

As Introduced

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H. B. No. 526

Representatives Ray, Sims

To amend section 4503.44 of the Revised Code to 1
require the issuance of orange removable 2
windshield placards imprinted with International 3
Symbol of Access in certain circumstances. 4

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

Section 1. That section 4503.44 of the Revised Code be 5
amended to read as follows: 6

Sec. 4503.44. (A) As used in this section and in section 7
4511.69 of the Revised Code: 8

(1) "Person with a disability that limits or impairs the 9
ability to walk" means any person who, as determined by a health 10
care provider, meets any of the following criteria: 11

(a) Cannot walk two hundred feet without stopping to rest; 12

(b) Cannot walk without the use of, or assistance from, a 13
brace, cane, crutch, another person, prosthetic device, 14
wheelchair, or other assistive device; 15

(c) Is restricted by a lung disease to such an extent that 16
the person's forced (respiratory) expiratory volume for one 17
second, when measured by spirometry, is less than one liter, or 18
the arterial oxygen tension is less than sixty millimeters of 19

mercury on room air at rest; 20

(d) Uses portable oxygen; 21

(e) Has a cardiac condition to the extent that the 22
person's functional limitations are classified in severity as 23
class III or class IV according to standards set by the American 24
heart association; 25

(f) Is severely limited in the ability to walk due to an 26
arthritic, neurological, or orthopedic condition; 27

(g) Is blind, legally blind, or severely visually 28
impaired. 29

(2) "Organization" means any private organization or 30
corporation, or any governmental board, agency, department, 31
division, or office, that, as part of its business or program, 32
transports persons with disabilities that limit or impair the 33
ability to walk on a regular basis in a motor vehicle that has 34
not been altered for the purpose of providing it with accessible 35
equipment for use by persons with disabilities. This definition 36
does not apply to division (I) of this section. 37

(3) "Health care provider" means a physician, physician 38
assistant, advanced practice registered nurse, optometrist, or 39
chiropractor as defined in this section except that an 40
optometrist shall only make determinations as to division (A) (1) 41
(g) of this section. 42

(4) "Physician" means a person licensed to practice 43
medicine or surgery or osteopathic medicine and surgery under 44
Chapter 4731. of the Revised Code. 45

(5) "Chiropractor" means a person licensed to practice 46
chiropractic under Chapter 4734. of the Revised Code. 47

(6) "Advanced practice registered nurse" means a certified 48
nurse practitioner, clinical nurse specialist, certified 49
registered nurse anesthetist, or certified nurse-midwife who 50
holds a certificate of authority issued by the board of nursing 51
under Chapter 4723. of the Revised Code. 52

(7) "Physician assistant" means a person who is licensed 53
as a physician assistant under Chapter 4730. of the Revised 54
Code. 55

(8) "Optometrist" means a person licensed to engage in the 56
practice of optometry under Chapter 4725. of the Revised Code. 57

(9) "Removable windshield placard" includes a standard 58
removable windshield placard, a temporary removable windshield 59
placard, or a permanent removable windshield placard, unless 60
otherwise specified. 61

(B) (1) An organization, or a person with a disability that 62
limits or impairs the ability to walk, may apply for the 63
registration of any motor vehicle the organization or person 64
owns or leases. When an adaptive mobility vehicle is owned or 65
leased by someone other than a person with a disability that 66
limits or impairs the ability to walk, the owner or lessee may 67
apply to the registrar of motor vehicles or a deputy registrar 68
for registration under this section. The application for 69
registration of a motor vehicle owned or leased by a person with 70
a disability that limits or impairs the ability to walk shall be 71
accompanied by a signed statement from the applicant's health 72
care provider certifying that the applicant meets at least one 73
of the criteria contained in division (A) (1) of this section and 74
that the disability is expected to continue for more than six 75
consecutive months. The application for registration of an 76
adaptive mobility vehicle that is owned by someone other than a 77

person with a disability that limits or impairs the ability to 78
walk shall be accompanied by such documentary evidence of 79
vehicle specifications or alterations as the registrar may 80
require by rule. 81

(2) When an organization, a person with a disability that 82
limits or impairs the ability to walk, or a person who does not 83
have a disability that limits or impairs the ability to walk but 84
owns a motor vehicle that has been altered for the purpose of 85
providing it with accessible equipment for a person with a 86
disability that limits or impairs the ability to walk first 87
submits an application for registration of a motor vehicle under 88
this section and every fifth year thereafter, the organization 89
or person shall submit a signed statement from the applicant's 90
health care provider, a completed application, and any required 91
documentary evidence of vehicle specifications or alterations as 92
provided in division (B)(1) of this section, and also a power of 93
attorney from the owner of the motor vehicle if the applicant 94
leases the vehicle. Upon submission of these items, the 95
registrar or deputy registrar shall issue to the applicant 96
appropriate vehicle registration and a set of license plates and 97
validation stickers, or validation stickers alone when required 98
by section 4503.191 of the Revised Code. In addition to the 99
letters and numbers ordinarily inscribed thereon, the license 100
plates shall be imprinted with the international symbol of 101
access. The license plates and validation stickers shall be 102
issued upon payment of the regular license fee as prescribed 103
under section 4503.04 of the Revised Code and any motor vehicle 104
tax levied under Chapter 4504. of the Revised Code, and the 105
payment of a service fee equal to the amount established under 106
section 4503.038 of the Revised Code. 107

(C) (1) A person with a disability that limits or impairs 108

the ability to walk may apply to the registrar for a removable 109
windshield placard by completing and signing an application 110
provided by the registrar. 111

(2) The person shall include with the application a 112
prescription from the person's health care provider prescribing 113
such a placard for the person based upon a determination that 114
the person meets at least one of the criteria contained in 115
division (A)(1) of this section. The health care provider shall 116
state on the prescription the length of time the health care 117
provider expects the applicant to have the disability that 118
limits or impairs the person's ability to walk. If the length of 119
time the applicant is expected to have the disability is six 120
consecutive months or less, the applicant shall submit an 121
application for a temporary removable windshield placard. If the 122
length of time the applicant is expected to have the disability 123
is permanent, the applicant shall submit an application for a 124
permanent removable windshield placard. All other applicants 125
shall submit an application for a standard removable windshield 126
placard. 127

(3) In addition to one placard or one or more sets of 128
license plates, a person with a disability that limits or 129
impairs the ability to walk is entitled to one additional 130
placard, but only if the person applies separately for the 131
additional placard, states the reasons why the additional 132
placard is needed, and the registrar, in the registrar's 133
discretion determines that good and justifiable cause exists to 134
approve the request for the additional placard. 135

(4) An organization may apply to the registrar of motor 136
vehicles for a standard removable windshield placard by 137
completing and signing an application provided by the registrar. 138

The organization shall comply with any procedures the registrar 139
establishes by rule. The organization shall include with the 140
application documentary evidence that the registrar requires by 141
rule showing that the organization regularly transports persons 142
with disabilities that limit or impair the ability to walk. 143

(5) The registrar or deputy registrar shall issue to an 144
applicant a standard removable windshield placard, a temporary 145
removable windshield placard, or a permanent removable 146
windshield placard, as applicable, upon receipt of all of the 147
following: 148

(a) A completed and signed application for a removable 149
windshield placard; 150

(b) The accompanying documents required under division (C) 151
(2) or (4) of this section; 152

(c) Payment of a service fee equal to the amount 153
established under section 4503.038 of the Revised Code for a 154
standard removable windshield placard or a temporary removable 155
windshield placard, or payment of fifteen dollars for a 156
permanent removable windshield placard. 157

(6) The removable windshield placard shall display the 158
date of expiration on both sides of the placard, or the word 159
"permanent" if the placard is a permanent removable windshield 160
placard, and shall be valid until expired, revoked, or 161
surrendered. Except for a permanent removable windshield 162
placard, which has no expiration, a removable windshield placard 163
expires on the earliest of the following two dates: 164

(a) The date that the person issued the placard is 165
expected to no longer have the disability that limits or impairs 166
the ability to walk, as indicated on the prescription submitted 167

with the application for the placard; 168

(b) Ten years after the date of issuance on the placard. 169

In no case shall a removable windshield placard be valid 170
for a period of less than sixty days. 171

(7) Standard removable windshield placards shall be 172
renewable upon application and upon payment of a service fee 173
equal to the amount established under section 4503.038 of the 174
Revised Code. The registrar shall provide the application form 175
and shall determine the information to be included thereon. 176

(8) The registrar shall determine the form and size of 177
each type of the removable windshield placard, the material of 178
which it is to be made, any differences in color between each 179
type of placard to make them readily identifiable, and any other 180
information to be included thereon, and shall adopt rules 181
relating to the issuance, expiration, revocation, surrender, and 182
proper display of such placards. A temporary removable 183
windshield placard shall display the word "temporary" in letters 184
of such size as the registrar shall prescribe. Any placard 185
issued after October 14, 1999, shall be manufactured in a manner 186
that allows the expiration date of the placard to be indicated 187
on it through the punching, drilling, boring, or creation by any 188
other means of holes in the placard. 189

(9) In addition to the design of the removable windshield 190
placard specified in division (C) (8) of this section, the 191
registrar shall provide for and issue an orange removable 192
windshield placard with a white international symbol of access 193
imprinted on it. A person with a disability that limits or 194
impairs the ability to walk whose disability is not readily 195
apparent to another person may apply to the registrar for a 196

placard in accordance with division (C) (9) of this section. The 197
placard shall otherwise be created with the same form, size, and 198
material, and shall display the same information as the placard 199
issued in accordance with division (C) (8) of this section. All 200
other requirements established under this section and under 201
rules relating to the issuance, expiration, revocation, 202
surrender, and proper display of a placard shall apply. Nothing 203
in this division shall be construed to require a person to apply 204
for and obtain a placard issued in accordance with division (C) 205
(9) of this section. 206

~~(9)~~(10) At the time a removable windshield placard is 207
issued to a person with a disability that limits or impairs the 208
ability to walk, the registrar or deputy registrar shall enter 209
into the records of the bureau of motor vehicles the last date 210
on which the person will have that disability, as indicated on 211
the accompanying prescription. For a standard removable 212
windshield placard, not less than thirty days prior to that date 213
and any renewal dates, the bureau shall send a renewal notice to 214
that person at the person's last known address as shown in the 215
records of the bureau, informing the person that the person's 216
removable windshield placard will expire on the indicated date, 217
and that the person is required to renew the placard by 218
submitting to the registrar or a deputy registrar another 219
prescription, and by complying with the renewal provisions. If 220
such a prescription is not received by the registrar or a deputy 221
registrar by that date, the placard issued to that person 222
expires and no longer is valid, and this fact shall be recorded 223
in the records of the bureau. 224

~~(10)~~(11) At least once every year, on a date determined by 225
the registrar, the bureau shall examine the records of the 226
office of vital statistics, located within the department of 227

health, that pertain to deceased persons, and also the bureau's 228
records of all persons who have been issued removable windshield 229
placards. If the records of the office of vital statistics 230
indicate that a person to whom a removable windshield placard 231
has been issued is deceased, the bureau shall cancel that 232
placard, and note the cancellation in its records. 233

The office of vital statistics shall make available to the 234
bureau all information necessary to enable the bureau to comply 235
with division ~~(C) (10)~~ (C) (11) of this section. 236

~~(11)~~ (12) Nothing in this section shall be construed to 237
require a person or organization to apply for a removable 238
windshield placard or accessible license plates if the 239
accessible license plates issued to the person or organization 240
under prior law have not expired or been surrendered or revoked. 241

(D) Any active-duty member of the armed forces of the 242
United States, including the reserve components of the armed 243
forces and the national guard, who has an illness or injury that 244
limits or impairs the ability to walk may apply to the registrar 245
or a deputy registrar for a temporary removable windshield 246
placard. With the application, the person shall present evidence 247
of the person's active-duty status and the illness or injury. 248
Evidence of the illness or injury may include a current 249
department of defense convalescent leave statement, any 250
department of defense document indicating that the person 251
currently has an ill or injured casualty status or has limited 252
duties, or a prescription from any health care provider 253
prescribing the placard for the applicant. Upon receipt of the 254
application and the necessary evidence, the registrar or deputy 255
registrar shall issue the applicant the temporary removable 256
windshield placard without the payment of any service fee. 257

(E) If an applicant for a removable windshield placard is 258
a veteran of the armed forces of the United States whose 259
disability, as defined in division (A)(1) of this section, is 260
service-connected, the registrar or deputy registrar, upon 261
receipt of the application, presentation of a signed statement 262
from the applicant's health care provider certifying the 263
applicant's disability, and presentation of such documentary 264
evidence from the department of veterans affairs that the 265
disability of the applicant meets at least one of the criteria 266
identified in division (A)(1) of this section and is service- 267
connected as the registrar may require by rule, but without the 268
payment of any service fee, shall issue the applicant a 269
removable windshield placard that is valid until expired, 270
surrendered, or revoked. 271

(F)(1) Upon a conviction of a violation of division (H) or 272
(I) of this section, the court shall report the conviction, and 273
send the placard, if available, to the registrar, who thereupon 274
shall revoke the privilege of using the placard and send notice 275
in writing to the placardholder at that holder's last known 276
address as shown in the records of the bureau, and the 277
placardholder shall return the placard if not previously 278
surrendered to the court, to the registrar within ten days 279
following mailing of the notice. 280

(2) Whenever a person to whom a removable windshield 281
placard has been issued moves to another state, the person shall 282
surrender the placard to the registrar; and whenever an 283
organization to which a placard has been issued changes its 284
place of operation to another state, the organization shall 285
surrender the placard to the registrar. 286

(3) If a person no longer requires a permanent removable 287

windshield placard, the person shall notify and surrender the 288
placard to the registrar or deputy registrar within ten days of 289
no longer requiring the placard. The person may still apply for 290
a standard removable windshield placard or temporary removable 291
windshield placard, if applicable. 292

(G) Subject to division (F) of section 4511.69 of the 293
Revised Code, the operator of a motor vehicle displaying a 294
removable windshield placard or the accessible license plates 295
authorized by this section is entitled to park the motor vehicle 296
in any accessible parking location reserved for persons with 297
disabilities that limit or impair the ability to walk. 298

(H) No person or organization that is not eligible for the 299
issuance of license plates or any placard under this section 300
shall willfully and falsely represent that the person or 301
organization is so eligible. 302

No person or organization shall display license plates 303
issued under this section unless the license plates have been 304
issued for the vehicle on which they are displayed and are 305
valid. 306

(I) No person or organization to which a removable 307
windshield placard is issued shall do either of the following: 308

(1) Display or permit the display of the placard on any 309
motor vehicle when having reasonable cause to believe the motor 310
vehicle is being used in connection with an activity that does 311
not include providing transportation for persons with 312
disabilities that limit or impair the ability to walk; 313

(2) Refuse to return or surrender the placard, when 314
required. 315

(J) If a removable windshield placard or parking card is 316

lost, destroyed, or mutilated, the placardholder or cardholder 317
may obtain a duplicate by doing both of the following: 318

(1) Furnishing suitable proof of the loss, destruction, or 319
mutilation to the registrar; 320

(2) Paying a service fee equal to the amount paid when the 321
placardholder obtained the original placard. 322

Any placardholder who loses a placard and, after obtaining 323
a duplicate, finds the original, immediately shall surrender the 324
original placard to the registrar. 325

(K) (1) The registrar shall pay all fees received under 326
this section for the issuance of removable windshield placards 327
or duplicate removable windshield placards into the state 328
treasury to the credit of the public safety - highway purposes 329
fund created in section 4501.06 of the Revised Code. 330

(2) In addition to the fees collected under this section, 331
the registrar or deputy registrar shall ask each person applying 332
for a removable windshield placard or duplicate removable 333
windshield placard or license plate issued under this section, 334
whether the person wishes to make a two-dollar voluntary 335
contribution to support rehabilitation employment services. The 336
registrar shall transmit the contributions received under this 337
division to the treasurer of state for deposit into the 338
rehabilitation employment fund, which is hereby created in the 339
state treasury. A deputy registrar shall transmit the 340
contributions received under this division to the registrar in 341
the time and manner prescribed by the registrar. The 342
contributions in the fund shall be used by the opportunities for 343
Ohioans with disabilities agency to purchase services related to 344
vocational evaluation, work adjustment, personal adjustment, job 345

placement, job coaching, and community-based assessment from 346
accredited community rehabilitation program facilities. 347

(L) For purposes of enforcing this section, every peace 348
officer is deemed to be an agent of the registrar. Any peace 349
officer or any authorized employee of the bureau of motor 350
vehicles who, in the performance of duties authorized by law, 351
becomes aware of a person whose removable windshield placard or 352
parking card has been revoked pursuant to this section, may 353
confiscate that placard or parking card and return it to the 354
registrar. The registrar shall prescribe any forms used by law 355
enforcement agencies in administering this section. 356

No peace officer, law enforcement agency employing a peace 357
officer, or political subdivision or governmental agency 358
employing a peace officer, and no employee of the bureau is 359
liable in a civil action for damages or loss to persons arising 360
out of the performance of any duty required or authorized by 361
this section. As used in this division, "peace officer" has the 362
same meaning as in division (B) of section 2935.01 of the 363
Revised Code. 364

(M) All applications for registration of motor vehicles 365
and removable windshield placards issued under this section, all 366
renewal notices for such items, and all other publications 367
issued by the bureau that relate to this section shall set forth 368
the criminal penalties that may be imposed upon a person who 369
violates any provision relating to accessible license plates 370
issued under this section, the parking of vehicles displaying 371
such license plates, and the issuance, procurement, use, and 372
display of removable windshield placards issued under this 373
section. 374

(N) Whoever violates this section is guilty of a 375

misdemeanor of the fourth degree. 376

Section 2. That existing section 4503.44 of the Revised 377
Code is hereby repealed. 378

Section 3. Section 4503.44 of the Revised Code is 379
presented in this act as a composite of the section as amended 380
by both H.B. 33 and H.B. 195 of the 135th General Assembly. The 381
General Assembly, applying the principle stated in division (B) 382
of section 1.52 of the Revised Code that amendments are to be 383
harmonized if reasonably capable of simultaneous operation, 384
finds that the composite is the resulting version of the section 385
in effect prior to the effective date of the section as 386
presented in this act. 387