire fee. 6674

(2) The fees that are not retained by the clerk shall be 6675  
paid to the registrar of motor vehicles by monthly returns, 6676  
which shall be forwarded to the registrar not later than the 6677  
fifth day of the month next succeeding that in which the 6678  
certificate is forwarded or that in which the registrar is 6679

notified of a lien or cancellation of a lien. 6680

(B) (1) The registrar shall pay twenty-five cents of the 6681  
amount received for each certificate of title that is issued to 6682  
a motor vehicle dealer for resale, one dollar for certificates 6683  
of title issued with a lien or security interest noted on the 6684  
certificate of title, and twenty-five cents for each certificate 6685  
of title with no lien or security interest noted on the 6686  
certificate of title into the public safety - highway purposes 6687  
fund established in section 4501.06 of the Revised Code. 6688

(2) Fifty cents of the amount received for each 6689  
certificate of title shall be paid by the registrar as follows: 6690

(a) Four cents shall be paid into the state treasury to 6691  
the credit of the motor vehicle dealers board fund created in 6692  
section 4505.09 of the Revised Code, for use as described in 6693  
division (B) (2) (a) of that section. 6694

(b) ~~Twenty-one~~ Thirty-one cents shall be paid into the 6695  
highway operating fund. 6696

(c) ~~Twenty-five~~ Fifteen cents shall be paid into the state 6697  
treasury to the credit of the motor vehicle sales audit fund 6698  
created in section 4505.09 of the Revised Code, for use as 6699  
described in division (B) (2) (c) of that section. 6700

(3) Two dollars of the amount received by the registrar 6701  
for each certificate of title shall be paid into the state 6702  
treasury to the credit of the automated title processing fund 6703  
created in section 4505.09 of the Revised Code, for use as 6704  
described in divisions (B) (3) (a) and (c) of that section. 6705

**Sec. 4519.60.** (A) ~~In the event of the transfer of This~~ 6706  
section applies when ownership of an off-highway motorcycle-or- 6707  
all-purpose, all-terrain vehicle, snowmobile, utility vehicle, 6708

or mini-truck transfers by operation of law, as upon 6709  
inheritance, devise, bequest, order in bankruptcy, insolvency, 6710  
replevin, or execution of sale, or when repossession is had upon 6711  
default in performance of the terms of a security agreement as 6712  
provided in Chapter 1309. of the Revised Code, ~~a.~~ 6713

(B) A clerk of a court of common pleas, upon the may 6714  
issue to an applicant a certificate of title to an off-highway 6715  
motorcycle, an all-terrain vehicle, a snowmobile, a utility 6716  
vehicle, or a mini-truck after all of the following occur: 6717

(1) The surrender of the prior certificate of title or the 6718  
manufacturer's or importer's certificate, if any, or, when that 6719  
is not possible, upon presentation to the clerk of satisfactory 6720  
proof of ownership and rights of possession to the ~~off-highway~~ 6721  
motorcycle or ~~all-purpose vehicle,~~ and upon ~~;~~ 6722

(2) The payment of the fee prescribed in section 4519.59 6723  
of the Revised Code ~~and ;~~ 6724

(3) The presentation of ~~an a completed~~ application for 6725  
certificate of title, ~~may issue to the applicant a certificate~~ 6726  
~~of title to the off-highway motorcycle or all-purpose vehicle.~~ 6727  
~~Only~~ 6728

(C) Only an affidavit by the person or agent of the person 6729  
to whom possession of the ~~off-highway motorcycle or all-purpose~~ 6730  
vehicle has passed, setting forth the facts entitling the person 6731  
to the possession and ownership, together with a copy of the 6732  
journal entry, court order, or instrument upon which the claim 6733  
of possession and ownership is founded, is satisfactory proof of 6734  
ownership and right of possession. If the applicant cannot 6735  
produce that proof of ownership, the applicant may apply 6736  
directly to the registrar of motor vehicles and submit the 6737

~~applicant's~~ evidence ~~the applicant has, and the~~ of ownership. 6738  
The registrar, upon finding the evidence sufficient, may 6739  
authorize the clerk to issue a certificate of title. If, from 6740  
the records in the office of the clerk, there appears to be any 6741  
lien on the ~~off-highway~~ motorcycle or ~~all-purpose~~ vehicle, the 6742  
certificate of title shall contain a statement of the lien 6743  
unless the application is accompanied by proper evidence of its 6744  
extinction. 6745

~~(B)-(D)~~ (D) Upon the death of one of the persons who have 6746  
established joint ownership with right of survivorship under 6747  
section 2131.12 of the Revised Code in an off-highway motorcycle 6748  
~~or all-purpose,~~ all-terrain vehicle, snowmobile, utility 6749  
vehicle, or mini-truck and the presentation to the clerk of the 6750  
title and the certificate of death of the deceased person, the 6751  
clerk shall enter into the records the transfer of the ~~off-~~ 6752  
~~highway~~ motorcycle or ~~all-purpose~~ vehicle to the surviving 6753  
person, ~~and the~~. The title to the off-highway motorcycle or 6754  
~~all-purpose~~ vehicle immediately passes to the surviving person. 6755  
The transfer does not affect any liens on the ~~off-highway~~ 6756  
motorcycle or ~~all-purpose~~ vehicle. 6757

~~(C)-(E)~~ (E) Upon the death of an owner of an off-highway 6758  
motorcycle ~~or all-purpose,~~ all-terrain vehicle, snowmobile, 6759  
utility vehicle, or mini-truck designated in beneficiary form 6760  
under section 2131.13 of the Revised Code, upon application of 6761  
the transfer-on-death beneficiary or beneficiaries designated 6762  
pursuant to that section, and upon presentation to the clerk of 6763  
the certificate of title and the certificate of death of the 6764  
deceased owner, the clerk shall transfer the ~~off-highway~~ 6765  
motorcycle or ~~all-purpose~~ vehicle and issue a certificate of 6766  
title to the transfer-on-death beneficiary or beneficiaries. The 6767  
transfer does not affect any liens upon any ~~off-highway~~ 6768

motorcycle or ~~all-purpose~~ vehicle so transferred. 6769

**Sec. 4519.61.** (A) Each owner of an off-highway motorcycle 6770  
~~or all-purpose~~, all-terrain vehicle, snowmobile, utility 6771  
vehicle, or mini-truck and each person mentioned as owner in the 6772  
last certificate of title, when ~~the off-highway that~~ motorcycle 6773  
or ~~all-purpose~~ vehicle is dismantled, destroyed, or changed in 6774  
such manner that it loses its character as ~~an off-highway the~~ 6775  
original motorcycle or ~~all-purpose~~ vehicle titled, or changed in 6776  
such manner that it is not the ~~off-highway~~ motorcycle or ~~all-~~ 6777  
~~purpose~~ vehicle described in the certificate of title, shall 6778  
surrender the certificate of title to a clerk of a court of 6779  
common pleas, ~~and the~~. The clerk, with the consent of the 6780  
holders of any liens noted on the certificate of title, then 6781  
shall enter a cancellation upon the clerk's records and shall 6782  
notify the registrar of motor vehicles of the cancellation. 6783

Upon the cancellation of a certificate of title in the 6784  
manner prescribed by this section, any clerk and the registrar 6785  
may cancel and destroy all certificates and all memorandum 6786  
certificates in that chain of title. 6787

(B) If an Ohio certificate of title or salvage certificate 6788  
of title to an off-highway motorcycle ~~or all-purpose~~, all- 6789  
terrain vehicle, snowmobile, utility vehicle, or mini-truck is 6790  
assigned to a salvage dealer, the dealer shall not be required 6791  
to obtain an Ohio certificate of title or a salvage certificate 6792  
of title to the ~~off-highway~~ motorcycle or ~~all-purpose~~ vehicle in 6793  
the dealer's own name if the dealer ~~dismantles~~ does all of the 6794  
following: 6795

(1) Dismantles or destroys the ~~off-highway~~ motorcycle or 6796  
~~all-purpose~~ vehicle, completes; 6797



(2) Completes the assignment on the certificate of title 6798  
or salvage certificate of title, ~~indicates~~; 6799

(3) Indicates the number of the dealer's motor vehicle 6800  
salvage dealer's license on it, ~~marks~~; 6801

(4) Marks "FOR DESTRUCTION" across the face of the 6802  
certificate of title or salvage certificate of title, ~~and~~ 6803  
~~surrenders~~; 6804

(5) Surrenders the certificate of title or salvage 6805  
certificate of title to a clerk of a court of common pleas as 6806  
provided in division (A) of this section. ~~if~~ 6807

If the salvage dealer retains the ~~off-highway~~ motorcycle 6808  
or ~~all-purpose~~ vehicle for resale, the salvage dealer shall make 6809  
application for a salvage certificate of title to the ~~off-~~ 6810  
~~highway~~ motorcycle or ~~all-purpose~~ vehicle in the salvage 6811  
dealer's own name as provided in division (C) (1) of this 6812  
section. 6813

(C) (1) When an insurance company declares it economically 6814  
impractical to repair the ~~off-highway motorcycle or all-purpose~~ 6815  
, all-terrain vehicle, snowmobile, utility vehicle, or mini- 6816  
truck, and has paid an agreed price for the purchase of the ~~off-~~ 6817  
~~highway~~ motorcycle or ~~all-purpose~~ vehicle to any insured or 6818  
claimant owner, the insurance company shall receive the 6819  
certificate of title and ~~off-highway~~ motorcycle or ~~all-purpose~~ 6820  
vehicle and proceed as follows. Within thirty days, the 6821  
insurance company shall deliver the certificate of title to a 6822  
clerk of a court of common pleas and shall make application for 6823  
a salvage certificate of title. The clerk shall issue the 6824  
salvage certificate of title on a form, prescribed by the 6825  
registrar, that shall be easily distinguishable from the 6826

original certificate of title and shall ~~bear~~display the same 6827  
information as the original certificate of title except that it 6828  
may ~~bear~~display a different number from that of the original 6829  
certificate of title. Except as provided in division (C) (2) of 6830  
this section, the salvage certificate of title shall be assigned 6831  
by the insurance company to a salvage dealer or any other person 6832  
for use as evidence of ownership upon the sale or other 6833  
disposition of the ~~off-highway~~ motorcycle or ~~all-purpose~~ 6834  
vehicle, and the salvage certificate of title shall be 6835  
transferable to any other person. The clerk of the court of 6836  
common pleas shall charge a fee of four dollars for the cost of 6837  
processing each salvage certificate of title. 6838

(2) If an insurance company considers ~~an off-highway~~the 6839  
motorcycle or ~~all-purpose~~ vehicle as described in division (C) 6840  
(1) of this section to be impossible to restore to normal 6841  
operation, the insurance company may assign the certificate of 6842  
title to the ~~off-highway~~ motorcycle or ~~all-purpose~~ vehicle to a 6843  
salvage dealer or scrap metal processing facility and send the 6844  
assigned certificate of title to the clerk of the court of 6845  
common pleas of any county. The insurance company shall mark the 6846  
face of the certificate of title "FOR DESTRUCTION" and shall 6847  
deliver a photocopy of the certificate of title to the salvage 6848  
dealer or scrap metal processing facility for its records. 6849

(3) If an insurance company declares it economically 6850  
impractical to repair ~~an off-highway~~the motorcycle or ~~all-~~ 6851  
~~purpose~~ vehicle, agrees to pay to the insured or claimant owner 6852  
an amount in settlement of a claim against a policy of motor 6853  
vehicle insurance covering the ~~off-highway~~ motorcycle or ~~all-~~ 6854  
~~purpose~~ vehicle, and agrees to permit the insured or claimant 6855  
owner to retain possession of the ~~off-highway~~ motorcycle or ~~all-~~ 6856  
~~purpose~~ vehicle, the insurance company shall not pay the insured 6857

or claimant owner any amount in settlement of the insurance 6858  
claim until the owner obtains a salvage certificate of title to 6859  
the vehicle and furnishes a copy of the salvage certificate of 6860  
title to the insurance company. 6861

(D) When a self-insured organization, rental or leasing 6862  
company, or secured creditor becomes the owner of an off-highway 6863  
~~motorcycle or all-purpose~~, all-terrain vehicle, snowmobile, 6864  
utility vehicle, or mini-truck that is burned, damaged, or 6865  
dismantled and is determined to be economically impractical to 6866  
repair, the self-insured organization, rental or leasing 6867  
company, or secured creditor shall do one of the following: 6868

(1) Mark the face of the certificate of title to the ~~off-~~ 6869  
~~highway~~ motorcycle or ~~all-purpose~~ vehicle "FOR DESTRUCTION" and 6870  
surrender the certificate of title to a clerk of a court of 6871  
common pleas for cancellation as described in division (A) of 6872  
this section. The self-insured organization, rental or leasing 6873  
company, or secured creditor then shall deliver the ~~off-highway~~ 6874  
motorcycle or ~~all-purpose~~ vehicle, together with a photocopy of 6875  
the certificate of title, to a salvage dealer or scrap metal 6876  
processing facility and shall cause the ~~off-highway~~ motorcycle 6877  
or ~~all-purpose~~ vehicle to be dismantled, flattened, crushed, or 6878  
destroyed. 6879

(2) Obtain a salvage certificate of title to the ~~off-~~ 6880  
~~highway~~ motorcycle or ~~all-purpose~~ vehicle in the name of the 6881  
self-insured organization, rental or leasing company, or secured 6882  
creditor, as provided in division (C)(1) of this section, and 6883  
then sell or otherwise dispose of the ~~off-highway~~ motorcycle or 6884  
~~all-purpose~~ vehicle. If the ~~off-highway~~ motorcycle or ~~all-~~ 6885  
~~purpose~~ vehicle is sold, the self-insured organization, rental 6886  
or leasing company, or secured creditor shall obtain a salvage 6887

certificate of title to the ~~off-highway~~ motorcycle or ~~all-~~ 6888  
~~purpose~~ vehicle in the name of the purchaser from a clerk of a 6889  
court of common pleas. 6890

(E) If an off-highway motorcycle ~~or all-purpose~~, all- 6891  
terrain vehicle, snowmobile, utility vehicle, or mini-truck 6892  
titled with a salvage certificate of title is restored for 6893  
operation, application shall be made to a clerk of a court of 6894  
common pleas for a certificate of title after inspection by the 6895  
state highway patrol. The inspection shall include establishing 6896  
proof of ownership and an inspection of the motor number and 6897  
vehicle identification number of the ~~off-highway~~ motorcycle or 6898  
~~all-purpose~~ vehicle and of documentation or receipts for the 6899  
materials used in restoration by the owner of the ~~off-highway~~ 6900  
motorcycle or ~~all-purpose~~ vehicle being inspected, which 6901  
documentation or receipts shall be presented at the time of 6902  
inspection. Upon successful completion of the inspection, the 6903  
state highway patrol shall issue to the owner a completed 6904  
inspection form. The clerk, upon submission of the completed 6905  
inspection form and surrender of the salvage certificate of 6906  
title, shall issue a certificate of title for a fee prescribed 6907  
by the registrar. The certificate of title shall be in the same 6908  
form as the original certificate of title and shall bear the 6909  
words "REBUILT SALVAGE" in black boldface letters on its face. 6910  
Every subsequent certificate of title, memorandum certificate of 6911  
title, or certified copy of a certificate of title or memorandum 6912  
certificate of title issued for the ~~off-highway~~ motorcycle or 6913  
~~all-purpose~~ vehicle also shall bear the words "REBUILT SALVAGE" 6914  
in black boldface letters on its face. The exact location on the 6915  
face of the certificate of title of the words "REBUILT SALVAGE" 6916  
shall be determined by the registrar, who shall develop an 6917  
automated procedure within the automated title processing system 6918

to comply with this division. The clerk shall use reasonable 6919  
care in performing the duties imposed on the clerk by this 6920  
division in issuing a certificate of title pursuant to this 6921  
division, but the clerk is not liable for errors or omissions of 6922  
the clerk of courts, the clerk's deputies, or the automated 6923  
title processing system in the performance of such duties. A fee 6924  
of fifty dollars shall be assessed by the state highway patrol 6925  
for each inspection made pursuant to this division. 6926

(F) No off-highway motorcycle ~~or all purpose~~, all-terrain 6927  
vehicle, snowmobile, utility vehicle, or mini-truck the 6928  
certificate of title to which has been marked "FOR DESTRUCTION" 6929  
and surrendered to a clerk of a court of common pleas shall be 6930  
used for anything except parts and scrap metal. 6931

**Sec. 4519.62.** In the event of a lost or destroyed 6932  
certificate of title, application shall be made to a clerk of a 6933  
court of common pleas, by the owner of the off-highway 6934  
motorcycle ~~or all purpose~~, all-terrain vehicle, snowmobile, 6935  
utility vehicle, or mini-truck, or the holder of a lien on it, 6936  
for a certified copy of the certificate, upon a form prescribed 6937  
by the registrar of motor vehicles and accompanied by the fee 6938  
prescribed by section 4519.59 of the Revised Code. The 6939  
application shall be signed and sworn to by the person making 6940  
the application, and the clerk shall issue a certified copy of 6941  
the certificate of title to the person entitled to receive it 6942  
under this chapter. The certified copy shall be plainly marked 6943  
across its face with the word "duplicate," and any subsequent 6944  
purchaser of the ~~off-highway motorcycle or all purpose~~ vehicle 6945  
in the chain of title originating through the certified copy 6946  
acquires only such rights in the ~~off-highway motorcycle or all-~~ 6947  
~~purpose~~ vehicle as the original holder of the certified copy 6948  
had. Any purchaser of the ~~off-highway motorcycle or all purpose~~ 6949

vehicle, at the time of purchase, may require the seller of the 6950  
same to indemnify the purchaser and all subsequent purchasers of 6951  
the ~~off-highway~~ motorcycle or ~~all-purpose~~ vehicle against any 6952  
loss that the purchaser or subsequent purchasers may suffer by 6953  
reason of any claim presented upon the original certificate. In 6954  
the event of the recovery of the original certificate of title 6955  
by the owner, the owner shall surrender it immediately to the 6956  
clerk for cancellation. 6957

The holder of a certificate of title for an off-highway 6958  
motorcycle ~~or all-purpose~~, all-terrain vehicle, snowmobile, 6959  
utility vehicle, or mini-truck upon which is noted an existing 6960  
lien, encumbrance, or mortgage, may make application at any time 6961  
to a clerk for a memorandum certificate, which application shall 6962  
be made in the form prescribed by the registrar and signed and 6963  
sworn to by the applicant. Upon receipt of the application, if 6964  
it appears to be correct, together with the fee prescribed by 6965  
section 4519.59 of the Revised Code, the clerk shall issue to 6966  
the applicant a memorandum certificate for the ~~off-highway~~ 6967  
motorcycle or ~~all-purpose~~ vehicle. If the memorandum certificate 6968  
is lost or destroyed, the holder of it may obtain a certified 6969  
copy of it upon the filing of an application with the clerk on a 6970  
form prescribed by the registrar, accompanied by the fee 6971  
prescribed in section 4519.59 of the Revised Code. The 6972  
memorandum certificate is not assignable and constitutes no 6973  
evidence of title or of right to transfer or encumber the ~~off-~~ 6974  
~~highway~~ motorcycle or ~~all-purpose~~ vehicle described in it. 6975

**Sec. 4519.63.** (A) The registrar of motor vehicles or the 6976  
clerk of the court of common pleas, upon the application of any 6977  
person and payment of the proper fee, may prepare and furnish 6978  
title information regarding off-highway motorcycles ~~and all-~~ 6979  
~~purpose~~, all-terrain vehicles, snowmobiles, utility vehicles, 6980

and mini-trucks in the form and subject to any territorial 6981  
division or other classification as they may direct. The 6982  
registrar or the clerk may search the records of the bureau of 6983  
motor vehicles regarding ~~off-highway~~ those motorcycles and ~~all-~~ 6984  
~~purpose~~ vehicles and furnish reports of those records under the 6985  
signature of the registrar or the clerk. 6986

(B) (1) Fees for lists containing title information shall 6987  
be charged and collected as follows: 6988

(a) For lists containing three thousand titles or more, 6989  
twenty-five dollars per thousand or part thereof; 6990

(b) For each report of a search of the records, the fee is 6991  
five dollars per copy. The registrar and clerk may certify 6992  
copies of records generated by an automated title processing 6993  
system. 6994

(2) A copy of any such report shall be taken as prima- 6995  
facie evidence of the facts therein stated in any court of the 6996  
state. The registrar and the clerk shall furnish information on 6997  
any title without charge to state highway patrol troopers, 6998  
sheriffs, chiefs of police, or the attorney general. The clerk 6999  
also may provide a copy of a certificate of title to a public 7000  
agency without charge. 7001

(C) (1) Those fees collected by the registrar as provided 7002  
in division (B) (1) (a) of this section shall be paid to the 7003  
treasurer of state to the credit of the public safety - highway 7004  
purposes fund established in section 4501.06 of the Revised 7005  
Code. Those fees collected by the clerk as provided in division 7006  
(B) (1) (a) of this section shall be paid to the certificate of 7007  
title administration fund created by section 325.33 of the 7008  
Revised Code. 7009

(2) The registrar shall pay each five-dollar fee the registrar collects under division (B) (1) (b) of this section into the state treasury to the credit of the public safety - highway purposes fund established in section 4501.06 of the Revised Code. 7010  
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(3) The clerk of the court of common pleas shall retain two dollars of each fee the clerk collects under division (B) (1) (b) of this section and deposit that two dollars into the certificate of title administration fund created by section 325.33 of the Revised Code. The clerk shall forward the remaining three dollars to the registrar not later than the fifth day of the month next succeeding that in which the transaction occurred. The registrar shall deposit the three-dollar portion of each fee into the state treasury to the credit of the public safety - highway purposes fund established in section 4501.06 of the Revised Code. 7015  
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**Sec. 4519.631.** The registrar of motor vehicles shall enable the public to access off-highway motorcycle ~~and all-purpose~~, all-terrain vehicle, snowmobile, utility vehicle, and mini-truck title information via electronic means. No fee shall be charged for this access. The title information that must be so accessible is only the title information that is in an electronic format at the time a person requests this access. 7026  
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The registrar shall establish procedures governing this access. The procedures may be established by rule in accordance with Chapter 119. of the Revised Code. In adopting the rules, the registrar shall confer with the clerks of the courts of common pleas. 7033  
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Access by the public to ~~off-highway the~~ motorcycle and ~~all-purpose~~ vehicle title information under this section shall 7038  
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comply with all restrictions contained in the Revised Code and 7040  
federal law that govern the disclosure of that information. 7041

**Sec. 4519.64.** Manufacturers and importers of off-highway 7042  
motorcycles or ~~all-purpose~~ all-terrain vehicles shall appoint 7043  
and authorize agents who shall sign manufacturer's or importer's 7044  
certificates. The registrar of motor vehicles may require that a 7045  
certified copy of a list containing the names and the facsimile 7046  
signatures of the authorized agents be furnished to the 7047  
registrar and be forwarded to each clerk of the court of common 7048  
pleas in the respective counties within the state, and the 7049  
registrar may prescribe the form of authorization to be used by 7050  
the manufacturers or importers and the method of certification 7051  
of the names of the agents. 7052

**Sec. 4519.65.** The clerk of the court of common pleas and 7053  
the clerk's deputies may administer oaths on any application or 7054  
affidavit required or authorized by this chapter. 7055

**Sec. 4519.66.** (A) No person shall do any of the following: 7056

(1) Operate in this state an off-highway motorcycle ~~or~~ 7057  
~~all-purpose~~, an all-terrain vehicle, a snowmobile, a utility 7058  
vehicle, or a mini-truck without having a certificate of title 7059  
for the ~~off-highway motorcycle or all-purpose~~ vehicle, if such a 7060  
certificate is required by this chapter to be issued for the 7061  
~~off-highway motorcycle or all-purpose~~ vehicle, or, if a physical 7062  
certificate of title has not been issued for it and a 7063  
certificate of title is required under this chapter for that 7064  
motorcycle or vehicle, operate an off-highway motorcycle ~~or all-~~ 7065  
~~purpose~~, an all-terrain vehicle, a snowmobile, a utility 7066  
vehicle, or a mini-truck knowing that the ownership information 7067  
relating to the motorcycle or vehicle has not been entered into 7068  
the automated title processing system by a clerk of a court of 7069

common pleas; 7070

(2) Operate in this state an off-highway motorcycle ~~or~~ 7071  
~~all-purpose~~, an all-terrain vehicle, a snowmobile, a utility 7072  
vehicle, or a mini-truck if a certificate of title to the ~~off-~~ 7073  
~~highway motorcycle or all-purpose~~ vehicle has been issued and 7074  
then has been canceled; 7075

(3) Fail to surrender any certificate of title upon 7076  
cancellation of it by the registrar of motor vehicles and notice 7077  
of the cancellation as prescribed in this chapter; 7078

(4) Fail to surrender the certificate of title to a clerk 7079  
of a court of common pleas as provided in this chapter, in case 7080  
of the destruction or dismantling of, or change in, the off- 7081  
highway motorcycle ~~or all-purpose~~, all-terrain vehicle, 7082  
snowmobile, utility vehicle, or mini-truck described in the 7083  
certificate of title; 7084

(5) Violate any provision of sections 4519.51 to 4519.70 7085  
of the Revised Code for which no penalty is otherwise provided 7086  
or any lawful rules adopted pursuant to those sections; 7087

(6) Operate in this state an off-highway motorcycle ~~or~~ 7088  
~~all-purpose~~, an all-terrain vehicle, a snowmobile, a utility 7089  
vehicle, or a mini-truck knowing that the certificate of title 7090  
to or ownership of the motorcycle or vehicle as otherwise 7091  
reflected in the automated title processing system has been 7092  
canceled. 7093

(B) Whoever violates this section shall be fined not more 7094  
than two hundred dollars, imprisoned not more than ninety days, 7095  
or both. 7096

**Sec. 4519.67.** (A) No person shall do any of the following: 7097

(1) Procure or attempt to procure a certificate of title 7098  
to an off-highway motorcycle ~~or all-purpose~~, an all-terrain 7099  
vehicle, a snowmobile, a utility vehicle, or a mini-truck, or 7100  
pass or attempt to pass a certificate of title or any assignment 7101  
of a certificate of title to an off-highway motorcycle ~~or all-~~ 7102  
~~purpose~~, an all-terrain vehicle, a snowmobile, a utility 7103  
vehicle, or a mini-truck, or in any other manner gain or attempt 7104  
to gain ownership to an off-highway motorcycle ~~or all-purpose~~, an 7105  
all-terrain vehicle, a snowmobile, a utility vehicle, or a 7106  
mini-truck, knowing or having reason to believe that the ~~off-~~ 7107  
~~highway motorcycle or all-purpose~~ vehicle has been stolen; 7108

(2) Sell or offer for sale in this state an off-highway 7109  
motorcycle ~~or all-purpose~~, an all-terrain vehicle, a 7110  
snowmobile, a utility vehicle, or a mini-truck on which the 7111  
manufacturer's or assigned vehicle identification number has 7112  
been destroyed, removed, covered, altered, or defaced with 7113  
knowledge of the destruction, removal, covering, alteration, or 7114  
defacement of the manufacturer's or assigned vehicle 7115  
identification number; 7116

(3) Except as otherwise provided in this chapter, sell or 7117  
transfer ~~an a titled off-highway motorcycle or all-purpose~~, an 7118  
all-terrain vehicle, snowmobile, utility vehicle, or mini-truck 7119  
without delivering to the purchaser or transferee of it a 7120  
certificate of title, or a manufacturer's or importer's 7121  
certificate to it, assigned to the purchaser as provided for in 7122  
this chapter. 7123

(B) Whoever violates this section shall be fined not more 7124  
than five thousand dollars, imprisoned in the county jail ~~or~~ 7125  
~~workhouse~~ not less than six months nor more than one year or in 7126  
~~the penitentiary~~ a state correctional institution not less than 7127

one year nor more than five years, or both. 7128

**Sec. 4519.68.** (A) (1) Chapter 1309. of the Revised Code 7129  
does not permit or require the deposit, filing, or other record 7130  
of a security interest covering an off-highway motorcycle ~~or~~ 7131  
~~all-purpose~~, an all-terrain vehicle, a snowmobile, a utility 7132  
vehicle, or a mini-truck, except as provided in division (A) (2) 7133  
of this section. 7134

(2) Chapter 1309. of the Revised Code applies to a 7135  
security interest in an off-highway motorcycle ~~or all purpose~~, 7136  
an all-terrain vehicle, a snowmobile, a utility vehicle, or a 7137  
mini-truck held as inventory, as defined in section 1309.102 of 7138  
the Revised Code, for sale by a dealer. The security interest 7139  
has priority over creditors of the dealer as provided in Chapter 7140  
1309. of the Revised Code without notation of the security 7141  
interest on a certificate of title, without entry of a notation 7142  
of the security interest into the automated title processing 7143  
system if a physical certificate of title has not been issued, 7144  
or without the retention of a manufacturer's or importer's 7145  
certificate. 7146

(B) Subject to division (A) of this section, any security 7147  
agreement covering a security interest in an off-highway 7148  
motorcycle ~~or all purpose~~, an all-terrain vehicle, a 7149  
snowmobile, a utility vehicle, or a mini-truck, if a notation of 7150  
the agreement has been made by a clerk of a court of common 7151  
pleas on the face of the certificate of title or if the clerk 7152  
has entered a notation of the agreement into the automated title 7153  
processing system if a physical certificate of title has not 7154  
been issued, is valid as against the creditors of the debtor, 7155  
whether armed with process or not, and against subsequent 7156  
purchasers, secured parties, and other lienholders or claimants. 7157

All security interests, liens, mortgages, and encumbrances 7158  
entered into the automated title processing system in relation 7159  
to a particular certificate of title, regardless of whether a 7160  
physical certificate of title is issued, take priority according 7161  
to the order of time in which they are entered into the 7162  
automated title processing system by the clerk. Exposure for 7163  
sale of any off-highway motorcycle ~~or all-purpose~~, all-terrain 7164  
vehicle, snowmobile, utility vehicle, or mini-truck by its 7165  
owner, with the knowledge or with the knowledge and consent of 7166  
the holder of any security interest, lien, mortgage, or 7167  
encumbrance on it, does not render the security interest, lien, 7168  
mortgage, or encumbrance ineffective as against the creditors of 7169  
the owner, or against holders of subsequent security interests, 7170  
liens, mortgages, or encumbrances upon the ~~off-highway~~ 7171  
motorcycle or ~~all-purpose~~ vehicle. 7172

The secured party, upon presentation of evidence of a 7173  
security interest to a clerk of a court of common pleas, 7174  
together with the certificate of title if a physical certificate 7175  
of title for the off-highway motorcycle ~~or all-purpose~~, all- 7176  
terrain vehicle, snowmobile, utility vehicle, or mini-truck 7177  
exists, and the fee prescribed by section 4519.59 of the Revised 7178  
Code, may have a notation of the security interest made. Unless 7179  
the secured party specifically requests the clerk not to issue a 7180  
physical certificate of title and instead to issue an electronic 7181  
certificate of title, the clerk, over the clerk's signature and 7182  
seal of office, shall issue a new original certificate of title 7183  
from the automated title processing system that indicates the 7184  
security interest and the date of the security interest. 7185

If a security interest is fully discharged as a result of 7186  
its holder's receipt of good funds in the correct amount and if 7187  
the holder holds a physical certificate of title, the holder 7188

shall note the discharge of the security interest over the 7189  
holder's signature on the face of the certificate of title, or 7190  
over the holder's signature on a form prescribed by the 7191  
registrar of motor vehicles when there is no space for the 7192  
discharge on the face of the certificate of title. Except as 7193  
otherwise provided in this section, prior to delivering the 7194  
certificate of title to the owner, the holder or the holder's 7195  
agent shall convey the certificate of title or a separate sworn 7196  
statement of the discharge of the security interest to a clerk. 7197  
The conveyance shall occur not more than seven business days 7198  
after the date good funds in the correct amount to discharge 7199  
fully the security interest have been credited to an account of 7200  
the holder, provided the holder has been provided accurate 7201  
information concerning the off-highway motorcycle ~~or all purpose~~ 7202  
, all-terrain vehicle, snowmobile, utility vehicle, or mini- 7203  
truck. Conveyance of the certificate of title or separate sworn 7204  
statement of the discharge within the required seven business 7205  
days may be indicated by postmark or receipt by a clerk within 7206  
that period. If the discharge of the security interest appears 7207  
to be genuine, the clerk shall note the cancellation of the 7208  
security interest on the face of the certificate of title, if it 7209  
was so conveyed, and also shall note it in the automated title 7210  
processing system. 7211

If a security interest is fully discharged as a result of 7212  
its holder's receipt of good funds in the correct amount and the 7213  
holder does not hold a physical certificate of title, when the 7214  
holder notifies a clerk of the discharge of its security 7215  
interest, the holder at that time also may request the clerk to 7216  
issue a physical certificate of title to the off-highway 7217  
motorcycle ~~or all purpose~~, all-terrain vehicle, snowmobile, 7218  
utility vehicle, or mini-truck. The request shall specify 7219

whether the clerk is to send the certificate of title directly 7220  
to the owner or to the holder or the holder's agent for 7221  
transmission to the owner. If such a request is made, the clerk 7222  
shall issue a physical certificate of title and send it to the 7223  
specified person. 7224

The clerk shall not honor such a request for a physical 7225  
certificate of title if it is not made by the holder at the same 7226  
time as the holder's notification to the clerk of the discharge 7227  
of its security interest. 7228

(C) In all cases, a secured party may choose to present a 7229  
clerk with evidence of a security interest via electronic means, 7230  
and the clerk shall enter the security interest into the 7231  
automated title processing system. A secured party also may 7232  
choose to notify a clerk of the discharge of its security 7233  
interest via electronic means, and the clerk shall enter the 7234  
cancellation into the automated title processing system. 7235

(D) If a physical certificate of title has not been issued 7236  
for an off-highway motorcycle ~~or all-purpose~~, an all-terrain 7237  
vehicle, a snowmobile, a utility vehicle, or a mini-truck and 7238  
all the security interests relating to that motorcycle or 7239  
vehicle have been discharged, the owner of the motorcycle or 7240  
vehicle may obtain a physical certificate of title from the 7241  
clerk of any court of common pleas upon payment of the fee 7242  
specified in section 4519.59 of the Revised Code. 7243

(E) If a clerk of a court of common pleas, other than the 7244  
clerk of the court of common pleas of the county in which the 7245  
owner of an off-highway motorcycle ~~or all-purpose~~, an all- 7246  
terrain vehicle, a snowmobile, a utility vehicle, or a mini- 7247  
truck resides, enters a notation of the existence of, or the 7248  
cancellation of, a security interest relating to the ~~off-highway~~ 7249

motorcycle or ~~all-purpose~~ vehicle, the clerk shall transmit the 7250  
data relating to the notation to the automated title processing 7251  
system. 7252

**Sec. 4519.69.** (A) If the application for a certificate of 7253  
title refers to an off-highway motorcycle ~~or all-purpose~~, an 7254  
all-terrain vehicle, a snowmobile, a utility vehicle, or a mini- 7255  
truck last previously registered in another state, including 7256  
when the motorcycle or vehicle was titled as an "off-road 7257  
vehicle" in the other state, the application shall be 7258  
accompanied by a physical inspection certificate ~~issued by the~~. 7259  
The department of public safety verifying shall issue the 7260  
physical inspection certificate, which shall verify the make, 7261  
year, series or model, if any, body type, and manufacturer's 7262  
identification number of the off-highway motorcycle ~~or all-~~ 7263  
~~purpose~~, all-terrain vehicle, snowmobile, utility vehicle, or 7264  
mini-truck for which the certificate of title is desired. The 7265  
physical inspection certificate shall be in such form as is 7266  
designated by the registrar of motor vehicles. ~~The~~ 7267

(B) The physical inspection of the off-highway motorcycle 7268  
~~or all-purpose~~, all-terrain vehicle, snowmobile, utility 7269  
vehicle, or mini-truck shall be made at a deputy registrar's 7270  
office, or at an established place of business operated by a 7271  
licensed motor vehicle dealer. Additionally, the physical 7272  
inspection of a salvage off-highway motorcycle ~~or all-purpose~~, 7273  
all-terrain vehicle, snowmobile, utility vehicle, or mini-truck 7274  
owned by an insurance company may be made at an established 7275  
place of business operated by a salvage motor vehicle dealer 7276  
licensed under Chapter 4738. of the Revised Code. The deputy 7277  
registrar, the motor vehicle dealer, or the salvage motor 7278  
vehicle dealer may charge a maximum fee equal to the amount 7279  
established under section 4503.038 of the Revised Code for 7280



conducting the physical inspection. 7281

(C) The clerk of the court of common pleas shall charge a 7282  
fee of one dollar and fifty cents for the processing of each 7283  
physical inspection certificate. The clerk shall retain fifty 7284  
cents of the one dollar and fifty cents so charged and shall pay 7285  
the remaining one dollar to the registrar by monthly returns, 7286  
which shall be forwarded to the registrar not later than the 7287  
fifth day of the month next succeeding that in which the 7288  
certificate is received by the clerk. The registrar shall pay 7289  
such remaining sums into the state treasury to the credit of the 7290  
public safety - highway purposes fund established in section 7291  
4501.06 of the Revised Code. 7292

**Sec. 4519.70.** (A) (1) No minor under eighteen years of age 7293  
shall purchase or otherwise acquire an off-highway motorcycle ~~or~~ 7294  
~~all-purpose~~, an all-terrain vehicle, a snowmobile, a utility 7295  
vehicle, or a mini-truck and obtain a certificate of title for 7296  
the motorcycle or vehicle unless the application for the 7297  
certificate of title is accompanied by a form prescribed by the 7298  
registrar of motor vehicles that is signed by a parent of the 7299  
minor, the minor's guardian, or other person having custody of 7300  
the minor authorizing the purchase or acquisition of the ~~off-~~ 7301  
~~highway motorcycle or all-purpose~~ vehicle. 7302

(2) No minor under eighteen years of age shall sell or 7303  
otherwise dispose of an off-highway motorcycle ~~or all-purpose~~, an 7304  
all-terrain vehicle, a snowmobile, a utility vehicle, or a 7305  
mini-truck for which a certificate of title has been issued 7306  
under this chapter unless a parent of the minor, the minor's 7307  
guardian, or other person having custody of the minor furnishes 7308  
to the buyer or person acquiring the motorcycle or vehicle, at 7309  
the time of the sale or disposition, a form prescribed by the 7310

registrar that is signed by the parent, guardian, or other 7311  
person authorizing the sale or disposition of the ~~off-highway~~ 7312  
motorcycle or ~~all-purpose~~ vehicle. 7313

(B) (1) At the time an application for a certificate of 7314  
title for an off-highway motorcycle ~~or all-purpose~~, an all- 7315  
terrain vehicle, a snowmobile, a utility vehicle, or a mini- 7316  
truck described in division (A) of this section is submitted, 7317  
one of the following shall occur: 7318

(a) The adult who signed the form authorizing the sale, 7319  
disposition, purchase, or acquisition of the motorcycle or 7320  
vehicle by the minor shall be present and shall provide 7321  
identification establishing that the adult is the individual 7322  
whose signature appears on the form. 7323

(b) A dealer or the dealer's designee, if the transaction 7324  
involves that dealer, shall submit a signed statement affirming 7325  
that the dealer or the dealer's designee used reasonable 7326  
diligence in ascertaining the age of the minor and the identity 7327  
of the adult who signed the form and that the adult provided the 7328  
identification required by division (B) of this section 7329  
establishing that the adult is the individual whose signature 7330  
appears on the form. 7331

(2) The registrar shall prescribe, by rule, the types of 7332  
identification that are acceptable for the purposes of division 7333  
(B) of this section. If the adult who signed the form does not 7334  
provide identification at the time of application to the clerk 7335  
of court or to the dealer at the time of sale, disposition, 7336  
purchase, or acquisition as required by this division, the 7337  
application shall be refused. 7338

(C) No right, title, claim to, or interest in an off- 7339

highway motorcycle ~~or all purpose~~, an all-terrain vehicle, a 7340  
snowmobile, a utility vehicle, or a mini-truck shall be acquired 7341  
by or from a minor unless the application for a certificate of 7342  
title for the motorcycle or vehicle is accompanied by the form 7343  
required by this section. 7344

(D) No clerk of a court of common pleas shall be held 7345  
liable in any civil action that arises under the law of this 7346  
state for injury or loss to persons or property caused when a 7347  
person has obtained a certificate of title in violation of this 7348  
section, unless the clerk failed to use reasonable diligence in 7349  
ascertaining the age of the minor or the identity of the adult 7350  
who signed the form authorizing the sale, disposition, purchase, 7351  
or acquisition of the off-highway motorcycle ~~or all purpose~~, 7352  
all-terrain vehicle, snowmobile, utility vehicle, or mini-truck 7353  
by the minor. 7354

Sec. 4519.99. Unless otherwise specified, the offenses 7355  
established under this chapter are strict liability offenses and 7356  
section 2901.20 of the Revised Code does not apply. The 7357  
designation of these offenses as strict liability offenses shall 7358  
not be construed to imply that any other offense, for which 7359  
there is no specified degree of culpability, is not a strict 7360  
liability offense. 7361

**Sec. 5553.044.** In any proceeding on a petition or 7362  
resolution to vacate a road which begins on a public road and 7363  
ends on a public road, the board of county commissioners may 7364  
determine the suitability of the road for public nonmotorized 7365  
vehicular recreational use. Such uses include, but are not 7366  
limited to, hiking, bicycling, horseback riding, and ski 7367  
touring. They do not include use by motorcycles, snowmobiles, 7368  
~~all purpose~~ all-terrain vehicles, or any other form of motorized 7369

vehicle. If the board finds that such uses will not unreasonably 7370  
interfere with current land uses along the road, it may vacate 7371  
the road subject to the preservation of a public right of way at 7372  
least thirty feet wide within such roadway for such uses. 7373

**Sec. 5739.02.** For the purpose of providing revenue with 7374  
which to meet the needs of the state, for the use of the general 7375  
revenue fund of the state, for the purpose of securing a 7376  
thorough and efficient system of common schools throughout the 7377  
state, for the purpose of affording revenues, in addition to 7378  
those from general property taxes, permitted under 7379  
constitutional limitations, and from other sources, for the 7380  
support of local governmental functions, and for the purpose of 7381  
reimbursing the state for the expense of administering this 7382  
chapter, an excise tax is hereby levied on each retail sale made 7383  
in this state. 7384

(A) (1) The tax shall be collected as provided in section 7385  
5739.025 of the Revised Code. The rate of the tax shall be five 7386  
and three-fourths per cent. The tax applies and is collectible 7387  
when the sale is made, regardless of the time when the price is 7388  
paid or delivered. 7389

(2) In the case of the lease or rental, with a fixed term 7390  
of more than thirty days or an indefinite term with a minimum 7391  
period of more than thirty days, of any motor vehicles designed 7392  
by the manufacturer to carry a load of not more than one ton, 7393  
watercraft, outboard motor, or aircraft, or of any tangible 7394  
personal property, other than motor vehicles designed by the 7395  
manufacturer to carry a load of more than one ton, to be used by 7396  
the lessee or renter primarily for business purposes, the tax 7397  
shall be collected by the vendor at the time the lease or rental 7398  
is consummated and shall be calculated by the vendor on the 7399

basis of the total amount to be paid by the lessee or renter 7400  
under the lease agreement. If the total amount of the 7401  
consideration for the lease or rental includes amounts that are 7402  
not calculated at the time the lease or rental is executed, the 7403  
tax shall be calculated and collected by the vendor at the time 7404  
such amounts are billed to the lessee or renter. In the case of 7405  
an open-end lease or rental, the tax shall be calculated by the 7406  
vendor on the basis of the total amount to be paid during the 7407  
initial fixed term of the lease or rental, and for each 7408  
subsequent renewal period as it comes due. As used in this 7409  
division, "motor vehicle" has the same meaning as in section 7410  
4501.01 of the Revised Code, and "watercraft" includes an 7411  
outdrive unit attached to the watercraft. 7412

A lease with a renewal clause and a termination penalty or 7413  
similar provision that applies if the renewal clause is not 7414  
exercised is presumed to be a sham transaction. In such a case, 7415  
the tax shall be calculated and paid on the basis of the entire 7416  
length of the lease period, including any renewal periods, until 7417  
the termination penalty or similar provision no longer applies. 7418  
The taxpayer shall bear the burden, by a preponderance of the 7419  
evidence, that the transaction or series of transactions is not 7420  
a sham transaction. 7421

(3) Except as provided in division (A) (2) of this section, 7422  
in the case of a sale, the price of which consists in whole or 7423  
in part of the lease or rental of tangible personal property, 7424  
the tax shall be measured by the installments of that lease or 7425  
rental. 7426

(4) In the case of a sale of a physical fitness facility 7427  
service or recreation and sports club service, the price of 7428  
which consists in whole or in part of a membership for the 7429

receipt of the benefit of the service, the tax applicable to the 7430  
sale shall be measured by the installments thereof. 7431

(B) The tax does not apply to the following: 7432

(1) Sales to the state or any of its political 7433  
subdivisions, or to any other state or its political 7434  
subdivisions if the laws of that state exempt from taxation 7435  
sales made to this state and its political subdivisions; 7436

(2) Sales of food for human consumption off the premises 7437  
where sold; 7438

(3) Sales of food sold to students only in a cafeteria, 7439  
dormitory, fraternity, or sorority maintained in a private, 7440  
public, or parochial school, college, or university; 7441

(4) Sales of newspapers and sales or transfers of 7442  
magazines distributed as controlled circulation publications; 7443

(5) The furnishing, preparing, or serving of meals without 7444  
charge by an employer to an employee provided the employer 7445  
records the meals as part compensation for services performed or 7446  
work done; 7447

(6) (a) Sales of motor fuel upon receipt, use, 7448  
distribution, or sale of which in this state a tax is imposed by 7449  
the law of this state, but this exemption shall not apply to the 7450  
sale of motor fuel on which a refund of the tax is allowable 7451  
under division (A) of section 5735.14 of the Revised Code; and 7452  
the tax commissioner may deduct the amount of tax levied by this 7453  
section applicable to the price of motor fuel when granting a 7454  
refund of motor fuel tax pursuant to division (A) of section 7455  
5735.14 of the Revised Code and shall cause the amount deducted 7456  
to be paid into the general revenue fund of this state; 7457

(b) Sales of motor fuel other than that described in 7458  
division (B) (6) (a) of this section and used for powering a 7459  
refrigeration unit on a vehicle other than one used primarily to 7460  
provide comfort to the operator or occupants of the vehicle. 7461

(7) Sales of natural gas by a natural gas company or 7462  
municipal gas utility, of water by a water-works company, or of 7463  
steam by a heating company, if in each case the thing sold is 7464  
delivered to consumers through pipes or conduits, and all sales 7465  
of communications services by a telegraph company, all terms as 7466  
defined in section 5727.01 of the Revised Code, and sales of 7467  
electricity delivered through wires; 7468

(8) Casual sales by a person, or auctioneer employed 7469  
directly by the person to conduct such sales, except as to such 7470  
sales of motor vehicles, watercraft or outboard motors required 7471  
to be titled under section 1548.06 of the Revised Code, 7472  
watercraft documented with the United States coast guard, 7473  
snowmobiles, and ~~all purpose~~ all-terrain vehicles as defined in 7474  
section 4519.01 of the Revised Code; 7475

(9) (a) Sales of services or tangible personal property, 7476  
other than motor vehicles, mobile homes, and manufactured homes, 7477  
by churches, organizations exempt from taxation under section 7478  
501(c) (3) of the Internal Revenue Code of 1986, or nonprofit 7479  
organizations operated exclusively for charitable purposes as 7480  
defined in division (B) (12) of this section, provided that the 7481  
number of days on which such tangible personal property or 7482  
services, other than items never subject to the tax, are sold 7483  
does not exceed six in any calendar year, except as otherwise 7484  
provided in division (B) (9) (b) of this section. If the number of 7485  
days on which such sales are made exceeds six in any calendar 7486  
year, the church or organization shall be considered to be 7487

engaged in business and all subsequent sales by it shall be 7488  
subject to the tax. In counting the number of days, all sales by 7489  
groups within a church or within an organization shall be 7490  
considered to be sales of that church or organization. 7491

(b) The limitation on the number of days on which tax- 7492  
exempt sales may be made by a church or organization under 7493  
division (B) (9) (a) of this section does not apply to sales made 7494  
by student clubs and other groups of students of a primary or 7495  
secondary school, or a parent-teacher association, booster 7496  
group, or similar organization that raises money to support or 7497  
fund curricular or extracurricular activities of a primary or 7498  
secondary school. 7499

(c) Divisions (B) (9) (a) and (b) of this section do not 7500  
apply to sales by a noncommercial educational radio or 7501  
television broadcasting station. 7502

(10) Sales not within the taxing power of this state under 7503  
the Constitution or laws of the United States or the 7504  
Constitution of this state; 7505

(11) Except for transactions that are sales under division 7506  
(B) (3) (p) of section 5739.01 of the Revised Code, the 7507  
transportation of persons or property, unless the transportation 7508  
is by a private investigation and security service; 7509

(12) Sales of tangible personal property or services to 7510  
churches, to organizations exempt from taxation under section 7511  
501(c) (3) of the Internal Revenue Code of 1986, and to any other 7512  
nonprofit organizations operated exclusively for charitable 7513  
purposes in this state, no part of the net income of which 7514  
inures to the benefit of any private shareholder or individual, 7515  
and no substantial part of the activities of which consists of 7516



carrying on propaganda or otherwise attempting to influence 7517  
legislation; sales to offices administering one or more homes 7518  
for the aged or one or more hospital facilities exempt under 7519  
section 140.08 of the Revised Code; and sales to organizations 7520  
described in division (D) of section 5709.12 of the Revised 7521  
Code. 7522

"Charitable purposes" means the relief of poverty; the 7523  
improvement of health through the alleviation of illness, 7524  
disease, or injury; the operation of an organization exclusively 7525  
for the provision of professional, laundry, printing, and 7526  
purchasing services to hospitals or charitable institutions; the 7527  
operation of a home for the aged, as defined in section 5701.13 7528  
of the Revised Code; the operation of a radio or television 7529  
broadcasting station that is licensed by the federal 7530  
communications commission as a noncommercial educational radio 7531  
or television station; the operation of a nonprofit animal 7532  
adoption service or a county humane society; the promotion of 7533  
education by an institution of learning that maintains a faculty 7534  
of qualified instructors, teaches regular continuous courses of 7535  
study, and confers a recognized diploma upon completion of a 7536  
specific curriculum; the operation of a parent-teacher 7537  
association, booster group, or similar organization primarily 7538  
engaged in the promotion and support of the curricular or 7539  
extracurricular activities of a primary or secondary school; the 7540  
operation of a community or area center in which presentations 7541  
in music, dramatics, the arts, and related fields are made in 7542  
order to foster public interest and education therein; the 7543  
production of performances in music, dramatics, and the arts; or 7544  
the promotion of education by an organization engaged in 7545  
carrying on research in, or the dissemination of, scientific and 7546  
technological knowledge and information primarily for the 7547

public. 7548

Nothing in this division shall be deemed to exempt sales 7549  
to any organization for use in the operation or carrying on of a 7550  
trade or business, or sales to a home for the aged for use in 7551  
the operation of independent living facilities as defined in 7552  
division (A) of section 5709.12 of the Revised Code. 7553

(13) Building and construction materials and services sold 7554  
to construction contractors for incorporation into a structure 7555  
or improvement to real property under a construction contract 7556  
with this state or a political subdivision of this state, or 7557  
with the United States government or any of its agencies; 7558  
building and construction materials and services sold to 7559  
construction contractors for incorporation into a structure or 7560  
improvement to real property that are accepted for ownership by 7561  
this state or any of its political subdivisions, or by the 7562  
United States government or any of its agencies at the time of 7563  
completion of the structures or improvements; building and 7564  
construction materials sold to construction contractors for 7565  
incorporation into a horticulture structure or livestock 7566  
structure for a person engaged in the business of horticulture 7567  
or producing livestock; building materials and services sold to 7568  
a construction contractor for incorporation into a house of 7569  
public worship or religious education, or a building used 7570  
exclusively for charitable purposes under a construction 7571  
contract with an organization whose purpose is as described in 7572  
division (B)(12) of this section; building materials and 7573  
services sold to a construction contractor for incorporation 7574  
into a building under a construction contract with an 7575  
organization exempt from taxation under section 501(c)(3) of the 7576  
Internal Revenue Code of 1986 when the building is to be used 7577  
exclusively for the organization's exempt purposes; building and 7578

construction materials sold for incorporation into the original 7579  
construction of a sports facility under section 307.696 of the 7580  
Revised Code; building and construction materials and services 7581  
sold to a construction contractor for incorporation into real 7582  
property outside this state if such materials and services, when 7583  
sold to a construction contractor in the state in which the real 7584  
property is located for incorporation into real property in that 7585  
state, would be exempt from a tax on sales levied by that state; 7586  
building and construction materials for incorporation into a 7587  
transportation facility pursuant to a public-private agreement 7588  
entered into under sections 5501.70 to 5501.83 of the Revised 7589  
Code; until one calendar year after the construction of a 7590  
convention center that qualifies for property tax exemption 7591  
under section 5709.084 of the Revised Code is completed, 7592  
building and construction materials and services sold to a 7593  
construction contractor for incorporation into the real property 7594  
comprising that convention center; and building and construction 7595  
materials sold for incorporation into a structure or improvement 7596  
to real property that is used primarily as, or primarily in 7597  
support of, a manufacturing facility or research and development 7598  
facility and that is to be owned by a megaproject operator upon 7599  
completion and located at the site of a megaproject that 7600  
satisfies the criteria described in division (A) (11) (a) (ii) of 7601  
section 122.17 of the Revised Code, provided that the sale 7602  
occurs during the period that the megaproject operator has an 7603  
agreement for such megaproject with the tax credit authority 7604  
under division (D) of section 122.17 of the Revised Code that 7605  
remains in effect and has not expired or been terminated. 7606

(14) Sales of ships or vessels or rail rolling stock used 7607  
or to be used principally in interstate or foreign commerce, and 7608  
repairs, alterations, fuel, and lubricants for such ships or 7609

vessels or rail rolling stock; 7610

(15) Sales to persons primarily engaged in any of the 7611  
activities mentioned in division (B) (42) (a), (g), or (h) of this 7612  
section, to persons engaged in making retail sales, or to 7613  
persons who purchase for sale from a manufacturer tangible 7614  
personal property that was produced by the manufacturer in 7615  
accordance with specific designs provided by the purchaser, of 7616  
packages, including material, labels, and parts for packages, 7617  
and of machinery, equipment, and material for use primarily in 7618  
packaging tangible personal property produced for sale, 7619  
including any machinery, equipment, and supplies used to make 7620  
labels or packages, to prepare packages or products for 7621  
labeling, or to label packages or products, by or on the order 7622  
of the person doing the packaging, or sold at retail. "Packages" 7623  
includes bags, baskets, cartons, crates, boxes, cans, bottles, 7624  
bindings, wrappings, and other similar devices and containers, 7625  
but does not include motor vehicles or bulk tanks, trailers, or 7626  
similar devices attached to motor vehicles. "Packaging" means 7627  
placing in a package. Division (B) (15) of this section does not 7628  
apply to persons engaged in highway transportation for hire. 7629

(16) Sales of food to persons using supplemental nutrition 7630  
assistance program benefits to purchase the food. As used in 7631  
this division, "food" has the same meaning as in 7 U.S.C. 2012 7632  
and federal regulations adopted pursuant to the Food and 7633  
Nutrition Act of 2008. 7634

(17) Sales to persons engaged in farming, agriculture, 7635  
horticulture, or floriculture, of tangible personal property for 7636  
use or consumption primarily in the production by farming, 7637  
agriculture, horticulture, or floriculture of other tangible 7638  
personal property for use or consumption primarily in the 7639

production of tangible personal property for sale by farming, 7640  
agriculture, horticulture, or floriculture; or material and 7641  
parts for incorporation into any such tangible personal property 7642  
for use or consumption in production; and of tangible personal 7643  
property for such use or consumption in the conditioning or 7644  
holding of products produced by and for such use, consumption, 7645  
or sale by persons engaged in farming, agriculture, 7646  
horticulture, or floriculture, except where such property is 7647  
incorporated into real property; 7648

(18) Sales of drugs for a human being that may be 7649  
dispensed only pursuant to a prescription; insulin as recognized 7650  
in the official United States pharmacopoeia; urine and blood 7651  
testing materials when used by diabetics or persons with 7652  
hypoglycemia to test for glucose or acetone; hypodermic syringes 7653  
and needles when used by diabetics for insulin injections; 7654  
epoetin alfa when purchased for use in the treatment of persons 7655  
with medical disease; hospital beds when purchased by hospitals, 7656  
nursing homes, or other medical facilities; and medical oxygen 7657  
and medical oxygen-dispensing equipment when purchased by 7658  
hospitals, nursing homes, or other medical facilities; 7659

(19) Sales of prosthetic devices, durable medical 7660  
equipment for home use, or mobility enhancing equipment, when 7661  
made pursuant to a prescription and when such devices or 7662  
equipment are for use by a human being. 7663

(20) Sales of emergency and fire protection vehicles and 7664  
equipment to nonprofit organizations for use solely in providing 7665  
fire protection and emergency services, including trauma care 7666  
and emergency medical services, for political subdivisions of 7667  
the state; 7668

(21) Sales of tangible personal property manufactured in 7669

this state, if sold by the manufacturer in this state to a 7670  
retailer for use in the retail business of the retailer outside 7671  
of this state and if possession is taken from the manufacturer 7672  
by the purchaser within this state for the sole purpose of 7673  
immediately removing the same from this state in a vehicle owned 7674  
by the purchaser; 7675

(22) Sales of services provided by the state or any of its 7676  
political subdivisions, agencies, instrumentalities, 7677  
institutions, or authorities, or by governmental entities of the 7678  
state or any of its political subdivisions, agencies, 7679  
instrumentalities, institutions, or authorities; 7680

(23) Sales of motor vehicles to nonresidents of this state 7681  
under the circumstances described in division (B) of section 7682  
5739.029 of the Revised Code; 7683

(24) Sales to persons engaged in the preparation of eggs 7684  
for sale of tangible personal property used or consumed directly 7685  
in such preparation, including such tangible personal property 7686  
used for cleaning, sanitizing, preserving, grading, sorting, and 7687  
classifying by size; packages, including material and parts for 7688  
packages, and machinery, equipment, and material for use in 7689  
packaging eggs for sale; and handling and transportation 7690  
equipment and parts therefor, except motor vehicles licensed to 7691  
operate on public highways, used in intraplant or interplant 7692  
transfers or shipment of eggs in the process of preparation for 7693  
sale, when the plant or plants within or between which such 7694  
transfers or shipments occur are operated by the same person. 7695  
"Packages" includes containers, cases, baskets, flats, fillers, 7696  
filler flats, cartons, closure materials, labels, and labeling 7697  
materials, and "packaging" means placing therein. 7698

(25) (a) Sales of water to a consumer for residential use; 7699

(b) Sales of water by a nonprofit corporation engaged exclusively in the treatment, distribution, and sale of water to consumers, if such water is delivered to consumers through pipes or tubing.	7700 7701 7702 7703
(26) Fees charged for inspection or reinspection of motor vehicles under section 3704.14 of the Revised Code;	7704 7705
(27) Sales to persons licensed to conduct a food service operation pursuant to section 3717.43 of the Revised Code, of tangible personal property primarily used directly for the following:	7706 7707 7708 7709
(a) To prepare food for human consumption for sale;	7710
(b) To preserve food that has been or will be prepared for human consumption for sale by the food service operator, not including tangible personal property used to display food for selection by the consumer;	7711 7712 7713 7714
(c) To clean tangible personal property used to prepare or serve food for human consumption for sale.	7715 7716
(28) Sales of animals by nonprofit animal adoption services or county humane societies;	7717 7718
(29) Sales of services to a corporation described in division (A) of section 5709.72 of the Revised Code, and sales of tangible personal property that qualifies for exemption from taxation under section 5709.72 of the Revised Code;	7719 7720 7721 7722
(30) Sales and installation of agricultural land tile, as defined in division (B) (5) (a) of section 5739.01 of the Revised Code;	7723 7724 7725
(31) Sales and erection or installation of portable grain bins, as defined in division (B) (5) (b) of section 5739.01 of the	7726 7727

Revised Code; 7728

(32) The sale, lease, repair, and maintenance of, parts 7729  
for, or items attached to or incorporated in, motor vehicles 7730  
that are primarily used for transporting tangible personal 7731  
property belonging to others by a person engaged in highway 7732  
transportation for hire, except for packages and packaging used 7733  
for the transportation of tangible personal property; 7734

(33) Sales to the state headquarters of any veterans' 7735  
organization in this state that is either incorporated and 7736  
issued a charter by the congress of the United States or is 7737  
recognized by the United States veterans administration, for use 7738  
by the headquarters; 7739

(34) Sales to a telecommunications service vendor, mobile 7740  
telecommunications service vendor, or satellite broadcasting 7741  
service vendor of tangible personal property and services used 7742  
directly and primarily in transmitting, receiving, switching, or 7743  
recording any interactive, one- or two-way electromagnetic 7744  
communications, including voice, image, data, and information, 7745  
through the use of any medium, including, but not limited to, 7746  
poles, wires, cables, switching equipment, computers, and record 7747  
storage devices and media, and component parts for the tangible 7748  
personal property. The exemption provided in this division shall 7749  
be in lieu of all other exemptions under division (B) (42) (a) or 7750  
(n) of this section to which the vendor may otherwise be 7751  
entitled, based upon the use of the thing purchased in providing 7752  
the telecommunications, mobile telecommunications, or satellite 7753  
broadcasting service. 7754

(35) (a) Sales where the purpose of the consumer is to use 7755  
or consume the things transferred in making retail sales and 7756  
consisting of newspaper inserts, catalogues, coupons, flyers, 7757



gift certificates, or other advertising material that prices and 7758  
describes tangible personal property offered for retail sale. 7759

(b) Sales to direct marketing vendors of preliminary 7760  
materials such as photographs, artwork, and typesetting that 7761  
will be used in printing advertising material; and of printed 7762  
matter that offers free merchandise or chances to win sweepstake 7763  
prizes and that is mailed to potential customers with 7764  
advertising material described in division (B) (35) (a) of this 7765  
section; 7766

(c) Sales of equipment such as telephones, computers, 7767  
facsimile machines, and similar tangible personal property 7768  
primarily used to accept orders for direct marketing retail 7769  
sales. 7770

(d) Sales of automatic food vending machines that preserve 7771  
food with a shelf life of forty-five days or less by 7772  
refrigeration and dispense it to the consumer. 7773

For purposes of division (B) (35) of this section, "direct 7774  
marketing" means the method of selling where consumers order 7775  
tangible personal property by United States mail, delivery 7776  
service, or telecommunication and the vendor delivers or ships 7777  
the tangible personal property sold to the consumer from a 7778  
warehouse, catalogue distribution center, or similar fulfillment 7779  
facility by means of the United States mail, delivery service, 7780  
or common carrier. 7781

(36) Sales to a person engaged in the business of 7782  
horticulture or producing livestock of materials to be 7783  
incorporated into a horticulture structure or livestock 7784  
structure; 7785

(37) Sales of personal computers, computer monitors, 7786

computer keyboards, modems, and other peripheral computer 7787  
equipment to an individual who is licensed or certified to teach 7788  
in an elementary or a secondary school in this state for use by 7789  
that individual in preparation for teaching elementary or 7790  
secondary school students; 7791

(38) Sales of tangible personal property that is not 7792  
required to be registered or licensed under the laws of this 7793  
state to a citizen of a foreign nation that is not a citizen of 7794  
the United States, provided the property is delivered to a 7795  
person in this state that is not a related member of the 7796  
purchaser, is physically present in this state for the sole 7797  
purpose of temporary storage and package consolidation, and is 7798  
subsequently delivered to the purchaser at a delivery address in 7799  
a foreign nation. As used in division (B)(38) of this section, 7800  
"related member" has the same meaning as in section 5733.042 of 7801  
the Revised Code, and "temporary storage" means the storage of 7802  
tangible personal property for a period of not more than sixty 7803  
days. 7804

(39) Sales of used manufactured homes and used mobile 7805  
homes, as defined in section 5739.0210 of the Revised Code, made 7806  
on or after January 1, 2000; 7807

(40) Sales of tangible personal property and services to a 7808  
provider of electricity used or consumed directly and primarily 7809  
in generating, transmitting, or distributing electricity for use 7810  
by others, including property that is or is to be incorporated 7811  
into and will become a part of the consumer's production, 7812  
transmission, or distribution system and that retains its 7813  
classification as tangible personal property after 7814  
incorporation; fuel or power used in the production, 7815  
transmission, or distribution of electricity; energy conversion 7816

equipment as defined in section 5727.01 of the Revised Code; and 7817  
tangible personal property and services used in the repair and 7818  
maintenance of the production, transmission, or distribution 7819  
system, including only those motor vehicles as are specially 7820  
designed and equipped for such use. The exemption provided in 7821  
this division shall be in lieu of all other exemptions in 7822  
division (B) (42) (a) or (n) of this section to which a provider 7823  
of electricity may otherwise be entitled based on the use of the 7824  
tangible personal property or service purchased in generating, 7825  
transmitting, or distributing electricity. 7826

(41) Sales to a person providing services under division 7827  
(B) (3) (p) of section 5739.01 of the Revised Code of tangible 7828  
personal property and services used directly and primarily in 7829  
providing taxable services under that section. 7830

(42) Sales where the purpose of the purchaser is to do any 7831  
of the following: 7832

(a) To incorporate the thing transferred as a material or 7833  
a part into tangible personal property to be produced for sale 7834  
by manufacturing, assembling, processing, or refining; or to use 7835  
or consume the thing transferred directly in producing tangible 7836  
personal property for sale by mining, including, without 7837  
limitation, the extraction from the earth of all substances that 7838  
are classed geologically as minerals, or directly in the 7839  
rendition of a public utility service, except that the sales tax 7840  
levied by this section shall be collected upon all meals, 7841  
drinks, and food for human consumption sold when transporting 7842  
persons. This paragraph does not exempt from "retail sale" or 7843  
"sales at retail" the sale of tangible personal property that is 7844  
to be incorporated into a structure or improvement to real 7845  
property. 7846

(b) To hold the thing transferred as security for the performance of an obligation of the vendor;	7847 7848
(c) To resell, hold, use, or consume the thing transferred as evidence of a contract of insurance;	7849 7850
(d) To use or consume the thing directly in commercial fishing;	7851 7852
(e) To incorporate the thing transferred as a material or a part into, or to use or consume the thing transferred directly in the production of, magazines distributed as controlled circulation publications;	7853 7854 7855 7856
(f) To use or consume the thing transferred in the production and preparation in suitable condition for market and sale of printed, imprinted, overprinted, lithographic, multilithic, blueprinted, photostatic, or other productions or reproductions of written or graphic matter;	7857 7858 7859 7860 7861
(g) To use the thing transferred, as described in section 5739.011 of the Revised Code, primarily in a manufacturing operation to produce tangible personal property for sale;	7862 7863 7864
(h) To use the benefit of a warranty, maintenance or service contract, or similar agreement, as described in division (B) (7) of section 5739.01 of the Revised Code, to repair or maintain tangible personal property, if all of the property that is the subject of the warranty, contract, or agreement would not be subject to the tax imposed by this section;	7865 7866 7867 7868 7869 7870
(i) To use the thing transferred as qualified research and development equipment;	7871 7872
(j) To use or consume the thing transferred primarily in storing, transporting, mailing, or otherwise handling purchased	7873 7874

sales inventory in a warehouse, distribution center, or similar 7875  
facility when the inventory is primarily distributed outside 7876  
this state to retail stores of the person who owns or controls 7877  
the warehouse, distribution center, or similar facility, to 7878  
retail stores of an affiliated group of which that person is a 7879  
member, or by means of direct marketing. This division does not 7880  
apply to motor vehicles registered for operation on the public 7881  
highways. As used in this division, "affiliated group" has the 7882  
same meaning as in division (B) (3) (e) of section 5739.01 of the 7883  
Revised Code and "direct marketing" has the same meaning as in 7884  
division (B) (35) of this section. 7885

(k) To use or consume the thing transferred to fulfill a 7886  
contractual obligation incurred by a warrantor pursuant to a 7887  
warranty provided as a part of the price of the tangible 7888  
personal property sold or by a vendor of a warranty, maintenance 7889  
or service contract, or similar agreement the provision of which 7890  
is defined as a sale under division (B) (7) of section 5739.01 of 7891  
the Revised Code; 7892

(l) To use or consume the thing transferred in the 7893  
production of a newspaper for distribution to the public; 7894

(m) To use tangible personal property to perform a service 7895  
listed in division (B) (3) of section 5739.01 of the Revised 7896  
Code, if the property is or is to be permanently transferred to 7897  
the consumer of the service as an integral part of the 7898  
performance of the service; 7899

(n) To use or consume the thing transferred primarily in 7900  
producing tangible personal property for sale by farming, 7901  
agriculture, horticulture, or floriculture. Persons engaged in 7902  
rendering farming, agriculture, horticulture, or floriculture 7903  
services for others are deemed engaged primarily in farming, 7904

agriculture, horticulture, or floriculture. This paragraph does 7905  
not exempt from "retail sale" or "sales at retail" the sale of 7906  
tangible personal property that is to be incorporated into a 7907  
structure or improvement to real property. 7908

(o) To use or consume the thing transferred in acquiring, 7909  
formatting, editing, storing, and disseminating data or 7910  
information by electronic publishing; 7911

(p) To provide the thing transferred to the owner or 7912  
lessee of a motor vehicle that is being repaired or serviced, if 7913  
the thing transferred is a rented motor vehicle and the 7914  
purchaser is reimbursed for the cost of the rented motor vehicle 7915  
by a manufacturer, warrantor, or provider of a maintenance, 7916  
service, or other similar contract or agreement, with respect to 7917  
the motor vehicle that is being repaired or serviced; 7918

(q) To use or consume the thing transferred directly in 7919  
production of crude oil and natural gas for sale. Persons 7920  
engaged in rendering production services for others are deemed 7921  
engaged in production. 7922

As used in division (B) (42) (q) of this section, 7923  
"production" means operations and tangible personal property 7924  
directly used to expose and evaluate an underground reservoir 7925  
that may contain hydrocarbon resources, prepare the wellbore for 7926  
production, and lift and control all substances yielded by the 7927  
reservoir to the surface of the earth. 7928

(i) For the purposes of division (B) (42) (q) of this 7929  
section, the "thing transferred" includes, but is not limited 7930  
to, any of the following: 7931

(I) Services provided in the construction of permanent 7932  
access roads, services provided in the construction of the well 7933

site, and services provided in the construction of temporary	7934
impoundments;	7935
(II) Equipment and rigging used for the specific purpose	7936
of creating with integrity a wellbore pathway to underground	7937
reservoirs;	7938
(III) Drilling and workover services used to work within a	7939
subsurface wellbore, and tangible personal property directly	7940
used in providing such services;	7941
(IV) Casing, tubulars, and float and centralizing	7942
equipment;	7943
(V) Trailers to which production equipment is attached;	7944
(VI) Well completion services, including cementing of	7945
casing, and tangible personal property directly used in	7946
providing such services;	7947
(VII) Wireline evaluation, mud logging, and perforation	7948
services, and tangible personal property directly used in	7949
providing such services;	7950
(VIII) Reservoir stimulation, hydraulic fracturing, and	7951
acidizing services, and tangible personal property directly used	7952
in providing such services, including all material pumped	7953
downhole;	7954
(IX) Pressure pumping equipment;	7955
(X) Artificial lift systems equipment;	7956
(XI) Wellhead equipment and well site equipment used to	7957
separate, stabilize, and control hydrocarbon phases and produced	7958
water;	7959
(XII) Tangible personal property directly used to control	7960

production equipment.	7961
(ii) For the purposes of division (B) (42) (q) of this section, the "thing transferred" does not include any of the following:	7962 7963 7964
(I) Tangible personal property used primarily in the exploration and production of any mineral resource regulated under Chapter 1509. of the Revised Code other than oil or gas;	7965 7966 7967
(II) Tangible personal property used primarily in storing, holding, or delivering solutions or chemicals used in well stimulation as defined in section 1509.01 of the Revised Code;	7968 7969 7970
(III) Tangible personal property used primarily in preparing, installing, or reclaiming foundations for drilling or pumping equipment or well stimulation material tanks;	7971 7972 7973
(IV) Tangible personal property used primarily in transporting, delivering, or removing equipment to or from the well site or storing such equipment before its use at the well site;	7974 7975 7976 7977
(V) Tangible personal property used primarily in gathering operations occurring off the well site, including gathering pipelines transporting hydrocarbon gas or liquids away from a crude oil or natural gas production facility;	7978 7979 7980 7981
(VI) Tangible personal property that is to be incorporated into a structure or improvement to real property;	7982 7983
(VII) Well site fencing, lighting, or security systems;	7984
(VIII) Communication devices or services;	7985
(IX) Office supplies;	7986
(X) Trailers used as offices or lodging;	7987



(XI) Motor vehicles of any kind;	7988
(XII) Tangible personal property used primarily for the storage of drilling byproducts and fuel not used for production;	7989 7990
(XIII) Tangible personal property used primarily as a safety device;	7991 7992
(XIV) Data collection or monitoring devices;	7993
(XV) Access ladders, stairs, or platforms attached to storage tanks.	7994 7995
The enumeration of tangible personal property in division (B) (42) (q) (ii) of this section is not intended to be exhaustive, and any tangible personal property not so enumerated shall not necessarily be construed to be a "thing transferred" for the purposes of division (B) (42) (q) of this section.	7996 7997 7998 7999 8000
The commissioner shall adopt and promulgate rules under sections 119.01 to 119.13 of the Revised Code that the commissioner deems necessary to administer division (B) (42) (q) of this section.	8001 8002 8003 8004
As used in division (B) (42) of this section, "thing" includes all transactions included in divisions (B) (3) (a), (b), and (e) of section 5739.01 of the Revised Code.	8005 8006 8007
(43) Sales conducted through a coin operated device that activates vacuum equipment or equipment that dispenses water, whether or not in combination with soap or other cleaning agents or wax, to the consumer for the consumer's use on the premises in washing, cleaning, or waxing a motor vehicle, provided no other personal property or personal service is provided as part of the transaction.	8008 8009 8010 8011 8012 8013 8014
(44) Sales of replacement and modification parts for	8015

engines, airframes, instruments, and interiors in, and paint 8016  
for, aircraft used primarily in a fractional aircraft ownership 8017  
program, and sales of services for the repair, modification, and 8018  
maintenance of such aircraft, and machinery, equipment, and 8019  
supplies primarily used to provide those services. 8020

(45) Sales of telecommunications service that is used 8021  
directly and primarily to perform the functions of a call 8022  
center. As used in this division, "call center" means any 8023  
physical location where telephone calls are placed or received 8024  
in high volume for the purpose of making sales, marketing, 8025  
customer service, technical support, or other specialized 8026  
business activity, and that employs at least fifty individuals 8027  
that engage in call center activities on a full-time basis, or 8028  
sufficient individuals to fill fifty full-time equivalent 8029  
positions. 8030

(46) Sales by a telecommunications service vendor of 900 8031  
service to a subscriber. This division does not apply to 8032  
information services. 8033

(47) Sales of value-added non-voice data service. This 8034  
division does not apply to any similar service that is not 8035  
otherwise a telecommunications service. 8036

(48) Sales of feminine hygiene products. 8037

(49) Sales of materials, parts, equipment, or engines used 8038  
in the repair or maintenance of aircraft or avionics systems of 8039  
such aircraft, and sales of repair, remodeling, replacement, or 8040  
maintenance services in this state performed on aircraft or on 8041  
an aircraft's avionics, engine, or component materials or parts. 8042  
As used in division (B) (49) of this section, "aircraft" means 8043  
aircraft of more than six thousand pounds maximum certified 8044

takeoff weight or used exclusively in general aviation. 8045

(50) Sales of full flight simulators that are used for 8046  
pilot or flight-crew training, sales of repair or replacement 8047  
parts or components, and sales of repair or maintenance services 8048  
for such full flight simulators. "Full flight simulator" means a 8049  
replica of a specific type, or make, model, and series of 8050  
aircraft cockpit. It includes the assemblage of equipment and 8051  
computer programs necessary to represent aircraft operations in 8052  
ground and flight conditions, a visual system providing an out- 8053  
of-the-cockpit view, and a system that provides cues at least 8054  
equivalent to those of a three-degree-of-freedom motion system, 8055  
and has the full range of capabilities of the systems installed 8056  
in the device as described in appendices A and B of part 60 of 8057  
chapter 1 of title 14 of the Code of Federal Regulations. 8058

(51) Any transfer or lease of tangible personal property 8059  
between the state and JobsOhio in accordance with section 8060  
4313.02 of the Revised Code. 8061

(52) (a) Sales to a qualifying corporation. 8062

(b) As used in division (B) (52) of this section: 8063

(i) "Qualifying corporation" means a nonprofit corporation 8064  
organized in this state that leases from an eligible county 8065  
land, buildings, structures, fixtures, and improvements to the 8066  
land that are part of or used in a public recreational facility 8067  
used by a major league professional athletic team or a class A 8068  
to class AAA minor league affiliate of a major league 8069  
professional athletic team for a significant portion of the 8070  
team's home schedule, provided the following apply: 8071

(I) The facility is leased from the eligible county 8072  
pursuant to a lease that requires substantially all of the 8073

revenue from the operation of the business or activity conducted 8074  
by the nonprofit corporation at the facility in excess of 8075  
operating costs, capital expenditures, and reserves to be paid 8076  
to the eligible county at least once per calendar year. 8077

(II) Upon dissolution and liquidation of the nonprofit 8078  
corporation, all of its net assets are distributable to the 8079  
board of commissioners of the eligible county from which the 8080  
corporation leases the facility. 8081

(ii) "Eligible county" has the same meaning as in section 8082  
307.695 of the Revised Code. 8083

(53) Sales to or by a cable service provider, video 8084  
service provider, or radio or television broadcast station 8085  
regulated by the federal government of cable service or 8086  
programming, video service or programming, audio service or 8087  
programming, or electronically transferred digital audiovisual 8088  
or audio work. As used in division (B) (53) of this section, 8089  
"cable service" and "cable service provider" have the same 8090  
meanings as in section 1332.01 of the Revised Code, and "video 8091  
service," "video service provider," and "video programming" have 8092  
the same meanings as in section 1332.21 of the Revised Code. 8093

(54) Sales of a digital audio work electronically 8094  
transferred for delivery through use of a machine, such as a 8095  
juke box, that does all of the following: 8096

(a) Accepts direct payments to operate; 8097

(b) Automatically plays a selected digital audio work for 8098  
a single play upon receipt of a payment described in division 8099  
(B) (54) (a) of this section; 8100

(c) Operates exclusively for the purpose of playing 8101  
digital audio works in a commercial establishment. 8102

(55) (a) Sales of the following occurring on the first	8103
Friday of August and the following Saturday and Sunday of each	8104
year, beginning in 2018:	8105
(i) An item of clothing, the price of which is seventy-	8106
five dollars or less;	8107
(ii) An item of school supplies, the price of which is	8108
twenty dollars or less;	8109
(iii) An item of school instructional material, the price	8110
of which is twenty dollars or less.	8111
(b) As used in division (B) (55) of this section:	8112
(i) "Clothing" means all human wearing apparel suitable	8113
for general use. "Clothing" includes, but is not limited to,	8114
aprons, household and shop; athletic supporters; baby receiving	8115
blankets; bathing suits and caps; beach capes and coats; belts	8116
and suspenders; boots; coats and jackets; costumes; diapers,	8117
children and adult, including disposable diapers; earmuffs;	8118
footlets; formal wear; garters and garter belts; girdles; gloves	8119
and mittens for general use; hats and caps; hosiery; insoles for	8120
shoes; lab coats; neckties; overshoes; pantyhose; rainwear;	8121
rubber pants; sandals; scarves; shoes and shoe laces; slippers;	8122
sneakers; socks and stockings; steel-toed shoes; underwear;	8123
uniforms, athletic and nonathletic; and wedding apparel.	8124
"Clothing" does not include items purchased for use in a trade	8125
or business; clothing accessories or equipment; protective	8126
equipment; sports or recreational equipment; belt buckles sold	8127
separately; costume masks sold separately; patches and emblems	8128
sold separately; sewing equipment and supplies including, but	8129
not limited to, knitting needles, patterns, pins, scissors,	8130
sewing machines, sewing needles, tape measures, and thimbles;	8131

and sewing materials that become part of "clothing" including, 8132  
but not limited to, buttons, fabric, lace, thread, yarn, and 8133  
zippers. 8134

(ii) "School supplies" means items commonly used by a 8135  
student in a course of study. "School supplies" includes only 8136  
the following items: binders; book bags; calculators; cellophane 8137  
tape; blackboard chalk; compasses; composition books; crayons; 8138  
erasers; folders, expandable, pocket, plastic, and manila; glue, 8139  
paste, and paste sticks; highlighters; index cards; index card 8140  
boxes; legal pads; lunch boxes; markers; notebooks; paper, 8141  
loose-leaf ruled notebook paper, copy paper, graph paper, 8142  
tracing paper, manila paper, colored paper, poster board, and 8143  
construction paper; pencil boxes and other school supply boxes; 8144  
pencil sharpeners; pencils; pens; protractors; rulers; scissors; 8145  
and writing tablets. "School supplies" does not include any item 8146  
purchased for use in a trade or business. 8147

(iii) "School instructional material" means written 8148  
material commonly used by a student in a course of study as a 8149  
reference and to learn the subject being taught. "School 8150  
instructional material" includes only the following items: 8151  
reference books, reference maps and globes, textbooks, and 8152  
workbooks. "School instructional material" does not include any 8153  
material purchased for use in a trade or business. 8154

(56) (a) Sales of diapers or incontinence underpads sold 8155  
pursuant to a prescription, for the benefit of a medicaid 8156  
recipient with a diagnosis of incontinence, and by a medicaid 8157  
provider that maintains a valid provider agreement under section 8158  
5164.30 of the Revised Code with the department of medicaid, 8159  
provided that the medicaid program covers diapers or 8160  
incontinence underpads as an incontinence garment. 8161

(b) As used in division (B) (56) (a) of this section:	8162
(i) "Diaper" means an absorbent garment worn by humans who are incapable of, or have difficulty, controlling their bladder or bowel movements.	8163 8164 8165
(ii) "Incontinence underpad" means an absorbent product, not worn on the body, designed to protect furniture or other tangible personal property from soiling or damage due to human incontinence.	8166 8167 8168 8169
(57) Sales of investment metal bullion and investment coins. "Investment metal bullion" means any bullion described in section 408(m) (3) (B) of the Internal Revenue Code, regardless of whether that bullion is in the physical possession of a trustee. "Investment coin" means any coin composed primarily of gold, silver, platinum, or palladium.	8170 8171 8172 8173 8174 8175
(58) Sales of tangible personal property used primarily for any of the following purposes by a megaproject operator at the site of a megaproject that satisfies the criteria described in division (A) (11) (a) (ii) of section 122.17 of the Revised Code, provided that the sale occurs during the period that the megaproject operator has an agreement for such megaproject with the tax credit authority under division (D) of section 122.17 of the Revised Code that remains in effect and has not expired or been terminated:	8176 8177 8178 8179 8180 8181 8182 8183 8184
(a) To store, transmit, convey, distribute, recycle, circulate, or clean water, steam, or other gases used in or produced as a result of manufacturing activity, including items that support or aid in the operation of such property;	8185 8186 8187 8188
(b) To clean or prepare inventory, at any stage of storage or production, or equipment used in a manufacturing activity,	8189 8190

including chemicals, solvents, catalysts, soaps, and other items	8191
that support or aid in the operation of property;	8192
(c) To regulate, treat, filter, condition, improve, clean,	8193
maintain, or monitor environmental conditions within areas where	8194
manufacturing activities take place;	8195
(d) To handle, transport, or convey inventory during	8196
production or manufacturing.	8197
(59) Documentary services charges imposed pursuant to	8198
section 4517.261 or 4781.24 of the Revised Code.	8199
(C) For the purpose of the proper administration of this	8200
chapter, and to prevent the evasion of the tax, it is presumed	8201
that all sales made in this state are subject to the tax until	8202
the contrary is established.	8203
(D) The tax collected by the vendor from the consumer	8204
under this chapter is not part of the price, but is a tax	8205
collection for the benefit of the state, and of counties levying	8206
an additional sales tax pursuant to section 5739.021 or 5739.026	8207
of the Revised Code and of transit authorities levying an	8208
additional sales tax pursuant to section 5739.023 of the Revised	8209
Code. Except for the discount authorized under section 5739.12	8210
of the Revised Code and the effects of any rounding pursuant to	8211
section 5703.055 of the Revised Code, no person other than the	8212
state or such a county or transit authority shall derive any	8213
benefit from the collection or payment of the tax levied by this	8214
section or section 5739.021, 5739.023, or 5739.026 of the	8215
Revised Code.	8216
<b>Sec. 5815.36.</b> (A) As used in this section:	8217
(1) "Disclaimant" means any person, any guardian or	8218
personal representative of a person or estate of a person, or	8219



any attorney-in-fact or agent of a person having a general or 8220  
specific authority to act granted in a written instrument, who 8221  
is any of the following: 8222

(a) With respect to testamentary instruments and intestate 8223  
succession, an heir, next of kin, devisee, legatee, donee, 8224  
person succeeding to a disclaimed interest, surviving joint 8225  
tenant, surviving tenant by the entirety, surviving tenant of 8226  
a tenancy with a right of survivorship, beneficiary under a 8227  
testamentary instrument, or person designated to take pursuant 8228  
to a power of appointment exercised by a testamentary 8229  
instrument; 8230

(b) With respect to nontestamentary instruments, a 8231  
grantee, donee, person succeeding to a disclaimed interest, 8232  
surviving joint tenant, surviving tenant by the entirety, 8233  
surviving tenant of a tenancy with a right of survivorship, 8234  
beneficiary under a nontestamentary instrument, or person 8235  
designated to take pursuant to a power of appointment exercised 8236  
by a nontestamentary instrument; 8237

(c) With respect to fiduciary rights, privileges, powers, 8238  
and immunities, a fiduciary under a testamentary or 8239  
nontestamentary instrument. Division (A)(1)(c) of this section 8240  
does not authorize a fiduciary who disclaims fiduciary rights, 8241  
privileges, powers, and immunities to cause the rights of any 8242  
beneficiary to be disclaimed unless the instrument creating the 8243  
fiduciary relationship authorizes the fiduciary to make such a 8244  
disclaimer. 8245

(d) Any person entitled to take an interest in property 8246  
upon the death of a person or upon the occurrence of any other 8247  
event. 8248

(2) "Personal representative" includes any fiduciary as 8249  
defined in section 2109.01 of the Revised Code and any executor, 8250  
trustee, guardian, or other person or entity having a fiduciary 8251  
relationship with regard to any interest in property passing to 8252  
the fiduciary, executor, trustee, guardian, or other person or 8253  
entity by reason of a disclaimant's death. 8254

(3) "Property" means all forms of property, real and 8255  
personal, tangible and intangible. 8256

(B)(1) A disclaimant, other than a fiduciary under an 8257  
instrument who is not authorized by the instrument to disclaim 8258  
the interest of a beneficiary, may disclaim, in whole or in 8259  
part, the succession to any property by executing and by 8260  
delivering, filing, or recording a written disclaimer instrument 8261  
in the manner provided in this section. 8262

(2) A disclaimant who is a fiduciary under an instrument 8263  
may disclaim, in whole or in part, any right, power, privilege, 8264  
or immunity, by executing and by delivering, filing, or 8265  
recording a written disclaimer instrument in the manner provided 8266  
in this section. 8267

(3) The written instrument of disclaimer shall be signed 8268  
and acknowledged by the disclaimant and shall contain all of the 8269  
following: 8270

(a) A reference to the donative instrument; 8271

(b) A description of the property, part of property, or 8272  
interest disclaimed, and of any fiduciary right, power, 8273  
privilege, or immunity disclaimed; 8274

(c) A declaration of the disclaimer and its extent. 8275

(4) The guardian of the estate of a minor or an 8276

incompetent, or the personal representative of a deceased 8277  
person, whether or not authorized by the instrument to disclaim, 8278  
with the consent of the probate division of the court of common 8279  
pleas may disclaim, in whole or in part, the succession to any 8280  
property, or interest in property, that the ward, if an adult 8281  
and competent, or the deceased, if living, might have 8282  
disclaimed. The guardian or personal representative, or any 8283  
interested person may file an application with the probate 8284  
division of the court of common pleas that has jurisdiction of 8285  
the estate, asking that the court order the guardian or personal 8286  
representative to execute and deliver, file, or record the 8287  
disclaimer on behalf of the ward, estate, or deceased person. 8288  
The court shall order the guardian or personal representative to 8289  
execute and deliver, file, or record the disclaimer if the court 8290  
finds, upon hearing after notice to interested parties and such 8291  
other persons as the court shall direct, that: 8292

(a) It is in the best interests of those interested in the 8293  
estate of the person and of those who will take the disclaimed 8294  
interest; 8295

(b) It would not materially, adversely affect the minor or 8296  
incompetent, or the beneficiaries of the estate of the decedent, 8297  
taking into consideration other available resources and the age, 8298  
probable life expectancy, physical and mental condition, and 8299  
present and reasonably anticipated future needs of the minor or 8300  
incompetent or the beneficiaries of the estate of the decedent. 8301

A written instrument of disclaimer ordered by the court 8302  
under this division shall be executed and be delivered, filed, 8303  
or recorded within the time and in the manner in which the 8304  
person could have disclaimed if the person were living, an 8305  
adult, and competent. 8306

(C) A partial disclaimer of property that is subject to a 8307  
burdensome interest created by the donative instrument is not 8308  
effective unless the disclaimed property constitutes a gift that 8309  
is separate and distinct from undisclaimed gifts. 8310

(D) The disclaimant shall deliver, file, or record the 8311  
disclaimer, or cause the same to be done, prior to accepting any 8312  
benefits of the disclaimed interest and at any time after the 8313  
latest of the following dates: 8314

(1) The effective date of the donative instrument if both 8315  
the taker and the taker's interest in the property are finally 8316  
ascertained on that date; 8317

(2) The date of the occurrence of the event upon which 8318  
both the taker and the taker's interest in the property become 8319  
finally ascertainable; 8320

(3) The date on which the disclaimant attains eighteen 8321  
years of age or is no longer an incompetent, without tendering 8322  
or repaying any benefit received while the disclaimant was under 8323  
eighteen years of age or an incompetent, and even if a guardian 8324  
of a minor or incompetent had filed an application pursuant to 8325  
division (B)(4) of this section and the probate division of the 8326  
court of common pleas involved did not consent to the guardian 8327  
executing a disclaimer. 8328

(E) No disclaimer instrument is effective under this 8329  
section if either of the following applies under the terms of 8330  
the disclaimer instrument: 8331

(1) The disclaimant has power to revoke the disclaimer. 8332

(2) The disclaimant may transfer, or direct to be 8333  
transferred, to self the entire legal and equitable ownership of 8334  
the property subject to the disclaimer instrument. 8335

(F) (1) Subject to division (F) (2) of this section, if the interest disclaimed is created by a nontestamentary instrument, including, but not limited to, a transfer on death designation affidavit pursuant to section 5302.22 of the Revised Code, the disclaimer instrument shall be delivered personally or by certified mail to the trustee or other person who has legal title to, or possession of, the property disclaimed. If the interest disclaimed is created by a transfer on death designation affidavit pursuant to section 5302.22 of the Revised Code, the disclaimer instrument shall be filed with the county recorder of the county in which the real property that is the subject of that affidavit is located.

(2) If the interest disclaimed is created by a testamentary instrument, by intestate succession, or by a certificate of title to a ~~motor vehicle, watercraft, or outboard motor~~ titled mode of transportation, as defined in section 2131.12 of the Revised Code, that evidences ownership of the ~~motor vehicle, watercraft, or outboard motor~~ titled mode of transportation that is transferable on death pursuant to section 2131.13 of the Revised Code, the disclaimer instrument shall be filed in the probate division of the court of common pleas in the county in which proceedings for the administration of the decedent's estate have been commenced, and an executed copy of the disclaimer instrument shall be delivered personally or by certified mail to the personal representative of the decedent's estate.

(3) If no proceedings for the administration of the decedent's estate have been commenced, the disclaimer instrument shall be filed in the probate division of the court of common pleas in the county in which proceedings for the administration of the decedent's estate might be commenced according to law.

The disclaimer instrument shall be filed and indexed, and fees charged, in the same manner as provided by law for an application to be appointed as personal representative to administer the decedent's estate. The disclaimer is effective whether or not proceedings thereafter are commenced to administer the decedent's estate. If proceedings thereafter are commenced for the administration of the decedent's estate, they shall be filed under, or consolidated with, the case number assigned to the disclaimer instrument.

(4) If an interest in real estate is disclaimed, an executed copy of the disclaimer instrument also shall be recorded in the office of the recorder of the county in which the real estate is located. The disclaimer instrument shall include a description of the real estate with sufficient certainty to identify it, and shall contain a reference to the record of the instrument that created the interest disclaimed. If title to the real estate is registered under Chapters 5309. and 5310. of the Revised Code, the disclaimer interest shall be entered as a memorial on the last certificate of title. A spouse of a disclaimant has no dower or other interest in the real estate disclaimed.

(G) If a donative instrument expressly provides for the distribution of property, part of property, or interest in property if there is a disclaimer, the property, part of property, or interest disclaimed shall be distributed or disposed of, and accelerated or not accelerated, in accordance with the donative instrument. In the absence of express provisions to the contrary in the donative instrument, the property, part of property, or interest in property disclaimed, and any future interest that is to take effect in possession or enjoyment at or after the termination of the interest

disclaimed, shall descend, be distributed, or otherwise be 8398  
disposed of, and shall be accelerated, in the following manner: 8399

(1) If intestate or testate succession is disclaimed, as 8400  
if the disclaimant had predeceased the decedent; 8401

(2) If the disclaimant is one designated to take pursuant 8402  
to a power of appointment exercised by a testamentary 8403  
instrument, as if the disclaimant had predeceased the donee of 8404  
the power; 8405

(3) If the donative instrument is a nontestamentary 8406  
instrument, as if the disclaimant had died before the effective 8407  
date of the nontestamentary instrument; 8408

(4) If the disclaimer is of a fiduciary right, power, 8409  
privilege, or immunity, as if the right, power, privilege, or 8410  
immunity was never in the donative instrument. 8411

(H) A disclaimer pursuant to this section is effective as 8412  
of, and relates back for all purposes to, the date upon which 8413  
the taker and the taker's interest have been finally 8414  
ascertained. 8415

(I) A disclaimant who has a present and future interest in 8416  
property, and disclaims the disclaimant's present interest in 8417  
whole or in part, is considered to have disclaimed the 8418  
disclaimant's future interest to the same extent, unless a 8419  
contrary intention appears in the disclaimer instrument or the 8420  
donative instrument. A disclaimant is not precluded from 8421  
receiving, as an alternative taker, a beneficial interest in the 8422  
property disclaimed, unless a contrary intention appears in the 8423  
disclaimer instrument or in the donative instrument. 8424

(J) The disclaimant's right to disclaim under this section 8425  
is barred if the disclaimant does any of the following: 8426

(1) Assigns, conveys, encumbers, pledges, or transfers, or contracts to assign, convey, encumber, pledge, or transfer, the property or any interest in it;	8427
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	8429
(2) Waives in writing the disclaimant's right to disclaim and executes and delivers, files, or records the waiver in the manner provided in this section for a disclaimer instrument;	8430
	8431
	8432
(3) Accepts the property or an interest in it;	8433
(4) Permits or suffers a sale or other disposition of the property pursuant to judicial action against the disclaimant.	8434
	8435
(K) Neither a fiduciary's application for appointment or assumption of duties as a fiduciary nor a beneficiary's application for appointment as a personal representative or fiduciary waives or bars the disclaimant's right to disclaim a right, power, privilege, or immunity as a personal representative or fiduciary or the beneficiary's right to disclaim property.	8436
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(L) The right to disclaim under this section exists irrespective of any limitation on the interest of the disclaimant in the nature of a spendthrift provision or similar restriction.	8443
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	8446
(M) A disclaimer instrument or written waiver of the right to disclaim that has been executed and delivered, filed, or recorded as required by this section is final and binding upon all persons.	8447
	8448
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	8450
(N) (1) The right to disclaim and the procedures for disclaimer established by this section are in addition to, and do not exclude or abridge, any other rights or procedures that exist or formerly existed under any other section of the Revised Code or at common law to assign, convey, release, refuse to	8451
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accept, renounce, waive, or disclaim property. 8456

(2) A disclaimer is not considered a transfer or 8457  
conveyance by the disclaimant, and no creditor of a disclaimant 8458  
may avoid a disclaimer. 8459

(3) This section shall take precedence over any other 8460  
section of the Revised Code that conflicts with this section. 8461

(O) (1) No person is liable for distributing or disposing 8462  
of property in a manner inconsistent with the terms of a valid 8463  
disclaimer if the distribution or disposition is otherwise 8464  
proper and the person has no actual knowledge of the disclaimer. 8465

(2) No person is liable for distributing or disposing of 8466  
property in reliance upon the terms of a disclaimer that is 8467  
invalid because the right of disclaimer has been waived or 8468  
barred if the distribution or disposition is otherwise proper 8469  
and the person has no actual knowledge of the facts that 8470  
constitute a waiver or bar to the right to disclaim. 8471

(P) (1) A disclaimant may disclaim pursuant to this section 8472  
any interest in property that is in existence on September 27, 8473  
1976, if either the interest in the property or the taker of the 8474  
interest in the property is not finally ascertained on that 8475  
date. 8476

(2) No disclaimer executed pursuant to this section 8477  
destroys or diminishes an interest in property that exists on 8478  
September 27, 1976, in any person other than the disclaimant. 8479

(Q) This section may be applied separately to different 8480  
interests or powers created in the disclaimant by the same 8481  
testamentary or nontestamentary instrument. 8482

**Section 2.** That existing sections 1531.01, 1533.01, 8483

1533.103, 1533.18, 2131.12, 2131.13, 2744.01, 2911.21, 2921.331, 8484  
2923.16, 4501.01, 4501.13, 4503.01, 4503.038, 4503.04, 4503.10, 8485  
4503.191, 4503.312, 4504.01, 4505.01, 4505.06, 4505.09, 4505.11, 8486  
4510.036, 4511.01, 4511.214, 4511.713, 4513.02, 4513.221, 8487  
4513.263, 4517.01, 4519.01, 4519.02, 4519.03, 4519.031, 4519.04, 8488  
4519.05, 4519.08, 4519.09, 4519.10, 4519.11, 4519.20, 4519.21, 8489  
4519.22, 4519.401, 4519.41, 4519.42, 4519.43, 4519.44, 4519.45, 8490  
4519.46, 4519.47, 4519.48, 4519.511, 4519.512, 4519.52, 8491  
4519.521, 4519.53, 4519.54, 4519.55, 4519.551, 4519.56, 4519.57, 8492  
4519.58, 4519.59, 4519.60, 4519.61, 4519.62, 4519.63, 4519.631, 8493  
4519.64, 4519.65, 4519.66, 4519.67, 4519.68, 4519.69, 4519.70, 8494  
5553.044, 5739.02, and 5815.36 of the Revised Code are hereby 8495  
repealed. 8496

**Section 3.** That sections 4511.215, 4511.216, and 4519.40 8497  
of the Revised Code are hereby repealed. 8498

**Section 4.** (A) Notwithstanding the change from "all- 8499  
purpose vehicle" to "all-terrain vehicle" enacted by this act, 8500  
the Registrar of Motor Vehicles may continue to issue license 8501  
plates that display "all-purpose vehicle" or "APV" printed on 8502  
them until the supply of license plates printed before the 8503  
effective date of this section is depleted. 8504

(B) Any person that is newly issued or that currently 8505  
operates a vehicle with a license plate printed with "all- 8506  
purpose vehicle" or "APV" may continue to use that license plate 8507  
until both of the following apply: 8508

(1) The Registrar's supply of the "all-purpose vehicle" 8509  
and "APV" license plates is depleted in accordance with division 8510  
(A) of this section; 8511

(2) The person's current license plate is lost, stolen, 8512

mutilated, or destroyed or the person otherwise is required or 8513  
desires to replace the person's license plate. 8514

**Section 5.** Sections 1, 2, 3, and 4 of this act take effect 8515  
six months after the effective date of this section. 8516

**Section 6.** The General Assembly, applying the principle 8517  
stated in division (B) of section 1.52 of the Revised Code that 8518  
amendments are to be harmonized if reasonably capable of 8519  
simultaneous operation, finds that the following sections, 8520  
presented in this act as composites of the sections as amended 8521  
by the acts indicated, are the resulting versions of the 8522  
sections in effect prior to the effective date of the sections 8523  
as presented in this act: 8524

Section 4503.04 of the Revised Code as amended by both 8525  
H.B. 74 and H.B. 281 of the 134th General Assembly. 8526