

\_\_\_\_\_ moved to amend as follows:

In line 1 of the title, delete "section" and insert "sections"; 1  
after "4503.44" insert ", 4511.69, and 4521.02" 2

In line 4 of the title, after "women" insert "and to increase fines 3  
for accessible parking violations for repeat offenders" 4

In line 5, delete "section" and insert "sections"; after "4503.44" 5  
insert ", 4511.69, and 4521.02" 6

In line 341, after "revoked" insert "or has expired" 7

After line 364, insert: 8

**"Sec. 4511.69.** (A) Every vehicle stopped or parked upon a 9  
roadway where there is an adjacent curb shall be stopped or 10  
parked with the right-hand wheels of the vehicle parallel with 11  
and not more than twelve inches from the right-hand curb, unless 12  
it is impossible to approach so close to the curb; in such case 13  
the stop shall be made as close to the curb as possible and only 14  
for the time necessary to discharge and receive passengers or to 15  
load or unload merchandise. Local authorities by ordinance may 16  
permit angle parking on any roadway under their jurisdiction, 17



except that angle parking shall not be permitted on a state 18  
route within a municipal corporation unless an unoccupied 19  
roadway width of not less than twenty-five feet is available for 20  
free-moving traffic. 21

(B) Local authorities by ordinance may permit parking of 22  
vehicles with the left-hand wheels adjacent to and within twelve 23  
inches of the left-hand curb of a one-way roadway. 24

(C) (1) (a) Except as provided in division (C) (1) (b) of this 25  
section, no vehicle or trackless trolley shall be stopped or 26  
parked on a road or highway with the vehicle or trackless 27  
trolley facing in a direction other than the direction of travel 28  
on that side of the road or highway. 29

(b) The operator of a motorcycle may back the motorcycle 30  
into an angled parking space so that when the motorcycle is 31  
parked it is facing in a direction other than the direction of 32  
travel on the side of the road or highway. 33

(2) The operator of a motorcycle may back the motorcycle 34  
into a parking space that is located on the side of, and 35  
parallel to, a road or highway. The motorcycle may face any 36  
direction when so parked. Not more than two motorcycles at a 37  
time shall be parked in a parking space as described in division 38  
(C) (2) of this section irrespective of whether or not the space 39  
is metered. 40

(D) Notwithstanding any statute or any rule, resolution, 41  
or ordinance adopted by any local authority, air compressors, 42  
tractors, trucks, and other equipment, while being used in the 43  
construction, reconstruction, installation, repair, or removal 44  
of facilities near, on, over, or under a street or highway, may 45  
stop, stand, or park where necessary in order to perform such 46

work, provided a flagperson is on duty or warning signs or 47  
lights are displayed as may be prescribed by the director of 48  
transportation. 49

(E) Accessible parking locations and privileges for 50  
persons with disabilities that limit or impair the ability to 51  
walk shall be provided and designated by all political 52  
subdivisions and by the state and all agencies and 53  
instrumentalities thereof at all offices and facilities, where 54  
parking is provided, whether owned, rented, or leased, and at 55  
all publicly owned parking garages. The locations shall be 56  
designated through the posting of an elevated sign, whether 57  
permanently affixed or movable, imprinted with the international 58  
symbol of access and shall be reasonably close to exits, 59  
entrances, elevators, and ramps. All elevated signs posted in 60  
accordance with this division and division (C) of section 61  
3781.111 of the Revised Code shall be mounted on a fixed or 62  
movable post, and the distance from the ground to the bottom 63  
edge of the sign shall measure not less than five feet. If a new 64  
sign or a replacement sign designating an accessible parking 65  
location is posted on or after October 14, 1999, there also 66  
shall be affixed upon the surface of that sign or affixed next 67  
to the designating sign a notice that states the fine applicable 68  
for the offense of parking a motor vehicle in the designated 69  
accessible parking location if the motor vehicle is not legally 70  
entitled to be parked in that location. 71

(F) (1) (a) No person shall stop, stand, or park any motor 72  
vehicle at accessible parking locations provided under division 73  
(E) of this section or at accessible clearly marked parking 74  
locations provided in or on privately owned parking lots, 75  
parking garages, or other parking areas and designated in 76  
accordance with that division, unless one of the following 77

applies:	78
(i) The motor vehicle is being operated by or for the transport of a person with a disability that limits or impairs the ability to walk and is displaying a valid removable windshield placard or accessible license plates;	79 80 81 82
(ii) The motor vehicle is being operated by or for the transport of a person with a disability and is displaying a parking card or accessible license plates.	83 84 85
(b) Any motor vehicle that is parked in an accessible marked parking location in violation of division (F)(1)(a)(i) or (ii) of this section may be towed or otherwise removed from the parking location by the law enforcement agency of the political subdivision in which the parking location is located. A motor vehicle that is so towed or removed shall not be released to its owner until the owner presents proof of ownership of the motor vehicle and pays all towing and storage fees normally imposed by that political subdivision for towing and storing motor vehicles. If the motor vehicle is a leased vehicle, it shall not be released to the lessee until the lessee presents proof that that person is the lessee of the motor vehicle and pays all towing and storage fees normally imposed by that political subdivision for towing and storing motor vehicles.	86 87 88 89 90 91 92 93 94 95 96 97 98 99
(c) If a person is charged with a violation of division (F)(1)(a)(i) or (ii) of this section, it is an affirmative defense to the charge that the person suffered an injury not more than seventy-two hours prior to the time the person was issued the ticket or citation and that, because of the injury, the person meets at least one of the criteria contained in division (A)(1) of section 4503.44 of the Revised Code.	100 101 102 103 104 105 106

(2) No person shall stop, stand, or park any motor vehicle in an area that is commonly known as an access aisle, which area is marked by diagonal stripes and is located immediately adjacent to an accessible parking location provided under division (E) of this section or at an accessible clearly marked parking location provided in or on a privately owned parking lot, parking garage, or other parking area and designated in accordance with that division.	107 108 109 110 111 112 113 114
(G) When a motor vehicle is being operated by or for the transport of a person with a disability that limits or impairs the ability to walk and is displaying a removable windshield placard or accessible license plates, or when a motor vehicle is being operated by or for the transport of a person with a disability and is displaying a parking card or accessible license plates, the motor vehicle is permitted to park for a period of two hours in excess of the legal parking period permitted by local authorities, except where local ordinances or police rules provide otherwise or where the vehicle is parked in such a manner as to be clearly a traffic hazard.	115 116 117 118 119 120 121 122 123 124 125
(H) No owner of an office, facility, or parking garage where accessible parking locations are required to be designated in accordance with division (E) of this section shall fail to properly mark the accessible parking locations in accordance with that division or fail to maintain the markings of the accessible locations, including the erection and maintenance of the fixed or movable signs.	126 127 128 129 130 131 132
(I) Nothing in this section shall be construed to require a person or organization to apply for a removable windshield placard or accessible license plates if the parking card or accessible license plates issued to the person or organization	133 134 135 136

under prior law have not expired or been surrendered or revoked. 137

    (J) (1) Whoever violates division (A) or (C) of this 138  
section is guilty of a minor misdemeanor. 139

    (2) (a) Whoever violates division (F) (1) (a) (i) or (ii) of 140  
this section is guilty of a misdemeanor and shall be punished as 141  
provided in division (J) (2) (a) and (b) of this section. Except 142  
as otherwise provided in division (J) (2) (a) of this section, an 143  
offender who violates division (F) (1) (a) (i) or (ii) of this 144  
section shall be fined not less than two hundred fifty nor more 145  
than five hundred dollars for a first offense, not less than 146  
five hundred dollars nor more than seven hundred fifty dollars 147  
for a second offense, not less than seven hundred fifty dollars 148  
nor more than one thousand dollars for a third offense, and one 149  
thousand dollars for a fourth or subsequent offense. An offender 150  
who violates division (F) (1) (a) (i) or (ii) of this section shall 151  
be fined not more than one hundred dollars if the offender, 152  
prior to sentencing, proves either of the following to the 153  
satisfaction of the court: 154

        (i) At the time of the violation of division (F) (1) (a) (i) 155  
of this section, the offender or the person for whose transport 156  
the motor vehicle was being operated had been issued a removable 157  
windshield placard that then was valid or accessible license 158  
plates that then were valid but the offender or the person 159  
neglected to display the placard or license plates as described 160  
in division (F) (1) (a) (i) of this section. 161

        (ii) At the time of the violation of division (F) (1) (a) 162  
(ii) of this section, the offender or the person for whose 163  
transport the motor vehicle was being operated had been issued a 164  
parking card that then was valid or accessible license plates 165  
that then were valid but the offender or the person neglected to 166

display the card or license plates as described in division (F) 167  
(1) (a) (ii) of this section. 168

(b) In no case shall an offender who violates division (F) 169  
(1) (a) (i) or (ii) of this section be sentenced to any term of 170  
imprisonment. 171

An arrest or conviction for a violation of division (F) (1) 172  
(a) (i) or (ii) of this section does not constitute a criminal 173  
record and need not be reported by the person so arrested or 174  
convicted in response to any inquiries contained in any 175  
application for employment, license, or other right or 176  
privilege, or made in connection with the person's appearance as 177  
a witness. 178

The clerk of the court shall pay every fine collected 179  
under divisions (J) (2) and (3) of this section to the political 180  
subdivision in which the violation occurred. Except as provided 181  
in division (J) (2) of this section, the political subdivision 182  
shall use the fine moneys it receives under divisions (J) (2) and 183  
(3) of this section to pay the expenses it incurs in complying 184  
with the signage and notice requirements contained in division 185  
(E) of this section. The political subdivision may use up to 186  
fifty per cent of each fine it receives under divisions (J) (2) 187  
and (3) of this section to pay the costs of educational, 188  
advocacy, support, and assistive technology programs for persons 189  
with disabilities, and for public improvements within the 190  
political subdivision that benefit or assist persons with 191  
disabilities, if governmental agencies or nonprofit 192  
organizations offer the programs. 193

(3) Whoever violates division (F) (2) of this section shall 194  
be fined not less than two hundred fifty nor more than five 195  
hundred dollars for a first offense, not less than five hundred 196

dollars nor more than seven hundred fifty dollars for a second 197  
offense, not less than seven hundred fifty dollars nor more than 198  
one thousand dollars for a third offense, and one thousand 199  
dollars for a fourth or subsequent offense. 200

In no case shall an offender who violates division (F) (2) 201  
of this section be sentenced to any term of imprisonment. An 202  
arrest or conviction for a violation of division (F) (2) of this 203  
section does not constitute a criminal record and need not be 204  
reported by the person so arrested or convicted in response to 205  
any inquiries contained in any application for employment, 206  
license, or other right or privilege, or made in connection with 207  
the person's appearance as a witness. 208

(4) Whoever violates division (H) of this section shall be 209  
punished as follows: 210

(a) Except as otherwise provided in division (J) (4) of 211  
this section, the offender shall be issued a warning. 212

(b) If the offender previously has been convicted of or 213  
pleaded guilty to a violation of division (H) of this section or 214  
of a municipal ordinance that is substantially similar to that 215  
division, the offender shall not be issued a warning but shall 216  
be fined not more than twenty-five dollars for each parking 217  
location that is not properly marked or whose markings are not 218  
properly maintained. 219

(K) As used in this section: 220

(1) "Person with a disability" means any person who has 221  
lost the use of one or both legs or one or both arms, who is 222  
blind, deaf, or unable to move without the aid of crutches or a 223  
wheelchair, or whose mobility is restricted by a permanent 224  
cardiovascular, pulmonary, or other disabling condition. 225

(2) "Person with a disability that limits or impairs the ability to walk" has the same meaning as in section 4503.44 of the Revised Code.	226 227 228
(3) "Accessible license plates" and "removable windshield placard" mean any license plates, standard removable windshield placard, permanent removable windshield placard, or temporary removable windshield placard issued under section 4503.41 or 4503.44 of the Revised Code, and also mean any substantially similar license plates or removable windshield placard issued by a state, district, country, or sovereignty.	229 230 231 232 233 234 235
<b>Sec. 4521.02.</b> (A) A local authority that enacts any ordinance, resolution, or regulation that regulates the standing or parking of vehicles and that is authorized pursuant to section 505.17 or 4511.07 of the Revised Code also by ordinance, resolution, or regulation may specify that a violation of the regulatory ordinance, resolution, or regulation shall not be considered a criminal offense for any purpose, that a person who commits the violation shall not be arrested as a result of the commission of the violation, and that the violation shall be handled pursuant to this chapter. If such a specification is made, the local authority also by ordinance, resolution, or regulation shall adopt a fine for a violation of the regulatory ordinance, resolution, or regulation and prescribe an additional penalty or penalties for failure to answer any charges of the violation in a timely manner. In no case shall any fine adopted or additional penalty prescribed pursuant to this division exceed the fine established by the municipal or county court having territorial jurisdiction over the entire or a majority of the political subdivision of the local authority, in its schedule of fines established pursuant to Traffic Rule 13(C), for a substantively comparable violation. Except as provided in	236 237 238 239 240 241 242 243 244 245 246 247 248 249 250 251 252 253 254 255 256

this division, in no case shall any fine adopted or additional 257  
penalty prescribed pursuant to this division exceed one hundred 258  
dollars, plus costs and other administrative charges, per 259  
violation. 260

If a local authority chooses to adopt a specific fine for 261  
a violation of an ordinance, resolution, or regulation that 262  
regulates the standing or parking of a vehicle in an accessible 263  
parking space, the fine the local authority establishes for such 264  
offense shall be an amount not less than two hundred fifty 265  
dollars but not more than five hundred dollars for a first 266  
offense, not less than five hundred dollars nor more than seven 267  
hundred fifty dollars for a second offense, not less than seven 268  
hundred fifty dollars nor more than one thousand dollars for a 269  
third offense, and one thousand dollars for a fourth or 270  
subsequent offense. 271

(B) A local authority that enacts an ordinance, 272  
resolution, or regulation pursuant to division (A) of this 273  
section also may enact an ordinance, resolution, or regulation 274  
that provides for the impoundment or immobilization of vehicles 275  
found standing or parked in violation of the regulatory 276  
ordinance, resolution, or regulation and the release of the 277  
vehicles to their owners. In no case shall an ordinance, 278  
resolution, or regulation require the owner of the vehicle to 279  
post bond or deposit cash in excess of one thousand dollars in 280  
order to obtain release of the vehicle. 281

(C) A local authority that enacts any ordinance, 282  
resolution, or regulation pursuant to division (A) of this 283  
section also shall enact an ordinance, resolution, or regulation 284  
that specifies the time within which a person who is issued a 285  
parking ticket must answer in relation to the parking infraction 286

charged in the ticket."	287
In line 365, delete "section" and insert "sections"; after "4503.44"	288
insert ", 4511.69, and 4521.02"	289
In line 366, delete "is" and insert "are"	290

The motion was \_\_\_\_\_ agreed to.

<b><u>SYNOPSIS</u></b>	291
<b>Law enforcement seizure of expired placards</b>	292
<b>R.C. 4503.44</b>	293
Authorizes a peace officer to confiscate an expired removable windshield placard and return it to the Registrar of Motor Vehicles, in addition to revoked placards as under current law.	294
<b>Accessible parking fines</b>	298
<b>R.C. 4511.69 and 4521.02</b>	299
Increases the possible criminal and civil fines for accessible parking violations from between \$250 to \$500 for all offenses to the following:	300
- \$250 to \$500 for a first offense;	303
- \$500 to \$750 for a second offense;	304
- \$750 to \$1,000 for a third offense; and	305
- \$1,000 for a fourth and any subsequent offense.	306