

As Introduced

**135th General Assembly
Regular Session
2023-2024**

H. B. No. 640

Representatives Demetriou, Roemer

A BILL

To amend sections 107.42, 3704.14, 4503.10, 1
4503.102, and 4503.103 and to repeal section 2
3704.032 of the Revised Code to create an 3
alternative method to certify compliance with 4
the E-Check program, to eliminate the authority 5
to declare an air pollution emergency, and to 6
name this act the E-Check Ease Act. 7

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

Section 1. That sections 107.42, 3704.14, 4503.10, 8
4503.102, and 4503.103 of the Revised Code be amended to read as 9
follows: 10

Sec. 107.42. (A) As used in this section: 11

"Declaration of a state of emergency" means any order, 12
proclamation, or other action of the governor that creates a 13
state of emergency. 14

"State of emergency" means the period of time between when 15
the governor declares any emergency and the expiration of that 16
emergency, including ~~an air pollution emergency under section~~ 17
~~3704.032 of the Revised Code,~~ an energy shortage emergency under 18
section 4935.03 of the Revised Code, and an adulterated consumer 19

product emergency under section 3715.74 of the Revised Code. 20

(B) A state of emergency declared by the governor shall 21
exist for not more than ninety calendar days unless extended by 22
the general assembly as provided in division (C) of this 23
section. An amendment to a declaration of a state of emergency, 24
declaration of a substantially similar state of emergency, or 25
reissuance of any part of an initial declaration of a state of 26
emergency shall not be considered a new declaration of a state 27
of emergency. 28

(C) The general assembly may extend a state of emergency 29
for up to an additional sixty calendar days by adopting a 30
concurrent resolution. The general assembly continuously may 31
extend a state of emergency by adopting subsequent concurrent 32
resolutions, but no extension may last longer than sixty 33
calendar days. If the general assembly does not extend a state 34
of emergency, the governor shall not issue a declaration of an 35
identical or substantially similar state of emergency, or issue 36
a declaration of a state of emergency with any part of the 37
initial declaration of a state of emergency, for at least sixty 38
calendar days following the expiration of the state of 39
emergency, except as provided in division (E) of this section. 40

(D) (1) After a state of emergency declared by the governor 41
has been in effect for thirty calendar days, the general 42
assembly may terminate the state of emergency by adopting a 43
concurrent resolution. A state of emergency terminated under 44
this division is invalid and has no legal effect. 45

(2) If the general assembly terminates a state of 46
emergency under this section, the governor shall not issue a 47
declaration of an identical or substantially similar state of 48
emergency, or issue a declaration of a state of emergency with 49

any part of the initial declaration of the state of emergency, 50
for at least sixty calendar days after the general assembly 51
adopts the concurrent resolution, except as provided in division 52
(E) of this section. 53

(E) Within sixty calendar days of a state of emergency 54
terminating by operation of law under division (B) of this 55
section, or by action of the general assembly under division (D) 56
(1) of this section, the governor may submit a request to the 57
general assembly to authorize the governor to issue a 58
declaration of an identical or substantially similar state of 59
emergency, or issue a declaration of a state of emergency with 60
any part of the initial declaration of the state of emergency. 61
Upon review, the general assembly may adopt a concurrent 62
resolution authorizing the request. 63

(F) A declaration of a state of emergency in violation of 64
this section is invalid and has no legal effect. 65

Sec. 3704.14. (A) (1) If the director of environmental 66
protection determines that implementation of a motor vehicle 67
inspection and maintenance program is necessary for the state to 68
effectively comply with the federal Clean Air Act after June 30, 69
2023, the director may provide for the implementation of the 70
program in those counties in this state in which such a program 71
is federally mandated. Upon making such a determination, the 72
director of environmental protection may request the director of 73
administrative services to extend the terms of the contract that 74
was entered into under the authority of Am. Sub. H.B. 64 of the 75
131st general assembly. Upon receiving the request, the director 76
of administrative services shall extend the contract, beginning 77
on July 1, 2023, in accordance with this section. The contract 78
shall be extended for a period of up to twenty-four months with 79

the contractor who conducted the motor vehicle inspection and 80
maintenance program under that contract. 81

(2) Prior to the expiration of the contract extension that 82
is authorized by division (A)(1) of this section, the director 83
of environmental protection shall request the director of 84
administrative services to enter into a contract with a vendor 85
to operate a decentralized motor vehicle inspection and 86
maintenance program in each county in this state in which such a 87
program is federally mandated through June 30, 2027, with an 88
option for the state to renew the contract for a period of up to 89
twenty-four months through June 30, 2029. The contract shall 90
ensure that the decentralized motor vehicle inspection and 91
maintenance program achieves at least the same emission 92
reductions as achieved by the program operated under the 93
authority of the contract that was extended under division (A) 94
(1) of this section. The director of administrative services 95
shall select a vendor through a competitive selection process in 96
compliance with Chapter 125. of the Revised Code. 97

(3) Notwithstanding any law to the contrary, the director 98
of administrative services shall ensure that a competitive 99
selection process regarding a contract to operate a 100
decentralized motor vehicle inspection and maintenance program 101
in this state incorporates the following, which shall be 102
included in the contract: 103

(a) For purposes of expanding the number of testing 104
locations for consumer convenience, a requirement that the 105
vendor utilize established local businesses, auto repair 106
facilities, or leased properties to operate state-approved 107
inspection and maintenance testing facilities; 108

(b) A requirement that the vendor selected to operate the 109

program provide notification of the program's requirements to 110
each owner of a motor vehicle that is required to be inspected 111
under the program. The contract shall require the notification 112
to be provided not later than sixty days prior to the date by 113
which the owner of the motor vehicle is required to have the 114
motor vehicle inspected. The director of environmental 115
protection and the vendor shall jointly agree on the content of 116
the notice. However, the notice shall include at a minimum the 117
locations of all inspection facilities within a specified 118
distance of the address that is listed on the owner's motor 119
vehicle registration; 120

(c) A requirement that the vendor comply with testing 121
methodology and supply the required equipment approved by the 122
director of environmental protection as specified in the 123
competitive selection process in compliance with Chapter 125. of 124
the Revised Code. 125

(4) A decentralized motor vehicle inspection and 126
maintenance program operated under this section shall comply 127
with division (B) of this section. The director of environmental 128
protection shall administer the decentralized motor vehicle 129
inspection and maintenance program operated under this section. 130

(B) The director shall establish a decentralized motor 131
vehicle inspection and maintenance program as authorized by this 132
section and, at a minimum, the director shall ~~do~~ ensure that the 133
program does all of the following: 134

(1) ~~Comply~~ Complies with the federal Clean Air Act; 135

(2) ~~Provide~~ Provides for the issuance of inspection 136
certificates and alternative emissions certificates as specified 137
in rules adopted under division (C) (2) of this section; 138

(3) ~~Provide~~ Provides for a new car exemption for motor vehicles ~~four-six~~ years old or newer and ~~provide~~ provides that a new motor vehicle is exempt for ~~four-six~~ years regardless of whether legal title to the motor vehicle is transferred during that period;

(4) ~~Provide~~ Provides for an exemption for battery electric motor vehicles;

(5) Provides for an exemption for hybrid motor vehicles seven years old or newer and provides that a hybrid motor vehicle is exempt for seven years regardless of whether legal title to the motor vehicle is transferred during that period.

(C) (1) The director of environmental protection shall adopt rules in accordance with Chapter 119. of the Revised Code that the director determines are necessary to implement this section. The director may continue to implement and enforce rules pertaining to the motor vehicle inspection and maintenance program previously implemented under former section 3704.14 of the Revised Code as that section existed prior to its repeal and reenactment by Am. Sub. H.B. 66 of the 126th general assembly, provided that the rules do not conflict with this section.

~~(2) The director of environmental protection shall issue an inspection certificate provided for under division (B) (2) of this section in accordance with Chapter 4796. of the Revised Code to an applicant if either of the following applies:~~

~~(a) The individual holds a certificate or license in another state.~~

~~(b) The individual has satisfactory work experience, a government certification, or a private certification as described in that chapter as a vehicle inspector in a state that~~

~~does not issue that certificate.~~ 168

The rules adopted under division (C) (1) of this section 169
shall provide for the issuance of inspections certificates and 170
alternative emissions certificates. Under the rules, an 171
inspection certificate shall be issued to the owner or lessee of 172
a motor vehicle when the motor vehicle passes an emissions 173
inspection conducted in accordance with the motor vehicle 174
inspection and maintenance program established under this 175
section. In lieu of obtaining an inspection certificate, the 176
rules shall establish a system by which the owner or lessee of a 177
motor vehicle may request an alternative emissions certificate 178
from the director. 179

(a) The rules providing for the issuance of alternative 180
emissions certificates shall require an owner or lessee of a 181
motor vehicle to do the following in order to receive the 182
certificate: 183

(i) Complete and submit an attestation form created by the 184
director that includes a statement that reads substantially as 185
follows: 186

"I, _____, attest that, to the best of my knowledge, the 187
motor vehicle concerning which I am the owner or lessee complies 188
with all laws of Ohio and the United States governing motor 189
vehicle emissions. I, _____, am aware that a false statement on 190
this form is not permitted." 191

(ii) Sign and date the form either manually or 192
electronically; 193

(iii) Submit the form to the director either by regular 194
mail, certified mail, or electronically. 195

(b) The rules shall require the director to include both 196

<u>of the following additional information on the attestation form:</u>	197
<u>(i) A provision that allows the owner or lessee of a motor</u>	198
<u>vehicle to specify one of the following methods by which the</u>	199
<u>owner or lessee may request delivery of the alternative</u>	200
<u>emissions certificate: certified mail, noncertified mail, or</u>	201
<u>electronically;</u>	202
<u>(ii) A provision that allows the owner or lessee of a</u>	203
<u>motor vehicle to specify the vehicle identification number,</u>	204
<u>make, model, and year of the relevant motor vehicle and the date</u>	205
<u>the attestation form is submitted to the director.</u>	206
<u>(c) Subject to division (C) (2) (d) of this section, the</u>	207
<u>rules shall require the director to deliver an alternative</u>	208
<u>emission certificate to the owner or lessee of a motor vehicle</u>	209
<u>who complies with rules adopted under division (C) (2) (a) of this</u>	210
<u>section. The director shall deliver the certificate within</u>	211
<u>thirty business days after the director's receipt of the</u>	212
<u>attestation form or, if the owner or lessee submits the form</u>	213
<u>electronically, within five business days after receipt of the</u>	214
<u>form. The director shall confirm the receipt of the attestation</u>	215
<u>form if the director receives it by electronic means.</u>	216
<u>(d) The rules shall require the director to reject an</u>	217
<u>attestation form for any of the following reasons:</u>	218
<u>(i) The motor vehicle that is the subject of the</u>	219
<u>attestation form was in an accident or collision within the two</u>	220
<u>years prior to the date of submission of the form, and the</u>	221
<u>accident or collision caused substantial damage to the internal</u>	222
<u>structure of the motor vehicle.</u>	223
<u>(ii) The owner or lessee of the motor vehicle that is the</u>	224
<u>subject of the attestation form has received a ticket, citation,</u>	225

or summons with regard to that motor vehicle within the two 226
years prior to the date of submission of the form for a 227
violation of section 4513.22 of the Revised Code or 228
substantially equivalent municipal ordinance. 229

(iii) The information in the attestation form is 230
determined by the director to be false. 231

If the director rejects an attestation form under division 232
(C) (2) (d) (iii) of this section, the director shall provide 233
notice to the owner or lessee that the attestation form was 234
determined to be false. The notice shall inform the owner or 235
lessee that the owner or lessee may submit a corrected form to 236
the director within thirty days of the receipt of the notice. If 237
the owner or lessee submits a corrected attestation form that 238
complies with rules adopted under division (C) (2) of this 239
section within that thirty-day period, the director shall issue 240
an alternative emissions certificate to the owner or lessee. If 241
the owner or lessee fails to correct the attestation form, the 242
director shall require the owner or lessee to complete an 243
emissions inspection and obtain an inspection certificate in 244
accordance with rules adopted under this section. 245

If the director rejects an attestation form under division 246
(C) (2) (d) (i) or (ii) of this section, the director shall require 247
the owner or lessee to complete an emissions inspection and 248
obtain an inspection certificate in accordance with rules 249
adopted under this section. 250

(e) In adopting rules under division (C) (2) of this 251
section, the director shall ensure that the owner or lessee of a 252
motor vehicle who falsifies an attestation form receives a 253
notice that includes a statement that reads substantially as 254
follows: "You have falsified an attestation form for your 255

vehicle under the E-Check/motor vehicle emissions testing 256
program. Your vehicle is registered in one of [insert the number 257
of counties] counties in this state that has federal emission 258
mandates imposed on it that the State of Ohio is required, under 259
threat of penalty, to enforce. This letter serves as Ohio's only 260
penalty for falsification of an attestation form. You have 261
thirty days from the date of this notice to amend your 262
attestation form and submit the amended form to the 263
Environmental Protection Agency. However, if you choose not to 264
submit an amended attestation form, you must have a motor 265
vehicle emissions inspection conducted for your vehicle in 266
accordance with section 3704.14 of the Revised Code and rules 267
adopted under it." 268

(D) There is hereby created in the state treasury the auto 269
emissions test fund, which shall consist of money received by 270
the director from any cash transfers, state and local grants, 271
and other contributions that are received for the purpose of 272
funding the program established under this section. The director 273
of environmental protection shall use money in the fund solely 274
for the implementation, supervision, administration, operation, 275
and enforcement of the motor vehicle inspection and maintenance 276
program established under this section. Money in the fund shall 277
not be used for either of the following: 278

(1) To pay for the inspection costs incurred by a motor 279
vehicle dealer so that the dealer may provide inspection 280
certificates to an individual purchasing a motor vehicle from 281
the dealer when that individual resides in a county that is 282
subject to the motor vehicle inspection and maintenance program; 283

(2) To provide payment for more than one free passing 284
emissions inspection or a total of three emissions inspections 285

for a motor vehicle in any three-hundred-sixty-five-day period. 286
The owner or lessee of a motor vehicle is responsible for 287
inspection fees that are related to emissions inspections beyond 288
one free passing emissions inspection or three total emissions 289
inspections in any three-hundred-sixty-five-day period. 290
Inspection fees that are charged by a contractor conducting 291
emissions inspections under a motor vehicle inspection and 292
maintenance program shall be approved by the director of 293
environmental protection. 294

(E) The motor vehicle inspection and maintenance program 295
established under this section expires upon the termination of 296
all contracts entered into under this section and shall not be 297
implemented beyond the final date on which termination occurs. 298

(F) As used in this section "battery electric motor 299
vehicle" ~~has and "hybrid motor vehicle" have the same meaning-~~ 300
meanings as in section 4501.01 of the Revised Code. 301

Sec. 4503.10. (A) The owner of every snowmobile, off- 302
highway motorcycle, and all-purpose vehicle required to be 303
registered under section 4519.02 of the Revised Code shall file 304
an application for registration under section 4519.03 of the 305
Revised Code. The owner of a motor vehicle, other than a 306
snowmobile, off-highway motorcycle, or all-purpose vehicle, that 307
is not designed and constructed by the manufacturer for 308
operation on a street or highway may not register it under this 309
chapter except upon certification of inspection pursuant to 310
section 4513.02 of the Revised Code by the sheriff, or the chief 311
of police of the municipal corporation or township, with 312
jurisdiction over the political subdivision in which the owner 313
of the motor vehicle resides. Except as provided in sections 314
4503.103 and 4503.107 of the Revised Code, every owner of every 315

other motor vehicle not previously described in this section and 316
every person mentioned as owner in the last certificate of title 317
of a motor vehicle that is operated or driven upon the public 318
roads or highways shall cause to be filed each year, by mail or 319
otherwise, in the office of the registrar of motor vehicles or a 320
deputy registrar, a written or electronic application or a 321
preprinted registration renewal notice issued under section 322
4503.102 of the Revised Code, the form of which shall be 323
prescribed by the registrar, for registration for the following 324
registration year, which shall begin on the first day of January 325
of every calendar year and end on the thirty-first day of 326
December in the same year. Applications for registration and 327
registration renewal notices shall be filed at the times 328
established by the registrar pursuant to section 4503.101 of the 329
Revised Code. A motor vehicle owner also may elect to apply for 330
or renew a motor vehicle registration by electronic means using 331
electronic signature in accordance with rules adopted by the 332
registrar. Except as provided in division (J) of this section, 333
applications for registration shall be made on blanks furnished 334
by the registrar for that purpose, containing the following 335
information: 336

(1) A brief description of the motor vehicle to be 337
registered, including the year, make, model, and vehicle 338
identification number, and, in the case of commercial cars, the 339
gross weight of the vehicle fully equipped computed in the 340
manner prescribed in section 4503.08 of the Revised Code; 341

(2) The name and residence address of the owner, and the 342
township and municipal corporation in which the owner resides; 343

(3) The district of registration, which shall be 344
determined as follows: 345

(a) In case the motor vehicle to be registered is used for 346
hire or principally in connection with any established business 347
or branch business, conducted at a particular place, the 348
district of registration is the municipal corporation in which 349
that place is located or, if not located in any municipal 350
corporation, the county and township in which that place is 351
located. 352

(b) In case the vehicle is not so used, the district of 353
registration is the municipal corporation or county in which the 354
owner resides at the time of making the application. 355

(4) Whether the motor vehicle is a new or used motor 356
vehicle; 357

(5) The date of purchase of the motor vehicle; 358

(6) Whether the fees required to be paid for the 359
registration or transfer of the motor vehicle, during the 360
preceding registration year and during the preceding period of 361
the current registration year, have been paid. Each application 362
for registration shall be signed by the owner, either manually 363
or by electronic signature, or pursuant to obtaining a limited 364
power of attorney authorized by the registrar for registration, 365
or other document authorizing such signature. If the owner 366
elects to apply for or renew the motor vehicle registration with 367
the registrar by electronic means, the owner's manual signature 368
is not required. 369

(7) The owner's social security number, driver's license 370
number, or state identification number, or, where a motor 371
vehicle to be registered is used for hire or principally in 372
connection with any established business, the owner's federal 373
taxpayer identification number. The bureau of motor vehicles 374

shall retain in its records all social security numbers provided 375
under this section, but the bureau shall not place social 376
security numbers on motor vehicle certificates of registration. 377

(8) Whether the applicant wishes to certify willingness to 378
make an anatomical gift if an applicant has not so certified 379
under section 2108.05 of the Revised Code. The applicant's 380
response shall not be considered in the decision of whether to 381
approve the application for registration. 382

(B)(1) When an applicant first registers a motor vehicle 383
in the applicant's name, the applicant shall provide proof of 384
ownership of that motor vehicle. Proof of ownership may include 385
any of the following: 386

(a) The applicant may present for inspection a physical 387
certificate of title or memorandum certificate showing title to 388
the motor vehicle to be registered in the name of the applicant. 389

(b) The applicant may present for inspection an electronic 390
certificate of title for the applicant's motor vehicle in a 391
manner prescribed by rules adopted by the registrar. 392

(c) The registrar or deputy registrar may electronically 393
confirm the applicant's ownership of the motor vehicle. 394

An applicant is not required to present a certificate of 395
title to an electronic motor vehicle dealer acting as a limited 396
authority deputy registrar in accordance with rules adopted by 397
the registrar. 398

(2) When a motor vehicle inspection and maintenance 399
program is in effect under section 3704.14 of the Revised Code 400
and rules adopted under it, each application for registration 401
for a vehicle required to be inspected under that section and 402
those rules shall be accompanied by an inspection certificate or 403

alternative emissions certificate for the motor vehicle issued 404
in accordance with that section. 405

(3) An application for registration shall be refused if 406
any of the following applies: 407

(a) The application is not in proper form. 408

(b) The application is prohibited from being accepted by 409
division (D) of section 2935.27, division (A) of section 410
2937.221, division (A) of section 4503.13, division (B) of 411
section 4510.22, division (B) (1) of section 4521.10, or division 412
(B) of section 5537.041 of the Revised Code. 413

(c) Proof of ownership is required but is not presented or 414
confirmed in accordance with division (B) (1) of this section. 415

(d) All registration and transfer fees for the motor 416
vehicle, for the preceding year or the preceding period of the 417
current registration year, have not been paid. 418

(e) The owner or lessee does not have an inspection 419
certificate or alternative emissions certificate for the motor 420
vehicle as provided in section 3704.14 of the Revised Code, and 421
rules adopted under it, if that section is applicable. 422

(4) This section does not require the payment of license 423
or registration taxes on a motor vehicle for any preceding year, 424
or for any preceding period of a year, if the motor vehicle was 425
not taxable for that preceding year or period under sections 426
4503.02, 4503.04, 4503.11, 4503.12, and 4503.16 or Chapter 4504. 427
of the Revised Code. 428

(5) When a certificate of registration is issued upon the 429
first registration of a motor vehicle by or on behalf of the 430
owner, the official issuing the certificate shall indicate the 431

issuance with a stamp on the certificate of title or memorandum 432
certificate or, in the case of an electronic certificate of 433
title or electronic verification of ownership, an electronic 434
stamp or other notation as specified in rules adopted by the 435
registrar, and with a stamp on the inspection certificate for 436
the motor vehicle, if any. 437

(6) The official also shall indicate, by a stamp or by 438
other means the registrar prescribes, on the registration 439
certificate issued upon the first registration of a motor 440
vehicle by or on behalf of the owner the odometer reading of the 441
motor vehicle as shown in the odometer statement included in or 442
attached to the certificate of title. Upon each subsequent 443
registration of the motor vehicle by or on behalf of the same 444
owner, the official also shall so indicate the odometer reading 445
of the motor vehicle as shown on the immediately preceding 446
certificate of registration. 447

(7) The registrar shall include in the permanent 448
registration record of any vehicle required to be inspected 449
under section 3704.14 of the Revised Code the inspection 450
certificate number from the inspection certificate or the 451
alternative emissions certificate number from the alternative 452
emissions certificate that is presented at the time of 453
registration of the vehicle as required under this division. 454

(C) (1) Except as otherwise provided in division (C) (1) of 455
this section, the registrar and each deputy registrar shall 456
collect an additional fee of eleven dollars for each application 457
for registration and registration renewal received. For vehicles 458
specified in divisions (A) (1) to (21) of section 4503.042 of the 459
Revised Code, the registrar and deputy registrar shall collect 460
an additional fee of thirty dollars for each application for 461

registration and registration renewal received. No additional 462
fee shall be charged for vehicles registered under section 463
4503.65 of the Revised Code. The additional fee is for the 464
purpose of defraying the department of public safety's costs 465
associated with the administration and enforcement of the motor 466
vehicle and traffic laws of Ohio. Each deputy registrar shall 467
transmit the fees collected under divisions (C)(1) and (3) of 468
this section in the time and manner provided in this section. 469
The registrar shall deposit all moneys received under division 470
(C)(1) of this section into the public safety - highway purposes 471
fund established in section 4501.06 of the Revised Code. 472

(2) In addition, a charge of twenty-five cents shall be 473
made for each reflectorized safety license plate issued, and a 474
single charge of twenty-five cents shall be made for each county 475
identification sticker or each set of county identification 476
stickers issued, as the case may be, to cover the cost of 477
producing the license plates and stickers, including material, 478
manufacturing, and administrative costs. Those fees shall be in 479
addition to the license tax. If the total cost of producing the 480
plates is less than twenty-five cents per plate, or if the total 481
cost of producing the stickers is less than twenty-five cents 482
per sticker or per set issued, any excess moneys accruing from 483
the fees shall be distributed in the same manner as provided by 484
section 4501.04 of the Revised Code for the distribution of 485
license tax moneys. If the total cost of producing the plates 486
exceeds twenty-five cents per plate, or if the total cost of 487
producing the stickers exceeds twenty-five cents per sticker or 488
per set issued, the difference shall be paid from the license 489
tax moneys collected pursuant to section 4503.02 of the Revised 490
Code. 491

(3) The registrar and each deputy registrar shall collect 492

the following additional fee, as applicable, for each 493
application for registration or registration renewal received 494
for any hybrid motor vehicle, plug-in hybrid electric motor 495
vehicle, or battery electric motor vehicle: 496

(a) One hundred dollars for a hybrid motor vehicle; 497

(b) One hundred fifty dollars for a plug-in hybrid 498
electric motor vehicle; 499

(c) Two hundred dollars for a battery electric motor 500
vehicle. 501

Each fee imposed under this division shall be prorated 502
based on the number of months for which the vehicle is 503
registered. The registrar shall transmit all money arising from 504
each fee to the treasurer of state for distribution in 505
accordance with division (E) of section 5735.051 of the Revised 506
Code, subject to division (D) of section 5735.05 of the Revised 507
Code. 508

(D) Each deputy registrar shall be allowed a fee equal to 509
the amount established under section 4503.038 of the Revised 510
Code for each application for registration and registration 511
renewal notice the deputy registrar receives, which shall be for 512
the purpose of compensating the deputy registrar for the deputy 513
registrar's services, and such office and rental expenses, as 514
may be necessary for the proper discharge of the deputy 515
registrar's duties in the receiving of applications and renewal 516
notices and the issuing of registrations. 517

(E) Upon the certification of the registrar, the county 518
sheriff or local police officials shall recover license plates 519
erroneously or fraudulently issued. 520

(F) Each deputy registrar, upon receipt of any application 521

for registration or registration renewal notice, together with 522
the license fee and any local motor vehicle license tax levied 523
pursuant to Chapter 4504. of the Revised Code, shall transmit 524
that fee and tax, if any, in the manner provided in this 525
section, together with the original and duplicate copy of the 526
application, to the registrar. The registrar, subject to the 527
approval of the director of public safety, may deposit the funds 528
collected by those deputies in a local bank or depository to the 529
credit of the "state of Ohio, bureau of motor vehicles." Where a 530
local bank or depository has been designated by the registrar, 531
each deputy registrar shall deposit all moneys collected by the 532
deputy registrar into that bank or depository not more than one 533
business day after their collection and shall make reports to 534
the registrar of the amounts so deposited, together with any 535
other information, some of which may be prescribed by the 536
treasurer of state, as the registrar may require and as 537
prescribed by the registrar by rule. The registrar, within three 538
days after receipt of notification of the deposit of funds by a 539
deputy registrar in a local bank or depository, shall draw on 540
that account in favor of the treasurer of state. The registrar, 541
subject to the approval of the director and the treasurer of 542
state, may make reasonable rules necessary for the prompt 543
transmittal of fees and for safeguarding the interests of the 544
state and of counties, townships, municipal corporations, and 545
transportation improvement districts levying local motor vehicle 546
license taxes. The registrar may pay service charges usually 547
collected by banks and depositories for such service. If deputy 548
registrars are located in communities where banking facilities 549
are not available, they shall transmit the fees forthwith, by 550
money order or otherwise, as the registrar, by rule approved by 551
the director and the treasurer of state, may prescribe. The 552
registrar may pay the usual and customary fees for such service. 553

(G) This section does not prevent any person from making 554
an application for a motor vehicle license directly to the 555
registrar by mail, by electronic means, or in person at any of 556
the registrar's offices, upon payment of a service fee equal to 557
the amount established under section 4503.038 of the Revised 558
Code for each application. 559

(H) No person shall make a false statement as to the 560
district of registration in an application required by division 561
(A) of this section. Violation of this division is falsification 562
under section 2921.13 of the Revised Code and punishable as 563
specified in that section. 564

(I) (1) Where applicable, the requirements of division (B) 565
of this section relating to the presentation of an inspection 566
certificate issued under section 3704.14 of the Revised Code and 567
rules adopted under it for a motor vehicle, the refusal of a 568
license for failure to present an inspection certificate or 569
alternative emissions certificate, and the stamping of the 570
inspection certificate or alternative emissions certificate by 571
the official issuing the certificate of registration apply to 572
the registration of and issuance of license plates for a motor 573
vehicle under sections 4503.102, 4503.12, 4503.14, 4503.15, 574
4503.16, 4503.171, 4503.172, 4503.19, 4503.40, 4503.41, 4503.42, 575
4503.43, 4503.44, 4503.46, 4503.47, and 4503.51 of the Revised 576
Code. 577

(2) (a) The registrar shall adopt rules ensuring that each 578
owner registering a motor vehicle in a county where a motor 579
vehicle inspection and maintenance program is in effect under 580
section 3704.14 of the Revised Code and rules adopted under it 581
receives information about the requirements established in that 582
section and those rules and about the need in those counties to 583

present an inspection certificate or an alternative emissions 584
certificate with an application for registration or 585
preregistration. 586

(b) Upon request, the registrar shall provide the director 587
of environmental protection, or any person that has been awarded 588
a contract under section 3704.14 of the Revised Code, an on-line 589
computer data link to registration information for all passenger 590
cars, noncommercial motor vehicles, and commercial cars that are 591
subject to that section. The registrar also shall provide to the 592
director of environmental protection a magnetic data tape 593
containing registration information regarding passenger cars, 594
noncommercial motor vehicles, and commercial cars for which a 595
multi-year registration is in effect under section 4503.103 of 596
the Revised Code or rules adopted under it, including, without 597
limitation, the date of issuance of the multi-year registration, 598
the registration deadline established under rules adopted under 599
section 4503.101 of the Revised Code that was applicable in the 600
year in which the multi-year registration was issued, and the 601
registration deadline for renewal of the multi-year 602
registration. 603

(J) Subject to division (K) of this section, application 604
for registration under the international registration plan, as 605
set forth in sections 4503.60 to 4503.66 of the Revised Code, 606
shall be made to the registrar on forms furnished by the 607
registrar. In accordance with international registration plan 608
guidelines and pursuant to rules adopted by the registrar, the 609
forms shall include the following: 610

(1) A uniform mileage schedule; 611

(2) The gross vehicle weight of the vehicle or combined 612
gross vehicle weight of the combination vehicle as declared by 613

the registrant; 614

(3) Any other information the registrar requires by rule. 615

(K) The registrar shall determine the feasibility of 616
implementing an electronic commercial fleet licensing and 617
management program that will enable the owners of commercial 618
tractors, commercial trailers, and commercial semitrailers to 619
conduct electronic transactions by July 1, 2010, or sooner. If 620
the registrar determines that implementing such a program is 621
feasible, the registrar shall adopt new rules under this 622
division or amend existing rules adopted under this division as 623
necessary in order to respond to advances in technology. 624

If international registration plan guidelines and 625
provisions allow member jurisdictions to permit applications for 626
registrations under the international registration plan to be 627
made via the internet, the rules the registrar adopts under this 628
division shall permit such action. 629

Sec. 4503.102. (A) The registrar of motor vehicles shall 630
adopt rules to establish a centralized system of motor vehicle 631
registration renewal by mail or by electronic means. Any person 632
owning a motor vehicle that was registered in the person's name 633
during the preceding registration year shall renew the 634
registration of the motor vehicle not more than ninety days 635
prior to the expiration date of the registration either by mail 636
or by electronic means through the centralized system of 637
registration established under this section, or in person at any 638
office of the registrar or at a deputy registrar's office. 639

(B) (1) Except as provided in division (B) (2) of this 640
section, no less than forty-five days prior to the expiration 641
date of any motor vehicle registration, the registrar shall mail 642

a renewal notice to the person in whose name the motor vehicle is registered. The renewal notice shall clearly state that the registration of the motor vehicle may be renewed by mail or electronic means through the centralized system of registration or in person at any office of the registrar or at a deputy registrar's office and shall be preprinted with information including, but not limited to, the owner's name and residence address as shown in the records of the bureau of motor vehicles, a brief description of the motor vehicle to be registered, notice of the license taxes and fees due on the motor vehicle, the toll-free telephone number of the registrar as required under division (D) (1) of section 4503.031 of the Revised Code, a statement that payment for a renewal may be made by financial transaction device using the toll-free telephone number, and any additional information the registrar may require by rule. The renewal notice shall not include the social security number of either the owner of the motor vehicle or the person in whose name the motor vehicle is registered. The renewal notice shall be sent by regular mail to the owner's last known address as shown in the records of the bureau of motor vehicles.

(2) The registrar is not required to mail a renewal notice if either of the following applies:

(a) The owner of the vehicle has consented to receiving the renewal notice by electronic means only.

(b) The application for renewal of the registration of a motor vehicle is prohibited from being accepted by the registrar or a deputy registrar 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, or division (B) (1) of section 4521.10 of the Revised Code.

(3) If the owner of a motor vehicle has consented to receiving a renewal notice by electronic means only, the registrar shall send an electronic renewal notice to the owner that contains the information specified in division (B) (1) of this section at the time specified under that division.

(C) The owner of the motor vehicle shall verify the information contained in the notice, sign it either manually or by electronic means, and return it, either by mail or electronic means, or the owner may take it in person to any office of the registrar or of a deputy registrar. The owner shall include with the notice a financial transaction device number when renewing in person or by electronic means but not by mail, check, or money order in the amount of the registration taxes and fees payable on the motor vehicle and a service fee equal to the amount established under section 4503.038 of the Revised Code, plus postage as indicated on the notice if the registration is renewed or fulfilled by mail, and an inspection certificate or alternative emissions certificate for the motor vehicle as provided in section 3704.14 of the Revised Code. For purposes of the centralized system of motor vehicle registration, the registrar shall accept payments via the toll-free telephone number established under division (D) (1) of section 4503.031 of the Revised Code for renewals made by mail. If the motor vehicle owner chooses to renew the motor vehicle registration by electronic means, the owner shall proceed in accordance with the rules the registrar adopts.

(D) If 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, if division (D) of section 2935.27, division (A) of section 2937.221, division (A) of section 4503.13, division (B) of section 4510.22, or division

(B) (1) of section 4521.10 of the Revised Code prohibits 704
acceptance of the renewal notice, or if the owner or lessee does 705
not have an inspection certificate or alternative emissions 706
certificate for the motor vehicle as provided in section 3704.14 707
of the Revised Code, if that section is applicable, the license 708
shall be refused, and the registrar or deputy registrar shall so 709
notify the owner. This section does not require the payment of 710
license or registration taxes on a motor vehicle for any 711
preceding year, or for any preceding period of a year, if the 712
motor vehicle was not taxable for that preceding year or period 713
under section 4503.02, 4503.04, 4503.11, 4503.12, or 4503.16 or 714
Chapter 4504. of the Revised Code. 715

(E) (1) Failure to receive a renewal notice does not 716
relieve a motor vehicle owner from the responsibility to renew 717
the registration for the motor vehicle. Any person who has a 718
motor vehicle registered in this state and who does not receive 719
a renewal notice as provided in division (B) of this section 720
prior to the expiration date of the registration shall request 721
an application for registration from the registrar or a deputy 722
registrar and sign the application manually or by electronic 723
means and submit the application and pay any applicable license 724
taxes and fees to the registrar or deputy registrar. 725

(2) If the owner of a motor vehicle submits an application 726
for registration and the registrar is prohibited by division (D) 727
of section 2935.27, division (A) of section 2937.221, division 728
(A) of section 4503.13, division (B) of section 4510.22, or 729
division (B) (1) of section 4521.10 of the Revised Code from 730
accepting the application, the registrar shall return the 731
application and the payment to the owner. If the owner of a 732
motor vehicle submits a registration renewal application to the 733
registrar by electronic means and the registrar is prohibited 734

from accepting the application as provided in this division, the 735
registrar shall notify the owner of this fact and deny the 736
application and return the payment or give a credit on the 737
financial transaction device account of the owner in the manner 738
the registrar prescribes by rule adopted pursuant to division 739
(A) of this section. 740

(F) Every deputy registrar shall post in a prominent place 741
at the deputy's office a notice informing the public of the mail 742
registration system required by this section and also shall post 743
a notice that every owner of a motor vehicle and every chauffeur 744
holding a certificate of registration is required to notify the 745
registrar in writing of any change of residence within ten days 746
after the change occurs. The notice shall be in such form as the 747
registrar prescribes by rule. 748

(G) The service fee equal to the amount established under 749
section 4503.038 of the Revised Code that is collected from a 750
person who renews a motor vehicle registration by electronic 751
means or by mail, plus postage collected by the registrar and 752
any financial transaction device surcharge collected by the 753
registrar, shall be paid to the credit of the public safety - 754
highway purposes fund established by section 4501.06 of the 755
Revised Code. 756

(H) (1) Pursuant to section 113.40 of the Revised Code, the 757
registrar shall implement a program permitting payment of motor 758
vehicle registration taxes and fees, driver's license and 759
commercial driver's license fees, and any other taxes, fees, 760
penalties, or charges imposed or levied by the state by means of 761
a financial transaction device for transactions occurring 762
online, at any office of the registrar, and at all deputy 763
registrar locations. The program shall take effect not later 764

than July 1, 2016. The registrar shall adopt rules as necessary 765
for this purpose, but all such rules are subject to any action, 766
policy, or procedure of the board of deposit or treasurer of 767
state taken or adopted under section 113.40 of the Revised Code. 768

(2) The rules adopted under division (H)(1) of this 769
section shall require a deputy registrar to accept payments by 770
means of a financial transaction device beginning on the 771
effective date of the rules unless the deputy registrar contract 772
entered into by the deputy registrar prohibits the acceptance of 773
such payments by financial transaction device. However, 774
commencing with deputy registrar contract awards that have a 775
start date of July 1, 2016, and for all contract awards 776
thereafter, the registrar shall require that the proposer accept 777
payment by means of a financial transaction device, including 778
credit cards and debit cards, for all department of public 779
safety transactions conducted at that deputy registrar location. 780

The bureau and deputy registrars are not required to pay 781
any costs that result from accepting payment by means of a 782
financial transaction device. A deputy registrar may charge a 783
person who tenders payment for a department transaction by means 784
of a financial transaction device any cost the deputy registrar 785
incurs from accepting payment by the financial transaction 786
device, but the deputy registrar shall not require the person to 787
pay any additional fee of any kind in connection with the use by 788
the person of the financial transaction device. 789

(3) In accordance with division (H)(1) of this section and 790
rules adopted by the registrar under that division, a county 791
auditor or clerk of a court of common pleas that is designated a 792
deputy registrar shall accept payment by means of a financial 793
transaction device, including credit cards and debit cards, for 794

all department transactions conducted at the office of the 795
county auditor or clerk in the county auditor's or clerk's 796
capacity as deputy registrar. The bureau is not required to pay 797
any costs incurred by a county auditor or clerk that result from 798
accepting payment by means of a financial transaction device for 799
any department transaction. 800

(I) For persons who reside in counties where tailpipe 801
emissions inspections are required under the motor vehicle 802
inspection and maintenance program, the notice required by 803
division (B) of this section shall also include the toll-free 804
telephone number maintained by the Ohio environmental protection 805
agency to provide information concerning the locations of 806
emissions testing centers. The registrar also shall include a 807
statement in the notice that a battery electric motor vehicle is 808
not required to undergo emissions inspection under the motor 809
vehicle inspection and maintenance program established under 810
section 3704.14 of the Revised Code. 811

Sec. 4503.103. (A) (1) The registrar of motor vehicles may 812
adopt rules to permit any person or lessee, other than a person 813
receiving an apportioned license plate under the international 814
registration plan, who owns or leases one or more motor vehicles 815
to file a written application for registration for no more than 816
five succeeding registration years. The rules adopted by the 817
registrar may designate the classes of motor vehicles that are 818
eligible for such registration. At the time of application, all 819
annual taxes and fees shall be paid for each year for which the 820
person is registering. 821

(2) (a) The registrar shall adopt rules to permit any 822
person or lessee who owns or leases a trailer or semitrailer 823
that is subject to the tax rate prescribed in either division 824

(C) (1) or, beginning January 1, 2022, (C) (2) of section 4503.042 825
of the Revised Code to file a written application for 826
registration for any number of succeeding registration years, 827
including a permanent registration, for such trailers or 828
semitrailers. 829

At the time of application, the applicant shall pay all of 830
the following: 831

(i) As applicable, either the annual tax prescribed in 832
division (C) (1) of section 4503.042 of the Revised Code for each 833
year for which the applicant is registering or the annual tax 834
prescribed in division (C) (2) of section 4503.042 of the Revised 835
Code, unless the applicant previously paid the tax specified in 836
division (C) (2) of that section for the trailer or semitrailer 837
being registered. However, an applicant paying the annual tax 838
under division (C) (1) of section 4503.042 of the Revised Code 839
shall not pay more than eight times the annual taxes due, 840
regardless of the number of years for which the applicant is 841
registering. 842

(ii) The additional fee established under division (C) (1) 843
of section 4503.10 of the Revised Code for each year of 844
registration, provided that not more than eight times the 845
additional fee due shall be paid, regardless of the number of 846
years for which the applicant is registering. 847

(iii) One single deputy registrar service fee in the 848
amount specified in division (D) of section 4503.10 of the 849
Revised Code or one single bureau of motor vehicles service fee 850
in the amount specified in division (G) of that section, as 851
applicable, regardless of the number of years for which the 852
applicant is registering. 853

(b) In addition, each applicant registering a trailer or 854
semitrailer under division (A) (2) (a) of this section shall pay 855
any applicable local motor vehicle license tax levied under 856
Chapter 4504. of the Revised Code for each year for which the 857
applicant is registering, provided that not more than eight 858
times any such annual local taxes shall be due upon 859
registration. 860

(c) The period of registration for a trailer or 861
semitrailer registered under division (A) (2) (a) of this section 862
is exclusive to the trailer or semitrailer for which that 863
certificate of registration is issued and is not transferable to 864
any other trailer or semitrailer if the registration is a 865
permanent registration. 866

(3) Except as provided in division (A) (4) of this section, 867
the registrar shall adopt rules to permit any person who owns a 868
motor vehicle to file an application for registration for not 869
more than five succeeding registration years. At the time of 870
application, the person shall pay the annual taxes and fees for 871
each registration year, calculated in accordance with division 872
(C) of section 4503.11 of the Revised Code. A person who is 873
registering a vehicle under division (A) (3) of this section 874
shall pay for each year of registration the additional fee 875
established under division (C) (1) or (3) of section 4503.10 of 876
the Revised Code, as applicable. The person shall also pay the 877
deputy registrar service fee or the bureau of motor vehicles 878
service fee equal to the amount established under section 879
4503.038 of the Revised Code. 880

(4) Division (A) (3) of this section does not apply to a 881
person receiving an apportioned license plate under the 882
international registration plan, or the owner of a commercial 883

car used solely in intrastate commerce, or the owner of a bus as 884
defined in section 4513.50 of the Revised Code. 885

(5) A person registering a noncommercial trailer 886
permanently shall register the trailer under section 4503.107 of 887
the Revised Code. 888

(B) No person applying for a multi-year registration under 889
division (A) of this section is entitled to a refund of any 890
taxes or fees paid. 891

(C) The registrar shall not issue to any applicant who has 892
been issued a final, nonappealable order under division (D) of 893
this section a multi-year registration or renewal thereof under 894
this division or rules adopted under it for any motor vehicle 895
that is required to be inspected under section 3704.14 of the 896
Revised Code the district of registration of which, as 897
determined under section 4503.10 of the Revised Code, is or is 898
located in the county named in the order. 899

(D) Upon receipt from the director of environmental 900
protection of a notice issued under rules adopted under section 901
3704.14 of the Revised Code indicating that an owner of a motor 902
vehicle that is required to be inspected under that section who 903
obtained a multi-year registration for the vehicle under 904
division (A) of this section or rules adopted under that 905
division has not obtained a required inspection certificate or 906
alternative emissions certificate for the vehicle, the registrar 907
in accordance with Chapter 119. of the Revised Code shall issue 908
an order to the owner impounding the certificate of registration 909
and identification license plates for the vehicle. The order 910
also shall prohibit the owner from obtaining or renewing a 911
multi-year registration for any vehicle that is required to be 912
inspected under that section, the district of registration of 913

which is or is located in the same county as the county named in 914
the order during the number of years after expiration of the 915
current multi-year registration that equals the number of years 916
for which the current multi-year registration was issued. 917

An order issued under this division shall require the 918
owner to surrender to the registrar the certificate of 919
registration and license plates for the vehicle named in the 920
order within five days after its issuance. If the owner fails to 921
do so within that time, the registrar shall certify that fact to 922
the county sheriff or local police officials who shall recover 923
the certificate of registration and license plates for the 924
vehicle. 925

(E) Upon the occurrence of either of the following 926
circumstances, the registrar in accordance with Chapter 119. of 927
the Revised Code shall issue to the owner a modified order 928
rescinding the provisions of the order issued under division (D) 929
of this section impounding the certificate of registration and 930
license plates for the vehicle named in that original order: 931

(1) Receipt from the director of environmental protection 932
of a subsequent notice under rules adopted under section 3704.14 933
of the Revised Code that the owner has obtained the inspection 934
certificate or alternative emissions certificate for the vehicle 935
as required under those rules; 936

(2) Presentation to the registrar by the owner of the 937
required inspection certificate or alternative emissions 938
certificate for the vehicle. 939

(F) The owner of a motor vehicle for which the certificate 940
of registration and license plates have been impounded pursuant 941
to an order issued under division (D) of this section, upon 942

issuance of a modified order under division (E) of this section, 943
may apply to the registrar for their return. A fee of two 944
dollars and fifty cents shall be charged for the return of the 945
certificate of registration and license plates for each vehicle 946
named in the application. 947

Section 2. That existing sections 107.42, 3704.14, 948
4503.10, 4503.102, and 4503.103 of the Revised Code are hereby 949
repealed. 950

Section 3. That section 3704.032 of the Revised Code is 951
hereby repealed. 952

Section 4. This act shall be known as the "E-Check Ease 953
Act." 954