

I_136_0002-2

136th General Assembly
Regular Session
2025-2026

Sub. H. B. No. 54

To amend sections 154.01, 306.35, 306.43, 717.02, 1
1548.061, 3503.11, 3503.151, 3503.152, 3503.21, 2
3505.181, 3704.14, 4501.01, 4503.038, 4503.10, 3
4503.102, 4503.103, 4503.19, 4505.08, 4506.01, 4
4506.11, 4507.01, 4507.061, 4507.13, 4507.21, 5
4507.52, 4508.02, 4511.01, 4511.031, 4511.09, 6
4511.091, 4511.092, 4511.094, 4511.11, 4511.13, 7
4511.131, 4511.132, 4511.18, 4511.204, 4511.211, 8
4511.214, 4511.432, 4511.46, 4511.48, 4511.512, 9
4511.61, 4511.62, 4511.64, 4511.65, 4511.68, 10
4511.701, 4511.712, 4513.071, 4513.38, 4513.41, 11
4517.02, 4519.401, 4955.50, 4955.51, 5501.20, 12
5501.441, 5502.68, 5513.01, 5517.02, 5517.021, 13
5525.03, 5525.04, 5525.08, 5525.14, 5537.07, 14
5571.01, and 5747.502; to enact sections 15
1548.062, 3503.201, 4503.183, 4503.261, 16
4503.262, 4505.072, 4511.15, 4511.765, 4561.03, 17
4955.52, 4955.53, 4955.55, 4955.57, 4981.36, 18
4981.361, 5501.041, 5517.06, and 5517.08; and to 19
repeal sections 4506.072, 4507.021, 4507.063, 20
4507.511, 4511.351, 4511.491, and 5501.60 of the 21
Revised Code and to amend Section 755.20 of H.B. 22
23 of the 135th General Assembly to make 23
appropriations for programs related to 24



transportation for the biennium beginning July 25
1, 2025, and ending June 30, 2027, and to 26
provide authorization and conditions for the 27
operation of those programs. 28

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

Section 101.01. That sections 154.01, 306.35, 306.43, 29
717.02, 1548.061, 3503.11, 3503.151, 3503.152, 3503.21, 30
3505.181, 3704.14, 4501.01, 4503.038, 4503.10, 4503.102, 31
4503.103, 4503.19, 4505.08, 4506.01, 4506.11, 4507.01, 4507.061, 32
4507.13, 4507.21, 4507.52, 4508.02, 4511.01, 4511.031, 4511.09, 33
4511.091, 4511.092, 4511.094, 4511.11, 4511.13, 4511.131, 34
4511.132, 4511.18, 4511.204, 4511.211, 4511.214, 4511.432, 35
4511.46, 4511.48, 4511.512, 4511.61, 4511.62, 4511.64, 4511.65, 36
4511.68, 4511.701, 4511.712, 4513.071, 4513.38, 4513.41, 37
4517.02, 4519.401, 4955.50, 4955.51, 5501.20, 5501.441, 5502.68, 38
5513.01, 5517.02, 5517.021, 5525.03, 5525.04, 5525.08, 5525.14, 39
5537.07, 5571.01, and 5747.502 be amended and sections 1548.062, 40
3503.201, 4503.183, 4503.261, 4503.262, 4505.072, 4511.15, 41
4511.765, 4561.03, 4955.52, 4955.53, 4955.55, 4955.57, 4981.36, 42
4981.361, 5501.041, 5517.06, and 5517.08 of the Revised Code be 43
enacted to read as follows: 44

Sec. 154.01. As used in this chapter: 45

(A) "Commission" means the Ohio public facilities 46
commission created in section 151.02 of the Revised Code. 47

(B) "Obligations" means bonds, notes, or other evidences 48
of obligation, including interest coupons pertaining thereto, 49
issued pursuant to Chapter 154. of the Revised Code. 50

(C) "Bond proceedings" means the order or orders, 51
resolution or resolutions, trust agreement, indenture, lease, 52
and other agreements, amendments and supplements to the 53
foregoing, or any combination thereof, authorizing or providing 54
for the terms and conditions applicable to, or providing for the 55
security of, obligations issued pursuant to Chapter 154. of the 56
Revised Code, and the provisions contained in such obligations. 57

(D) "State agencies" means the state of Ohio and officers, 58
boards, commissions, departments, divisions, or other units or 59
agencies of the state. 60

(E) "Governmental agency" means state agencies, state 61
supported and assisted institutions of higher education, 62
municipal corporations, counties, townships, school districts, 63
and any other political subdivision or special district in this 64
state established pursuant to law, and, except where otherwise 65
indicated, also means the United States or any department, 66
division, or agency thereof, and any agency, commission, or 67
authority established pursuant to an interstate compact or 68
agreement. 69

(F) "Institutions of higher education" and "state 70
supported or state assisted institutions of higher education" 71
means the state universities identified in section 3345.011 of 72
the Revised Code, the northeast Ohio medical university, state 73
universities or colleges at any time created, community college 74
districts, university branch districts, and technical college 75
districts at any time established or operating under Chapter 76
3354., 3355., or 3357. of the Revised Code, and other 77
institutions for education, including technical education, 78
beyond the high school, receiving state support or assistance 79
for their expenses of operation. 80

(G) "Governing body" means: 81

(1) In the case of institutions of higher education, the 82
board of trustees, board of directors, commission, or other body 83
vested by law with the general management, conduct, and control 84
of one or more institutions of higher education; 85

(2) In the case of a county, the board of county 86
commissioners or other legislative body; in the case of a 87
municipal corporation, the council or other legislative body; in 88
the case of a township, the board of township trustees; in the 89
case of a school district, the board of education; 90

(3) In the case of any other governmental agency, the 91
officer, board, commission, authority or other body having the 92
general management thereof or having jurisdiction or authority 93
in the particular circumstances. 94

(H) "Person" means any person, firm, partnership, 95
association, or corporation. 96

(I) "Bond service charges" means principal, including 97
mandatory sinking fund requirements for retirement of 98
obligations, and interest, and redemption premium, if any, 99
required to be paid by the state on obligations. If not 100
prohibited by the applicable bond proceedings, bond service 101
charges may include costs relating to credit enhancement 102
facilities that are related to and represent, or are intended to 103
provide a source of payment of or limitation on, other bond 104
service charges. 105

(J) "Capital facilities" means buildings, structures, and 106
other improvements, and equipment, real estate, and interests in 107
real estate therefor, within the state, and any one, part of, or 108
combination of the foregoing, to serve the general purposes for 109

which the issuing authority is authorized to issue obligations 110
pursuant to Chapter 154. of the Revised Code, including, but not 111
limited to, highways, drives, roadways, parking facilities, 112
walks, lighting, machinery, furnishings, utilities, landscaping, 113
wharves, docks, piers, reservoirs, dams, tunnels, bridges, 114
retaining walls, riprap, culverts, ditches, channels, 115
watercourses, retention basins, standpipes and water storage 116
facilities, waste treatment and disposal facilities, heating, 117
air conditioning and communications facilities, inns, lodges, 118
cabins, camping sites, golf courses, boat and bathing 119
facilities, athletic and recreational facilities, and site 120
improvements. 121

(K) "Costs of capital facilities" means the costs of 122
acquiring, constructing, reconstructing, rehabilitating, 123
remodeling, renovating, enlarging, improving, equipping, or 124
furnishing capital facilities, and the financing thereof, 125
including the cost of clearance and preparation of the site and 126
of any land to be used in connection with capital facilities, 127
the cost of any indemnity and surety bonds and premiums on 128
insurance, all related direct administrative expenses and 129
allocable portions of direct costs of the commission or issuing 130
authority and department of administrative services, or other 131
designees of the commission under section 154.17 of the Revised 132
Code, cost of engineering and architectural services, designs, 133
plans, specifications, surveys, and estimates of cost, legal 134
fees, fees and expenses of trustees, depositories, and paying 135
agents for the obligations, cost of issuance of the obligations 136
and financing charges and fees and expenses of financial 137
advisers and consultants in connection therewith, interest on 138
obligations, including but not limited to, interest from the 139
date of their issuance to the time when interest is to be 140

covered from sources other than proceeds of obligations, amounts 141
necessary to establish reserves as required by the bond 142
proceedings, costs of audits, the reimbursement of all moneys 143
advanced or applied by or borrowed from any governmental agency, 144
whether to or by the commission or others, from whatever source 145
provided, for the payment of any item or items of cost of the 146
capital facilities, any share of the cost undertaken by the 147
commission pursuant to arrangements made with governmental 148
agencies under division (H) of section 154.06 of the Revised 149
Code, and all other expenses necessary or incident to planning 150
or determining feasibility or practicability with respect to 151
capital facilities, and such other expenses as may be necessary 152
or incident to the acquisition, construction, reconstruction, 153
rehabilitation, remodeling, renovation, enlargement, 154
improvement, equipment, and furnishing of capital facilities, 155
the financing thereof and the placing of the same in use and 156
operation, including any one, part of, or combination of such 157
classes of costs and expenses. 158

(L) "Public service facilities" means inns, lodges, 159
hotels, cabins, camping sites, scenic trails, picnic sites, 160
restaurants, commissaries, golf courses, boating and bathing 161
facilities and other similar facilities in state parks. 162

(M) "State parks" means: 163

(1) State reservoirs described and identified in section 164
1546.11 of the Revised Code; 165

(2) All lands or interests therein of the state identified 166
as administered by the division of parks and watercraft in the 167
"inventory of state owned lands administered by the department 168
of natural resources as of June 1, 1963," as recorded in the 169
journal of the director, which inventory was prepared by the 170

real estate section of the department and is supported by maps 171
now on file in said real estate section; 172

(3) All lands or interests in lands of the state 173
designated after June 1, 1963, as state parks in the journal of 174
the director with the approval of the director of natural 175
resources. 176

State parks do not include any lands or interest in lands 177
of the state administered jointly by two or more divisions of 178
the department of natural resources. The designation of lands as 179
state parks under divisions (M) (1) to (3) of this section is 180
conclusive and such lands shall be under the control of and 181
administered by the division of parks and watercraft. No order 182
or proceeding designating lands as state parks or park purchase 183
areas is subject to any appeal or review by any officer, board, 184
commission, or court. 185

(N) "Bond service fund" means the applicable fund created 186
for and pledged to the payment of bond service charges under 187
section 154.20, 154.21, 154.22, or 154.23 of the Revised Code, 188
including all moneys and investments, and earnings from 189
investments, credited and to be credited thereto. 190

(O) "Improvement fund" means the applicable fund created 191
for the payment of costs of capital facilities under section 192
123.201, 154.20, 154.21, or 154.22 of the Revised Code, 193
including all moneys and investments, and earnings from 194
investments, credited and to be credited thereto. 195

(P) "Special funds" or "funds" means, except where the 196
context does not permit, the bond service funds, the 197
improvements funds, and any other funds for similar or different 198
purposes created under bond proceedings, including all moneys 199

and investments, and earnings from investments, credited and to 200
be credited thereto. 201

(Q) "Year" unless the context indicates a different 202
meaning or intent, means a calendar year beginning on the first 203
day of January and ending on the thirty-first day of December. 204

(R) "Fiscal year" means the period of twelve months 205
beginning on the first day of July and ending on the thirtieth 206
day of June. 207

(S) "Issuing authority" means the treasurer of state or 208
the officer or employee who by law performs the functions of 209
that office. 210

(T) "Credit enhancement facilities" has the same meaning 211
as in section 133.01 of the Revised Code. 212

(U) "Ohio cultural facility" and "Ohio sports facility" 213
have the same meanings as in section 123.28 of the Revised Code. 214

Sec. 306.35. Upon the creation of a regional transit 215
authority as provided by section 306.32 of the Revised Code, and 216
upon the qualifying of its board of trustees and the election of 217
a president and a vice-president, the authority shall exercise 218
in its own name all the rights, powers, and duties vested in and 219
conferred upon it by sections 306.30 to 306.53 of the Revised 220
Code. Subject to any reservations, limitations, and 221
qualifications that are set forth in those sections, the 222
regional transit authority: 223

(A) May sue or be sued in its corporate name; 224

(B) May make contracts in the exercise of the rights, 225
powers, and duties conferred upon it; 226

(C) May adopt and at will alter a seal and use such seal 227

by causing it to be impressed, affixed, reproduced, or otherwise 228
used, but failure to affix the seal shall not affect the 229
validity of any instrument; 230

(D) (1) May adopt, amend, and repeal bylaws for the 231
administration of its affairs and rules for the control of the 232
administration and operation of transit facilities under its 233
jurisdiction, and for the exercise of all of its rights of 234
ownership in those transit facilities; 235

(2) The regional transit authority also may adopt bylaws 236
and rules for the following purposes: 237

(a) To prohibit selling, giving away, or using any beer or 238
intoxicating liquor on transit vehicles or transit property; 239

(b) For the preservation of good order within or on 240
transit vehicles or transit property; 241

(c) To provide for the protection and preservation of all 242
property and life within or on transit vehicles or transit 243
property; 244

(d) To regulate and enforce the collection of fares. 245

(3) Before a bylaw or rule adopted under division (D) (2) 246
of this section takes effect, the regional transit authority 247
shall provide for a notice of its adoption to be published once 248
a week for two consecutive weeks in a newspaper of general 249
circulation within the territorial boundaries of the regional 250
transit authority, or as provided in section 7.16 of the Revised 251
Code. 252

(4) No person shall violate any bylaw or rule of a 253
regional transit authority adopted under division (D) (2) of this 254
section. 255

(E) May fix, alter, and collect fares, rates, and rentals 256
and other charges for the use of transit facilities under its 257
jurisdiction to be determined exclusively by it for the purpose 258
of providing for the payment of the expenses of the regional 259
transit authority, the acquisition, construction, improvement, 260
extension, repair, maintenance, and operation of transit 261
facilities under its jurisdiction, the payment of principal and 262
interest on its obligations, and to fulfill the terms of any 263
agreements made with purchasers or holders of any such 264
obligations, or with any person or political subdivision; 265

(F) Shall have jurisdiction, control, possession, and 266
supervision of all property, rights, easements, licenses, 267
moneys, contracts, accounts, liens, books, records, maps, or 268
other property rights and interests conveyed, delivered, 269
transferred, or assigned to it; 270

(G) (1) Except as provided in division (G) (2) of this 271
section, may acquire, construct, improve, extend, repair, lease, 272
operate, maintain, or manage transit facilities within or 273
without its territorial boundaries, considered necessary to 274
accomplish the purposes of its organization and make charges for 275
the use of transit facilities. 276

(2) Beginning on July 1, 2011, a regional transit 277
authority shall not extend its service or facilities into a 278
political subdivision outside the territorial boundaries of the 279
authority without giving prior notice to the legislative 280
authority of the political subdivision. The legislative 281
authority shall have thirty days after receiving the notice to 282
comment on the proposal. 283

(H) May levy and collect taxes as provided in sections 284
306.40 and 306.49 of the Revised Code; 285

(I) May issue bonds secured by its general credit as 286
provided in section 306.40 of the Revised Code; 287

(J) May hold, encumber, control, acquire by donation, by 288
purchase for cash or by installment payments, by lease-purchase 289
agreement, by lease with option to purchase, by borrowing from 290
any federal, state, or other governmental or private source, or 291
by condemnation, and may construct, own, lease as lessee or 292
lessor, use, and sell, real and personal property, or any 293
interest or right in real and personal property, within or 294
without its territorial boundaries, for the location or 295
protection of transit facilities and improvements and access to 296
transit facilities and improvements, the relocation of 297
buildings, structures, and improvements situated on lands 298
acquired by the regional transit authority, or for any other 299
necessary purpose, or for obtaining or storing materials to be 300
used in constructing, maintaining, and improving transit 301
facilities under its jurisdiction; 302

(K) May exercise the power of eminent domain to acquire 303
property or any interest in property, within or without its 304
territorial boundaries, that is necessary or proper for the 305
construction or efficient operation of any transit facility or 306
access to any transit facility under its jurisdiction in 307
accordance with section 306.36 of the Revised Code; 308

(L) May provide by agreement with any county, including 309
the counties within its territorial boundaries, or any municipal 310
corporation or any combination of counties or municipal 311
corporations for the making of necessary surveys, appraisals, 312
and examinations preliminary to the acquisition or construction 313
of any transit facility and the amount of the expense for the 314
surveys, appraisals, and examinations to be paid by each such 315

county or municipal corporation; 316

(M) May provide by agreement with any county, including 317
the counties within its territorial boundaries, or any municipal 318
corporation or any combination of those counties or municipal 319
corporations for the acquisition, construction, improvement, 320
extension, maintenance, or operation of any transit facility 321
owned or to be owned and operated by it or owned or to be owned 322
and operated by any such county or municipal corporation and the 323
terms on which it shall be acquired, leased, constructed, 324
maintained, or operated, and the amount of the cost and expense 325
of the acquisition, lease, construction, maintenance, or 326
operation to be paid by each such county or municipal 327
corporation; 328

(N) May issue revenue bonds for the purpose of acquiring, 329
replacing, improving, extending, enlarging, or constructing any 330
facility or permanent improvement that it is authorized to 331
acquire, replace, improve, extend, enlarge, or construct, 332
including all costs in connection with and incidental to the 333
acquisition, replacement, improvement, extension, enlargement, 334
or construction, and their financing, as provided by section 335
306.37 of the Revised Code; 336

(O) May enter into and supervise franchise agreements for 337
the operation of a transit system; 338

(P) May accept the assignment of and supervise an existing 339
franchise agreement for the operation of a transit system; 340

(Q) May exercise a right to purchase a transit system in 341
accordance with the acquisition terms of an existing franchise 342
agreement; and in connection with the purchase the regional 343
transit authority may issue revenue bonds as provided by section 344

306.37 of the Revised Code or issue bonds secured by its general 345
credit as provided in section 306.40 of the Revised Code; 346

(R) May apply for and accept grants or loans from the 347
United States, the state, or any other public or any private 348
source for the purpose of providing for the development or 349
improvement of transit facilities, mass transportation 350
facilities, equipment, techniques, methods, or services, and 351
grants or loans needed to exercise a right to purchase a transit 352
system pursuant to agreement with the owner of those transit 353
facilities, or for providing lawful financial assistance to 354
existing transit systems; and may provide any consideration that 355
may be required in order to obtain those grants or loans from 356
the United States, the state, or other public or private source, 357
either of which grants or loans may be evidenced by the issuance 358
of revenue bonds as provided by section 306.37 of the Revised 359
Code or general obligation bonds as provided by section 306.40 360
of the Revised Code; 361

(S) May employ and fix the compensation of consulting 362
engineers, superintendents, managers, and such other 363
engineering, construction, accounting and financial experts, 364
attorneys, and other employees and agents necessary for the 365
accomplishment of its purposes; 366

(T) May procure insurance against loss to it by reason of 367
damages to its properties resulting from fire, theft, accident, 368
or other casualties or by reason of its liability for any 369
damages to persons or property occurring in the construction or 370
operation of transit facilities under its jurisdiction or the 371
conduct of its activities; 372

(U) May maintain funds that it considers necessary for the 373
efficient performance of its duties; 374

(V) May direct its agents or employees, when properly 375
identified in writing, after at least five days' written notice, 376
to enter upon lands within or without its territorial boundaries 377
in order to make surveys and examinations preliminary to the 378
location and construction of transit facilities, without 379
liability to it or its agents or employees except for actual 380
damage done; 381

(W) On its own motion, may request the appropriate zoning 382
board, as defined in section 4563.03 of the Revised Code, to 383
establish and enforce zoning regulations pertaining to any 384
transit facility under its jurisdiction in the manner prescribed 385
by sections 4563.01 to 4563.21 of the Revised Code; 386

(X) If it acquires any existing transit system, shall 387
assume all the employer's obligations under any existing labor 388
contract between the employees and management of the system. If 389
the board acquires, constructs, controls, or operates any such 390
facilities, it shall negotiate arrangements to protect the 391
interests of employees affected by the acquisition, 392
construction, control, or operation. The arrangements shall 393
include, but are not limited to: 394

(1) The preservation of rights, privileges, and benefits 395
under existing collective bargaining agreements or otherwise, 396
the preservation of rights and benefits under any existing 397
pension plans covering prior service, and continued 398
participation in social security in addition to participation in 399
the public employees retirement system as required in Chapter 400
145. of the Revised Code; 401

(2) The continuation of collective bargaining rights; 402

(3) The protection of individual employees against a 403

worsening of their positions with respect to their employment; 404

(4) Assurances of employment to employees of those transit 405
systems and priority reemployment of employees terminated or 406
laid off; 407

(5) Paid training or retraining programs; 408

(6) Signed written labor agreements. 409

The arrangements may include provisions for the submission 410
of labor disputes to final and binding arbitration. 411

(Y) May provide for and maintain security operations, 412
including a transit police department, subject to section 413
306.352 of the Revised Code. Regional transit authority police 414
officers shall have the power and duty to act as peace officers 415
within transit facilities owned, operated, or leased by the 416
transit authority to protect the transit authority's property 417
and the person and property of passengers, to preserve the 418
peace, and to enforce all laws of the state and ordinances and 419
regulations of political subdivisions in which the transit 420
authority operates. Regional transit authority police officers 421
also shall have the power and duty to act as peace officers when 422
they render emergency assistance outside their jurisdiction to 423
any other peace officer who is not a regional transit authority 424
police officer and who has arrest authority under section 425
2935.03 of the Revised Code. Regional transit authority police 426
officers may render emergency assistance if there is a threat of 427
imminent physical danger to the peace officer, a threat of 428
physical harm to another person, or any other serious emergency 429
situation and if either the peace officer who is assisted 430
requests emergency assistance or it appears that the peace 431
officer who is assisted is unable to request emergency 432

assistance and the circumstances observed by the regional 433
transit authority police officer reasonably indicate that 434
emergency assistance is appropriate. 435

Before exercising powers of arrest and the other powers 436
and duties of a peace officer, each regional transit authority 437
police officer shall take an oath and give bond to the state in 438
a sum that the board of trustees prescribes for the proper 439
performance of the officer's duties. 440

Persons employed as regional transit authority police 441
officers shall complete training for the position to which they 442
have been appointed as required by the Ohio peace officer 443
training commission as authorized in section 109.77 of the 444
Revised Code, or be otherwise qualified. The cost of the 445
training shall be provided by the regional transit authority. 446

(Z) May procure a policy or policies insuring members of 447
its board of trustees against liability on account of damages or 448
injury to persons and property resulting from any act or 449
omission of a member in the member's official capacity as a 450
member of the board or resulting solely out of the member's 451
membership on the board; 452

(AA) May enter into any agreement for the sale and 453
leaseback or lease and leaseback of transit facilities, which 454
agreement may contain all necessary covenants for the security 455
and protection of any lessor or the regional transit authority 456
including, but not limited to, indemnification of the lessor 457
against the loss of anticipated tax benefits arising from acts, 458
omissions, or misrepresentations of the regional transit 459
authority. In connection with that transaction, the regional 460
transit authority may contract for insurance and letters of 461
credit and pay any premiums or other charges for the insurance 462

and letters of credit. The fiscal officer shall not be required 463
to furnish any certificate under section 5705.41 of the Revised 464
Code in connection with the execution of any such agreement. 465

(BB) In regard to any contract entered into on or after 466
March 19, 1993, for the rendering of services or the supplying 467
of materials or for the construction, demolition, alteration, 468
repair, or reconstruction of transit facilities in which a bond 469
is required for the faithful performance of the contract, may 470
permit the person awarded the contract to utilize a letter of 471
credit issued by a bank or other financial institution in lieu 472
of the bond; 473

(CC) May enter into agreements with municipal corporations 474
located within the territorial jurisdiction of the regional 475
transit authority permitting regional transit authority police 476
officers employed under division (Y) of this section to exercise 477
full arrest powers, as provided in section 2935.03 of the 478
Revised Code, for the purpose of preserving the peace and 479
enforcing all laws of the state and ordinances and regulations 480
of the municipal corporation within the areas that may be agreed 481
to by the regional transit authority and the municipal 482
corporation. 483

(DD) If it has a centralized transfer transportation hub 484
with six or more service routes, shall enter into and maintain a 485
contract with one or more local law enforcement entities to 486
enforce laws and ensure safety at or in the vicinity of the hub. 487

Sec. 306.43. (A) The board of trustees of a regional 488
transit authority or any officer or employee designated by such 489
board may make any contract for the purchase of goods or 490
services, the cost of which does not exceed one hundred thousand 491
dollars. When an expenditure, other than for the acquisition of 492

real estate, the discharge of claims, or the acquisition of 493
goods or services under the circumstances described in division 494
(H) of this section, is expected to exceed one hundred thousand 495
dollars, such expenditure shall be made through full and open 496
competition by the use of competitive procedures. The regional 497
transit authority shall use the competitive procedure, as set 498
forth in divisions (B), (C), (D), and (E) of this section, that 499
is most appropriate under the circumstances of the procurement. 500

(B) Competitive sealed bidding is the preferred method of 501
procurement and a regional transit authority shall use that 502
method if all of the following conditions exist: 503

(1) A clear, complete, and adequate description of the 504
goods, services, or work is available; 505

(2) Time permits the solicitation, submission, and 506
evaluation of sealed bids; 507

(3) The award will be made on the basis of price and other 508
price-related factors; 509

(4) It is not necessary to conduct discussions with 510
responding offerors about their bids; 511

(5) There is a reasonable expectation of receiving more 512
than one sealed bid. 513

A regional transit authority shall publish a notice 514
calling for bids once a week for no less than two consecutive 515
weeks in a newspaper of general circulation within the 516
territorial boundaries of the regional transit authority, or as 517
provided in section 7.16 of the Revised Code. A regional transit 518
authority may require that a bidder for any contract other than 519
a construction contract provide a bid guaranty in the form, 520
quality, and amount considered appropriate by the regional 521

transit authority. The board may let the contract to the lowest 522
responsive and responsible bidder. Where fewer than two 523
responsive bids are received, a regional transit authority may 524
negotiate price with the sole responsive bidder or may rescind 525
the solicitation and procure under division (H) (2) of this 526
section. 527

(C) A regional transit authority may use two-step 528
competitive bidding, consisting of a technical proposal and a 529
separate, subsequent sealed price bid from those submitting 530
acceptable technical proposals, if both of the following 531
conditions exist: 532

(1) A clear, complete, and adequate description of the 533
goods, services, or work is not available, but definite criteria 534
exist for the evaluation of technical proposals; 535

(2) It is necessary to conduct discussions with responding 536
offerors. 537

A regional transit authority shall publish a notice 538
calling for technical proposals once a week for no less than two 539
consecutive weeks in a newspaper of general circulation within 540
the territorial boundaries of the regional transit authority, or 541
as provided in section 7.16 of the Revised Code. A regional 542
transit authority may require a bid guaranty in the form, 543
quality, and amount the regional transit authority considers 544
appropriate. The board may let the contract to the lowest 545
responsive and responsible bidder. Where fewer than two 546
responsive and responsible bids are received, a regional transit 547
authority may negotiate price with the sole responsive and 548
responsible bidder or may rescind the solicitation and procure 549
under division (H) (2) of this section. 550

(D) A regional transit authority shall make a procurement 551
by competitive proposals if competitive sealed bidding or two- 552
step competitive bidding is not appropriate. 553

A regional transit authority shall publish a notice 554
calling for proposals once a week for no less than two 555
consecutive weeks in a newspaper of general circulation within 556
the territorial boundaries of the regional transit authority, or 557
as provided in section 7.16 of the Revised Code. A regional 558
transit authority may require a proposal guaranty in the form, 559
quality, and amount considered appropriate by the regional 560
transit authority. The board may let the contract to the 561
proposer making the offer considered most advantageous to the 562
authority. Where fewer than two competent proposals are 563
received, a regional transit authority may negotiate price and 564
terms with the sole proposer or may rescind the solicitation and 565
procure under division (H) (2) of this section. 566

(E) (1) A regional transit authority shall procure the 567
services of an architect or engineer in the manner prescribed by 568
the "Federal Mass Transportation Act of 1987," Public Law No. 569
100-17, section 316, 101 Stat. 227, 232-234, 49 U.S.C.A. app. 570
1608 and the services of a construction manager in the manner 571
prescribed by sections 9.33 to 9.332 of the Revised Code. 572

(2) A regional transit authority may procure revenue 573
rolling stock in the manner prescribed by division (B), (C), or 574
(D) of this section. 575

(3) All contracts for construction in excess of one 576
hundred thousand dollars shall be made only after the regional 577
transit authority has published a notice calling for bids once a 578
week for two consecutive weeks in a newspaper of general 579
circulation within the territorial boundaries of the regional 580

transit authority, or as provided in section 7.16 of the Revised
Code. The board may award a contract to the lowest responsive
and responsible bidder. Where only one responsive and
responsible bid is received, the regional transit authority may
negotiate price with the sole responsive bidder or may rescind
the solicitation. The regional transit authority shall award
construction contracts in accordance with sections 153.12 to
153.14 and 153.54 of the Revised Code. Divisions (B) and (C) of
this section shall not apply to the award of contracts for
construction.

~~(F)~~ (F) (1) As used in division (F) (2) of this section,
"simplified acquisition threshold" means the amount set forth in
41 U.S.C. 134.

(2) The board may adopt a policy on whether board approval
is required to enter into a contract involving expenditures
below the simplified acquisition threshold. The board shall
approve all contracts involving expenditures at or above the
simplified acquisition threshold.

(3) All contracts involving expenditures in excess of ~~one~~
~~hundred thousand dollars~~ the amount for which board approval is
required shall be in writing and shall be accompanied by or
shall refer to plans and specifications for the work to be done.
The plans and specifications shall at all times be made and
considered part of the contract. For all contracts other than
construction contracts, a regional transit authority may require
performance, payment, or maintenance guaranties or any
combination of such guaranties in the form, quality, and amount
it considers appropriate. The contract shall be approved by the
board and signed on behalf of the regional transit authority and
by the contractor.

(G) In making a contract, a regional transit authority may 611
give preference to goods produced in the United States in 612
accordance with the Buy America requirements in the "Surface 613
Transportation Assistance Act of 1982," Public Law No. 97-424, 614
section 165, 96 Stat. 2097, 23 U.S.C.A. 101 note, as amended, 615
and the rules adopted thereunder. The regional transit authority 616
also may give preference to providers of goods produced in and 617
services provided in labor surplus areas as defined by the 618
United States department of labor in 41 U.S.C.A. 401 note, 619
Executive Order No. 12073, August 16, 1978, 43 Fed. Reg. 36873, 620
as amended. 621

(H) Competitive procedures under this section are not 622
required in any of the following circumstances: 623

(1) The board of trustees of a regional transit authority, 624
by a two-thirds affirmative vote of its members, determines that 625
a real and present emergency exists under any of the following 626
conditions, and the board enters its determination and the 627
reasons for it in its proceedings: 628

(a) Affecting safety, welfare, or the ability to deliver 629
transportation services; 630

(b) Arising out of an interruption of contracts essential 631
to the provision of daily transit services; 632

(c) Involving actual physical damage to structures, 633
supplies, equipment, or property. 634

(2) The purchase consists of goods or services, or any 635
combination thereof, and after reasonable inquiry the board or 636
any officer or employee the board designates finds that only one 637
source of supply is reasonably available. 638

(3) The expenditure is for a renewal or renegotiation of a 639

lease or license for telecommunications or electronic data 640
processing equipment, services, or systems, or for the upgrade 641
of such equipment, services, or systems, or for the maintenance 642
thereof as supplied by the original source or its successors or 643
assigns. 644

(4) The purchase of goods or services is made from another 645
political subdivision, public agency, public transit system, 646
regional transit authority, the state, or the federal 647
government, or as a third-party beneficiary under a state or 648
federal procurement contract, or as a participant in a 649
department of administrative services contract under division 650
(B) of section 125.04 of the Revised Code. 651

(5) The sale and leaseback or lease and leaseback of 652
transit facilities is made as provided in division (AA) of 653
section 306.35 of the Revised Code. 654

(6) The purchase substantially involves services of a 655
personal, professional, highly technical, or scientific nature, 656
including but not limited to the services of an attorney, 657
physician, surveyor, appraiser, investigator, court reporter, 658
adjuster, advertising consultant, or licensed broker, or 659
involves the special skills or proprietary knowledge required 660
for the servicing of specialized equipment owned by the regional 661
transit authority. 662

(7) Services or supplies are available from a qualified 663
nonprofit agency pursuant to sections 4115.31 to 4115.35 of the 664
Revised Code. 665

(8) The purchase consists of the product or services of a 666
public utility. 667

(9) The purchase is for the services of individuals with 668

disabilities to work in the authority's commissaries or 669
cafeterias, and those individuals are supplied by a nonprofit 670
corporation or association whose purpose is to assist 671
individuals with disabilities, whether or not that corporation 672
or association is funded entirely or in part by the federal 673
government, or the purchase is for services provided by a 674
nonprofit corporation or association whose purpose is to assist 675
individuals with disabilities, whether or not that corporation 676
or association is funded entirely or in part by the federal 677
government. For purposes of division (H) (9) of this section, 678
"disability" has the same meaning as in section 4112.01 of the 679
Revised Code. 680

(I) A regional transit authority may enter into blanket 681
purchase agreements for purchases of maintenance, operating, or 682
repair goods or services where the item cost does not exceed 683
five hundred dollars and the annual expenditure does not exceed 684
one hundred thousand dollars. 685

(J) Nothing contained in this section prohibits a regional 686
transit authority from participating in intergovernmental 687
cooperative purchasing arrangements. 688

(K) Except as otherwise provided in this chapter, a 689
regional transit authority shall make a sale or other 690
disposition of property through full and open competition. 691
Except as provided in division (L) of this section, all 692
dispositions of personal property and all grants of real 693
property for terms exceeding five years shall be made by public 694
auction or competitive procedure. 695

(L) The competitive procedures required by division (K) of 696
this section are not required in any of the following 697
circumstances: 698

- (1) The grant is a component of a joint development 699
between public and private entities and is intended to enhance 700
or benefit public transit. 701
- (2) The grant of a limited use or of a license affecting 702
land is made to an owner of abutting real property. 703
- (3) The grant of a limited use is made to a public 704
utility. 705
- (4) The grant or disposition is to a department of the 706
federal or state government, to a political subdivision of the 707
state, or to any other governmental entity. 708
- (5) Used equipment is traded on the purchase of equipment 709
and the value of the used equipment is a price-related factor in 710
the basis for award for the purchase. 711
- (6) The value of the personal property is such that 712
competitive procedures are not appropriate and the property 713
either is sold at its fair market value or is disposed of by 714
gift to a nonprofit entity having the general welfare or 715
education of the public as one of its principal objects. 716
- (M) The board of trustees of a regional transit authority, 717
when making a contract funded exclusively by state or local 718
moneys or any combination thereof, shall make a good faith 719
effort to use disadvantaged business enterprise participation to 720
the same extent required under Section 105(f) of the "Surface 721
Transportation Assistance Act of 1982," Public Law No. 97-424, 722
96 Stat. 2100, and Section 106(c) of the "Surface Transportation 723
and Uniform Relocation Assistance Act of 1987," Public Law No. 724
100-17, 101 Stat. 145, and the rules adopted thereunder. 725
- (N) As used in this section: 726

(1) "Goods" means all things, including specially 727
manufactured goods, that are movable at the time of 728
identification to the contract for sale other than the money in 729
which the price is to be paid, investment securities, and things 730
in action. "Goods" also includes other identified things 731
attached to realty as described in section 1302.03 of the 732
Revised Code. 733

(2) "Services" means the furnishing of labor, time, or 734
effort by a contractor, not involving the delivery of goods or 735
reports other than goods or reports that are merely incidental 736
to the required performance, including but not limited to 737
insurance, bonding, or routine operation, routine repair, or 738
routine maintenance of existing structures, buildings, real 739
property, or equipment, but does not include employment 740
agreements, collective bargaining agreements, or personal 741
services. 742

(3) "Construction" means the process of building, 743
altering, repairing, improving, painting, decorating, or 744
demolishing any structure or building, or other improvements of 745
any kind to any real property owned or leased by a regional 746
transit authority. 747

(4) "Full and open competition" has the same meaning as in 748
the "Office of Federal Procurement Policy Act," Public Law No. 749
98-369, section 2731, 98 Stat. 1195 (1984), 41 U.S.C.A. 403. 750

(5) A bidder is "responsive" if, applying the criteria of 751
division (A) of section 9.312 of the Revised Code, the bidder is 752
"responsive" as described in that section. 753

(6) A bidder is "responsible" if, applying the criteria of 754
division (B) of section 9.312 of the Revised Code and of the 755

"Office of Federal Procurement Policy Act," Public Law No. 98- 756
369, section 2731, 98 Stat. 1195 (1984), 41 U.S.C.A. 403, the 757
bidder is "responsible" as described in those sections. 758

Sec. 717.02. (A) As used in this section: 759

(1) "Energy conservation measure" means the construction 760
of, installation or modification of an installation in, or 761
remodeling of, a new or existing building or infrastructure, to 762
reduce energy consumption. It includes: 763

(a) Insulation of the building structure and of systems 764
within the building; 765

(b) Storm windows and doors, multiglazed windows and 766
doors, heat-absorbing or heat-reflective glazed and coated 767
window and door systems, additional glazing, reductions in glass 768
area, and other window and door system modifications that reduce 769
energy consumption; 770

(c) Automatic energy control systems; 771

(d) Heating, ventilating, or air conditioning system 772
modifications or replacements; 773

(e) Caulking and weatherstripping; 774

(f) Replacement or modification of lighting fixtures to 775
increase the energy efficiency of the system without increasing 776
the overall illumination of a facility, unless such an increase 777
in illumination is necessary to conform to the applicable state 778
or local building code for the proposed lighting system; 779

(g) Energy recovery systems; 780

(h) Cogeneration systems that produce steam or forms of 781
energy such as heat, as well as electricity, for use primarily 782

within a building or complex of buildings; 783

(i) Acquiring, constructing, furnishing, equipping, 784
improving the site of, or otherwise improving a central utility 785
plant to provide heating and cooling services to a building or 786
building infrastructure together with distribution piping and 787
ancillary distribution controls, equipment, and related 788
facilities from the central utility plant to the building or 789
building infrastructure; 790

(j) Meter replacement, installation of an automatic meter 791
reading system, or any other construction, modification, 792
installation, or remodeling of water, electric, gas, or any 793
other municipally supplied utility system; 794

(k) Any other construction, modification, installation, or 795
remodeling approved by the legislative authority of the 796
municipal corporation as an energy conservation measure. 797

(2) "Infrastructure" includes, but is not limited to, a 798
water, gas, or electric utility, renewable energy system or 799
technology, highway traffic ~~control~~-signal, or any other asset 800
owned, operated, or maintained by a municipal corporation. 801

(B) For the purpose of evaluating buildings owned by a 802
municipal corporation for energy conservation measures, a 803
legislative authority of a municipal corporation may contract 804
with an architect, professional engineer, energy services 805
company, contractor, or other person experienced in the design 806
and implementation of energy conservation measures for an energy 807
conservation report. The report shall include all of the 808
following: 809

(1) Analyses of the energy needs of the buildings owned by 810
that municipal corporation and recommendations for building 811

installations, modifications of existing installations, or 812
building remodeling that would significantly reduce energy 813
consumption in the buildings; 814

(2) Estimates of all costs of the recommended 815
installations, modifications, or remodeling, including costs of 816
design, engineering, installation, maintenance, and repair; 817

(3) Estimates of the amounts by which energy consumption 818
could be reduced; 819

(4) The interest rate used to estimate the costs of any 820
energy conservation measures that are to be financed by the 821
municipal corporation; 822

(5) The average system life of the energy conservation 823
measures; 824

(6) Estimates of the likely savings that will result from 825
the reduction in energy consumption over the average system life 826
of the energy conservation measures, including the methods used 827
to estimate the savings; 828

(7) A certification under the seal of a registered 829
professional engineer that the energy conservation report uses 830
reasonable methods of analysis and estimation. 831

(C) (1) A municipal corporation desiring to implement 832
energy conservation measures may proceed under any of the 833
following methods: 834

(a) Procure the energy conservation measures in any manner 835
authorized by the municipal corporation's charter, ordinances, 836
or any other existing authority; 837

(b) Advertise for bids using a report or any part of an 838
energy conservation report prepared under division (B) of this 839

section, and, except as otherwise provided in this section, 840
comply with competitive bidding requirements; 841

(c) Notwithstanding any requirement in the Revised Code 842
that requires competitive bidding or specifies bidding 843
procedures, request proposals from at least three vendors for 844
the implementation of energy conservation measures. A request 845
for proposals shall require the vendor that is awarded a 846
contract under division (C) (2) (b) of this section to prepare an 847
energy conservation report in accordance with division (B) of 848
this section. 849

Prior to sending any vendor a copy of any request for 850
proposals, the legislative authority shall advertise its intent 851
to request proposals for the installation of energy conservation 852
measures in a newspaper of general circulation in the municipal 853
corporation once a week for two consecutive weeks. The notice 854
shall state that the legislative authority intends to request 855
proposals for the installation of energy conservation measures, 856
indicate the date on which the request for proposals will be 857
mailed to vendors, which shall be at least ten days after the 858
second publication in the newspaper, and state that any vendor 859
interested in receiving the request for proposals shall submit 860
written notice to the legislative authority not later than noon 861
of the day on which the request for proposals is to be mailed. 862

(2) (a) Upon receiving bids under division (C) (1) (b) of 863
this section, the legislative authority shall analyze them and 864
select the lowest and best bid or bids most likely to result in 865
the greatest energy savings considering the cost of the project 866
and the legislative authority's ability to pay for the 867
improvements with current revenues or by financing the 868
improvements. 869

(b) Upon receiving proposals under division (C) (1) (c) of 870
this section, the legislative authority shall analyze the 871
proposals and the vendors' qualifications and select the most 872
qualified vendor to prepare an energy conservation report in 873
accordance with division (B) of this section. After receipt and 874
review of the energy conservation report, the legislative 875
authority may award a contract to the selected vendor to install 876
the energy conservation measures that are most likely to result 877
in the greatest energy savings considering the cost of the 878
project and the legislative authority's ability to pay for the 879
improvements with current revenues or by financing the 880
improvements. 881

(c) The awarding of a contract to install energy 882
conservation measures under division (C) (2) (a) or (b) of this 883
section shall be conditioned upon a finding by the contracting 884
authority that the amount of money spent on energy conservation 885
measures is not likely to exceed the amount of money the 886
municipal corporation would save in energy, operating, 887
maintenance, and avoided capital costs over the average system 888
life of the energy conservation measures as specified in the 889
energy conservation report. In making such a finding, the 890
contracting authority may take into account the increased costs 891
due to inflation as shown in the energy conservation report. 892
Nothing in this division prohibits a municipal corporation from 893
rejecting all bids or proposals under division (C) (1) (b) or (c) 894
of this section or from selecting more than one bid or proposal. 895

(D) The legislative authority of a municipal corporation 896
may enter into an installment payment contract for the purchase 897
and installation of energy conservation measures. Provisions of 898
installment payment contracts that deal with interest charges 899
and financing terms shall not be subject to competitive bidding 900

requirements and shall be on the following terms: 901

(1) Not less than a specified percentage of the costs of 902
the contract shall be paid within two years from the date of 903
purchase, as determined and approved by the legislative 904
authority of a municipal corporation. 905

(2) The remaining balance of the costs of the contract 906
shall be paid within the lesser of the average system life of 907
the energy conservation measures as specified in the energy 908
conservation report or thirty years. 909

(E) The legislative authority of a municipal corporation 910
may issue the notes of the municipal corporation specifying the 911
terms of a purchase of energy conservation measures under this 912
section and securing any deferred payments provided for in 913
division ~~(C)~~ (D) of this section. The notes shall be payable at 914
the times provided and bear interest at a rate not exceeding the 915
rate determined as provided in section 9.95 of the Revised Code. 916
The notes may contain an option for prepayment and shall not be 917
subject to Chapter 133. of the Revised Code. Revenues derived 918
from local taxes or otherwise, for the purpose of conserving 919
energy or for defraying the current operating expenses of the 920
municipal corporation, may be pledged and applied to the payment 921
of interest and the retirement of the notes. The notes may be 922
sold at private sale or given to the contractor under an 923
installment payment contract authorized by division ~~(C)~~ (D) of 924
this section. 925

(F) Debt incurred under this section shall not be included 926
in the calculation of the net indebtedness of a municipal 927
corporation under section 133.05 of the Revised Code. 928

Sec. 1548.061. (A) Notwithstanding any general requirement 929

in this chapter to the effect that an application for a 930
certificate of title to a watercraft or outboard motor shall be 931
"sworn to" or shall be "sworn to before a notary public or other 932
officer empowered to administer oaths," that requirement shall 933
apply only in the case of a transfer of a watercraft or outboard 934
motor between parties in the course of a sale by a person other 935
than a registered watercraft dealer, as defined in section 936
1546.01 of the Revised Code, to a person who purchases the 937
watercraft or outboard motor for use as a consumer. 938

(B) (1) Notwithstanding any provision of the Revised Code 939
to the contrary that requires a document to be "sworn to before" 940
or "signed in the presence of" a notary or other officer 941
empowered to administer oaths, when a registered watercraft 942
dealer is a party to the transfer of a watercraft or outboard 943
motor, no notarization is required on any of the following as it 944
relates to a watercraft or outboard motor: 945

(a) A certificate of title; 946

(b) An assignment of ownership; 947

(c) A power of attorney used for the purposes of titling; 948

(d) Any document related to the titling that the dealer is 949
required to provide to a clerk of a court of common pleas. 950

(2) A clerk of courts may request a notarized affidavit to 951
make corrections to the documents listed in division (B) (1) of 952
this section, if necessary. 953

(3) All documents provided to a clerk of courts under 954
division (B) of this section may be signed electronically. 955

Sec. 1548.062. (A) (1) Notwithstanding section 1337.06 of 956
the Revised Code, a registered watercraft dealer, as defined in 957

section 1546.01 of the Revised Code, involved in a title 958
transfer, or the employee or agent of the registered watercraft 959
dealer, may be granted power of attorney by the principal to 960
become the principal's attorney in fact. 961

(2) The power of attorney granted under division (A) (1) of 962
this section may be used only when the granting instrument 963
limits the power of the attorney in fact to act on the 964
principal's behalf for either of the following: 965

(a) Making an assignment of a certificate of title; 966

(b) Completing an application for a certificate of title. 967

(3) Such instrument shall state the following, as 968
applicable, to which the grant of power applies: 969

(a) A description of the watercraft, including the make, 970
year, length, series or model, if any, body type, hull 971
identification number or serial number, and make, manufacturer's 972
serial number, and horsepower of any inboard motor; 973

(b) A description of the outboard motor, including the 974
make, year, series or model, if any, manufacturer's serial 975
number, and horsepower. 976

(B) The power of attorney is exempt from the requirements 977
of notarization and verification as described in this chapter 978
and in section 1337.25 of the Revised Code, and the documents 979
may be signed electronically. This power of attorney shall be 980
presented to the clerk of the court of common pleas when used to 981
transfer title to a watercraft or outboard motor and shall be 982
retained by the clerk in the same manner that a certificate of 983
title is retained. 984

Sec. 3503.11. (A) (1) When any person applies for a 985

driver's license, commercial driver's license, a state of Ohio 986
identification card issued under section 4507.50 of the Revised 987
Code, or motorcycle operator's license or endorsement, or the 988
renewal or duplicate of any license or endorsement under Chapter 989
4506. or 4507. of the Revised Code, and the person has presented 990
proof of United States citizenship to the registrar of motor 991
vehicles or a deputy registrar, the registrar or deputy 992
registrar shall offer the applicant the opportunity to register 993
to vote or to update the applicant's voter registration by 994
electronic means in conjunction with the person's transaction 995
with the registrar or deputy registrar, in a manner prescribed 996
by the secretary of state. 997

(2) When any person submits a notice of change of address 998
to the registrar under division (C) of section 4507.09 of the 999
Revised Code, the registrar shall offer the applicant the 1000
opportunity to submit a notice of change of address for voter 1001
registration purposes by electronic means in conjunction with 1002
the person's transaction with the registrar, in a manner 1003
prescribed by the secretary of state. 1004

(3) When a person registers to vote or updates the 1005
person's voter registration under division (A) (1) or (2) of this 1006
section, the registrar or deputy registrar shall electronically 1007
transmit the person's signature that is on file with the bureau 1008
of motor vehicles with the electronic record of the voter 1009
registration or update, and that signature shall be considered 1010
the person's signature on the voter registration or update and 1011
for all other election and signature-matching purposes. 1012

(B) Within twenty-four hours after a person registers to 1013
vote or updates the person's voter registration under division 1014
(A) of this section, the registrar or deputy registrar shall 1015

transmit the electronic record of the voter registration or 1016
update to the secretary of state by electronic means in a manner 1017
prescribed by the secretary of state by rule. Rules adopted 1018
under this division shall do all of the following: 1019

(1) Prohibit any direct electronic connection between the 1020
office of the registrar or a deputy registrar and the statewide 1021
voter registration database; 1022

(2) Require any voter registration information to be 1023
verified by the secretary of state or a board of elections 1024
before the information is added to the statewide voter 1025
registration database; 1026

(3) Require the registrar or deputy registrar to 1027
electronically date stamp each electronic record in a manner 1028
that does not disclose the identity of the office that receives 1029
the voter registration or update. 1030

(C) (1) The registrar of motor vehicles and each deputy 1031
registrar also shall make available to all other customers paper 1032
voter registration applications and update forms, but are not 1033
required to offer assistance to customers in completing those 1034
forms. The bureau of motor vehicles shall supply all of its 1035
deputy registrars with a sufficient number of voter registration 1036
applications and update forms. 1037

(2) Within five days after a person submits a completed 1038
paper voter registration application or update form to the 1039
registrar or a deputy registrar, the registrar or deputy 1040
registrar shall send the form to the board of elections of the 1041
county in which the office of the registrar or deputy registrar 1042
is located. 1043

(D) The registrar shall collect from each deputy registrar 1044

through the reports filed under division (J) of section 4503.03 1045
of the Revised Code and transmit to the secretary of state 1046
information on the number of voter registration applications and 1047
change of residence or change of name forms completed or 1048
declined, and any additional information required by the 1049
secretary of state to comply with the National Voter 1050
Registration Act of 1993. No information relating to an 1051
applicant's decision to decline to register or update the 1052
applicant's voter registration at the office of the registrar or 1053
deputy registrar may be used for any purpose other than voter 1054
registration record-keeping required by the secretary of state, 1055
and all such information shall be kept confidential. 1056

Sec. 3503.151. (A) The secretary of state, through the 1057
office of data analytics and archives, and the boards of 1058
elections shall maintain the accuracy of the statewide voter 1059
registration database in accordance with this section. 1060

(B) (1) State agencies, including, but not limited to, the 1061
department of health, the bureau of motor vehicles, the 1062
department of job and family services, the department of 1063
medicaid, and the department of rehabilitation and corrections, 1064
shall provide any information and data to the secretary of state 1065
that is collected in the course of normal business and that is 1066
necessary to register to vote, to update an elector's 1067
registration, or to maintain the statewide voter registration 1068
database, except where prohibited by federal law or regulation. 1069
The department of health, the bureau of motor vehicles, the 1070
department of job and family services, the department of 1071
medicaid, and the department of rehabilitation and corrections 1072
shall provide that information and data to the secretary of 1073
state not later than the last day of each month. The secretary 1074
of state shall ensure that any information or data provided to 1075

the secretary of state that is confidential in the possession of 1076
the entity providing the data remains confidential while in the 1077
possession of the secretary of state. No public office, and no 1078
public official or employee, shall sell that information or data 1079
or use that information or data for profit. 1080

~~(2)~~ (2) (a) The secretary of state shall adopt rules under 1081
Chapter 119. of the Revised Code that establish, by mutual 1082
agreement with the bureau of motor vehicles, the content and 1083
format of the information and data the bureau of motor vehicles 1084
shall provide to the secretary of state under division (B) (1) of 1085
this section and the frequency with which the bureau shall 1086
provide that information and data. 1087

(b) The bureau of motor vehicles shall provide the 1088
necessary information and data to the secretary of state for the 1089
secretary of state to conduct monthly reviews of the statewide 1090
voter registration database to confirm electors' identities and 1091
eligibility to vote. 1092

(c) The information and data shall include the following 1093
lists, updated at least monthly: 1094

(i) A list of persons who have surrendered their Ohio 1095
driver's licenses or state identification cards; 1096

(ii) A list of persons whose Ohio driver's licenses or 1097
state identification cards have been expired for at least six 1098
months. 1099

(3) The secretary of state shall provide each board of 1100
elections with access to the information and data the secretary 1101
receives from the bureau of motor vehicles under divisions (B) 1102
(1) and (2) of this section for the purpose of verifying 1103
electors' eligibility to vote and of maintaining the accuracy of 1104

the information in the county's voter registration records. The 1105
board of elections shall ensure that any information or data 1106
provided to the board that is confidential in the possession of 1107
the bureau of motor vehicles or the secretary of state remains 1108
confidential while in the possession of the board. No public 1109
office, and no public official or employee, shall sell that 1110
information or data or use that information or data for profit. 1111

(C) (1) The secretary of state shall enter into agreements 1112
to share information or data that is in the possession of the 1113
secretary of state with other states or groups of states, as the 1114
secretary of state considers necessary, in order to maintain the 1115
statewide voter registration database. Except as otherwise 1116
provided in division (C) (2) of this section, the secretary of 1117
state shall ensure that any information or data provided to the 1118
secretary of state that is confidential in the possession of the 1119
state providing the data remains confidential while in the 1120
possession of the secretary of state. 1121

(2) The secretary of state may provide such otherwise 1122
confidential information or data to persons or organizations 1123
that are engaging in legitimate governmental purposes related to 1124
the maintenance of the statewide voter registration database. 1125
The secretary of state shall adopt rules pursuant to Chapter 1126
119. of the Revised Code identifying the persons or 1127
organizations who may receive that information or data. The 1128
secretary of state shall not share that information or data with 1129
a person or organization not identified in those rules. The 1130
secretary of state shall ensure that a person or organization 1131
that receives confidential information or data under this 1132
division keeps the information or data confidential in the 1133
person's or organization's possession by, at a minimum, entering 1134
into a confidentiality agreement with the person or 1135

organization. Any confidentiality agreement entered into under 1136
this division shall include a requirement that the person or 1137
organization submit to the jurisdiction of this state in the 1138
event that the person or organization breaches the agreement. 1139

(3) No person or entity that receives information or data 1140
under division (C) of this section shall sell the information or 1141
data or use the information or data for profit. 1142

(D) The secretary of state shall regularly transmit to the 1143
boards of elections, to the extent permitted by state and 1144
federal law, the information and data the secretary of state 1145
receives under divisions (B) and (C) of this section that is 1146
necessary to do the following, in order to ensure that the 1147
accuracy of the statewide voter registration database is 1148
maintained on a regular basis in accordance with applicable 1149
state and federal law: 1150

(1) Require the boards of elections to maintain the 1151
database in a manner that ensures that the name of each 1152
registered elector appears in the database, that only 1153
individuals who are not registered or eligible to vote are 1154
removed from the database, and that duplicate registrations are 1155
eliminated from the database; 1156

(2) Require the boards of elections to make a reasonable 1157
effort to remove individuals who are not eligible to vote from 1158
the database; 1159

(3) Establish safeguards to ensure that eligible electors 1160
are not removed in error from the database. 1161

(E) (1) The secretary of state shall use the information in 1162
the statewide voter registration database and the database of 1163
the bureau of motor vehicles to prepare and transmit a monthly 1164

report to each board of elections that identifies each elector 1165
in the county who has not been identified in a previous report 1166
and who appears to have moved to a location outside this state 1167
because one of the following applies to the elector: 1168

(a) The elector has surrendered the elector's Ohio 1169
driver's license or state identification card. 1170

(b) The elector's Ohio driver's license or state 1171
identification card has been expired for at least six months. 1172

(2) If the secretary of state learns in the preparation of 1173
a subsequent report that an elector has obtained a valid Ohio 1174
driver's license or state identification card and has indicated 1175
to the bureau of motor vehicles that the elector resides at the 1176
same address at which the elector is registered to vote, the 1177
subsequent report shall include an instruction to the board to 1178
remove the indication from the elector's registration record 1179
added under division (A) of section 3503.201 of the Revised 1180
Code. 1181

(3) Promptly after receiving the report, the board of 1182
elections shall proceed under section 3503.201 of the Revised 1183
Code. 1184

(4) The secretary of state shall not prepare the reports 1185
described in division (E) of this section during the ninety days 1186
immediately preceding a primary or general election for federal 1187
office. 1188

(F) (1) The secretary of state shall adopt rules under 1189
Chapter 119. of the Revised Code to establish a uniform method 1190
for addressing instances in which records contained in the 1191
statewide voter registration database do not conform with 1192
records maintained by an agency, state, or group of states 1193

described in division (B) or (C) of this section. That method 1194
shall prohibit an elector's voter registration from being 1195
canceled on the sole basis that the information in the 1196
registration record does not conform to records maintained by 1197
such an agency. 1198

(2) Information provided under division (B) or (C) of this 1199
section for maintenance of the statewide voter registration 1200
database or a county's voter registration records shall not be 1201
used to update the name or address of a registered elector. The 1202
name or address of a registered elector shall only be updated as 1203
a result of the elector's actions in filing a notice of change 1204
of name, change of address, or both. 1205

(3) A board of elections shall contact a registered 1206
elector pursuant to the rules adopted under division (E)(1) of 1207
this section to verify the accuracy of the information in the 1208
statewide voter registration database regarding that elector if 1209
that information does not conform with information provided 1210
under division (B) or (C) of this section and the discrepancy 1211
would affect the elector's eligibility to cast a regular ballot. 1212

Sec. 3503.152. The secretary of state shall conduct ~~an~~ 1213
~~annual review~~ monthly reviews of the statewide voter 1214
registration database to identify persons who appear not to be 1215
United States citizens, as follows: 1216

(A) The secretary of state shall compare the information 1217
in the statewide voter registration database with the 1218
information the secretary of state obtains from the bureau of 1219
motor vehicles under section 3503.151 of the Revised Code to 1220
identify any person who does all of the following, in the 1221
following order: 1222

(1) Submits documentation to the bureau of motor vehicles 1223
that indicates that the person is not a United States citizen; 1224

(2) Registers to vote, submits a voter registration change 1225
of residence or change of name form, or votes in this state; 1226

(3) Submits documentation to the bureau of motor vehicles 1227
that indicates that the person is not a United States citizen. 1228

(B) The secretary of state shall send a written notice to 1229
each person identified under division (A) of this section, 1230
instructing the person either to confirm that the person is a 1231
United States citizen or to submit a completed voter 1232
registration cancellation form to the secretary of state. The 1233
secretary of state shall include a blank voter registration 1234
cancellation form with the notice. If the person fails to 1235
respond to the secretary of state in the manner described in 1236
division (C) or (D) of this section not later than thirty days 1237
after the notice is sent, the secretary of state promptly shall 1238
send the person a second notice and form. 1239

(C) If, not later than sixty days after the first notice 1240
is sent, a person who is sent a notice under division (B) of 1241
this section responds to the secretary of state, confirming that 1242
the person is a United States citizen, the secretary of state 1243
shall take no action concerning the person's voter registration. 1244

(D) If, not later than sixty days after the first notice 1245
was sent, a person who receives a notice under division (B) of 1246
this section sends a completed voter registration cancellation 1247
form to the secretary of state, the secretary of state shall 1248
instruct the board of elections of the county in which the 1249
person is registered to cancel the person's registration. 1250

(E) If a person who is sent a second notice under division 1251

(B) of this section fails to respond to the secretary of state 1252
in the manner described in division (C) or (D) of this section 1253
not later than thirty days after the second notice is sent, the 1254
secretary of state shall refer the matter to the attorney 1255
general for further investigation and possible prosecution under 1256
section 3599.11, 3599.12, 3599.13, or any other applicable 1257
section of the Revised Code. If, after the thirtieth day after 1258
the second notice is sent, the person sends a completed voter 1259
registration cancellation form to the secretary of state, the 1260
secretary of state shall instruct the board of elections of the 1261
county in which the person is registered to cancel the person's 1262
registration and shall notify the attorney general of the 1263
cancellation. 1264

(F) The secretary of state shall not conduct ~~the review~~ 1265
reviews described in this section during the ninety days 1266
immediately preceding a primary or general election for federal 1267
office. 1268

Sec. 3503.201. (A) When either of the following occur, the 1269
board of elections shall send the elector a confirmation notice 1270
and shall mark the elector's name in the official registration 1271
list and in the poll list or signature pollbook to indicate that 1272
the elector must vote by provisional ballot: 1273

(1) The board determines that it is unable to verify an 1274
elector's residence address, as described in division (C) (2) of 1275
section 3503.19 of the Revised Code. 1276

(2) (a) The board receives a report from the secretary of 1277
state under division (E) of section 3503.151 of the Revised Code 1278
indicating that the board must verify the elector's residence 1279
address because the elector has surrendered the elector's Ohio 1280
driver's license or state identification card or because the 1281

elector's Ohio driver's license or state identification card has 1282
been expired for at least six months. 1283

(b) Upon receiving notice in a subsequent report under 1284
division (A) (2) (a) of this section that an elector has obtained 1285
a valid Ohio driver's license or state identification card and 1286
has indicated to the bureau of motor vehicles that the elector 1287
resides at the same address at which the elector is registered 1288
to vote, the board shall remove the indication that the elector 1289
must vote by provisional ballot. 1290

(B) An elector whose name has been marked under division 1291
(A) of this section to indicate that the elector must cast a 1292
provisional ballot is not required to cast a provisional ballot 1293
if, before the elector next appears to vote, the elector 1294
verifies the elector's residence address with the board. When 1295
the board verifies the elector's residence address, the board 1296
shall correct or update the elector's registration, if needed, 1297
and shall remove the indication that the elector must vote by 1298
provisional ballot. 1299

(C) (1) Except as otherwise provided in division (B) of 1300
this section, at the first election at which an elector who has 1301
been sent a confirmation notice under division (A) of this 1302
section appears to vote, the elector shall vote by provisional 1303
ballot under section 3505.181 of the Revised Code. 1304

(2) If the elector's provisional ballot is counted 1305
pursuant to division (B) (3) of section 3505.183 of the Revised 1306
Code, the board shall correct or update the elector's 1307
registration, if needed, and shall remove the indication that 1308
the elector must vote by provisional ballot. 1309

(3) If the provisional ballot is not counted pursuant to 1310

division (B) (4) (a) (i), (v), or (vi) of section 3505.183 of the 1311
Revised Code, the board shall cancel the elector's registration 1312
and shall notify the elector by United States mail of the 1313
cancellation. 1314

Sec. 3503.21. (A) The registration of a registered elector 1315
shall be canceled upon the occurrence of any of the following: 1316

(1) The filing by a registered elector of a written 1317
request with a board of elections or the secretary of state, on 1318
a form prescribed by the secretary of state and signed by the 1319
elector, that the registration be canceled. The filing of such a 1320
request does not prohibit an otherwise qualified elector from 1321
reregistering to vote at any time. 1322

(2) The filing of a notice of the death of a registered 1323
elector as provided in section 3503.18 of the Revised Code; 1324

(3) The filing with the board of elections of a certified 1325
copy of the death certificate of a registered elector by the 1326
deceased elector's spouse, parent, or child, by the 1327
administrator of the deceased elector's estate, or by the 1328
executor of the deceased elector's will; 1329

(4) The conviction of the registered elector of a felony 1330
under the laws of this state, any other state, or the United 1331
States as provided in section 2961.01 of the Revised Code; 1332

(5) The adjudication of incompetency of the registered 1333
elector for the purpose of voting as provided in section 1334
5122.301 of the Revised Code; 1335

(6) The change of residence of the registered elector to a 1336
location outside the county of registration in accordance with 1337
division (B) of this section; 1338

(7) The failure of the registered elector, after having 1339
been mailed a confirmation notice, to do either of the 1340
following: 1341

(a) Respond to such a notice and vote at least once during 1342
a period of four consecutive years, which period shall include 1343
two general federal elections; 1344

(b) Update the elector's registration and vote at least 1345
once during a period of four consecutive years, which period 1346
shall include two general federal elections. 1347

(8) The receipt by the board of elections of a 1348
cancellation notice or request pursuant to section 111.44 of the 1349
Revised Code; 1350

(9) The circumstances described in division (C) (3) of 1351
section 3503.201 of the Revised Code. 1352

(B) (1) The secretary of state shall prescribe procedures 1353
to identify and cancel the registration in a prior county of 1354
residence of any registrant who changes the registrant's voting 1355
residence to a location outside the registrant's current county 1356
of registration. Any procedures prescribed in this division 1357
shall be uniform and nondiscriminatory, and shall comply with 1358
the Voting Rights Act of 1965. The secretary of state may 1359
prescribe procedures under this division that include the use of 1360
the national change of address service provided by the United 1361
States postal system through its licensees. Any program so 1362
prescribed shall be completed not later than ninety days prior 1363
to the date of any primary or general election for federal 1364
office. 1365

(2) The registration of any elector identified as having 1366
changed the elector's voting residence to a location outside the 1367

elector's current county of registration shall not be canceled 1368
unless the registrant is sent a confirmation notice on a form 1369
prescribed by the secretary of state and the registrant fails to 1370
respond to the confirmation notice or otherwise update the 1371
registration and fails to vote in any election during the period 1372
of two federal elections subsequent to the mailing of the 1373
confirmation notice. 1374

(C) The registration of a registered elector shall not be 1375
canceled except as provided in this section, section 111.44 of 1376
the Revised Code, division (Q) of section 3501.05 of the Revised 1377
Code, division (C) (2) of section 3503.19 of the Revised Code, 1378
division (C) (3) of section 3503.201 of the Revised Code, or 1379
division (C) of section 3503.24 of the Revised Code. 1380

(D) Boards of elections shall send their voter 1381
registration information to the secretary of state as required 1382
under section 3503.15 of the Revised Code. The secretary of 1383
state may prescribe by rule adopted pursuant to section 111.15 1384
of the Revised Code the format in which the boards of elections 1385
must send that information to the secretary of state. In the 1386
first quarter of each year, the secretary of state shall send 1387
the information to the national change of address service 1388
described in division (B) of this section and request that 1389
service to provide the secretary of state with a list of any 1390
voters sent by the secretary of state who have moved within the 1391
last twelve months. The secretary of state shall transmit to 1392
each appropriate board of elections whatever lists the secretary 1393
of state receives from that service. The board shall send a 1394
notice to each person on the list transmitted by the secretary 1395
of state requesting confirmation of the person's change of 1396
address, together with a postage prepaid, preaddressed return 1397
envelope containing a form on which the voter may verify or 1398

correct the change of address information. 1399

(E) The registration of a registered elector described in 1400
division (A) (7) or (B) (2) of this section shall be canceled not 1401
later than one hundred twenty days after the date of the second 1402
general federal election in which the elector fails to vote or 1403
not later than one hundred twenty days after the expiration of 1404
the four-year period in which the elector fails to vote or 1405
respond to a confirmation notice, whichever is later. 1406

(F) (1) When a registration is canceled pursuant to 1407
division (A) (2) or (3) of this section, the applicable board of 1408
elections shall send a written notice, on a form prescribed by 1409
the secretary of state, to the address at which the elector was 1410
registered, informing the recipient that the elector's 1411
registration has been canceled, of the reason for the 1412
cancellation, and that if the cancellation was made in error, 1413
the elector may contact the board of elections to correct the 1414
error. 1415

(2) If the elector's registration is canceled pursuant to 1416
division (A) (2) or (3) of this section in error, it shall be 1417
restored and treated as though it were never canceled. 1418

Sec. 3505.181. (A) All of the following individuals shall 1419
be permitted to cast a provisional ballot at an election: 1420

(1) An individual who declares that the individual is a 1421
registered voter in the precinct in which the individual desires 1422
to vote and that the individual is eligible to vote in an 1423
election, but the name of the individual does not appear on the 1424
official list of eligible voters for the precinct or an election 1425
official asserts that the individual is not eligible to vote; 1426

(2) An individual who does not have or is unable to 1427

provide photo identification to the election officials; 1428

(3) An individual whose name in the poll list or signature 1429
pollbook has been marked under section 3509.09 or 3511.13 of the 1430
Revised Code as having requested an absent voter's ballot or a 1431
uniformed services or overseas absent voter's ballot for that 1432
election and who appears to vote at the polling place; 1433

(4) An individual ~~whose notification of registration has~~ 1434
~~been returned undelivered to the board of elections and whose~~ 1435
name in the official registration list and in the poll list or 1436
signature pollbook has been marked under ~~division (C) (2) of~~ 1437
section ~~3503.19~~ 3503.201 of the Revised Code; 1438

(5) An individual who has been successfully challenged 1439
under section 3505.20 or 3513.20 of the Revised Code; 1440

(6) An individual who changes the individual's name and 1441
remains within the precinct without providing proof of that name 1442
change under division (B) (1) (b) of section 3503.16 of the 1443
Revised Code, moves from one precinct to another within a 1444
county, moves from one precinct to another and changes the 1445
individual's name, or moves from one county to another within 1446
the state, and completes and signs the required forms and 1447
statements under division (B) or (C) of section 3503.16 of the 1448
Revised Code; 1449

(7) An individual whose signature, in the opinion of the 1450
precinct officers under section 3505.22 of the Revised Code, is 1451
not that of the person who signed that name in the registration 1452
forms. 1453

(B) An individual who is eligible to cast a provisional 1454
ballot under division (A) of this section shall be permitted to 1455
cast a provisional ballot as follows: 1456

(1) An election official at the polling place shall notify 1457
the individual that the individual may cast a provisional ballot 1458
in that election. 1459

(2) Except as otherwise provided in division (F) of this 1460
section, the individual shall complete and execute a written 1461
affirmation before an election official at the polling place 1462
stating that the individual is both of the following: 1463

(a) A registered voter in the precinct in which the 1464
individual desires to vote; 1465

(b) Eligible to vote in that election. 1466

(3) An election official at the polling place shall 1467
transmit the ballot cast by the individual and the voter 1468
information contained in the written affirmation executed by the 1469
individual under division (B) (2) of this section to an 1470
appropriate local election official for verification under 1471
division (B) (4) of this section. 1472

(4) If the appropriate local election official to whom the 1473
ballot or voter or address information is transmitted under 1474
division (B) (3) of this section determines that the individual 1475
is eligible to vote, the individual's provisional ballot shall 1476
be counted as a vote in that election. 1477

(5) (a) At the time that an individual casts a provisional 1478
ballot, the appropriate local election official shall give the 1479
individual written information that states that any individual 1480
who casts a provisional ballot will be able to ascertain under 1481
the system established under division (B) (5) (b) of this section 1482
whether the vote was counted, and, if the vote was not counted, 1483
the reason that the vote was not counted. 1484

(b) The appropriate state or local election official shall 1485

establish a free access system, in the form of a toll-free 1486
telephone number, that any individual who casts a provisional 1487
ballot may access to discover whether the vote of that 1488
individual was counted, and, if the vote was not counted, the 1489
reason that the vote was not counted. The free access system 1490
established under this division also shall provide to an 1491
individual whose provisional ballot was not counted information 1492
explaining how that individual may contact the board of 1493
elections to register to vote or to resolve problems with the 1494
individual's voter registration. 1495

The appropriate state or local election official shall 1496
establish and maintain reasonable procedures necessary to 1497
protect the security, confidentiality, and integrity of personal 1498
information collected, stored, or otherwise used by the free 1499
access system established under this division. The system shall 1500
permit an individual only to gain access to information about 1501
the individual's own provisional ballot. 1502

(6) If, at the time that an individual casts a provisional 1503
ballot, the individual provides photo identification, the 1504
individual shall record the type of identification provided on 1505
the provisional ballot affirmation and, if the individual 1506
provides an Ohio driver's license, state identification card, or 1507
interim identification document, the individual also shall write 1508
the individual's driver's license or state identification card 1509
number on the provisional ballot affirmation. 1510

(7) (a) For a provisional ballot to be eligible to be 1511
counted when it is cast by an individual who does not have photo 1512
identification because the individual has a religious objection 1513
to being photographed, the individual shall complete an 1514
affidavit of religious objection under section 3505.19 of the 1515

Revised Code. The election officials shall attach the affidavit 1516
to the individual's provisional ballot envelope. If the 1517
individual does not complete the affidavit at the time of 1518
casting the provisional ballot, the individual may appear at the 1519
office of the board of elections within four days after the day 1520
of the election and complete the affidavit. 1521

(b) For a provisional ballot to be eligible to be counted 1522
when it is cast by any other individual who does not have or is 1523
unable to provide photo identification to the election 1524
officials, the individual who cast that ballot, within four days 1525
after the day of the election, shall appear at the office of the 1526
board of elections and provide photo identification. 1527

(8) For a provisional ballot cast by an individual who has 1528
been successfully challenged under section 3505.20 of the 1529
Revised Code to be eligible to be counted, the individual who 1530
cast that ballot, within four days after the day of that 1531
election, shall provide to the board of elections any 1532
identification or other documentation required to be provided by 1533
the applicable challenge questions asked of that individual 1534
under section 3505.20 of the Revised Code. 1535

(C) (1) If an individual declares that the individual is 1536
eligible to vote in a precinct other than the precinct in which 1537
the individual desires to vote, or if, upon review of the 1538
precinct voting location guide using the residential street 1539
address provided by the individual, an election official at the 1540
precinct at which the individual desires to vote determines that 1541
the individual is not eligible to vote in that precinct, the 1542
election official shall direct the individual to the precinct 1543
and polling place in which the individual appears to be eligible 1544
to vote, explain that the individual may cast a provisional 1545

ballot at the current location but the ballot or a portion of 1546
the ballot will not be counted if it is cast in the wrong 1547
precinct, and provide the telephone number of the board of 1548
elections in case the individual has additional questions. 1549

(2) If the individual refuses to travel to the correct 1550
precinct or to the office of the board of elections to cast a 1551
ballot, the individual shall be permitted to vote a provisional 1552
ballot at that precinct in accordance with division (B) of this 1553
section. If the individual is in the correct polling location 1554
for the precinct in which the individual is registered and 1555
eligible to vote, the election official shall complete and sign, 1556
under penalty of election falsification, a form that includes 1557
all of the following, and attach the form to the individual's 1558
provisional ballot affirmation: 1559

(a) The name or number of the individual's correct 1560
precinct; 1561

(b) A statement that the election official instructed the 1562
individual to travel to the correct precinct to vote; 1563

(c) A statement that the election official informed the 1564
individual that casting a provisional ballot in the wrong 1565
precinct would result in all or a portion of the votes on the 1566
ballot being rejected; 1567

(d) The name or number of the precinct in which the 1568
individual is casting a provisional ballot; and 1569

(e) The name of the polling location in which the 1570
individual is casting a provisional ballot. 1571

(D) The appropriate local election official shall cause 1572
voting information to be publicly posted at each polling place 1573
on the day of each election. 1574

(E) As used in this section and sections 3505.182 and 1575
3505.183 of the Revised Code: 1576

(1) "Precinct voting location guide" means either of the 1577
following: 1578

(a) An electronic or paper record that lists the correct 1579
precinct and polling place for either each specific residential 1580
street address in the county or the range of residential street 1581
addresses located in each neighborhood block in the county; 1582

(b) Any other method that a board of elections creates 1583
that allows a precinct election official or any elector who is 1584
at a polling place in that county to determine the correct 1585
precinct and polling place of any qualified elector who resides 1586
in the county. 1587

(2) "Voting information" means all of the following: 1588

(a) A sample version of the ballot that will be used for 1589
that election; 1590

(b) Information regarding the date of the election and the 1591
hours during which polling places will be open; 1592

(c) Instructions on how to vote, including how to cast a 1593
vote and how to cast a provisional ballot; 1594

(d) Instructions for mail-in registrants and first-time 1595
voters under applicable federal and state laws; 1596

(e) General information on voting rights under applicable 1597
federal and state laws, including information on the right of an 1598
individual to cast a provisional ballot and instructions on how 1599
to contact the appropriate officials if these rights are alleged 1600
to have been violated; 1601

(f) General information on federal and state laws 1602
regarding prohibitions against acts of fraud and 1603
misrepresentation. 1604

(F) Nothing in this section or section 3505.183 of the 1605
Revised Code is in derogation of section 3505.24 of the Revised 1606
Code, which permits a blind, disabled, or illiterate elector to 1607
receive assistance in the marking of the elector's ballot by two 1608
precinct election officials of different political parties. A 1609
blind, disabled, or illiterate elector may receive assistance in 1610
marking that elector's provisional ballot and in completing the 1611
required affirmation in the same manner as an elector may 1612
receive assistance on the day of an election under that section. 1613

Sec. 3704.14. (A) (1) If the director of environmental 1614
protection determines that implementation of a motor vehicle 1615
inspection and maintenance program is necessary for the state to 1616
effectively comply with the federal Clean Air Act after June 30, 1617
2023, the director may provide for the implementation of the 1618
program in those counties in this state in which such a program 1619
is federally mandated. Upon making such a determination, the 1620
director of environmental protection may request the director of 1621
administrative services to extend the terms of the contract that 1622
was entered into under the authority of Am. Sub. H.B. 64 of the 1623
131st general assembly. Upon receiving the request, the director 1624
of administrative services shall extend the contract, beginning 1625
on July 1, 2023, in accordance with this section. The contract 1626
shall be extended for a period of up to twenty-four months with 1627
the contractor who conducted the motor vehicle inspection and 1628
maintenance program under that contract. 1629

(2) Prior to the expiration of the contract extension that 1630
is authorized by division (A) (1) of this section, the director 1631

of environmental protection shall request the director of 1632
administrative services to enter into a contract with a vendor 1633
to operate a decentralized motor vehicle inspection and 1634
maintenance program in each county in this state in which such a 1635
program is federally mandated through June 30, 2027, with an 1636
option for the state to renew the contract for a period of up to 1637
twenty-four months through June 30, 2029. The contract shall 1638
ensure that the decentralized motor vehicle inspection and 1639
maintenance program achieves at least the same emission 1640
reductions as achieved by the program operated under the 1641
authority of the contract that was extended under division (A) 1642
(1) of this section. The director of administrative services 1643
shall select a vendor through a competitive selection process in 1644
compliance with Chapter 125. of the Revised Code. 1645

(3) Notwithstanding any law to the contrary, the director 1646
of administrative services shall ensure that a competitive 1647
selection process regarding a contract to operate a 1648
decentralized motor vehicle inspection and maintenance program 1649
in this state incorporates the following, which shall be 1650
included in the contract: 1651

(a) For purposes of expanding the number of testing 1652
locations for consumer convenience, a requirement that the 1653
vendor utilize established local businesses, auto repair 1654
facilities, or leased properties to operate state-approved 1655
inspection and maintenance testing facilities; 1656

(b) A requirement that the vendor selected to operate the 1657
program provide notification of the program's requirements to 1658
each owner of a motor vehicle that is required to be inspected 1659
under the program. The contract shall require the notification 1660
to be provided not later than sixty days prior to the date by 1661

which the owner of the motor vehicle is required to have the 1662
motor vehicle inspected. The director of environmental 1663
protection and the vendor shall jointly agree on the content of 1664
the notice. However, the notice shall include at a minimum the 1665
locations of all inspection facilities within a specified 1666
distance of the address that is listed on the owner's motor 1667
vehicle registration; 1668

(c) A requirement that the vendor comply with testing 1669
methodology and supply the required equipment approved by the 1670
director of environmental protection as specified in the 1671
competitive selection process in compliance with Chapter 125. of 1672
the Revised Code. 1673

(4) A decentralized motor vehicle inspection and 1674
maintenance program operated under this section shall comply 1675
with division (B) of this section. The director of environmental 1676
protection shall administer the decentralized motor vehicle 1677
inspection and maintenance program operated under this section. 1678

(B) The director shall establish a decentralized motor 1679
vehicle inspection and maintenance program as authorized by this 1680
section and, at a minimum, the director shall ~~do~~ ensure that the 1681
program does all of the following: 1682

(1) ~~Comply~~ Complies with the federal Clean Air Act; 1683

(2) ~~Provide~~ Provides for the issuance of inspection 1684
certificates and alternative emissions certificates as specified 1685
in rules adopted under division (C) (2) of this section; 1686

(3) ~~Provide~~ Provides for a new car exemption for motor 1687
vehicles ~~four-six~~ years old or newer and ~~provide~~ provides that a 1688
new motor vehicle is exempt for ~~four-six~~ years regardless of 1689
whether legal title to the motor vehicle is transferred during 1690

that period; 1691

(4) ~~Provide~~ Provides for an exemption for battery electric 1692
motor vehicles; 1693

(5) Provides for an exemption for hybrid motor vehicles 1694
seven years old or newer and provides that a hybrid motor 1695
vehicle is exempt for seven years regardless of whether legal 1696
title to the motor vehicle is transferred during that period. 1697

(C) (1) The director of environmental protection shall 1698
adopt rules in accordance with Chapter 119. of the Revised Code 1699
that the director determines are necessary to implement this 1700
section. The director may continue to implement and enforce 1701
rules pertaining to the motor vehicle inspection and maintenance 1702
program previously implemented under former section 3704.14 of 1703
the Revised Code as that section existed prior to its repeal and 1704
reenactment by Am. Sub. H.B. 66 of the 126th general assembly, 1705
provided that the rules do not conflict with this section. 1706

~~(2) The director of environmental protection shall issue 1707~~
~~an inspection certificate provided for under division (B) (2) of 1708~~
~~this section in accordance with Chapter 4796. of the Revised 1709~~
~~Code to an applicant if either of the following applies: 1710~~

~~(a) The individual holds a certificate or license in 1711~~
~~another state. 1712~~

~~(b) The individual has satisfactory work experience, a 1713~~
~~government certification, or a private certification as 1714~~
~~described in that chapter as a vehicle inspector in a state that 1715~~
~~does not issue that certificate. The rules adopted under 1716~~
division (C) (1) of this section shall provide for the issuance 1717
of inspections certificates and alternative emissions 1718
certificates. Under the rules, an inspection certificate shall 1719

be issued to the owner or lessee of a motor vehicle when the 1720
motor vehicle passes an emissions inspection conducted in 1721
accordance with the motor vehicle inspection and maintenance 1722
program established under this section. In lieu of obtaining an 1723
inspection certificate, the rules shall establish a system by 1724
which the owner or lessee of a motor vehicle may request an 1725
alternative emissions certificate from the director. 1726

(a) The rules providing for the issuance of alternative 1727
emissions certificates shall require an owner or lessee of a 1728
motor vehicle to do the following in order to receive the 1729
certificate: 1730

(i) Complete and submit an attestation form created by the 1731
director that includes a statement that reads substantially as 1732
follows: 1733

"I, _____, attest that, to the best of my knowledge, the 1734
motor vehicle concerning which I am the owner or lessee complies 1735
with all laws of Ohio and the United States governing motor 1736
vehicle emissions. I, _____, am aware that a false statement on 1737
this form is not permitted." 1738

(ii) Sign and date the form either manually or 1739
electronically; 1740

(iii) Submit the form to the director either by regular 1741
mail, certified mail, or electronically. 1742

(b) The rules shall require the director to include both 1743
of the following additional information on the attestation form: 1744

(i) A provision that allows the owner or lessee of a motor 1745
vehicle to specify one of the following methods by which the 1746
owner or lessee may request delivery of the alternative 1747
emissions certificate: certified mail, noncertified mail, or 1748

electronically; 1749

(ii) A provision that allows the owner or lessee of a 1750
motor vehicle to specify the vehicle identification number, 1751
make, model, and year of the relevant motor vehicle and the date 1752
the attestation form is submitted to the director. 1753

(c) Subject to division (C) (2) (d) of this section, the 1754
rules shall require the director to deliver an alternative 1755
emission certificate to the owner or lessee of a motor vehicle 1756
who complies with rules adopted under division (C) (2) (a) of this 1757
section. The director shall deliver the certificate within 1758
thirty business days after the director's receipt of the 1759
attestation form or, if the owner or lessee submits the form 1760
electronically, within five business days after receipt of the 1761
form. The director shall confirm the receipt of the attestation 1762
form if the director receives it by electronic means. 1763

(d) The rules shall require the director to reject an 1764
attestation form for any of the following reasons: 1765

(i) The motor vehicle that is the subject of the 1766
attestation form was in an accident or collision within the two 1767
years prior to the date of submission of the form, and the 1768
accident or collision caused substantial damage to the internal 1769
structure of the motor vehicle. 1770

(ii) The owner or lessee of the motor vehicle that is the 1771
subject of the attestation form has received a ticket, citation, 1772
or summons with regard to that motor vehicle within the two 1773
years prior to the date of submission of the form for a 1774
violation of section 4513.22 of the Revised Code or 1775
substantially equivalent municipal ordinance. 1776

(iii) The information in the attestation form is 1777

determined by the director to be false. 1778

If the director rejects an attestation form under division 1779
(C) (2) (d) (iii) of this section, the director shall provide 1780
notice to the owner or lessee that the attestation form was 1781
determined to be false. The notice shall inform the owner or 1782
lessee that the owner or lessee may submit a corrected form to 1783
the director within thirty days of the receipt of the notice. If 1784
the owner or lessee submits a corrected attestation form that 1785
complies with rules adopted under division (C) (2) of this 1786
section within that thirty-day period, the director shall issue 1787
an alternative emissions certificate to the owner or lessee. If 1788
the owner or lessee fails to correct the attestation form, the 1789
director shall require the owner or lessee to complete an 1790
emissions inspection and obtain an inspection certificate in 1791
accordance with rules adopted under this section. 1792

If the director rejects an attestation form under division 1793
(C) (2) (d) (i) or (ii) of this section, the director shall require 1794
the owner or lessee to complete an emissions inspection and 1795
obtain an inspection certificate in accordance with rules 1796
adopted under this section. 1797

(e) In adopting rules under division (C) (2) of this 1798
section, the director shall ensure that the owner or lessee of a 1799
motor vehicle who falsifies an attestation form receives a 1800
notice that includes a statement that reads substantially as 1801
follows: "You have falsified an attestation form for your 1802
vehicle under the E-Check/motor vehicle emissions testing 1803
program. Your vehicle is registered in one of [insert the number 1804
of counties] counties in this state that has federal emission 1805
mandates imposed on it that the State of Ohio is required, under 1806
threat of penalty, to enforce. This letter serves as Ohio's only 1807

penalty for falsification of an attestation form. You have 1808
thirty days from the date of this notice to amend your 1809
attestation form and submit the amended form to the 1810
Environmental Protection Agency. However, if you choose not to 1811
submit an amended attestation form, you must have a motor 1812
vehicle emissions inspection conducted for your vehicle in 1813
accordance with section 3704.14 of the Revised Code and rules 1814
adopted under it." 1815

(f) No penalties apply to a person who the director has 1816
determined to have falsified an attestation form, other than the 1817
issuance of the notice required under division (C) (2) (e) of this 1818
section. 1819

(D) There is hereby created in the state treasury the auto 1820
emissions test fund, which shall consist of money received by 1821
the director from any cash transfers, state and local grants, 1822
and other contributions that are received for the purpose of 1823
funding the program established under this section. The director 1824
of environmental protection shall use money in the fund solely 1825
for the implementation, supervision, administration, operation, 1826
and enforcement of the motor vehicle inspection and maintenance 1827
program established under this section. Money in the fund shall 1828
not be used for either of the following: 1829

(1) To pay for the inspection costs incurred by a motor 1830
vehicle dealer so that the dealer may provide inspection 1831
certificates to an individual purchasing a motor vehicle from 1832
the dealer when that individual resides in a county that is 1833
subject to the motor vehicle inspection and maintenance program; 1834

(2) To provide payment for more than one free passing 1835
emissions inspection or a total of three emissions inspections 1836
for a motor vehicle in any three-hundred-sixty-five-day period. 1837

The owner or lessee of a motor vehicle is responsible for 1838
inspection fees that are related to emissions inspections beyond 1839
one free passing emissions inspection or three total emissions 1840
inspections in any three-hundred-sixty-five-day period. 1841
Inspection fees that are charged by a contractor conducting 1842
emissions inspections under a motor vehicle inspection and 1843
maintenance program shall be approved by the director of 1844
environmental protection. 1845

(E) The motor vehicle inspection and maintenance program 1846
established under this section expires upon the termination of 1847
all contracts entered into under this section and shall not be 1848
implemented beyond the final date on which termination occurs. 1849

(F) As used in this section "battery electric motor 1850
vehicle" ~~has~~ and "hybrid motor vehicle" have the same ~~meaning~~ 1851
meanings as in section 4501.01 of the Revised Code. 1852

Sec. 4501.01. As used in this chapter and Chapters 4503., 1853
4505., 4507., 4509., 4510., ~~4511.,~~ 4513., 4515., and 4517. of 1854
the Revised Code, and in the penal laws, except as otherwise 1855
provided: 1856

(A) "Vehicles" means everything on wheels or runners, 1857
including motorized bicycles, but does not mean electric 1858
personal assistive mobility devices, low-speed micromobility 1859
devices, vehicles that are operated exclusively on rails or 1860
tracks or from overhead electric trolley wires, and vehicles 1861
that belong to any police department, municipal fire department, 1862
or volunteer fire department, or that are used by such a 1863
department in the discharge of its functions. 1864

(B) "Motor vehicle" means any vehicle, including mobile 1865
homes and recreational vehicles, that is propelled or drawn by 1866

power other than muscular power or power collected from overhead 1867
electric trolley wires. "Motor vehicle" does not include utility 1868
vehicles as defined in division (VV) of this section, under- 1869
speed vehicles as defined in division (XX) of this section, 1870
mini-trucks as defined in division (BBB) of this section, 1871
motorized bicycles, electric bicycles, road rollers, traction 1872
engines, power shovels, power cranes, and other equipment used 1873
in construction work and not designed for or employed in general 1874
highway transportation, well-drilling machinery, ditch-digging 1875
machinery, farm machinery, and trailers that are designed and 1876
used exclusively to transport a boat between a place of storage 1877
and a marina, or in and around a marina, when drawn or towed on 1878
a public road or highway for a distance of no more than ten 1879
miles and at a speed of twenty-five miles per hour or less. 1880

(C) "Agricultural tractor" and "traction engine" mean any 1881
self-propelling vehicle that is designed or used for drawing 1882
other vehicles or wheeled machinery, but has no provisions for 1883
carrying loads independently of such other vehicles, and that is 1884
used principally for agricultural purposes. 1885

(D) "Commercial tractor," except as defined in division 1886
(C) of this section, means any motor vehicle that has motive 1887
power and either is designed or used for drawing other motor 1888
vehicles, or is designed or used for drawing another motor 1889
vehicle while carrying a portion of the other motor vehicle or 1890
its load, or both. 1891

(E) "Passenger car" means any motor vehicle that is 1892
designed and used for carrying not more than nine persons and 1893
includes any motor vehicle that is designed and used for 1894
carrying not more than fifteen persons in a ridesharing 1895
arrangement. 1896

(F) "Collector's vehicle" means any motor vehicle or 1897
agricultural tractor or traction engine that is of special 1898
interest, that has a fair market value of one hundred dollars or 1899
more, whether operable or not, and that is owned, operated, 1900
collected, preserved, restored, maintained, or used essentially 1901
as a collector's item, leisure pursuit, or investment, but not 1902
as the owner's principal means of transportation. "Licensed 1903
collector's vehicle" means a collector's vehicle, other than an 1904
agricultural tractor or traction engine, that displays current, 1905
valid license tags issued under section 4503.45 of the Revised 1906
Code, or a similar type of motor vehicle that displays current, 1907
valid license tags issued under substantially equivalent 1908
provisions in the laws of other states. 1909

(G) "Historical motor vehicle" means any motor vehicle 1910
that is over twenty-five years old and is owned solely as a 1911
collector's item and for participation in club activities, 1912
exhibitions, tours, parades, and similar uses, but that in no 1913
event is used for general transportation. 1914

(H) "Noncommercial motor vehicle" means any motor vehicle, 1915
including a farm truck as defined in section 4503.04 of the 1916
Revised Code, that is designed by the manufacturer to carry a 1917
load of no more than one ton and is used exclusively for 1918
purposes other than engaging in business for profit. 1919

(I) "Bus" means any motor vehicle that has motor power and 1920
is designed and used for carrying more than nine passengers, 1921
except any motor vehicle that is designed and used for carrying 1922
not more than fifteen passengers in a ridesharing arrangement. 1923

(J) "Commercial car" or "truck" means any motor vehicle 1924
that has motor power and is designed and used for carrying 1925
merchandise or freight, or that is used as a commercial tractor. 1926

(K) ~~"Bicycle" means every device, other than a device that~~ 1927
~~is designed solely for use as a play vehicle by a child, that is~~ 1928
~~propelled solely by human power upon which a person may ride,~~ 1929
~~and that has two or more wheels, any of which is more than~~ 1930
~~fourteen inches in diameter~~has the same meaning as in section 1931
4511.01 of the Revised Code. 1932

(L) "Motorized bicycle" or "moped" means any vehicle that 1933
either has two tandem wheels or one wheel in the front and two 1934
wheels in the rear, that may be pedaled, and that is equipped 1935
with a helper motor of not more than fifty cubic centimeters 1936
piston displacement that produces no more than one brake 1937
horsepower and is capable of propelling the vehicle at a speed 1938
of no greater than twenty miles per hour on a level surface. 1939
"Motorized bicycle" or "moped" does not include an electric 1940
bicycle. 1941

(M) "Trailer" means any vehicle without motive power that 1942
is designed or used for carrying property or persons wholly on 1943
its own structure and for being drawn by a motor vehicle, and 1944
includes any such vehicle that is formed by or operated as a 1945
combination of a semitrailer and a vehicle of the dolly type 1946
such as that commonly known as a trailer dolly, a vehicle used 1947
to transport agricultural produce or agricultural production 1948
materials between a local place of storage or supply and the 1949
farm when drawn or towed on a public road or highway at a speed 1950
greater than twenty-five miles per hour, and a vehicle that is 1951
designed and used exclusively to transport a boat between a 1952
place of storage and a marina, or in and around a marina, when 1953
drawn or towed on a public road or highway for a distance of 1954
more than ten miles or at a speed of more than twenty-five miles 1955
per hour. "Trailer" does not include a manufactured home or 1956
travel trailer. 1957

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

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

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

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

- (1) It is designed for the sole purpose of recreational travel. 1988
1989
- (2) It is not used for the purpose of engaging in business for profit. 1990
1991
- (3) It is not used for the purpose of engaging in intrastate commerce. 1992
1993
- (4) It is not used for the purpose of commerce as defined in 49 C.F.R. 383.5, as amended. 1994
1995
- (5) It is not regulated by the public utilities commission pursuant to Chapter 4905., 4921., or 4923. of the Revised Code. 1996
1997
- (6) It is classed as one of the following: 1998
- (a) "Travel trailer" or "house vehicle" means a nonself-propelled recreational vehicle that does not exceed an overall length of forty feet, exclusive of bumper and tongue or coupling. "Travel trailer" includes a tent-type fold-out camping trailer as defined in section 4517.01 of the Revised Code. 1999
2000
2001
2002
2003
- (b) "Motor home" means a self-propelled recreational vehicle that has no fifth wheel and is constructed with permanently installed facilities for cold storage, cooking and consuming of food, and for sleeping. 2004
2005
2006
2007
- (c) "Truck camper" means a nonself-propelled recreational vehicle that does not have wheels for road use and is designed to be placed upon and attached to a motor vehicle. "Truck camper" does not include truck covers that consist of walls and a roof, but do not have floors and facilities enabling them to be used as a dwelling. 2008
2009
2010
2011
2012
2013
- (d) "Fifth wheel trailer" means a vehicle that is of such size and weight as to be movable without a special highway 2014
2015

permit, that is constructed with a raised forward section that 2016
allows a bi-level floor plan, and that is designed to be towed 2017
by a vehicle equipped with a fifth-wheel hitch ordinarily 2018
installed in the bed of a truck. 2019

(e) "Park trailer" means a vehicle that is commonly known 2020
as a park model recreational vehicle, meets the American 2021
national standard institute standard A119.5 (1988) for park 2022
trailers, is built on a single chassis, has a gross trailer area 2023
of four hundred square feet or less when set up, is designed for 2024
seasonal or temporary living quarters, and may be connected to 2025
utilities necessary for the operation of installed features and 2026
appliances. 2027

(R) "Pneumatic tires" means tires of rubber and fabric or 2028
tires of similar material, that are inflated with air. 2029

(S) "Solid tires" means tires of rubber or similar elastic 2030
material that are not dependent upon confined air for support of 2031
the load. 2032

(T) "Solid tire vehicle" means any vehicle that is 2033
equipped with two or more solid tires. 2034

(U) "Farm machinery" means all machines and tools that are 2035
used in the production, harvesting, and care of farm products, 2036
and includes trailers that are used to transport agricultural 2037
produce or agricultural production materials between a local 2038
place of storage or supply and the farm, agricultural tractors, 2039
threshing machinery, hay-baling machinery, corn shellers, 2040
hammermills, and machinery used in the production of 2041
horticultural, agricultural, and vegetable products. 2042

(V) "Owner" includes any person or firm, other than a 2043
manufacturer or dealer, that has title to a motor vehicle, 2044

except that, in sections 4505.01 to 4505.19 of the Revised Code, 2045
"owner" includes in addition manufacturers and dealers. 2046

(W) "Manufacturer" and "dealer" include all persons and 2047
firms that are regularly engaged in the business of 2048
manufacturing, selling, displaying, offering for sale, or 2049
dealing in motor vehicles, at an established place of business 2050
that is used exclusively for the purpose of manufacturing, 2051
selling, displaying, offering for sale, or dealing in motor 2052
vehicles. A place of business that is used for manufacturing, 2053
selling, displaying, offering for sale, or dealing in motor 2054
vehicles shall be deemed to be used exclusively for those 2055
purposes even though snowmobiles or all-purpose vehicles are 2056
sold or displayed for sale thereat, even though farm machinery 2057
is sold or displayed for sale thereat, or even though repair, 2058
accessory, gasoline and oil, storage, parts, service, or paint 2059
departments are maintained thereat, or, in any county having a 2060
population of less than seventy-five thousand at the last 2061
federal census, even though a department in a place of business 2062
is used to dismantle, salvage, or rebuild motor vehicles by 2063
means of used parts, if such departments are operated for the 2064
purpose of furthering and assisting in the business of 2065
manufacturing, selling, displaying, offering for sale, or 2066
dealing in motor vehicles. Places of business or departments in 2067
a place of business used to dismantle, salvage, or rebuild motor 2068
vehicles by means of using used parts are not considered as 2069
being maintained for the purpose of assisting or furthering the 2070
manufacturing, selling, displaying, and offering for sale or 2071
dealing in motor vehicles. 2072

(X) "Operator" includes any person who drives or operates 2073
a motor vehicle upon the public highways. 2074

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

(Z) "State" includes the territories and federal districts of the United States, and the provinces of Canada.

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

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

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

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

(EE) "Ridesharing arrangement" means the transportation of persons in a motor vehicle where the transportation is

incidental to another purpose of a volunteer driver and includes 2104
ridesharing arrangements known as carpools, vanpools, and 2105
buspools. 2106

(FF) "Apportionable vehicle" means any vehicle that is 2107
used or intended for use in two or more international 2108
registration plan member jurisdictions that allocate or 2109
proportionally register vehicles, that is used for the 2110
transportation of persons for hire or designed, used, or 2111
maintained primarily for the transportation of property, and 2112
that meets any of the following qualifications: 2113

(1) Is a power unit having a gross vehicle weight in 2114
excess of twenty-six thousand pounds; 2115

(2) Is a power unit having three or more axles, regardless 2116
of the gross vehicle weight; 2117

(3) Is a combination vehicle with a gross vehicle weight 2118
in excess of twenty-six thousand pounds. 2119

"Apportionable vehicle" does not include recreational 2120
vehicles, vehicles displaying restricted plates, city pick-up 2121
and delivery vehicles, or vehicles owned and operated by the 2122
United States, this state, or any political subdivisions 2123
thereof. 2124

(GG) "Chartered party" means a group of persons who 2125
contract as a group to acquire the exclusive use of a passenger- 2126
carrying motor vehicle at a fixed charge for the vehicle in 2127
accordance with the carrier's tariff, lawfully on file with the 2128
United States department of transportation, for the purpose of 2129
group travel to a specified destination or for a particular 2130
itinerary, either agreed upon in advance or modified by the 2131
chartered group after having left the place of origin. 2132

(HH) "International registration plan" means a reciprocal 2133
agreement of member jurisdictions that is endorsed by the 2134
American association of motor vehicle administrators, and that 2135
promotes and encourages the fullest possible use of the highway 2136
system by authorizing apportioned registration of fleets of 2137
vehicles and recognizing registration of vehicles apportioned in 2138
member jurisdictions. 2139

(II) "Restricted plate" means a license plate that has a 2140
restriction of time, geographic area, mileage, or commodity, and 2141
includes license plates issued to farm trucks under division (J) 2142
of section 4503.04 of the Revised Code. 2143

(JJ) "Gross vehicle weight," with regard to any commercial 2144
car, trailer, semitrailer, or bus that is taxed at the rates 2145
established under section 4503.042 or 4503.65 of the Revised 2146
Code, means the unladen weight of the vehicle fully equipped 2147
plus the maximum weight of the load to be carried on the 2148
vehicle. 2149

(KK) "Combined gross vehicle weight" with regard to any 2150
combination of a commercial car, trailer, and semitrailer, that 2151
is taxed at the rates established under section 4503.042 or 2152
4503.65 of the Revised Code, means the total unladen weight of 2153
the combination of vehicles fully equipped plus the maximum 2154
weight of the load to be carried on that combination of 2155
vehicles. 2156

(LL) "Chauffeured limousine" means a motor vehicle that is 2157
designed to carry nine or fewer passengers and is operated for 2158
hire pursuant to a prearranged contract for the transportation 2159
of passengers on public roads and highways along a route under 2160
the control of the person hiring the vehicle and not over a 2161
defined and regular route. "Prearranged contract" means an 2162

agreement, made in advance of boarding, to provide 2163
transportation from a specific location in a chauffeured 2164
limousine. "Chauffeured limousine" does not include any vehicle 2165
that is used exclusively in the business of funeral directing. 2166

(MM) "Manufactured home" has the same meaning as in 2167
division (C) (4) of section 3781.06 of the Revised Code. 2168

(NN) "Acquired situs," with respect to a manufactured home 2169
or a mobile home, means to become located in this state by the 2170
placement of the home on real property, but does not include the 2171
placement of a manufactured home or a mobile home in the 2172
inventory of a new motor vehicle dealer or the inventory of a 2173
manufacturer, remanufacturer, or distributor of manufactured or 2174
mobile homes. 2175

(OO) "Electronic" includes electrical, digital, magnetic, 2176
optical, electromagnetic, or any other form of technology that 2177
entails capabilities similar to these technologies. 2178

(PP) "Electronic record" means a record generated, 2179
communicated, received, or stored by electronic means for use in 2180
an information system or for transmission from one information 2181
system to another. 2182

(QQ) "Electronic signature" means a signature in 2183
electronic form attached to or logically associated with an 2184
electronic record. 2185

(RR) "Financial transaction device" has the same meaning 2186
as in division (A) of section 113.40 of the Revised Code. 2187

(SS) "Electronic motor vehicle dealer" means a motor 2188
vehicle dealer licensed under Chapter 4517. of the Revised Code 2189
whom the registrar of motor vehicles determines meets the 2190
criteria designated in section 4503.035 of the Revised Code for 2191

electronic motor vehicle dealers and designates as an electronic 2192
motor vehicle dealer under that section. 2193

(TT) "Electric personal assistive mobility device" means a 2194
self-balancing two non-tandem wheeled device that is designed to 2195
transport only one person, has an electric propulsion system of 2196
an average of seven hundred fifty watts, and when ridden on a 2197
paved level surface by an operator who weighs one hundred 2198
seventy pounds has a maximum speed of less than twenty miles per 2199
hour. 2200

(UU) "Limited driving privileges" means the privilege to 2201
operate a motor vehicle that a court grants under section 2202
4510.021 of the Revised Code to a person whose driver's or 2203
commercial driver's license or permit or nonresident operating 2204
privilege has been suspended. 2205

(VV) "Utility vehicle" means a self-propelled vehicle 2206
designed with a bed, principally for the purpose of transporting 2207
material or cargo in connection with construction, agricultural, 2208
forestry, grounds maintenance, lawn and garden, materials 2209
handling, or similar activities. 2210

(WW) "Low-speed vehicle" means a three- or four-wheeled 2211
motor vehicle with an attainable speed in one mile on a paved 2212
level surface of more than twenty miles per hour but not more 2213
than twenty-five miles per hour and with a gross vehicle weight 2214
rating less than three thousand pounds. 2215

(XX) "Under-speed vehicle" means a three- or four-wheeled 2216
vehicle, including a vehicle commonly known as a golf cart, with 2217
an attainable speed on a paved level surface of not more than 2218
twenty miles per hour and with a gross vehicle weight rating 2219
less than three thousand pounds. 2220

(YY) "Motor-driven cycle or motor scooter" means any 2221
vehicle designed to travel on not more than three wheels in 2222
contact with the ground, with a seat for the driver and floor 2223
pad for the driver's feet, and is equipped with a motor with a 2224
piston displacement between fifty and one hundred cubic 2225
centimeters piston displacement that produces not more than five 2226
brake horsepower and is capable of propelling the vehicle at a 2227
speed greater than twenty miles per hour on a level surface. 2228

(ZZ) "Motorcycle" means a motor vehicle with motive power 2229
having a seat or saddle for the use of the operator, designed to 2230
travel on not more than three wheels in contact with the ground, 2231
and having no occupant compartment top or occupant compartment 2232
top that can be installed or removed by the user. 2233

(AAA) "Cab-enclosed motorcycle" means a motor vehicle with 2234
motive power having a seat or saddle for the use of the 2235
operator, designed to travel on not more than three wheels in 2236
contact with the ground, and having an occupant compartment top 2237
or an occupant compartment top that is installed. 2238

(BBB) "Mini-truck" means a vehicle that has four wheels, 2239
is propelled by an electric motor with a rated power of seven 2240
thousand five hundred watts or less or an internal combustion 2241
engine with a piston displacement capacity of six hundred sixty 2242
cubic centimeters or less, has a total dry weight of nine 2243
hundred to two thousand two hundred pounds, contains an enclosed 2244
cabin and a seat for the vehicle operator, resembles a pickup 2245
truck or van with a cargo area or bed located at the rear of the 2246
vehicle, and was not originally manufactured to meet federal 2247
motor vehicle safety standards. 2248

(CCC) "Autocycle" means a three-wheeled motorcycle that is 2249
manufactured to comply with federal safety requirements for 2250

motorcycles and that is equipped with safety belts, a steering 2251
wheel, and seating that does not require the operator to 2252
straddle or sit astride to ride the motorcycle. 2253

(DDD) "Plug-in hybrid electric motor vehicle" means a 2254
passenger car powered in part by a battery cell energy system 2255
that can be recharged via an external source of electricity. 2256

(EEE) "Hybrid motor vehicle" means a passenger car powered 2257
by an internal propulsion system consisting of both of the 2258
following: 2259

(1) A combustion engine; 2260

(2) A battery cell energy system that cannot be recharged 2261
via an external source of electricity but can be recharged by 2262
other vehicle mechanisms that capture and store electric energy. 2263

(FFF) "Low-speed micromobility device" means a device 2264
weighing less than one hundred pounds that has handlebars, is 2265
propelled by an electric motor or human power, and has an 2266
attainable speed on a paved level surface of not more than 2267
twenty miles per hour when propelled by the electric motor. 2268

(GGG) "Specialty license plate" means a license plate, 2269
authorized by the general assembly, that displays a combination 2270
of words, markings, logos, or other graphic artwork that is in 2271
addition to the words, images, and distinctive numbers and 2272
letters required by section 4503.22 of the Revised Code. 2273

(HHH) "Battery electric motor vehicle" means a passenger 2274
car powered wholly by a battery cell energy system that can be 2275
recharged via an external source of electricity. 2276

(III) "Adaptive mobility vehicle" means ~~either a new~~ 2277
~~passenger car or bus purchased from a new motor vehicle dealer~~ 2278

~~or a used passenger car or bus, provided that such passenger car~~ 2279
~~or bus that~~ is designed, modified, or equipped to enable an 2280
individual with a disability to operate or to be transported in 2281
the passenger car or bus, in accordance with 49 C.F.R. part 568 2282
or 595, and contains at least one of the following: 2283

(1) An electronic or mechanical lift that enables a person 2284
to enter or exit the motor vehicle while occupying a wheelchair 2285
or scooter; 2286

(2) An electronic or mechanical wheelchair ramp; 2287

(3) A system to secure a wheelchair or scooter in order to 2288
allow a person to operate or be transported safely while 2289
occupying that wheelchair or scooter. 2290

(JJJ) "Replica motor vehicle" means a motor vehicle that 2291
is constructed, assembled, or modified so as to replicate the 2292
make, model, and model year of a motor vehicle that is at least 2293
twenty-five years old. 2294

Sec. 4503.038. (A) ~~Not later than ninety days after July~~ 2295
~~3, 2019, the~~ The registrar of motor vehicles shall adopt rules 2296
in accordance with Chapter 119. of the Revised Code establishing 2297
a service fee that applies for purposes of sections 4503.03, 2298
4503.036, 4503.042, 4503.10, 4503.102, 4503.12, 4503.182, 2299
4503.24, 4503.261, 4503.44, 4503.65, 4505.061, 4506.08, 4507.24, 2300
4507.50, 4507.52, 4509.05, 4519.03, 4519.05, 4519.10, 4519.56, 2301
and 4519.69 of the Revised Code. The service fee shall be five 2302
dollars. 2303

(B) ~~Not later than ninety days after July 3, 2019, the~~ The 2304
registrar shall adopt rules in accordance with Chapter 119. of 2305
the Revised Code establishing prorated service fees that apply 2306
for purposes of multi-year registrations authorized under 2307

section 4503.103 of the Revised Code. 2308

Sec. 4503.10. (A) The owner of every snowmobile, off- 2309
highway motorcycle, and all-purpose vehicle required to be 2310
registered under section 4519.02 of the Revised Code shall file 2311
an application for registration under section 4519.03 of the 2312
Revised Code. The owner of a motor vehicle, other than a 2313
snowmobile, off-highway motorcycle, or all-purpose vehicle, that 2314
is not designed and constructed by the manufacturer for 2315
operation on a street or highway may not register it under this 2316
chapter except upon certification of inspection pursuant to 2317
section 4513.02 of the Revised Code by the sheriff, or the chief 2318
of police of the municipal corporation or township, with 2319
jurisdiction over the political subdivision in which the owner 2320
of the motor vehicle resides. Except as provided in sections 2321
4503.103 and 4503.107 of the Revised Code, every owner of every 2322
other motor vehicle not previously described in this section and 2323
every person mentioned as owner in the last certificate of title 2324
of a motor vehicle that is operated or driven upon the public 2325
roads or highways shall cause to be filed each year, by mail or 2326
otherwise, in the office of the registrar of motor vehicles or a 2327
deputy registrar, a written or electronic application or a 2328
preprinted registration renewal notice issued under section 2329
4503.102 of the Revised Code, the form of which shall be 2330
prescribed by the registrar, for registration for the following 2331
registration year, which shall begin on the first day of January 2332
of every calendar year and end on the thirty-first day of 2333
December in the same year. Applications for registration and 2334
registration renewal notices shall be filed at the times 2335
established by the registrar pursuant to section 4503.101 of the 2336
Revised Code. A motor vehicle owner also may elect to apply for 2337
or renew a motor vehicle registration by electronic means using 2338

electronic signature in accordance with rules adopted by the 2339
registrar. Except as provided in division (J) of this section, 2340
applications for registration shall be made on blanks furnished 2341
by the registrar for that purpose, containing the following 2342
information: 2343

(1) A brief description of the motor vehicle to be 2344
registered, including the year, make, model, and vehicle 2345
identification number, and, in the case of commercial cars, the 2346
gross weight of the vehicle fully equipped computed in the 2347
manner prescribed in section 4503.08 of the Revised Code; 2348

(2) The name and residence address of the owner, and the 2349
township and municipal corporation in which the owner resides; 2350

(3) The district of registration, which shall be 2351
determined as follows: 2352

(a) In case the motor vehicle to be registered is used for 2353
hire or principally in connection with any established business 2354
or branch business, conducted at a particular place, the 2355
district of registration is the municipal corporation in which 2356
that place is located or, if not located in any municipal 2357
corporation, the county and township in which that place is 2358
located. 2359

(b) In case the vehicle is not so used, the district of 2360
registration is the municipal corporation or county in which the 2361
owner resides at the time of making the application. 2362

(4) Whether the motor vehicle is a new or used motor 2363
vehicle; 2364

(5) The date of purchase of the motor vehicle; 2365

(6) Whether the fees required to be paid for the 2366

registration or transfer of the motor vehicle, during the 2367
preceding registration year and during the preceding period of 2368
the current registration year, have been paid. Each application 2369
for registration shall be signed by the owner, either manually 2370
or by electronic signature, or pursuant to obtaining a limited 2371
power of attorney authorized by the registrar for registration, 2372
or other document authorizing such signature. If the owner 2373
elects to apply for or renew the motor vehicle registration with 2374
the registrar by electronic means, the owner's manual signature 2375
is not required. 2376

(7) The owner's social security number, driver's license 2377
number, or state identification number, or, where a motor 2378
vehicle to be registered is used for hire or principally in 2379
connection with any established business, the owner's federal 2380
taxpayer identification number. The bureau of motor vehicles 2381
shall retain in its records all social security numbers provided 2382
under this section, but the bureau shall not place social 2383
security numbers on motor vehicle certificates of registration. 2384

(8) Whether the applicant wishes to certify willingness to 2385
make an anatomical gift if an applicant has not so certified 2386
under section 2108.05 of the Revised Code. The applicant's 2387
response shall not be considered in the decision of whether to 2388
approve the application for registration. 2389

(B) (1) When an applicant first registers a motor vehicle 2390
in the applicant's name, the applicant shall provide proof of 2391
ownership of that motor vehicle. Proof of ownership may include 2392
any of the following: 2393

(a) The applicant may present for inspection a physical 2394
certificate of title or memorandum certificate showing title to 2395
the motor vehicle to be registered in the name of the applicant. 2396

(b) The applicant may present for inspection an electronic 2397
certificate of title for the applicant's motor vehicle in a 2398
manner prescribed by rules adopted by the registrar. 2399

(c) The registrar or deputy registrar may electronically 2400
confirm the applicant's ownership of the motor vehicle. 2401

An applicant is not required to present a certificate of 2402
title to an electronic motor vehicle dealer acting as a limited 2403
authority deputy registrar in accordance with rules adopted by 2404
the registrar. 2405

(2) When a motor vehicle inspection and maintenance 2406
program is in effect under section 3704.14 of the Revised Code 2407
and rules adopted under it, each application for registration 2408
for a vehicle required to be inspected under that section and 2409
those rules shall be accompanied by an inspection certificate or 2410
alternative emissions certificate for the motor vehicle issued 2411
in accordance with that section. 2412

(3) An application for registration shall be refused if 2413
any of the following applies: 2414

(a) The application is not in proper form. 2415

(b) The application is prohibited from being accepted by 2416
division (D) of section 2935.27, division (A) of section 2417
4503.13, division (B) of section 4510.22, division (D) of 2418
section 4503.234, division (B) (1) of section 4521.10, or 2419
division (B) of section 5537.041 of the Revised Code. 2420

(c) Proof of ownership is required but is not presented or 2421
confirmed in accordance with division (B) (1) of this section. 2422

(d) All registration and transfer fees for the motor 2423
vehicle, for the preceding year or the preceding period of the 2424

current registration year, have not been paid. 2425

(e) The owner or lessee does not have an inspection 2426
certificate or alternative emissions certificate for the motor 2427
vehicle as provided in section 3704.14 of the Revised Code, and 2428
rules adopted under it, if that section is applicable. 2429

(4) This section does not require the payment of license 2430
or registration taxes on a motor vehicle for any preceding year, 2431
or for any preceding period of a year, if the motor vehicle was 2432
not taxable for that preceding year or period under sections 2433
4503.02, 4503.04, 4503.11, 4503.12, and 4503.16 or Chapter 4504. 2434
of the Revised Code. 2435

(5) When a certificate of registration is issued upon the 2436
first registration of a motor vehicle by or on behalf of the 2437
owner, the official issuing the certificate shall indicate the 2438
issuance with a stamp on the certificate of title or memorandum 2439
certificate or, in the case of an electronic certificate of 2440
title or electronic verification of ownership, an electronic 2441
stamp or other notation as specified in rules adopted by the 2442
registrar, and with a stamp on the inspection certificate for 2443
the motor vehicle, if any. 2444

(6) The official also shall indicate, by a stamp or by 2445
other means the registrar prescribes, on the registration 2446
certificate issued upon the first registration of a motor 2447
vehicle by or on behalf of the owner the odometer reading of the 2448
motor vehicle as shown in the odometer statement included in or 2449
attached to the certificate of title. Upon each subsequent 2450
registration of the motor vehicle by or on behalf of the same 2451
owner, the official also shall so indicate the odometer reading 2452
of the motor vehicle as shown on the immediately preceding 2453
certificate of registration. 2454

(7) The registrar shall include in the permanent 2455
registration record of any vehicle required to be inspected 2456
under section 3704.14 of the Revised Code the inspection 2457
certificate number from the inspection certificate or the 2458
alternative emissions certificate number from the alternative 2459
emissions certificate that is presented at the time of 2460
registration of the vehicle as required under this division. 2461

(C) (1) Except as otherwise provided in division (C) (1) of 2462
this section, the registrar and each deputy registrar shall 2463
collect an additional fee of eleven dollars for each application 2464
for registration and registration renewal received. For vehicles 2465
specified in divisions (A) (1) to (21) of section 4503.042 of the 2466
Revised Code, the registrar and deputy registrar shall collect 2467
an additional fee of thirty dollars for each application for 2468
registration and registration renewal received. No additional 2469
fee shall be charged for vehicles registered under section 2470
4503.65 of the Revised Code. The additional fee is for the 2471
purpose of defraying the department of public safety's costs 2472
associated with the administration and enforcement of the motor 2473
vehicle and traffic laws of Ohio. Each deputy registrar shall 2474
transmit the fees collected under divisions (C) (1) and (3) of 2475
this section in the time and manner provided in this section. 2476
The registrar shall deposit all moneys received under division 2477
(C) (1) of this section into the public safety - highway purposes 2478
fund established in section 4501.06 of the Revised Code. 2479

(2) In addition, a charge of twenty-five cents shall be 2480
made for each reflectorized safety license plate issued, and a 2481
single charge of twenty-five cents shall be made for each county 2482
identification sticker or each set of county identification 2483
stickers issued, as the case may be, to cover the cost of 2484
producing the license plates and stickers, including material, 2485

manufacturing, and administrative costs. Those fees shall be in 2486
addition to the license tax. If the total cost of producing the 2487
plates is less than twenty-five cents per plate, or if the total 2488
cost of producing the stickers is less than twenty-five cents 2489
per sticker or per set issued, any excess moneys accruing from 2490
the fees shall be distributed in the same manner as provided by 2491
section 4501.04 of the Revised Code for the distribution of 2492
license tax moneys. If the total cost of producing the plates 2493
exceeds twenty-five cents per plate, or if the total cost of 2494
producing the stickers exceeds twenty-five cents per sticker or 2495
per set issued, the difference shall be paid from the license 2496
tax moneys collected pursuant to section 4503.02 of the Revised 2497
Code. 2498

(3) The registrar and each deputy registrar shall collect 2499
the following additional fee, as applicable, for each 2500
application for registration or registration renewal received 2501
for any hybrid motor vehicle, plug-in hybrid electric motor 2502
vehicle, or battery electric motor vehicle: 2503

(a) One hundred dollars for a hybrid motor vehicle; 2504

(b) One hundred fifty dollars for a plug-in hybrid 2505
electric motor vehicle; 2506

(c) Two hundred dollars for a battery electric motor 2507
vehicle. 2508

Each fee imposed under this division shall be prorated 2509
based on the number of months for which the vehicle is 2510
registered. The registrar shall transmit all money arising from 2511
each fee to the treasurer of state for distribution in 2512
accordance with division (E) of section 5735.051 of the Revised 2513
Code, subject to division (D) of section 5735.05 of the Revised 2514

Code. 2515

(D) Each deputy registrar shall be allowed a fee equal to 2516
the amount established under section 4503.038 of the Revised 2517
Code for each application for registration and registration 2518
renewal notice the deputy registrar receives, which shall be for 2519
the purpose of compensating the deputy registrar for the deputy 2520
registrar's services, and such office and rental expenses, as 2521
may be necessary for the proper discharge of the deputy 2522
registrar's duties in the receiving of applications and renewal 2523
notices and the issuing of registrations. 2524

(E) Upon the certification of the registrar, the county 2525
sheriff or local police officials shall recover license plates 2526
erroneously or fraudulently issued. 2527

(F) Each deputy registrar, upon receipt of any application 2528
for registration or registration renewal notice, together with 2529
the license fee and any local motor vehicle license tax levied 2530
pursuant to Chapter 4504. of the Revised Code, shall transmit 2531
that fee and tax, if any, in the manner provided in this 2532
section, together with the original and duplicate copy of the 2533
application, to the registrar. The registrar, subject to the 2534
approval of the director of public safety, may deposit the funds 2535
collected by those deputies in a local bank or depository to the 2536
credit of the "state of Ohio, bureau of motor vehicles." Where a 2537
local bank or depository has been designated by the registrar, 2538
each deputy registrar shall deposit all moneys collected by the 2539
deputy registrar into that bank or depository not more than one 2540
business day after their collection and shall make reports to 2541
the registrar of the amounts so deposited, together with any 2542
other information, some of which may be prescribed by the 2543
treasurer of state, as the registrar may require and as 2544

prescribed by the registrar by rule. The registrar, within three 2545
days after receipt of notification of the deposit of funds by a 2546
deputy registrar in a local bank or depository, shall draw on 2547
that account in favor of the treasurer of state. The registrar, 2548
subject to the approval of the director and the treasurer of 2549
state, may make reasonable rules necessary for the prompt 2550
transmittal of fees and for safeguarding the interests of the 2551
state and of counties, townships, municipal corporations, and 2552
transportation improvement districts levying local motor vehicle 2553
license taxes. The registrar may pay service charges usually 2554
collected by banks and depositories for such service. If deputy 2555
registrars are located in communities where banking facilities 2556
are not available, they shall transmit the fees forthwith, by 2557
money order or otherwise, as the registrar, by rule approved by 2558
the director and the treasurer of state, may prescribe. The 2559
registrar may pay the usual and customary fees for such service. 2560

(G) This section does not prevent any person from making 2561
an application for a motor vehicle license directly to the 2562
registrar by mail, by electronic means, or in person at any of 2563
the registrar's offices, upon payment of a service fee equal to 2564
the amount established under section 4503.038 of the Revised 2565
Code for each application. 2566

(H) No person shall make a false statement as to the 2567
district of registration in an application required by division 2568
(A) of this section. Violation of this division is falsification 2569
under section 2921.13 of the Revised Code and punishable as 2570
specified in that section. 2571

(I) (1) Where applicable, the requirements of division (B) 2572
of this section relating to the presentation of an inspection 2573
certificate issued under section 3704.14 of the Revised Code and 2574

rules adopted under it for a motor vehicle, the refusal of a 2575
license for failure to present an inspection certificate or 2576
alternative emissions certificate, and the stamping of the 2577
inspection certificate or alternative emissions certificate by 2578
the official issuing the certificate of registration apply to 2579
the registration of and issuance of license plates for a motor 2580
vehicle under sections 4503.102, 4503.12, 4503.14, 4503.15, 2581
4503.16, 4503.171, 4503.172, 4503.19, 4503.40, 4503.41, 4503.42, 2582
4503.43, 4503.44, 4503.46, 4503.47, and 4503.51 of the Revised 2583
Code. 2584

(2) (a) The registrar shall adopt rules ensuring that each 2585
owner registering a motor vehicle in a county where a motor 2586
vehicle inspection and maintenance program is in effect under 2587
section 3704.14 of the Revised Code and rules adopted under it 2588
receives information about the requirements established in that 2589
section and those rules and about the need in those counties to 2590
present an inspection certificate or an alternative emissions 2591
certificate with an application for registration or 2592
preregistration. 2593

(b) Upon request, the registrar shall provide the director 2594
of environmental protection, or any person that has been awarded 2595
a contract under section 3704.14 of the Revised Code, an on-line 2596
computer data link to registration information for all passenger 2597
cars, noncommercial motor vehicles, and commercial cars that are 2598
subject to that section. The registrar also shall provide to the 2599
director of environmental protection a magnetic data tape 2600
containing registration information regarding passenger cars, 2601
noncommercial motor vehicles, and commercial cars for which a 2602
multi-year registration is in effect under section 4503.103 of 2603
the Revised Code or rules adopted under it, including, without 2604
limitation, the date of issuance of the multi-year registration, 2605

the registration deadline established under rules adopted under 2606
section 4503.101 of the Revised Code that was applicable in the 2607
year in which the multi-year registration was issued, and the 2608
registration deadline for renewal of the multi-year 2609
registration. 2610

(J) Subject to division (K) of this section, application 2611
for registration under the international registration plan, as 2612
set forth in sections 4503.60 to 4503.66 of the Revised Code, 2613
shall be made to the registrar on forms furnished by the 2614
registrar. In accordance with international registration plan 2615
guidelines and pursuant to rules adopted by the registrar, the 2616
forms shall include the following: 2617

(1) A uniform mileage schedule; 2618

(2) The gross vehicle weight of the vehicle or combined 2619
gross vehicle weight of the combination vehicle as declared by 2620
the registrant; 2621

(3) Any other information the registrar requires by rule. 2622

(K) The registrar shall determine the feasibility of 2623
implementing an electronic commercial fleet licensing and 2624
management program that will enable the owners of commercial 2625
tractors, commercial trailers, and commercial semitrailers to 2626
conduct electronic transactions by July 1, 2010, or sooner. If 2627
the registrar determines that implementing such a program is 2628
feasible, the registrar shall adopt new rules under this 2629
division or amend existing rules adopted under this division as 2630
necessary in order to respond to advances in technology. 2631

If international registration plan guidelines and 2632
provisions allow member jurisdictions to permit applications for 2633
registrations under the international registration plan to be 2634

made via the internet, the rules the registrar adopts under this 2635
division shall permit such action. 2636

Sec. 4503.102. (A) The registrar of motor vehicles shall 2637
adopt rules to establish a centralized system of motor vehicle 2638
registration renewal by mail or by electronic means. Any person 2639
owning a motor vehicle that was registered in the person's name 2640
during the preceding registration year shall renew the 2641
registration of the motor vehicle not more than ninety days 2642
prior to the expiration date of the registration either by mail 2643
or by electronic means through the centralized system of 2644
registration established under this section, or in person at any 2645
office of the registrar or at a deputy registrar's office. 2646

(B) (1) Except as provided in division (B) (2) of this 2647
section, no less than forty-five days prior to the expiration 2648
date of any motor vehicle registration, the registrar shall mail 2649
a renewal notice to the person in whose name the motor vehicle 2650
is registered. The renewal notice shall clearly state that the 2651
registration of the motor vehicle may be renewed by mail or 2652
electronic means through the centralized system of registration 2653
or in person at any office of the registrar or at a deputy 2654
registrar's office and shall be preprinted with information 2655
including, but not limited to, the owner's name and residence 2656
address as shown in the records of the bureau of motor vehicles, 2657
a brief description of the motor vehicle to be registered, 2658
notice of the license taxes and fees due on the motor vehicle, 2659
the toll-free telephone number of the registrar as required 2660
under division (D) (1) of section 4503.031 of the Revised Code, a 2661
statement that payment for a renewal may be made by financial 2662
transaction device using the toll-free telephone number, and any 2663
additional information the registrar may require by rule. The 2664
renewal notice shall not include the social security number of 2665

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 4503.13, division (B) of section
4510.22, division (D) of section 4503.234, division (B) (1) of
section 4521.10, or division (B) of section 5537.041 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, 2695
plus postage as indicated on the notice if the registration is 2696
renewed or fulfilled by mail, and an inspection certificate or 2697
alternative emissions certificate for the motor vehicle as 2698
provided in section 3704.14 of the Revised Code. For purposes of 2699
the centralized system of motor vehicle registration, the 2700
registrar shall accept payments via the toll-free telephone 2701
number established under division (D)(1) of section 4503.031 of 2702
the Revised Code for renewals made by mail. If the motor vehicle 2703
owner chooses to renew the motor vehicle registration by 2704
electronic means, the owner shall proceed in accordance with the 2705
rules the registrar adopts. 2706

(D) If all registration and transfer fees for the motor 2707
vehicle for the preceding year or the preceding period of the 2708
current registration year have not been paid, if division (D) of 2709
section 2935.27, division (A) of section 4503.13, division (B) 2710
of section 4510.22, division (D) of section 4503.234, division 2711
(B)(1) of section 4521.10, or division (B) of section 5537.041 2712
of the Revised Code prohibits acceptance of the renewal notice, 2713
or if the owner or lessee does not have an inspection 2714
certificate or alternative emissions certificate for the motor 2715
vehicle as provided in section 3704.14 of the Revised Code, if 2716
that section is applicable, the license shall be refused, and 2717
the registrar or deputy registrar shall so notify the owner. 2718
This section does not require the payment of license or 2719
registration taxes on a motor vehicle for any preceding year, or 2720
for any preceding period of a year, if the motor vehicle was not 2721
taxable for that preceding year or period under section 4503.02, 2722
4503.04, 4503.11, 4503.12, or 4503.16 or Chapter 4504. of the 2723
Revised Code. 2724

(E)(1) Failure to receive a renewal notice does not 2725

relieve a motor vehicle owner from the responsibility to renew 2726
the registration for the motor vehicle. Any person who has a 2727
motor vehicle registered in this state and who does not receive 2728
a renewal notice as provided in division (B) of this section 2729
prior to the expiration date of the registration shall request 2730
an application for registration from the registrar or a deputy 2731
registrar and sign the application manually or by electronic 2732
means and submit the application and pay any applicable license 2733
taxes and fees to the registrar or deputy registrar. 2734

(2) If the owner of a motor vehicle submits an application 2735
for registration and the registrar is prohibited by division (D) 2736
of section 2935.27, division (A) of section 4503.13, division 2737
(B) of section 4510.22, division (D) of section 4503.234, 2738
division (B)(1) of section 4521.10, or division (B) of section 2739
5537.041 of the Revised Code from accepting the application, the 2740
registrar shall return the application and the payment to the 2741
owner. If the owner of a motor vehicle submits a registration 2742
renewal application to the registrar by electronic means and the 2743
registrar is prohibited from accepting the application as 2744
provided in this division, the registrar shall notify the owner 2745
of this fact and deny the application and return the payment or 2746
give a credit on the financial transaction device account of the 2747
owner in the manner the registrar prescribes by rule adopted 2748
pursuant to division (A) of this section. 2749

(F) Every deputy registrar shall post in a prominent place 2750
at the deputy's office a notice informing the public of the mail 2751
registration system required by this section and also shall post 2752
a notice that every owner of a motor vehicle and every chauffeur 2753
holding a certificate of registration is required to notify the 2754
registrar in writing of any change of residence within ten days 2755
after the change occurs. The notice shall be in such form as the 2756

registrar prescribes by rule. 2757

(G) The service fee equal to the amount established under 2758
section 4503.038 of the Revised Code that is collected from a 2759
person who renews a motor vehicle registration by electronic 2760
means or by mail, plus postage collected by the registrar and 2761
any financial transaction device surcharge collected by the 2762
registrar, shall be paid to the credit of the public safety - 2763
highway purposes fund established by section 4501.06 of the 2764
Revised Code. 2765

(H) (1) Pursuant to section 113.40 of the Revised Code, the 2766
registrar shall implement a program permitting payment of motor 2767
vehicle registration taxes and fees, driver's license and 2768
commercial driver's license fees, and any other taxes, fees, 2769
penalties, or charges imposed or levied by the state by means of 2770
a financial transaction device for transactions occurring 2771
online, at any office of the registrar, and at all deputy 2772
registrar locations. The program shall take effect not later 2773
than July 1, 2016. The registrar shall adopt rules as necessary 2774
for this purpose, but all such rules are subject to any action, 2775
policy, or procedure of the board of deposit or treasurer of 2776
state taken or adopted under section 113.40 of the Revised Code. 2777

(2) The rules adopted under division (H) (1) of this 2778
section shall require a deputy registrar to accept payments by 2779
means of a financial transaction device beginning on the 2780
effective date of the rules unless the deputy registrar contract 2781
entered into by the deputy registrar prohibits the acceptance of 2782
such payments by financial transaction device. However, 2783
commencing with deputy registrar contract awards that have a 2784
start date of July 1, 2016, and for all contract awards 2785
thereafter, the registrar shall require that the proposer accept 2786

payment by means of a financial transaction device, including 2787
credit cards and debit cards, for all department of public 2788
safety transactions conducted at that deputy registrar location. 2789

The bureau and deputy registrars are not required to pay 2790
any costs that result from accepting payment by means of a 2791
financial transaction device. A deputy registrar may charge a 2792
person who tenders payment for a department transaction by means 2793
of a financial transaction device any cost the deputy registrar 2794
incurs from accepting payment by the financial transaction 2795
device, but the deputy registrar shall not require the person to 2796
pay any additional fee of any kind in connection with the use by 2797
the person of the financial transaction device. 2798

(3) In accordance with division (H) (1) of this section and 2799
rules adopted by the registrar under that division, a county 2800
auditor or clerk of a court of common pleas that is designated a 2801
deputy registrar shall accept payment by means of a financial 2802
transaction device, including credit cards and debit cards, for 2803
all department transactions conducted at the office of the 2804
county auditor or clerk in the county auditor's or clerk's 2805
capacity as deputy registrar. The bureau is not required to pay 2806
any costs incurred by a county auditor or clerk that result from 2807
accepting payment by means of a financial transaction device for 2808
any department transaction. 2809

(I) For persons who reside in counties where tailpipe 2810
emissions inspections are required under the motor vehicle 2811
inspection and maintenance program, the notice required by 2812
division (B) of this section shall also include the toll-free 2813
telephone number maintained by the Ohio environmental protection 2814
agency to provide information concerning the locations of 2815
emissions testing centers. The registrar also shall include a 2816

statement in the notice that a battery electric motor vehicle is 2817
not required to undergo emissions inspection under the motor 2818
vehicle inspection and maintenance program established under 2819
section 3704.14 of the Revised Code. 2820

Sec. 4503.103. (A) (1) The registrar of motor vehicles may 2821
adopt rules to permit any person or lessee, other than a person 2822
receiving an apportioned license plate under the international 2823
registration plan, who owns or leases one or more motor vehicles 2824
to file a written application for registration for no more than 2825
five succeeding registration years. The rules adopted by the 2826
registrar may designate the classes of motor vehicles that are 2827
eligible for such registration. At the time of application, all 2828
annual taxes and fees shall be paid for each year for which the 2829
person is registering. 2830

(2) (a) The registrar shall adopt rules to permit any 2831
person or lessee who owns or leases a trailer or semitrailer 2832
that is subject to the tax rate prescribed in either division 2833
(C) (1) or, beginning January 1, 2022, (C) (2) of section 4503.042 2834
of the Revised Code to file a written application for 2835
registration for any number of succeeding registration years, 2836
including a permanent registration, for such trailers or 2837
semitrailers. 2838

At the time of application, the applicant shall pay all of 2839
the following: 2840

(i) As applicable, either the annual tax prescribed in 2841
division (C) (1) of section 4503.042 of the Revised Code for each 2842
year for which the applicant is registering or the annual tax 2843
prescribed in division (C) (2) of section 4503.042 of the Revised 2844
Code, unless the applicant previously paid the tax specified in 2845
division (C) (2) of that section for the trailer or semitrailer 2846

being registered. However, an applicant paying the annual tax 2847
under division (C) (1) of section 4503.042 of the Revised Code 2848
shall not pay more than eight times the annual taxes due, 2849
regardless of the number of years for which the applicant is 2850
registering. 2851

(ii) The additional fee established under division (C) (1) 2852
of section 4503.10 of the Revised Code for each year of 2853
registration, provided that not more than eight times the 2854
additional fee due shall be paid, regardless of the number of 2855
years for which the applicant is registering. 2856

(iii) One single deputy registrar service fee in the 2857
amount specified in division (D) of section 4503.10 of the 2858
Revised Code or one single bureau of motor vehicles service fee 2859
in the amount specified in division (G) of that section, as 2860
applicable, regardless of the number of years for which the 2861
applicant is registering. 2862

(b) In addition, each applicant registering a trailer or 2863
semitrailer under division (A) (2) (a) of this section shall pay 2864
any applicable local motor vehicle license tax levied under 2865
Chapter 4504. of the Revised Code for each year for which the 2866
applicant is registering, provided that not more than eight 2867
times any such annual local taxes shall be due upon 2868
registration. 2869

(c) The period of registration for a trailer or 2870
semitrailer registered under division (A) (2) (a) of this section 2871
is exclusive to the trailer or semitrailer for which that 2872
certificate of registration is issued and is not transferable to 2873
any other trailer or semitrailer if the registration is a 2874
permanent registration. 2875

(3) Except as provided in division (A) (4) of this section, 2876
the registrar shall adopt rules to permit any person who owns a 2877
motor vehicle to file an application for registration for not 2878
more than five succeeding registration years. At the time of 2879
application, the person shall pay the annual taxes and fees for 2880
each registration year, calculated in accordance with division 2881
(C) of section 4503.11 of the Revised Code. A person who is 2882
registering a vehicle under division (A) (3) of this section 2883
shall pay for each year of registration the additional fee 2884
established under division (C) (1) or (3) of section 4503.10 of 2885
the Revised Code, as applicable. The person shall also pay the 2886
deputy registrar service fee or the bureau of motor vehicles 2887
service fee equal to the amount established under section 2888
4503.038 of the Revised Code. 2889

(4) Division (A) (3) of this section does not apply to a 2890
person receiving an apportioned license plate under the 2891
international registration plan, or the owner of a commercial 2892
car used solely in intrastate commerce, or the owner of a bus as 2893
defined in section 4513.50 of the Revised Code. 2894

(5) A person registering a noncommercial trailer 2895
permanently shall register the trailer under section 4503.107 of 2896
the Revised Code. 2897

(B) No person applying for a multi-year registration under 2898
division (A) of this section is entitled to a refund of any 2899
taxes or fees paid. 2900

(C) The registrar shall not issue to any applicant who has 2901
been issued a final, nonappealable order under division (D) of 2902
this section a multi-year registration or renewal thereof under 2903
this division or rules adopted under it for any motor vehicle 2904
that is required to be inspected under section 3704.14 of the 2905

Revised Code the district of registration of which, as 2906
determined under section 4503.10 of the Revised Code, is or is 2907
located in the county named in the order. 2908

(D) Upon receipt from the director of environmental 2909
protection of a notice issued under rules adopted under section 2910
3704.14 of the Revised Code indicating that an owner of a motor 2911
vehicle that is required to be inspected under that section who 2912
obtained a multi-year registration for the vehicle under 2913
division (A) of this section or rules adopted under that 2914
division has not obtained a required inspection certificate or 2915
alternative emissions certificate for the vehicle, the registrar 2916
in accordance with Chapter 119. of the Revised Code shall issue 2917
an order to the owner impounding the certificate of registration 2918
and identification license plates for the vehicle. The order 2919
also shall prohibit the owner from obtaining or renewing a 2920
multi-year registration for any vehicle that is required to be 2921
inspected under that section, the district of registration of 2922
which is or is located in the same county as the county named in 2923
the order during the number of years after expiration of the 2924
current multi-year registration that equals the number of years 2925
for which the current multi-year registration was issued. 2926

An order issued under this division shall require the 2927
owner to surrender to the registrar the certificate of 2928
registration and license plates for the vehicle named in the 2929
order within five days after its issuance. If the owner fails to 2930
do so within that time, the registrar shall certify that fact to 2931
the county sheriff or local police officials who shall recover 2932
the certificate of registration and license plates for the 2933
vehicle. 2934

(E) Upon the occurrence of either of the following 2935

circumstances, the registrar in accordance with Chapter 119. of 2936
the Revised Code shall issue to the owner a modified order 2937
rescinding the provisions of the order issued under division (D) 2938
of this section impounding the certificate of registration and 2939
license plates for the vehicle named in that original order: 2940

(1) Receipt from the director of environmental protection 2941
of a subsequent notice under rules adopted under section 3704.14 2942
of the Revised Code that the owner has obtained the inspection 2943
certificate or alternative emissions certificate for the vehicle 2944
as required under those rules; 2945

(2) Presentation to the registrar by the owner of the 2946
required inspection certificate or alternative emissions 2947
certificate for the vehicle. 2948

(F) The owner of a motor vehicle for which the certificate 2949
of registration and license plates have been impounded pursuant 2950
to an order issued under division (D) of this section, upon 2951
issuance of a modified order under division (E) of this section, 2952
may apply to the registrar for their return. A fee of two 2953
dollars and fifty cents shall be charged for the return of the 2954
certificate of registration and license plates for each vehicle 2955
named in the application. 2956

Sec. 4503.183. (A) No person shall use a replica motor 2957
vehicle for general transportation. However, a person may 2958
operate a replica motor vehicle registered under this section on 2959
the public roads and highways as follows: 2960

(1) For club activities, exhibitions, tours, parades, and 2961
similar uses; 2962

(2) To and from a location where maintenance is performed 2963
on the replica motor vehicle. 2964

(B) In lieu of the annual license tax levied in sections 2965
4503.02 and 4503.04 of the Revised Code, the registrar of motor 2966
vehicles or a deputy registrar shall collect a license fee of 2967
ten dollars for the registration of a replica motor vehicle 2968
under this section. The fee shall be deposited into the public 2969
safety - highway purposes fund established in section 4501.06 of 2970
the Revised Code. 2971

(C) A person who owns a replica motor vehicle and applies 2972
for registration and a replica license plate under this section 2973
shall execute an affidavit that the replica motor vehicle for 2974
which the plate is requested is owned and operated solely for 2975
the purposes enumerated in division (A) of this section. The 2976
affidavit also shall set forth that the replica motor vehicle 2977
has been inspected and found safe to operate on the public roads 2978
and highways in the state. No registration issued pursuant to 2979
this section need specify the weight of the replica motor 2980
vehicle. 2981

(D) The owner of a replica motor vehicle registered under 2982
this section shall display in plain view on the rear of the 2983
replica motor vehicle a replica license plate issued by the 2984
registrar. A replica license plate shall not display a date, but 2985
shall display the inscription "Replica Motor Vehicle--Ohio" and 2986
the registration number assigned to that replica motor vehicle. 2987

(E) A replica license plate is valid without renewal as 2988
long as the replica motor vehicle for which it was issued or 2989
procured is in existence. A replica license plate is issued for 2990
the owner's use only for such replica motor vehicle unless later 2991
transferred to another replica motor vehicle owned by that 2992
person. In order to effect such a transfer, the owner of the 2993
replica motor vehicle that originally displayed the replica 2994

license plate shall comply with division (C) of this section. In 2995
the event of a transfer of title, the transferor shall surrender 2996
the replica license plate or transfer it to another replica 2997
motor vehicle owned by the transferor. The registrar may revoke 2998
any replica license plate issued under this section, for cause 2999
shown and after a hearing, for failure of the applicant to 3000
comply with this section. Upon revocation, a replica license 3001
plate shall be surrendered. 3002

Sec. 4503.19. (A) (1) Upon the filing of an application for 3003
registration and the payment of the tax for registration, the 3004
registrar of motor vehicles or a deputy registrar shall 3005
determine whether the owner previously has been issued a license 3006
plate for the motor vehicle described in the application. If no 3007
license plate previously has been issued to the owner for that 3008
motor vehicle, the registrar or deputy registrar shall assign to 3009
the motor vehicle a distinctive number and issue and deliver to 3010
the owner in the manner that the registrar may select a 3011
certificate of registration, in the form that the registrar 3012
shall prescribe. The registrar or deputy registrar also shall 3013
charge the owner any fees required under division (C) of section 3014
4503.10 of the Revised Code and, if applicable, any fees and 3015
contribution required in accordance with section 4503.261 of the 3016
Revised Code. 3017

(2) The registrar or deputy registrar then shall deliver a 3018
license plate and, when required, a validation sticker, or a 3019
validation sticker alone, to be attached to the number plate as 3020
provided in section 4503.191 of the Revised Code. 3021

If an owner wishes to have two license plates, the 3022
registrar or deputy registrar shall deliver two license plates, 3023
duplicates of each other, and, when required, a validation 3024

sticker, or a validation sticker alone, to be attached to the 3025
number plates as provided in section 4503.191 of the Revised 3026
Code. The owner shall display the license plate and, when 3027
required, the validation sticker on the rear of the vehicle. 3028
However, a commercial tractor shall display the license plate on 3029
the front of the commercial tractor and a chauffeured limousine 3030
shall display a livery sticker along with a validation sticker 3031
as provided in section 4503.24 of the Revised Code. 3032

(3) The registrar or deputy registrar shall not issue a 3033
license plate for a school bus. A school bus shall display 3034
identifying numbers in the manner prescribed by section 4511.764 3035
of the Revised Code. 3036

(4) The certificate of registration shall be issued and 3037
delivered to the owner in person, by mail, or by electronic 3038
delivery. The license plate and, when required, validation 3039
sticker, or validation sticker alone, shall be issued and 3040
delivered to the owner in person or by mail. 3041

(5) In the event of the loss, mutilation, or destruction 3042
of any certificate of registration, or of any license plate or 3043
validation sticker, or if the owner chooses to replace a license 3044
plate previously issued for a motor vehicle, or if the 3045
registration certificate and license plate have been impounded 3046
as provided by division (B)(1) of section 4507.02 and section 3047
4507.16 of the Revised Code, the owner of a motor vehicle, or 3048
manufacturer or dealer, may obtain from the registrar, or from a 3049
deputy registrar if authorized by the registrar, a duplicate 3050
thereof or a new license plate bearing a different number, if 3051
the registrar considers it advisable, upon filing an application 3052
prescribed by the registrar, and upon paying a fee of one dollar 3053
for such certificate of registration. The registrar shall 3054

deposit the one dollar fee into the state treasury to the credit 3055
of the public safety - highway purposes fund created in section 3056
4501.06 of the Revised Code. The registrar or deputy registrar 3057
shall charge a fee of seven dollars and fifty cents for each set 3058
of two license plates or six dollars and fifty cents for each 3059
single license plate or validation sticker issued, which the 3060
registrar shall deposit into the state treasury to the credit of 3061
the public safety - highway purposes fund. 3062

(6) Each applicant for a replacement certificate of 3063
registration, license plate, or validation sticker also shall 3064
pay the fees provided in divisions (C) and (D) of section 3065
4503.10 of the Revised Code~~and~~, any applicable fee under 3066
section 4503.192 of the Revised Code, and any applicable fee or 3067
contribution under section 4503.261 of the Revised Code. 3068

Additionally, the registrar and each deputy registrar who 3069
either issues a license plate and a validation sticker for use 3070
on any vehicle other than a commercial tractor, semitrailer, or 3071
apportioned vehicle, or who issues a validation sticker alone 3072
for use on such a vehicle and the owner has changed the owner's 3073
county of residence since the owner last was issued a county 3074
identification sticker, also shall issue and deliver to the 3075
owner a county identification sticker, which shall be attached 3076
to the license plate in a manner prescribed by the director of 3077
public safety. The county identification sticker shall identify 3078
prominently by name or number the county in which the owner of 3079
the vehicle resides at the time of registration. 3080

(B) A certificate of registration issued under this 3081
section shall have a portion that contains all the information 3082
contained in the main portion of the certificate except for the 3083
address of the person to whom the certificate is issued. Except 3084

as provided in this division, whenever a reference is made in 3085
the Revised Code to a motor vehicle certificate of registration 3086
that is issued under this section, the reference shall be deemed 3087
to refer to either the main portion of the certificate or the 3088
portion containing all information in the main portion except 3089
the address of the person to whom the certificate is issued. If 3090
a reference is made in the Revised Code to the seizure or 3091
surrender of a motor vehicle certificate of registration that is 3092
issued under this section, the reference shall be deemed to 3093
refer to both the main portion of the certificate and the 3094
portion containing all information in the main portion except 3095
the address of the person to whom the certificate is issued. 3096

(C) Whoever violates this section is guilty of a minor 3097
misdemeanor. 3098

Sec. 4503.261. (A) (1) The registrar of motor vehicles 3099
shall use a competitive selection process to select a vendor for 3100
a contract to operate a specialty license plate program. 3101

(2) Beginning nine months after the effective date of this 3102
section, the vendor shall design and market specialty license 3103
plates, including specialty license plates required to be issued 3104
by the registrar under this chapter. Under the program, the 3105
registrar remains responsible for the issuance of any specialty 3106
license plate and validation sticker and the collection of taxes 3107
and fees related to a specialty license plate. The contract 3108
shall be for a period not to exceed two years and may be 3109
extended for additional two-year terms. 3110

(3) A vendor selected under division (A) (1) of this 3111
section is exempt from section 4503.106 of the Revised Code. 3112

(B) Any contract entered into under this section shall 3113

include, at a minimum, all of the following: 3114

(1) A requirement that the vendor utilize electronic 3115
infrastructure that is compatible with infrastructure used by 3116
the bureau of motor vehicles; 3117

(2) Provisions concerning the security of the information 3118
exchanged through the electronic infrastructure utilized by the 3119
registrar, the vendor, and any other third parties; 3120

(3) Provisions allowing an owner or lessee to select the 3121
combination of letters and numbers appearing on a license plate 3122
in accordance with section 4503.40 or 4503.42 of the Revised 3123
Code, subject to approval by the registrar; 3124

(4) Subject to division (C) of this section, provisions 3125
allowing an owner or lessee purchasing a specialty license plate 3126
created by the vendor to select various design features of the 3127
license plate; 3128

(5) Subject to division (C) of this section, provisions 3129
allowing the vendor to enter into an agreement with any person 3130
for the marketing and sale of a specialty license plate that is 3131
not offered by the registrar under this chapter. A person or 3132
entity that has sponsored a specialty license plate offered by 3133
the registrar under this chapter may create a new specialty 3134
license plate through the private vendor. 3135

(6) Provisions specifying that the vendor shall comply 3136
with all applicable copyright and trademark laws; 3137

(7) A requirement that the registrar collect the following 3138
fees and contribution, in amounts established in the contract, 3139
related to the issuance of license plates under the program that 3140
are in addition to any applicable motor vehicle registration 3141
taxes and fees levied under Chapters 4503. and 4504. of the 3142

<u>Revised Code:</u>	3143
<u>(a) A fee to compensate the registrar for costs associated</u>	3144
<u>with program administration and license plate production and</u>	3145
<u>design. Fees collected under division (B) (7) (a) of this section</u>	3146
<u>shall be deposited in the public safety-highway purposes fund</u>	3147
<u>created in section 4501.06 of the Revised Code.</u>	3148
<u>(b) A fee to compensate the vendor for the performance of</u>	3149
<u>its duties under the contract. Fees collected under division (B)</u>	3150
<u>(7) (b) of this section shall be deposited in the public safety</u>	3151
<u>license plate contract fund created in section 4503.262 of the</u>	3152
<u>Revised Code.</u>	3153
<u>(c) A contribution for deposit in the drug law enforcement</u>	3154
<u>fund created in section 5502.68 of the Revised Code.</u>	3155
<u>(8) Provisions requiring the vendor to comply with all</u>	3156
<u>applicable requirements of the Revised Code and the Ohio</u>	3157
<u>Administrative Code.</u>	3158
<u>(C) (1) The registrar shall submit each specialty license</u>	3159
<u>plate design created under the specialty license plate program</u>	3160
<u>established under this section to the controlling board. The</u>	3161
<u>registrar shall submit plate designs to the board either</u>	3162
<u>individually or in a group as the registrar determines. The</u>	3163
<u>board may vote to approve or disapprove a group of plates or an</u>	3164
<u>individual plate from a group of plates as the board determines.</u>	3165
<u>The board has final authority regarding the design and content</u>	3166
<u>of any specialty license plate created under the program and</u>	3167
<u>shall approve or disapprove of any proposed specialty license</u>	3168
<u>plate.</u>	3169
<u>(2) Before the registrar submits a specialty license plate</u>	3170
<u>to the controlling board for approval, the registrar may consult</u>	3171

with the superintendent of the state highway patrol concerning 3172
any specialty license plate regarding readability, reflectivity, 3173
and public safety. 3174

(3) The registrar shall not restrict the background color, 3175
color combinations, or color of alphanumeric license plate 3176
numbers of a specialty license plate proposed by the private 3177
vendor except for purposes of public safety. 3178

(D) (1) If a contract with a vendor is entered into under 3179
this section, the owner or lessee of any passenger car, 3180
noncommercial motor vehicle, recreational vehicle, or other 3181
vehicle of a class approved by the registrar and the vendor may 3182
apply for registration of the vehicle and issuance by the 3183
registrar of a specialty license plate pursuant to this section. 3184

(2) A specialty license plate available through the 3185
program and a validation sticker, or validation sticker alone, 3186
shall be issued by the registrar in coordination with the vendor 3187
to the owner or lessee upon receipt of a completed application 3188
under this section; payment of the regular license tax as 3189
prescribed under section 4503.04 of the Revised Code, any 3190
applicable motor vehicle tax levied under Chapter 4504. of the 3191
Revised Code, any applicable additional fee prescribed under 3192
section 4503.40 or 4503.42 of the Revised Code, any additional 3193
fees required by the vendor; and compliance with all other 3194
applicable laws relating to the registration of motor vehicles. 3195

(E) Notwithstanding any other provision of law to the 3196
contrary, the registrar may execute all duties required by this 3197
section and take all necessary actions to implement its 3198
requirements. 3199

Sec. 4503.262. The public safety license plate contract 3200

fund is created in the state treasury. The fund shall consist of 3201
fees collected by the registrar pursuant to division (B) (7) (b) 3202
of section 4503.261 of the Revised Code. The registrar shall use 3203
the money in the fund to compensate the private vendor selected 3204
under section 4503.261 of the Revised Code for the performance 3205
of its duties under the contract authorized under that section. 3206

Sec. 4505.072. (A) The owner of a motor vehicle seeking to 3207
obtain a certificate of title indicating that the motor vehicle 3208
is a replica motor vehicle shall do all of the following: 3209

(1) Have that motor vehicle inspected by the state highway 3210
patrol in the manner specified in section 4505.111 of the 3211
Revised Code and obtain an inspection report from the state 3212
highway patrol; 3213

(2) Obtain a signed written statement from a person or 3214
nonprofit corporation with expertise in historical motor 3215
vehicles that the owner's motor vehicle reasonably replicates 3216
the make, model, and model year of motor vehicle that the owner 3217
is intending to replicate; 3218

(3) Sign the written statement and have it notarized by a 3219
notary public. 3220

(B) When a clerk of a court of common pleas issues a 3221
physical or electronic certificate of title for a motor vehicle, 3222
the owner of the motor vehicle may request that the certificate 3223
of title indicate that the motor vehicle is a replica motor 3224
vehicle. 3225

When a clerk of a court of common pleas issues a duplicate 3226
certificate of title or memorandum certificate of title for a 3227
replica motor vehicle, that certificate of title shall be 3228
identical to the existing certificate of title. 3229

Prior to issuance of the certificate of title, the owner 3230
of the replica motor vehicle shall surrender to the clerk any 3231
existing certificate of title, a copy of the inspection report, 3232
and the signed notarized written statement described in division 3233
(A) of this section. 3234

(C) (1) Upon compliance with divisions (A) and (B) of this 3235
section and payment of the fee prescribed in section 4505.09 of 3236
the Revised Code, the clerk shall issue to the owner a 3237
certificate of title that complies with this section. 3238

(2) The clerk shall use reasonable care in performing the 3239
duties imposed on the clerk by this section in issuing a 3240
certificate of title pursuant to this section, but the clerk is 3241
not liable for any of the clerk's errors or omissions or those 3242
of the clerk's deputies, or the automated title processing 3243
system in the performance of those duties. 3244

(D) (1) The registrar of motor vehicles shall ensure that 3245
the certificate of title of a replica motor vehicle issued under 3246
this section complies with all of the following: 3247

(a) It is in the same form as the original certificate of 3248
title. 3249

(b) It displays the word "REPLICA" in black boldface 3250
letters on its face. 3251

(c) It includes the make, model, and model year of motor 3252
vehicle that the owner is intending the motor vehicle to 3253
replicate. 3254

(d) It includes the year the replica motor vehicle was 3255
constructed, assembled, or modified. 3256

(2) The registrar shall determine the exact location on 3257

the face of the certificate of title of the word "REPLICA," the 3258
make, model, and model year of motor vehicle the owner is 3259
intending to replicate, and the year the replica motor vehicle 3260
was constructed, assembled, or modified. The registrar shall 3261
develop an automated procedure within the automated title 3262
processing system for purposes of this section. 3263

(3) Every memorandum certificate of title or duplicate 3264
certificate of title issued for a replica motor vehicle for 3265
which a certificate of title has been issued under this section 3266
shall display the same information as is required under division 3267
(D) (1) of this section. 3268

Any subsequent certificate of title issued for a replica 3269
motor vehicle for which a certificate of title has been issued 3270
under this section shall display the same information as is 3271
required under division (D) (1) of this section. 3272

(E) (1) The owner of a replica motor vehicle who titles 3273
that vehicle as a replica motor vehicle under this section shall 3274
obtain replica license plates and comply with the requirements 3275
of section 4503.183 of the Revised Code. 3276

(2) The owner of a replica motor vehicle who does not 3277
title that motor vehicle as a replica motor vehicle under this 3278
section is not required to obtain replica motor vehicle license 3279
plates and comply with the requirements of section 4503.183 of 3280
the Revised Code. Such an owner is subject to the general 3281
registration requirements of Chapter 4503., the titling 3282
requirements of Chapter 4505., and the equipment requirements of 3283
Chapter 4513. of the Revised Code. 3284

Sec. 4505.08. (A) When the clerk of a court of common 3285
pleas issues a physical certificate of title, the clerk shall 3286

issue the certificate of title on a form and in a manner 3287
prescribed by the registrar of motor vehicles. The clerk shall 3288
file a copy of the physical evidence for the creation of the 3289
certificate of title in a manner prescribed by the registrar. A 3290
clerk may retain digital images of documents used as evidence 3291
for issuance of a certificate of title. Certified printouts of 3292
documents retained as digital images shall have the same 3293
evidentiary value as the original physical documents. The record 3294
of the issuance of the certificate of title shall be maintained 3295
in the automated title processing system. The clerk shall sign 3296
and affix the clerk's seal to the original certificate of title 3297
and, if there are no liens on the motor vehicle, shall deliver 3298
the certificate to the applicant or the selling dealer. If there 3299
are one or more liens on the motor vehicle, the certificate of 3300
title shall be delivered to the holder of the first lien or the 3301
selling dealer, who shall deliver the certificate of title to 3302
the holder of the first lien. 3303

The registrar shall prescribe a uniform method of 3304
numbering certificates of title, and such numbering shall be in 3305
such manner that the county of issuance is indicated. The clerk 3306
shall assign numbers to certificates of title in the manner 3307
prescribed by the registrar. The clerk shall file all 3308
certificates of title according to rules to be prescribed by the 3309
registrar, and the clerk shall maintain in the clerk's office 3310
indexes for the certificates of title. 3311

The clerk need not retain on file any current certificates 3312
of title, current duplicate certificates of title, current 3313
memorandum certificates of title, or current salvage 3314
certificates of title, or supporting evidence of them covering 3315
any motor vehicle or manufactured or mobile home for a period 3316
longer than seven years after the date of its filing; 3317

thereafter, the documents and supporting evidence may be 3318
destroyed. The clerk need not retain on file any inactive 3319
records, including certificates of title, duplicate certificates 3320
of title, or memorandum certificates of title, or supporting 3321
evidence of them, including the electronic record described in 3322
division (A) of section 4505.06 of the Revised Code, covering 3323
any motor vehicle or manufactured or mobile home for a period 3324
longer than five years after the date of its filing; thereafter, 3325
the documents and supporting evidence may be destroyed. 3326

The automated title processing system shall contain all 3327
active records and an index of the active records, a record and 3328
index of all inactive titles for ten years, and a record and 3329
index of all inactive titles for manufactured and mobile homes 3330
for thirty years. If the clerk provides a written copy of any 3331
information contained in the database, the copy shall be 3332
considered the original for purposes of the clerk certifying the 3333
record of the information for use in any legal proceeding. 3334

(B) (1) If the clerk issues a certificate of title for a 3335
motor vehicle that was last previously registered in another 3336
state, the clerk shall record verbatim, where practicable, in 3337
the space on the title described in division (B) (19) of section 3338
4505.07 of the Revised Code, the words that appear as a notation 3339
to the vehicle on the title issued by the previous state. These 3340
notations may include, but are not limited to, words to the 3341
effect that the vehicle was considered or was categorized by the 3342
state in which it was last previously registered to be a law 3343
enforcement vehicle or a taxicab or was once in a flood. 3344

(2) If the clerk, while issuing a certificate of title for 3345
a motor vehicle that was last previously registered in another 3346
state, receives information from the automated title processing 3347

system indicating that a title to the vehicle previously was 3348
issued by this state and that the previous title contained 3349
notations that appeared in the space described in division (B) 3350
(19) or (20) of section 4505.07 of the Revised Code, the clerk 3351
shall enter the notations that appeared on the previous 3352
certificate of title issued by this state on the new certificate 3353
of title in the space described in division (B) (19) or (20) of 3354
section 4505.07 of the Revised Code, irrespective of whether the 3355
notations appear on the certificate of title issued by the state 3356
in which the vehicle was last previously registered. 3357

(3) If the clerk, while issuing a certificate of title for 3358
a motor vehicle that was last previously registered in another 3359
state, receives information from the automated title processing 3360
system indicating that the vehicle was previously issued a title 3361
by this state and that the previous title bore the notation 3362
"REBUILT SALVAGE" as required by division (E) of section 4505.11 3363
of the Revised Code, or the previous title to the vehicle issued 3364
by this state was a salvage certificate of title, the clerk 3365
shall cause the certificate of title the clerk issues to bear 3366
the notation "REBUILT SALVAGE" in the location prescribed by the 3367
registrar pursuant to that division. 3368

(4) If the clerk, while issuing a certificate of title for 3369
a motor vehicle that was last previously registered in another 3370
state, receives information from the automated title processing 3371
system indicating that the vehicle was previously issued a title 3372
by this state and that the previous title included the notation 3373
"REPLICA" in accordance with section 4505.072 of the Revised 3374
Code, or the previous title to the vehicle issued by another 3375
state indicates that the vehicle is a replica motor vehicle, the 3376
clerk shall cause the certificate of title the clerk issues to 3377
display the notation "REPLICA" in the location prescribed by the 3378

registrar pursuant to that section.

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(C) When the clerk issues a certificate of title for a motor vehicle that was last previously registered in this state and was a law enforcement vehicle or a taxicab or was once in a flood, the clerk shall record that information in the space on the title described in division (B) (20) of section 4505.07 of the Revised Code. The registrar, by rule, may prescribe any additional uses of or happenings to a motor vehicle that the registrar has reason to believe should be noted on the certificate of title as provided in this division.

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(D) The clerk shall use reasonable care in recording or entering onto titles the clerk issues any notation and information the clerk is required by divisions (B) and (C) of this section to record or enter and in causing the titles the clerk issues to bear any notation required by those divisions, but the clerk is not liable for any of the clerk's errors or omissions or those of the clerk's deputies, or the automated title processing system, in the performance of the duties imposed on the clerk by this section.

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(E) The clerk may issue a duplicate title, when duly applied for, of any title that has been destroyed as herein provided.

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(F) Except as provided in section 4505.021 of the Revised Code, the clerk shall issue a physical certificate of title to an applicant unless the applicant specifically requests the clerk not to issue a physical certificate of title and instead to issue an electronic certificate of title. The fact that a physical certificate of title is not issued for a motor vehicle does not affect ownership of the vehicle. In that case, when the clerk completes the process of entering certificate of title

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application information into the automated title processing 3409
system, the effect of the completion of the process is the same 3410
as if the clerk actually issued a physical certificate of title 3411
for the motor vehicle. 3412

(G) An electronic motor vehicle dealer who applies for a 3413
certificate of title on behalf of a customer who purchases a 3414
motor vehicle from the dealer may print a non-negotiable 3415
evidence of ownership for the customer if the customer so 3416
requests. The authorization to print the non-negotiable evidence 3417
of ownership shall come from the clerk with whom the dealer 3418
makes application for the certificate of title for the customer, 3419
but the printing by the dealer does not create an agency 3420
relationship of any kind between the dealer and the clerk. 3421

(H) The owner of a motor vehicle may apply at any time to 3422
a clerk of a court of common pleas for a non-negotiable evidence 3423
of ownership for the motor vehicle. 3424

(I) In accordance with rules adopted by the registrar, a 3425
clerk may issue a certificate of title applied for by an agent 3426
of a licensed motor vehicle dealer when that agent has a 3427
properly executed power of attorney from the dealer. 3428

Sec. 4506.01. As used in this chapter: 3429

(A) "Alcohol concentration" means the concentration of 3430
alcohol in a person's blood, breath, or urine. When expressed as 3431
a percentage, it means grams of alcohol per the following: 3432

(1) One hundred milliliters of whole blood, blood serum, 3433
or blood plasma; 3434

(2) Two hundred ten liters of breath; 3435

(3) One hundred milliliters of urine. 3436

~~(B) (1) (B)~~ "Commercial driver's license" means a license 3437
issued in accordance with this chapter that authorizes an 3438
individual to drive a commercial motor vehicle. ~~Except as~~ 3439
~~otherwise specifically provided, "commercial driver's license"~~ 3440
~~includes an "enhanced commercial driver's license."~~ 3441

~~(2) "Enhanced commercial driver's license" means a~~ 3442
~~commercial driver's license issued in accordance with sections~~ 3443
~~4507.021 and 4506.072 of the Revised Code that denotes~~ 3444
~~citizenship and identity and is approved by the United States~~ 3445
~~secretary of homeland security or other designated federal~~ 3446
~~agency for purposes of entering the United States.~~ 3447

(C) "Commercial driver's license information system" means 3448
the information system established pursuant to the requirements 3449
of the "Commercial Motor Vehicle Safety Act of 1986," 100 Stat. 3450
3207-171, 49 U.S.C.A. App. 2701. 3451

(D) Except when used in section 4506.25 of the Revised 3452
Code, "commercial motor vehicle" means any motor vehicle 3453
designed or used to transport persons or property that meets any 3454
of the following qualifications: 3455

(1) Any combination of vehicles with a gross vehicle 3456
weight or combined gross vehicle weight rating of twenty-six 3457
thousand one pounds or more, provided the gross vehicle weight 3458
or gross vehicle weight rating of the vehicle or vehicles being 3459
towed is in excess of ten thousand pounds; 3460

(2) Any single vehicle with a gross vehicle weight or 3461
gross vehicle weight rating of twenty-six thousand one pounds or 3462
more; 3463

(3) Any single vehicle or combination of vehicles that is 3464
not a class A or class B vehicle, but is designed to transport 3465

sixteen or more passengers including the driver; 3466

(4) Any school bus with a gross vehicle weight or gross 3467
vehicle weight rating of less than twenty-six thousand one 3468
pounds that is designed to transport fewer than sixteen 3469
passengers including the driver; 3470

(5) Is transporting hazardous materials for which 3471
placarding is required under subpart F of 49 C.F.R. part 172, as 3472
amended; 3473

(6) Any single vehicle or combination of vehicles that is 3474
designed to be operated and to travel on a public street or 3475
highway and is considered by the federal motor carrier safety 3476
administration to be a commercial motor vehicle, including, but 3477
not limited to, a motorized crane, a vehicle whose function is 3478
to pump cement, a rig for drilling wells, and a portable crane. 3479

(E) "Controlled substance" means all of the following: 3480

(1) Any substance classified as a controlled substance 3481
under the "Controlled Substances Act," 80 Stat. 1242 (1970), 21 3482
U.S.C.A. 802(6), as amended; 3483

(2) Any substance included in schedules I through V of 21 3484
C.F.R. part 1308, as amended; 3485

(3) Any drug of abuse. 3486

(F) "Conviction" means an unvacated adjudication of guilt 3487
or a determination that a person has violated or failed to 3488
comply with the law in a court of original jurisdiction or an 3489
authorized administrative tribunal, an unvacated forfeiture of 3490
bail or collateral deposited to secure the person's appearance 3491
in court, a plea of guilty or nolo contendere accepted by the 3492
court, the payment of a fine or court cost, or violation of a 3493

condition of release without bail, regardless of whether or not 3494
the penalty is rebated, suspended, or probated. 3495

(G) "Disqualification" means any of the following: 3496

(1) The suspension, revocation, or cancellation of a 3497
person's privileges to operate a commercial motor vehicle; 3498

(2) Any withdrawal of a person's privileges to operate a 3499
commercial motor vehicle as the result of a violation of state 3500
or local law relating to motor vehicle traffic control other 3501
than parking, vehicle weight, or vehicle defect violations; 3502

(3) A determination by the federal motor carrier safety 3503
administration that a person is not qualified to operate a 3504
commercial motor vehicle under 49 C.F.R. 391. 3505

(H) "Domiciled" means having a true, fixed, principal, and 3506
permanent residence to which an individual intends to return. 3507

(I) "Downgrade" means any of the following, as applicable: 3508

(1) A change in the commercial driver's license, or 3509
commercial driver's license temporary instruction permit, 3510
holder's self-certified status as described in division (A) (1) 3511
of section 4506.10 of the Revised Code; 3512

(2) A change to a lesser class of vehicle; 3513

(3) Removal of commercial driver's license privileges from 3514
the individual's driver's license. 3515

(J) "Drive" means to drive, operate, or be in physical 3516
control of a motor vehicle. 3517

(K) "Driver" means any person who drives, operates, or is 3518
in physical control of a commercial motor vehicle or is required 3519
to have a commercial driver's license. 3520

(L) "Driver's license" means a license issued by the 3521
bureau of motor vehicles that authorizes an individual to drive. 3522

(M) "Drug of abuse" means any controlled substance, 3523
dangerous drug as defined in section 4729.01 of the Revised 3524
Code, harmful intoxicant as defined in section 2925.01 of the 3525
Revised Code, or over-the-counter medication that, when taken in 3526
quantities exceeding the recommended dosage, can result in 3527
impairment of judgment or reflexes. 3528

(N) "Electronic device" includes a cellular telephone, a 3529
personal digital assistant, a pager, a computer, and any other 3530
device used to input, write, send, receive, or read text. 3531

(O) "Eligible unit of local government" means a village, 3532
township, or county that has a population of not more than three 3533
thousand persons according to the most recent federal census. 3534

(P) "Employer" means any person, including the federal 3535
government, any state, and a political subdivision of any state, 3536
that owns or leases a commercial motor vehicle or assigns a 3537
person to drive such a motor vehicle. 3538

(Q) "Endorsement" means an authorization on a person's 3539
commercial driver's license that is required to permit the 3540
person to operate a specified type of commercial motor vehicle. 3541

(R) "Farm truck" means a truck controlled and operated by 3542
a farmer for use in the transportation to or from a farm, for a 3543
distance of not more than one hundred fifty miles, of products 3544
of the farm, including livestock and its products, poultry and 3545
its products, floricultural and horticultural products, and in 3546
the transportation to the farm, from a distance of not more than 3547
one hundred fifty miles, of supplies for the farm, including 3548
tile, fence, and every other thing or commodity used in 3549

agricultural, floricultural, horticultural, livestock, and 3550
poultry production, and livestock, poultry, and other animals 3551
and things used for breeding, feeding, or other purposes 3552
connected with the operation of the farm, when the truck is 3553
operated in accordance with this division and is not used in the 3554
operations of a motor carrier, as defined in section 4923.01 of 3555
the Revised Code. 3556

(S) "Fatality" means the death of a person as the result 3557
of a motor vehicle accident occurring not more than three 3558
hundred sixty-five days prior to the date of death. 3559

(T) "Felony" means any offense under federal or state law 3560
that is punishable by death or specifically classified as a 3561
felony under the law of this state, regardless of the penalty 3562
that may be imposed. 3563

(U) "Foreign jurisdiction" means any jurisdiction other 3564
than a state. 3565

(V) "Gross vehicle weight rating" means the value 3566
specified by the manufacturer as the maximum loaded weight of a 3567
single or a combination vehicle. The gross vehicle weight rating 3568
of a combination vehicle is the gross vehicle weight rating of 3569
the power unit plus the gross vehicle weight rating of each 3570
towed unit. 3571

(W) "Hazardous materials" means any material that has been 3572
designated as hazardous under 49 U.S.C. 5103 and is required to 3573
be placarded under subpart F of 49 C.F.R. part 172 or any 3574
quantity of a material listed as a select agent or toxin in 42 3575
C.F.R. part 73, as amended. 3576

(X) "Imminent hazard" means the existence of a condition 3577
that presents a substantial likelihood that death, serious 3578

illness, severe personal injury, or a substantial endangerment 3579
to health, property, or the environment may occur before the 3580
reasonably foreseeable completion date of a formal proceeding 3581
begun to lessen the risk of that death, illness, injury, or 3582
endangerment. 3583

(Y) "Medical variance" means one of the following received 3584
by a driver from the federal motor carrier safety administration 3585
that allows the driver to be issued a medical certificate: 3586

(1) An exemption letter permitting operation of a 3587
commercial motor vehicle under 49 C.F.R. 381, subpart C or 49 3588
C.F.R. 391.64; 3589

(2) A skill performance evaluation certificate permitting 3590
operation of a commercial motor vehicle pursuant to 49 C.F.R. 3591
391.49. 3592

(Z) "Mobile telephone" means a mobile communication device 3593
that falls under or uses any commercial mobile radio service as 3594
defined in 47 C.F.R. 20, except that mobile telephone does not 3595
include two-way or citizens band radio services. 3596

(AA) "Motor vehicle" means a vehicle, machine, tractor, 3597
trailer, or semitrailer propelled or drawn by mechanical power 3598
used on highways, except that such term does not include a 3599
vehicle, machine, tractor, trailer, or semitrailer operated 3600
exclusively on a rail. 3601

(BB) "Out-of-service order" means a declaration by an 3602
authorized enforcement officer of a federal, state, local, 3603
Canadian, or Mexican jurisdiction declaring that a driver, 3604
commercial motor vehicle, or commercial motor carrier operation 3605
is out of service as defined in 49 C.F.R. 390.5. 3606

(CC) "Peace officer" has the same meaning as in section 3607

2935.01 of the Revised Code. 3608

(DD) "Portable tank" means a liquid or gaseous packaging 3609
designed primarily to be loaded onto or temporarily attached to 3610
a vehicle and equipped with skids, mountings, or accessories to 3611
facilitate handling of the tank by mechanical means. 3612

(EE) "Public safety vehicle" has the same meaning as in 3613
divisions (E) (1) and (3) of section 4511.01 of the Revised Code. 3614

(FF) "Recreational vehicle" includes every vehicle that is 3615
defined as a recreational vehicle in section 4501.01 of the 3616
Revised Code and is used exclusively for purposes other than 3617
engaging in business for profit. 3618

(GG) "Residence" means any person's residence determined 3619
in accordance with standards prescribed in rules adopted by the 3620
registrar. 3621

(HH) "School bus" has the same meaning as in section 3622
4511.01 of the Revised Code. 3623

(II) "Serious traffic violation" means any of the 3624
following: 3625

(1) A conviction arising from a single charge of operating 3626
a commercial motor vehicle in violation of any provision of 3627
section 4506.03 of the Revised Code; 3628

(2) (a) Except as provided in division (II) (2) (b) of this 3629
section, a violation while operating a commercial motor vehicle 3630
of a law of this state, or any municipal ordinance or county or 3631
township resolution, or any other substantially similar law of 3632
another state or political subdivision of another state 3633
prohibiting either of the following: 3634

(i) Texting while driving; 3635

(ii) Using a handheld mobile telephone. 3636

(b) It is not a serious traffic violation if the person 3637
was texting or using a handheld mobile telephone to contact law 3638
enforcement or other emergency services. 3639

(3) A conviction arising from the operation of any motor 3640
vehicle that involves any of the following: 3641

(a) A single charge of any speed in excess of the posted 3642
speed limit by fifteen miles per hour or more; 3643

(b) Violation of section 4511.20 or 4511.201 of the 3644
Revised Code or any similar ordinance or resolution, or of any 3645
similar law of another state or political subdivision of another 3646
state; 3647

(c) Violation of a law of this state or an ordinance or 3648
resolution relating to traffic control, other than a parking 3649
violation, or of any similar law of another state or political 3650
subdivision of another state, that results in a fatal accident; 3651

(d) Violation of section 4506.03 of the Revised Code or a 3652
substantially similar municipal ordinance or county or township 3653
resolution, or of any similar law of another state or political 3654
subdivision of another state, that involves the operation of a 3655
commercial motor vehicle without a valid commercial driver's 3656
license with the proper class or endorsement for the specific 3657
vehicle group being operated or for the passengers or type of 3658
cargo being transported; 3659

(e) Violation of section 4506.03 of the Revised Code or a 3660
substantially similar municipal ordinance or county or township 3661
resolution, or of any similar law of another state or political 3662
subdivision of another state, that involves the operation of a 3663
commercial motor vehicle without a valid commercial driver's 3664

license being in the person's possession; 3665

(f) Violation of section 4511.33 or 4511.34 of the Revised 3666
Code, or any municipal ordinance or county or township 3667
resolution substantially similar to either of those sections, or 3668
any substantially similar law of another state or political 3669
subdivision of another state; 3670

(g) Violation of any other law of this state, any law of 3671
another state, or any ordinance or resolution of a political 3672
subdivision of this state or another state that meets both of 3673
the following requirements: 3674

(i) It relates to traffic control, other than a parking 3675
violation; 3676

(ii) It is determined to be a serious traffic violation by 3677
the United States secretary of transportation and is designated 3678
by the director as such by rule. 3679

(JJ) "State" means a state of the United States and 3680
includes the District of Columbia. 3681

(KK) "Tank vehicle" means any commercial motor vehicle 3682
that is designed to transport any liquid or gaseous materials 3683
within a tank or tanks that are either permanently or 3684
temporarily attached to the vehicle or its chassis and have an 3685
individual rated capacity of more than one hundred nineteen 3686
gallons and an aggregate rated capacity of one thousand gallons 3687
or more. "Tank vehicle" does not include a commercial motor 3688
vehicle transporting an empty storage container tank that is not 3689
designed for transportation, has a rated capacity of one 3690
thousand gallons or more, and is temporarily attached to a 3691
flatbed trailer. 3692

(LL) "Tester" means a person or entity acting pursuant to 3693

a valid agreement entered into pursuant to division (B) of 3694
section 4506.09 of the Revised Code. 3695

(MM) "Texting" means manually entering alphanumeric text 3696
into, or reading text from, an electronic device. Texting 3697
includes short message service, e-mail, instant messaging, a 3698
command or request to access a world wide web page, pressing 3699
more than a single button to initiate or terminate a voice 3700
communication using a mobile telephone, or engaging in any other 3701
form of electronic text retrieval or entry, for present or 3702
future communication. Texting does not include the following: 3703

(1) Using voice commands to initiate, receive, or 3704
terminate a voice communication using a mobile telephone; 3705

(2) Inputting, selecting, or reading information on a 3706
global positioning system or navigation system; 3707

(3) Pressing a single button to initiate or terminate a 3708
voice communication using a mobile telephone; or 3709

(4) Using, for a purpose that is not otherwise prohibited 3710
by law, a device capable of performing multiple functions, such 3711
as a fleet management system, a dispatching device, a mobile 3712
telephone, a citizens band radio, or a music player. 3713

(NN) "Texting while driving" means texting while operating 3714
a commercial motor vehicle, with the motor running, including 3715
while temporarily stationary because of traffic, a traffic 3716
control device, or other momentary delays. Texting while driving 3717
does not include operating a commercial motor vehicle with or 3718
without the motor running when the driver has moved the vehicle 3719
to the side of, or off, a highway and is stopped in a location 3720
where the vehicle can safely remain stationary. 3721

(OO) "United States" means the fifty states and the 3722

District of Columbia. 3723

(PP) "Upgrade" means a change in the class of vehicles, 3724
endorsements, or self-certified status as described in division 3725
(A) (1) of section 4506.10 of the Revised Code, that expands the 3726
ability of a current commercial driver's license holder to 3727
operate commercial motor vehicles under this chapter; 3728

(QQ) "Use of a handheld mobile telephone" means: 3729

(1) Using at least one hand to hold a mobile telephone to 3730
conduct a voice communication; 3731

(2) Dialing or answering a mobile telephone by pressing 3732
more than a single button; or 3733

(3) Reaching for a mobile telephone in a manner that 3734
requires a driver to maneuver so that the driver is no longer in 3735
a seated driving position, or restrained by a seat belt that is 3736
installed in accordance with 49 C.F.R. 393.93 and adjusted in 3737
accordance with the vehicle manufacturer's instructions. 3738

(RR) "Vehicle" has the same meaning as in section 4511.01 3739
of the Revised Code. 3740

Sec. 4506.11. (A) Every commercial driver's license shall 3741
be marked "commercial driver's license" or "CDL" and shall be of 3742
such material and so designed as to prevent its reproduction or 3743
alteration without ready detection. The commercial driver's 3744
license for licensees under twenty-one years of age shall have 3745
characteristics prescribed by the registrar of motor vehicles 3746
distinguishing it from that issued to a licensee who is twenty- 3747
one years of age or older. Every commercial driver's license 3748
shall display all of the following information: 3749

(1) The name and residence address of the licensee; 3750

- (2) A photograph of the licensee showing the licensee's
uncovered face; 3751
3752
- (3) A physical description of the licensee, including sex,
height, weight, and color of eyes and hair; 3753
3754
- (4) The licensee's date of birth; 3755
- (5) The licensee's social security number if the person
has requested that the number be displayed in accordance with 3756
section 4501.31 of the Revised Code or if federal law requires 3757
the social security number to be displayed and any number or 3758
other identifier the director of public safety considers 3759
appropriate and establishes by rules adopted under Chapter 119. 3760
of the Revised Code and in compliance with federal law; 3761
3762
- (6) The licensee's signature; 3763
- (7) The classes of commercial motor vehicles the licensee
is authorized to drive and any endorsements or restrictions 3764
relating to the licensee's driving of those vehicles; 3765
3766
- (8) The name of this state; 3767
- (9) The dates of issuance and of expiration of the
license; 3768
3769
- (10) If the licensee has certified willingness to make an
anatomical gift under section 2108.05 of the Revised Code, any 3770
symbol chosen by the registrar of motor vehicles to indicate 3771
that the licensee has certified that willingness; 3772
3773
- (11) If the licensee has executed a durable power of
attorney for health care or a declaration governing the use or 3774
continuation, or the withholding or withdrawal, of life- 3775
sustaining treatment and has specified that the licensee wishes 3776
the license to indicate that the licensee has executed either 3777
3778

type of instrument, any symbol chosen by the registrar to 3779
indicate that the licensee has executed either type of 3780
instrument; 3781

(12) If the licensee has specified that the licensee 3782
wishes the license to indicate that the licensee is a veteran, 3783
active duty, or reservist of the armed forces of the United 3784
States and has presented a copy of the licensee's DD-214 form or 3785
an equivalent document, any symbol chosen by the registrar to 3786
indicate that the licensee is a veteran, active duty, or 3787
reservist of the armed forces of the United States; 3788

(13) If the licensee is a noncitizen of the United States, 3789
a notation designating that the licensee is a noncitizen; 3790

(14) Any other information the registrar considers 3791
advisable and requires by rule. 3792

~~(B) Every enhanced commercial driver's license shall have~~ 3793
~~any additional characteristics established by the rules adopted~~ 3794
~~under section 4507.021 of the Revised Code.~~ 3795

~~(C)~~ The registrar may establish and maintain a file of 3796
negatives of photographs taken for the purposes of this section. 3797

~~(D)~~ (C) Neither the registrar nor any deputy registrar 3798
shall issue a commercial driver's license to anyone under 3799
twenty-one years of age that does not have the characteristics 3800
prescribed by the registrar distinguishing it from the 3801
commercial driver's license issued to persons who are twenty-one 3802
years of age or older. 3803

~~(E)~~ (D) Whoever violates division ~~(D)~~ (C) of this section is 3804
guilty of a minor misdemeanor. 3805

Sec. 4507.01. (A) As used in this chapter, "motor 3806

vehicle," "motorized bicycle," "state," "owner," "operator," 3807
"chauffeur," and "highways" have the same meanings as in section 3808
4501.01 of the Revised Code. 3809

"Driver's license" means a class D license issued to any 3810
person to operate a motor vehicle or motor-driven cycle, other 3811
than a commercial motor vehicle, and includes "probationary 3812
license," "restricted license," "limited term license," and any 3813
operator's or chauffeur's license issued before January 1, 1990. 3814
~~Except as otherwise specifically provided, "driver's license"~~ 3815
~~includes an "enhanced driver's license."~~ 3816

~~"Enhanced driver's license" means a driver's license~~ 3817
~~issued in accordance with sections 4507.021 and 4507.063 of the~~ 3818
~~Revised Code that denotes citizenship and identity and is~~ 3819
~~approved by the United States secretary of homeland security or~~ 3820
~~other designated federal agency for purposes of entering the~~ 3821
~~United States.~~ 3822

"Probationary license" means the license issued to any 3823
person between sixteen and eighteen years of age to operate a 3824
motor vehicle. 3825

"Restricted license" means the license issued to any 3826
person to operate a motor vehicle subject to conditions or 3827
restrictions imposed by the registrar of motor vehicles. 3828

"Commercial driver's license" means the license issued to 3829
a person under Chapter 4506. of the Revised Code to operate a 3830
commercial motor vehicle. 3831

"Commercial motor vehicle" has the same meaning as in 3832
section 4506.01 of the Revised Code. 3833

"Motorcycle operator's temporary instruction permit,
license, or endorsement" includes a temporary instruction 3834
3835

permit, license, or endorsement for a motor-driven cycle or 3836
motor scooter unless otherwise specified. 3837

"Motorized bicycle license" means the license issued under 3838
section 4511.521 of the Revised Code to any person to operate a 3839
motorized bicycle including a "probationary motorized bicycle 3840
license." 3841

"Probationary motorized bicycle license" means the license 3842
issued under section 4511.521 of the Revised Code to any person 3843
between fourteen and sixteen years of age to operate a motorized 3844
bicycle. 3845

"Identification card" means a card issued under sections 3846
4507.50 to 4507.52 of the Revised Code. ~~Except as otherwise~~ 3847
~~specifically provided, "identification card" includes an~~ 3848
~~"enhanced identification card."~~ 3849

~~"Enhanced identification card" means an identification~~ 3850
~~card issued in accordance with sections 4507.021 and 4507.511 of~~ 3851
~~the Revised Code that denotes citizenship and identity and is~~ 3852
~~approved by the United States secretary of homeland security or~~ 3853
~~other designated federal agency for purposes of entering the~~ 3854
~~United States.~~ 3855

"Resident" means a person who, in accordance with 3856
standards prescribed in rules adopted by the registrar, resides 3857
in this state on a permanent basis. 3858

"Temporary resident" means a person who, in accordance 3859
with standards prescribed in rules adopted by the registrar, 3860
resides in this state on a temporary basis. 3861

(B) In the administration of this chapter and Chapter 3862
4506. of the Revised Code, the registrar has the same authority 3863
as is conferred on the registrar by section 4501.02 of the 3864

Revised Code. Any act of an authorized deputy registrar of motor 3865
vehicles under direction of the registrar is deemed the act of 3866
the registrar. 3867

To carry out this chapter, the registrar shall appoint 3868
such deputy registrars in each county as are necessary. 3869

The registrar also shall provide at each place where an 3870
application for a driver's or commercial driver's license or 3871
identification card may be made the necessary equipment to take 3872
a photograph of the applicant for such license or card as 3873
required under section 4506.11 or 4507.06 of the Revised Code, 3874
and to conduct the vision screenings required by section 4507.12 3875
of the Revised Code. 3876

The registrar shall assign one or more deputy registrars 3877
to any driver's license examining station operated under the 3878
supervision of the director of public safety, whenever the 3879
registrar considers such assignment possible. Space shall be 3880
provided in the driver's license examining station for any such 3881
deputy registrar so assigned. The deputy registrars shall not 3882
exercise the powers conferred by such sections upon the 3883
registrar, unless they are specifically authorized to exercise 3884
such powers by such sections. 3885

(C) No agent for any insurance company, writing automobile 3886
insurance, shall be appointed deputy registrar, and any such 3887
appointment is void. No deputy registrar shall in any manner 3888
solicit any form of automobile insurance, nor in any manner 3889
advise, suggest, or influence any licensee or applicant for 3890
license for or against any kind or type of automobile insurance, 3891
insurance company, or agent, nor have the deputy registrar's 3892
office directly connected with the office of any automobile 3893
insurance agent, nor impart any information furnished by any 3894

applicant for a license or identification card to any person, 3895
except the registrar. This division shall not apply to any 3896
nonprofit corporation appointed deputy registrar. 3897

(D) The registrar shall immediately remove a deputy 3898
registrar who violates the requirements of this chapter. 3899

Sec. 4507.061. (A) The registrar of motor vehicles may 3900
authorize the online renewal of a driver's license, commercial 3901
driver's license, or identification card issued by the bureau of 3902
motor vehicles for eligible applicants. An applicant is eligible 3903
for online renewal if all of the following apply: 3904

(1) The applicant's current driver's license, commercial 3905
driver's license, or identification card was processed in person 3906
at a deputy registrar office. 3907

(2) The applicant has a photo on file with the bureau of 3908
motor vehicles from the applicant's current driver's license, 3909
commercial driver's license, or identification card. 3910

(3) The applicant's current driver's license, commercial 3911
driver's license, or identification card expires on the birthday 3912
of the applicant in the fourth year after the date it was 3913
issued. 3914

(4) The applicant is applying for a driver's license, 3915
commercial driver's license, or identification card that expires 3916
on the birthday of the applicant in the fourth year after the 3917
date it is issued. 3918

(5) The applicant's current driver's license, commercial 3919
driver's license, or identification card is unexpired or expired 3920
not more than six months prior to the date of the application. 3921

(6) The applicant is a citizen or a permanent resident of 3922

the United States and a permanent resident of this state. 3923

(7) The applicant's current driver's license, commercial 3924
driver's license, or identification card was ~~issue~~issued when 3925
the applicant was twenty-one years of age or older. 3926

(8) If the applicant is renewing a driver's license or 3927
commercial driver's license, the applicant is less than sixty- 3928
five years of age. 3929

(9) The applicant's current driver's license, commercial 3930
driver's license, or driving privileges are not suspended, 3931
canceled, revoked, or restricted, and the applicant is not 3932
otherwise prohibited by law from obtaining a driver's license, 3933
commercial driver's license, or identification card. 3934

(10) The applicant has no changes to the applicant's name 3935
or personal information, other than a change of address. 3936

(11) The applicant has no medical restrictions that would 3937
require the applicant to apply for a driver's license, 3938
commercial driver's license, or identification card in person at 3939
a deputy registrar office. The registrar shall determine the 3940
medical restrictions that require in person applications. 3941

(12) For a commercial driver's license, the applicant 3942
complies with all the requirements of Chapter 4506. of the 3943
Revised Code, including self-certification and medical 3944
certificate requirements. 3945

(13) For a commercial driver's license, the applicant is 3946
not under any restriction specified by any federal regulation. 3947

(B) An applicant may not submit an application online for 3948
any of the following: 3949

(1) A temporary instruction permit; 3950

(2) A commercial driver's license temporary instruction 3951
permit; 3952

(3) An initial issuance of an Ohio driver's license, 3953
commercial driver's license, or identification card; 3954

(4) An initial issuance of a federally compliant driver's 3955
license or identification card; 3956

~~(5) An initial issuance of an enhanced driver's license,~~ 3957
~~commercial driver's license, or enhanced identification card;~~ 3958

~~(6)~~ An ignition interlock license; 3959

~~(7)~~ (6) A limited term driver's license or nonrenewable 3960
commercial driver's license. 3961

(C) The registrar may require an applicant to provide a 3962
digital copy of any identification documents and supporting 3963
documents as required by statute or administrative rule to 3964
comply with current state and federal requirements. 3965

(D) Except as otherwise provided, an applicant shall 3966
comply with all other applicable laws related to the issuance of 3967
a driver's license, commercial driver's license, or 3968
identification card in order to renew a driver's license, 3969
commercial driver's license, or identification card under this 3970
section. 3971

(E) The registrar may adopt rules in accordance with 3972
Chapter 119. of the Revised Code to implement and administer 3973
this section. 3974

Sec. 4507.13. (A) (1) The registrar of motor vehicles shall 3975
issue a driver's license to every person licensed as an operator 3976
of motor vehicles other than commercial motor vehicles. No 3977
person licensed as a commercial motor vehicle driver under 3978

Chapter 4506. of the Revised Code need procure a driver's 3979
license, but no person shall drive any commercial motor vehicle 3980
unless licensed as a commercial motor vehicle driver. 3981

(2) Every driver's license shall display all of the 3982
following information: 3983

(a) The distinguishing number assigned to the licensee; 3984

(b) The licensee's name and date of birth; 3985

(c) The licensee's residence address and county of 3986
residence; 3987

(d) A photograph of the licensee; 3988

(e) A brief description of the licensee for the purpose of 3989
identification; 3990

(f) A facsimile of the signature of the licensee as it 3991
appears on the application for the license; 3992

(g) A notation, in a manner prescribed by the registrar, 3993
indicating any condition described in division (D) (3) of section 3994
4507.08 of the Revised Code to which the licensee is subject; 3995

(h) If the licensee has executed a durable power of 3996
attorney for health care or a declaration governing the use or 3997
continuation, or the withholding or withdrawal, of life- 3998
sustaining treatment and has specified that the licensee wishes 3999
the license to indicate that the licensee has executed either 4000
type of instrument, any symbol chosen by the registrar to 4001
indicate that the licensee has executed either type of 4002
instrument; 4003

(i) If the licensee has specified that the licensee wishes 4004
the license to indicate that the licensee is a veteran, active 4005

duty, or reservist of the armed forces of the United States and 4006
has presented a copy of the licensee's DD-214 form or an 4007
equivalent document, any symbol chosen by the registrar to 4008
indicate that the licensee is a veteran, active duty, or 4009
reservist of the armed forces of the United States; 4010

(j) If the licensee is a noncitizen of the United States, 4011
a notation designating that the licensee is a noncitizen; 4012

(k) Any additional information that the registrar requires 4013
by rule. 4014

(3) No license shall display the licensee's social 4015
security number unless the licensee specifically requests that 4016
the licensee's social security number be displayed on the 4017
license. If federal law requires the licensee's social security 4018
number to be displayed on the license, the social security 4019
number shall be displayed on the license notwithstanding this 4020
section. 4021

(4) The driver's license for licensees under twenty-one 4022
years of age shall have characteristics prescribed by the 4023
registrar distinguishing it from that issued to a licensee who 4024
is twenty-one years of age or older, except that a driver's 4025
license issued to a person who applies no more than thirty days 4026
before the applicant's twenty-first birthday shall have the 4027
characteristics of a license issued to a person who is twenty- 4028
one years of age or older. 4029

(5) The limited term license issued to a temporary 4030
resident shall contain the ~~word~~ words "limited term" and shall 4031
have any additional characteristics prescribed by the registrar 4032
distinguishing it from a license issued to a resident. 4033

~~(6) Every enhanced driver's license shall have any~~ 4034

~~additional characteristics established by the rules adopted~~ 4035
~~under section 4507.021 of the Revised Code.~~ 4036

~~(7)~~ Every driver's or commercial driver's license 4037
displaying a motorcycle operator's endorsement and every 4038
restricted license to operate a motor vehicle also shall display 4039
the designation "novice," if the endorsement or license is 4040
issued to a person who is eighteen years of age or older and 4041
previously has not been licensed to operate a motorcycle by this 4042
state or another jurisdiction recognized by this state. The 4043
"novice" designation shall be effective for one year after the 4044
date of issuance of the motorcycle operator's endorsement or 4045
license. 4046

~~(8)~~ (7) Each license issued under this section shall be of 4047
such material and so designed as to prevent its reproduction or 4048
alteration without ready detection. 4049

(B) Except in regard to a driver's license issued to a 4050
person who applies no more than thirty days before the 4051
applicant's twenty-first birthday, neither the registrar nor any 4052
deputy registrar shall issue a driver's license to anyone under 4053
twenty-one years of age that does not have the characteristics 4054
prescribed by the registrar distinguishing it from the driver's 4055
license issued to persons who are twenty-one years of age or 4056
older. 4057

(C) The registrar shall ensure that driver's licenses 4058
issued in accordance with the federal "Real ID Act," 49 U.S.C. 4059
30301, et seq., comply with the regulations specified in 6 4060
C.F.R. part 37. 4061

(D) Whoever violates division (B) of this section is 4062
guilty of a minor misdemeanor. 4063

Sec. 4507.21. (A) Except as provided in section 4507.061 4064
of the Revised Code, each applicant for a driver's license shall 4065
file an application in the office of the registrar of motor 4066
vehicles or of a deputy registrar. 4067

(B) (1) Each person under eighteen years of age applying 4068
for a driver's license issued in this state and each person 4069
eighteen years of age or older applying for an initial limited 4070
term license in this state shall present satisfactory evidence 4071
of having successfully completed ~~any~~ one of the following: 4072

(a) ~~A driver education course approved by the state~~ 4073
~~department of education and workforce prior to December 31,~~ 4074
~~2003.~~ 4075

~~(b)~~ A driver training course approved by the director of 4076
public safety. 4077

~~(c)~~ (b) A driver training course comparable to a ~~driver~~ 4078
~~education or~~ driver training course described in division (B) (1) 4079
(a) ~~or (b)~~ of this section and administered by a branch of the 4080
armed forces of the United States and completed by the applicant 4081
while residing outside this state for the purpose of being with 4082
or near any person serving in the armed forces of the United 4083
States. 4084

(2) Each person under eighteen years of age applying for a 4085
driver's license also shall present, on a form prescribed by the 4086
registrar, an affidavit signed by an eligible adult attesting 4087
that the person has acquired at least fifty hours of actual 4088
driving experience, with at least ten of those hours being at 4089
night. 4090

(3) Each person eighteen years of age or older applying 4091
for an initial limited term license in this state also shall 4092

present, on a form prescribed by the registrar, an affidavit 4093
signed by an adult who holds a current valid driver's or 4094
commercial driver's license issued by this state that the 4095
applicant has acquired at least fifty hours of actual driving 4096
experience, with at least ten of those hours being at night, 4097
accompanied by the signing adult. 4098

(C) (1) An applicant for an initial driver's license shall 4099
present satisfactory evidence of successful completion of the 4100
abbreviated driver training course for adults, approved by the 4101
director of public safety under section 4508.02 of the Revised 4102
Code, if all of the following apply: 4103

(a) The applicant is eighteen years of age or older. 4104

(b) The applicant failed the road or maneuverability test 4105
required under division (A) (2) of section 4507.11 of the Revised 4106
Code. 4107

(c) In the twelve months immediately preceding the date of 4108
application, the applicant has not successfully completed a 4109
driver training course. 4110

(2) An applicant shall present satisfactory evidence as 4111
required under division (C) (1) of this section prior to 4112
attempting the test a second or subsequent time. 4113

(D) If the registrar or deputy registrar determines that 4114
the applicant is entitled to the driver's license, it shall be 4115
issued. If the application shows that the applicant's license 4116
has been previously canceled or suspended, the deputy registrar 4117
shall forward the application to the registrar, who shall 4118
determine whether the license shall be granted. 4119

(E) An applicant shall file an application under this 4120
section in duplicate, and the deputy registrar issuing the 4121

license shall immediately forward to the office of the registrar 4122
the original copy of the application, together with the 4123
duplicate copy of any certificate of completion if issued for 4124
purposes of division (B) of this section. The registrar shall 4125
prescribe rules as to the manner in which the deputy registrar 4126
files and maintains the applications and other records. The 4127
registrar shall file every application for a driver's or 4128
commercial driver's license and index them by name and number, 4129
and shall maintain a suitable record of all licenses issued, all 4130
convictions and bond forfeitures, all applications for licenses 4131
denied, and all licenses that have been suspended or canceled. 4132

(F) For purposes of section 2313.06 of the Revised Code, 4133
the registrar shall maintain accurate and current lists of the 4134
residents of each county who are eighteen years of age or older, 4135
have been issued, on and after January 1, 1984, driver's or 4136
commercial driver's licenses that are valid and current, and 4137
would be electors if they were registered to vote, regardless of 4138
whether they actually are registered to vote. The lists shall 4139
contain the names, addresses, dates of birth, duration of 4140
residence in this state, citizenship status, and social security 4141
numbers, if the numbers are available, of the licensees, and may 4142
contain any other information that the registrar considers 4143
suitable. 4144

(G) Each person under eighteen years of age applying for a 4145
motorcycle operator's endorsement or a restricted license 4146
enabling the applicant to operate a motorcycle shall present 4147
satisfactory evidence of having completed the courses of 4148
instruction in the motorcycle safety and education program 4149
described in section 4508.08 of the Revised Code or a comparable 4150
course of instruction administered by a branch of the armed 4151
forces of the United States and completed by the applicant while 4152

residing outside this state for the purpose of being with or 4153
near any person serving in the armed forces of the United 4154
States. If the registrar or deputy registrar then determines 4155
that the applicant is entitled to the endorsement or restricted 4156
license, it shall be issued. 4157

(H) No person shall knowingly make a false statement in an 4158
affidavit presented in accordance with division (B) (2) of this 4159
section. 4160

(I) As used in this section, "eligible adult" means any of 4161
the following persons: 4162

(1) A parent, guardian, or custodian of the applicant; 4163

(2) A person over the age of twenty-one who acts in loco 4164
parentis of the applicant and who maintains proof of financial 4165
responsibility with respect to the operation of a motor vehicle 4166
owned by the applicant or with respect to the applicant's 4167
operation of any motor vehicle. 4168

(J) Whoever violates division (H) of this section is 4169
guilty of a minor misdemeanor and shall be fined one hundred 4170
dollars. 4171

Sec. 4507.52. (A) (1) Each identification card issued by 4172
the registrar of motor vehicles or a deputy registrar shall 4173
display a distinguishing number assigned to the cardholder, and 4174
shall display the following inscription: 4175

"STATE OF OHIO IDENTIFICATION CARD 4176

This card is not valid for the purpose of operating a 4177
motor vehicle. It is provided solely for the purpose of 4178
establishing the identity of the bearer described on the card." 4179

(2) The identification card shall display substantially 4180

the same information as contained in the application and as 4181
described in division (A)(1) of section 4507.51 of the Revised 4182
Code, including, if the cardholder is a noncitizen of the United 4183
States, a notation designating that the cardholder is a 4184
noncitizen. The identification card shall not display the 4185
cardholder's social security number unless the cardholder 4186
specifically requests that the cardholder's social security 4187
number be displayed on the card. If federal law requires the 4188
cardholder's social security number to be displayed on the 4189
identification card, the social security number shall be 4190
displayed on the card notwithstanding this section. 4191

(3) The identification card also shall display the 4192
photograph of the cardholder. 4193

(4) If the cardholder has executed a durable power of 4194
attorney for health care or a declaration governing the use or 4195
continuation, or the withholding or withdrawal, of life- 4196
sustaining treatment and has specified that the cardholder 4197
wishes the identification card to indicate that the cardholder 4198
has executed either type of instrument, the card also shall 4199
display any symbol chosen by the registrar to indicate that the 4200
cardholder has executed either type of instrument. 4201

(5) If the cardholder has specified that the cardholder 4202
wishes the identification card to indicate that the cardholder 4203
is a veteran, active duty, or reservist of the armed forces of 4204
the United States and has presented a copy of the cardholder's 4205
DD-214 form or an equivalent document, the card also shall 4206
display any symbol chosen by the registrar to indicate that the 4207
cardholder is a veteran, active duty, or reservist of the armed 4208
forces of the United States. 4209

(6) The card shall be designed as to prevent its 4210

reproduction or alteration without ready detection. 4211

(7) The identification card for persons under twenty-one 4212
years of age shall have characteristics prescribed by the 4213
registrar distinguishing it from that issued to a person who is 4214
twenty-one years of age or older, except that an identification 4215
card issued to a person who applies no more than thirty days 4216
before the applicant's twenty-first birthday shall have the 4217
characteristics of an identification card issued to a person who 4218
is twenty-one years of age or older. 4219

(8) Every identification card issued to a resident of this 4220
state shall display the expiration date of the card, in 4221
accordance with section 4507.501 of the Revised Code. 4222

(9) Every identification card issued to a temporary 4223
resident shall expire in accordance with section 4507.501 of the 4224
Revised Code and rules adopted by the registrar and is limited 4225
term. Every limited term identification card and limited term 4226
temporary identification card shall contain the words "limited 4227
term" and shall have any additional characteristics prescribed 4228
by the registrar distinguishing it from an identification card 4229
issued to a resident. 4230

~~(10) Every enhanced identification card shall have any 4231
additional characteristics established by the rules adopted 4232
under section 4507.021 of the Revised Code. 4233~~

(B) (1) If a card is lost, destroyed, or mutilated, the 4234
person to whom the card was issued may obtain a duplicate by 4235
doing both of the following: 4236

(a) Furnishing suitable proof of the loss, destruction, or 4237
mutilation to the registrar or a deputy registrar; 4238

(b) Filing an application and presenting documentary 4239

evidence under section 4507.51 of the Revised Code. 4240

(2) A cardholder may apply to obtain a reprint of the 4241
cardholder's identification card through electronic means in 4242
accordance with section 4507.40 of the Revised Code. 4243

(3) A cardholder may obtain a replacement identification 4244
card that reflects any change of the cardholder's name by 4245
furnishing suitable proof of the change to the registrar or a 4246
deputy registrar. 4247

(4) Except as provided in division (B) (5) or (6) of this 4248
section, when a cardholder applies for a duplicate, reprint, or 4249
replacement identification card, the cardholder shall pay the 4250
following fees: 4251

(a) Two dollars and fifty cents; 4252

(b) A deputy registrar or service fee equal to the amount 4253
established under section 4503.038 of the Revised Code. 4254

(5) The following cardholders may apply for a duplicate, 4255
reprint, or replacement identification card without payment of 4256
any fee prescribed in division (B) (4) of this section: 4257

(a) A disabled veteran who has a service-connected 4258
disability rated at one hundred per cent by the veterans' 4259
administration; 4260

(b) A resident who is permanently or irreversibly 4261
disabled. 4262

(6) A cardholder who is seventeen years of age or older 4263
may apply for a replacement identification card without payment 4264
of any fee prescribed in division (B) (4) of this section. 4265

(7) A duplicate, reprint, or replacement identification 4266

card expires on the same date as the card it replaces. 4267

(C) The registrar shall cancel any card upon determining 4268
that the card was obtained unlawfully, issued in error, or was 4269
altered. 4270

(D) (1) No agent of the state or its political subdivisions 4271
shall condition the granting of any benefit, service, right, or 4272
privilege upon the possession by any person of an identification 4273
card. Nothing in this section shall preclude any publicly 4274
operated or franchised transit system from using an 4275
identification card for the purpose of granting benefits or 4276
services of the system. 4277

(2) No person shall be required to apply for, carry, or 4278
possess an identification card. 4279

(E) Except in regard to an identification card issued to a 4280
person who applies no more than thirty days before the 4281
applicant's twenty-first birthday, neither the registrar nor any 4282
deputy registrar shall issue an identification card to a person 4283
under twenty-one years of age that does not have the 4284
characteristics prescribed by the registrar distinguishing it 4285
from the identification card issued to persons who are twenty- 4286
one years of age or older. 4287

(F) The registrar shall ensure that identification cards 4288
issued in accordance with the federal "Real ID Act," 49 U.S.C. 4289
30301, et seq., comply with the regulations specified in 6 4290
C.F.R. part 37. 4291

(G) Whoever violates division (E) of this section is 4292
guilty of a minor misdemeanor. 4293

Sec. 4508.02. (A) (1) The director of public safety, 4294
subject to Chapter 119. of the Revised Code, shall adopt and 4295

prescribe such rules concerning the administration and 4296
enforcement of this chapter as are necessary to protect the 4297
public. The rules shall require an assessment of the holder of a 4298
probationary instructor license. The director shall inspect the 4299
school facilities and equipment of applicants and licensees and 4300
examine applicants for instructor's licenses. 4301

(2) The director shall adopt rules governing online driver 4302
education courses that may be completed via the internet to 4303
satisfy the classroom instruction under division (C) of this 4304
section. The rules shall do all of the following: 4305

(a) Establish standards that an online driver training 4306
enterprise must satisfy to be licensed to offer an online driver 4307
education course via the internet, including, at a minimum, 4308
proven expertise in providing driver education and an acceptable 4309
infrastructure capable of providing secure online driver 4310
education in accord with advances in internet technology. The 4311
rules shall allow an online driver training enterprise to be 4312
affiliated with a licensed driver training school offering in- 4313
person classroom instruction, but shall not require such an 4314
affiliation. 4315

(b) Establish content requirements that an online driver 4316
education course must satisfy to be approved as equivalent to 4317
twenty-four hours of in-person classroom instruction; 4318

(c) Establish attendance standards, including a maximum 4319
number of course hours that may be completed in a twenty-four- 4320
hour period; 4321

(d) Allow an enrolled applicant to begin the required 4322
eight hours of actual behind-the-wheel instruction upon 4323
completing all twenty-four hours of course instruction; 4324

(e) Establish any other requirements necessary to regulate 4325
online driver education. 4326

(B) The director shall administer and enforce this 4327
chapter. 4328

(C) The rules shall require twenty-four hours of completed 4329
in-person classroom instruction or the completion of an 4330
approved, equivalent online driver education course offered via 4331
the internet by a licensed online driver training enterprise, 4332
followed by eight hours of actual behind-the-wheel instruction 4333
conducted on public streets and highways of this state for all 4334
beginning drivers of noncommercial motor vehicles who are ~~under-~~ 4335
~~age eighteen~~required to complete the training under section 4336
4507.21 of the Revised Code. The rules also shall require the 4337
classroom instruction or online driver education course for such 4338
drivers to include instruction on both of the following: 4339

(1) The dangers of driving a motor vehicle while 4340
distracted, including while using an electronic wireless 4341
communications device, or engaging in any other activity that 4342
distracts a driver from the safe and effective operation of a 4343
motor vehicle; 4344

(2) The dangers of driving a motor vehicle while under the 4345
influence of a controlled substance, prescription medication, or 4346
alcohol. 4347

(D) The rules shall state the minimum hours for classroom 4348
and behind-the-wheel instruction required for beginning drivers 4349
of commercial trucks, commercial cars, buses, and commercial 4350
tractors, trailers, and semitrailers. 4351

(E) (1) The department of public safety may charge a fee to 4352
each online driver training enterprise in an amount sufficient 4353

to pay the actual expenses the department incurs in the 4354
regulation of online driver education courses. 4355

(2) The department shall supply to each licensed online 4356
driver training enterprise certificates to be used for 4357
certifying an applicant's enrollment in an approved online 4358
driver education course and a separate certificate to be issued 4359
upon successful completion of an approved online driver 4360
education course. The certificates shall be numbered serially. 4361
The department may charge a fee to each online driver training 4362
enterprise per certificate supplied to pay the actual expenses 4363
the department incurs in supplying the certificates. 4364

(F) The director shall adopt rules in accordance with 4365
Chapter 119. of the Revised Code governing an abbreviated driver 4366
training course for adults. 4367

Sec. 4511.01. As used in this chapter and in Chapter 4513. 4368
of the Revised Code: 4369

(A) "Vehicle" means every device, including a bicycle, 4370
motorized bicycle, and an electric bicycle, in, upon, or by 4371
which any person or property may be transported or drawn upon a 4372
highway, ~~except that "vehicle".~~ "Vehicle" does not include any 4373
motorized wheelchair, any electric personal assistive mobility 4374
device, any low-speed micromobility device, any personal 4375
delivery device as defined in section 4511.513 of the Revised 4376
Code, any device that is moved by power collected from overhead 4377
electric trolley wires or that is used exclusively upon 4378
stationary rails or tracks, or any device, ~~other than a bicycle,~~ 4379
that is moved by human power. 4380

(B) "Motor vehicle" means every vehicle propelled or drawn 4381
by power other than muscular power or power collected from 4382

overhead electric trolley wires, except motorized bicycles, 4383
electric bicycles, road rollers, traction engines, power 4384
shovels, power cranes, and other equipment used in construction 4385
work and not designed for or employed in general highway 4386
transportation, hole-digging machinery, well-drilling machinery, 4387
ditch-digging machinery, farm machinery, and trailers designed 4388
and used exclusively to transport a boat between a place of 4389
storage and a marina, or in and around a marina, when drawn or 4390
towed on a street or highway for a distance of no more than ten 4391
miles and at a speed of twenty-five miles per hour or less. 4392

(C) "Motorcycle" means every motor vehicle, other than a 4393
tractor, having a seat or saddle for the use of the operator and 4394
designed to travel on not more than three wheels in contact with 4395
the ground, including, but not limited to, motor vehicles known 4396
as "motor-driven cycle," "motor scooter," "autocycle," "cab- 4397
enclosed motorcycle," or "motorcycle" without regard to weight 4398
or brake horsepower. 4399

(D) "Emergency vehicle" means emergency vehicles of 4400
municipal, township, or county departments or public utility 4401
corporations when identified as such as required by law, the 4402
director of public safety, or local authorities, and motor 4403
vehicles when commandeered by a police officer. 4404

(E) "Public safety vehicle" means any of the following: 4405

(1) Ambulances, including private ambulance companies 4406
under contract to a municipal corporation, township, or county, 4407
and private ambulances and nontransport vehicles bearing license 4408
plates issued under section 4503.49 of the Revised Code; 4409

(2) Motor vehicles used by public law enforcement officers 4410
or other persons sworn to enforce the criminal and traffic laws 4411

of the state; 4412

(3) Any motor vehicle when properly identified as required 4413
by the director of public safety, when used in response to fire 4414
emergency calls or to provide emergency medical service to ill 4415
or injured persons, and when operated by a duly qualified person 4416
who is a member of a volunteer rescue service or a volunteer 4417
fire department, and who is on duty pursuant to the rules or 4418
directives of that service. The state fire marshal shall be 4419
designated by the director of public safety as the certifying 4420
agency for all public safety vehicles described in division (E) 4421
(3) of this section. 4422

(4) Vehicles used by fire departments, including motor 4423
vehicles when used by volunteer fire fighters responding to 4424
emergency calls in the fire department service when identified 4425
as required by the director of public safety. 4426

Any vehicle used to transport or provide emergency medical 4427
service to an ill or injured person, when certified as a public 4428
safety vehicle, shall be considered a public safety vehicle when 4429
transporting an ill or injured person to a hospital regardless 4430
of whether such vehicle has already passed a hospital. 4431

(5) Vehicles used by the motor carrier enforcement unit 4432
for the enforcement of orders and rules of the public utilities 4433
commission as specified in section 5503.34 of the Revised Code. 4434

(F) "School bus" means every bus designed for carrying 4435
more than nine passengers that is owned by a public, private, or 4436
governmental agency or institution of learning and operated for 4437
the transportation of children to or from a school session or a 4438
school function, or owned by a private person and operated for 4439
compensation for the transportation of children to or from a 4440

school session or a school function, ~~provided "school"~~. "School
bus" does not include a bus operated by a municipally owned
transportation system, a mass transit company operating
exclusively within the territorial limits of a municipal
corporation, or within such limits and the territorial limits of
municipal corporations immediately contiguous to such municipal
corporation, nor a common passenger carrier certified by the
public utilities commission unless such bus is devoted
exclusively to the transportation of children to and from a
school session or a school function; and "school bus" does not
include a van or bus used by a licensed child care center or
type A family child care home to transport children from the
child care center or type A family child care home to a school
if the van or bus does not have more than fifteen children in
the van or bus at any time.

(G) "Bicycle" means ~~every device, other than a device that~~
~~is designed solely for use as a play vehicle by a child, that is~~
~~propelled solely by human power upon which a person may ride,~~
~~and that has two or more wheels, any of which is more than~~
~~fourteen inches in diameter~~ a pedal-powered vehicle upon which a
human operator sits, including an electric bicycle.

(H) "Motorized bicycle" or "moped" means any vehicle
having either two tandem wheels or one wheel in the front and
two wheels in the rear, that may be pedaled, and that is
equipped with a helper motor of not more than fifty cubic
centimeters piston displacement that produces not more than one
brake horsepower and is capable of propelling the vehicle at a
speed of not greater than twenty miles per hour on a level
surface. "Motorized bicycle" or "moped" does not include an
electric bicycle.

(I) "Commercial tractor" means every motor vehicle having 4471
motive power designed or used for drawing other vehicles and not 4472
so constructed as to carry any load thereon, or designed or used 4473
for drawing other vehicles while carrying a portion of such 4474
other vehicles, or load thereon, or both. 4475

(J) "Agricultural tractor" ~~means~~ and "traction engine" 4476
mean every self-propelling vehicle designed or used for drawing 4477
other vehicles or wheeled machinery but having no provision for 4478
carrying loads independently of such other vehicles, and used 4479
principally for agricultural purposes. 4480

(K) "Truck" means every motor vehicle, except trailers and 4481
semitrailers, designed and used to carry property. 4482

(L) "Bus" means every motor vehicle designed for carrying 4483
more than nine passengers and used for the transportation of 4484
persons other than in a ridesharing arrangement, and every motor 4485
vehicle, automobile for hire, or funeral car, other than a 4486
taxicab or motor vehicle used in a ridesharing arrangement, 4487
designed and used for the transportation of persons for 4488
compensation. 4489

(M) "Trailer" means every vehicle designed or used for 4490
carrying persons or property wholly on its own structure and for 4491
being drawn by a motor vehicle, including any such vehicle when 4492
formed by or operated as a combination of a "semitrailer" and a 4493
vehicle of the dolly type, such as that commonly known as a 4494
"trailer dolly," a vehicle used to transport agricultural 4495
produce or agricultural production materials between a local 4496
place of storage or supply and the farm when drawn or towed on a 4497
street or highway at a speed greater than twenty-five miles per 4498
hour, and a vehicle designed and used exclusively to transport a 4499
boat between a place of storage and a marina, or in and around a 4500

marina, when drawn or towed on a street or highway for a 4501
distance of more than ten miles or at a speed of more than 4502
twenty-five miles per hour. 4503

(N) "Semitrailer" means every vehicle designed or used for 4504
carrying persons or property with another and separate motor 4505
vehicle so that in operation a part of its own weight or that of 4506
its load, or both, rests upon and is carried by another vehicle. 4507

(O) "Pole trailer" means every trailer or semitrailer 4508
attached to the towing vehicle by means of a reach, pole, or by 4509
being boomed or otherwise secured to the towing vehicle, and 4510
ordinarily used for transporting long or irregular shaped loads 4511
such as poles, pipes, or structural members capable, generally, 4512
of sustaining themselves as beams between the supporting 4513
connections. 4514

(P) "Railroad" means a carrier of persons or property 4515
operating upon rails or tracks placed principally on a private 4516
right-of-way. 4517

(Q) "~~Railroad train~~Train" means ~~a steam engine or an~~ 4518
~~electric or other motor, with or without cars coupled thereto,~~ 4519
~~operated by a railroad~~one or more locomotives coupled, with or 4520
without cars, that operates on rails or tracks and to which all 4521
other traffic is required by law to yield the right-of-way at 4522
highway-rail grade crossings. 4523

(R) "Streetcar" means a car, other than a ~~railroad~~ train, 4524
for transporting persons or property, operated upon rails 4525
principally within a street or highway. 4526

(S) "Trackless trolley" means every car that collects its 4527
power from overhead electric trolley wires and that is not 4528
operated upon rails or tracks. 4529

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

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

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

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

(X) "Pedestrian" means any ~~natural person~~ a person on foot, in a motorized or non-motorized wheelchair, or using another equivalent device, such as skates or a skateboard. "Pedestrian" includes a personal delivery device as defined in section 4511.513 of the Revised Code unless the context clearly suggests otherwise.

(Y) "Driver or operator" means every person who drives or 4560
is in actual physical control of a vehicle, trackless trolley, 4561
or streetcar. 4562

(Z) "Police officer" means every officer authorized to 4563
direct or regulate traffic, or to make arrests for violations of 4564
traffic regulations. 4565

(AA) "Local authorities" means every county, municipal, 4566
and other local board or body having authority to adopt police 4567
regulations under the constitution and laws of this state. 4568

(BB) "Street" or "highway" means ~~the entire width between~~ 4569
~~the boundary lines of every way open to the use of the public as~~ 4570
~~a thoroughfare for purposes of vehicular~~ a general term for 4571
denoting a public way for purposes of travel by vehicles, 4572
streetcars, trackless trolleys, and vulnerable road users, 4573
including the entire area within the right-of-way. 4574

(CC) "Controlled-access highway" means every street or 4575
highway in respect to which owners or occupants of abutting 4576
lands and other persons have no legal right of access to or from 4577
the same except at such points only and in such manner as may be 4578
determined by the public authority having jurisdiction over such 4579
street or highway. 4580

(DD) "Private road ~~or driveway~~" means every way or place 4581
in private ownership used for vehicular travel by the owner and 4582
those having express or implied permission from the owner but 4583
not by other persons. 4584

(EE) "Roadway" means that portion of a highway improved, 4585
designed, or ordinarily used for vehicular travel and parking 4586
lanes, except not including the berm, sidewalk, or shoulder, 4587
even if the berm, sidewalk, or shoulder is used by a person 4588

operating a bicycle or other human-powered vehicle. If a highway 4589
includes two or more separate roadways the term "roadway" means 4590
any such roadway separately but not all such roadways 4591
collectively. 4592

(FF) "Sidewalk" means that portion of a street between the 4593
curb lines, or the lateral lines of a roadway, and the adjacent 4594
property lines or easements of private property, that is paved 4595
or improved, and is intended for the use of pedestrians. 4596

(GG) "Laned highway" means a highway the roadway of which 4597
is divided into two or more clearly marked lanes for vehicular 4598
traffic. 4599

(HH) "Through highway" means every street or highway as 4600
provided in section 4511.65 of the Revised Code. 4601

(II) "State highway" means a highway under the 4602
jurisdiction of the department of transportation, outside the 4603
limits of municipal corporations, provided that the authority 4604
conferred upon the director of transportation in section 5511.01 4605
of the Revised Code to erect state highway route markers and 4606
signs directing traffic shall not be modified by sections 4607
4511.01 to 4511.79 and 4511.99 of the Revised Code. 4608

(JJ) "State route" means every highway that is designated 4609
with an official state route number and so marked. 4610

(KK) "Intersection" means: 4611

(1) The area embraced within the prolongation or 4612
connection of the lateral curb lines, or, if none, the lateral 4613
boundary lines of the roadways of two highways that join one 4614
another at, or approximately at, right angles, or the area 4615
within which vehicles traveling upon different highways that 4616
join at any other angle might come into conflict. The junction 4617

of an alley ~~or~~, driveway, or site roadway open to public travel 4618
with a public roadway or highway does not constitute an 4619
intersection, unless the public roadway or highway at the 4620
junction is controlled by a traffic control device. 4621

(2) If a highway includes two roadways ~~that are thirty-~~ 4622
~~feet or more apart~~separated by a median, then every crossing of 4623
each roadway of such divided highway by an intersecting highway 4624
constitutes a separate intersection if the opposing left-turn 4625
paths cross and there is sufficient interior storage for the 4626
design vehicle. ~~If both intersecting highways include two~~ 4627
~~roadways thirty feet or more apart, then every crossing of any~~ 4628
~~two roadways of such highways constitutes a separate~~ 4629
~~intersection~~As used in this division, "design vehicle" means the 4630
longest vehicle authorized under section 5577.05 of the Revised 4631
Code to operate on that roadway without a permit. 4632

(3) At a location controlled by a highway traffic control- 4633
signal, regardless of the distance between the separate 4634
intersections as described in division (KK) (2) of this section: 4635

(a) If a stop line, yield line, or crosswalk has not been 4636
designated on the roadway within the median between the separate 4637
intersections, the two intersections and the roadway and median 4638
constitute one intersection. 4639

(b) Where a stop line, yield line, or crosswalk ~~line is~~ 4640
designated on the roadway on the intersection approach, the area 4641
within the crosswalk and any area beyond the designated stop 4642
line or yield line constitute part of the intersection. 4643

(c) Where a crosswalk is designated on a roadway on the 4644
departure from the intersection, the intersection includes the 4645
area that extends to the far side of the crosswalk. 4646

(LL) "Crosswalk" means:

(1) That part of a roadway at ~~intersections ordinarily an~~
intersection included within the ~~real or projected prolongation~~
~~of property lines and curb lines~~ connections of the lateral
lines of the sidewalks on opposite sides of the highway measured
from the curbs, or, in the absence of curbs, from the edges of
the traversable roadway, and in the absence of a sidewalk on one
side of the roadway, the part of a roadway included within the
extension of the lateral lines of the sidewalk at right angles
to the center line;

(2) Any portion of a roadway at an intersection or
elsewhere, distinctly indicated for pedestrian crossing by lines
or other markings on the surface, which might be supplemented by
contrasting pavement texture, style, or color;

(3) Notwithstanding divisions (LL) (1) and (2) of this
section, ~~there shall not be a~~ "crosswalk" does not include an
area where local authorities have placed signs indicating no
crossing.

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

(NN) "Business district" means the territory fronting upon
a street or highway, including the street or highway, between
successive intersections within municipal corporations where
fifty per cent or more of the frontage between such successive
intersections is occupied by buildings in use for business, or
within or outside municipal corporations where fifty per cent or
more of the frontage for a distance of three hundred feet or

more is occupied by buildings in use for business, and the 4676
character of such territory is indicated by official traffic 4677
control devices. 4678

(OO) "Residence district" means the territory, not 4679
comprising a business district, fronting on a street or highway, 4680
including the street or highway, where, for a distance of three 4681
hundred feet or more, the frontage is improved with residences 4682
or residences and buildings in use for business. 4683

(PP) "Urban district" means the territory contiguous to 4684
and including any street or highway which is built up with 4685
structures devoted to business, industry, or dwelling houses 4686
situated at intervals of less than one hundred feet for a 4687
distance of a quarter of a mile or more, and the character of 4688
such territory is indicated by official traffic control devices. 4689

(QQ) "Traffic control device" means a flagger, sign, 4690
signal, marking, channelization device, or other device used to 4691
~~regulate, warn, or guide traffic, placed on, over, or adjacent~~ 4692
that uses colors, shapes, symbols, words, sounds, or tactile 4693
information for the primary purpose of communicating a 4694
regulatory, warning, or guidance message to road users on a 4695
street, highway, ~~private road~~ site roadway open to public 4696
travel, pedestrian facility, ~~or shared-use path by authority of~~ 4697
~~a public agency or official having jurisdiction, or, in the case~~ 4698
~~of a private road open to public travel, by authority of the~~ 4699
~~private owner or private official having jurisdiction~~ bikeway, or 4700
pathway. 4701

(RR) "Traffic control signal" means ~~any~~ a highway traffic 4702
signal ~~by which~~ placed at an intersection, movable bridge, fire 4703
station, midblock crosswalk, alternating one-way sections of a 4704
single lane road, private driveway, or other location that 4705

requires conflicting traffic ~~is alternately~~ to be directed to 4706
stop and permitted to proceed in an orderly manner. "Traffic 4707
control signal" includes a vehicular signal indication, a 4708
pedestrian signal indication, and a bicycle symbol signal 4709
indication. "Traffic control signal" does not include an 4710
emergency-vehicle hybrid beacon or a pedestrian hybrid beacon. 4711

(SS) "Railroad sign or signal" means any sign, signal, or 4712
device erected by authority of a public body or official or by a 4713
railroad and intended to give notice of the presence of railroad 4714
tracks or the approach of a ~~railroad~~-train. 4715

(TT) "Traffic" means pedestrians, ridden or herded 4716
animals, vehicles, streetcars, trackless trolleys, and other 4717
devices, either singly or together, while using for purposes of 4718
travel any highway or ~~private road~~ site roadway open to public 4719
travel. 4720

(UU) "Right-of-way" means either of the following, as the 4721
context requires: 4722

(1) The right of a vehicle, streetcar, trackless trolley, 4723
or pedestrian to proceed uninterruptedly in a lawful manner in 4724
the direction in which it or the individual is moving in 4725
preference to another vehicle, streetcar, trackless trolley, or 4726
pedestrian approaching from a different direction into its or 4727
the individual's path; 4728

(2) A general term denoting land, property, or the 4729
interest therein, usually in the configuration of a strip, 4730
acquired for or devoted to transportation purposes. When used in 4731
this context, right-of-way includes the roadway, shoulders or 4732
berm, ditch, and slopes extending to the right-of-way limits 4733
under the control of the state or local authority. 4734

(VV) "Rural mail delivery vehicle" means every vehicle 4735
used to deliver United States mail on a rural mail delivery 4736
route. 4737

(WW) "Funeral escort vehicle" means any motor vehicle, 4738
including a funeral hearse, while used to facilitate the 4739
movement of a funeral procession. 4740

(XX) "Alley" means a street or highway intended to provide 4741
access to the rear or side of lots or buildings in urban 4742
districts and not intended for the purpose of through vehicular 4743
traffic, and includes any street or highway that has been 4744
declared an "alley" by the legislative authority of the 4745
municipal corporation in which such street or highway is 4746
located. 4747

(YY) "Freeway" means a divided multi-lane highway for 4748
through traffic with all crossroads separated in grade and with 4749
full control of access. 4750

(ZZ) "Expressway" means a divided arterial street or 4751
highway for through traffic with full or partial control of 4752
access with an excess of fifty per cent of all crossroads 4753
separated in grade. 4754

(AAA) "Thruway" means a through highway whose entire 4755
roadway is reserved for through traffic and on which roadway 4756
parking is prohibited. 4757

(BBB) "Stop intersection" means any intersection at one or 4758
more entrances of which stop signs are erected. 4759

(CCC) "Arterial street or highway" means ~~any United States~~ 4760
~~or state numbered route, controlled access highway, or other~~ 4761
~~major radial or circumferential~~ a street or highway primarily 4762
used by through traffic, usually on a continuous route or a 4763

~~street or highway designated by local authorities within their~~ 4764
~~respective jurisdictions as part of a major arterial system-~~ 4765
~~of streets or highways.~~ 4766

(DDD) "Ridesharing arrangement" means the transportation 4767
of persons in a motor vehicle where such transportation is 4768
incidental to another purpose of a volunteer driver and includes 4769
ridesharing arrangements known as carpools, vanpools, and 4770
buspools. 4771

(EEE) "Motorized wheelchair" means any self-propelled 4772
vehicle designed for, and used by, a person with a disability 4773
and that is incapable of a speed in excess of eight miles per 4774
hour. 4775

(FFF) "Child care center" and "type A family child care 4776
home" have the same meanings as in section 5104.01 of the 4777
Revised Code. 4778

(GGG) "Multi-wheel agricultural tractor" means a type of 4779
agricultural tractor that has two or more wheels or tires on 4780
each side of one axle at the rear of the tractor, is designed or 4781
used for drawing other vehicles or wheeled machinery, has no 4782
provision for carrying loads independently of the drawn vehicles 4783
or machinery, and is used principally for agricultural purposes. 4784

(HHH) "Operate" means to cause or have caused movement of 4785
a vehicle, streetcar, or trackless trolley. 4786

(III) "Predicate motor vehicle or traffic offense" means 4787
any of the following: 4788

(1) A violation of section 4511.03, 4511.051, 4511.12, 4789
4511.132, 4511.16, 4511.20, 4511.201, 4511.21, 4511.211, 4790
4511.213, 4511.22, 4511.23, 4511.25, 4511.26, 4511.27, 4511.28, 4791
4511.29, 4511.30, 4511.31, 4511.32, 4511.33, 4511.34, 4511.35, 4792

4511.36, 4511.37, 4511.38, 4511.39, 4511.40, 4511.41, 4511.42, 4793
4511.43, 4511.431, 4511.432, 4511.44, 4511.441, 4511.451, 4794
4511.452, 4511.46, 4511.47, 4511.48, 4511.481, 4511.49, 4511.50, 4795
4511.511, 4511.522, 4511.53, 4511.54, 4511.55, 4511.56, 4511.57, 4796
4511.58, 4511.59, 4511.60, 4511.61, 4511.64, 4511.66, 4511.661, 4797
4511.68, 4511.70, 4511.701, 4511.71, 4511.711, 4511.712, 4798
4511.713, 4511.72, 4511.73, 4511.763, 4511.771, 4511.78, or 4799
4511.84 of the Revised Code; 4800

(2) A violation of division (A) (2) of section 4511.17, 4801
divisions (A) to (D) of section 4511.51, or division (A) of 4802
section 4511.74 of the Revised Code; 4803

(3) A violation of any provision of sections 4511.01 to 4804
4511.76 of the Revised Code for which no penalty otherwise is 4805
provided in the section that contains the provision violated; 4806

(4) A violation of section 4511.214 of the Revised Code; 4807

(5) A violation of a municipal ordinance that is 4808
substantially similar to any section or provision set forth or 4809
described in division (III) (1), (2), (3), or (4) of this 4810
section. 4811

(JJJ) "Road service vehicle" means wreckers, utility 4812
repair vehicles, and state, county, and municipal service 4813
vehicles equipped with visual signals by means of flashing, 4814
rotating, or oscillating lights. 4815

(KKK) "Beacon" means a highway traffic signal with one or 4816
more signal sections that operate in a flashing mode. 4817

(LLL) "Hybrid beacon" means a special type of beacon that 4818
is intentionally placed in a dark mode where no indications are 4819
displayed between periods of operation ~~where no indications are~~ 4820
~~displayed and, when in operation~~ operated, displays both steady 4821

and flashing highway traffic control-signal indications. "Hybrid beacon" includes both of the following:

(1) An emergency-vehicle hybrid beacon used to warn and control traffic at an otherwise unsignalized location to assist authorized emergency vehicles in entering or crossing a street or highway;

(2) A pedestrian hybrid beacon used to warn and control traffic at an otherwise unsignalized location to assist pedestrians in crossing a street or highway at a marked crosswalk.

(MMM) "Highway traffic signal" means a power-operated traffic control device by which traffic is warned or directed to take some specific action. "Highway traffic signal" includes a beacon, an in-road warning light, a lane-use control signal, and a traffic control signal. "Highway traffic signal" does not include a power-operated sign, steadily illuminated pavement marker, gate, flashing light signal, warning light, or steady burning electric lamp.

(NNN) "Median" means the portion of a highway separating opposing directions of the traveled way or the area between two roadways of a divided highway, measured from edge of traveled way to edge of traveled way, but excluding. The median excludes turn lanes. The width of a median may be different between intersections, ~~between~~-interchanges, and at opposite approaches of the same intersection.

(OOO) ~~"Private road-Site roadway open to public travel"~~ means a ~~private toll road or road, including any adjacent sidewalks that generally run parallel to the road, within roadway or bikeway on site of a shopping center, office park,~~

airport, school, university, sports arena, recreational park, or 4851
other similar business, government, or recreation facility that 4852
is publicly or privately owned but where the public is allowed 4853
to travel without full-time access restrictions. "~~Private road~~ 4854
~~Site roadway open to public travel~~" ~~includes a gated toll road~~ 4855
~~but does not include a road within a private gated property~~ 4856
roadway where access is restricted at all times by gates or 4857
guards to residents, employees, or other specifically authorized 4858
persons, a parking area, a driving aisle within a parking area, 4859
or a private highway-rail grade crossing. 4860

(PPP) "Shared-use path" means a bikeway outside the 4861
traveled way and physically separated from motorized vehicular 4862
traffic by an open space or barrier and either within the 4863
highway right-of-way or within an independent alignment. A 4864
shared-use path also may be used by pedestrians, including 4865
skaters, joggers, users of manual and motorized wheelchairs, and 4866
other authorized motorized and non-motorized users. A shared-use 4867
path does not include any trail that is intended to be used 4868
primarily for mountain biking, hiking, equestrian use, or other 4869
similar uses, or any other single track or natural surface trail 4870
that has historically been reserved for nonmotorized use. 4871

(QQQ) "Highway maintenance vehicle" means a vehicle used 4872
in snow and ice removal or road surface maintenance, including a 4873
snow plow, traffic line striper, road sweeper, mowing machine, 4874
asphalt distributing vehicle, or other such vehicle designed for 4875
use in specific highway maintenance activities. 4876

(RRR) "Waste collection vehicle" means a vehicle used in 4877
the collection of garbage, refuse, trash, or recyclable 4878
materials. 4879

(SSS) "Electric bicycle" means a "class 1 electric 4880

bicycle," a "class 2 electric bicycle," or a "class 3 electric bicycle" as defined in this section. 4881
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(TTT) "Class 1 electric bicycle" means a bicycle that is 4883
equipped with fully operable pedals and an electric motor of 4884
less than seven hundred fifty watts that provides assistance 4885
only when the rider is pedaling and ceases to provide assistance 4886
when the bicycle reaches the speed of twenty miles per hour. 4887

(UUU) "Class 2 electric bicycle" means a bicycle that is 4888
equipped with fully operable pedals and an electric motor of 4889
less than seven hundred fifty watts that may provide assistance 4890
regardless of whether the rider is pedaling and is not capable 4891
of providing assistance when the bicycle reaches the speed of 4892
twenty miles per hour. 4893

(VVV) "Class 3 electric bicycle" means a bicycle that is 4894
equipped with fully operable pedals and an electric motor of 4895
less than seven hundred fifty watts that provides assistance 4896
only when the rider is pedaling and ceases to provide assistance 4897
when the bicycle reaches the speed of twenty-eight miles per 4898
hour. 4899

(WWW) "Low-speed micromobility device" means a device 4900
weighing less than one hundred pounds that has handlebars, is 4901
propelled by an electric motor or human power, and has an 4902
attainable speed on a paved level surface of not more than 4903
twenty miles per hour when propelled by the electric motor. 4904

(XXX) "Natural resources officer" means an officer 4905
appointed pursuant to section 1501.24 of the Revised Code. 4906

(YYY) "Wildlife officer" means an officer designated 4907
pursuant to section 1531.13 of the Revised Code. 4908

(ZZZ) "In-road warning light" means a special type of 4909

highway traffic signal that is installed in the roadway surface 4910
to warn road users that they are approaching a condition on or 4911
adjacent to the roadway that might not be readily apparent and 4912
might require the road users to reduce speed or come to a 4913
complete stop. 4914

(AAAA) "Lane-use control signal" means a signal face or 4915
comparable display on a full-matrix changeable message sign that 4916
displays indications to permit or prohibit the use of specific 4917
lanes of a roadway or a shoulder where driving is sometimes 4918
authorized or to indicate the impending prohibition of such use. 4919

(BBBB) "Bicycle box" means a designated area on the 4920
approach to a signalized intersection, between an advance 4921
motorist stop line and the crosswalk or intersection, that is 4922
intended to provide bicyclists a visible location to wait in 4923
front of stopped motorists during the red signal phase. 4924

(CCCC) "Two-stage bicycle turn box" means a designated 4925
area at an intersection that is intended to provide bicyclists a 4926
place to wait for traffic to clear before proceeding in a 4927
different direction of travel. 4928

(DDDD) "Bicycle lane" means a portion of a roadway that 4929
has been designated for preferential or exclusive use by 4930
bicyclists and is often delineated from the adjacent general- 4931
purpose lanes by longitudinal pavement markings and either a 4932
bicycle lane symbol, words, or signs. "Bicycle lane" includes 4933
all of the following: 4934

(1) A buffer-separated bicycle lane, which is separated 4935
from the adjacent general-purpose lanes by a pattern of standard 4936
longitudinal pavement markings that are wider than a normal or 4937
wide-lane pavement marking; 4938

(2) A counter-flow bicycle lane, which is a one- 4939
directional bicycle lane that provides a lawful path of travel 4940
for bicycles in the opposite direction from the general traffic 4941
on a roadway that otherwise requires the general traffic to 4942
travel in only one direction. A counter-flow bicycle lane is 4943
designated by the traffic control devices used for other bicycle 4944
lanes; 4945

(3) A separated bicycle lane, which is an exclusive 4946
facility for bicyclists that is located within or directly 4947
adjacent to the roadway and is physically separated from the 4948
motor vehicle traffic with a vertical element. 4949

(EEEE) "Bicycle signal face" means a signal face that 4950
displays only bicycle symbol signal indications in accordance 4951
with section 4511.15 of the Revised Code, that exclusively 4952
controls a bicyclist's movement from a designated bicycle lane 4953
or from a separate facility, and that displays signal 4954
indications that are applicable only to a bicyclist's movement. 4955

(FFFF) "Bicycle signal sign" means a sign meant to inform 4956
road users that the signal indications in the bicycle signal 4957
face are intended only for bicyclists, and to inform bicyclists 4958
which bicyclist movements are controlled by that bicycle signal 4959
face. 4960

(GGGG) "Bikeway" means any road, street, path, or way that 4961
in some manner is specifically designated for bicycle travel, 4962
regardless of whether the facility is designated for the 4963
exclusive use of bicycles or if it is shared with other modes of 4964
transportation. 4965

(HHHH) "Busway" means a traveled way that is used 4966
exclusively by buses. 4967

(IIII) "Driveway" means an access from a roadway to a building, site, or abutting property.

(JJJJ) "Roundabout" means a circular intersection with a yield control at each entry, which permits a vehicle on the circulatory roadway to proceed, with deflection of the approaching vehicles counter-clockwise around a central island.

(KKKK) "Shoulder" means a longitudinal area contiguous with the traveled way that is used for accommodating vehicles that are stopped for an emergency and for lateral support of base and surface courses; graded for emergency stopping; either paved or unpaved; and when paved, may be open for part-time travel by some or all vehicles or may also be available for use by pedestrians or bicycles in the absence of other pedestrian or bicycle facilities.

(LLLL) "Autocycle," "cab-enclosed motorcycle," "electronic," "farm machinery," "motor-driven cycle or motor scooter," "limited driving privileges," and "state" have the same meanings as in section 4501.01 of the Revised Code.

Sec. 4511.031. ~~(A)(1)~~ (A) As used in this section:

(1) "Highway maintenance vehicle" means a vehicle used in snow and ice removal, including a snow plow, when it is either owned or operated by or on behalf of a political subdivision.

(2) "Peace officer" has the same meaning as in divisions (A)(1), (12), (14), and (19) of section 109.71 of the Revised Code.

(3) "Portable signal preemption device" means a device that, if activated by a person, is capable of changing a highway traffic signal to green out of sequence.

(4) "Public safety vehicle" has the same meaning as in 4996
divisions (E) (1), (3), and (4) of section 4511.01 of the Revised 4997
Code. 4998

(B) Except as provided in divisions (C) and (D) of this 4999
section: 5000

(1) No person shall possess a portable signal preemption 5001
device. 5002

(2) No person shall use a portable signal preemption 5003
device to affect the operation of the highway traffic control 5004
signal. 5005

~~(B) (C) Division (A) (1) (B) (1) of this section does not~~ 5006
~~apply to any of the following persons and division (A) (2) of~~ 5007
~~this section does not apply to any of the following persons when~~ 5008
~~responding to an emergency call:~~ 5009

~~(1) A peace officer, as defined in division (A) (1), (12),~~ 5010
~~(14), or (19) of section 109.71 of the Revised Code;~~ 5011

(2) A state highway patrol trooper; 5012

(3) A person while occupying a public safety vehicle as 5013
defined in division (E) (1), (3), or (4) of section 4511.01 of 5014
the Revised Code; 5015

(4) The authorized operator of a highway maintenance 5016
vehicle. 5017

~~(C) (D) Division (B) (2) of this section does not apply~~ 5018
under either of the following circumstances: 5019

(1) When a person listed in divisions (C) (1) to (3) of 5020
this section is responding to an emergency call; 5021

(2) When a person listed in division (C) (4) of this 5022

section is responding to an emergency weather event.

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(E) Whoever violates division ~~(A) (1)~~ (B) (1) of this
section is guilty of a misdemeanor of the fourth degree. Whoever
violates division ~~(A) (2)~~ (B) (2) of this section is guilty of a
misdemeanor of the first degree.

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~~(D) As used in this section, "portable signal preemption
device" means a device that, if activated by a person, is
capable of changing a traffic control signal to green out of
sequence.~~

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Sec. 4511.09. The department of transportation shall adopt
a manual for a uniform system of traffic control devices,
including signs denoting names of streets and highways, for use
upon any street, highway, bikeway, or ~~private road~~ site roadway
open to public travel within this state. Such uniform system
shall correlate with, and so far as possible conform to, the
system approved by the federal highway administration.

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Sec. 4511.091. (A) The driver of any motor vehicle that
has been checked by radar, or by any electrical or mechanical
timing device to determine the speed of the motor vehicle over a
measured distance of a highway or a measured distance of a
~~private road or driveway~~, and found to be in violation of any of
the provisions of section 4511.21 or 4511.211 of the Revised
Code, may be arrested until a warrant can be obtained, provided
the arresting officer has observed the recording of the speed of
the motor vehicle by the radio microwaves, electrical or
mechanical timing device, or has received a radio message from
the officer who observed the speed of the motor vehicle recorded
by the radio microwaves, electrical or mechanical timing device;
provided, in case of an arrest based on such a message, the
radio message has been dispatched immediately after the speed of

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the motor vehicle was recorded and the arresting officer is 5053
furnished a description of the motor vehicle for proper 5054
identification and the recorded speed. 5055

(B) If the driver of a motor vehicle being driven on a 5056
public street or highway of this state is observed violating any 5057
provision of this chapter other than section 4511.21 or 4511.211 5058
of the Revised Code by a law enforcement officer situated at any 5059
location, including in any type of airborne aircraft or airship, 5060
that law enforcement officer may send a radio message to another 5061
law enforcement officer, and the other law enforcement officer 5062
may arrest the driver of the motor vehicle until a warrant can 5063
be obtained or may issue the driver a citation for the 5064
violation; provided, if an arrest or citation is based on such a 5065
message, the radio message is dispatched immediately after the 5066
violation is observed and the law enforcement officer who 5067
observes the violation furnishes to the law enforcement officer 5068
who makes the arrest or issues the citation a description of the 5069
alleged violation and the motor vehicle for proper 5070
identification. 5071

(C) (1) No person shall be arrested, charged, or convicted 5072
of a violation of any provision of divisions (B) to (O) of 5073
section 4511.21 or section 4511.211 of the Revised Code or a 5074
substantially similar municipal ordinance based on a peace 5075
officer's unaided visual estimation of the speed of a motor 5076
vehicle, trackless trolley, or streetcar. This division does not 5077
do any of the following: 5078

(a) Preclude the use by a peace officer of a stopwatch, 5079
radar, laser, or other electrical, mechanical, or digital device 5080
to determine the speed of a motor vehicle; 5081

(b) Apply regarding any violation other than a violation 5082

of divisions (B) to (O) of section 4511.21 or section 4511.211 5083
of the Revised Code or a substantially similar municipal 5084
ordinance; 5085

(c) Preclude a peace officer from testifying that the 5086
speed of operation of a motor vehicle, trackless trolley, or 5087
streetcar was at a speed greater or less than a speed described 5088
in division (A) of section 4511.21 of the Revised Code, the 5089
admission into evidence of such testimony, or preclude a 5090
conviction of a violation of that division based in whole or in 5091
part on such testimony. 5092

(2) As used in this division, "peace officer" has the same 5093
meaning as in section 2935.01 of the Revised Code. 5094

Sec. 4511.092. As used in sections 4511.092 to 4511.0914 5095
of the Revised Code: 5096

(A) "Designated party" means the person whom the 5097
registered owner of a motor vehicle, upon receipt of a ticket 5098
based upon images recorded by a traffic law photo-monitoring 5099
device that indicate a traffic law violation, identifies as the 5100
person who was operating the vehicle of the registered owner at 5101
the time of the violation. 5102

(B) "Law enforcement officer" means a sheriff, deputy 5103
sheriff, marshal, deputy marshal, police officer of a police 5104
department of any municipal corporation, police constable of any 5105
township, or police officer of a township or joint police 5106
district, who is employed on a permanent, full-time basis by the 5107
law enforcement agency of a local authority that assigns such 5108
person to the location of a traffic law photo-monitoring device. 5109

(C) "Local authority" means a municipal corporation, 5110
county, or township. 5111

(D) "Motor vehicle leasing dealer" has the same meaning as 5112
in section 4517.01 of the Revised Code. 5113

(E) "Motor vehicle renting dealer" has the same meaning as 5114
in section 4549.65 of the Revised Code. 5115

(F) "Recorded images" means any of the following images 5116
recorded by a traffic law photo-monitoring device that show, on 5117
at least one image or on a portion of the videotape, the rear of 5118
a motor vehicle and the letters and numerals on the rear license 5119
plate of the vehicle: 5120

(1) Two or more photographs, microphotographs, electronic 5121
images, or digital images; 5122

(2) Videotape. 5123

(G) "Registered owner" means all of the following: 5124

(1) Any person or entity identified by the bureau of motor 5125
vehicles or any other state motor vehicle registration bureau, 5126
department, or office as the owner of a motor vehicle; 5127

(2) The lessee of a motor vehicle under a lease of six 5128
months or longer; 5129

(3) The renter of a motor vehicle pursuant to a written 5130
rental agreement with a motor vehicle renting dealer. 5131

(H) "System location" means the approach to an 5132
intersection or area of roadway toward which a traffic law 5133
photo-monitoring device is directed and is in operation. 5134

(I) "Ticket" means any traffic ticket, citation, summons, 5135
or other ticket issued in response to an alleged traffic law 5136
violation detected by a traffic law photo-monitoring device, 5137
that represents a civil violation. 5138

(J) "Traffic law photo-monitoring device" means an 5139
electronic system consisting of a photographic, video, or 5140
electronic camera and a means of sensing the presence of a motor 5141
vehicle that automatically produces recorded images. 5142

(K) "Traffic law violation" means either of the following: 5143

(1) A violation of section 4511.12 of the Revised Code 5144
based on the failure to comply with section 4511.13 of the 5145
Revised Code or a substantially equivalent municipal ordinance 5146
that occurs at an intersection due to failure to obey a highway 5147
traffic ~~control~~ signal; 5148

(2) A violation of section 4511.21 or 4511.211 of the 5149
Revised Code or a substantially equivalent municipal ordinance 5150
due to failure to observe the applicable speed limit. 5151

Sec. 4511.094. (A) No local authority shall use traffic 5152
law photo-monitoring devices to detect or enforce any traffic 5153
law violation until after it has done both of the following: 5154

(1) Erected signs on every highway that is not a freeway 5155
that is part of the state highway system and that enters that 5156
local authority informing inbound traffic that the local 5157
authority utilizes traffic law photo-monitoring devices to 5158
enforce traffic laws; 5159

(2) Beginning on ~~the effective date of this amendment~~ 5160
March 23, 2015, erected signs at each fixed system location 5161
informing motorists that a traffic law photo-monitoring device 5162
is present at the location. 5163

The local authority shall erect the signs within the first 5164
three hundred feet of the boundary of the local authority or 5165
within three hundred feet of the fixed system location, as 5166
applicable. If the signs cannot be located within the first 5167

three hundred feet of the boundary of the local authority or 5168
within three hundred feet of the fixed system location, the 5169
local authority shall erect the signs as close to that distance 5170
as possible. If a particular highway enters and exits the 5171
territory of a local authority multiple times, the local 5172
authority shall erect the signs as required by division (A) (1) 5173
of this section at the locations in each direction of travel 5174
where inbound traffic on the highway first enters the territory 5175
of the local authority and is not required to erect additional 5176
signs along such highway each time the highway reenters the 5177
territory of the local authority. The local authority is 5178
responsible for all costs associated with the erection, 5179
maintenance, and replacement, if necessary, of the signs. The 5180
local authority shall ensure that all signs erected under this 5181
division conform in size, color, location, and content to 5182
standards contained in the manual adopted by the department of 5183
transportation pursuant to section 4511.09 of the Revised Code 5184
and shall remain in place for as long as the local authority 5185
utilizes traffic law photo-monitoring devices to enforce any 5186
traffic law. 5187

(B) A ticket issued by or on behalf of the local authority 5188
for any traffic law violation based upon evidence recorded by a 5189
traffic law photo-monitoring device is invalid under the 5190
following circumstances: 5191

(1) If the ticket was issued after March 12, 2009, but 5192
before the signs required under division (A) (1) of this section 5193
were erected; 5194

(2) If the ticket was issued after ~~the effective date of~~ 5195
~~this amendment~~ March 23, 2015, but before the signs required 5196
under division (A) (2) of this section were erected. 5197

However, if a local authority is in substantial compliance 5198
with the requirements of division (A)(1) or (2) of this section, 5199
as applicable, a ticket issued by the local authority under 5200
sections 4511.096 to 4511.0912 of the Revised Code is valid. 5201

(C) A local authority is deemed to be in substantial 5202
compliance with the requirement of division (A)(1) or (2) of 5203
this section, as applicable, to erect the advisory signs if the 5204
authority does both of the following: 5205

(1) First erects all signs as required by division (A)(1) 5206
or (2) of this section, as applicable, and subsequently 5207
maintains and replaces the signs as needed so that at all times 5208
at least ninety per cent of the required signs are in place and 5209
functional; 5210

(2) Annually documents and upon request certifies its 5211
compliance with division (C)(1) of this section. 5212

(D) A local authority that uses traffic law photo- 5213
monitoring devices to detect or enforce any traffic law 5214
violation at an intersection where traffic is controlled by 5215
highway traffic control signals that exhibit different colored 5216
lights or colored lighted arrows shall time the operation of the 5217
yellow lights and yellow arrows of those highway traffic control 5218
signals so that the steady yellow indication exceeds by one 5219
second the minimum duration for yellow indicators at similar 5220
intersections as established by the provisions of the manual 5221
adopted by the department of transportation under section 5222
4511.09 of the Revised Code. 5223

Sec. 4511.11. (A) Local authorities in their respective 5224
jurisdictions shall place and maintain traffic control devices 5225
in accordance with the department of transportation manual for a 5226

uniform system of traffic control devices, adopted under section 5227
4511.09 of the Revised Code, upon highways under their 5228
jurisdiction as are necessary to indicate and to carry out 5229
sections 4511.01 to 4511.76 and 4511.99 of the Revised Code, 5230
local traffic ordinances, or to regulate, warn, or guide 5231
traffic. 5232

(B) The director of transportation may require to be 5233
removed any traffic control device that does not conform to the 5234
manual for a uniform system of traffic control devices on the 5235
extensions of the state highway system within municipal 5236
corporations. 5237

(C) No village shall place or maintain any highway traffic 5238
~~control~~-signal upon an extension of the state highway system 5239
within the village without first obtaining the permission of the 5240
director. The director may revoke the permission and may require 5241
to be removed any highway traffic ~~control~~-signal that has been 5242
erected without the director's permission on an extension of a 5243
state highway within a village, or that, if erected under a 5244
permit granted by the director, does not conform to the state 5245
manual, or that is not operated in accordance with the terms of 5246
the permit. 5247

(D) All traffic control devices erected on any street, 5248
highway, alley, bikeway, or ~~private road~~ site roadway open to 5249
public travel shall conform to the state manual. 5250

(E) No person, firm, or corporation shall sell or offer 5251
for sale to local authorities any traffic control device that 5252
does not conform to the state manual, except by permission of 5253
the director. 5254

(F) No local authority shall purchase or manufacture any 5255

traffic control device that does not conform to the state 5256
manual, except by permission of the director. 5257

(G) Whoever violates division (E) of this section is 5258
guilty of a misdemeanor of the third degree. 5259

Sec. 4511.13. Highway traffic signal indications for 5260
vehicles and pedestrians shall have the following meanings: 5261

(A) Steady green signal indication: 5262

(1)(a) Vehicular traffic, streetcars, and trackless 5263
trolleys facing a circular green signal indication are permitted 5264
to proceed straight through or turn right or left or make a u- 5265
turn movement except as such movement is modified by a lane-use 5266
sign, turn prohibition sign, lane marking, roadway design, 5267
separate turn signal indication, or other traffic control 5268
device. Such vehicular traffic, including vehicles turning right 5269
or left or making a u-turn movement, shall yield the right-of- 5270
way to both of the following: 5271

(i) Pedestrians lawfully within an associated crosswalk; 5272

(ii) Other vehicles lawfully within the intersection. 5273

(b) In addition, vehicular traffic turning left or making 5274
a u-turn movement to the left shall yield the right-of-way to 5275
other vehicles approaching from the opposite direction so 5276
closely as to constitute an immediate hazard during the time 5277
when such turning vehicle is moving across or within the 5278
intersection. 5279

(2) Vehicular traffic, streetcars, and trackless trolleys 5280
facing a green arrow signal indication, displayed alone or in 5281
combination with another signal indication, are permitted to 5282
cautiously enter the intersection only to make the movement 5283

indicated by such arrow, or such other movement as is permitted 5284
by other indications displayed at the same time. Such vehicular 5285
traffic, streetcars, and trackless trolleys, including vehicles 5286
turning right or left or making a u-turn movement, shall yield 5287
the right-of-way to both of the following: 5288

(a) Pedestrians lawfully within an associated crosswalk; 5289

(b) Other traffic lawfully using the intersection. 5290

(3) (a) Unless otherwise directed by a pedestrian signal 5291
indication, as provided in section 4511.14 of the Revised Code, 5292
pedestrians facing a circular green signal indication are 5293
permitted to proceed across the roadway within any marked or 5294
unmarked associated crosswalk. The pedestrian shall yield the 5295
right-of-way to vehicles lawfully within the intersection or so 5296
close as to create an immediate hazard at the time that the 5297
green signal indication is first displayed. 5298

(b) Pedestrians facing a green arrow signal indication, 5299
unless otherwise directed by a pedestrian signal indication or 5300
other traffic control device, shall not cross the roadway. 5301

(B) Steady yellow signal indication: 5302

(1) Vehicular traffic, streetcars, and trackless trolleys 5303
facing a steady circular yellow signal indication are thereby 5304
warned that the related green movement or the related flashing 5305
arrow movement is being terminated or that a steady red signal 5306
indication will be exhibited immediately thereafter when 5307
vehicular traffic, streetcars, and trackless trolleys shall not 5308
enter the intersection. The provisions governing vehicular 5309
operation under the movement being terminated shall continue to 5310
apply while the steady circular yellow signal indication is 5311
displayed. 5312

(2) Vehicular traffic facing a steady yellow arrow signal 5313
indication is thereby warned that the related green arrow 5314
movement or the related flashing arrow movement is being 5315
terminated. The provisions governing vehicular operation under 5316
the movement being terminated shall continue to apply while the 5317
steady yellow arrow signal indication is displayed. 5318

(3) Pedestrians facing a steady circular yellow or yellow 5319
arrow signal indication, unless otherwise directed by a 5320
pedestrian signal indication as provided in section 4511.14 of 5321
the Revised Code or other traffic control device, shall not 5322
start to cross the roadway. 5323

(C) Steady red signal indication: 5324

(1)(a) Vehicular traffic, streetcars, and trackless 5325
trolleys facing a steady circular red signal indication, unless 5326
entering the intersection to make another movement permitted by 5327
another signal indication, shall stop at a clearly marked stop 5328
line; but if there is no stop line, traffic shall stop before 5329
entering the crosswalk on the near side of the intersection; or 5330
if there is no crosswalk, then before entering the intersection; 5331
and shall remain stopped until a signal indication to proceed is 5332
displayed except as provided in divisions (C) (1), (2), and (3) 5333
of this section. 5334

(b) Except when a traffic control device is in place 5335
prohibiting a turn on red or a steady red arrow signal 5336
indication is displayed, vehicular traffic facing a steady 5337
circular red signal indication is permitted, after stopping, to 5338
enter the intersection to turn right, or to turn left from a 5339
one-way street into a one-way street. The right to proceed with 5340
the turn shall be subject to the provisions that are applicable 5341
after making a stop at a stop sign. 5342

(2) (a) Vehicular traffic, streetcars, and trackless trolleys facing a steady red arrow signal indication shall not enter the intersection to make the movement indicated by the arrow and, unless entering the intersection to make another movement permitted by another signal indication, shall stop at a clearly marked stop line; but if there is no stop line, before entering the crosswalk on the near side of the intersection; or if there is no crosswalk, then before entering the intersection; and shall remain stopped until a signal indication or other traffic control device permitting the movement indicated by such red arrow is displayed.

(b) When a traffic control device is in place permitting a turn on a steady red arrow signal indication, vehicular traffic facing a steady red arrow indication is permitted, after stopping, to enter the intersection to turn right, or to turn left from a one-way street into a one-way street. The right to proceed with the turn shall be limited to the direction indicated by the arrow and shall be subject to the provisions that are applicable after making a stop at a stop sign.

(3) Unless otherwise directed by a pedestrian signal indication as provided in section 4511.14 of the Revised Code or other traffic control device, pedestrians facing a steady circular red or steady red arrow signal indication shall not enter the roadway.

(4) Local authorities by ordinance, or the director of transportation on state highways, may prohibit a right or a left turn against a steady red signal at any intersection, which shall be effective when signs giving notice thereof are posted at the intersection.

(D) A flashing green signal indication has no meaning and

shall not be used. 5373

(E) Flashing yellow signal indication: 5374

(1) (a) Vehicular traffic, on an approach to an 5375
intersection, facing a flashing circular yellow signal 5376
indication, is permitted to cautiously enter the intersection to 5377
proceed straight through or turn right or left or make a u-turn 5378
movement except as such movement is modified by lane-use signs, 5379
turn prohibition signs, lane markings, roadway design, separate 5380
turn signal indications, or other traffic control devices. Such 5381
vehicular traffic, including vehicles turning right or left or 5382
making a u-turn movement, shall yield the right-of-way to both 5383
of the following: 5384

(i) Pedestrians lawfully within an associated crosswalk; 5385

(ii) Other vehicles lawfully within the intersection. 5386

(b) In addition, vehicular traffic turning left or making 5387
a u-turn to the left shall yield the right-of-way to other 5388
vehicles approaching from the opposite direction so closely as 5389
to constitute an immediate hazard during the time when such 5390
turning vehicle is moving across or within the intersection. 5391

(2) (a) Vehicular traffic, on an approach to an 5392
intersection, facing a flashing yellow arrow signal indication, 5393
displayed alone or in combination with another signal 5394
indication, is permitted to cautiously enter the intersection 5395
only to make the movement indicated by such arrow, or other such 5396
movement as is permitted by other signal indications displayed 5397
at the same time. Such vehicular traffic, including vehicles 5398
turning right or left or making a u-turn, shall yield the right- 5399
of-way to both of the following: 5400

(i) Pedestrians lawfully within an associated crosswalk; 5401

(ii) Other vehicles lawfully within the intersection. 5402

(b) In addition, vehicular traffic turning left or making 5403
a u-turn to the left shall yield the right-of-way to other 5404
vehicles approaching from the opposite direction so closely as 5405
to constitute an immediate hazard during the time when such 5406
turning vehicle is moving across or within the intersection. 5407

(3) Pedestrians facing any flashing yellow signal 5408
indication at an intersection, unless otherwise directed by a 5409
pedestrian signal indication or other traffic control device, 5410
are permitted to proceed across the roadway within any marked or 5411
unmarked associated crosswalk. Pedestrians shall yield the 5412
right-of-way to vehicles lawfully within the intersection at the 5413
time that the flashing yellow signal indication is first 5414
displayed. 5415

(4) When a flashing circular yellow signal indication is 5416
displayed as a beacon to supplement another traffic control 5417
device, road users are notified that there is a need to pay 5418
additional attention to the message contained thereon or that 5419
the regulatory or warning requirements of the other traffic 5420
control device, which might not be applicable at all times, are 5421
currently applicable. 5422

(F) Flashing red signal indication: 5423

(1) Vehicular traffic, on an approach to an intersection, 5424
facing a flashing circular red signal indication, shall stop at 5425
a clearly marked stop line; but if there is no stop line, before 5426
entering the crosswalk on the near side of the intersection; or 5427
if there is no crosswalk, at the point nearest the intersecting 5428
roadway where the driver has a view of approaching traffic on 5429
the intersecting roadway before entering the intersection. The 5430

right to proceed shall be subject to the provisions that are 5431
applicable after making a stop at a stop sign. 5432

(2) Pedestrians facing any flashing red signal indication 5433
at an intersection, unless otherwise directed by a pedestrian 5434
signal indication or other traffic control device, are permitted 5435
to proceed across the roadway within any marked or unmarked 5436
associated crosswalk. Pedestrians shall yield the right-of-way 5437
to vehicles lawfully within the intersection at the time that 5438
the flashing red signal indication is first displayed. 5439

(3) When a flashing circular red signal indication is 5440
displayed as a beacon to supplement another traffic control 5441
device, road users are notified that there is a need to pay 5442
additional attention to the message contained thereon or that 5443
the regulatory requirements of the other traffic control device, 5444
which might not be applicable at all times, are currently 5445
applicable. Use of this signal indication shall be limited to 5446
supplementing stop, do not enter, or wrong way signs, and to 5447
applications where compliance with the supplemented traffic 5448
control device requires a stop at a designated point. 5449

(4) Vehicular traffic, on an approach to an intersection, 5450
facing a flashing red arrow signal indication and if intending 5451
to turn in the direction indicated by the arrow, shall stop at a 5452
clearly marked stop line; but if there is no stop line, before 5453
entering the crosswalk on the near side of the intersection; or 5454
if there is no crosswalk, at the point nearest the intersecting 5455
roadway where the driver has a view of approaching traffic on 5456
the intersecting roadway before entering the intersection. The 5457
right to proceed shall be subject to the provisions that are 5458
applicable after making a stop at a stop sign. 5459

(G) Transit vehicle signal indication: 5460

(1) Light rail and mass transit system bus traffic, on an 5461
approach to an intersection from a designated busway or other 5462
designated transit vehicle lane or tracks shall do all of the 5463
following: 5464

(a) Stop when facing a steady horizontal white line; 5465

(b) Proceed straight ahead when facing a steady vertical 5466
white line; 5467

(c) Only turn or proceed left when facing a steady 5468
diagonal white line that begins in the lower right corner and 5469
angles up and to the left; 5470

(d) Only turn or proceed right when facing a steady 5471
diagonal white line that begins in the lower left corner and 5472
angles up and to the right; 5473

(e) Prepare to stop when facing a flashing vertical white 5474
line. 5475

(2) As used in division (G)(1) of this section, "mass 5476
transit system" and "bus" have the same meanings as in section 5477
4511.78 of the Revised Code. 5478

(H) In the event an official ~~traffic-control~~ highway 5479
traffic signal is erected and maintained at a place other than 5480
an intersection, the provisions of this section shall be 5481
applicable except as to those provisions which by their nature 5482
can have no application. Any stop required shall be made at a 5483
sign or marking on the pavement indicating where the stop shall 5484
be made, but in the absence of any such sign or marking the stop 5485
shall be made at the signal. 5486

~~(H)~~(I) This section does not apply at railroad grade 5487
crossings. Conduct of drivers of vehicles, trackless trolleys, 5488

and streetcars approaching railroad grade crossings shall be 5489
governed by sections 4511.61 and 4511.62 of the Revised Code. 5490

Sec. 4511.131. The meanings of lane-use control signal 5491
indications are as follows: 5492

(A) A steady downward green arrow÷ 5493

~~A road user is permitted to drive in~~ means that the lane 5494
over which the arrow signal indication is located is open to 5495
vehicle travel in that direction. 5496

(B) A steady yellow "X"÷ 5497

~~A road user is to prepare to vacate~~ means that the lane 5498
over which the signal indication is located because a lane- 5499
control change is being made to is about to be closed to vehicle 5500
traffic in that direction and will be followed by a steady red 5501
"X" signal indication, either within the same signal face or in 5502
a downstream signal face. 5503

(C) A steady white two-way left-turn arrow÷ 5504

~~A road user is permitted to use a~~ means that the lane over 5505
which the signal indication is located for is open to traffic 5506
making a left turn from either direction of travel, but not for 5507
through travel, with the understanding that common use of the 5508
lane by oncoming road users for left turns also is permitted. 5509

(D) A steady white one-way left-turn arrow÷ 5510

~~A road user is permitted to use a~~ means that the lane over 5511
which the signal indication is located for is open to traffic 5512
making a left turn in that direction, without opposing turns in 5513
the same lane, but not for through travel. 5514

(E) A steady red "X"÷ 5515

~~A road user is not permitted to use means that the lane~~ 5516
~~over which the signal indication is located and that this signal~~ 5517
~~indication shall modify accordingly the meaning of other traffic~~ 5518
~~controls present~~ is closed to vehicle traffic in the direction 5519
viewed by the road user. 5520

Sec. 4511.132. (A) The driver of a vehicle, streetcar, or 5521
trackless trolley who approaches an intersection where traffic 5522
is controlled by highway traffic control signals shall do all of 5523
the following if the signal facing the driver exhibits no 5524
colored lights or colored lighted arrows, exhibits a combination 5525
of such lights or arrows that fails to clearly indicate the 5526
assignment of right-of-way, or, if the vehicle is a bicycle or 5527
an electric bicycle, the signals are otherwise malfunctioning 5528
due to the failure of a vehicle detector to detect the presence 5529
of the bicycle or electric bicycle: 5530

(1) Stop at a clearly marked stop line, but if none, stop 5531
before entering the crosswalk on the near side of the 5532
intersection, or, if none, stop before entering the 5533
intersection; 5534

(2) Yield the right-of-way to all vehicles, streetcars, or 5535
trackless trolleys in the intersection or approaching on an 5536
intersecting road, if the vehicles, streetcars, or trackless 5537
trolleys will constitute an immediate hazard during the time the 5538
driver is moving across or within the intersection or junction 5539
of roadways; 5540

(3) Exercise ordinary care while proceeding through the 5541
intersection. 5542

(B) Except as otherwise provided in this division, whoever 5543
violates this section is guilty of a minor misdemeanor. If, 5544

within one year of the offense, the offender previously has been 5545
convicted of or pleaded guilty to one predicate motor vehicle or 5546
traffic offense, whoever violates this section is guilty of a 5547
misdemeanor of the fourth degree. If, within one year of the 5548
offense, the offender previously has been convicted of two or 5549
more predicate motor vehicle or traffic offenses, whoever 5550
violates this section is guilty of a misdemeanor of the third 5551
degree. 5552

If the offender commits the offense while distracted and 5553
the distracting activity is a contributing factor to the 5554
commission of the offense, the offender is subject to the 5555
additional fine established under section 4511.991 of the 5556
Revised Code. 5557

Sec. 4511.15. Bicycle symbol signal indications have the 5558
following meanings: 5559

(A) A steady green bicycle signal indication means that 5560
bicyclists are permitted to enter the intersection only to make 5561
the movement indicated by the lane-use arrow displayed on the 5562
bicycle signal sign that is located immediately adjacent to the 5563
bicycle signal face. Bicyclists proceeding into the intersection 5564
during the display of the indication shall yield the right-of- 5565
way to both of the following: 5566

(1) Pedestrians lawfully within an associated crosswalk; 5567

(2) Other vehicles lawfully within the intersection. 5568

(B) A steady yellow bicycle signal indication means that 5569
bicyclists are warned that the related green movement is being 5570
terminated and that a steady red bicycle signal indication will 5571
be displayed immediately thereafter when bicyclists shall not 5572
enter the intersection. The provisions governing bicyclist 5573

operations under the movement being terminated continue to apply 5574
while the steady yellow bicycle signal indication is displayed. 5575

(C) (a) A steady red bicycle signal indication means that 5576
bicyclists shall not enter the intersection to make the movement 5577
indicated by the lane-use arrow displayed on the bicycle signal 5578
sign that is located immediately adjacent to the bicycle signal 5579
face. Unless the bicyclist is entering the intersection to make 5580
another movement permitted by another bicycle symbol signal 5581
indication, the bicyclist shall stop at a clearly marked stop 5582
line; but if there is no stop line, shall stop before entering 5583
the crosswalk on the near side of the intersection; or if there 5584
is no crosswalk, shall stop before entering the intersection; 5585
and shall remain stopped until a green bicycle signal indication 5586
to proceed is displayed. 5587

(b) Except when a traffic control device is in place 5588
prohibiting a turn on red, bicyclists facing a steady red 5589
bicycle signal indication are permitted to enter the 5590
intersection to turn right if there are no approach lanes for 5591
motor vehicle traffic to their right. The right to proceed with 5592
the turn is subject to the provisions that are applicable after 5593
making a stop at a stop sign. 5594

(D) A flashing green bicycle signal indication and a 5595
flashing yellow bicycle signal indication have no meaning and 5596
shall not be used. 5597

(E) A flashing red bicycle signal indication means that 5598
bicyclists shall stop at a clearly marked stop line; but if 5599
there is no stop line, shall stop before entering the crosswalk 5600
on the near side of the intersection; or if there is no 5601
crosswalk, shall stop at the point nearest the intersecting 5602
roadway where the bicyclists have a view of approaching traffic 5603

on that roadway before entering the intersection. The right to 5604
make the movement indicated by the lane-use arrow displayed on 5605
the bicycle signal sign that is located immediately adjacent to 5606
the bicycle signal face is subject to the provisions that are 5607
applicable after making a stop at a stop sign. 5608

Sec. 4511.18. (A) As used in this section, "traffic 5609
control device" means any sign, highway traffic ~~control~~-signal, 5610
or other device conforming to and placed or erected in 5611
accordance with the manual adopted under section 4511.09 of the 5612
Revised Code by authority of a public body or official having 5613
jurisdiction, for the purpose of regulating, warning, or guiding 5614
traffic, including signs denoting the names of streets and 5615
highways, but does not mean any pavement marking. 5616

(B) No individual shall buy or otherwise possess, or sell, 5617
a traffic control device, except when one of the following 5618
applies: 5619

(1) In the course of the individual's employment by the 5620
state or a local authority for the express or implied purpose of 5621
manufacturing, providing, erecting, moving, or removing such a 5622
traffic control device; 5623

(2) In the course of the individual's employment by any 5624
manufacturer of traffic control devices other than a state or 5625
local authority; 5626

(3) For the purpose of demonstrating the design and 5627
function of a traffic control device to state or local 5628
officials; 5629

(4) When the traffic control device has been purchased 5630
from the state or a local authority at a sale of property that 5631
is no longer needed or is unfit for use; 5632

(5) The traffic control device has been properly purchased 5633
from a manufacturer for use on private property and the person 5634
possessing the device has a sales receipt for the device or 5635
other acknowledgment of sale issued by the manufacturer. 5636

(C) This section does not preclude, and shall not be 5637
construed as precluding, prosecution for theft in violation of 5638
section 2913.02 of the Revised Code or a municipal ordinance 5639
relating to theft, or for receiving stolen property in violation 5640
of section 2913.51 of the Revised Code or a municipal ordinance 5641
relating to receiving stolen property. 5642

(D) Whoever violates this section is guilty of a 5643
misdemeanor of the third degree. 5644

Sec. 4511.204. (A) No person shall operate a motor 5645
vehicle, trackless trolley, or streetcar on any street, highway, 5646
or property open to the public for vehicular traffic while 5647
using, holding, or physically supporting with any part of the 5648
person's body an electronic wireless communications device. 5649

(B) Division (A) of this section does not apply to any of 5650
the following: 5651

(1) A person using an electronic wireless communications 5652
device to make contact, for emergency purposes, with a law 5653
enforcement agency, hospital or health care provider, fire 5654
department, or other similar emergency agency or entity; 5655

(2) A person driving a public safety vehicle while using 5656
an electronic wireless communications device in the course of 5657
the person's duties; 5658

(3) A person using an electronic wireless communications 5659
device when the person's motor vehicle is in a stationary 5660
position and is outside a lane of travel, at a highway traffic 5661

~~control~~—signal that is currently directing traffic to stop, or 5662
parked on a road or highway due to an emergency or road closure; 5663

(4) A person using and holding an electronic wireless 5664
communications device directly near the person's ear for the 5665
purpose of making, receiving, or conducting a telephone call, 5666
provided that the person does not manually enter letters, 5667
numbers, or symbols into the device; 5668

(5) A person receiving wireless messages on an electronic 5669
wireless communications device regarding the operation or 5670
navigation of a motor vehicle; safety-related information, 5671
including emergency, traffic, or weather alerts; or data used 5672
primarily by the motor vehicle, provided that the person does 5673
not hold or support the device with any part of the person's 5674
body; 5675

(6) A person using the speaker phone function of the 5676
electronic wireless communications device, provided that the 5677
person does not hold or support the device with any part of the 5678
person's body; 5679

(7) A person using an electronic wireless communications 5680
device for navigation purposes, provided that the person does 5681
not do either of the following during the use: 5682

(a) Manually enter letters, numbers, or symbols into the 5683
device; 5684

(b) Hold or support the device with any part of the 5685
person's body. 5686

(8) A person using a feature or function of the electronic 5687
wireless communications device with a single touch or single 5688
swipe, provided that the person does not do either of the 5689
following during the use: 5690

- (a) Manually enter letters, numbers, or symbols into the device; 5691
5692
- (b) Hold or support the device with any part of the person's body. 5693
5694
- (9) A person operating a commercial truck while using a mobile data terminal that transmits and receives data; 5695
5696
- (10) A person operating a utility service vehicle or a vehicle for or on behalf of a utility, if the person is acting in response to an emergency, power outage, or circumstance that affects the health or safety of individuals; 5697
5698
5699
5700
- (11) A person using an electronic wireless communications device in conjunction with a voice-operated or hands-free feature or function of the vehicle or of the device without the use of either hand except to activate, deactivate, or initiate the feature or function with a single touch or swipe, provided the person does not hold or support the device with any part of the person's body; 5701
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- (12) A person using technology that physically or electronically integrates the device into the motor vehicle, provided that the person does not do either of the following during the use: 5708
5709
5710
5711
- (a) Manually enter letters, numbers, or symbols into the device; 5712
5713
- (b) Hold or support the device with any part of the person's body. 5714
5715
- (13) A person storing an electronic wireless communications device in a holster, harness, or article of clothing on the person's body. 5716
5717
5718

(C) (1) On January 31 of each year, the department of 5719
public safety shall issue a report to the general assembly that 5720
specifies the number of citations issued for violations of this 5721
section during the previous calendar year. 5722

(2) If a law enforcement officer issues an offender a 5723
ticket, citation, or summons for a violation of division (A) of 5724
this section, the officer shall do both of the following: 5725

(a) Report the issuance of the ticket, citation, or 5726
summons to the officer's law enforcement agency; 5727

(b) Ensure that such report indicates the offender's race. 5728

(D) Whoever violates division (A) of this section is 5729
guilty of operating a motor vehicle while using an electronic 5730
wireless communication device, an unclassified misdemeanor, and 5731
shall be punished as provided in divisions (D) (1) to (5) of this 5732
section. 5733

(1) The offender shall be fined, and is subject to a 5734
suspension of the offender's driver's license, commercial 5735
driver's license, temporary instruction permit, probationary 5736
license, or nonresident operating privilege, as follows: 5737

(a) Except as provided in divisions (D) (1) (b), (c), (d), 5738
and (2) of this section, the court shall impose upon the 5739
offender a fine of not more than one hundred fifty dollars. 5740

(b) If, within two years of the violation, the offender 5741
has been convicted of or pleaded guilty to one prior violation 5742
of this section or a substantially equivalent municipal 5743
ordinance, the court shall impose upon the offender a fine of 5744
not more than two hundred fifty dollars. 5745

(c) If, within two years of the violation, the offender 5746

has been convicted of or pleaded guilty to two or more prior 5747
violations of this section or a substantially equivalent 5748
municipal ordinance, the court shall impose upon the offender a 5749
fine of not more than five hundred dollars. The court also may 5750
impose a suspension of the offender's driver's license, 5751
commercial driver's license, temporary instruction permit, 5752
probationary license, or nonresident operating privilege for 5753
ninety days. 5754

(d) Notwithstanding divisions (D) (1) (a) to (c) of this 5755
section, if the offender was operating the motor vehicle at the 5756
time of the violation in a construction zone where a sign was 5757
posted in accordance with section 4511.98 of the Revised Code, 5758
the court, in addition to all other penalties provided by law, 5759
shall impose upon the offender a fine of two times the amount 5760
imposed for the violation under division (D) (1) (a), (b), or (c) 5761
of this section, as applicable. 5762

(2) If the offender is in the category of offenders to 5763
whom division (D) (1) (a) of this section applies, in lieu of 5764
payment of the fine of one hundred fifty dollars under division 5765
(D) (1) (a) of this section and the assessment of points under 5766
division (D) (4) of this section, the offender instead may elect 5767
to attend the distracted driving safety course, as described in 5768
section 4511.991 of the Revised Code. If the offender attends 5769
and successfully completes the course, the offender shall be 5770
issued written evidence that the offender successfully completed 5771
the course. The offender shall not be required to pay the fine 5772
and shall not have the points assessed against that offender's 5773
driver's license if the offender submits the written evidence to 5774
the court within 90 days of the violation of division (A) of 5775
this section. However, successful completion of the course does 5776
not result in a dismissal of the charges for the violation, and 5777

the violation is a prior offense under divisions (D) (1) (b) and 5778
(c) of this section if the offender commits a subsequent 5779
violation or violations of division (A) of this section within 5780
two years of the offense for which the course was completed. 5781
This division does not apply with respect to any offender in the 5782
category of offenders to whom division (D) (1) (b), (c), or (d) of 5783
this section applies. 5784

(3) The court may impose any other penalty authorized 5785
under sections 2929.21 to 2929.28 of the Revised Code. However, 5786
the court shall not impose a fine or a suspension not otherwise 5787
specified in division (D) (1) of this section. The court also 5788
shall not impose a jail term or community residential sanction. 5789

(4) Except as provided in division (D) (2) of this section, 5790
points shall be assessed for a violation of division (A) of this 5791
section in accordance with section 4510.036 of the Revised Code. 5792

(5) The offense established under this section is a strict 5793
liability offense and section 2901.20 of the Revised Code does 5794
not apply. The designation of this offense as a strict liability 5795
offense shall not be construed to imply that any other offense, 5796
for which there is no specified degree of culpability, is not a 5797
strict liability offense. 5798

(E) This section shall not be construed as invalidating, 5799
preempting, or superseding a substantially equivalent municipal 5800
ordinance that prescribes penalties for violations of that 5801
ordinance that are greater than the penalties prescribed in this 5802
section for violations of this section. 5803

(F) A prosecution for an offense in violation of this 5804
section does not preclude a prosecution for an offense in 5805
violation of a substantially equivalent municipal ordinance 5806

based on the same conduct. However, the two offenses are allied
offenses of similar import under section 2941.25 of the Revised
Code.

(G) (1) A law enforcement officer does not have probable
cause and shall not stop the operator of a motor vehicle for
purposes of enforcing this section unless the officer visually
observes the operator using, holding, or physically supporting
with any part of the person's body the electronic wireless
communications device.

(2) A law enforcement officer who stops the operator of a
motor vehicle, trackless trolley, or streetcar for a violation
of division (A) of this section shall inform the operator that
the operator may decline a search of the operator's electronic
wireless communications device. The officer shall not do any of
the following:

(a) Access the device without a warrant, unless the
operator voluntarily and unequivocally gives consent for the
officer to access the device;

(b) Confiscate the device while awaiting the issuance of a
warrant to access the device;

(c) Obtain consent from the operator to access the device
through coercion or any other improper means. Any consent by the
operator to access the device shall be voluntary and unequivocal
before the officer may access the device without a warrant.

(H) As used in this section:

(1) "Electronic wireless communications device" includes
any of the following:

(a) A wireless telephone;

(b) A text-messaging device;	5835
(c) A personal digital assistant;	5836
(d) A computer, including a laptop computer and a computer tablet;	5837 5838
(e) Any device capable of displaying a video, movie, broadcast television image, or visual image;	5839 5840
(f) Any other substantially similar wireless device that is designed or used to communicate text, initiate or receive communication, or exchange information or data.	5841 5842 5843
An "electronic wireless communications device" does not include a two-way radio transmitter or receiver used by a person who is licensed by the federal communications commission to participate in the amateur radio service.	5844 5845 5846 5847
(2) "Voice-operated or hands-free feature or function" means a feature or function that allows a person to use an electronic wireless communications device without the use of either hand, except to activate, deactivate, or initiate the feature or function with a single touch or single swipe.	5848 5849 5850 5851 5852
(3) "Utility" means an entity specified in division (A), (C), (D), (E), or (G) of section 4905.03 of the Revised Code.	5853 5854
(4) "Utility service vehicle" means a vehicle owned or operated by a utility.	5855 5856
Sec. 4511.211. (A) The owner of a private road or driveway located in a private residential area containing twenty or more dwelling units may establish a speed limit on the road or driveway by complying with all of the following requirements:	5857 5858 5859 5860
(1) The speed limit is not less than twenty-five miles per	5861

hour and is indicated by a sign that is in a proper position, is 5862
sufficiently legible to be seen by an ordinarily observant 5863
person, and meets the specifications for the basic speed limit 5864
sign included in the manual adopted by the department of 5865
transportation pursuant to section 4511.09 of the Revised Code; 5866

(2) The owner has posted a sign at the entrance of the 5867
private road ~~or driveway~~ that is in plain view and clearly 5868
informs persons entering the road ~~or driveway~~ that they are 5869
entering private property, a speed limit has been established 5870
for the road ~~or driveway~~, and the speed limit is enforceable by 5871
law enforcement officers under state law. 5872

(B) No person shall operate a vehicle upon a private road 5873
~~or driveway~~ as provided in division (A) of this section at a 5874
speed exceeding any speed limit established and posted pursuant 5875
to that division. 5876

(C) When a speed limit is established and posted in 5877
accordance with division (A) of this section, any law 5878
enforcement officer may apprehend a person violating the speed 5879
limit of the residential area by utilizing any of the means 5880
described in section 4511.091 of the Revised Code or by any 5881
other accepted method of determining the speed of a motor 5882
vehicle and may stop and charge the person with exceeding the 5883
speed limit. 5884

(D) Points shall be assessed for violation of a speed 5885
limit established and posted in accordance with division (A) of 5886
this section in accordance with section 4510.036 of the Revised 5887
Code. 5888

(E) As used in this section: 5889

(1) "Owner" includes but is not limited to a person who 5890

holds title to the real property in fee simple, a condominium 5891
owners' association, a property owner's association, the board 5892
of directors or trustees of a private community, and a nonprofit 5893
corporation governing a private community. 5894

(2) "Private residential area containing twenty or more 5895
dwelling units" does not include a Chautauqua assembly as 5896
defined in section 4511.90 of the Revised Code. 5897

(F) (1) A violation of division (B) of this section is one 5898
of the following: 5899

(a) Except as otherwise provided in divisions (F) (1) (b) 5900
and (c) of this section, a minor misdemeanor; 5901

(b) If, within one year of the offense, the offender 5902
previously has been convicted of or pleaded guilty to two 5903
violations of division (B) of this section or of any municipal 5904
ordinance that is substantially similar to division (B) of this 5905
section, a misdemeanor of the fourth degree; 5906

(c) If, within one year of the offense, the offender 5907
previously has been convicted of or pleaded guilty to three or 5908
more violations of division (B) of this section or of any 5909
municipal ordinance that is substantially similar to division 5910
(B) of this section, a misdemeanor of the third degree. 5911

(2) If the offender commits the offense while distracted 5912
and the distracting activity is a contributing factor to the 5913
commission of the offense, the offender is subject to the 5914
additional fine established under section 4511.991 of the 5915
Revised Code. 5916

Sec. 4511.214. ~~(A)-(1)~~ (A) As used in this section and 5917
sections 4511.215 and 4511.216 of the Revised Code, "low-speed 5918
vehicle," "mini-truck," "under-speed vehicle," and "utility 5919

vehicle" have the same meanings as in section 4501.01 of the 5920
Revised Code. 5921

(B) (1) No person shall operate a low-speed vehicle upon 5922
any street or highway having an established speed limit greater 5923
than thirty-five miles per hour. 5924

(2) No person shall operate an under-speed or utility 5925
vehicle or a mini-truck upon any street or highway except as 5926
follows: 5927

(a) Upon a street or highway having an established speed 5928
limit not greater than thirty-five miles per hour and only upon 5929
such streets or highways where a local authority has granted 5930
permission for such operation in accordance with section 5931
4511.215 of the Revised Code; 5932

(b) A state park or political subdivision employee or 5933
volunteer operating a utility vehicle exclusively within the 5934
boundaries of state parks or political subdivision parks for the 5935
operation or maintenance of state or political subdivision park 5936
facilities. 5937

(3) No person shall operate a motor-driven cycle or motor 5938
scooter upon any street or highway having an established speed 5939
limit greater than forty-five miles per hour. 5940

~~(B)~~ (C) This section does not prohibit either of the 5941
following: 5942

(1) A person operating a low-speed vehicle, under-speed, 5943
or utility vehicle or a mini-truck from proceeding across an 5944
intersection of a street or highway having a speed limit greater 5945
than thirty-five miles per hour; 5946

(2) A person operating a motor-driven cycle or motor 5947

scooter from proceeding across an intersection of a street or 5948
highway having a speed limit greater than forty-five miles per 5949
hour. 5950

~~(C)~~(D) Nothing in this section shall prevent a local 5951
authority from adopting more stringent local ordinances, 5952
resolutions, or regulations governing the operation of a low- 5953
speed vehicle or a mini-truck, or a motor-driven cycle or motor 5954
scooter. 5955

~~(D)~~(E) Except as otherwise provided in this division, 5956
whoever violates division ~~(A)~~(B) of this section is guilty of a 5957
minor misdemeanor. If within one year of the offense, the 5958
offender previously has been convicted of or pleaded guilty to 5959
one predicate motor vehicle or traffic offense, whoever violates 5960
this section is guilty of a misdemeanor of the fourth degree. If 5961
within one year of the offense, the offender previously has been 5962
convicted of two or more predicate motor vehicle or traffic 5963
offenses, whoever violates this section is guilty of a 5964
misdemeanor of the third degree. 5965

Sec. 4511.432. (A) The owner of a private road ~~or driveway~~ 5966
located in a private residential area containing twenty or more 5967
dwelling units may erect stop signs at places where the road ~~or~~ 5968
~~driveway~~ intersects with another private road ~~or driveway~~ in the 5969
residential area, in compliance with all of the following 5970
requirements: 5971

(1) The stop sign is sufficiently legible to be seen by an 5972
ordinarily observant person and meets the specifications of and 5973
is placed in accordance with the manual adopted by the 5974
department of transportation pursuant to section 4511.09 of the 5975
Revised Code. 5976

(2) The owner has posted a sign at the entrance of the private road ~~or driveway~~ that is in plain view and clearly informs persons entering the road ~~or driveway~~ that they are entering private property, stop signs have been posted and must be obeyed, and the signs are enforceable by law enforcement officers under state law. The sign required by division (A) (2) of this section, where appropriate, may be incorporated with the sign required by division (A) (2) of section 4511.211 of the Revised Code.

(B) Division (A) of section 4511.43 and section 4511.46 of the Revised Code shall be deemed to apply to the driver of a vehicle on a private road ~~or driveway~~ where a stop sign is placed in accordance with division (A) of this section and to a pedestrian crossing such a road ~~or driveway~~ at an intersection where a stop sign is in place.

(C) When a stop sign is placed in accordance with division (A) of this section, any law enforcement officer may apprehend a person found violating the stop sign and may stop and charge the person with violating the stop sign.

(D) Except as otherwise provided in this division, whoever violates this section is guilty of a minor misdemeanor. If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to one predicate motor vehicle or traffic offense, whoever violates this section is guilty of a misdemeanor of the fourth degree. If, within one year of the offense, the offender previously has been convicted of two or more predicate motor vehicle or traffic offenses, whoever violates this section is guilty of a misdemeanor of the third degree.

(E) As used in this section, and for the purpose of

applying division (A) of section 4511.43 and section 4511.46 of
the Revised Code to conduct under this section:

(1) "Intersection" means:

(a) The area embraced within the prolongation or
connection of the lateral curb lines, or, if none, then the
lateral boundary lines of the roadways of two private roads ~~or~~
~~driveways~~ which join one another at, or approximately at, right
angles, or the area within which vehicles traveling upon
different private roads ~~or driveways~~ joining at any other angle
may come in conflict.

(b) Where a private road ~~or driveway~~ includes two roadways
thirty feet or more apart, then every crossing of two roadways
of such private roads ~~or driveways~~ shall be regarded as a
separate intersection.

(2) "Roadway" means that portion of a private road ~~or~~
~~driveway~~ improved, designed, or ordinarily used for vehicular
travel and parking lanes, except not including the berm,
sidewalk, or shoulder, even if the berm, sidewalk, or shoulder
is used by a person operating a bicycle or other human-powered
vehicle. If a private road ~~or driveway~~ includes two or more
separate roadways, the term "roadway" means any such roadway
separately but not all such roadways collectively.

(3) "Owner" and "private residential area containing
twenty or more dwelling units" have the same meanings as in
section 4511.211 of the Revised Code.

Sec. 4511.46. (A) When highway traffic ~~control~~ signals are
not in place, not in operation, or are not clearly assigning the
right-of-way, the driver of a vehicle, trackless trolley, or
streetcar shall yield the right of way, slowing down or stopping

if need be to so yield or if required by section 4511.132 of the Revised Code, to a pedestrian crossing the roadway within a crosswalk when the pedestrian is upon the half of the roadway upon which the vehicle is traveling, or when the pedestrian is approaching so closely from the opposite half of the roadway as to be in danger.

(B) No pedestrian shall suddenly leave a curb or other place of safety and walk or run into the path of a vehicle, trackless trolley, or streetcar which is so close as to constitute an immediate hazard.

(C) Division (A) of this section does not apply under the conditions stated in division (B) of section 4511.48 of the Revised Code.

(D) Whenever any vehicle, trackless trolley, or streetcar is stopped at a marked crosswalk or at any unmarked crosswalk at an intersection to permit a pedestrian to cross the roadway, the driver of any other vehicle, trackless trolley, or streetcar approaching from the rear shall not overtake and pass the stopped vehicle.

(E) Except as otherwise provided in this division, whoever violates this section is guilty of a minor misdemeanor. If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to one predicate motor vehicle or traffic offense, whoever violates this section is guilty of a misdemeanor of the fourth degree. If, within one year of the offense, the offender previously has been convicted of two or more predicate motor vehicle or traffic offenses, whoever violates this section is guilty of a misdemeanor of the third degree.

If the offender commits the offense while distracted and 6065
the distracting activity is a contributing factor to the 6066
commission of the offense, the offender is subject to the 6067
additional fine established under section 4511.991 of the 6068
Revised Code. 6069

Sec. 4511.48. (A) Every pedestrian crossing a roadway at 6070
any point other than within a marked crosswalk or within an 6071
unmarked crosswalk at an intersection shall yield the right of 6072
way to all vehicles, trackless trolleys, or streetcars upon the 6073
roadway. 6074

(B) Any pedestrian crossing a roadway at a point where a 6075
pedestrian tunnel or overhead pedestrian crossing has been 6076
provided shall yield the right of way to all traffic upon the 6077
roadway. 6078

(C) Between adjacent intersections at which highway 6079
traffic ~~control~~-signals are in operation, pedestrians shall not 6080
cross at any place except in a marked crosswalk. 6081

(D) No pedestrian shall cross a roadway intersection 6082
diagonally unless authorized by official traffic control 6083
devices; and, when authorized to cross diagonally, pedestrians 6084
shall cross only in accordance with the official traffic control 6085
devices pertaining to such crossing movements. 6086

(E) This section does not relieve the operator of a 6087
vehicle, streetcar, or trackless trolley from exercising due 6088
care to avoid colliding with any pedestrian upon any roadway. 6089

(F) Except as otherwise provided in this division, whoever 6090
violates this section is guilty of a minor misdemeanor. If, 6091
within one year of the offense, the offender previously has been 6092
convicted of or pleaded guilty to one predicate motor vehicle or 6093

traffic offense, whoever violates this section is guilty of a 6094
misdemeanor of the fourth degree. If, within one year of the 6095
offense, the offender previously has been convicted of two or 6096
more predicate motor vehicle or traffic offenses, whoever 6097
violates this section is guilty of a misdemeanor of the third 6098
degree. 6099

Sec. 4511.512. (A) (1) Electric personal assistive mobility 6100
devices, as defined in section 4501.01 of the Revised Code, may 6101
be operated on the public streets, highways, sidewalks, and 6102
paths and portions of roadways set aside for the exclusive use 6103
of bicycles in accordance with this section. 6104

(2) Except as otherwise provided in this section, those 6105
sections of this chapter that by their nature are applicable to 6106
an electric personal assistive mobility device apply to the 6107
device and the person operating it whenever it is operated upon 6108
any public street, highway, sidewalk, or path or upon any 6109
portion of a roadway set aside for the exclusive use of 6110
bicycles. 6111

(3) A local authority may regulate or prohibit the 6112
operation of electric personal assistive mobility devices on 6113
public streets, highways, sidewalks, and paths, and portions of 6114
roadways set aside for the exclusive use of bicycles, under its 6115
jurisdiction. 6116

(B) No operator of an electric personal assistive mobility 6117
device shall do any of the following: 6118

(1) Fail to yield the right-of-way to all pedestrians and 6119
human-powered vehicles at all times; 6120

(2) Fail to give an audible signal before overtaking and 6121
passing a pedestrian; 6122

- (3) Operate the device at night unless the device or its operator is equipped with or wearing both of the following:
- (a) A lamp pointing to the front that emits a white light visible from a distance of not less than five hundred feet;
- (b) A red reflector facing the rear that is visible from all distances from one hundred feet to six hundred feet when directly in front of lawful lower beams of head lamps on a motor vehicle.
- (4) Operate the device on any portion of a street or highway that has an established speed limit of fifty-five miles per hour or more;
- (5) Operate the device upon any path set aside for the exclusive use of pedestrians or other specialized use when an appropriate sign giving notice of the specialized use is posted on the path;
- (6) If under eighteen years of age, operate the device unless wearing a protective helmet on the person's head with the chin strap properly fastened;
- (7) If under sixteen years of age, operate the device unless, during the operation, the person is under the direct visual and audible supervision of another person who is eighteen years of age or older and is responsible for the immediate care of the person under sixteen years of age.
- (C) No person who is under fourteen years of age shall operate an electric personal assistive mobility device.
- (D) No person shall distribute or sell an electric personal assistive mobility device unless the device is accompanied by a written statement that is substantially

equivalent to the following: "WARNING: TO REDUCE THE RISK OF 6151
SERIOUS INJURY, USE ONLY WHILE WEARING FULL PROTECTIVE EQUIPMENT 6152
- HELMET, WRIST GUARDS, ELBOW PADS, AND KNEE PADS." 6153

(E) Nothing in this section affects or shall be construed 6154
to affect any rule of the director of natural resources or a 6155
board of park district commissioners governing the operation of 6156
vehicles on lands under the control of the director or board, as 6157
applicable. 6158

(F) (1) Whoever violates division (B) or (C) of this 6159
section is guilty of a minor misdemeanor and shall be punished 6160
as follows: 6161

(a) The offender shall be fined ten dollars. 6162

(b) If the offender previously has been convicted of or 6163
pleaded guilty to a violation of division (B) or (C) of this 6164
section or a substantially similar municipal ordinance, the 6165
court, in addition to imposing the fine required under division 6166
(F) (1) of this section, shall do one of the following: 6167

(i) Order the impoundment for not less than one day but 6168
not more than thirty days of the electric personal assistive 6169
mobility device that was involved in the current violation of 6170
that division. The court shall order the device to be impounded 6171
at a safe indoor location designated by the court and may assess 6172
storage fees of not more than five dollars per day, provided the 6173
total storage, processing, and release fees assessed against the 6174
offender or the device in connection with the device's 6175
impoundment or subsequent release shall not exceed fifty 6176
dollars. 6177

(ii) If the court does not issue an impoundment order 6178
pursuant to division (F) (1) (b) (i) of this section, issue an 6179

order prohibiting the offender from operating any electric 6180
personal assistive mobility device on the public streets, 6181
highways, sidewalks, and paths and portions of roadways set 6182
aside for the exclusive use of bicycles for not less than one 6183
day but not more than thirty days. 6184

(2) Whoever violates division (D) of this section is 6185
guilty of a minor misdemeanor. 6186

Sec. 4511.61. (A) As used in this section, "~~active grade~~ 6187
Grade crossing warning devicesystem" means ~~signs, the flashing-~~ 6188
light signals, with or without automatic gates, or other 6189
~~protective devices erected or installed at a public highway-~~ 6190
~~railway crossing at common grade and activated by an electrical~~ 6191
~~circuit~~ together with the necessary control equipment that is 6192
used to inform road users of the approach and presence of rail 6193
traffic at a grade crossing. 6194

(B) The department of transportation and local authorities 6195
in their respective jurisdictions, with the approval of the 6196
department, may designate dangerous highway crossings over 6197
railroad tracks whether on state, county, or township highways 6198
or on streets or ways within municipal corporations, and erect 6199
stop signs thereat. 6200

(C) (1) The department and local authorities shall erect 6201
stop signs at a railroad highway grade crossing in either of the 6202
following circumstances: 6203

(a) New warning devices that are not ~~active-grade crossing~~ 6204
warning devices-systems are being installed at the grade 6205
crossing, and railroad crossbucks were the only warning devices 6206
at the grade crossing prior to the installation of the new 6207
warning devices. 6208

(b) The grade crossing is constructed after July 1, 2013, 6209
and only warning devices that are not ~~active~~-grade crossing 6210
warning ~~devices~~-systems are installed at the grade crossing. 6211

(2) Division (C)(1) of this section does not apply to a 6212
railroad highway grade crossing that the director of 6213
transportation has exempted from that division because of 6214
traffic flow or other considerations or factors. 6215

(D) When stop signs are erected pursuant to division (B) 6216
or (C) of this section, the operator of any vehicle, streetcar, 6217
or trackless trolley shall stop within fifty, but not less than 6218
fifteen, feet from the nearest rail of the railroad tracks and 6219
shall exercise due care before proceeding across such grade 6220
crossing. 6221

(E) Except as otherwise provided in this division, whoever 6222
violates division (D) of this section is guilty of a minor 6223
misdemeanor. If, within one year of the offense, the offender 6224
previously has been convicted of or pleaded guilty to one 6225
predicate motor vehicle or traffic offense, whoever violates 6226
this section is guilty of a misdemeanor of the fourth degree. 6227
If, within one year of the offense, the offender previously has 6228
been convicted of two or more predicate motor vehicle or traffic 6229
offenses, whoever violates this section is guilty of a 6230
misdemeanor of the third degree. 6231

If the offender commits the offense while distracted and 6232
the distracting activity is a contributing factor to the 6233
commission of the offense, the offender is subject to the 6234
additional fine established under section 4511.991 of the 6235
Revised Code. 6236

Sec. 4511.62. (A) (1) Whenever any person driving a vehicle 6237

or trackless trolley approaches a railroad grade crossing, the 6238
person shall stop within fifty feet, but not less than fifteen 6239
feet from the nearest rail of the railroad if any of the 6240
following circumstances exist at the crossing: 6241

(a) A clearly visible electric or mechanical signal device 6242
gives warning of the immediate approach of a train or other on- 6243
track equipment. 6244

(b) A crossing gate is lowered. 6245

(c) A flagperson gives or continues to give a signal of 6246
the approach or passage of a train or other on-track equipment. 6247

(d) There is insufficient space on the other side of the 6248
railroad grade crossing to accommodate the vehicle or trackless 6249
trolley the person is operating without obstructing the passage 6250
of other vehicles, trackless trolleys, pedestrians, or ~~railroad~~ 6251
trains, notwithstanding any highway traffic ~~control~~-signal 6252
indication to proceed. 6253

(e) An approaching train is emitting an audible signal or 6254
is plainly visible and is in hazardous proximity to the 6255
crossing. 6256

(f) There is insufficient undercarriage clearance to 6257
safely negotiate the crossing. 6258

(g) There is insufficient space on the other side of the 6259
railroad grade crossing to accommodate the vehicle or trackless 6260
trolley the person is operating without obstructing the passage 6261
of other on-track equipment. 6262

(h) Approaching on-track equipment is emitting an audible 6263
signal or is plainly visible and is in hazardous proximity to 6264
the crossing. 6265

(2) (a) A person who is driving a vehicle or trackless trolley and who approaches a railroad grade crossing shall not proceed as long as any of the circumstances described in divisions (A) (1) (a) to (f) of this section exist at the crossing.

(b) A person who is driving a vehicle or trackless trolley and who approaches a railroad grade crossing shall not recklessly proceed as long as any of the circumstances described in division (A) (1) (g) or (h) of this section exist at the crossing.

(B) No person shall drive any vehicle through, around, or under any crossing gate or barrier at a railroad crossing while the gate or barrier is closed or is being opened or closed unless the person is signaled by a law enforcement officer or flagperson that it is permissible to do so.

(C) (1) Whoever violates this section is guilty of a misdemeanor of the fourth degree.

(2) In lieu of a fine or jail term for a violation of this section, a court may instead order the offender to attend and successfully complete a remedial safety training or presentation regarding rail safety that is offered by an authorized and qualified organization that is selected by the court. The offender shall complete the presentation within a time frame determined by the court, not to exceed one hundred eighty days after the court issues the order. The offender shall notify the court of the successful completion of the presentation. When the offender notifies the court of the successful completion of the presentation, the court shall waive any fine or jail term that it otherwise would have imposed for a violation of this section.

Sec. 4511.64. (A) No person shall operate or move any 6295
crawler-type tractor, steam shovel, derrick, roller, or any 6296
equipment or structure having a normal operating speed of six or 6297
less miles per hour or a vertical body or load clearance of less 6298
than nine inches above the level surface of a roadway, upon or 6299
across any tracks at a railroad grade crossing without first 6300
complying with divisions (A) (1) and (2) of this section. 6301

(1) Before making any such crossing, the person operating 6302
or moving any such vehicle or equipment shall first stop the 6303
same, and while stopped the person shall listen and look in both 6304
directions along such track for any approaching train or other 6305
on-track equipment and for signals indicating the approach of a 6306
train or other on-track equipment, and shall proceed only upon 6307
exercising due care. 6308

(2) No such crossing shall be made when warning is given 6309
by automatic signal or crossing gates or a flagperson or 6310
otherwise of the immediate approach of a ~~railroad~~-train or car 6311
or other on-track equipment. 6312

(B) If the normal sustained speed of such vehicle, 6313
equipment, or structure is not more than three miles per hour, 6314
the person owning, operating, or moving the same shall also give 6315
notice of such intended crossing to a station agent or 6316
superintendent of the railroad, and a reasonable time shall be 6317
given to such railroad to provide proper protection for such 6318
crossing. Where such vehicles or equipment are being used in 6319
constructing or repairing a section of highway lying on both 6320
sides of a railroad grade crossing, and in such construction or 6321
repair it is necessary to repeatedly move such vehicles or 6322
equipment over such crossing, one daily notice specifying when 6323
such work will start and stating the hours during which it will 6324

be prosecuted is sufficient.

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(C) Except as otherwise provided in this division, whoever violates this section is guilty of a minor misdemeanor. If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to one predicate motor vehicle or traffic offense, whoever violates this section is guilty of a misdemeanor of the fourth degree. If, within one year of the offense, the offender previously has been convicted of two or more predicate motor vehicle or traffic offenses, whoever violates this section is guilty of a misdemeanor of the third degree.

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

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Sec. 4511.65. (A) All state routes are hereby designated as through highways, provided that stop signs, yield signs, or highway traffic control signals shall be erected at all intersections with such through highways by the department of transportation as to highways under its jurisdiction and by local authorities as to highways under their jurisdiction, except as otherwise provided in this section. Where two or more state routes that are through highways intersect and no highway traffic control signal is in operation, stop signs or yield signs shall be erected at one or more entrances thereto by the department, except as otherwise provided in this section.

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Whenever the director of transportation determines on the basis of an engineering and traffic investigation that stop signs are necessary to stop traffic on a through highway for

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safe and efficient operation, nothing in this section shall be 6355
construed to prevent such installations. When circumstances 6356
warrant, the director also may omit stop signs on roadways 6357
intersecting through highways under ~~his~~ the director's 6358
jurisdiction. Before the director either installs or removes a 6359
stop sign under this division, ~~he~~ the director shall give 6360
notice, in writing, of that proposed action to the affected 6361
local authority at least thirty days before installing or 6362
removing the stop sign. 6363

(B) Other streets or highways, or portions thereof, are 6364
hereby designated through highways if they are within a 6365
municipal corporation, if they have a continuous length of more 6366
than one mile between the limits of said street or highway or 6367
portion thereof, and if they have "stop" or "yield" signs or 6368
highway traffic ~~control~~-signals at the entrances of the majority 6369
of intersecting streets or highways. For purposes of this 6370
section, the limits of said street or highway or portion thereof 6371
shall be a municipal corporation line, the physical terminus of 6372
the street or highway, or any point on said street or highway at 6373
which vehicular traffic thereon is required by regulatory signs 6374
to stop or yield to traffic on the intersecting street, provided 6375
that in residence districts a municipal corporation may by 6376
ordinance designate said street or highway, or portion thereof, 6377
not to be a through highway and thereafter the affected 6378
residence district shall be indicated by official traffic 6379
control devices. Where two or more through highways designated 6380
under this division intersect and no highway traffic ~~control~~- 6381
signal is in operation, stop signs or yield signs shall be 6382
erected at one or more entrances thereto by the department or by 6383
local authorities having jurisdiction, except as otherwise 6384
provided in this section. 6385

(C) The department or local authorities having 6386
jurisdiction need not erect stop signs at intersections they 6387
find to be so constructed as to permit traffic to safely enter a 6388
through highway without coming to a stop. Signs shall be erected 6389
at such intersections indicating that the operator of a vehicle 6390
shall yield the right-of-way to or merge with all traffic 6391
proceeding on the through highway. 6392

(D) Local authorities with reference to highways under 6393
their jurisdiction may designate additional through highways and 6394
shall erect stop signs, yield signs, or highway traffic control ~~control~~ 6395
signals at all streets and highways intersecting such through 6396
highways, or may designate any intersection as a stop or yield 6397
intersection and shall erect like signs at one or more entrances 6398
to such intersection. 6399

Sec. 4511.68. (A) No person shall stand or park a 6400
trackless trolley or vehicle, except when necessary to avoid 6401
conflict with other traffic or to comply with sections 4511.01 6402
to 4511.78, 4511.99, and 4513.01 to 4513.37 of the Revised Code, 6403
or while obeying the directions of a police officer or a traffic 6404
control device, in any of the following places: 6405

(1) On a sidewalk, except as provided in division (B) of 6406
this section; 6407

(2) In front of a public or private driveway; 6408

(3) Within an intersection; 6409

(4) Within ten feet of a fire hydrant; 6410

(5) On a crosswalk; 6411

(6) Within twenty feet of a crosswalk at an intersection; 6412

(7) Within thirty feet of, and upon the approach to, any 6413

~~flashing beacon~~yield sign, stop sign, or highway traffic control
~~device~~signal;

(8) Between a safety zone and the adjacent curb or within
thirty feet of points on the curb immediately opposite the ends
of a safety zone, unless a different length is indicated by a
traffic control device;

(9) Within fifty feet of the nearest rail of a railroad
crossing;

(10) Within twenty feet of a driveway entrance to any fire
station and, on the side of the street opposite the entrance to
any fire station, within seventy-five feet of the entrance when
it is properly posted with signs;

(11) Alongside or opposite any street excavation or
obstruction when such standing or parking would obstruct
traffic;

(12) Alongside any vehicle stopped or parked at the edge
or curb of a street;

(13) Upon any bridge or elevated structure upon a highway,
or within a highway tunnel;

(14) At any place where signs prohibit stopping;

(15) Within one foot of another parked vehicle;

(16) On the roadway portion of a freeway, expressway, or
thruway;

(17) On a bicycle lane.

(B) A person is permitted, without charge or restriction,
to stand or park on a sidewalk a motor-driven cycle or motor
scooter that has an engine not larger than one hundred fifty

cubic centimeters, a low-speed micromobility device, or a 6441
bicycle or electric bicycle, provided that the motor-driven 6442
cycle, motor scooter, low-speed micromobility device, bicycle, 6443
or electric bicycle does not impede the normal flow of 6444
pedestrian traffic. This division does not authorize any person 6445
to operate a vehicle in violation of section 4511.711 of the 6446
Revised Code. 6447

(C) Except as otherwise provided in this division, whoever 6448
violates division (A) of this section is guilty of a minor 6449
misdemeanor. If, within one year of the offense, the offender 6450
previously has been convicted of or pleaded guilty to one 6451
predicate motor vehicle or traffic offense, whoever violates 6452
this section is guilty of a misdemeanor of the fourth degree. 6453
If, within one year of the offense, the offender previously has 6454
been convicted of two or more predicate motor vehicle or traffic 6455
offenses, whoever violates this section is guilty of a 6456
misdemeanor of the third degree. 6457

Sec. 4511.701. (A) As used in this section: 6458

(1) "Fifth wheel trailer," "mobile home," and "travel 6459
trailer" have the same meanings as in section 4501.01 of the 6460
Revised Code. 6461

(2) "Manufactured home" has the same meaning as in 6462
division (C) (4) of section 3781.06 of the Revised Code. 6463

(B) Except as provided in division ~~(B)~~ (C) of this section, 6464
no person shall occupy any travel trailer, fifth wheel trailer, 6465
or manufactured or mobile home while it is being used as a 6466
conveyance upon a street or highway. 6467

~~(B)~~ (C) Division ~~(A)~~ (B) of this section does not apply to a 6468
fifth wheel trailer when both of the following apply: 6469

(1) Any child riding in the fifth wheel trailer is 6470
properly secured in the manner provided in section 4511.81 of 6471
the Revised Code~~;~~ 6472

(2) The operator of the vehicle towing the fifth wheel 6473
trailer has some means of viable communication with the 6474
passengers riding in the trailer. 6475

As used in this division, "viable communication" includes 6476
a cellular or satellite telephone, a radio, or any other similar 6477
electronic wireless communications device. 6478

~~(C)~~ (D) Except as otherwise provided in this division, 6479
whoever violates this section is guilty of a minor misdemeanor. 6480
If, within one year of the offense, the offender previously has 6481
been convicted of or pleaded guilty to one predicate motor 6482
vehicle or traffic offense, whoever violates this section is 6483
guilty of a misdemeanor of the fourth degree. If, within one 6484
year of the offense, the offender previously has been convicted 6485
of two or more predicate motor vehicle or traffic offenses, 6486
whoever violates this section is guilty of a misdemeanor of the 6487
third degree. 6488

~~(2)~~ (E) The offense established under this section is a 6489
strict liability offense and section 2901.20 of the Revised Code 6490
does not apply. The designation of this offense as a strict 6491
liability offense shall not be construed to imply that any other 6492
offense, for which there is no specified degree of culpability, 6493
is not a strict liability offense. 6494

Sec. 4511.712. (A) No driver shall enter an intersection 6495
or marked crosswalk or drive onto any railroad grade crossing 6496
unless there is sufficient space on the other side of the 6497
intersection, crosswalk, or grade crossing to accommodate the 6498

vehicle, streetcar, or trackless trolley the driver is operating 6499
without obstructing the passage of other vehicles, streetcars, 6500
trackless trolleys, pedestrians, or ~~railroad~~ trains, 6501
notwithstanding any highway traffic ~~control~~-signal indication to 6502
proceed. 6503

(B) This section does not apply to a bicyclist using a 6504
two-stage bicycle turn box. 6505

(C) Except as otherwise provided in this division, whoever 6506
violates this section is guilty of a minor misdemeanor. If, 6507
within one year of the offense, the offender previously has been 6508
convicted of or pleaded guilty to one predicate motor vehicle or 6509
traffic offense, whoever violates this section is guilty of a 6510
misdemeanor of the fourth degree. If, within one year of the 6511
offense, the offender previously has been convicted of two or 6512
more predicate motor vehicle or traffic offenses, whoever 6513
violates this section is guilty of a misdemeanor of the third 6514
degree. 6515

If the offender commits the offense while distracted and 6516
the distracting activity is a contributing factor to the 6517
commission of the offense, the offender is subject to the 6518
additional fine established under section 4511.991 of the 6519
Revised Code. 6520

Sec. 4511.765. (A) The director of education and 6521
workforce, by and with the advice of the director of public 6522
safety, shall amend any rules adopted under section 4511.76 of 6523
the Revised Code pertaining to pre-trip inspections of a school 6524
bus. The amendment shall remove any requirement that the 6525
following equipment be included in the pre-trip inspection: 6526

(1) The turbo charger; 6527

<u>(2) The alternator;</u>	6528
<u>(3) The belts;</u>	6529
<u>(4) The water pump;</u>	6530
<u>(5) The power steering pump;</u>	6531
<u>(6) The air pump;</u>	6532
<u>(7) Any part of the steering system;</u>	6533
<u>(8) Any part of the suspension;</u>	6534
<u>(9) Any part of the air brakes;</u>	6535
<u>(10) Any part of the brake equipment, including drums or rotors;</u>	6536 6537
<u>(11) The springs and spring mounts;</u>	6538
<u>(12) The air bags.</u>	6539
<u>(B) The state highway patrol shall still examine all of the equipment listed in division (A) of this section during its school bus inspections conducted in accordance with section 4511.761 of the Revised Code.</u>	6540 6541 6542 6543
Sec. 4513.071. (A) Every motor vehicle, trailer, semitrailer, and pole trailer when operated upon a highway shall be equipped with two or more stop lights, except that passenger cars manufactured or assembled prior to January 1, 1967, motorcycles, and motor-driven cycles shall be equipped with at least one stop light. Stop lights shall be mounted on the rear of the vehicle, actuated upon application of the service brake, and may be incorporated with other rear lights. Such stop lights when actuated shall emit a red light visible from a distance of five hundred feet to the rear, provided that in the case of a train of vehicles only the stop lights on the rear-most vehicle	6544 6545 6546 6547 6548 6549 6550 6551 6552 6553 6554

need be visible from the distance specified.

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Such stop lights when actuated shall give a steady warning light to the rear of a vehicle or train of vehicles to indicate the intention of the operator to diminish the speed of or stop a vehicle or train of vehicles.

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When stop lights are used as required by this section, they shall be constructed or installed so as to provide adequate and reliable illumination and shall conform to the appropriate rules and regulations established under section 4513.19 of the Revised Code.

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~~Historical~~ A historical motor vehicle as defined in section 4503.181 of the Revised Code, vehicle that was not originally manufactured with stop lights, are or a replica motor vehicle that replicates a motor vehicle that was not originally manufactured with stop lights is not subject to this section.

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(B) Whoever violates this section is guilty of a minor misdemeanor.

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(C) As used in this section, "replica motor vehicle" means a replica motor vehicle for which a certificate of title is issued under section 4505.072 of the Revised Code.

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Sec. 4513.38. (A) No person shall be prohibited from owning or operating a licensed collector's vehicle or, historical motor vehicle, or replica motor vehicle that is equipped with a feature of design, type of material, or article of equipment that was not in violation of any motor vehicle equipment law of this state or of its political subdivisions in effect during the calendar year the vehicle was manufactured or the calendar year that it replicates, and no licensed collector's vehicle or, historical motor vehicle, or replica

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motor vehicle shall be prohibited from displaying or using any 6584
such feature of design, type of material, or article of 6585
equipment. 6586

No person shall be prohibited from owning or operating a 6587
licensed collector's vehicle~~or~~, historical motor vehicle, or 6588
replica motor vehicle for failing to comply with an equipment 6589
provision contained in Chapter 4513. of the Revised Code or in 6590
any state rule that was enacted or adopted in a year subsequent 6591
to that in which the vehicle was manufactured or the calendar 6592
year that it replicates, and no licensed collector's vehicle~~or~~, 6593
historical motor vehicle, or replica motor vehicle shall be 6594
required to comply with an equipment provision enacted into 6595
Chapter 4513. of the Revised Code or adopted by state rule 6596
subsequent to the calendar year in which it was manufactured or 6597
the calendar year that it replicates. No political subdivision 6598
shall require an owner of a licensed collector's vehicle~~or~~, 6599
historical motor vehicle, or replica motor vehicle to comply 6600
with equipment provisions contained in laws or rules that were 6601
enacted or adopted subsequent to the calendar year in which the 6602
vehicle was manufactured or the calendar year that it 6603
replicates, and no political subdivision shall prohibit the 6604
operation of a licensed collector's vehicle~~or~~, historical motor 6605
vehicle, or replica motor vehicle for failure to comply with any 6606
such equipment laws or rules. 6607

(B) As used in this section, "replica motor vehicle" means 6608
a replica motor vehicle for which a certificate of title is 6609
issued under section 4505.072 of the Revised Code. 6610

Sec. 4513.41. (A) No owner of a licensed collector's 6611
vehicle, a historical motor vehicle, a replica motor vehicle, or 6612
a collector's vehicle that is an agricultural tractor or 6613

traction engine shall be required to comply with an emission, 6614
noise control, or fuel usage provision contained in a law or 6615
rule of this state or its political subdivisions that was 6616
enacted or adopted subsequent to the calendar year in which the 6617
vehicle was manufactured or the calendar year that it 6618
replicates. 6619

(B) No person shall be prohibited from operating a 6620
licensed collector's vehicle, a historical motor vehicle, a 6621
replica motor vehicle, or a collector's vehicle that is an 6622
agricultural tractor or traction engine for failing to comply 6623
with an emission, noise control, or fuel usage law or rule of 6624
this state or its political subdivisions that was enacted or 6625
adopted subsequent to the calendar year in which his vehicle was 6626
manufactured or the calendar year that it replicates. 6627

(C) Except as provided in section 4505.061 of the Revised 6628
Code, no person shall be required to submit ~~his~~ the person's 6629
collector's vehicle to a physical inspection prior to or in 6630
connection with an issuance of title to, or the sale or transfer 6631
of ownership of such vehicle, except that a police officer may 6632
inspect it to determine ownership. 6633

In accordance with section 1.51 of the Revised Code, this 6634
section shall, without exception, prevail over any special or 6635
local provision of the Revised Code that requires owners or 6636
operators of collector's vehicles to comply with standards of 6637
emission, noise, fuel usage, or physical condition in connection 6638
with an issuance of title to, or the sale or transfer of 6639
ownership of such vehicle or part thereof. 6640

(D) As used in this section, "replica motor vehicle" means 6641
a replica motor vehicle for which a certificate of title is 6642
issued under section 4505.072 of the Revised Code. 6643

Sec. 4517.02. (A) Except as otherwise provided in this 6644
section, no person shall do any of the following: 6645

(1) Engage in the business of displaying or selling at 6646
retail new motor vehicles or assume to engage in that business, 6647
unless the person is licensed as a new motor vehicle dealer 6648
under sections 4517.01 to 4517.45 of the Revised Code, or is a 6649
salesperson employed by a licensed new motor vehicle dealer; 6650

(2) Engage in the business of offering for sale, 6651
displaying for sale, or selling at retail or wholesale used 6652
motor vehicles or assume to engage in that business, unless the 6653
person is licensed as a new motor vehicle dealer, used motor 6654
vehicle dealer, or motor vehicle leasing dealer under sections 6655
4517.01 to 4517.45 of the Revised Code, is a salesperson 6656
employed by a licensed used motor vehicle dealer or licensed new 6657
motor vehicle dealer, or the person holds a construction 6658
equipment auction license issued under section 4517.17 of the 6659
Revised Code; 6660

(3) Engage in the business of regularly making available, 6661
offering to make available, or arranging for another person to 6662
use a motor vehicle, in the manner described in division (M) of 6663
section 4517.01 of the Revised Code, unless the person is 6664
licensed as a motor vehicle leasing dealer under sections 6665
4517.01 to 4517.45 of the Revised Code; 6666

(4) Engage in the business of motor vehicle auctioning or 6667
assume to engage in that business, unless the person is licensed 6668
as a motor vehicle auction owner under sections 4517.01 to 6669
4517.45 of the Revised Code and the person uses an auctioneer 6670
who is licensed under Chapter 4707. of the Revised Code to 6671
conduct the motor vehicle auctions or the person holds a 6672
construction equipment auction license issued under section 6673

4517.17 of the Revised Code; 6674

(5) Engage in the business of distributing motor vehicles 6675
or assume to engage in that business, unless the person is 6676
licensed as a distributor under sections 4517.01 to 4517.45 of 6677
the Revised Code; 6678

(6) Make more than five casual sales of motor vehicles in 6679
a twelve-month period, commencing with the day of the month in 6680
which the first such sale is made, nor provide a location or 6681
space for the sale of motor vehicles at a flea market, without 6682
obtaining a license as a dealer under sections 4517.01 to 6683
4517.45 of the Revised Code, provided that nothing in this 6684
section shall be construed to prohibit the disposition without a 6685
license of a motor vehicle originally acquired and held for 6686
purposes other than sale, rental, or lease to an employee, 6687
retiree, officer, or director of the person making the 6688
disposition, to a corporation affiliated with the person making 6689
the disposition, or to a person licensed under sections 4517.01 6690
to 4517.45 of the Revised Code; 6691

(7) Engage in the business of auctioning both large 6692
construction or transportation equipment and also motor vehicles 6693
incident thereto, unless the person is a construction equipment 6694
auctioneer or the person is licensed as a motor vehicle auction 6695
owner and the person uses an auctioneer who is licensed under 6696
Chapter 4707. of the Revised Code to conduct the auction; 6697

(8) Engage in the business of displaying or selling at 6698
retail adaptive mobility vehicles or assume to engage in that 6699
business, unless the person is licensed as an adaptive mobility 6700
dealer under sections 4517.01 to 4517.45 of the Revised Code, or 6701
is a salesperson employed by a licensed adaptive mobility 6702
dealer, except that ~~a~~ any licensed ~~new~~ motor vehicle dealer may 6703

sell at retail a used adaptive mobility vehicle. 6704

(B) Nothing in this section shall be construed to require 6705
an auctioneer licensed under sections 4707.01 to 4707.19 of the 6706
Revised Code to obtain a motor vehicle auction owner's license 6707
under sections 4517.01 to 4517.45 of the Revised Code when 6708
engaged in auctioning for a licensed motor vehicle auction 6709
owner. 6710

The establishment of a construction equipment auction 6711
license by Am. Sub. H.B. 114 of the 129th general assembly shall 6712
not in any way modify, limit, or restrict in any manner the 6713
conduct of auctions by persons licensed under Chapter 4707. of 6714
the Revised Code who are acting in compliance with that chapter. 6715

(C) Sections 4517.01 to 4517.45 of the Revised Code do not 6716
apply to any of the following: 6717

(1) Persons engaging in the business of selling commercial 6718
tractors, trailers, or semitrailers incidentally to engaging 6719
primarily in business other than the selling or leasing of motor 6720
vehicles; 6721

(2) Mortgagees selling at retail only those motor vehicles 6722
that have come into their possession by a default in the terms 6723
of a mortgage contract; 6724

(3) The leasing, rental, and interchange of motor vehicles 6725
used directly in the rendition of a public utility service by 6726
regulated motor carriers. 6727

(D) When a partnership licensed under sections 4517.01 to 6728
4517.45 of the Revised Code is dissolved by death, the surviving 6729
partners may operate under the license for a period of sixty 6730
days, and the heirs or representatives of deceased persons and 6731
receivers or trustees in bankruptcy appointed by any competent 6732

authority may operate under the license of the person succeeded 6733
in possession by that heir, representative, receiver, or trustee 6734
in bankruptcy. 6735

(E) No remanufacturer shall engage in the business of 6736
selling at retail any new motor vehicle without having written 6737
authority from the manufacturer or distributor of the vehicle to 6738
sell new motor vehicles and to perform repairs under the terms 6739
of the manufacturer's or distributor's new motor vehicle 6740
warranty, unless, at the time of the sale of the vehicle, each 6741
customer is furnished with a binding agreement ensuring that the 6742
customer has the right to have the vehicle serviced or repaired 6743
by a new motor vehicle dealer who is franchised to sell and 6744
service vehicles of the same line-make as the chassis of the 6745
remanufactured vehicle purchased by the customer and whose 6746
service or repair facility is located within either twenty miles 6747
of the remanufacturer's location and place of business or twenty 6748
miles of the customer's residence or place of business. If there 6749
is no such new motor vehicle dealer located within twenty miles 6750
of the remanufacturer's location and place of business or the 6751
customer's residence or place of business, the binding agreement 6752
furnished to the customer may be with the new motor vehicle 6753
dealer who is franchised to sell and service vehicles of the 6754
same line-make as the chassis of the remanufactured vehicle 6755
purchased by the customer and whose service or repair facility 6756
is located nearest to the remanufacturer's location and place of 6757
business or the customer's residence or place of business. 6758
Additionally, at the time of sale of any vehicle, each customer 6759
of the remanufacturer shall be furnished with a warranty issued 6760
by the remanufacturer for a term of at least one year. 6761

(F) No adaptive mobility dealer shall do any of the 6762
following: 6763

(1) Represent that the dealer is engaged in the business 6764
of selling new motor vehicles; 6765

(2) Sell, transfer, or offer to sell or transfer a new 6766
motor vehicle unless that new motor vehicle is purchased through 6767
a licensed new motor vehicle dealer; 6768

(3) Sell or offer to sell an adaptive mobility vehicle 6769
without written documentation proving that the vehicle was 6770
adapted or modified in accordance with 49 C.F.R. part 568 or 6771
595. 6772

(G) Except as otherwise provided in this division, whoever 6773
violates this section is guilty of a minor misdemeanor and shall 6774
be subject to a mandatory fine of one hundred dollars. If the 6775
offender previously has been convicted of or pleaded guilty to a 6776
violation of this section, whoever violates this section is 6777
guilty of a misdemeanor of the first degree and shall be subject 6778
to a mandatory fine of one thousand dollars. 6779

(H) The offenses established under this section are strict 6780
liability offenses and section 2901.20 of the Revised Code does 6781
not apply. The designation of these offenses as strict liability 6782
offenses shall not be construed to imply that any other offense, 6783
for which there is no specified degree of culpability, is not a 6784
strict liability offense. 6785

Sec. 4519.401. (A) Except as provided in this section and 6786
section 4511.215 of the Revised Code, no person shall operate a 6787
mini-truck within this state. 6788

(B) A person may operate a mini-truck on a farm for 6789
agricultural purposes only when the owner of the farm qualifies 6790
for the current agricultural use valuation tax credit. A mini- 6791
truck may be operated by or on behalf of such a farm owner on 6792

public roads and rights-of-way only when traveling from one farm 6793
field to another. 6794

(C) A person may operate a mini-truck on property owned or 6795
leased by a dealer who sells mini-trucks at retail. 6796

(D) Whoever violates this section shall be penalized as 6797
provided in division ~~(D)~~ (E) of section 4511.214 of the Revised 6798
Code. 6799

Sec. 4561.03. (A) The Ohio airport grant program fund is 6800
created in the state treasury. The fund shall consist of money 6801
appropriated to it by the general assembly. 6802

(B) The fund shall be used by the office of aviation to 6803
support the Ohio airport grant program. The grant program 6804
provides grants for airport pavement rehabilitation and 6805
obstruction removal or markings to publicly owned airports in 6806
Ohio that do not receive federal aviation administration air 6807
carrier enplanement funds or air cargo entitlements. 6808

(C) Investment earnings of the fund shall be credited to 6809
the fund. 6810

Sec. 4955.50. (A) As used in this section and ~~section~~ 6811
sections 4955.51 to 4955.57 of the Revised Code: 6812

(1) "Wayside detector system" means an electronic device 6813
or a series of connected devices that scan passing trains, 6814
rolling stock, on-track equipment, and their component equipment 6815
and parts for defects. 6816

(2) "Defects" include hot wheel bearings, hot wheels, 6817
defective bearings that are detected through acoustics, dragging 6818
equipment, excessive height or weight, shifted loads, low hoses, 6819
rail temperature, and wheel condition. 6820

(3) "Class I carrier," "class II carrier," and "class III carrier" have the same meanings as defined in 49 C.F.R. Part 1201 1-1. 6821
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(B) The public utilities commission in conjunction with 6824
the department of transportation shall work with each railroad 6825
company that does business in this state to ensure that wayside 6826
detector systems are installed and are operating along railroad 6827
tracks on which the railroad operates and to ensure that such 6828
systems meet all of following standards: 6829

(1) The systems are properly installed, maintained, 6830
repaired, and operational in accordance with ~~section~~sections 6831
4955.51 to 4955.57 of the Revised Code and the latest guidelines 6832
issued by the United States department of transportation, the 6833
federal railroad administration, and the association of American 6834
railroads. 6835

(2) Any expired, nonworking, or outdated wayside detector 6836
system or component parts of a system are removed and replaced 6837
with new parts or an entirely new system that reflects the 6838
current best practices and standards of the industry. 6839

(3) The distance between wayside detector systems is 6840
appropriate when accounting for the requirements of ~~section~~sections 6841
4955.51 to 4955.57 of the Revised Code, the natural 6842
terrain surrounding the railroad track on which the railroad 6843
operates, and the safety of the trains, rolling stock, on-track 6844
equipment, their operators, their passengers, and the persons 6845
and property in the vicinity of such railroad track so that if 6846
defects are detected operators have sufficient time to do the 6847
following: 6848

(a) Respond to the alerts projected by the wayside 6849

detector system; 6850

(b) Stop the train, rolling stock, or on-track equipment, 6851
if necessary; 6852

(c) Make all necessary repairs or, if repair is impossible 6853
at the location, to remove the component parts or equipment that 6854
is defective. 6855

(4) The railroad company has defined, written standards 6856
and training for its employees pertaining to wayside detector 6857
system defect alerts, the course of action that employees are 6858
required to take to respond to an alert, and appropriate 6859
monitoring and responses by the company if employees fail to 6860
take the required course of action. 6861

(C) If a railroad company refuses to work or otherwise 6862
cooperate with the public utilities commission and the 6863
department of transportation in good faith in accordance with 6864
this section, the commission and department shall investigate 6865
that railroad company's safety practices and standards in 6866
accordance with 49 C.F.R. Part 212. The commission and 6867
department shall determine whether the company appears to be in 6868
compliance with federal railroad safety laws, as defined in 49 6869
C.F.R. Part 209. 6870

(D) (1) If a railroad company does not appear to be in 6871
compliance with the applicable federal standards based on an 6872
investigation conducted under division (C) of this section, not 6873
later than sixty days after the conclusion of the investigation, 6874
the commission and department shall make a report to the federal 6875
railroad administration. The report shall detail the results of 6876
the investigation and recommend that the administration take 6877
enforcement action in accordance with its authority against the 6878

railroad company for the safety violations discovered through
that investigation.

(2) The commission and department shall send a copy of the
report to the governor, the president of the senate, the speaker
of the house of representatives, and the minority leaders of
both the senate and the house of representatives.

Sec. 4955.51. ~~(A)(1)~~ Except as otherwise provided in
~~division (A)(2) of this section~~ sections 4955.55 and 4955.57 of
the Revised Code, any person responsible for the installation of
wayside detector systems alongside or on a railroad shall ensure
that each system location is ~~not more than ten miles~~ the
following distance from the adjacent system location:

(A) For a class I carrier railroad, not more than ten
miles;

(B) For a class II carrier railroad, not more than twenty-
five miles;

(C) For a class III carrier railroad, not more than
thirty-five miles.

~~(2) If the natural terrain does not allow for the~~
~~placement of the next adjacent system location within ten miles~~
~~from the prior system location, the next adjacent system~~
~~location shall be installed not more than fifteen miles from the~~
~~prior system location.~~

~~(B) When a wayside detector system detects a defect in a~~
~~passing train, rolling stock, on-track equipment, or its~~
~~component equipment and parts, if the message regarding the~~
~~defect is not immediately sent to the operator of that train,~~
~~rolling stock, or on-track equipment, the person that receives~~
~~the message shall immediately notify the operator of the defect.~~

~~(C) The department of transportation and the public
utilities commission, as part of their work with each railroad
company under division (B) of section 4955.50 of the Revised
Code, shall ensure both of the following:~~

~~(1) The manner in which wayside detector systems are
installed and placed complies with division (A) of this section;~~

~~(2) The manner in which wayside detector system messages
are sent and received complies with division (B) of this
section.~~

Sec. 4955.52. When a wayside detector system detects a
defect in a passing train, rolling stock, on-track equipment, or
its component equipment and parts, if the message regarding the
defect is not immediately sent to the operator of that train,
rolling stock, or on-track equipment, the person that receives
the message shall immediately notify the operator of the defect.

Sec. 4955.53. The department of transportation and the
public utilities commission, as part of their work with each
railroad company under division (B) of section 4955.50 of the
Revised Code, shall ensure both of the following:

(A) The manner in which wayside detector systems are
installed and placed complies with section 4955.51 of the
Revised Code;

(B) The manner in which wayside detector system messages
are sent and received complies with section 4955.52 of the
Revised Code.

Sec. 4955.55. (A) If the natural terrain or any other
reason does not allow for the placement of the next adjacent
wayside detector system location to be within the spacing
requirements described in section 4955.51 of the Revised Code,

the next adjacent system location shall be not more than five 6937
miles from the maximum spacing allowed in that section. 6938

(B) For class II carriers and class III carriers, prior to 6939
the installation of a wayside detector system outside the 6940
applicable spacing requirements in divisions (B) and (C) of 6941
section 4955.51 of the Revised Code, the carrier shall submit to 6942
the public utilities commission a written explanation for the 6943
deviation. 6944

Sec. 4955.57. Any railroad track owned or leased by a 6945
class II carrier or class III carrier that has a speed limit of 6946
ten miles per hour or less is exempt from the requirements 6947
stated in sections 4955.50 to 4955.52 of the Revised Code. 6948

Sec. 4981.36. The "Midwest Interstate Passenger Rail 6949
Compact" is hereby ratified, enacted into law, and entered into 6950
by the state of Ohio with all other states legally joining 6951
therein in the form substantially as follows: 6952

"MIDWEST INTERSTATE PASSENGER RAIL COMPACT 6953

The contracting states solemnly agree: 6954

Article I 6955

Statement of Purpose 6956

The purposes of this compact are, through joint or 6957
cooperative action: 6958

(A) To promote development and implementation of 6959
improvements to intercity passenger rail service in the Midwest; 6960

(B) To coordinate interaction among Midwestern state 6961
elected officials and their designees on passenger rail issues; 6962

(C) To promote development and implementation of long- 6963

range plans for high speed rail passenger service in the Midwest 6964
and among other regions of the United States; 6965

(D) To work with the public and private sectors at the 6966
federal, state, and local levels to ensure coordination among 6967
the various entities having an interest in passenger rail 6968
service and to promote Midwestern interests regarding passenger 6969
rail; and 6970

(E) To support efforts of transportation agencies involved 6971
in developing and implementing passenger rail service in the 6972
Midwest. 6973

Article II 6974

Establishment of Commission 6975

To further the purposes of the compact, a Commission is 6976
created to carry out the duties specified in this compact. 6977

Article III 6978

Commission Membership 6979

The manner of appointment of Commission members, terms of 6980
office consistent with the terms of this compact, provisions for 6981
removal and suspension, and manner of appointment to fill 6982
vacancies shall be determined by each party state pursuant to 6983
its laws, but each commissioner shall be a resident of the state 6984
of appointment. Commission members shall serve without 6985
compensation from the Commission. 6986

The Commission shall consist of four resident members of 6987
each state as follows: The governor or the governor's designee 6988
who shall serve during the tenure of office of the governor, or 6989
until a successor is named; one member of the private sector who 6990
shall be appointed by the governor and shall serve during the 6991

tenure of office of the governor, or until a successor is named; 6992
and two legislators, one from each legislative chamber (or two 6993
legislators from any unicameral legislature), who shall serve 6994
two-year terms, or until successors are appointed, and who shall 6995
be appointed by the appropriate appointing authority in each 6996
legislative chamber. All vacancies shall be filled in accordance 6997
with the laws of the appointing states. Any commissioner 6998
appointed to fill a vacancy shall serve until the end of the 6999
incomplete term. Each member state shall have equal voting 7000
privileges, as determined by the Commission bylaws. 7001

Article IV 7002

Powers and Duties of the Commission 7003

The duties of the Commission are to: 7004

(1) Advocate for the funding and authorization necessary 7005
to make passenger rail improvements a reality for the region; 7006

(2) Identify and seek to develop ways that states can form 7007
partnerships, including with rail industry and labor, to 7008
implement improved passenger rail in the region; 7009

(3) Seek development of a long-term, interstate plan for 7010
high speed rail passenger service implementation; 7011

(4) Cooperate with other agencies, regions and entities to 7012
ensure that the Midwest is adequately represented and integrated 7013
into national plans for passenger rail development; 7014

(5) Adopt bylaws governing the activities and procedures 7015
of the Commission and addressing, among other subjects: the 7016
powers and duties of officers; the voting rights of Commission 7017
members, voting procedures, Commission business, and any other 7018
purposes necessary to fulfill the duties of the Commission; 7019

(6) Expend such funds as required to carry out the powers 7020
and duties of the Commission; and 7021

(7) Report on the activities of the Commission to the 7022
legislatures and governor of the member states on an annual 7023
basis. 7024

In addition to its exercise of these duties, the 7025
Commission is empowered to: 7026

(1) Provide multistate advocacy necessary to implement 7027
passenger rail systems or plans, as approved by the Commission; 7028

(2) Work with local elected officials, economic 7029
development planning organizations, and similar entities to 7030
raise the visibility of passenger rail service benefits and 7031
needs; 7032

(3) Educate other state officials, federal agencies, other 7033
elected officials and the public on the advantages of passenger 7034
rail as an integral part of an intermodal transportation system 7035
in the region; 7036

(4) Work with federal agency officials and Members of 7037
Congress to ensure the funding and authorization necessary to 7038
develop a long-term, interstate plan for high speed rail 7039
passenger service implementation. 7040

(5) Make recommendations to members states; 7041

(6) If requested by each state participating in a 7042
particular project and under the terms of a formal agreement 7043
approved by the participating states and the Commission, 7044
implement or provide oversight for specific rail projects; 7045

(7) Establish an office and hire staff as necessary; 7046

<u>(8) Contract for or provide services;</u>	7047
<u>(9) Assess dues, in accordance with the terms of this</u>	7048
<u>compact;</u>	7049
<u>(10) Conduct research; and</u>	7050
<u>(11) Establish committees.</u>	7051
<u>Article V</u>	7052
<u>Officers</u>	7053
<u>The Commission shall annually elect from among its members</u>	7054
<u>a chair, a vice-chair who shall not be a resident of the state</u>	7055
<u>represented by the chair, and others as approved in the</u>	7056
<u>Commission bylaws. The officers shall perform such functions and</u>	7057
<u>exercise such powers as are specified in the Commission bylaws.</u>	7058
<u>Article VI</u>	7059
<u>Meetings and Commission Administration</u>	7060
<u>The Commission shall meet at least once in each calendar</u>	7061
<u>year, and at such other times as may be determined by the</u>	7062
<u>Commission. Commission business shall be conducted in accordance</u>	7063
<u>with the procedures and voting rights specified in the bylaws.</u>	7064
<u>Article VII</u>	7065
<u>Finance</u>	7066
<u>Except as otherwise provided for, the monies necessary to</u>	7067
<u>finance the general operations of the Commission in carrying</u>	7068
<u>forth its duties, responsibilities and powers as stated herein</u>	7069
<u>shall be appropriated to the Commission by the compacting</u>	7070
<u>states, when authorized by the respective legislatures, by equal</u>	7071
<u>apportionment among the compacting states. Nothing in this</u>	7072
<u>compact shall be construed to commit a member state to</u>	7073

participate in financing a rail project except as provided by 7074
law of a member state. 7075

The Commission may accept, for any of its purposes and 7076
functions, donations, gifts, grants, and appropriations of 7077
money, equipment, supplies, materials and services from the 7078
federal government, from any party state or from any department, 7079
agency, or municipality thereof, or from any institution, 7080
person, firm, or corporation. All expenses incurred by the 7081
Commission in executing the duties imposed upon it by this 7082
compact shall be paid by the Commission out of the funds 7083
available to it. The Commission shall not issue any debt 7084
instrument. The Commission shall submit to the officer 7085
designated by the laws of each party state, periodically as 7086
required by the laws of each party state, a budget of its actual 7087
past and estimated future expenditures. 7088

Article VIII 7089

Enactment, Effective Date and Amendments 7090

The states of Illinois, Indiana, Iowa, Kansas, Michigan, 7091
Minnesota, Missouri, Nebraska, North Dakota, Ohio, South Dakota 7092
and Wisconsin are eligible to join this compact. Upon approval 7093
of the Commission, according to its bylaws, other states may 7094
also be declared eligible to join the compact. As to any 7095
eligible party state, this compact shall become effective when 7096
its legislature shall have enacted the same into law; provided 7097
that it shall not become initially effective until enacted into 7098
law by any three (3) party states incorporating the provisions 7099
of this compact into the laws of such states. Amendments to the 7100
compact shall become effective upon their enactment by the 7101
legislatures of all compacting states. 7102

Article IX

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Withdrawal, Default and Termination

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Withdrawal from this compact shall be by enactment of a
statute repealing the same and shall take effect one year after
the effective date of such statute. A withdrawing state shall be
liable for any obligations which it may have incurred prior to
the effective date of withdrawal. If any compacting state shall
at any time default in the performance of any of its
obligations, assumed or imposed, in accordance with the
provisions of this compact, all rights, privileges and benefits
conferred by this compact or agreements hereunder shall be
suspended from the effective date of such default as fixed by
the Commission, and the Commission shall stipulate the
conditions and maximum time for compliance under which the
defaulting state may resume its regular status. Unless such
default shall be remedied under the stipulations and within the
time period set forth by the Commission, this compact may be
terminated with respect to such defaulting state by affirmative
vote of a majority of the other Commission members. Any such
defaulting state may be reinstated, upon vote of the Commission,
by performing all acts and obligations as stipulated by the
Commission.

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Article X

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Construction and Severability

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The provisions of this compact entered into hereunder
shall be severable and if any phrase, clause, sentence or
provision of this compact is declared to be contrary to the
constitution of any compacting state or of the United States or
the applicability thereof to any government, agency, person or

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circumstance is held invalid, the validity of the remainder of 7132
this compact and the applicability thereof to any government, 7133
agency, person or circumstance shall not be affected hereby. If 7134
this compact entered into hereunder shall be held contrary to 7135
the constitution of any compacting state, the compact shall 7136
remain in full force and effect as to the remaining states and 7137
in full force and effect as to the state affected as to all 7138
severable matters. The provisions of this compact entered into 7139
pursuant hereto shall be liberally construed to effectuate the 7140
purposes thereof." 7141

Sec. 4981.361. In pursuance of Articles II and III of the 7142
Midwest Interstate Passenger Rail Compact, as set forth in 7143
section 4981.36 of the Revised Code, there shall be four members 7144
of the commission from this state. 7145

The governor shall appoint two members as set forth in 7146
Article III of the compact. The terms of office for the 7147
governor's appointments shall be in accordance with Article III 7148
of the compact. 7149

The speaker of the house of representatives and the 7150
president of the senate each shall appoint one member from their 7151
respective houses of the general assembly to serve as a member 7152
of the commission, but the two appointees shall not be members 7153
of the same political party. Terms of office for legislative 7154
appointees shall be in accordance with Article III of the 7155
compact. 7156

Any member shall continue in office subsequent to the 7157
expiration of the member's term until a successor is appointed. 7158
Vacancies in the commission shall be filled in the same manner 7159
as original selections are made. Any member of the commission 7160
may be reappointed. 7161

Except for the purposes of Chapters 102., 2744., and 2921. 7162
of the Revised Code, serving as a member of the commission does 7163
not constitute holding a public office or position of employment 7164
under the laws of this state and does not constitute grounds for 7165
removal of public officers or employees from their offices or 7166
positions of employment. 7167

The governor may remove a member whom the governor 7168
appointed, the speaker may remove a member whom the speaker 7169
appointed, and the president may remove a member whom the 7170
president appointed. 7171

Members of the commission shall serve without 7172
compensation, but shall be reimbursed for the reasonable 7173
expenses incurred by them in the discharge of their duties as 7174
members of the commission. 7175

Sec. 5501.041. (A) The director of transportation shall 7176
create an advanced air mobility division within the department 7177
of transportation. The director shall appoint a deputy director 7178
of that division and shall assign the duties, powers, and 7179
functions of that deputy director in accordance with section 7180
5501.04 of the Revised Code. 7181

(B) The purpose of the division is to integrate advanced 7182
air mobility capabilities into existing public service networks 7183
within the state and to support advanced air mobility public 7184
safety and national security objectives. 7185

(C) The responsibilities of the division shall include: 7186

(1) Incorporating advanced air mobility into state public 7187
transportation by: 7188

(a) Establishing an operational state-based advanced air 7189
mobility air traffic management system; 7190

(b) Ensuring that the system described in division (C) (1) 7191
(a) of this section integrates with the existing federal 7192
aviation administration air traffic management system; 7193

(c) Developing advanced air mobility tracking and 7194
information support infrastructure; 7195

(d) Establishing advanced air mobility overflight and 7196
liability regulations with consideration of existing federal 7197
regulations. 7198

(2) Supporting advanced air mobility solutions for law 7199
enforcement, fire departments, and emergency medical services by 7200
establishing standard operating procedures for use of advanced 7201
air mobility by those entities; 7202

(3) Supporting public safety and national security 7203
objectives by establishing advanced air mobility critical 7204
infrastructure protection policies. 7205

(D) The division may coordinate with the office of 7206
aviation within the department of transportation and with any 7207
other federal, state, or local government agency, office, or 7208
department in advancing its purpose and fulfilling its 7209
responsibilities. 7210

Sec. 5501.20. (A) As used in this section: 7211

(1) "Career professional service" means that part of the 7212
competitive classified service that consists of employees of the 7213
department of transportation who, regardless of job 7214
classification, meet both of the following qualifications: 7215

(a) They are supervisors, professional employees who are 7216
not in a collective bargaining unit, confidential employees, or 7217
management level employees, all as defined in section 4117.01 of 7218

the Revised Code. 7219

(b) They exercise authority that is not merely routine or 7220
clerical in nature and report only to a higher level 7221
unclassified employee or employee in the career professional 7222
service. 7223

(2) "Demoted" means that an employee is placed in a 7224
position where the employee's wage rate equals, or is not more 7225
than twenty per cent less than, the employee's wage rate 7226
immediately prior to demotion or where the employee's job 7227
responsibilities are reduced, or both. 7228

(3) "Employee in the career professional service with 7229
restoration rights" means an employee in the career professional 7230
service who has been in the classified civil service for at 7231
least two years and who has a cumulative total of at least ten 7232
years of continuous service with the department of 7233
transportation. 7234

(4) "Egregious" means a type of conduct or offense that is 7235
especially serious in nature, including theft in office, illegal 7236
drug use while working, discrimination or harassment, assault, 7237
or any other similar conduct or offense. 7238

(B) The director shall adopt a rule in accordance with 7239
section 111.15 of the Revised Code that identifies specific 7240
positions within the department of transportation that are 7241
included in the career professional service. The director may 7242
amend the rule that identifies the specific positions included 7243
in the career professional service whenever the director 7244
determines necessary. Any rule adopted under this division is 7245
subject to review and invalidation by the joint committee on 7246
agency rule review as provided in division (D) of section 111.15 7247

of the Revised Code. The director shall provide a copy of any 7248
rule adopted under this division to the director of budget and 7249
management. 7250

An employee in the career professional service is subject 7251
to the provisions of Chapter 124. of the Revised Code that 7252
govern employees in the classified civil service. 7253

~~(C)~~ (C) (1) An employee in the career professional service 7254
shall receive a written performance review at least once each 7255
year or as often as the director considers necessary. ~~The~~ 7256

(2) Except as provided in division (C) (3) of this section, 7257
the department shall give an employee whose performance is 7258
unsatisfactory an opportunity to improve performance for a 7259
period of at least six months, by means of a written performance 7260
improvement plan, before the department takes any disciplinary 7261
action under this section. 7262

(3) If an employee's conduct or committed offense is 7263
egregious, the department shall take immediate disciplinary 7264
action without giving the employee an opportunity to improve 7265
performance by means of a written performance improvement plan. 7266

(D) An employee in the career professional service may be 7267
suspended, demoted, or removed pursuant to division (C) of this 7268
section or for disciplinary reasons under section 124.34 or 7269
124.57 of the Revised Code. An employee in the career 7270
professional service may appeal only the employee's removal to 7271
the state personnel board of review. An employee in the career 7272
professional service may appeal a demotion or a suspension of 7273
more than three days pursuant to rules the director adopts in 7274
accordance with section 111.15 of the Revised Code. 7275

(E) An employee in the career professional service with 7276

restoration rights has restoration rights if demoted because of 7277
performance, but not if involuntarily demoted or removed for any 7278
of the reasons described in section 124.34 or for a violation of 7279
section 124.57 of the Revised Code. The director shall demote an 7280
employee who has restoration rights of that nature to a position 7281
in the classified service that in the director's judgment is 7282
similar in nature to the position the employee held immediately 7283
prior to being appointed to the position in the career 7284
professional service. The director shall assign to an employee 7285
who is demoted to a position in the classified service as 7286
provided in this division a wage rate that equals, or that is 7287
not more than twenty per cent less than, the wage rate assigned 7288
to the employee in the career professional service immediately 7289
prior to the employee's demotion. 7290

Sec. 5501.441. (A) As used in this section, "private toll 7291
transportation facility" means any person, as defined by section 7292
1.59 of the Revised Code, or other business entity engaged in 7293
the collecting or charging of tolls on a toll bridge that was 7294
previously owned by a municipal corporation. 7295

(B) The governor, or the governor's designee, may enter 7296
into agreements with other states that govern the reciprocal 7297
enforcement of highway, bridge, and tunnel toll violations. Such 7298
agreements shall pertain to any public toll transportation 7299
facility and may include any private toll transportation 7300
facility located in those other states. The governor, or the 7301
governor's designee, shall make such agreements in consultation 7302
with the director of public safety. 7303

(C) Any agreement governing enforcement of toll violations 7304
made under the authority of division (B) of this section shall 7305
provide for all of the following: 7306

(1) That a driver of a motor vehicle that is registered in 7307
one state that is a party to the agreement and who is operating 7308
in another state that is a party to the agreement receive the 7309
same benefits, privileges, and exemptions as are accorded to a 7310
driver of a motor vehicle that is registered in that other 7311
state; 7312

(2) That refusal of an application for motor vehicle 7313
registration or transfer of motor vehicle registration, in 7314
accordance with the laws of the state in which the toll 7315
violation occurred, is one mechanism by which toll violations 7316
shall be enforced pursuant to the agreement; 7317

(3) That provision of notice between the states regarding 7318
toll violations and enforcement of those violations be made by 7319
electronic means. 7320

(D) In addition to the authority granted under division 7321
(B) of this section, the director of public safety may enter 7322
into an agreement with any private toll transportation facility 7323
located in another state that governs the collection and 7324
enforcement of tolls for a highway, bridge, or tunnel operated 7325
by the private toll transportation facility. 7326

Sec. 5502.68. (A) There is hereby created in the state 7327
treasury the drug law enforcement fund. The fund consists of the 7328
following: 7329

(1) Ninety-seven per cent of three dollars and fifty cents 7330
out of each ten-dollar court cost imposed pursuant to section 7331
2949.094 of the Revised Code ~~shall be credited to the fund.~~; 7332

(2) Contributions required to be deposited in the fund 7333
under section 4503.261 of the Revised Code. 7334

Money in the fund shall be used only in accordance with 7335

this section to award grants to counties, municipal 7336
corporations, townships, township police districts, and joint 7337
police districts to defray the expenses that a drug task force 7338
organized in the county, or in the county in which the municipal 7339
corporation, township, or district is located, incurs in 7340
performing its functions related to the enforcement of the 7341
state's drug laws and other state laws related to illegal drug 7342
activity. 7343

The division of criminal justice services shall administer 7344
all money deposited into the drug law enforcement fund and, by 7345
rule adopted under Chapter 119. of the Revised Code, shall 7346
establish procedures for a county, municipal corporation, 7347
township, township police district, or joint police district to 7348
apply for money from the fund to defray the expenses that a drug 7349
task force organized in the county, or in the county in which 7350
the municipal corporation, township, or district is located, 7351
incurs in performing its functions related to the enforcement of 7352
the state's drug laws and other state laws related to illegal 7353
drug activity, procedures and criteria for determining 7354
eligibility of applicants to be provided money from the fund, 7355
and procedures and criteria for determining the amount of money 7356
to be provided out of the fund to eligible applicants. 7357

(B) The procedures and criteria established under division 7358
(A) of this section for applying for money from the fund shall 7359
include, but shall not be limited to, a provision requiring a 7360
county, municipal corporation, township, township police 7361
district, or joint police district that applies for money from 7362
the fund to specify in its application the amount of money 7363
desired from the fund, provided that the cumulative amount 7364
requested in all applications submitted for any single drug task 7365
force may not exceed more than two hundred fifty thousand 7366

dollars in any calendar year for that task force. 7367

(C) The procedures and criteria established under division 7368
(A) of this section for determining eligibility of applicants to 7369
be provided money from the fund and for determining the amount 7370
of money to be provided out of the fund to eligible applicants 7371
shall include, but not be limited to, all of the following: 7372

(1) Provisions requiring that, in order to be eligible to 7373
be provided money from the fund, a drug task force that applies 7374
for money from the fund must provide evidence that the drug task 7375
force will receive a local funding match of at least twenty-five 7376
per cent of the task force's projected operating costs in the 7377
period of time covered by the grant; 7378

(2) Provisions requiring that money from the fund be 7379
allocated and provided to drug task forces that apply for money 7380
from the fund in accordance with the following priorities: 7381

(a) Drug task forces that apply, that are in existence on 7382
the date of the application, and that are determined to be 7383
eligible applicants, and to which either of the following 7384
applies shall be given first priority to be provided money from 7385
the fund: 7386

(i) Drug task forces that received funding through the 7387
division of criminal justice services in calendar year 2007; 7388

(ii) Drug task forces in a county that has a population 7389
that exceeds seven hundred fifty thousand. 7390

(b) If any moneys remain in the fund after all drug task 7391
forces that apply, that are in existence on the date of the 7392
application, that are determined to be eligible applicants, and 7393
that satisfy the criteria set forth in division (C) (2) (a) (i) or 7394
(ii) of this section are provided money from the fund as 7395

described in division (C) (2) (a) of this section, the following 7396
categories of drug task forces that apply and that are 7397
determined to be eligible applicants shall be given priority to 7398
be provided money from the fund in the order in which they apply 7399
for money from the fund: 7400

(i) Drug task forces that are not in existence on the date 7401
of the application; 7402

(ii) Drug task forces that are in existence on the date of 7403
the application but that do not satisfy the criteria set forth 7404
in division (C) (2) (a) (i) or (ii) of this section. 7405

(D) The procedures and criteria established under division 7406
(A) of this section for determining the amount of money to be 7407
provided out of the fund to eligible applicants shall include, 7408
but shall not be limited to, a provision specifying that the 7409
cumulative amount provided to any single drug task force may not 7410
exceed more than two hundred fifty thousand dollars in any 7411
calendar year. 7412

(E) Any drug task force for which a grant is awarded by 7413
the division of criminal justice services under this section 7414
shall comply with all grant requirements established by the 7415
division, including a requirement that the drug task force 7416
report its activities through the El Paso intelligence center 7417
information technology systems. 7418

(F) As used in this section, "drug task force" means a 7419
drug task force organized in any county by the sheriff of the 7420
county, the prosecuting attorney of the county, the chief of 7421
police of the organized police department of any municipal 7422
corporation or township in the county, and the chief of police 7423
of the police force of any township police district or joint 7424

police district in the county to perform functions related to 7425
the enforcement of state drug laws and other state laws related 7426
to illegal drug activity. 7427

Sec. 5513.01. (A) The director of transportation shall 7428
make all purchases of ~~machinery, materials, supplies, or other~~ 7429
~~articles~~ products, and services in the manner provided in this 7430
section. In all cases except those in which the director 7431
provides written authorization for purchases by district deputy 7432
directors of transportation, the director shall make all such 7433
purchases at the central office of the department of 7434
transportation in Columbus. ~~Before making any purchase at that~~ 7435
~~office, the director, as provided in this section, shall give~~ 7436
~~notice to bidders of the director's intention to purchase.~~ Where 7437
the expenditure does not exceed the amount applicable to the 7438
purchase of supplies, products, or services specified in 7439
division (A) of section 125.05 of the Revised Code, the director 7440
shall give such notice as the director considers proper, or the 7441
director may make the purchase without notice. Where the 7442
expenditure exceeds the amount applicable to the purchase of 7443
supplies, products, or services specified in division (A) of 7444
section 125.05 of the Revised Code, the director shall give 7445
notice by posting for not less than ten days ~~a written, typed,~~ 7446
~~or printed invitation to bidders on a bulletin board. The~~ 7447
~~director shall locate the notice in a place in the offices~~ 7448
~~assigned to the department and open to the public during~~ 7449
~~business hours~~ the intention to purchase on the electronic 7450
procurement system established by the department of 7451
administrative services under section 125.073 of the Revised 7452
Code. The director shall use a competitive selection process in 7453
the purchase of supplies, products, or services. 7454

~~Producers or distributors of any product may notify the~~ 7455

~~director, in writing, of the class of articles for the~~ 7456
~~furnishing of which they desire to bid and their post-office~~ 7457
~~addresses. In that circumstance, the director shall mail copies~~ 7458
~~of all invitations to bidders relating to the purchase of such~~ 7459
~~articles to such persons by regular first class mail at least~~ 7460
~~ten days prior to the time fixed for taking bids. The director~~ 7461
~~also may mail copies of all invitations to bidders to news~~ 7462
~~agencies or other agencies or organizations distributing~~ 7463
~~information of this character. Requests for invitations are not~~ 7464
~~valid and do not require action by the director unless renewed~~ 7465
~~by the director, either annually or after such shorter period as~~ 7466
~~the director may prescribe by a general rule.~~ 7467

~~The director shall include in an invitation to bidders a~~ 7468
~~brief statement of the general character of the article that it~~ 7469
~~is intended to purchase, the approximate quantity desired, and a~~ 7470
~~statement of the time and place where bids will be received, and~~ 7471
~~may relate to and describe as many different articles as the~~ 7472
~~director thinks proper~~may post multiple supplies, products, or 7473
services in a single listing on the electronic procurement 7474
system, it being the intent and purpose of this section to 7475
authorize the inclusion in a single invitation-solicitation of 7476
as many different articles-supplies, products, or services as 7477
the director desires to invite bids upon purchase at any given 7478
time. ~~The director shall give invitations issued during each~~ 7479
~~calendar year consecutive numbers, and ensure that the number~~ 7480
~~assigned to each invitation appears on all copies thereof. In~~ 7481
~~all cases where notice is required by this section, the director~~ 7482
~~shall require sealed bids, on forms prescribed and furnished by~~ 7483
~~the director. The director shall not permit the modification of~~ 7484
~~bids after they have been opened.~~ 7485

(B) The director may permit a state agency, the Ohio 7486

turnpike and infrastructure commission, any political 7487
subdivision, and any state university or college to participate 7488
in contracts into which the director has entered for the 7489
purchase of ~~machinery, materials,~~ supplies, products, or ~~other-~~ 7490
~~articles~~services. The turnpike and infrastructure commission and 7491
any political subdivision or state university or college 7492
desiring to participate in such purchase contracts shall file 7493
with the director a certified copy of the bylaws or rules of the 7494
turnpike and infrastructure commission or the ordinance or 7495
resolution of the legislative authority, board of trustees, or 7496
other governing board requesting authorization to participate in 7497
such contracts and agreeing to be bound by such terms and 7498
conditions as the director prescribes. Purchases made by a state 7499
agency, the turnpike and infrastructure commission, political 7500
subdivisions, or state universities or colleges under this 7501
division are exempt from any competitive bidding required by law 7502
for the purchase of ~~machinery, materials,~~ supplies, products, or 7503
~~other articles~~services. 7504

(C) As used in this section: 7505

(1) "Competitive selection," "products," "purchase," 7506
"services," and "supplies" have the same meanings as in section 7507
125.01 of the Revised Code. 7508

(2) "Political subdivision" means any county, township, 7509
municipal corporation, conservancy district, township park 7510
district, park district created under Chapter 1545. of the 7511
Revised Code, port authority, regional transit authority, 7512
regional airport authority, regional water and sewer district, 7513
county transit board, school district as defined in section 7514
5513.04 of the Revised Code, regional planning commission formed 7515
under section 713.21 of the Revised Code, regional council of 7516

government formed under section 167.01 of the Revised Code, or 7517
other association of local governments established pursuant to 7518
an agreement under sections 307.14 to 307.19 of the Revised 7519
Code. 7520

~~(2)~~(3) "State university or college" has the same meaning 7521
as in division (A) (1) of section 3345.32 of the Revised Code. 7522

~~(3)~~(4) "Ohio turnpike and infrastructure commission" means 7523
the commission created by section 5537.02 of the Revised Code. 7524

~~(4)~~(5) "State agency" means every organized body, office, 7525
board, authority, commission, or agency established by the laws 7526
of the state for the exercise of any governmental or quasi- 7527
governmental function of state government, regardless of the 7528
funding source for that entity, other than any state institution 7529
of higher education, the office of the governor, lieutenant 7530
governor, auditor of state, treasurer of state, secretary of 7531
state, or attorney general, the general assembly, the courts or 7532
any judicial agency, or any state retirement system or 7533
retirement program established by or referenced in the Revised 7534
Code. 7535

Sec. 5517.02. (A) Before undertaking the construction, 7536
reconstruction by widening or resurfacing, or improvement of a 7537
state highway, or a bridge or culvert thereon, or the 7538
installation of a highway traffic ~~control~~-signal on a state 7539
highway, the director of transportation, except as provided in 7540
section 5517.021 of the Revised Code, shall make an estimate of 7541
the cost of the work using the force account project assessment 7542
form developed by the auditor of state under section 117.16 of 7543
the Revised Code. When a force account project assessment form 7544
is required, the estimate shall include costs for subcontracted 7545
work and any competitively bid component costs. 7546

(B) (1) After complying with division (A) of this section, 7547
the director may proceed without competitive bidding with 7548
maintenance or repair work by employing labor, purchasing 7549
materials, and furnishing equipment, if the total estimated cost 7550
of the completed operation, or series of connected operations, 7551
does not exceed the following, as adjusted under division (B) (2) 7552
of this section: 7553

(a) Thirty thousand dollars per centerline mile of 7554
highway, exclusive of structures and highway traffic ~~control~~- 7555
signals; 7556

(b) Sixty thousand dollars for any single highway traffic 7557
~~control~~-signal or any other single project. 7558

(2) On the first day of July of every odd-numbered year 7559
beginning in 2015, the director shall increase the amounts 7560
established in division (B) (1) of this section by an amount not 7561
to exceed the lesser of three per cent, or the percentage amount 7562
of any increase in the department of transportation's 7563
construction cost index as annualized and totaled for the prior 7564
two calendar years. The director shall publish the applicable 7565
amounts on the department's internet web site. 7566

(C) The director may proceed by furnishing equipment, 7567
purchasing materials, and employing labor in the erection of 7568
temporary bridges or the making of temporary repairs to a 7569
highway or bridge rendered necessary by flood, landslide, or 7570
other extraordinary emergency. If the director determines 7571
inability to complete such emergency work by force account, the 7572
director may contract for any part of the work, with or without 7573
advertising for bids, as the director considers for the best 7574
interest of the department of transportation. 7575

(D) When a project proceeds by force account under this 7576
section or section 5517.021 of the Revised Code, the department 7577
of transportation shall perform the work in compliance with any 7578
project requirements and specifications that would have applied 7579
if a contract for the work had been let by competitive bidding. 7580
The department shall retain in the project record all records 7581
documenting materials testing compliance, materials placement 7582
compliance, actual personnel and equipment hours usage, and all 7583
other documentation that would have been required if a contract 7584
for the work had been let by competitive bidding. 7585

(E) The director shall proceed by competitive bidding to 7586
let work to the lowest competent and responsible bidder after 7587
advertisement as provided in section 5525.01 of the Revised Code 7588
in both of the following situations: 7589

(1) When the scope of work exceeds the limits established 7590
in section 5517.021 of the Revised Code; 7591

(2) When the estimated cost for a project, other than work 7592
described in section 5517.021 of the Revised Code, exceeds the 7593
amounts established in division (B) of this section, as 7594
adjusted. 7595

Sec. 5517.021. (A) (1) The director of transportation may 7596
proceed without competitive bidding by employing labor, 7597
purchasing materials, and furnishing equipment to do any of the 7598
following work: 7599

(a) Replace any single span bridge in its substantial 7600
entirety or widen any single span bridge, including necessary 7601
modifications to accommodate widening the existing substructure 7602
and wing walls. The director shall proceed under division (A) (1) 7603
(a) of this section only if the deck area of the new or widened 7604

bridge does not exceed seven hundred square feet as measured 7605
around the outside perimeter of the deck. 7606

(b) Replace the bearings, beams, and deck of any bridge on 7607
that bridge's existing foundation if the deck area of the 7608
rehabilitated structure does not exceed eight hundred square 7609
feet; 7610

(c) Construct or replace any single cell or multi-cell 7611
culvert whose total waterway opening does not exceed fifty-two 7612
square feet; 7613

(d) Pave or patch an asphalt surface if the operation does 7614
not exceed one hundred twenty tons of asphalt per lane-mile of 7615
roadway length, except that the department shall not perform a 7616
continuous resurfacing operation under this section if the cost 7617
of the work exceeds the amount established in division (B) (1) (a) 7618
of section 5517.02 of the Revised Code, as adjusted; 7619

(e) Chip seal or fog seal an asphalt surface if both of 7620
the following apply: 7621

(i) The operation does not exceed twenty-eight feet in 7622
width, excluding turn lanes. 7623

(ii) Chip seal or fog seal operations statewide are not 7624
more than two hundred cumulative centerline miles of asphalt 7625
surface per year. 7626

(2) Work performed in accordance with division (A) (1) of 7627
this section may include approach roadway work, extending not 7628
more than one hundred fifty feet as measured from the back side 7629
of the bridge abutment wall or outside edge of the culvert, as 7630
applicable. The length of an approach guardrail shall be in 7631
accordance with department of transportation design requirements 7632
and shall not be included in the approach work size limitation. 7633

(B) The requirements of section 117.16 of the Revised Code shall not apply to work described in division (A) of this section and the work shall be exempt from audit for force account purposes except to determine compliance with the applicable size or tonnage restrictions.

Sec. 5517.06. (A) As used in this section, "delay costs and expenses" means all actual costs, including any contract modifications, acceleration agreements, wages, labor costs other than wages, wage taxes, materials, equipment costs and rentals, storage costs of materials and equipment, insurance, and subcontracts attributable to the delay, plus a reasonable sum for overhead.

(B) In conjunction with any work deemed necessary to carry out Chapters 5501., 5503., 5511., 5512., 5513., 5515., 5516., 5517., 5519., 5521., 5523., 5525., 5527., 5528., 5529., 5531., 5533., and 5535. of the Revised Code, the director of transportation may require commitments and deadlines from persons, firms, corporations, and political subdivisions.

(C) Any delay costs and expenses incurred by the director, the department of transportation, any agent of the department, or consultant of the department as a result of the commitments and deadlines not being followed shall be borne by the persons, firms, corporations, or political subdivisions responsible for the delay and any amount thereof shall be certified to the attorney general for collection by civil action.

(D) If the department certifies an amount for collection to the attorney general under this section, the attorney general shall bring a civil action to collect the amount certified.

Sec. 5517.08. (A) As used in this section, "start date"

means one of the following, as applicable:

(1) The date that the department of transportation will
advertise for competitive bids related to the chip sealing or
fog sealing of an asphalt surface on a state highway project;

(2) The date that the department will begin chip sealing
or fog sealing an asphalt surface on a state highway project
through force account in accordance with division (A) (1) (e) of
section 5517.021 of the Revised Code.

(B) Not less than thirty days prior to the start date of a
chip sealing or fog sealing project, the director of
transportation shall notify the appropriate board of county
commissioners or board of township trustees of the sealing
project.

Sec. 5525.03. (A) All prospective bidders other than
environmental remediators and specialty contractors for which
there are no classes of work provided for in the rules adopted
by the director of transportation shall apply for qualification
on forms prescribed and furnished by the director. The
application shall be accompanied by a certificate of compliance
with affirmative action programs issued pursuant to section 9.47
of the Revised Code and dated no earlier than one hundred eighty
days before the date fixed for the ~~opening of bids~~ award of the
contract for a particular project.

(B) The director shall act upon an application for
qualification within thirty days after it is presented to the
director. Upon the receipt of any application for qualification,
the director shall examine the application to determine whether
the applicant is competent and responsible and possesses the
financial resources required by section 5525.04 of the Revised

Code. If the applicant is found to possess the qualifications 7692
prescribed by sections 5525.02 to 5525.09 of the Revised Code 7693
and by rules adopted by the director, including a certificate of 7694
compliance with affirmative action programs, a certificate of 7695
qualification shall be issued to the applicant, which shall be 7696
valid for the period of one year or such shorter period of time 7697
as the director prescribes, unless revoked by the director for 7698
cause as defined by rules adopted by the director under section 7699
5525.05 of the Revised Code. 7700

(C) The certificate of qualification shall contain a 7701
statement fixing the aggregate amount of work, for any or all 7702
owners, that the applicant may have under construction and 7703
uncompleted at any one time and may contain a statement limiting 7704
such bidder to the submission of bids upon a certain class of 7705
work. Subject to any restriction as to amount or class of work 7706
therein contained, the certificate of qualification shall 7707
authorize its holder to bid on all work on which bids are taken 7708
by the department of transportation during the period of time 7709
therein specified. 7710

(D) An applicant who has received a certificate of 7711
qualification and desires to amend the certificate by the dollar 7712
amount or by the classes of work may submit to the director such 7713
documentation as the director considers appropriate. The 7714
director shall review the documentation submitted by the 7715
applicant and, within fifteen days, shall either amend the 7716
certificate of qualification or deny the request. If the 7717
director denies the request to amend the certificate, the 7718
applicant may appeal that decision to the director's 7719
prequalification review board in accordance with section 5525.07 7720
of the Revised Code. Two or more persons, partnerships, or 7721
corporations may bid jointly on any one project, but only on 7722

condition that prior to the time bids are taken on the project 7723
the bidders make a joint application for qualification and 7724
obtain a joint certificate qualification. 7725

(E) The director may debar from participating in future 7726
contracts with the department any bidding company as well as any 7727
partner of a partnership, or the officers and directors of an 7728
association or corporation if the certificate of qualification 7729
of the company, partnership, association, or corporation is 7730
revoked or not renewed by the director. When the director 7731
reasonably believes that grounds for revocation and debarment 7732
exist, the director shall send the bidding company and any 7733
individual involved a notice of proposed revocation and 7734
debarment indicating the grounds for such action as established 7735
in rules adopted by the director under section 5525.05 of the 7736
Revised Code and the procedure for requesting a hearing. The 7737
notice and hearing shall be in accordance with Chapter 119. of 7738
the Revised Code. If the bidding company or individual does not 7739
respond with a request for a hearing in the manner specified in 7740
Chapter 119. of the Revised Code, the director shall revoke the 7741
certificate and issue the debarment decision without a hearing 7742
and shall notify the bidding company or individual of the 7743
decision by certified mail, return receipt requested. 7744

(F) The debarment period may be of any length determined 7745
by the director and the director may modify or rescind the 7746
debarment at any time. During the period of debarment, the 7747
director shall not issue a certificate of qualification for any 7748
company, partnership, association, or corporation affiliated 7749
with a debarred individual. After the debarment period expires, 7750
the bidding company or individual, and any partnership, 7751
association, or corporation affiliated with the individual may 7752
make an application for qualification if such entity or 7753

individual is not otherwise debarred.

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Sec. 5525.04. No bidder shall be given a certificate of
qualification unless the bidder's financial statement and the
investigation made by the director of transportation show that
the bidder possesses net current assets or working capital
sufficient, in the judgment of the director, to render it
probable that the bidder can satisfactorily execute the bidder's
contracts and meet all contractual obligations. Any applicant
desiring a certificate of qualification in an amount of ~~five~~ten
million dollars or more shall submit on forms prescribed by the
director a financial audit prepared and attested as correct by
an independent certified public accountant. Any applicant
desiring a certificate of qualification in an amount that is
less than ~~five~~ten million dollars shall submit a financial
review on forms prescribed by the director. The aggregate amount
of work set forth in either type of certificate of qualification
shall not exceed ten times the applicant's net current assets or
working capital. At the time of ~~bidding~~award of the contract, a
bidder's qualification is determined by the bidder's
qualification amount minus all of the bidder's pending work.

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Applicants for qualification shall expressly authorize the
director to obtain any information that the director considers
pertinent, with respect to the financial worth, assets, and
liabilities of the applicant, from banks or other financial
institutions, surety companies, dealers in material, equipment,
or supplies, or other persons having business transactions with
the applicant. Applicants shall expressly authorize all such
financial institutions or other persons to furnish any such
information requested from them by the director. All information
filed with or furnished to the director by applicants or other
persons, in connection with the administration of sections

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5525.02 to 5525.09 of the Revised Code, shall be kept in 7785
confidence by the director and not revealed to any person, 7786
except upon proper order of a court. Failure to submit the 7787
required information or to expressly grant the director 7788
authority to obtain the required information shall result in the 7789
denial of a certificate of qualification. The director or the 7790
director's subordinates shall have access to the books of 7791
account and financial records of all applicants, unless the 7792
financial statement furnished by any applicant is prepared and 7793
attested as correct by a certified public accountant. 7794

If an applicant for either type of certificate of 7795
qualification is or has been an employer in this state the 7796
application shall be accompanied by satisfactory evidence that 7797
the applicant has complied with Chapter 4123. of the Revised 7798
Code. 7799

The director may require all qualified bidders to file 7800
financial statements at such intervals as the director 7801
prescribes. Sections 5525.02 to 5525.09 of the Revised Code 7802
shall be administered without reference to the residence of 7803
applicants, and the rules of the director shall apply equally to 7804
residents and nonresidents of this state. Sections 5525.02 to 7805
5525.09 of the Revised Code, do not apply to the purchase of 7806
material, equipment, or supplies. 7807

Sec. 5525.08. Except as otherwise provided in this 7808
section, the director of transportation shall not consider any 7809
bid filed with the director by any person who has not been 7810
qualified to bid by the time the contract is awarded. ~~Bids from-~~ 7811
~~unqualified bidders discovered by the director prior to the~~ 7812
~~reading thereof to be from such persons shall be returned~~ 7813
~~without being read.~~ If the director finds, subsequent to the 7814

opening of bids, that facts exist that would disqualify the 7815
lowest bidder, or that such bidder either is not competent and 7816
responsible or has submitted a nonresponsive bid, the director 7817
shall reject such bid, despite ~~the fact of any~~ prior 7818
qualification of such bidder. No contract shall be awarded to 7819
any bidder not qualified to bid thereon at the time ~~fixed for~~ 7820
~~receiving bids~~ of awarding the contract, except that the director 7821
may award contracts for environmental remediation and specialty 7822
work not set out in the director's rules governing classes of 7823
work to bidders that are not qualified under sections 5525.02 to 7824
5525.09 of the Revised Code. 7825

Sec. 5525.14. (A) Notwithstanding sections 125.01 to 7826
125.11 of the Revised Code, the director of transportation, by 7827
written instruction to the contractor, may increase the 7828
quantities of any item specified or not specified in a 7829
competitively bid construction contract but, except as provided 7830
in division (B) of this section, the additional cost incurred by 7831
the increase shall not exceed the lesser of ~~one~~ two hundred 7832
thousand dollars or ~~five~~ ten per cent of the total contract 7833
price. Any such provision for increased quantities or extra work 7834
shall be made in the form of a written change to the original 7835
contract and does not require competitive bidding. 7836

(B) The ~~one hundred thousand dollar or five per cent~~ 7837
~~restriction~~ monetary threshold established in division (A) of 7838
this section does not apply to change orders or extra work 7839
contracts when the total dollar amount of the increase is— 7840
~~twenty-five~~ fifty thousand dollars or less, or to change orders 7841
or extra work contracts resulting from any of the following: 7842

(1) An increase in the plan quantity that is determined 7843
during the final measurement of an item of work. 7844

(2) Federally mandated requirements that did not exist at 7845
the time of the original contract award. 7846

(3) Circumstances that would create a life-, safety-, or 7847
health-threatening situation or would unduly delay the 7848
completion of a project and increase its costs, but only if the 7849
director makes a finding of such fact, declares an emergency, 7850
and issues the finding. Extra work that the director contracts 7851
for in these circumstances may include not only construction 7852
needed to complete a project, but also adjustments needed to 7853
meet changed conditions, alterations in original plans, 7854
unforeseen contingencies, or payments necessitated by contract 7855
terminations or suspensions. 7856

All change orders or extra work contracts set forth in 7857
division (B) of this section shall be reported to the 7858
controlling board quarterly in writing. 7859

(C) The director, by written instruction to the 7860
contractor, may decrease or cancel the quantity of any item 7861
specified in a contract or portion of a contract and authorize 7862
payment to the contractor for reasonable costs incurred to date. 7863

Sec. 5537.07. (A) When the cost to the Ohio turnpike and 7864
infrastructure commission under any contract with a person other 7865
than a governmental agency involves an expenditure of more than 7866
two hundred fifty thousand dollars, the commission shall make a 7867
written contract with the lowest responsive and responsible 7868
bidder, in accordance with section 9.312 of the Revised Code, 7869
after advertisement, in accordance with section 7.16 of the 7870
Revised Code, for not less than two consecutive weeks in a 7871
newspaper of general circulation and in such other publications 7872
as the commission determines. The notice shall state the general 7873
character of the work and the general character of the materials 7874

to be furnished, the place where plans and specifications 7875
therefor may be examined, and the time and place of receiving 7876
bids. The commission may require that the cost estimate for the 7877
construction, demolition, alteration, repair, improvement, 7878
renovation, or reconstruction of roadways and bridges for which 7879
the commission is required to receive bids be kept confidential 7880
and remain confidential until after all bids for the public 7881
improvement have been received or the deadline for receiving 7882
bids has passed. Thereafter, and before opening the bids 7883
submitted for the roadways and bridges, the commission shall 7884
make the cost estimate public knowledge by reading the cost 7885
estimate in a public place. The commission may reject any and 7886
all bids. The requirements of this division do not apply to 7887
contracts for the acquisition of real property or compensation 7888
for professional or other personal services. 7889

(B) Each bid for a contract for construction, demolition, 7890
alteration, repair, improvement, renovation, or reconstruction 7891
shall contain the full name of every person interested in it and 7892
shall meet the requirements of section 153.54 of the Revised 7893
Code. 7894

(C) Other than for a contract referred to in division (B) 7895
of this section, each bid for a contract that involves an 7896
expenditure in excess of five hundred thousand dollars or any 7897
contract with a service facility operator shall contain the full 7898
name of every person interested in it and shall be accompanied 7899
by a sufficient bond or certified check on a solvent bank that 7900
if the bid is accepted a contract will be entered into and the 7901
performance of its proposal secured. 7902

(D) Other than a contract referred to in division (B) of 7903
this section or a contract for licensed professional services, a 7904

bond with good and sufficient surety, in a form as prescribed 7905
and approved by the commission, shall be required of every 7906
contractor awarded a contract that involves an expenditure in 7907
excess of five hundred thousand dollars or any contract with a 7908
service facility operator. The bond shall be in an amount equal 7909
to at least fifty per cent of the contract price and shall be 7910
conditioned upon the faithful performance of the contract. 7911

(E) (1) Notwithstanding any other provisions of this 7912
section, the commission may establish a program to expedite 7913
special turnpike projects by combining the design and 7914
construction elements of any public improvement project into a 7915
single contract. The commission shall prepare and distribute a 7916
scope of work document upon which the bidders shall base their 7917
bids. At a minimum, bidders shall meet the requirements of 7918
section 4733.161 of the Revised Code. Except in regard to those 7919
requirements relating to providing plans, the commission shall 7920
award contracts following the requirements set forth in 7921
divisions (A), (B), (C), and (D) of this section. 7922

(2) Notwithstanding any other provision of this section or 7923
any other provision of the Revised Code to the contrary, the 7924
commission may use a value-based selection process when 7925
selecting a contractor to perform a project that contains both 7926
design and construction elements in a single contract under this 7927
division. 7928

(F) Other than for a contract referred to in division (B) 7929
or (E) of this section, and notwithstanding any other provision 7930
of the Revised Code to the contrary, the commission may enter 7931
into a written contract after submission of competitive 7932
proposals when the commission determines that competitive 7933
bidding is not practical or advantageous to the commission. The 7934

commission may conduct discussions with anyone that submits a 7935
competitive proposal when that proposal might be selected to 7936
ensure that the person understands and is responsive to the 7937
requirements of the project. The commission may award the 7938
contract to the person that submits the best proposal, as 7939
determined by the commission. The commission shall consider 7940
multiple factors in awarding a contract under this division, 7941
including price and the evaluation criteria set forth in the 7942
request for competitive proposals. 7943

(G) The commission may contract for the purchase of 7944
equipment, materials, and services without public advertisement 7945
in any of the following circumstances: 7946

(1) The construction of a temporary bridge; 7947

(2) The making of temporary emergency repairs to a highway 7948
or bridge when necessary because of a storm, flood, landslide, 7949
or other natural disaster; 7950

(3) While responding to circumstances created by an 7951
extraordinary emergency, as determined by the commission. 7952

Sec. 5571.01. (A) A board of township trustees may 7953
construct, reconstruct, resurface, or improve any public road or 7954
part thereof under its jurisdiction, or any county road, 7955
intercounty highway, or state highway within its township. In 7956
the case of a county road, the plans and specifications for the 7957
proposed improvement first shall be submitted to the board of 7958
county commissioners of the county and receive its approval. In 7959
the case of an intercounty or state highway, the plans and 7960
specifications first shall be submitted to the director of 7961
transportation and receive the director's approval. The board of 7962
township trustees may widen, straighten, or change the direction 7963

of any part of a road in connection with the proceedings for its 7964
improvement. 7965

(B) The board of township trustees may construct, improve, 7966
maintain, or repair the berm of any road under its jurisdiction, 7967
in order to provide a hard surface or other improved approach to 7968
rural mail boxes located on public highways. 7969

(C) A board of township trustees, in conformity with the 7970
manual and uniform system of traffic control devices adopted 7971
under section 4511.09 of the Revised Code, may erect and 7972
maintain at intersecting roads, at least one of which is a 7973
township road, suitable signposts showing the names and numbers 7974
of the roads. The cost of the signs shall be paid from the 7975
township road fund. 7976

(D) Subject to division (F) of this section, a board of 7977
township trustees, in conformity with the manual and uniform 7978
system of traffic control devices adopted under section 4511.09 7979
of the Revised Code, may erect and maintain at intersecting 7980
roads, at least one of which is a township road, suitable 7981
signposts showing the direction and distance to any nearby 7982
municipal corporation. The costs of the signs shall be paid from 7983
the township road fund. 7984

(E) Subject to divisions (F) and (G) of this section, a 7985
board of township trustees may purchase or lease and erect and 7986
maintain at intersecting roads, at least one of which is a 7987
township road, suitable traffic control devices and highway 7988
traffic ~~control~~-signals. The traffic control devices and highway 7989
traffic ~~control~~-signals and their placement and maintenance 7990
shall conform with the manual and specifications adopted under 7991
section 4511.09 of the Revised Code. In purchasing or leasing 7992
and erecting and maintaining the traffic control devices and 7993

highway traffic ~~control~~-signals, the board may expend any moneys 7994
that are available to it that legally may be expended for that 7995
purpose. 7996

(F) If one of the intersecting highways as provided in 7997
divisions (D) and (E) of this section is a state highway, both 7998
of the following apply: 7999

(1) No signpost showing the direction and distance to any 8000
nearby municipal corporation shall be placed at or near the 8001
intersection, and no traffic control device or highway traffic 8002
~~control~~-signal shall be erected at the intersection, without 8003
prior permission of the director as required by section 4511.10 8004
of the Revised Code. 8005

(2) The department of transportation shall maintain any 8006
highway traffic ~~control~~-signal erected by the board of township 8007
trustees at that intersection. 8008

(G) If one of the intersecting roads as provided in 8009
division (E) of this section is a county road, a board of 8010
township trustees shall not erect a traffic control device or 8011
highway traffic ~~control~~-signal at the intersection without prior 8012
permission of the county engineer of the county in which the 8013
intersection is located. 8014

(H) No contract for the construction or repair of a 8015
bridge, the entire cost of which construction or repair exceeds 8016
fifty thousand dollars, shall be entered into by the township 8017
unless the plans are first approved by the director. 8018

Sec. 5747.502. (A) As used in this section: 8019

(1) "Local authority" and "traffic law photo-monitoring 8020
device" have the same meanings as in section 4511.092 of the 8021
Revised Code. 8022

- (2) "School zone" has the same meaning as in section 8023
4511.21 of the Revised Code. 8024
- (3) "Transportation district" means a territorial district 8025
established by the director of transportation under section 8026
5501.14 of the Revised Code. 8027
- (4) "District deputy director" means the person appointed 8028
and assigned by the director of transportation under section 8029
5501.14 of the Revised Code to administer the activities of a 8030
transportation district. 8031
- (5) "Gross amount" means the entire amount of traffic 8032
camera fines and fees paid by a driver. 8033
- (6) "Local government fund adjustment" or "LGF adjustment" 8034
means the sum of: 8035
- (a) The gross amount of all traffic camera fines collected 8036
by a local authority during the preceding fiscal year, as 8037
reported under division (B) (1) of this section, if such a report 8038
is required; plus 8039
- (b) The residual adjustment computed for the local 8040
authority under division (B) (4) of this section, if such an 8041
adjustment applies. 8042
- (7) "Local government fund payments" or "LGF payments" 8043
means the payments a local authority would receive under 8044
sections 5747.502, 5747.51, and 5747.53, and division (C) of 8045
section 5747.50 of the Revised Code, as applicable, if not for 8046
the reductions required by divisions (C) and (D) of this 8047
section. 8048
- (8) "Residual adjustment" means the most recent LGF 8049
adjustment computed for a local authority under division (B) (2) 8050

or (3) of this section minus the sum of the reductions applied 8051
after that computation under division (C) of this section to the 8052
local authority's LGF payments. 8053

(9) "Traffic camera fines" means civil fines for any 8054
violation of any local ordinance or resolution that are based 8055
upon evidence recorded by a traffic law photo-monitoring device. 8056

(10) "Qualifying village" has the same meaning as in 8057
section 5747.503 of the Revised Code. 8058

(B) (1) Annually, on or before the thirty-first day of 8059
July, any local authority that directly or indirectly collected 8060
traffic camera fines during the preceding fiscal year shall file 8061
a report with the tax commissioner that includes a detailed 8062
statement of the gross amount of all traffic camera fines the 8063
local authority collected during that period and the gross 8064
amount of such fines that the local authority collected for 8065
violations that occurred within a school zone. 8066

(2) Annually, on or before the tenth day of August, the 8067
commissioner shall compute a local government fund adjustment 8068
for each local authority that files a report under division (B) 8069
(1) of this section or with respect to which a residual 8070
adjustment applies. Subject to division (B) (3) of this section, 8071
the LGF adjustment shall be used by the commissioner to 8072
determine the amount of the reductions required under division 8073
(C) of this section for each of the next twelve months, starting 8074
with the month in which the LGF adjustment is computed. After 8075
those twelve months, the LGF adjustment ceases to apply and, if 8076
an LGF adjustment continues to be required, the amount of the 8077
reductions required under division (C) of this section shall be 8078
determined based on an updated LGF adjustment computed under 8079
this division. 8080

(3) Upon receipt of a report described by division (B) (1) 8081
of this section that is not timely filed, the commissioner shall 8082
do both of the following: 8083

(a) If one or more payments to the local authority has 8084
been withheld under division (D) of this section because of the 8085
local authority's failure to file the report, notify the county 8086
auditor and county treasurer of the appropriate county that the 8087
report has been received and that, subject to division (C) of 8088
this section, payments to the local authority from the undivided 8089
local government fund are to resume. 8090

(b) Compute the local authority's LGF adjustment using the 8091
information in the report. An LGF adjustment computed under this 8092
division shall be used by the commissioner to determine the 8093
amount of the reductions required under division (C) of this 8094
section starting with the next required reduction. The LGF 8095
adjustment ceases to apply on the thirty-first day of the 8096
ensuing July, following which, if an LGF adjustment continues to 8097
be required, the amount of the reductions required under 8098
division (C) of this section shall be determined based on an 8099
updated LGF adjustment computed under division (B) (2) of this 8100
section. 8101

(4) Annually, on or before the tenth day of August, the 8102
commissioner shall compute a residual adjustment for each local 8103
authority whose LGF adjustment for the preceding year exceeds 8104
the amount by which the local authority's LGF payments were 8105
reduced during that year under division (C) of this section. The 8106
residual adjustment shall be used to compute the LGF adjustment 8107
for the ensuing year under division (B) (2) of this section. 8108

(C) The commissioner shall do the following, as 8109
applicable, respecting any local authority to which an LGF 8110

adjustment computed under division (B) of this section applies: 8111

(1) If the local authority is a municipal corporation with 8112
a population of one thousand or more, reduce payments to the 8113
municipal corporation under division (C) of section 5747.50 of 8114
the Revised Code by one-twelfth of the LGF adjustment. If one- 8115
twelfth of the LGF adjustment exceeds the amount of money the 8116
municipal corporation would otherwise receive under division (C) 8117
of section 5747.50 of the Revised Code, the commissioner also 8118
shall reduce payments to the appropriate county undivided local 8119
government fund under division (B) of section 5747.50 of the 8120
Revised Code by an amount equal to the lesser of (a) one-twelfth 8121
of the excess, or (b) the amount of the payment the municipal 8122
corporation would otherwise receive from the fund under section 8123
5747.51 or 5747.53 of the Revised Code. 8124

(2) If the local authority is a township or qualifying 8125
village, reduce the supplemental payments to the appropriate 8126
county undivided local government fund under section 5747.503 of 8127
the Revised Code by the lesser of one-twelfth of the LGF 8128
adjustment, or the amount of money the township or qualifying 8129
village would otherwise receive under that section. If one- 8130
twelfth of the LGF adjustment exceeds the amount of money the 8131
township or qualifying village would otherwise receive under 8132
section 5747.503 of the Revised Code, the commissioner also 8133
shall reduce payments to the appropriate county undivided local 8134
government fund under division (B) of section 5747.50 of the 8135
Revised Code by an amount equal to the lesser of (a) one-twelfth 8136
of the excess, or (b) the amount of the payment the township or 8137
qualifying village would otherwise receive from the fund under 8138
section 5747.51 or 5747.53 of the Revised Code. 8139

(3) If the local authority is a county, reduce payments to 8140

the appropriate county undivided local government fund under 8141
division (B) of section 5747.50 of the Revised Code by an amount 8142
equal to the lesser of (a) one-twelfth of the LGF adjustment, or 8143
(b) the amount of the payment the county would otherwise receive 8144
from the fund under section 5747.51 or 5747.53 of the Revised 8145
Code. 8146

(4) For any local authority, on or before the tenth day of 8147
each month a reduction is made under division (C) (1), (2), or 8148
(3) of this section, make a payment to the local authority in an 8149
amount equal to the lesser of (a) one-twelfth of the gross 8150
amount of traffic camera fines the local authority collected in 8151
the preceding fiscal year for violations that occurred within a 8152
school zone, as indicated on the report filed by the local 8153
authority pursuant to division (B) (1) of this section, or (b) 8154
the amount by which the local authority's LGF payments were 8155
reduced that month pursuant to division (C) (1), (2), or (3) of 8156
this section. Payments received by a local authority under this 8157
division shall be used by the local authority for school safety 8158
purposes. 8159

(D) Upon discovery, based on information in the 8160
commissioner's possession, that a local authority required to 8161
file a report under division (B) (1) of this section has failed 8162
to do so, the commissioner shall do the following, as 8163
applicable: 8164

(1) If the local authority is a municipal corporation with 8165
a population of one thousand or more, cease providing for 8166
payments to the municipal corporation under section 5747.50 of 8167
the Revised Code beginning with the next required payment and 8168
until such time as the report is received by the commissioner; 8169

(2) If the local authority is a township or qualifying 8170

village, reduce the supplemental payments to the appropriate 8171
county undivided local government fund under section 5747.503 of 8172
the Revised Code by an amount equal to the amount of such 8173
payments the local authority would otherwise receive under that 8174
section, beginning with the next required payment and until such 8175
time as the report is received by the commissioner; 8176

(3) For any local authority, reduce payments to the 8177
appropriate county undivided local government fund under 8178
division (B) of section 5747.50 of the Revised Code by an amount 8179
equal to the amount of such payments the local authority would 8180
otherwise receive under section 5747.51 or 5747.53 of the 8181
Revised Code, beginning with the next required payment and until 8182
such time as the report is received by the commissioner; 8183

(4) For any local authority, notify the county auditor and 8184
county treasurer that such payments are to cease until the 8185
commissioner notifies the auditor and treasurer under division 8186
(E) of this section that the payments are to resume. 8187

(E) The commissioner shall notify the county auditor and 8188
county treasurer on or before the day the commissioner first 8189
reduces a county undivided local government fund payment to that 8190
county under division (C) of this section. The notice shall 8191
include the full amount of the reduction, a list of the local 8192
authorities to which the reduction applies, and the amount of 8193
reduction attributed to each such local authority. The 8194
commissioner shall send an updated notice to the county auditor 8195
and county treasurer any time the amount the reduction 8196
attributed to any local authority changes. 8197

A county treasurer that receives a notice from the 8198
commissioner under this division or division (B) (3) (a) or (D) (4) 8199
of this section shall reduce, cease, or resume payments from the 8200

undivided local government fund to the local authority that is 8201
the subject of the notice as specified by the commissioner in 8202
the notice. Unless otherwise specified in the notice, the 8203
payments shall be reduced, ceased, or resumed beginning with the 8204
next required payment. 8205

(F) There is hereby created in the state treasury the Ohio 8206
highway and transportation safety fund. On or before the tenth 8207
day of each month, the commissioner shall deposit in the fund an 8208
amount equal to the total amount by which payments to local 8209
authorities were reduced or ceased under division (C) or (D) of 8210
this section minus the total amount of payments made under 8211
division (C)(4) of this section. The amount deposited with 8212
respect to a local authority shall be credited to an account to 8213
be created in the fund for the transportation district in which 8214
that local authority is located. If the local authority is 8215
located within more than one transportation district, the amount 8216
credited to the account of each such transportation district 8217
shall be prorated on the basis of the number of centerline miles 8218
of public roads and highways in both the local authority and the 8219
respective districts. Amounts credited to a transportation 8220
district's account shall be used by the department of 8221
transportation and the district deputy director exclusively to 8222
enhance public safety on public roads and highways within that 8223
transportation district, but not within the territory of that 8224
local authority. 8225

Section 101.02. That existing sections 154.01, 306.35, 8226
306.43, 717.02, 1548.061, 3503.11, 3503.151, 3503.152, 3503.21, 8227
3505.181, 3704.14, 4501.01, 4503.038, 4503.10, 4503.102, 8228
4503.103, 4503.19, 4505.08, 4506.01, 4506.11, 4507.01, 4507.061, 8229
4507.13, 4507.21, 4507.52, 4508.02, 4511.01, 4511.031, 4511.09, 8230
4511.091, 4511.092, 4511.094, 4511.11, 4511.13, 4511.131, 8231

4511.132, 4511.18, 4511.204, 4511.211, 4511.214, 4511.432, 8232
4511.46, 4511.48, 4511.512, 4511.61, 4511.62, 4511.64, 4511.65, 8233
4511.68, 4511.701, 4511.712, 4513.071, 4513.38, 4513.41, 8234
4517.02, 4519.401, 4955.50, 4955.51, 5501.20, 5501.441, 5502.68, 8235
5513.01, 5517.02, 5517.021, 5525.03, 5525.04, 5525.08, 5525.14, 8236
5537.07, 5571.01, and 5747.502 of the Revised Code are hereby 8237
repealed. 8238

Section 105.01. That sections 4506.072, 4507.021, 8239
4507.063, 4507.511, 4511.351, 4511.491, and 5501.60 of the 8240
Revised Code are hereby repealed. 8241

Section 201.10. Except as otherwise provided in this act, 8242
all appropriation items in this act are appropriated out of any 8243
moneys in the state treasury to the credit of the designated 8244
fund that are not otherwise appropriated. For all appropriations 8245
made in this act, the amounts in the first column are for fiscal 8246
year 2026 and the amounts in the second column are for fiscal 8247
year 2027. 8248

Section 203.10. 8249
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1	2	3	4	5
A	DOT DEPARTMENT OF TRANSPORTATION			
B	Highway Operating Fund Group			
C	2120 772426 Highway Infrastructure		\$5,750,500	\$5,750,500
	Bank - Federal			
D	2120 772427 Highway Infrastructure		\$15,099,500	\$15,099,500
	Bank - State			

E	2130	772431	Roadway Infrastructure Bank - State	\$3,750,000	\$3,750,000
F	2130	777477	Aviation Infrastructure Bank - State	\$2,400,000	\$2,400,000
G	5XI0	772504	Ohio Highway Transportation Safety	\$13,500,000	\$7,000,000
H	7002	770003	Transportation Facilities Lease Rental Bond Payments	\$23,000,000	\$23,000,000
I	7002	771411	Planning and Research - State	\$34,583,813	\$35,352,350
J	7002	771412	Planning and Research - Federal	\$57,095,074	\$57,095,074
K	7002	772421	Highway Construction - State	\$1,166,495,043	\$849,676,092
L	7002	772422	Highway Construction - Federal	\$1,950,000,000	\$1,950,000,000
M	7002	772424	Highway Construction - Other	\$83,500,000	\$83,500,000
N	7002	772437	Major New State Infrastructure Bond Debt Service - State	\$18,500,000	\$18,500,000
O	7002	772438	Major New State Infrastructure Bond Debt	\$132,500,000	\$132,500,000

		Service - Federal		
P	7002 773431	Highway Maintenance - State	\$701,557,065	\$681,557,065
Q	7002 775452	Public Transportation - Federal	\$63,120,485	\$63,276,002
R	7002 775454	Public Transportation - Other	\$3,570,000	\$3,570,000
S	7002 776462	Grade Crossings - Federal	\$14,068,961	\$14,068,961
T	7002 777472	Airport Improvements - Federal	\$405,000	\$405,000
U	7002 777475	Aviation Administration	\$6,973,124	\$7,106,246
V	7002 779491	Administration - State	\$118,136,702	\$120,735,709
W		Highway Operating Fund Group Total	\$4,414,005,267	\$4,074,342,499
X		Dedicated Purpose Fund Group		
Y	4N40 776664	Rail Transportation - Other	\$2,210,047	\$2,237,389
Z	5W90 777615	County Airport Maintenance	\$620,000	\$620,000
AA		Dedicated Purpose Fund Group Total	\$2,830,047	\$2,857,389
AB		Capital Projects Fund Group		
AC	7042 772723	Highway Construction -	\$210,000,000	\$210,000,000

Bonds

AD 7045 772428 Highway Infrastructure	\$210,000,000	\$210,000,000
Bank - Bonds		
AE Capital Projects Fund Group Total	\$420,000,000	\$420,000,000
AF TOTAL ALL BUDGET FUND GROUPS	\$4,836,835,314	\$4,497,199,888

Section 203.20. TRANSPORTATION FACILITIES LEASE RENTAL

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BOND PAYMENTS

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The foregoing appropriation item 770003, Transportation
Facilities Lease Rental Bond Payments, shall be used to meet all
payments during the period from July 1, 2025, through June 30,
2027, pursuant to the leases and agreements for facilities made
under Chapter 154. of the Revised Code. These appropriations are
the source of funds pledged for bond service charges on related
obligations issued under Chapter 154. of the Revised Code.

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Should the appropriation in appropriation item 770003,
Transportation Facilities Lease Rental Bond Payments, exceed the
associated debt service payments in either fiscal year of the
biennium ending June 30, 2027, the balance may be transferred to
appropriation item 772421, Highway Construction - State, 773431,
Highway Maintenance - State, or 779491, Administration - State,
upon the written request of the Director of Transportation and
with the approval of the Director of Budget and Management. The
transfers are hereby appropriated and shall be reported to the
Controlling Board.

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Section 203.21. MIDWEST INTERSTATE PASSENGER RAIL COMPACT

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Of the foregoing appropriation item 771411, Planning and
Research - State, \$25,000 in each fiscal year shall be used to

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pay the costs associated with Ohio joining the Midwest 8273
Interstate Passenger Rail Compact. 8274

Section 203.30. ROADS FOR DNR, METROPOLITAN PARKS, 8275
EXPOSITIONS COMMISSION, AND HISTORY CONNECTION 8276

(A) Notwithstanding section 5511.06 of the Revised Code, 8277
in each fiscal year of the biennium ending June 30, 2027, the 8278
Director of Transportation shall determine portions of the 8279
foregoing appropriation item 772421, Highway Construction - 8280
State, which shall be used for the construction, reconstruction, 8281
or maintenance of public access roads, including support 8282
features, to and within state facilities owned or operated by 8283
the Department of Natural Resources. 8284

(B) Notwithstanding section 5511.06 of the Revised Code, 8285
of the foregoing appropriation item 772421, Highway Construction 8286
- State, \$2,562,000 in each fiscal year shall be used for the 8287
construction, reconstruction, or maintenance of park drives or 8288
park roads within the boundaries of metropolitan parks. 8289

(C) Notwithstanding section 5511.06 of the Revised Code, 8290
of the foregoing appropriation item 772421, Highway Construction 8291
- State, \$500,000 in each fiscal year shall be used for the 8292
construction, reconstruction, or maintenance of park drives or 8293
park roads within the boundaries of state parks and wildlife 8294
areas greater than 10,000 contiguous acres that were purchased 8295
in a single, or series, of transactions, and \$500,000 in each 8296
fiscal year shall be used for construction, reconstruction, or 8297
maintenance of drives and roads leading to such state parks and 8298
wildlife areas. 8299

(D) The Department of Transportation may use the foregoing 8300
appropriation item 772421, Highway Construction - State, to 8301

perform: 8302

(1) Related road work on behalf of the Ohio Expositions 8303
Commission at the state fairgrounds, including reconstruction or 8304
maintenance of public access roads and support features to and 8305
within fairgrounds facilities, as requested by the Commission 8306
and approved by the Director of Transportation; and 8307

(2) Related road work on behalf of the Ohio History 8308
Connection, including reconstruction or maintenance of public 8309
access roads and support features to and within Ohio History 8310
Connection facilities, as requested by the Ohio History 8311
Connection and approved by the Director of Transportation. 8312

Section 203.40. TRANSPORTATION IMPROVEMENT DISTRICTS 8313

(A) Of the foregoing appropriation item 772421, Highway 8314
Construction - State, \$9,000,000 in each fiscal year shall be 8315
made available for distribution by the Director of 8316
Transportation to Transportation Improvement Districts that have 8317
facilitated funding for the cost of a project or projects in 8318
conjunction with and through other governmental agencies. 8319

(B) A Transportation Improvement District shall submit 8320
requests for project funding to the Director of Transportation 8321
by a day determined by the Director. The Department shall notify 8322
the Transportation Improvement District whether the Department 8323
has approved or disapproved the project funding request within 8324
ninety days after the day the request was submitted by the 8325
Transportation Improvement District. 8326

(C) Any funding provided to a Transportation Improvement 8327
District specified in this section shall not be used for the 8328
purposes of administrative costs or administrative staffing and 8329
must be used to fund a specific project or projects within that 8330

District's area. The total amount of a specific project's cost shall not be fully funded by the amount of funds provided under this section. The total amount of funding provided for each project is limited to \$500,000 per fiscal year. Transportation Improvement Districts that are co-sponsoring a specific project may individually apply for up to \$500,000 for that project per fiscal year.

(D) Funding provided under this section may be used for preliminary engineering, detailed design, right-of-way acquisition, and construction of the specific project and such other project costs that are defined in section 5540.01 of the Revised Code and approved by the Director of Transportation. Upon receipt of a copy of an invoice for work performed on the specific project, the Director shall reimburse a Transportation Improvement District for the expenditures described above, subject to the requirements of this section.

(E) A Transportation Improvement District that is requesting funds under this section shall register with the Director of Transportation. The Director shall register a Transportation Improvement District only if the district has a specific, eligible project and may cancel the registration of a Transportation Improvement District that is not eligible to receive funds under this section. The Director shall not provide funds to any Transportation Improvement District under this section if the district is not registered.

(F) For the purposes of this section:

(1) "Project" has the same meaning as in division (C) of section 5540.01 of the Revised Code.

(2) "Governmental agency" has the same meaning as in

division (B) of section 5540.01 of the Revised Code. 8360

(3) "Cost" has the same meaning as in division (D) of 8361
section 5540.01 of the Revised Code. 8362

Section 203.43. HIGHWAY CONSTRUCTION - FEDERAL 8363

Of the foregoing appropriation item 772422, Highway 8364
Construction - Federal, \$33,000,000 in each fiscal year shall be 8365
used to support public transportation statewide through the 8366
Federal Highway Administration (FHWA) flexible funding program. 8367

WORKFORCE MOBILITY PARTNERSHIP PROGRAM 8368

Of the foregoing appropriation item 772422, Highway 8369
Construction - Federal, \$15,000,000 in each fiscal year shall be 8370
used to administer the Ohio Workforce Mobility Partnership 8371
Program under Section 620.10 of this act. 8372

PUBLIC TRANSIT VOUCHER PILOT PROGRAM 8373

Of the foregoing appropriation item 772422, Highway 8374
Construction - Federal, \$1,000,000 in fiscal year 2026 shall be 8375
used to administer the Public Transit Voucher Pilot Program 8376
established in Section 755.30 of this act. 8377

Section 203.47. BRENT SPENCE BRIDGE CORRIDOR PROJECT 8378

All spending related to the Brent Spence Bridge Corridor 8379
Project shall be documented in the Ohio Administrative Knowledge 8380
System (OAKS) and made visible in the Ohio State and Local 8381
Government Expenditure Database pursuant to section 113.71 of 8382
the Revised Code. 8383

Section 203.49. RAIL SAFETY CROSSING MATCH 8384

An amount equal to the unexpended, unencumbered balance of 8385
appropriation item 776505, Rail Safety Crossing Match, at the 8386

end of fiscal year 2025 is hereby reappropriated for the same 8387
purpose in fiscal year 2026. 8388

An amount equal to the unexpended, unencumbered balance of 8389
appropriation item 776505, Rail Safety Crossing Match, at the 8390
end of fiscal year 2026 is hereby reappropriated for the same 8391
purpose in fiscal year 2027. 8392

Section 203.50. BOND ISSUANCE AUTHORIZATION 8393

The Treasurer of State, upon the request of the Director 8394
of Transportation, is authorized to issue and sell, in 8395
accordance with Section 2m of Article VIII, Ohio Constitution, 8396
and Chapter 151. and particularly sections 151.01 and 151.06 of 8397
the Revised Code, obligations, including bonds and notes, in the 8398
aggregate amount of \$238,500,000 in addition to the original 8399
issuance of obligations authorized by prior acts of the General 8400
Assembly. 8401

The obligations shall be issued and sold from time to time 8402
in amounts necessary to provide sufficient moneys to the credit 8403
of the Highway Capital Improvement Fund (Fund 7042) created by 8404
section 5528.53 of the Revised Code to pay costs charged to the 8405
fund when due as estimated by the Director of Transportation, 8406
provided, however, that not more than \$220,000,000 original 8407
principal amount of obligations, plus the principal amount of 8408
obligations that in prior fiscal years could have been, but were 8409
not, issued within the \$220,000,000 limit, may be issued in any 8410
fiscal year, and not more than \$1,200,000,000 original principal 8411
amount of such obligations are outstanding at any one time. 8412

Section 203.60. APPROPRIATION TRANSFERS, APPROPRIATION 8413
INCREASES, AND CASH TRANSFERS 8414

(A) TRANSFERS OF HIGHWAY OPERATING FUND APPROPRIATIONS: 8415

EMERGENCIES, INCLEMENT WEATHER, AND FEDERAL FUNDING CHANGES 8416

The Director of Transportation may request the Controlling 8417
Board to approve transfers between Highway Operating Fund (Fund 8418
7002) appropriations for planning and research (appropriation 8419
items 771411 and 771412), highway construction and debt service 8420
(appropriation items 772421, 772422, 772424, 772425, 772437, 8421
772438, 772603, 772604, 772605, and 770003), highway maintenance 8422
(appropriation item 773431), public transportation - federal 8423
(appropriation item 775452), rail grade crossings (appropriation 8424
item 776462), aviation (appropriation item 777475), airport 8425
improvement (appropriation item 777472), and administration 8426
(appropriation item 779491). The Director of Transportation may 8427
not seek requests of appropriation transfers out of debt service 8428
appropriation items unless the Director determines that the 8429
appropriated amounts exceed the actual and projected debt 8430
service requirements. 8431

This transfer request authorization is intended to provide 8432
for emergency situations or for the purchase of goods and 8433
services relating to dangerous inclement weather that arise 8434
during the biennium ending June 30, 2027. It also is intended to 8435
allow the Department to adjust to circumstances affecting the 8436
obligation and expenditure of federal funds. 8437

(B) TRANSFERS OF FEDERAL AND LOCAL FUNDED APPROPRIATIONS: 8438
HIGHWAY, PLANNING, TRANSIT, RAIL, AND AVIATION 8439

The Director of Transportation may request the Controlling 8440
Board to approve the transfer of appropriations between 8441
appropriation items 772422, Highway Construction - Federal, 8442
771412, Planning and Research - Federal, 775452, Public 8443
Transportation - Federal, 775454, Public Transportation - Other, 8444
776475, Federal Rail Administration, 776462, Grade Crossing - 8445

Federal, and 777472, Airport Improvements - Federal. 8446

(C) TRANSFERS OF APPROPRIATIONS AND CASH: STATE 8447
INFRASTRUCTURE BANK 8448

The Director of Transportation may request the Controlling 8449
Board to approve the transfer of appropriations and cash of the 8450
Infrastructure Bank funds created in section 5531.09 of the 8451
Revised Code, including transfers between fiscal years 2026 and 8452
2027. 8453

The Director of Transportation may request the Controlling 8454
Board to approve the transfer of appropriations and cash from 8455
the Highway Operating Fund (Fund 7002) to the Infrastructure 8456
Bank funds created in section 5531.09 of the Revised Code. The 8457
Director of Budget and Management may transfer from the 8458
Infrastructure Bank funds to Fund 7002 up to the amounts 8459
originally transferred to the Infrastructure Bank funds under 8460
this section. However, the Director may not make transfers 8461
between modes or transfers between different funding sources. 8462

(D) TRANSFERS OF APPROPRIATIONS AND CASH: TOLLING FUNDS 8463

The Director of Transportation may request the Controlling 8464
Board to approve the transfer of appropriations and cash of the 8465
Ohio Toll Fund and any subaccounts created in section 5531.14 of 8466
the Revised Code, including transfers between fiscal years 2026 8467
and 2027. 8468

(E) INCREASING APPROPRIATIONS: STATE FUNDS 8469

In the event that receipts or unexpended balances credited 8470
to the Highway Operating Fund (Fund 7002) exceed the estimates 8471
upon which the appropriations have been made in this act, upon 8472
the request of the Director of Transportation, the Controlling 8473
Board may approve expenditures, in excess of the amounts 8474

appropriated, from the Highway Operating Fund in the manner 8475
prescribed in section 131.35 of the Revised Code. The amounts 8476
approved by the Controlling Board under this division are hereby 8477
appropriated. 8478

(F) INCREASING APPROPRIATIONS: FEDERAL AND LOCAL FUNDS 8479

In the event that receipts or unexpended balances credited 8480
to the Highway Operating Fund (Fund 7002) or apportionments or 8481
allocations made available from the federal and local 8482
governments exceed the estimates upon which the appropriations 8483
have been made in this act, upon the request of the Director of 8484
Transportation, the Controlling Board may approve expenditures, 8485
in excess of the amounts appropriated, from the Highway 8486
Operating Fund in the manner prescribed in section 131.35 of the 8487
Revised Code. The amounts approved by the Controlling Board 8488
under this division are hereby appropriated. 8489

(G) TRANSFERS OF CASH BETWEEN THE HIGHWAY OPERATING FUND 8490
AND THE HIGHWAY CAPITAL IMPROVEMENT FUND 8491

Upon the request of the Director of Transportation, and 8492
subject to Controlling Board approval, the Director of Budget 8493
and Management may transfer cash from the Highway Operating Fund 8494
(Fund 7002) to the Highway Capital Improvement Fund (Fund 7042) 8495
created in section 5528.53 of the Revised Code. The Director of 8496
Budget and Management may transfer cash from Fund 7042 to Fund 8497
7002 up to the amount of cash previously transferred to Fund 8498
7042 under this section. 8499

(H) DEPUTY INSPECTOR GENERAL FOR ODOT FUNDING 8500

On July 1 and January 1 of each year in the biennium 8501
ending June 30, 2027, or as soon as possible thereafter, 8502
respectively, the Director of Budget and Management shall 8503

transfer \$200,000 cash, for each semiannual period, from the 8504
Highway Operating Fund (Fund 7002) to the Deputy Inspector 8505
General for ODOT Fund (Fund 5FA0). 8506

The Inspector General, with the consent of the Director of 8507
Budget and Management, may request the Controlling Board to 8508
approve additional transfers of cash and expenditures in excess 8509
of the amount appropriated under appropriation item 965603, 8510
Deputy Inspector General for ODOT, if additional amounts are 8511
necessary. The amounts approved by the Controlling Board are 8512
hereby appropriated. 8513

(I) LIQUIDATION OF UNFORESEEN LIABILITIES 8514

Any appropriation made from the Highway Operating Fund 8515
(Fund 7002) not otherwise restricted by law is available to 8516
liquidate unforeseen liabilities arising from contractual 8517
agreements of prior years when the prior year encumbrance is 8518
insufficient. 8519

(J) ELECTRIC VEHICLE EXPENDITURES 8520

The Director of Transportation shall request Controlling 8521
Board approval for any expenditure of funds received under the 8522
federal "Infrastructure Investment and Jobs Act," Pub. L. No. 8523
117-58, that are to be used for the construction or maintenance 8524
of electric vehicle charging stations. Any such expenditures 8525
approved by the Controlling Board are hereby appropriated. 8526

Section 203.65. REAPPROPRIATIONS 8527

In each year of the biennium ending June 30, 2027, the 8528
Director of Budget and Management may request the Controlling 8529
Board to approve the expenditure of any remaining unencumbered 8530
balances of prior years' appropriations to the Ohio Highway 8531
Transportation Safety Fund (Fund 5XI0), the Highway Operating 8532

Fund (Fund 7002), the Highway Capital Improvement Fund (Fund 8533
7042), and the Infrastructure Bank funds created in section 8534
5531.09 of the Revised Code for the same purpose in the 8535
following fiscal year. The amounts approved by the Controlling 8536
Board are hereby reappropriated. 8537

Prior to the Director of Budget and Management's seeking 8538
approval of the Controlling Board, the Director of 8539
Transportation shall develop a reappropriation request plan that 8540
identifies the appropriate fund and appropriation item of the 8541
reappropriation, and the reappropriation request amount and 8542
submit the plan to the Director of Budget and Management for 8543
evaluation. The Director of Budget and Management may request 8544
additional information necessary for evaluating the 8545
reappropriation request plan, and the Director of Transportation 8546
shall provide the requested information to the Director of 8547
Budget and Management. Based on the information provided by the 8548
Director of Transportation, the Director of Budget and 8549
Management shall determine amounts to be reappropriated by fund 8550
and appropriation item to submit to the Controlling Board for 8551
its approval. 8552

Any balances of prior years' unencumbered appropriations 8553
to the Highway Operating Fund (Fund 7002), the Highway Capital 8554
Improvement Fund (Fund 7042), the Ohio Highway Transportation 8555
Safety Fund (Fund 5XI0), and the Infrastructure Bank funds 8556
created in section 5531.09 of the Revised Code for which 8557
reappropriations are requested and approved are subject to the 8558
availability of revenue in the funds. 8559

Section 203.70. MAINTENANCE OF INTERSTATE HIGHWAYS 8560

The Department of Transportation has the responsibility to 8561
maintain all interstate highways in the state. The Director of 8562

Transportation may enter into an agreement with a political 8563
subdivision to allow the political subdivision to remove snow 8564
and ice and maintain, repair, improve, or provide lighting upon 8565
interstate highways that are located within the boundaries of 8566
the political subdivision, in a manner adequate to meet the 8567
requirements of federal law. 8568

When agreed in writing by the Director of Transportation 8569
and the legislative authority of a political subdivision and 8570
notwithstanding sections 125.01 and 125.11 of the Revised Code, 8571
the Department of Transportation may reimburse a political 8572
subdivision for all or any part of the costs, as provided by 8573
such agreement, incurred by the political subdivision in 8574
maintaining, repairing, lighting, and removing snow and ice from 8575
the interstate system. 8576

Section 203.80. PUBLIC TRANSPORTATION HIGHWAY PURPOSE 8577
GRANTS 8578

The Director of Transportation may use revenues from the 8579
state motor vehicle fuel tax to match approved federal grants 8580
awarded to the Department of Transportation, regional transit 8581
authorities, or eligible public transportation systems, for 8582
public transportation highway purposes, or to support local or 8583
state-funded projects for public transportation highway 8584
purposes. 8585

Public transportation highway purposes include (1) the 8586
construction or repair of high-occupancy vehicle traffic lanes, 8587
(2) the acquisition or construction of park-and-ride facilities, 8588
(3) the acquisition or construction of public transportation 8589
vehicle loops, (4) the construction or repair of bridges used by 8590
public transportation vehicles or that are the responsibility of 8591
a regional transit authority or other public transportation 8592

system, or (5) other similar construction that is designated as 8593
an eligible public transportation highway purpose. Motor vehicle 8594
fuel tax revenues may not be used for operating assistance or 8595
for the purchase of vehicles, equipment, or maintenance 8596
facilities. 8597

Section 203.90. AGREEMENTS WITH FEDERAL AGENCIES FOR 8598
ENVIRONMENTAL REVIEW PURPOSES 8599

The Director of Transportation may enter into agreements 8600
as provided in this section with the United States or any 8601
department or agency of the United States, including, but not 8602
limited to, the United States Army Corps of Engineers, the 8603
United States Forest Service, the United States Environmental 8604
Protection Agency, and the United States Fish and Wildlife 8605
Service. An agreement entered into pursuant to this section 8606
shall be solely for the purpose of dedicating staff to the 8607
expeditious and timely review of environmentally related 8608
documents submitted by the Director of Transportation, as 8609
necessary for the approval of federal permits. 8610

The agreements may include provisions for advance payment 8611
by the Director of Transportation for labor and all other 8612
identifiable costs of the United States or any department or 8613
agency of the United States providing the services, as may be 8614
estimated by the United States, or the department or agency of 8615
the United States. 8616

The Director shall submit a request to the Controlling 8617
Board indicating the amount of the agreement, the services to be 8618
performed by the United States or the department or agency of 8619
the United States, and the circumstances giving rise to the 8620
agreement. 8621

Section 203.100. INDEFINITE DELIVERY INDEFINITE QUANTITY	8622
CONTRACTS	8623
(A) As used in this section, "indefinite delivery	8624
indefinite quantity contract" means a contract for an indefinite	8625
quantity, within stated limits, of supplies or services that	8626
will be delivered by the awarded bidder over a defined contract	8627
period.	8628
(B) The Director of Transportation shall advertise and	8629
seek bids for, and shall award, indefinite delivery indefinite	8630
quantity contracts for not more than two projects in fiscal year	8631
2026 and for not more than two projects in fiscal year 2027. For	8632
purposes of entering into indefinite delivery indefinite	8633
quantity contracts, the Director shall do all of the following:	8634
(1) Prepare bidding documents;	8635
(2) Establish contract forms;	8636
(3) Determine contract terms and conditions, including the	8637
following:	8638
(a) The maximum overall value of the contract, which may	8639
include an allowable increase of one hundred thousand dollars or	8640
five per cent of the advertised contract value, whichever is	8641
less;	8642
(b) The duration of the contract, including a time	8643
extension of up to one year if determined appropriate by the	8644
Director;	8645
(c) The defined geographical area to which the contract	8646
applies, which shall be not greater than the size of one	8647
district of the Department of Transportation.	8648
(4) Develop and implement a work order process in order to	8649

provide the awarded bidder adequate notice of requested supplies 8650
or services, the anticipated quantities of supplies, and work 8651
location information for each work order; 8652

(5) Take any other action necessary to fulfill the duties 8653
and obligations of the Director under this section. 8654

(C) Section 5525.01 of the Revised Code applies to 8655
indefinite delivery indefinite quantity contracts. 8656

Section 207.10. 8657
8658

	1	2	3	4	5
A	DEV DEPARTMENT OF DEVELOPMENT				
B	Dedicated Purpose Fund Group				
C	4W00	195629	Roadwork Development	\$15,200,000	\$15,200,000
D	Dedicated Purpose Fund Group Total			\$15,200,000	\$15,200,000
E	TOTAL ALL BUDGET FUND GROUPS			\$15,200,000	\$15,200,000

Section 207.20. ROADWORK DEVELOPMENT 8659

The foregoing appropriation item 195629, Roadwork 8660
Development, shall be used for road improvements associated with 8661
economic development opportunities that will retain or attract 8662
businesses for Ohio, including the construction, reconstruction, 8663
maintenance, or repair of public roads that provide access to a 8664
public airport or are located within a public airport. "Road 8665
improvements" are improvements to public roadway facilities 8666
located on, or serving or capable of serving, a project site, 8667
and include the construction, reconstruction, maintenance or 8668

repair of public roads that provide access to a public airport 8669
or are located within a public airport. The appropriation item 8670
may be used in conjunction with any other state funds 8671
appropriated for infrastructure improvements. 8672

The Director of Budget and Management, pursuant to a plan 8673
submitted by the Director of Development or as otherwise 8674
determined by the Director of Budget and Management, shall set a 8675
cash transfer schedule to meet the cash needs of the Roadwork 8676
Development Fund (Fund 4W00) used by the Department of 8677
Development, less any other available cash. The Director of 8678
Budget and Management shall transfer such cash amounts from the 8679
Highway Operating Fund (Fund 7002) to Fund 4W00 at such times as 8680
determined by the transfer schedule. 8681

The Director of Transportation, under the direction of the 8682
Director of Development, shall provide these funds in accordance 8683
with all guidelines and requirements established for other 8684
Department of Development programs, including Controlling Board 8685
review and approval, as well as the requirements for usage of 8686
motor vehicle fuel tax revenue prescribed in Section 5a of 8687
Article XII, Ohio Constitution. Should the Department of 8688
Development require the assistance of the Department of 8689
Transportation to bring a project to completion, the Department 8690
of Transportation shall use its authority under Title 55 of the 8691
Revised Code to provide such assistance and may enter into 8692
contracts on behalf of the Department of Development. 8693

Section 209.10. 8694
8695

1 2 3 4 5

B Dedicated Purpose Fund Group

C	7052 150402 Local Transportation	\$324,768	\$330,375
	Improvement Program -		
	Operating		

D	7052 150701 Local Transportation	\$62,000,000	\$67,000,000
	Improvement Program		

E	Dedicated Purpose Fund Group Total	\$62,324,768	\$67,330,375
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F	TOTAL ALL BUDGET FUND GROUPS	\$62,324,768	\$67,330,375
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Section 209.20. REAPPROPRIATIONS 8696

All capital appropriations from the Local Transportation 8697
Improvement Program Fund (Fund 7052) in H.B. 23 of the 135th 8698
General Assembly remaining unencumbered as of June 30, 2025, may 8699
be reappropriated for use during the period July 1, 2025, 8700
through June 30, 2026, for the same purpose. 8701

Notwithstanding division (B) of section 127.14 of the 8702
Revised Code, all capital appropriations and reappropriations 8703
from the Local Transportation Improvement Program Fund (Fund 8704
7052) in this act remaining unencumbered as of June 30, 2026, 8705
are reappropriated for use during the period July 1, 2026, 8706
through June 30, 2027, for the same purposes, subject to the 8707
availability of revenue as determined by the Director of the 8708
Public Works Commission. 8709

TEMPORARY TRANSFERS 8710

Notwithstanding section 127.14 of the Revised Code, the 8711
Director of Budget and Management may transfer cash from the 8712
Local Transportation Improvement Fund (Fund 7052) to the State 8713

Capital Improvement Fund (Fund 7038) and the Clean Ohio 8714
Conservation Fund (Fund 7056). The Director of Budget and 8715
Management may approve temporary cash transfers if such 8716
transfers are needed for capital outlays for which notes or 8717
bonds will be issued. When there is a sufficient cash balance in 8718
the fund that receives a cash transfer under this section, the 8719
Director of Budget and Management shall transfer cash from that 8720
fund to Fund 7052 in order to repay Fund 7052 for the amount of 8721
the temporary cash transfers made under this section. Any 8722
transfers executed under this section shall be reported to the 8723
Controlling Board by June 30 of the fiscal year in which the 8724
transfer occurred. 8725

Section 221.10.

8726

8727

1	2	3	4	5
A	RDF STATE REVENUE DISTRIBUTIONS			
B	Revenue Distribution Fund Group			
C	7060 110652	Gasoline Excise Tax Fund	\$413,400,000	\$421,900,000
		- Municipal		
D	7060 110653	Gasoline Excise Tax Fund	\$214,000,000	\$218,400,000
		- Township		
E	7060 110654	Gasoline Excise Tax Fund	\$359,800,000	\$367,200,000
		- County		
F	TOTAL Revenue Distribution Fund Group		\$987,200,000	\$1,007,500,000
G	TOTAL ALL BUDGET FUND GROUPS		\$987,200,000	\$1,007,500,000

The foregoing appropriation item, 110652 Gasoline Excise Tax Fund - Municipal, shall be used to make payments to municipalities under sections 5735.051 and 5735.27 of the Revised Code. The foregoing appropriation item, 110653 Gasoline Excise Tax Fund - Township, shall be used to make payments to townships under those sections. The foregoing appropriation item, 110654 Gasoline Excise Tax Fund - County, shall be used to make payments to counties under those sections. The foregoing appropriation item, 110654 Gasoline Excise Tax Fund - County, shall also be used to make payments to the Ohio Turnpike and Infrastructure Commission under section 5735.051 of the Revised Code.

Appropriation items in Section 221.10 of this act shall be used for the purpose of administering and distributing the designated revenue distribution fund according to the Revised Code. If it is determined that additional appropriations are necessary for this purpose, such amounts are hereby appropriated.

Section 501.10. LIMITATION ON USE OF CAPITAL APPROPRIATIONS

The capital appropriations made in this act for buildings or structures, including remodeling and renovations, are limited to:

(A) Acquisition of real property or interests in real property;

(B) Buildings and structures, which includes construction, demolition, complete heating and cooling, lighting and lighting fixtures, and all necessary utilities, ventilating, plumbing, sprinkling, water, and sewer systems, when such systems are

authorized or necessary; 8757

(C) Architectural, engineering, and professional services 8758
expenses directly related to the projects; 8759

(D) Machinery that is a part of structures at the time of 8760
initial acquisition or construction; 8761

(E) Acquisition, development, and deployment of new 8762
computer systems, including the redevelopment or integration of 8763
existing and new computer systems, but excluding regular or 8764
ongoing maintenance or support agreements; 8765

(F) Furniture, fixtures, or equipment that meets all the 8766
following criteria: 8767

(1) Is essential in bringing the facility up to its 8768
intended use or is necessary for the functioning of the 8769
particular facility or project; 8770

(2) Has a unit cost, and not the individual parts of a 8771
unit, of about \$100 or more; and 8772

(3) Has a useful life of five years or more. 8773

Furniture, fixtures, or equipment that is not an integral 8774
part of or directly related to the basic purpose or function of 8775
a project for which moneys are appropriated shall not be paid 8776
from these appropriations. 8777

Section 503.10. STATE ARBITRAGE REBATE AUTHORIZATION 8778

If it is determined that a payment is necessary in the 8779
amount computed at the time to represent the portion of 8780
investment income to be rebated or amounts in lieu of or in 8781
addition to any rebate amount to be paid to the federal 8782
government in order to maintain the exclusion from gross income 8783

for federal income tax purposes of interest on those state 8784
obligations under section 148(f) of the Internal Revenue Code, 8785
such amount is hereby appropriated from those funds designated 8786
by or pursuant to the applicable proceedings authorizing the 8787
issuance of state obligations. 8788

Payments for this purpose shall be approved and vouchered 8789
by the Office of Budget and Management. 8790

Section 509.10. AUTHORIZATION FOR TREASURER OF STATE AND 8791
OBM TO EFFECTUATE CERTAIN LEASE RENTAL PAYMENTS 8792

The Office of Budget and Management shall process payments 8793
from lease rental payment appropriation items during the period 8794
from July 1, 2025, to June 30, 2027, pursuant to the lease and 8795
other agreements relating to bonds or notes issued under Section 8796
2i of Article VIII of the Ohio Constitution and Chapter 154. of 8797
the Revised Code, and acts of the General Assembly. Payments 8798
shall be made upon certification by the Treasurer of State of 8799
the dates and amounts due on those dates. 8800

Section 509.20. LEASE AND DEBT SERVICE PAYMENTS 8801

Certain appropriations are in this act for the purpose of 8802
paying debt service and financing costs on general obligation 8803
bonds or notes of the state and for the purpose of making lease 8804
rental and other payments under leases and agreements relating 8805
to bonds or notes issued under the Ohio Constitution, Revised 8806
Code, and acts of the General Assembly. If it is determined that 8807
additional appropriations are necessary for this purpose, such 8808
amounts are hereby appropriated. 8809

Section 620.10. That Section 755.20 of H.B. 23 of the 8810
135th General Assembly be amended to read as follows: 8811

Sec. 755.20. (A) As used in this section: 8812

(1) "Economically significant employment center" means a 8813
single site, multiple adjoining sites, or a business park where 8814
the employers located at the site or park employ not less than 8815
two hundred fifty full-time employees who work onsite. 8816

(2) "Rural or urban transit authorities" means regional 8817
transit authorities that are established pursuant to sections 8818
306.30 to 306.53 of the Revised Code and that serve either a 8819
rural population, an urban population, or both populations. 8820

(B) ~~There is hereby established the~~ The Ohio Workforce 8821
Mobility Partnership Program is continued for fiscal years 2026 8822
and 2027. The Department of Transportation shall administer the 8823
Program. Under the Program, one or more boards of trustees of 8824
rural or urban transit authorities may either singularly or 8825
jointly apply for competitive grant funding for individual or 8826
collaborative projects. All grant funding shall be spent in 8827
accordance with division (C) of this section. 8828

(C) Any boards of trustees awarded grants under this 8829
section shall use the grant funding for purposes of transporting 8830
resident workforce members between the service territories of 8831
the joint rural or urban transit authorities. The boards shall 8832
also use the grant money to focus on transportation that 8833
supports the employment needs of economically significant 8834
employment centers located within or near the service 8835
territories of the rural or urban transit authorities. Such 8836
support shall include efforts to easily, efficiently, and 8837
economically transport a resident workforce that either lives 8838
within a service territory that has little or no public transit 8839
service to an employment center or lives within one service 8840
territory but is employed full-time within another service 8841
territory. 8842

(D) The Director of Transportation shall establish any 8843
procedures and requirements necessary to administer this 8844
section, including grant application, evaluation of 8845
applications, and award processes, and any conditions for the 8846
expenditure of grant funding awarded under the Program. 8847

~~(E) This section expires two years after its effective~~ 8848
~~date.~~ 8849

Section 620.11. That existing Section 755.20 of H.B. 23 of 8850
the 135th General Assembly is hereby repealed. 8851

Section 737.10. Sections 3704.14, 4503.10, 4503.102, and 8852
4503.103 of the Revised Code, as amended by this act, shall be 8853
known as the E-Check Ease Act. 8854

Section 749.10. (A) Not later than December 31, 2028, the 8855
Public Utilities Commission shall complete a review of train 8856
derailments in Ohio using statistics from the Federal Railroad 8857
Administration to identify derailments due to bearing or axle 8858
failure over the three years proceeding from the effective date 8859
of this section. 8860

(B) The commission shall send a copy of the review 8861
described in division (A) of this section to the following: 8862

(1) The Governor; 8863

(2) The President of the Senate; 8864

(3) The Speaker of the House of Representatives; 8865

(4) The minority leaders of both the Senate and the House 8866
of Representatives. 8867

Section 755.10. (A) The Director of Transportation, in 8868
consultation with the Northeast Ohio Areawide Coordinating 8869

Agency, shall conduct a study to develop a traffic congestion 8870
management strategic plan. However, at the Director's 8871
discretion, the Northeast Ohio Areawide Coordinating Agency may 8872
lead the study. The study shall examine the area along 8873
Interstate Route 71 between the following boundaries: 8874

(1) To the north, U.S. Route 42; 8875

(2) To the south, State Route 303; 8876

(3) To the west, U.S. Route 42; 8877

(4) To the east, West 130th Street. 8878

(B) (1) Not later than December 31, 2026, the Director or, 8879
as applicable, the Northeast Ohio Areawide Coordinating Agency 8880
shall complete the study and submit a report of the study's 8881
findings to all of the following: 8882

(a) The Governor; 8883

(b) The Speaker of the House of Representatives; 8884

(c) The President of the Senate; 8885

(d) The chairpersons of the committees of the House of 8886
Representatives and the Senate pertaining to transportation; 8887

(e) The chief executive officer and the legislative 8888
authority of the municipal corporations of Strongsville, North 8889
Royalton, and Brunswick. 8890

(2) The Director or, as applicable, the Northeast Ohio 8891
Areawide Coordinating Agency may include in the report solutions 8892
to mitigate and strategically manage any traffic congestion 8893
concerns found during the study. 8894

Section 755.20. (A) Upon recommendation under division (D) 8895
of this section, the Department of Transportation shall contract 8896

with a neutral third-party entity to conduct a study of the 8897
Department's pavement-selection process. The study shall 8898
include, but not be limited to, life cycle cost analysis, user 8899
delay analysis, constructability, and environmental factors. The 8900
Department shall hold the contract with the neutral third-party 8901
entity, and the contract shall be submitted to the Controlling 8902
Board for approval. The Controlling Board shall approve or 8903
disapprove the contract in the same manner in which contracts 8904
entered into under Chapter 5526. of the Revised Code are 8905
approved or disapproved. The entity shall be an individual or an 8906
academic, research, or professional association with an 8907
expertise in pavement-selection decisions and shall not be a 8908
research center for concrete or asphalt pavement. 8909

The study conducted by the neutral third-party entity 8910
shall compare and contrast the Department's pavement-selection 8911
process with those of other states and with model selection 8912
processes as described by the American Association of State 8913
Highway and Transportation Officials and the Federal Highway 8914
Administration. 8915

(B) The Director of Transportation shall appoint an 8916
advisory council to recommend the neutral third-party entity, 8917
approve the entity's scope of study, and issue a final report 8918
with recommendations in accordance with division (D) of this 8919
section. The advisory council shall consist of the following 8920
members: 8921

(1) The Director of Transportation, who shall act as 8922
Chairperson of the council; 8923

(2) A member of the Ohio Society of Certified Public 8924
Accountants; 8925

(3) A member of a statewide business organization 8926
representing major corporate entities from a list of three names 8927
recommended by the Speaker of the House of Representatives; 8928

(4) A member of the Ohio Society of Professional 8929
Engineers; 8930

(5) A member of a business organization representing small 8931
or independent businesses from a list of three names recommended 8932
by the President of the Senate; 8933

(6) A representative of the Ohio Concrete Construction 8934
Association; 8935

(7) A representative of Flexible Pavements Association of 8936
Ohio, Inc. 8937

(C) Members of the advisory council representing the Ohio 8938
Society of Certified Public Accountants, the Ohio Society of 8939
Professional Engineers, the small or independent businesses, and 8940
the major corporate entities shall have no conflict of interest 8941
with the position. For purposes of this section, "conflict of 8942
interest" means taking any action that violates any provision of 8943
Chapter 102. or 2921. of the Revised Code. 8944

(D) The Director shall appoint the advisory council no 8945
later than July 31, 2025. The advisory council shall recommend 8946
the neutral third-party entity to the Director and shall 8947
determine the scope of the study to be conducted by the entity 8948
not later than September 1, 2025. Once appointed, the advisory 8949
council shall meet, at a minimum, every thirty days to direct 8950
and monitor the work of the neutral third-party entity, 8951
including responding to any questions raised by the neutral 8952
third-party entity. The council shall publish a schedule of 8953
meetings and provide adequate public notice of these meetings. 8954

The meetings are subject to applicable public meeting 8955
requirements. 8956

The advisory council shall issue a final report with 8957
recommendations concerning the Department's pavement selection 8958
process to the Director. The report and recommendations shall 8959
take into account the study conducted by the neutral third-party 8960
entity. The advisory council shall allow a comment period of not 8961
less than thirty days before it issues the final report. The 8962
advisory council shall issue the report on or before December 8963
31, 2025. Upon issuing its final report, the advisory council 8964
ceases to exist. 8965

(E) The Department shall make changes to its pavement- 8966
selection process based on the neutral third-party entity's 8967
study and recommendations included in the advisory council's 8968
final report. 8969

Section 755.30. (A) The Office of Transit within the 8970
Department of Transportation shall conduct a pilot program to 8971
distribute private transit vouchers to persons whose income is 8972
equal to or less than four hundred per cent of the federal 8973
poverty level. The private transit vouchers shall be eligible 8974
for use for ridesharing, transportation network company, 8975
taxicab, or other similar vehicle for hire arrangements. The 8976
Office shall study and evaluate whether the distribution of 8977
vouchers is a cost-effective option to eliminate public transit 8978
routes with low ridership, while maintaining access to transit 8979
for persons eligible for the pilot program. 8980

(B) The Office shall submit a report of its findings and 8981
recommendations not later than January 1, 2027, to the President 8982
of the Senate, the Speaker of the House of Representatives, and 8983
the chairpersons of the respective committees of the House of 8984

Representatives and Senate responsible for transportation 8985
related matters. Upon submission of the report, the pilot 8986
program is abolished. 8987

Section 755.40. (A) Not later than October 1, 2025, the 8988
Director of Transportation shall establish the Road Safety Pilot 8989
Program to assess speed compliance in construction zones. The 8990
pilot program shall operate for one year after that date. 8991

(B) The Director shall ensure that the Road Safety Pilot 8992
Program includes both of the following in one or more 8993
construction zones: 8994

(1) Speed monitoring devices with flashing lights that 8995
display the speed at which a motor vehicle operator is traveling 8996
in a construction zone; 8997

(2) 8998

Any other methods determined by the Department that have 8999
the effect of reducing the speed at which motor vehicle 9000
operators travel in a construction zone, including lane changes, 9001
rumble strips, and single lanes. However, for purposes of the 9002
program, the Department shall not use any traffic law photo 9003
monitoring device that records images, photographs, or video for 9004
any purpose, including issuing a citation, summons, or ticket. 9005

(C) The Director shall post signs in each construction 9006
zone that is utilized under the Pilot Program that indicate that 9007
the construction zone is being monitored for speed for purposes 9008
of the Pilot Program. 9009

(D) The Director may contract with a third party to 9010
implement the Pilot Program. 9011

(E) Nothing in this section shall otherwise impact or 9012

impede the enforcement of any violation of any law. An operator 9013
of a motor vehicle shall not be cited for any violation of law 9014
based solely on information derived from speed cameras used in 9015
accordance with this section. 9016

(F) Not later than three months after the termination of 9017
the pilot program, the Director shall submit to the President of 9018
the Senate, the Speaker of the House of Representatives, and the 9019
Governor a report regarding the results of the Road Safety Pilot 9020
Program. The report shall include data summarizing instances of 9021
excessive speed in construction zones that are included in the 9022
pilot program. 9023

Section 757.10. MOTOR FUEL TAX DISTRIBUTIONS TO HIGHWAY 9024
OPERATING FUND 9025

On the last day of each month in the biennium ending June 9026
30, 2027, before making any of the distributions specified in 9027
section 5735.051 of the Revised Code but after any transfers to 9028
the tax refund fund as required by that section and section 9029
5703.052 of the Revised Code, the Treasurer of State shall 9030
deposit the first two per cent of the amount of motor fuel tax 9031
received for the preceding calendar month to the credit of the 9032
Highway Operating Fund (Fund 7002). 9033

Section 757.20. MOTOR FUEL DEALER REFUNDS 9034

Notwithstanding Chapter 5735. of the Revised Code, the 9035
following apply for the period of July 1, 2025, to June 30, 9036
2027: 9037

(A) For the discount under section 5735.06 of the Revised 9038
Code, if the monthly report is timely filed and the tax is 9039
timely paid, one per cent of the total number of gallons of 9040
motor fuel received by the motor fuel dealer within the state 9041

during the preceding calendar month, less the total number of 9042
gallons deducted under divisions (B) (1) (a) and (b) of section 9043
5735.06 of the Revised Code, less one-half of one per cent of 9044
the total number of gallons of motor fuel that were sold to a 9045
retail dealer during the preceding calendar month. 9046

(B) For the semiannual periods ending December 31, 2025, 9047
June 30, 2026, December 31, 2026, and June 30, 2027, the refund 9048
provided to retail dealers under section 5735.141 of the Revised 9049
Code shall be one-half of one per cent of the Ohio motor fuel 9050
taxes paid on fuel purchased during those semiannual periods. 9051

Section 757.30. MONTHLY TRANSFERS TO GASOLINE EXCISE TAX 9052
FUND 9053

The Director of Budget and Management shall transfer cash 9054
in equal monthly increments totaling \$179,054,124 in fiscal year 9055
2026 and in equal monthly increments totaling \$187,584,952 in 9056
fiscal year 2027 from the Highway Operating Fund (Fund 7002) to 9057
the Gasoline Excise Tax Fund (Fund 7060). The monthly amounts 9058
transferred under this section shall be distributed as follows: 9059

(A) 42.86 per cent shall be distributed among the 9060
municipal corporations within the state under division (A) (2) (b) 9061
(i) of section 5735.051 of the Revised Code; 9062

(B) 37.14 per cent shall be distributed among the counties 9063
within the state under division (A) (2) (b) (ii) of section 9064
5735.051 of the Revised Code; and 9065

(C) 20 per cent shall be distributed among the townships 9066
within the state under division (A) (2) (b) (iii) of section 9067
5735.051 of the Revised Code. 9068

Section 801.10. PROVISIONS OF LAW GENERALLY APPLICABLE TO 9069
APPROPRIATIONS 9070

Law contained in the main operating appropriations act of 9071
the 136th General Assembly that is generally applicable to the 9072
appropriations made in the main operating appropriations act 9073
also is generally applicable to the appropriations made in this 9074
act. 9075

Section 805.10. SEVERABILITY 9076

The items of law contained in this act, and their 9077
applications, are severable. If any item of law contained in 9078
this act, or if any application of any item of law contained in 9079
this act, is held invalid, the invalidity does not affect other 9080
items of law contained in this act and their applications that 9081
can be given effect without the invalid item or application. 9082

Section 810.10. An item of law, other than an amending, 9083
enacting, or repealing clause, that composes the whole or part 9084
of an uncodified section contained in this act has no effect 9085
after June 30, 2027, unless its context clearly indicates 9086
otherwise. 9087

Section 820.10. APPROPRIATIONS AND REFERENDUM 9088

In this section, an "appropriation" includes another 9089
provision of law in this act that relates to the subject of the 9090
appropriation. 9091

An appropriation of money made in this act is not subject 9092
to the referendum insofar as a contemplated expenditure 9093
authorized thereby is wholly to meet a current expense within 9094
the meaning of Ohio Constitution, Article II, Section 1d and 9095
section 1.471 of the Revised Code. To that extent, the 9096
appropriation takes effect immediately when this act becomes 9097
law. Conversely, the appropriation is subject to the referendum 9098
insofar as a contemplated expenditure authorized thereby is 9099

wholly or partly not to meet a current expense within the 9100
meaning of Ohio Constitution, Article II, Section 1d. To that 9101
extent, the appropriation takes effect on the ninety-first day 9102
after this act is filed with the Secretary of State. 9103

Section 820.30. LAWS AND REFERENDUM 9104

Except as otherwise provided in this act, the amendment, 9105
enactment, or repeal by this act of a section of law is subject 9106
to the referendum under Ohio Constitution, Article II, Section 9107
1c and therefore takes effect on the ninety-first day after this 9108
act is filed with the Secretary of State or, if a later 9109
effective date is specified below, on that date. 9110

Section 820.40. Sections 4503.183, 4505.072, 4505.08, 9111
4513.071, 4513.38, and 4513.41 of the Revised Code, as amended 9112
or enacted by this act, take effect one hundred eighty days 9113
after the effective date of this section. 9114

Section 830.10. The General Assembly, applying the 9115
principle stated in division (B) of section 1.52 of the Revised 9116
Code that amendments are to be harmonized if reasonably capable 9117
of simultaneous operation, finds that the following sections, 9118
presented in this act as composites of the sections as amended 9119
by the acts indicated, are the resulting versions of the 9120
sections in effect prior to the effective date of the sections 9121
as presented in this act: 9122

Section 3503.21 of the Revised Code as amended by both 9123
H.B. 359 and S.B. 63 of the 131st General Assembly. 9124

Section 4511.61 of the Revised Code as amended by both 9125
H.B. 26 and H.B. 95 of the 132nd General Assembly. 9126

Section 4511.132 of the Revised Code as amended by H.B. 9, 9127
H.B. 26, H.B. 95, and H.B. 250, all of the 132nd General 9128

Assembly.

9129