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Representatives Click, Brewer

Cosponsors: Representatives Newman, Baker, Barhorst, Bird, Brennan, Brent, Bryant Bailey, Claggett, Daniels, Fischer, Glassburn, Hall, D., Humphrey, Isaacsohn, Lett, Mohamed, Russo, Salvo, Schmidt, Sigrist, Stephens, Synenberg, Thomas, C., Tims, White, A., White, E., Williams, Willis, Young

To amend sections 4507.01, 4507.50, 4507.51, and	1
4507.52 and to enact section 2301.551 of the	2
Revised Code to require that community-based	3
correctional facilities and programs assist	4
inmates in obtaining state identification cards	5
prior to release.	6

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

Section 1. That sections 4507.01, 4507.50, 4507.51, and	7
4507.52 be amended and section 2301.551 of the Revised Code be	8
enacted to read as follows:	9

<u>Sec. 2301.551.</u> (A) <u>Within a reasonable time prior to a</u>	10
<u>prisoner who is serving a sentence within a community-based</u>	11
<u>correctional facility and program or a district community-based</u>	12
<u>correctional facility and program successfully completing the</u>	13
<u>programming at that facility, the facility shall attempt to</u>	14
<u>verify the prisoner's age and identity in order to satisfy the</u>	15
<u>requirements of section 4507.51 of the Revised Code.</u>	16

<u>(B) The facility shall provide each prisoner who does not</u>	17
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have a current valid and unexpired state issued identification 18
card or driver's license with the application described in 19
section 4507.51 of the Revised Code. The facility shall submit 20
any completed application, along with a color photograph of the 21
prisoner and documentary evidence of the prisoner's age and 22
identity, to the registrar of motor vehicles in accordance with 23
the process established by the registrar under sections 4507.50 24
and 4507.51 of the Revised Code. 25

Sec. 4507.01. (A) As used in this chapter, "motor 26
vehicle," "motorized bicycle," "state," "owner," "operator," 27
"chauffeur," and "highways" have the same meanings as in section 28
4501.01 of the Revised Code. 29

"Driver's license" means a class D license issued to any 30
person to operate a motor vehicle or motor-driven cycle, other 31
than a commercial motor vehicle, and includes "probationary 32
license," "restricted license," "limited term license," and any 33
operator's or chauffeur's license issued before January 1, 1990. 34

"Probationary license" means the license issued to any 35
person between sixteen and eighteen years of age to operate a 36
motor vehicle. 37

"Restricted license" means the license issued to any 38
person to operate a motor vehicle subject to conditions or 39
restrictions imposed by the registrar of motor vehicles. 40

"Commercial driver's license" means the license issued to 41
a person under Chapter 4506. of the Revised Code to operate a 42
commercial motor vehicle. 43

"Commercial motor vehicle" has the same meaning as in 44
section 4506.01 of the Revised Code. 45

"Motorcycle operator's temporary instruction permit," 46

license, or endorsement" includes a temporary instruction 47
permit, license, or endorsement for a motor-driven cycle or 48
motor scooter unless otherwise specified. 49

"Motorized bicycle license" means the license issued under 50
section 4511.521 of the Revised Code to any person to operate a 51
motorized bicycle including a "probationary motorized bicycle 52
license." 53

"Probationary motorized bicycle license" means the license 54
issued under section 4511.521 of the Revised Code to any person 55
between fourteen and sixteen years of age to operate a motorized 56
bicycle. 57

"Identification card" means a card issued under sections 58
4507.50 to 4507.52 of the Revised Code. 59

"Resident" means a person who, in accordance with 60
standards prescribed in rules adopted by the registrar, resides 61
in this state on a permanent basis. 62

"Temporary resident" means a person who, in accordance 63
with standards prescribed in rules adopted by the registrar, 64
resides in this state on a temporary basis. 65

"Community-based correctional facility and program" and 66
"district community-based correctional facility and program" 67
mean the facilities and programs created and organized in 68
accordance with sections 2301.51 to 2301.58 of the Revised Code. 69

(B) In the administration of this chapter and Chapter 70
4506. of the Revised Code, the registrar has the same authority 71
as is conferred on the registrar by section 4501.02 of the 72
Revised Code. Any act of an authorized deputy registrar of motor 73
vehicles under direction of the registrar is deemed the act of 74
the registrar. 75

To carry out this chapter, the registrar shall appoint 76
such deputy registrars in each county as are necessary. 77

The registrar also shall provide at each place where an 78
application for a driver's or commercial driver's license or 79
identification card may be made the necessary equipment to take 80
a photograph of the applicant for such license or card as 81
required under section 4506.11 or 4507.06 of the Revised Code, 82
and to conduct the vision screenings required by section 4507.12 83
of the Revised Code. 84

The registrar shall assign one or more deputy registrars 85
to any driver's license examining station operated under the 86
supervision of the director of public safety, whenever the 87
registrar considers such assignment possible. Space shall be 88
provided in the driver's license examining station for any such 89
deputy registrar so assigned. The deputy registrars shall not 90
exercise the powers conferred by such sections upon the 91
registrar, unless they are specifically authorized to exercise 92
such powers by such sections. 93

(C) No agent for any insurance company, writing automobile 94
insurance, shall be appointed deputy registrar, and any such 95
appointment is void. No deputy registrar shall in any manner 96
solicit any form of automobile insurance, nor in any manner 97
advise, suggest, or influence any licensee or applicant for 98
license for or against any kind or type of automobile insurance, 99
insurance company, or agent, nor have the deputy registrar's 100
office directly connected with the office of any automobile 101
insurance agent, nor impart any information furnished by any 102
applicant for a license or identification card to any person, 103
except the registrar. This division shall not apply to any 104
nonprofit corporation appointed deputy registrar. 105

(D) The registrar shall immediately remove a deputy 106
registrar who violates the requirements of this chapter. 107

Sec. 4507.50. (A) (1) The registrar of motor vehicles or a 108
deputy registrar shall issue an identification card to a person 109
when all of the following apply: 110

(a) The registrar or deputy registrar receives an 111
application completed in accordance with section 4507.51 of the 112
Revised Code and, if the person is under seventeen years of age, 113
payment of the applicable fees. 114

(b) The person is a resident or a temporary resident of 115
this state. 116

(c) The person is not licensed as an operator of a motor 117
vehicle in this state or another licensing jurisdiction. 118

(d) The person does not hold an identification card from 119
another jurisdiction. 120

(2) (a) The registrar of motor vehicles or a deputy 121
registrar may issue a temporary identification card when all of 122
the following apply: 123

(i) The registrar or deputy registrar receives an 124
application completed in accordance with section 4507.51 of the 125
Revised Code and payment of the applicable fees. 126

(ii) The person is a resident or temporary resident of 127
this state. 128

(iii) The person's Ohio driver's or commercial driver's 129
license has been suspended or canceled. 130

(iv) The person does not hold an identification card from 131
another jurisdiction. 132

(b) The temporary identification card shall be identical 133
to an identification card, except that it shall be printed on 134
its face with a statement that the card is valid for a temporary 135
period. The temporary period shall be in accordance with the 136
expiration dates specified in section 4507.501 of the Revised 137
Code. 138

(c) The cardholder shall surrender the temporary 139
identification card to the registrar or any deputy registrar 140
before the cardholder's driver's or commercial driver's license 141
is restored or reissued. 142

(B) (1) Except as provided in division (D) of this section, 143
an applicant who is under seventeen years of age shall pay the 144
following fees prior to issuance of an identification card or a 145
temporary identification card: 146

(a) A fee of three dollars and fifty cents if the card 147
will expire on the applicant's birthday four years after the 148
date of issuance or a fee of six dollars if the card will expire 149
on the applicant's birthday eight years after the date of 150
issuance; 151

(b) A fee equal to the amount established under section 152
4503.038 of the Revised Code if the card will expire on the 153
applicant's birthday four years after the date of issuance or 154
twice that amount if the card will expire on the applicant's 155
birthday eight years after the date of issuance; 156

(c) A fee of one dollar and fifty cents if the card will 157
expire on the applicant's birthday four years after the date of 158
issuance or three dollars if the card will expire on the 159
applicant's birthday eight years after the date of issuance, for 160
the authentication of the documents required for processing an 161

identification card or temporary identification card. A deputy 162
registrar that authenticates the required documents shall retain 163
the entire amount of the fee. 164

(2) The fees collected for issuing an identification card 165
under this section, except for any fees allowed to the deputy 166
registrar, shall be paid into the state treasury to the credit 167
of the public safety - highway purposes fund created in section 168
4501.06 of the Revised Code. 169

(C) A person seventeen years of age or older may apply to 170
the registrar or a deputy registrar for the issuance to that 171
person of an identification card or a temporary identification 172
card under this section without payment of any fee prescribed in 173
division (B) of this section. 174

(D) A resident who is permanently or irreversibly disabled 175
and who is under seventeen years of age may apply to the 176
registrar or a deputy registrar for the issuance of an 177
identification card under this section without payment of any 178
fee as prescribed in division (B) of this section. A resident 179
who is in the custody of the department of rehabilitation and 180
correction~~or~~, the department of youth services, a community- 181
based correctional facility and program, or a district 182
community-based correctional facility and program and who is 183
under seventeen years of age may apply to the registrar for the 184
issuance of an identification card under this section without 185
payment of any fee as prescribed in division (B) of this 186
section. 187

As used in this section, "permanently or irreversibly 188
disabled" means a condition of disability from which there is no 189
present indication of recovery. 190

An application made under division (D) of this section 191
shall be accompanied by such documentary evidence as the 192
registrar may require by rule. 193

(E) (1) The department of rehabilitation and correction 194
shall submit an application for an identification card or 195
temporary identification card, as applicable, to the registrar 196
on behalf of an individual who is a prisoner at a state 197
correctional institution and who has completed that application 198
in accordance with section 5120.59 of the Revised Code. 199

(2) The department of youth services shall submit an 200
application for an identification card or a temporary 201
identification card, as applicable, to the registrar on behalf 202
of an individual who is in the custody of the department at a 203
juvenile correctional facility and who has completed that 204
application in accordance with section 5139.511 of the Revised 205
Code. 206

(3) A community-based correctional facility and program or 207
a district community-based correctional facility and program 208
shall submit an application for an identification card or a 209
temporary identification card, as applicable, to the registrar 210
on behalf of an individual who is in the custody of the facility 211
and who has completed that application in accordance with 212
section 2301.551 of the Revised Code. 213

(4) The registrar may establish a separate application and 214
process by which the departments shall submit any applications 215
to the registrar in accordance with this division and section 216
4507.51 of the Revised Code. 217

Sec. 4507.51. (A) (1) Every application for an 218
identification card or duplicate shall be made on an approved 219

form furnished by the registrar of motor vehicles and shall be 220
signed by the applicant. The application also shall be signed by 221
the applicant's parent or guardian, or by the department of 222
rehabilitation and correction~~or~~, the department of youth 223
services, a community-based correctional facility and program, 224
or a district community-based correctional facility and program, 225
as applicable, if the applicant is under eighteen years of age. 226

Every application shall contain the following information: 227

(a) The applicant's name, date of birth, sex, general 228
description including the applicant's height, weight, hair 229
color, and eye color, address, country of citizenship, and 230
social security number. 231

(b) If an applicant has not already certified the 232
applicant's willingness to make an anatomical gift under section 233
2108.05 of the Revised Code, whether the applicant wishes to 234
certify willingness to make such an anatomical gift and 235
information about the requirements of sections 2108.01 to 236
2108.29 of the Revised Code that apply to persons who are less 237
than eighteen years of age. The statement regarding willingness 238
to make such a donation shall be given no consideration in the 239
decision of whether to issue an identification card. 240

(c) Whether the applicant has executed a valid durable 241
power of attorney for health care pursuant to sections 1337.11 242
to 1337.17 of the Revised Code or has executed a declaration 243
governing the use or continuation, or the withholding or 244
withdrawal, of life-sustaining treatment pursuant to sections 245
2133.01 to 2133.15 of the Revised Code and, if the applicant has 246
executed either type of instrument, whether the applicant wishes 247
the identification card issued to indicate that the applicant 248
has executed the instrument. 249

(d) Whether the applicant is a veteran, active duty, or 250
reservist of the armed forces of the United States and, if the 251
applicant is such, whether the applicant wishes the 252
identification card issued to indicate that the applicant is a 253
veteran, active duty, or reservist of the armed forces of the 254
United States by a military designation on the identification 255
card. 256

(2) Each applicant applying in person at a deputy 257
registrar office shall be photographed at the time of making an 258
application. 259

(3) The registrar or deputy registrar, in accordance with 260
section 3503.11 of the Revised Code, shall register as an 261
elector any person who applies for an identification card or 262
duplicate if the applicant is eligible and wishes to be 263
registered as an elector. The decision of an applicant whether 264
to register as an elector shall be given no consideration in the 265
decision of whether to issue the applicant an identification 266
card or duplicate. 267

(4) The application shall be accompanied by any necessary 268
documents, as required by the registrar. The registrar or the 269
deputy registrar may authenticate the submitted documents and 270
verify the information in the application. 271

(B) (1) Except as provided in division (B) (2) of this 272
section or section 4507.061 of the Revised Code, the application 273
for an identification card or duplicate shall be filed in the 274
office of the registrar or deputy registrar. Each applicant 275
shall present documentary evidence as required by the registrar 276
of the applicant's age and identity, and the applicant shall 277
swear that all information given is true. 278

All applications for an identification card or duplicate 279
under this section shall be filed in duplicate, and if submitted 280
to a deputy registrar, a copy shall be forwarded to the 281
registrar. The registrar shall prescribe rules for the manner in 282
which a deputy registrar is to file and maintain applications 283
and other records. The registrar shall maintain a suitable, 284
indexed record of all applications denied and cards issued or 285
canceled. 286

(2) The application for an identification card filed by 287
either the department of rehabilitation and correction~~or~~, the 288
department of youth services, a community-based correctional 289
facility and program, or a district community-based correctional 290
facility and program on behalf of an individual in prison or in 291
the department's or facility's custody shall be submitted 292
through the process established by the registrar. The registrar 293
shall establish the process for submission of such applications 294
and the process for mailing the identification card to either 295
the individual or the applicable department or facility. 296

(C) In addition to any other information it contains, the 297
form furnished by the registrar of motor vehicles for an 298
application for an identification card or duplicate shall inform 299
applicants that the applicant must present a copy of the 300
applicant's DD-214 or an equivalent document in order to qualify 301
to have the card or duplicate indicate that the applicant is an 302
honorably discharged veteran of the armed forces of the United 303
States based on a request made pursuant to division (A)(2)(b) of 304
this section. 305

Sec. 4507.52. (A)(1) Each identification card issued by 306
the registrar of motor vehicles or a deputy registrar shall 307
display a distinguishing number assigned to the cardholder, and 308

shall display the following inscription: 309

"STATE OF OHIO IDENTIFICATION CARD 310

This card is not valid for the purpose of operating a 311
motor vehicle. It is provided solely for the purpose of 312
establishing the identity of the bearer described on the card." 313

(2) The identification card shall display substantially 314
the same information as contained in the application and as 315
described in division (A) (1) of section 4507.51 of the Revised 316
Code, including, if the cardholder is a noncitizen of the United 317
States, a notation designating that the cardholder is a 318
noncitizen. The identification card shall not display the 319
cardholder's social security number unless the cardholder 320
specifically requests that the cardholder's social security 321
number be displayed on the card. If federal law requires the 322
cardholder's social security number to be displayed on the 323
identification card, the social security number shall be 324
displayed on the card notwithstanding this section. 325

(3) The identification card also shall display the 326
photograph of the cardholder. 327

(4) If the cardholder has executed a durable power of 328
attorney for health care or a declaration governing the use or 329
continuation, or the withholding or withdrawal, of life- 330
sustaining treatment and has specified that the cardholder 331
wishes the identification card to indicate that the cardholder 332
has executed either type of instrument, the card also shall 333
display any symbol chosen by the registrar to indicate that the 334
cardholder has executed either type of instrument. 335

(5) If the cardholder has specified that the cardholder 336
wishes the identification card to indicate that the cardholder 337

is a veteran, active duty, or reservist of the armed forces of 338
the United States and has presented a copy of the cardholder's 339
DD-214 form or an equivalent document, the card also shall 340
display any symbol chosen by the registrar to indicate that the 341
cardholder is a veteran, active duty, or reservist of the armed 342
forces of the United States. 343

(6) The card shall be designed as to prevent its 344
reproduction or alteration without ready detection. 345

(7) The identification card for persons under twenty-one 346
years of age shall have characteristics prescribed by the 347
registrar distinguishing it from that issued to a person who is 348
twenty-one years of age or older, except that an identification 349
card issued to a person who applies no more than thirty days 350
before the applicant's twenty-first birthday shall have the 351
characteristics of an identification card issued to a person who 352
is twenty-one years of age or older. 353

(8) Every identification card issued to a resident of this 354
state shall display the expiration date of the card, in 355
accordance with section 4507.501 of the Revised Code. 356

(9) Every identification card issued to a temporary 357
resident shall expire in accordance with section 4507.501 of the 358
Revised Code and rules adopted by the registrar and is limited 359
term. Every limited term identification card and limited term 360
temporary identification card shall contain the words "limited 361
term" and shall have any additional characteristics prescribed 362
by the registrar distinguishing it from an identification card 363
issued to a resident. 364

(B) (1) If a card is lost, destroyed, or mutilated, the 365
person to whom the card was issued may obtain a duplicate by 366

doing both of the following: 367

(a) Furnishing suitable proof of the loss, destruction, or 368
mutilation to the registrar or a deputy registrar; 369

(b) Filing an application and presenting documentary 370
evidence under section 4507.51 of the Revised Code. 371

(2) A cardholder may apply to obtain a reprint of the 372
cardholder's identification card through electronic means in 373
accordance with section 4507.40 of the Revised Code. 374

(3) A cardholder may obtain a replacement identification 375
card that reflects any change of the cardholder's name by 376
furnishing suitable proof of the change to the registrar or a 377
deputy registrar. 378

(4) Except as provided in division (B)(5) or (6) of this 379
section, when a cardholder applies for a duplicate, reprint, or 380
replacement identification card, the cardholder shall pay the 381
following fees: 382

(a) Two dollars and fifty cents; 383

(b) A deputy registrar or service fee equal to the amount 384
established under section 4503.038 of the Revised Code. 385

(5) The following cardholders may apply for a duplicate, 386
reprint, or replacement identification card without payment of 387
any fee prescribed in division (B)(4) of this section: 388

(a) A disabled veteran who has a service-connected 389
disability rated at one hundred per cent by the veterans' 390
administration; 391

(b) A resident who is permanently or irreversibly 392
disabled; 393

(c) A resident who is in the custody of the department of 394
rehabilitation and correction~~or~~, the department of youth 395
services, a community-based correctional facility and program, 396
or a district community-based correctional facility and program. 397

(6) A cardholder who is seventeen years of age or older 398
may apply for a replacement identification card without payment 399
of any fee prescribed in division (B)(4) of this section. 400

(7) A duplicate, reprint, or replacement identification 401
card expires on the same date as the card it replaces. 402

(C) The registrar shall cancel any card upon determining 403
that the card was obtained unlawfully, issued in error, or was 404
altered. 405

(D) (1) No agent of the state or its political subdivisions 406
shall condition the granting of any benefit, service, right, or 407
privilege upon the possession by any person of an identification 408
card. Nothing in this section shall preclude any publicly 409
operated or franchised transit system from using an 410
identification card for the purpose of granting benefits or 411
services of the system. 412

(2) No person shall be required to apply for, carry, or 413
possess an identification card. 414

(E) Except in regard to an identification card issued to a 415
person who applies no more than thirty days before the 416
applicant's twenty-first birthday, neither the registrar nor any 417
deputy registrar shall issue an identification card to a person 418
under twenty-one years of age that does not have the 419
characteristics prescribed by the registrar distinguishing it 420
from the identification card issued to persons who are twenty- 421
one years of age or older. 422

(F) The registrar shall ensure that identification cards 423
issued in accordance with the federal "Real ID Act," 49 U.S.C. 424
30301, et seq., comply with the regulations specified in 6 425
C.F.R. part 37. 426

(G) Whoever violates division (E) of this section is 427
guilty of a minor misdemeanor. 428

Section 2. That existing sections 4507.01, 4507.50, 429
4507.51, and 4507.52 of the Revised Code are hereby repealed. 430