

As Introduced

**136th General Assembly
Regular Session
2025-2026**

H. B. No. 54

Representative Stewart

A BILL

To amend sections 154.01, 717.02, 4501.01, 4511.01, 1
4511.031, 4511.09, 4511.091, 4511.092, 4511.094, 2
4511.11, 4511.13, 4511.131, 4511.132, 4511.18, 3
4511.204, 4511.211, 4511.214, 4511.432, 4511.46, 4
4511.48, 4511.512, 4511.61, 4511.62, 4511.64, 5
4511.65, 4511.68, 4511.701, 4511.712, 4519.401, 6
5501.20, 5513.01, 5515.01, 5515.02, 5515.99, 7
5517.02, 5517.021, 5525.03, 5525.04, 5525.08, 8
5525.14, and 5571.01; to enact sections 4511.15, 9
5515.09, 5515.10, 5517.012, 5517.06, and 10
5525.141; and to repeal sections 4511.351 and 11
4511.491 of the Revised Code to make 12
appropriations for programs related to 13
transportation for the biennium beginning July 14
1, 2025, and ending June 30, 2027, and to 15
provide authorization and conditions for the 16
operation of those programs. 17

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

Section 101.01. That sections 154.01, 717.02, 4501.01, 18
4511.01, 4511.031, 4511.09, 4511.091, 4511.092, 4511.094, 19
4511.11, 4511.13, 4511.131, 4511.132, 4511.18, 4511.204, 20

4511.211, 4511.214, 4511.432, 4511.46, 4511.48, 4511.512, 21
4511.61, 4511.62, 4511.64, 4511.65, 4511.68, 4511.701, 4511.712, 22
4519.401, 5501.20, 5513.01, 5515.01, 5515.02, 5515.99, 5517.02, 23
5517.021, 5525.03, 5525.04, 5525.08, 5525.14, and 5571.01 be 24
amended and sections 4511.15, 5515.09, 5515.10, 5517.012, 25
5517.06, and 5525.141 of the Revised Code be enacted to read as 26
follows: 27

Sec. 154.01. As used in this chapter: 28

(A) "Commission" means the Ohio public facilities 29
commission created in section 151.02 of the Revised Code. 30

(B) "Obligations" means bonds, notes, or other evidences 31
of obligation, including interest coupons pertaining thereto, 32
issued pursuant to Chapter 154. of the Revised Code. 33

(C) "Bond proceedings" means the order or orders, 34
resolution or resolutions, trust agreement, indenture, lease, 35
and other agreements, amendments and supplements to the 36
foregoing, or any combination thereof, authorizing or providing 37
for the terms and conditions applicable to, or providing for the 38
security of, obligations issued pursuant to Chapter 154. of the 39
Revised Code, and the provisions contained in such obligations. 40

(D) "State agencies" means the state of Ohio and officers, 41
boards, commissions, departments, divisions, or other units or 42
agencies of the state. 43

(E) "Governmental agency" means state agencies, state 44
supported and assisted institutions of higher education, 45
municipal corporations, counties, townships, school districts, 46
and any other political subdivision or special district in this 47
state established pursuant to law, and, except where otherwise 48
indicated, also means the United States or any department, 49

division, or agency thereof, and any agency, commission, or 50
authority established pursuant to an interstate compact or 51
agreement. 52

(F) "Institutions of higher education" and "state 53
supported or state assisted institutions of higher education" 54
means the state universities identified in section 3345.011 of 55
the Revised Code, the northeast Ohio medical university, state 56
universities or colleges at any time created, community college 57
districts, university branch districts, and technical college 58
districts at any time established or operating under Chapter 59
3354., 3355., or 3357. of the Revised Code, and other 60
institutions for education, including technical education, 61
beyond the high school, receiving state support or assistance 62
for their expenses of operation. 63

(G) "Governing body" means: 64

(1) In the case of institutions of higher education, the 65
board of trustees, board of directors, commission, or other body 66
vested by law with the general management, conduct, and control 67
of one or more institutions of higher education; 68

(2) In the case of a county, the board of county 69
commissioners or other legislative body; in the case of a 70
municipal corporation, the council or other legislative body; in 71
the case of a township, the board of township trustees; in the 72
case of a school district, the board of education; 73

(3) In the case of any other governmental agency, the 74
officer, board, commission, authority or other body having the 75
general management thereof or having jurisdiction or authority 76
in the particular circumstances. 77

(H) "Person" means any person, firm, partnership, 78

association, or corporation. 79

(I) "Bond service charges" means principal, including 80
mandatory sinking fund requirements for retirement of 81
obligations, and interest, and redemption premium, if any, 82
required to be paid by the state on obligations. If not 83
prohibited by the applicable bond proceedings, bond service 84
charges may include costs relating to credit enhancement 85
facilities that are related to and represent, or are intended to 86
provide a source of payment of or limitation on, other bond 87
service charges. 88

(J) "Capital facilities" means buildings, structures, and 89
other improvements, and equipment, real estate, and interests in 90
real estate therefor, within the state, and any one, part of, or 91
combination of the foregoing, to serve the general purposes for 92
which the issuing authority is authorized to issue obligations 93
pursuant to Chapter 154. of the Revised Code, including, but not 94
limited to, highways, drives, roadways, parking facilities, 95
walks, lighting, machinery, furnishings, utilities, landscaping, 96
wharves, docks, piers, reservoirs, dams, tunnels, bridges, 97
retaining walls, riprap, culverts, ditches, channels, 98
watercourses, retention basins, standpipes and water storage 99
facilities, waste treatment and disposal facilities, heating, 100
air conditioning and communications facilities, inns, lodges, 101
cabins, camping sites, golf courses, boat and bathing 102
facilities, athletic and recreational facilities, and site 103
improvements. 104

(K) "Costs of capital facilities" means the costs of 105
acquiring, constructing, reconstructing, rehabilitating, 106
remodeling, renovating, enlarging, improving, equipping, or 107
furnishing capital facilities, and the financing thereof, 108

including the cost of clearance and preparation of the site and 109
of any land to be used in connection with capital facilities, 110
the cost of any indemnity and surety bonds and premiums on 111
insurance, all related direct administrative expenses and 112
allocable portions of direct costs of the commission or issuing 113
authority and department of administrative services, or other 114
designees of the commission under section 154.17 of the Revised 115
Code, cost of engineering and architectural services, designs, 116
plans, specifications, surveys, and estimates of cost, legal 117
fees, fees and expenses of trustees, depositories, and paying 118
agents for the obligations, cost of issuance of the obligations 119
and financing charges and fees and expenses of financial 120
advisers and consultants in connection therewith, interest on 121
obligations, including but not limited to, interest from the 122
date of their issuance to the time when interest is to be 123
covered from sources other than proceeds of obligations, amounts 124
necessary to establish reserves as required by the bond 125
proceedings, costs of audits, the reimbursement of all moneys 126
advanced or applied by or borrowed from any governmental agency, 127
whether to or by the commission or others, from whatever source 128
provided, for the payment of any item or items of cost of the 129
capital facilities, any share of the cost undertaken by the 130
commission pursuant to arrangements made with governmental 131
agencies under division (H) of section 154.06 of the Revised 132
Code, and all other expenses necessary or incident to planning 133
or determining feasibility or practicability with respect to 134
capital facilities, and such other expenses as may be necessary 135
or incident to the acquisition, construction, reconstruction, 136
rehabilitation, remodeling, renovation, enlargement, 137
improvement, equipment, and furnishing of capital facilities, 138
the financing thereof and the placing of the same in use and 139
operation, including any one, part of, or combination of such 140

classes of costs and expenses.	141
(L) "Public service facilities" means inns, lodges,	142
hotels, cabins, camping sites, scenic trails, picnic sites,	143
restaurants, commissaries, golf courses, boating and bathing	144
facilities and other similar facilities in state parks.	145
(M) "State parks" means:	146
(1) State reservoirs described and identified in section	147
1546.11 of the Revised Code;	148
(2) All lands or interests therein of the state identified	149
as administered by the division of parks and watercraft in the	150
"inventory of state owned lands administered by the department	151
of natural resources as of June 1, 1963," as recorded in the	152
journal of the director, which inventory was prepared by the	153
real estate section of the department and is supported by maps	154
now on file in said real estate section;	155
(3) All lands or interests in lands of the state	156
designated after June 1, 1963, as state parks in the journal of	157
the director with the approval of the director of natural	158
resources.	159
State parks do not include any lands or interest in lands	160
of the state administered jointly by two or more divisions of	161
the department of natural resources. The designation of lands as	162
state parks under divisions (M) (1) to (3) of this section is	163
conclusive and such lands shall be under the control of and	164
administered by the division of parks and watercraft. No order	165
or proceeding designating lands as state parks or park purchase	166
areas is subject to any appeal or review by any officer, board,	167
commission, or court.	168
(N) "Bond service fund" means the applicable fund created	169

for and pledged to the payment of bond service charges under 170
section 154.20, 154.21, 154.22, or 154.23 of the Revised Code, 171
including all moneys and investments, and earnings from 172
investments, credited and to be credited thereto. 173

(O) "Improvement fund" means the applicable fund created 174
for the payment of costs of capital facilities under section 175
123.201, 154.20, 154.21, or 154.22 of the Revised Code, 176
including all moneys and investments, and earnings from 177
investments, credited and to be credited thereto. 178

(P) "Special funds" or "funds" means, except where the 179
context does not permit, the bond service funds, the 180
improvements funds, and any other funds for similar or different 181
purposes created under bond proceedings, including all moneys 182
and investments, and earnings from investments, credited and to 183
be credited thereto. 184

(Q) "Year" unless the context indicates a different 185
meaning or intent, means a calendar year beginning on the first 186
day of January and ending on the thirty-first day of December. 187

(R) "Fiscal year" means the period of twelve months 188
beginning on the first day of July and ending on the thirtieth 189
day of June. 190

(S) "Issuing authority" means the treasurer of state or 191
the officer or employee who by law performs the functions of 192
that office. 193

(T) "Credit enhancement facilities" has the same meaning 194
as in section 133.01 of the Revised Code. 195

(U) "Ohio cultural facility" and "Ohio sports facility" 196
have the same meanings as in section 123.28 of the Revised Code. 197

Sec. 717.02. (A) As used in this section:	198
(1) "Energy conservation measure" means the construction of, installation or modification of an installation in, or remodeling of, a new or existing building or infrastructure, to reduce energy consumption. It includes:	199 200 201 202
(a) Insulation of the building structure and of systems within the building;	203 204
(b) Storm windows and doors, multiglazed windows and doors, heat-absorbing or heat-reflective glazed and coated window and door systems, additional glazing, reductions in glass area, and other window and door system modifications that reduce energy consumption;	205 206 207 208 209
(c) Automatic energy control systems;	210
(d) Heating, ventilating, or air conditioning system modifications or replacements;	211 212
(e) Caulking and weatherstripping;	213
(f) Replacement or modification of lighting fixtures to increase the energy efficiency of the system without increasing the overall illumination of a facility, unless such an increase in illumination is necessary to conform to the applicable state or local building code for the proposed lighting system;	214 215 216 217 218
(g) Energy recovery systems;	219
(h) Cogeneration systems that produce steam or forms of energy such as heat, as well as electricity, for use primarily within a building or complex of buildings;	220 221 222
(i) Acquiring, constructing, furnishing, equipping, improving the site of, or otherwise improving a central utility	223 224

plant to provide heating and cooling services to a building or	225
building infrastructure together with distribution piping and	226
ancillary distribution controls, equipment, and related	227
facilities from the central utility plant to the building or	228
building infrastructure;	229
(j) Meter replacement, installation of an automatic meter	230
reading system, or any other construction, modification,	231
installation, or remodeling of water, electric, gas, or any	232
other municipally supplied utility system;	233
(k) Any other construction, modification, installation, or	234
remodeling approved by the legislative authority of the	235
municipal corporation as an energy conservation measure.	236
(2) "Infrastructure" includes, but is not limited to, a	237
water, gas, or electric utility, renewable energy system or	238
technology, <u>highway traffic control</u> -signal, or any other asset	239
owned, operated, or maintained by a municipal corporation.	240
(B) For the purpose of evaluating buildings owned by a	241
municipal corporation for energy conservation measures, a	242
legislative authority of a municipal corporation may contract	243
with an architect, professional engineer, energy services	244
company, contractor, or other person experienced in the design	245
and implementation of energy conservation measures for an energy	246
conservation report. The report shall include all of the	247
following:	248
(1) Analyses of the energy needs of the buildings owned by	249
that municipal corporation and recommendations for building	250
installations, modifications of existing installations, or	251
building remodeling that would significantly reduce energy	252
consumption in the buildings;	253

(2) Estimates of all costs of the recommended installations, modifications, or remodeling, including costs of design, engineering, installation, maintenance, and repair;	254 255 256
(3) Estimates of the amounts by which energy consumption could be reduced;	257 258
(4) The interest rate used to estimate the costs of any energy conservation measures that are to be financed by the municipal corporation;	259 260 261
(5) The average system life of the energy conservation measures;	262 263
(6) Estimates of the likely savings that will result from the reduction in energy consumption over the average system life of the energy conservation measures, including the methods used to estimate the savings;	264 265 266 267
(7) A certification under the seal of a registered professional engineer that the energy conservation report uses reasonable methods of analysis and estimation.	268 269 270
(C) (1) A municipal corporation desiring to implement energy conservation measures may proceed under any of the following methods:	271 272 273
(a) Procure the energy conservation measures in any manner authorized by the municipal corporation's charter, ordinances, or any other existing authority;	274 275 276
(b) Advertise for bids using a report or any part of an energy conservation report prepared under division (B) of this section, and, except as otherwise provided in this section, comply with competitive bidding requirements;	277 278 279 280
(c) Notwithstanding any requirement in the Revised Code	281

that requires competitive bidding or specifies bidding 282
procedures, request proposals from at least three vendors for 283
the implementation of energy conservation measures. A request 284
for proposals shall require the vendor that is awarded a 285
contract under division (C) (2) (b) of this section to prepare an 286
energy conservation report in accordance with division (B) of 287
this section. 288

Prior to sending any vendor a copy of any request for 289
proposals, the legislative authority shall advertise its intent 290
to request proposals for the installation of energy conservation 291
measures in a newspaper of general circulation in the municipal 292
corporation once a week for two consecutive weeks. The notice 293
shall state that the legislative authority intends to request 294
proposals for the installation of energy conservation measures, 295
indicate the date on which the request for proposals will be 296
mailed to vendors, which shall be at least ten days after the 297
second publication in the newspaper, and state that any vendor 298
interested in receiving the request for proposals shall submit 299
written notice to the legislative authority not later than noon 300
of the day on which the request for proposals is to be mailed. 301

(2) (a) Upon receiving bids under division (C) (1) (b) of 302
this section, the legislative authority shall analyze them and 303
select the lowest and best bid or bids most likely to result in 304
the greatest energy savings considering the cost of the project 305
and the legislative authority's ability to pay for the 306
improvements with current revenues or by financing the 307
improvements. 308

(b) Upon receiving proposals under division (C) (1) (c) of 309
this section, the legislative authority shall analyze the 310
proposals and the vendors' qualifications and select the most 311

qualified vendor to prepare an energy conservation report in 312
accordance with division (B) of this section. After receipt and 313
review of the energy conservation report, the legislative 314
authority may award a contract to the selected vendor to install 315
the energy conservation measures that are most likely to result 316
in the greatest energy savings considering the cost of the 317
project and the legislative authority's ability to pay for the 318
improvements with current revenues or by financing the 319
improvements. 320

(c) The awarding of a contract to install energy 321
conservation measures under division (C) (2) (a) or (b) of this 322
section shall be conditioned upon a finding by the contracting 323
authority that the amount of money spent on energy conservation 324
measures is not likely to exceed the amount of money the 325
municipal corporation would save in energy, operating, 326
maintenance, and avoided capital costs over the average system 327
life of the energy conservation measures as specified in the 328
energy conservation report. In making such a finding, the 329
contracting authority may take into account the increased costs 330
due to inflation as shown in the energy conservation report. 331
Nothing in this division prohibits a municipal corporation from 332
rejecting all bids or proposals under division (C) (1) (b) or (c) 333
of this section or from selecting more than one bid or proposal. 334

(D) The legislative authority of a municipal corporation 335
may enter into an installment payment contract for the purchase 336
and installation of energy conservation measures. Provisions of 337
installment payment contracts that deal with interest charges 338
and financing terms shall not be subject to competitive bidding 339
requirements and shall be on the following terms: 340

(1) Not less than a specified percentage of the costs of 341

the contract shall be paid within two years from the date of 342
purchase, as determined and approved by the legislative 343
authority of a municipal corporation. 344

(2) The remaining balance of the costs of the contract 345
shall be paid within the lesser of the average system life of 346
the energy conservation measures as specified in the energy 347
conservation report or thirty years. 348

(E) The legislative authority of a municipal corporation 349
may issue the notes of the municipal corporation specifying the 350
terms of a purchase of energy conservation measures under this 351
section and securing any deferred payments provided for in 352
division ~~(C)~~(D) of this section. The notes shall be payable at 353
the times provided and bear interest at a rate not exceeding the 354
rate determined as provided in section 9.95 of the Revised Code. 355
The notes may contain an option for prepayment and shall not be 356
subject to Chapter 133. of the Revised Code. Revenues derived 357
from local taxes or otherwise, for the purpose of conserving 358
energy or for defraying the current operating expenses of the 359
municipal corporation, may be pledged and applied to the payment 360
of interest and the retirement of the notes. The notes may be 361
sold at private sale or given to the contractor under an 362
installment payment contract authorized by division ~~(C)~~(D) of 363
this section. 364

(F) Debt incurred under this section shall not be included 365
in the calculation of the net indebtedness of a municipal 366
corporation under section 133.05 of the Revised Code. 367

Sec. 4501.01. As used in this chapter and Chapters 4503., 368
4505., 4507., 4509., 4510., ~~4511.,~~4513., 4515., and 4517. of 369
the Revised Code, and in the penal laws, except as otherwise 370
provided: 371

(A) "Vehicles" means everything on wheels or runners, 372
including motorized bicycles, but does not mean electric 373
personal assistive mobility devices, low-speed micromobility 374
devices, vehicles that are operated exclusively on rails or 375
tracks or from overhead electric trolley wires, and vehicles 376
that belong to any police department, municipal fire department, 377
or volunteer fire department, or that are used by such a 378
department in the discharge of its functions. 379

(B) "Motor vehicle" means any vehicle, including mobile 380
homes and recreational vehicles, that is propelled or drawn by 381
power other than muscular power or power collected from overhead 382
electric trolley wires. "Motor vehicle" does not include utility 383
vehicles as defined in division (VV) of this section, under- 384
speed vehicles as defined in division (XX) of this section, 385
mini-trucks as defined in division (BBB) of this section, 386
motorized bicycles, electric bicycles, road rollers, traction 387
engines, power shovels, power cranes, and other equipment used 388
in construction work and not designed for or employed in general 389
highway transportation, well-drilling machinery, ditch-digging 390
machinery, farm machinery, and trailers that are designed and 391
used exclusively to transport a boat between a place of storage 392
and a marina, or in and around a marina, when drawn or towed on 393
a public road or highway for a distance of no more than ten 394
miles and at a speed of twenty-five miles per hour or less. 395

(C) "Agricultural tractor" and "traction engine" mean any 396
self-propelling vehicle that is designed or used for drawing 397
other vehicles or wheeled machinery, but has no provisions for 398
carrying loads independently of such other vehicles, and that is 399
used principally for agricultural purposes. 400

(D) "Commercial tractor," except as defined in division 401

(C) of this section, means any motor vehicle that has motive 402
power and either is designed or used for drawing other motor 403
vehicles, or is designed or used for drawing another motor 404
vehicle while carrying a portion of the other motor vehicle or 405
its load, or both. 406

(E) "Passenger car" means any motor vehicle that is 407
designed and used for carrying not more than nine persons and 408
includes any motor vehicle that is designed and used for 409
carrying not more than fifteen persons in a ridesharing 410
arrangement. 411

(F) "Collector's vehicle" means any motor vehicle or 412
agricultural tractor or traction engine that is of special 413
interest, that has a fair market value of one hundred dollars or 414
more, whether operable or not, and that is owned, operated, 415
collected, preserved, restored, maintained, or used essentially 416
as a collector's item, leisure pursuit, or investment, but not 417
as the owner's principal means of transportation. "Licensed 418
collector's vehicle" means a collector's vehicle, other than an 419
agricultural tractor or traction engine, that displays current, 420
valid license tags issued under section 4503.45 of the Revised 421
Code, or a similar type of motor vehicle that displays current, 422
valid license tags issued under substantially equivalent 423
provisions in the laws of other states. 424

(G) "Historical motor vehicle" means any motor vehicle 425
that is over twenty-five years old and is owned solely as a 426
collector's item and for participation in club activities, 427
exhibitions, tours, parades, and similar uses, but that in no 428
event is used for general transportation. 429

(H) "Noncommercial motor vehicle" means any motor vehicle, 430
including a farm truck as defined in section 4503.04 of the 431

Revised Code, that is designed by the manufacturer to carry a 432
load of no more than one ton and is used exclusively for 433
purposes other than engaging in business for profit. 434

(I) "Bus" means any motor vehicle that has motor power and 435
is designed and used for carrying more than nine passengers, 436
except any motor vehicle that is designed and used for carrying 437
not more than fifteen passengers in a ridesharing arrangement. 438

(J) "Commercial car" or "truck" means any motor vehicle 439
that has motor power and is designed and used for carrying 440
merchandise or freight, or that is used as a commercial tractor. 441

(K) ~~"Bicycle" means every device, other than a device that 442
is designed solely for use as a play vehicle by a child, that is 443
propelled solely by human power upon which a person may ride, 444
and that has two or more wheels, any of which is more than 445
fourteen inches in diameter~~ has the same meaning as in section 446
4511.01 of the Revised Code. 447

(L) "Motorized bicycle" or "moped" means any vehicle that 448
either has two tandem wheels or one wheel in the front and two 449
wheels in the rear, that may be pedaled, and that is equipped 450
with a helper motor of not more than fifty cubic centimeters 451
piston displacement that produces no more than one brake 452
horsepower and is capable of propelling the vehicle at a speed 453
of no greater than twenty miles per hour on a level surface. 454
"Motorized bicycle" or "moped" does not include an electric 455
bicycle. 456

(M) "Trailer" means any vehicle without motive power that 457
is designed or used for carrying property or persons wholly on 458
its own structure and for being drawn by a motor vehicle, and 459
includes any such vehicle that is formed by or operated as a 460

combination of a semitrailer and a vehicle of the dolly type 461
such as that commonly known as a trailer dolly, a vehicle used 462
to transport agricultural produce or agricultural production 463
materials between a local place of storage or supply and the 464
farm when drawn or towed on a public road or highway at a speed 465
greater than twenty-five miles per hour, and a vehicle that is 466
designed and used exclusively to transport a boat between a 467
place of storage and a marina, or in and around a marina, when 468
drawn or towed on a public road or highway for a distance of 469
more than ten miles or at a speed of more than twenty-five miles 470
per hour. "Trailer" does not include a manufactured home or 471
travel trailer. 472

(N) "Noncommercial trailer" means any trailer, except a 473
travel trailer or trailer that is used to transport a boat as 474
described in division (B) of this section, but, where 475
applicable, includes a vehicle that is used to transport a boat 476
as described in division (M) of this section, that has a gross 477
weight of no more than ten thousand pounds, and that is used 478
exclusively for purposes other than engaging in business for a 479
profit, such as the transportation of personal items for 480
personal or recreational purposes. 481

(O) "Mobile home" means a building unit or assembly of 482
closed construction that is fabricated in an off-site facility, 483
is more than thirty-five body feet in length or, when erected on 484
site, is three hundred twenty or more square feet, is built on a 485
permanent chassis, is transportable in one or more sections, and 486
does not qualify as a manufactured home as defined in division 487
(C) (4) of section 3781.06 of the Revised Code or as an 488
industrialized unit as defined in division (C) (3) of section 489
3781.06 of the Revised Code. 490

(P) "Semitrailer" means any vehicle of the trailer type 491
that does not have motive power and is so designed or used with 492
another and separate motor vehicle that in operation a part of 493
its own weight or that of its load, or both, rests upon and is 494
carried by the other vehicle furnishing the motive power for 495
propelling itself and the vehicle referred to in this division, 496
and includes, for the purpose only of registration and taxation 497
under those chapters, any vehicle of the dolly type, such as a 498
trailer dolly, that is designed or used for the conversion of a 499
semitrailer into a trailer. 500

(Q) "Recreational vehicle" means a vehicular portable 501
structure that meets all of the following conditions: 502

(1) It is designed for the sole purpose of recreational 503
travel. 504

(2) It is not used for the purpose of engaging in business 505
for profit. 506

(3) It is not used for the purpose of engaging in 507
intrastate commerce. 508

(4) It is not used for the purpose of commerce as defined 509
in 49 C.F.R. 383.5, as amended. 510

(5) It is not regulated by the public utilities commission 511
pursuant to Chapter 4905., 4921., or 4923. of the Revised Code. 512

(6) It is classed as one of the following: 513

(a) "Travel trailer" or "house vehicle" means a nonself- 514
propelled recreational vehicle that does not exceed an overall 515
length of forty feet, exclusive of bumper and tongue or 516
coupling. "Travel trailer" includes a tent-type fold-out camping 517
trailer as defined in section 4517.01 of the Revised Code. 518

(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.

(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.

(d) "Fifth wheel trailer" means a vehicle that is of such size and weight as to be movable without a special highway permit, that is constructed with a raised forward section that allows a bi-level floor plan, and that is designed to be towed by a vehicle equipped with a fifth-wheel hitch ordinarily installed in the bed of a truck.

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

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

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

(T) "Solid tire vehicle" means any vehicle that is 548
equipped with two or more solid tires. 549

(U) "Farm machinery" means all machines and tools that are 550
used in the production, harvesting, and care of farm products, 551
and includes trailers that are used to transport agricultural 552
produce or agricultural production materials between a local 553
place of storage or supply and the farm, agricultural tractors, 554
threshing machinery, hay-baling machinery, corn shellers, 555
hammermills, and machinery used in the production of 556
horticultural, agricultural, and vegetable products. 557

(V) "Owner" includes any person or firm, other than a 558
manufacturer or dealer, that has title to a motor vehicle, 559
except that, in sections 4505.01 to 4505.19 of the Revised Code, 560
"owner" includes in addition manufacturers and dealers. 561

(W) "Manufacturer" and "dealer" include all persons and 562
firms that are regularly engaged in the business of 563
manufacturing, selling, displaying, offering for sale, or 564
dealing in motor vehicles, at an established place of business 565
that is used exclusively for the purpose of manufacturing, 566
selling, displaying, offering for sale, or dealing in motor 567
vehicles. A place of business that is used for manufacturing, 568
selling, displaying, offering for sale, or dealing in motor 569
vehicles shall be deemed to be used exclusively for those 570
purposes even though snowmobiles or all-purpose vehicles are 571
sold or displayed for sale thereat, even though farm machinery 572
is sold or displayed for sale thereat, or even though repair, 573
accessory, gasoline and oil, storage, parts, service, or paint 574
departments are maintained thereat, or, in any county having a 575
population of less than seventy-five thousand at the last 576
federal census, even though a department in a place of business 577

is used to dismantle, salvage, or rebuild motor vehicles by 578
means of used parts, if such departments are operated for the 579
purpose of furthering and assisting in the business of 580
manufacturing, selling, displaying, offering for sale, or 581
dealing in motor vehicles. Places of business or departments in 582
a place of business used to dismantle, salvage, or rebuild motor 583
vehicles by means of using used parts are not considered as 584
being maintained for the purpose of assisting or furthering the 585
manufacturing, selling, displaying, and offering for sale or 586
dealing in motor vehicles. 587

(X) "Operator" includes any person who drives or operates 588
a motor vehicle upon the public highways. 589

(Y) "Chauffeur" means any operator who operates a motor 590
vehicle, other than a taxicab, as an employee for hire; or any 591
operator whether or not the owner of a motor vehicle, other than 592
a taxicab, who operates such vehicle for transporting, for gain, 593
compensation, or profit, either persons or property owned by 594
another. Any operator of a motor vehicle who is voluntarily 595
involved in a ridesharing arrangement is not considered an 596
employee for hire or operating such vehicle for gain, 597
compensation, or profit. 598

(Z) "State" includes the territories and federal districts 599
of the United States, and the provinces of Canada. 600

(AA) "Public roads and highways" for vehicles includes all 601
public thoroughfares, bridges, and culverts. 602

(BB) "Manufacturer's number" means the manufacturer's 603
original serial number that is affixed to or imprinted upon the 604
chassis or other part of the motor vehicle. 605

(CC) "Motor number" means the manufacturer's original 606

number that is affixed to or imprinted upon the engine or motor 607
of the vehicle. 608

(DD) "Distributor" means any person who is authorized by a 609
motor vehicle manufacturer to distribute new motor vehicles to 610
licensed motor vehicle dealers at an established place of 611
business that is used exclusively for the purpose of 612
distributing new motor vehicles to licensed motor vehicle 613
dealers, except when the distributor also is a new motor vehicle 614
dealer, in which case the distributor may distribute at the 615
location of the distributor's licensed dealership. 616

(EE) "Ridesharing arrangement" means the transportation of 617
persons in a motor vehicle where the transportation is 618
incidental to another purpose of a volunteer driver and includes 619
ridesharing arrangements known as carpools, vanpools, and 620
buspools. 621

(FF) "Apportionable vehicle" means any vehicle that is 622
used or intended for use in two or more international 623
registration plan member jurisdictions that allocate or 624
proportionally register vehicles, that is used for the 625
transportation of persons for hire or designed, used, or 626
maintained primarily for the transportation of property, and 627
that meets any of the following qualifications: 628

(1) Is a power unit having a gross vehicle weight in 629
excess of twenty-six thousand pounds; 630

(2) Is a power unit having three or more axles, regardless 631
of the gross vehicle weight; 632

(3) Is a combination vehicle with a gross vehicle weight 633
in excess of twenty-six thousand pounds. 634

"Apportionable vehicle" does not include recreational 635

vehicles, vehicles displaying restricted plates, city pick-up 636
and delivery vehicles, or vehicles owned and operated by the 637
United States, this state, or any political subdivisions 638
thereof. 639

(GG) "Chartered party" means a group of persons who 640
contract as a group to acquire the exclusive use of a passenger- 641
carrying motor vehicle at a fixed charge for the vehicle in 642
accordance with the carrier's tariff, lawfully on file with the 643
United States department of transportation, for the purpose of 644
group travel to a specified destination or for a particular 645
itinerary, either agreed upon in advance or modified by the 646
chartered group after having left the place of origin. 647

(HH) "International registration plan" means a reciprocal 648
agreement of member jurisdictions that is endorsed by the 649
American association of motor vehicle administrators, and that 650
promotes and encourages the fullest possible use of the highway 651
system by authorizing apportioned registration of fleets of 652
vehicles and recognizing registration of vehicles apportioned in 653
member jurisdictions. 654

(II) "Restricted plate" means a license plate that has a 655
restriction of time, geographic area, mileage, or commodity, and 656
includes license plates issued to farm trucks under division (J) 657
of section 4503.04 of the Revised Code. 658

(JJ) "Gross vehicle weight," with regard to any commercial 659
car, trailer, semitrailer, or bus that is taxed at the rates 660
established under section 4503.042 or 4503.65 of the Revised 661
Code, means the unladen weight of the vehicle fully equipped 662
plus the maximum weight of the load to be carried on the 663
vehicle. 664

(KK) "Combined gross vehicle weight" with regard to any 665
combination of a commercial car, trailer, and semitrailer, that 666
is taxed at the rates established under section 4503.042 or 667
4503.65 of the Revised Code, means the total unladen weight of 668
the combination of vehicles fully equipped plus the maximum 669
weight of the load to be carried on that combination of 670
vehicles. 671

(LL) "Chauffeured limousine" means a motor vehicle that is 672
designed to carry nine or fewer passengers and is operated for 673
hire pursuant to a prearranged contract for the transportation 674
of passengers on public roads and highways along a route under 675
the control of the person hiring the vehicle and not over a 676
defined and regular route. "Prearranged contract" means an 677
agreement, made in advance of boarding, to provide 678
transportation from a specific location in a chauffeured 679
limousine. "Chauffeured limousine" does not include any vehicle 680
that is used exclusively in the business of funeral directing. 681

(MM) "Manufactured home" has the same meaning as in 682
division (C) (4) of section 3781.06 of the Revised Code. 683

(NN) "Acquired situs," with respect to a manufactured home 684
or a mobile home, means to become located in this state by the 685
placement of the home on real property, but does not include the 686
placement of a manufactured home or a mobile home in the 687
inventory of a new motor vehicle dealer or the inventory of a 688
manufacturer, remanufacturer, or distributor of manufactured or 689
mobile homes. 690

(OO) "Electronic" includes electrical, digital, magnetic, 691
optical, electromagnetic, or any other form of technology that 692
entails capabilities similar to these technologies. 693

(PP) "Electronic record" means a record generated, 694
communicated, received, or stored by electronic means for use in 695
an information system or for transmission from one information 696
system to another. 697

(QQ) "Electronic signature" means a signature in 698
electronic form attached to or logically associated with an 699
electronic record. 700

(RR) "Financial transaction device" has the same meaning 701
as in division (A) of section 113.40 of the Revised Code. 702

(SS) "Electronic motor vehicle dealer" means a motor 703
vehicle dealer licensed under Chapter 4517. of the Revised Code 704
whom the registrar of motor vehicles determines meets the 705
criteria designated in section 4503.035 of the Revised Code for 706
electronic motor vehicle dealers and designates as an electronic 707
motor vehicle dealer under that section. 708

(TT) "Electric personal assistive mobility device" means a 709
self-balancing two non-tandem wheeled device that is designed to 710
transport only one person, has an electric propulsion system of 711
an average of seven hundred fifty watts, and when ridden on a 712
paved level surface by an operator who weighs one hundred 713
seventy pounds has a maximum speed of less than twenty miles per 714
hour. 715

(UU) "Limited driving privileges" means the privilege to 716
operate a motor vehicle that a court grants under section 717
4510.021 of the Revised Code to a person whose driver's or 718
commercial driver's license or permit or nonresident operating 719
privilege has been suspended. 720

(VV) "Utility vehicle" means a self-propelled vehicle 721
designed with a bed, principally for the purpose of transporting 722

material or cargo in connection with construction, agricultural, 723
forestry, grounds maintenance, lawn and garden, materials 724
handling, or similar activities. 725

(WW) "Low-speed vehicle" means a three- or four-wheeled 726
motor vehicle with an attainable speed in one mile on a paved 727
level surface of more than twenty miles per hour but not more 728
than twenty-five miles per hour and with a gross vehicle weight 729
rating less than three thousand pounds. 730

(XX) "Under-speed vehicle" means a three- or four-wheeled 731
vehicle, including a vehicle commonly known as a golf cart, with 732
an attainable speed on a paved level surface of not more than 733
twenty miles per hour and with a gross vehicle weight rating 734
less than three thousand pounds. 735

(YY) "Motor-driven cycle or motor scooter" means any 736
vehicle designed to travel on not more than three wheels in 737
contact with the ground, with a seat for the driver and floor 738
pad for the driver's feet, and is equipped with a motor with a 739
piston displacement between fifty and one hundred cubic 740
centimeters piston displacement that produces not more than five 741
brake horsepower and is capable of propelling the vehicle at a 742
speed greater than twenty miles per hour on a level surface. 743

(ZZ) "Motorcycle" means a motor vehicle with motive power 744
having a seat or saddle for the use of the operator, designed to 745
travel on not more than three wheels in contact with the ground, 746
and having no occupant compartment top or occupant compartment 747
top that can be installed or removed by the user. 748

(AAA) "Cab-enclosed motorcycle" means a motor vehicle with 749
motive power having a seat or saddle for the use of the 750
operator, designed to travel on not more than three wheels in 751

contact with the ground, and having an occupant compartment top 752
or an occupant compartment top that is installed. 753

(BBB) "Mini-truck" means a vehicle that has four wheels, 754
is propelled by an electric motor with a rated power of seven 755
thousand five hundred watts or less or an internal combustion 756
engine with a piston displacement capacity of six hundred sixty 757
cubic centimeters or less, has a total dry weight of nine 758
hundred to two thousand two hundred pounds, contains an enclosed 759
cabin and a seat for the vehicle operator, resembles a pickup 760
truck or van with a cargo area or bed located at the rear of the 761
vehicle, and was not originally manufactured to meet federal 762
motor vehicle safety standards. 763

(CCC) "Autocycle" means a three-wheeled motorcycle that is 764
manufactured to comply with federal safety requirements for 765
motorcycles and that is equipped with safety belts, a steering 766
wheel, and seating that does not require the operator to 767
straddle or sit astride to ride the motorcycle. 768

(DDD) "Plug-in hybrid electric motor vehicle" means a 769
passenger car powered in part by a battery cell energy system 770
that can be recharged via an external source of electricity. 771

(EEE) "Hybrid motor vehicle" means a passenger car powered 772
by an internal propulsion system consisting of both of the 773
following: 774

(1) A combustion engine; 775

(2) A battery cell energy system that cannot be recharged 776
via an external source of electricity but can be recharged by 777
other vehicle mechanisms that capture and store electric energy. 778

(FFF) "Low-speed micromobility device" means a device 779
weighing less than one hundred pounds that has handlebars, is 780

propelled by an electric motor or human power, and has an 781
attainable speed on a paved level surface of not more than 782
twenty miles per hour when propelled by the electric motor. 783

(GGG) "Specialty license plate" means a license plate, 784
authorized by the general assembly, that displays a combination 785
of words, markings, logos, or other graphic artwork that is in 786
addition to the words, images, and distinctive numbers and 787
letters required by section 4503.22 of the Revised Code. 788

(HHH) "Battery electric motor vehicle" means a passenger 789
car powered wholly by a battery cell energy system that can be 790
recharged via an external source of electricity. 791

(III) "Adaptive mobility vehicle" means either a new 792
passenger car or bus purchased from a new motor vehicle dealer 793
or a used passenger car or bus, provided that such passenger car 794
or bus is designed, modified, or equipped to enable an 795
individual with a disability to operate or to be transported in 796
the passenger car or bus, in accordance with 49 C.F.R. part 568 797
or 595, and contains at least one of the following: 798

(1) An electronic or mechanical lift that enables a person 799
to enter or exit the motor vehicle while occupying a wheelchair 800
or scooter; 801

(2) An electronic or mechanical wheelchair ramp; 802

(3) A system to secure a wheelchair or scooter in order to 803
allow a person to operate or be transported safely while 804
occupying that wheelchair or scooter. 805

Sec. 4511.01. As used in this chapter and in Chapter 4513. 806
of the Revised Code: 807

(A) "Vehicle" means every device, ~~including a motorized~~ 808

~~bicycle and an electric bicycle,~~ in, upon, or by which any 809
person or property may be transported or drawn upon a highway,~~—~~ 810
~~except that "vehicle".~~ "Vehicle" does not include any motorized 811
wheelchair, any electric personal assistive mobility device, any 812
low-speed micromobility device, any personal delivery device as 813
defined in section 4511.513 of the Revised Code, any device that 814
is moved by power collected from overhead electric trolley wires 815
or that is used exclusively upon stationary rails or tracks, or 816
any device,~~other than a bicycle,~~ that is moved by human power. 817

(B) "Motor vehicle" means every vehicle propelled or drawn 818
by power other than muscular power or power collected from 819
overhead electric trolley wires, except motorized bicycles, 820
electric bicycles, road rollers, traction engines, power 821
shovels, power cranes, and other equipment used in construction 822
work and not designed for or employed in general highway 823
transportation, hole-digging machinery, well-drilling machinery, 824
ditch-digging machinery, farm machinery, and trailers designed 825
and used exclusively to transport a boat between a place of 826
storage and a marina, or in and around a marina, when drawn or 827
towed on a street or highway for a distance of no more than ten 828
miles and at a speed of twenty-five miles per hour or less. 829

(C) "Motorcycle" means every motor vehicle, other than a 830
tractor, having a seat or saddle for the use of the operator and 831
designed to travel on not more than three wheels in contact with 832
the ground, including, but not limited to, motor vehicles known 833
as "motor-driven cycle," "motor scooter," "autocycle," "cab- 834
enclosed motorcycle," or "motorcycle" without regard to weight 835
or brake horsepower. 836

(D) "Emergency vehicle" means emergency vehicles of 837
municipal, township, or county departments or public utility 838

corporations when identified as such as required by law, the 839
director of public safety, or local authorities, and motor 840
vehicles when commandeered by a police officer. 841

(E) "Public safety vehicle" means any of the following: 842

(1) Ambulances, including private ambulance companies 843
under contract to a municipal corporation, township, or county, 844
and private ambulances and nontransport vehicles bearing license 845
plates issued under section 4503.49 of the Revised Code; 846

(2) Motor vehicles used by public law enforcement officers 847
or other persons sworn to enforce the criminal and traffic laws 848
of the state; 849

(3) Any motor vehicle when properly identified as required 850
by the director of public safety, when used in response to fire 851
emergency calls or to provide emergency medical service to ill 852
or injured persons, and when operated by a duly qualified person 853
who is a member of a volunteer rescue service or a volunteer 854
fire department, and who is on duty pursuant to the rules or 855
directives of that service. The state fire marshal shall be 856
designated by the director of public safety as the certifying 857
agency for all public safety vehicles described in division (E) 858
(3) of this section. 859

(4) Vehicles used by fire departments, including motor 860
vehicles when used by volunteer fire fighters responding to 861
emergency calls in the fire department service when identified 862
as required by the director of public safety. 863

Any vehicle used to transport or provide emergency medical 864
service to an ill or injured person, when certified as a public 865
safety vehicle, shall be considered a public safety vehicle when 866
transporting an ill or injured person to a hospital regardless 867

of whether such vehicle has already passed a hospital. 868

(5) Vehicles used by the motor carrier enforcement unit 869
for the enforcement of orders and rules of the public utilities 870
commission as specified in section 5503.34 of the Revised Code. 871

(F) "School bus" means every bus designed for carrying 872
more than nine passengers that is owned by a public, private, or 873
governmental agency or institution of learning and operated for 874
the transportation of children to or from a school session or a 875
school function, or owned by a private person and operated for 876
compensation for the transportation of children to or from a 877
school session or a school function, ~~provided "school"~~ "School 878
bus" does not include a bus operated by a municipally owned 879
transportation system, a mass transit company operating 880
exclusively within the territorial limits of a municipal 881
corporation, or within such limits and the territorial limits of 882
municipal corporations immediately contiguous to such municipal 883
corporation, nor a common passenger carrier certified by the 884
public utilities commission unless such bus is devoted 885
exclusively to the transportation of children to and from a 886
school session or a school function; and "school bus" does not 887
include a van or bus used by a licensed child care center or 888
type A family child care home to transport children from the 889
child care center or type A family child care home to a school 890
if the van or bus does not have more than fifteen children in 891
the van or bus at any time. 892

(G) ~~"Bicycle" means every device, other than a device that 893
is designed solely for use as a play vehicle by a child, that is 894
propelled solely by human power upon which a person may ride, 895
and that has two or more wheels, any of which is more than 896
fourteen inches in diameter~~ a pedal-powered vehicle upon which a 897

human operator sits, including an electric bicycle. 898

(H) "Motorized bicycle" or "moped" means any vehicle 899
having either two tandem wheels or one wheel in the front and 900
two wheels in the rear, that may be pedaled, and that is 901
equipped with a helper motor of not more than fifty cubic 902
centimeters piston displacement that produces not more than one 903
brake horsepower and is capable of propelling the vehicle at a 904
speed of not greater than twenty miles per hour on a level 905
surface. "Motorized bicycle" or "moped" does not include an 906
electric bicycle. 907

(I) "Commercial tractor" means every motor vehicle having 908
motive power designed or used for drawing other vehicles and not 909
so constructed as to carry any load thereon, or designed or used 910
for drawing other vehicles while carrying a portion of such 911
other vehicles, or load thereon, or both. 912

(J) "Agricultural tractor" ~~means~~ and "traction engine" 913
mean every self-propelling vehicle designed or used for drawing 914
other vehicles or wheeled machinery but having no provision for 915
carrying loads independently of such other vehicles, and used 916
principally for agricultural purposes. 917

(K) "Truck" means every motor vehicle, except trailers and 918
semitrailers, designed and used to carry property. 919

(L) "Bus" means every motor vehicle designed for carrying 920
more than nine passengers and used for the transportation of 921
persons other than in a ridesharing arrangement, and every motor 922
vehicle, automobile for hire, or funeral car, other than a 923
taxicab or motor vehicle used in a ridesharing arrangement, 924
designed and used for the transportation of persons for 925
compensation. 926

(M) "Trailer" means every vehicle designed or used for 927
carrying persons or property wholly on its own structure and for 928
being drawn by a motor vehicle, including any such vehicle when 929
formed by or operated as a combination of a "semitrailer" and a 930
vehicle of the dolly type, such as that commonly known as a 931
"trailer dolly," a vehicle used to transport agricultural 932
produce or agricultural production materials between a local 933
place of storage or supply and the farm when drawn or towed on a 934
street or highway at a speed greater than twenty-five miles per 935
hour, and a vehicle designed and used exclusively to transport a 936
boat between a place of storage and a marina, or in and around a 937
marina, when drawn or towed on a street or highway for a 938
distance of more than ten miles or at a speed of more than 939
twenty-five miles per hour. 940

(N) "Semitrailer" means every vehicle designed or used for 941
carrying persons or property with another and separate motor 942
vehicle so that in operation a part of its own weight or that of 943
its load, or both, rests upon and is carried by another vehicle. 944

(O) "Pole trailer" means every trailer or semitrailer 945
attached to the towing vehicle by means of a reach, pole, or by 946
being boomed or otherwise secured to the towing vehicle, and 947
ordinarily used for transporting long or irregular shaped loads 948
such as poles, pipes, or structural members capable, generally, 949
of sustaining themselves as beams between the supporting 950
connections. 951

(P) "Railroad" means a carrier of persons or property 952
operating upon rails or tracks placed principally on a private 953
right-of-way. 954

(Q) "~~Railroad train~~Train" means ~~a steam engine or an~~ 955
~~electric or other motor, with or without cars coupled thereto,~~ 956

operated by a railroad one or more locomotives coupled, with or 957
without cars, that operates on rails or tracks and to which all 958
other traffic is required by law to yield the right-of-way at 959
highway-rail grade crossings. 960

(R) "Streetcar" means a car, other than a ~~railroad~~ train, 961
for transporting persons or property, operated upon rails 962
principally within a street or highway. 963

(S) "Trackless trolley" means every car that collects its 964
power from overhead electric trolley wires and that is not 965
operated upon rails or tracks. 966

(T) "Explosives" means any chemical compound or mechanical 967
mixture that is intended for the purpose of producing an 968
explosion that contains any oxidizing and combustible units or 969
other ingredients in such proportions, quantities, or packing 970
that an ignition by fire, by friction, by concussion, by 971
percussion, or by a detonator of any part of the compound or 972
mixture may cause such a sudden generation of highly heated 973
gases that the resultant gaseous pressures are capable of 974
producing destructive effects on contiguous objects, or of 975
destroying life or limb. Manufactured articles shall not be held 976
to be explosives when the individual units contain explosives in 977
such limited quantities, of such nature, or in such packing, 978
that it is impossible to procure a simultaneous or a destructive 979
explosion of such units, to the injury of life, limb, or 980
property by fire, by friction, by concussion, by percussion, or 981
by a detonator, such as fixed ammunition for small arms, 982
firecrackers, or safety fuse matches. 983

(U) "Flammable liquid" means any liquid that has a flash 984
point of seventy degrees fahrenheit, or less, as determined by a 985
tagliabue or equivalent closed cup test device. 986

(V) "Gross weight" means the weight of a vehicle plus the weight of any load thereon.	987 988
(W) "Person" means every natural person, firm, co-partnership, association, or corporation.	989 990
(X) "Pedestrian" means any natural person <u>a foot on foot, in a motorized or non-motorized wheelchair, or using another equivalent device, such as skates or a skateboard.</u> "Pedestrian" includes a personal delivery device as defined in section 4511.513 of the Revised Code unless the context clearly suggests otherwise.	991 992 993 994 995 996
(Y) "Driver or operator" means every person who drives or is in actual physical control of a vehicle, trackless trolley, or streetcar.	997 998 999
(Z) "Police officer" means every officer authorized to direct or regulate traffic, or to make arrests for violations of traffic regulations.	1000 1001 1002
(AA) "Local authorities" means every county, municipal, and other local board or body having authority to adopt police regulations under the constitution and laws of this state.	1003 1004 1005
(BB) "Street" or "highway" means the entire width between the boundary lines of every way open to the use of the public as a thoroughfare for purposes of vehicular <u>a general term for denoting a public way for purposes of travel by vehicles, streetcars, trackless trolleys, and vulnerable road users, including the entire area within the right-of-way.</u>	1006 1007 1008 1009 1010 1011
(CC) "Controlled-access highway" means every street or highway in respect to which owners or occupants of abutting lands and other persons have no legal right of access to or from the same except at such points only and in such manner as may be	1012 1013 1014 1015

determined by the public authority having jurisdiction over such street or highway. 1016
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(DD) "Private road ~~or driveway~~" means every way or place in private ownership used for vehicular travel by the owner and those having express or implied permission from the owner but not by other persons. 1018
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(EE) "Roadway" means that portion of a highway 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 human-powered vehicle. If a highway includes two or more separate roadways the term "roadway" means any such roadway separately but not all such roadways collectively. 1022
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(FF) "Sidewalk" means that portion of a street between the curb lines, or the lateral lines of a roadway, and the adjacent property lines or easements of private property, that is paved or improved, and is intended for the use of pedestrians. 1029
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(GG) "Laned highway" means a highway the roadway of which is divided into two or more clearly marked lanes for vehicular traffic. 1033
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(HH) "Through highway" means every street or highway as provided in section 4511.65 of the Revised Code. 1036
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(II) "State highway" means a highway under the jurisdiction of the department of transportation, outside the limits of municipal corporations, provided that the authority conferred upon the director of transportation in section 5511.01 of the Revised Code to erect state highway route markers and signs directing traffic shall not be modified by sections 4511.01 to 4511.79 and 4511.99 of the Revised Code. 1038
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(JJ) "State route" means every highway that is designated 1045
with an official state route number and so marked. 1046

(KK) "Intersection" means: 1047

(1) The area embraced within the prolongation or 1048
connection of the lateral curb lines, or, if none, the lateral 1049
boundary lines of the roadways of two highways that join one 1050
another at, or approximately at, right angles, or the area 1051
within which vehicles traveling upon different highways that 1052
join at any other angle might come into conflict. The junction 1053
of an alley ~~or,~~ driveway, or site roadway open to public travel 1054
with a public roadway or highway does not constitute an 1055
intersection, unless the public roadway or highway at the 1056
junction is controlled by a traffic control device. 1057

(2) If a highway includes two roadways ~~that are thirty~~ 1058
~~feet or more apart~~ separated by a median, then every crossing of 1059
each roadway of such divided highway by an intersecting highway 1060
constitutes a separate intersection if the opposing left-turn 1061
paths cross and there is sufficient interior storage for the 1062
design vehicle. ~~If both intersecting highways include two~~ 1063
~~roadways thirty feet or more apart, then every crossing of any~~ 1064
~~two roadways of such highways constitutes a separate~~ 1065
~~intersection~~ As used in this division, "design vehicle" means the 1066
longest vehicle permitted to operate on that roadway. 1067

(3) At a location controlled by a highway traffic control 1068
signal, regardless of the distance between the separate 1069
intersections as described in division (KK) (2) of this section: 1070

(a) If a stop line, yield line, or crosswalk has not been 1071
designated on the roadway within the median between the separate 1072
intersections, the two intersections and the roadway and median 1073

constitute one intersection. 1074

(b) Where a stop line, yield line, or crosswalk ~~line~~ is 1075
designated on the roadway on the intersection approach, the area 1076
within the crosswalk and any area beyond the designated stop 1077
line or yield line constitute part of the intersection. 1078

(c) Where a crosswalk is designated on a roadway on the 1079
departure from the intersection, the intersection includes the 1080
area that extends to the far side of the crosswalk. 1081

(LL) "Crosswalk" means: 1082

(1) That part of a roadway at ~~intersections ordinarily an~~ 1083
intersection included within the ~~real or projected prolongation~~ 1084
~~of property lines and curb lines~~ connections of the lateral 1085
lines of the sidewalks on opposite sides of the highway measured 1086
from the curbs, or, in the absence of curbs, from the edges of 1087
the traversable roadway, and in the absence of a sidewalk on one 1088
side of the roadway, the part of a roadway included within the 1089
extension of the lateral lines of the sidewalk at right angles 1090
to the center line; 1091

(2) Any portion of a roadway at an intersection or 1092
elsewhere, distinctly indicated for pedestrian crossing by lines 1093
or other markings on the surface, which might be supplemented by 1094
contrasting pavement texture, style, or color; 1095

(3) Notwithstanding divisions (LL)(1) and (2) of this 1096
section, ~~there shall not be a~~ "crosswalk" does not include an 1097
area where local authorities have placed signs indicating no 1098
crossing. 1099

(MM) "Safety zone" means the area or space officially set 1100
apart within a roadway for the exclusive use of pedestrians and 1101
protected or marked or indicated by adequate signs as to be 1102

plainly visible at all times. 1103

(NN) "Business district" means the territory fronting upon 1104
a street or highway, including the street or highway, between 1105
successive intersections within municipal corporations where 1106
fifty per cent or more of the frontage between such successive 1107
intersections is occupied by buildings in use for business, or 1108
within or outside municipal corporations where fifty per cent or 1109
more of the frontage for a distance of three hundred feet or 1110
more is occupied by buildings in use for business, and the 1111
character of such territory is indicated by official traffic 1112
control devices. 1113

(OO) "Residence district" means the territory, not 1114
comprising a business district, fronting on a street or highway, 1115
including the street or highway, where, for a distance of three 1116
hundred feet or more, the frontage is improved with residences 1117
or residences and buildings in use for business. 1118

(PP) "Urban district" means the territory contiguous to 1119
and including any street or highway which is built up with 1120
structures devoted to business, industry, or dwelling houses 1121
situated at intervals of less than one hundred feet for a 1122
distance of a quarter of a mile or more, and the character of 1123
such territory is indicated by official traffic control devices. 1124

(QQ) "Traffic control device" means a flagger, sign, 1125
signal, marking, channelization device, or other device used to 1126
~~regulate, warn, or guide traffic, placed on, over, or adjacent~~ 1127
that uses colors, shapes, symbols, words, sounds, or tactile 1128
information for the primary purpose of communicating a 1129
regulatory, warning, or guidance message to road users on a 1130
street, highway, ~~private road site roadway~~ open to public 1131
travel, pedestrian facility, ~~or shared-use path by authority of~~ 1132

~~a public agency or official having jurisdiction, or, in the case~~ 1133
~~of a private road open to public travel, by authority of the~~ 1134
~~private owner or private official having jurisdiction~~bikeway, or 1135
pathway. 1136

(RR) "Traffic control signal" means ~~any~~a highway traffic 1137
signal ~~by which~~placed at an intersection, movable bridge, fire 1138
station, midblock crosswalk, alternating one-way sections of a 1139
single lane road, private driveway, or other location that 1140
requires conflicting traffic is alternately to be directed to 1141
stop and permitted to proceed in an orderly manner. "Traffic 1142
control signal" includes a vehicular signal indication, a 1143
pedestrian signal indication, and a bicycle symbol signal 1144
indication. "Traffic control signal" does not include an 1145
emergency-vehicle hybrid beacon or a pedestrian hybrid beacon. 1146

(SS) "Railroad sign or signal" means any sign, signal, or 1147
device erected by authority of a public body or official or by a 1148
railroad and intended to give notice of the presence of railroad 1149
tracks or the approach of a ~~railroad~~-train. 1150

(TT) "Traffic" means pedestrians, ridden or herded 1151
animals, vehicles, streetcars, trackless trolleys, and other 1152
devices, either singly or together, while using for purposes of 1153
travel any highway or ~~private road~~site roadway open to public 1154
travel. 1155

(UU) "Right-of-way" means either of the following, as the 1156
context requires: 1157

(1) The right of a vehicle, streetcar, trackless trolley, 1158
or pedestrian to proceed uninterruptedly in a lawful manner in 1159
the direction in which it or the individual is moving in 1160
preference to another vehicle, streetcar, trackless trolley, or 1161

pedestrian approaching from a different direction into its or 1162
the individual's path; 1163

(2) A general term denoting land, property, or the 1164
interest therein, usually in the configuration of a strip, 1165
acquired for or devoted to transportation purposes. When used in 1166
this context, right-of-way includes the roadway, shoulders or 1167
berm, ditch, and slopes extending to the right-of-way limits 1168
under the control of the state or local authority. 1169

(VV) "Rural mail delivery vehicle" means every vehicle 1170
used to deliver United States mail on a rural mail delivery 1171
route. 1172

(WW) "Funeral escort vehicle" means any motor vehicle, 1173
including a funeral hearse, while used to facilitate the 1174
movement of a funeral procession. 1175

(XX) "Alley" means a street or highway intended to provide 1176
access to the rear or side of lots or buildings in urban 1177
districts and not intended for the purpose of through vehicular 1178
traffic, and includes any street or highway that has been 1179
declared an "alley" by the legislative authority of the 1180
municipal corporation in which such street or highway is 1181
located. 1182

(YY) "Freeway" means a divided multi-lane highway for 1183
through traffic with all crossroads separated in grade and with 1184
full control of access. 1185

(ZZ) "Expressway" means a divided arterial street or 1186
highway for through traffic with full or partial control of 1187
access with an excess of fifty per cent of all crossroads 1188
separated in grade. 1189

(AAA) "Thruway" means a through highway whose entire 1190

roadway is reserved for through traffic and on which roadway 1191
parking is prohibited. 1192

(BBB) "Stop intersection" means any intersection at one or 1193
more entrances of which stop signs are erected. 1194

(CCC) "Arterial street or highway" means ~~any United States~~ 1195
~~or state numbered route, controlled access highway, or other~~ 1196
~~major radial or circumferential~~ a street or highway primarily 1197
used by through traffic, usually on a continuous route or a 1198
street or highway designated by local authorities within their 1199
~~respective jurisdictions as part of a major~~ arterial system 1200
~~of streets or highways.~~ 1201

(DDD) "Ridesharing arrangement" means the transportation 1202
of persons in a motor vehicle where such transportation is 1203
incidental to another purpose of a volunteer driver and includes 1204
ridesharing arrangements known as carpools, vanpools, and 1205
buspools. 1206

(EEE) "Motorized wheelchair" means any self-propelled 1207
vehicle designed for, and used by, a person with a disability 1208
and that is incapable of a speed in excess of eight miles per 1209
hour. 1210

(FFF) "Child care center" and "type A family child care 1211
home" have the same meanings as in section 5104.01 of the 1212
Revised Code. 1213

(GGG) "Multi-wheel agricultural tractor" means a type of 1214
agricultural tractor that has two or more wheels or tires on 1215
each side of one axle at the rear of the tractor, is designed or 1216
used for drawing other vehicles or wheeled machinery, has no 1217
provision for carrying loads independently of the drawn vehicles 1218
or machinery, and is used principally for agricultural purposes. 1219

(HHH) "Operate" means to cause or have caused movement of a vehicle, streetcar, or trackless trolley.	1220 1221
(III) "Predicate motor vehicle or traffic offense" means any of the following:	1222 1223
(1) A violation of section 4511.03, 4511.051, 4511.12, 4511.132, 4511.16, 4511.20, 4511.201, 4511.21, 4511.211, 4511.213, 4511.22, 4511.23, 4511.25, 4511.26, 4511.27, 4511.28, 4511.29, 4511.30, 4511.31, 4511.32, 4511.33, 4511.34, 4511.35, 4511.36, 4511.37, 4511.38, 4511.39, 4511.40, 4511.41, 4511.42, 4511.43, 4511.431, 4511.432, 4511.44, 4511.441, 4511.451, 4511.452, 4511.46, 4511.47, 4511.48, 4511.481, 4511.49, 4511.50, 4511.511, 4511.522, 4511.53, 4511.54, 4511.55, 4511.56, 4511.57, 4511.58, 4511.59, 4511.60, 4511.61, 4511.64, 4511.66, 4511.661, 4511.68, 4511.70, 4511.701, 4511.71, 4511.711, 4511.712, 4511.713, 4511.72, 4511.73, 4511.763, 4511.771, 4511.78, or 4511.84 of the Revised Code;	1224 1225 1226 1227 1228 1229 1230 1231 1232 1233 1234 1235
(2) A violation of division (A) (2) of section 4511.17, divisions (A) to (D) of section 4511.51, or division (A) of section 4511.74 of the Revised Code;	1236 1237 1238
(3) A violation of any provision of sections 4511.01 to 4511.76 of the Revised Code for which no penalty otherwise is provided in the section that contains the provision violated;	1239 1240 1241
(4) A violation of section 4511.214 of the Revised Code;	1242
(5) A violation of a municipal ordinance that is substantially similar to any section or provision set forth or described in division (III) (1), (2), (3), or (4) of this section.	1243 1244 1245 1246
(JJJ) "Road service vehicle" means wreckers, utility repair vehicles, and state, county, and municipal service	1247 1248

vehicles equipped with visual signals by means of flashing, 1249
rotating, or oscillating lights. 1250

(KKK) "Beacon" means a highway traffic signal with one or 1251
more signal sections that operate in a flashing mode. 1252

(LLL) "Hybrid beacon" means a special type of beacon that 1253
is intentionally placed in a dark mode where no indications are 1254
displayed between periods of operation ~~where no indications are~~ 1255
~~displayed~~ and, when ~~in operation~~ operated, displays both steady 1256
and flashing highway traffic control signal indications. "Hybrid 1257
beacon" includes both of the following: 1258

(1) An emergency-vehicle hybrid beacon used to warn and 1259
control traffic at an otherwise unsignalized location to assist 1260
authorized emergency vehicles in entering or crossing a street 1261
or highway; 1262

(2) A pedestrian hybrid beacon used to warn and control 1263
traffic at an otherwise unsignalized location to assist 1264
pedestrians in crossing a street or highway at a marked 1265
crosswalk. 1266

(MMM) "Highway traffic signal" means a power-operated 1267
traffic control device by which traffic is warned or directed to 1268
take some specific action. "Highway traffic signal" includes a 1269
beacon, an in-road warning light, a lane-use control signal, and 1270
a traffic control signal. "Highway traffic signal" does not 1271
include a power-operated sign, steadily illuminated pavement 1272
marker, gate, flashing light signal, warning light, or steady 1273
burning electric lamp. 1274

(NNN) "Median" means the portion of a highway separating 1275
opposing directions of the traveled way or the area between two 1276
roadways of a divided highway, measured from edge of traveled 1277

way to edge of traveled way, ~~but excluding~~. The median excludes 1278
turn lanes. The width of a median may be different between 1279
intersections, ~~between interchanges~~, and at opposite approaches 1280
of the same intersection. 1281

(OOO) "~~Private road~~ Site roadway open to public travel" 1282
means a ~~private toll road or road, including any adjacent~~ 1283
~~sidewalks that generally run parallel to the road, within~~ 1284
roadway or bikeway on site of a shopping center, office park, 1285
airport, school, university, sports arena, recreational park, or 1286
other similar business, government, or recreation facility that 1287
is publicly or privately owned but where the public is allowed 1288
to travel without full-time access restrictions. "~~Private road~~ 1289
Site roadway open to public travel" ~~includes a gated toll road~~ 1290
~~but~~ does not include a ~~road within a private gated property~~ 1291
roadway where access is restricted at all times by gates or 1292
guards to residents, employees, or other specifically authorized 1293
persons, a parking area, a driving aisle within a parking area, 1294
or a private highway-rail grade crossing. 1295

(PPP) "Shared-use path" means a bikeway outside the 1296
traveled way and physically separated from motorized vehicular 1297
traffic by an open space or barrier and either within the 1298
highway right-of-way or within an independent alignment. A 1299
shared-use path also may be used by pedestrians, including 1300
skaters, joggers, users of manual and motorized wheelchairs, and 1301
other authorized motorized and non-motorized users. A shared-use 1302
path does not include any trail that is intended to be used 1303
primarily for mountain biking, hiking, equestrian use, or other 1304
similar uses, or any other single track or natural surface trail 1305
that has historically been reserved for nonmotorized use. 1306

(QQQ) "Highway maintenance vehicle" means a vehicle used 1307

in snow and ice removal or road surface maintenance, including a 1308
snow plow, traffic line striper, road sweeper, mowing machine, 1309
asphalt distributing vehicle, or other such vehicle designed for 1310
use in specific highway maintenance activities. 1311

(RRR) "Waste collection vehicle" means a vehicle used in 1312
the collection of garbage, refuse, trash, or recyclable 1313
materials. 1314

(SSS) "Electric bicycle" means a "class 1 electric 1315
bicycle," a "class 2 electric bicycle," or a "class 3 electric 1316
bicycle" as defined in this section. 1317

(TTT) "Class 1 electric bicycle" means a bicycle that is 1318
equipped with fully operable pedals and an electric motor of 1319
less than seven hundred fifty watts that provides assistance 1320
only when the rider is pedaling and ceases to provide assistance 1321
when the bicycle reaches the speed of twenty miles per hour. 1322

(UUU) "Class 2 electric bicycle" means a bicycle that is 1323
equipped with fully operable pedals and an electric motor of 1324
less than seven hundred fifty watts that may provide assistance 1325
regardless of whether the rider is pedaling and is not capable 1326
of providing assistance when the bicycle reaches the speed of 1327
twenty miles per hour. 1328

(VVV) "Class 3 electric bicycle" means a bicycle that is 1329
equipped with fully operable pedals and an electric motor of 1330
less than seven hundred fifty watts that provides assistance 1331
only when the rider is pedaling and ceases to provide assistance 1332
when the bicycle reaches the speed of twenty-eight miles per 1333
hour. 1334

(WWW) "Low-speed micromobility device" means a device 1335
weighing less than one hundred pounds that has handlebars, is 1336

propelled by an electric motor or human power, and has an 1337
attainable speed on a paved level surface of not more than 1338
twenty miles per hour when propelled by the electric motor. 1339

(XXX) "Natural resources officer" means an officer 1340
appointed pursuant to section 1501.24 of the Revised Code. 1341

(YYY) "Wildlife officer" means an officer designated 1342
pursuant to section 1531.13 of the Revised Code. 1343

(ZZZ) "In-road warning light" means a special type of 1344
highway traffic signal that is installed in the roadway surface 1345
to warn road users that they are approaching a condition on or 1346
adjacent to the roadway that might not be readily apparent and 1347
might require the road users to reduce speed or come to a 1348
complete stop. 1349

(AAAA) "Lane-use control signal" means a signal face or 1350
comparable display on a full-matrix changeable message sign that 1351
displays indications to permit or prohibit the use of specific 1352
lanes of a roadway or a shoulder where driving is sometimes 1353
authorized or to indicate the impending prohibition of such use. 1354

(BBBB) "Bicycle box" means a designated area on the 1355
approach to a signalized intersection, between an advance 1356
motorist stop line and the crosswalk or intersection, that is 1357
intended to provide bicyclists a visible location to wait in 1358
front of stopped motorists during the red signal phase. 1359

(CCCC) "Two-stage bicycle turn box" means a designated 1360
area at an intersection that is intended to provide bicyclists a 1361
place to wait for traffic to clear before proceeding in a 1362
different direction of travel. 1363

(DDDD) "Bicycle lane" means a portion of a roadway that 1364
has been designated for preferential or exclusive use by 1365

bicyclists and is often delineated from the adjacent general- 1366
purpose lanes by longitudinal pavement markings and either a 1367
bicycle lane symbol, words, or signs. "Bicycle lane" includes 1368
all of the following: 1369

(1) A buffer-separated bicycle lane, which is separated 1370
from the adjacent general-purpose lanes by a pattern of standard 1371
longitudinal pavement markings that are wider than a normal or 1372
wide-lane pavement marking; 1373

(2) A counter-flow bicycle lane, which is a one- 1374
directional bicycle lane that provides a lawful path of travel 1375
for bicycles in the opposite direction from the general traffic 1376
on a roadway that otherwise requires the general traffic to 1377
travel in only one direction. A counter-flow bicycle lane is 1378
designated by the traffic control devices used for other bicycle 1379
lanes; 1380

(3) A separated bicycle lane, which is an exclusive 1381
facility for bicyclists that is located within or directly 1382
adjacent to the roadway and is physically separated from the 1383
motor vehicle traffic with a vertical element. 1384

(EEEE) "Bicycle signal face" means a signal face that 1385
displays only bicycle symbol signal indications in accordance 1386
with section 4511.15 of the Revised Code, that exclusively 1387
controls a bicyclist's movement from a designated bicycle lane 1388
or from a separate facility, and that displays signal 1389
indications that are applicable only to a bicyclist's movement. 1390

(FFFF) "Bicycle signal sign" means a sign meant to inform 1391
road users that the signal indications in the bicycle signal 1392
face are intended only for bicyclists, and to inform bicyclists 1393
which bicyclist movements are controlled by that bicycle signal 1394

face. 1395

(GGGG) "Bikeway" means any road, street, path, or way that 1396
in some manner is specifically designated for bicycle travel, 1397
regardless of whether the facility is designated for the 1398
exclusive use of bicycles or if it is shared with other modes of 1399
transportation. 1400

(HHHH) "Busway" means a traveled way that is used 1401
exclusively by buses. 1402

(IIII) "Driveway" means an access from a roadway to a 1403
building, site, or abutting property. 1404

(JJJJ) "Roundabout" means a circular intersection with a 1405
yield control at each entry, which permits a vehicle on the 1406
circulatory roadway to proceed, with deflection of the 1407
approaching vehicles counter-clockwise around a central island. 1408

(KKKK) "Shoulder" means a longitudinal area contiguous 1409
with the traveled way that is used for accommodating vehicles 1410
that are stopped for an emergency and for lateral support of 1411
base and surface courses; graded for emergency stopping; either 1412
paved or unpaved; and when paved, may be open for part-time 1413
travel by some or all vehicles or may also be available for use 1414
by pedestrians or bicycles in the absence of other pedestrian or 1415
bicycle facilities. 1416

(LLLL) "Autocycle," "cab-enclosed motorcycle," 1417
"electronic," "farm machinery," "motor-driven cycle or motor 1418
scooter," "limited driving privileges," and "state" have the 1419
same meanings as in section 4501.01 of the Revised Code. 1420

Sec. 4511.031. (A) (1) No person shall possess a portable 1421
signal preemption device. 1422

(2) No person shall use a portable signal preemption device to affect the operation of the highway traffic control ~~control~~ signal. 1423
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(B) Division (A)(1) of this section does not apply to any of the following persons and division (A)(2) of this section does not apply to any of the following persons when responding to an emergency call: 1426
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(1) A peace officer, as defined in division (A)(1), (12), (14), or (19) of section 109.71 of the Revised Code; 1430
1431

(2) A state highway patrol trooper; 1432

(3) A person while occupying a public safety vehicle as defined in division (E)(1), (3), or (4) of section 4511.01 of the Revised Code. 1433
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(C) Whoever violates division (A)(1) of this section is guilty of a misdemeanor of the fourth degree. Whoever violates division (A)(2) of this section is guilty of a misdemeanor of the first degree. 1436
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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 highway traffic control ~~control~~ signal to green out of sequence. 1440
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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. 1444
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Sec. 4511.091. (A) The driver of any motor vehicle that 1451
has been checked by radar, or by any electrical or mechanical 1452
timing device to determine the speed of the motor vehicle over a 1453
measured distance of a highway or a measured distance of a 1454
private road ~~or driveway~~, and found to be in violation of any of 1455
the provisions of section 4511.21 or 4511.211 of the Revised 1456
Code, may be arrested until a warrant can be obtained, provided 1457
the arresting officer has observed the recording of the speed of 1458
the motor vehicle by the radio microwaves, electrical or 1459
mechanical timing device, or has received a radio message from 1460
the officer who observed the speed of the motor vehicle recorded 1461
by the radio microwaves, electrical or mechanical timing device; 1462
provided, in case of an arrest based on such a message, the 1463
radio message has been dispatched immediately after the speed of 1464
the motor vehicle was recorded and the arresting officer is 1465
furnished a description of the motor vehicle for proper 1466
identification and the recorded speed. 1467

(B) If the driver of a motor vehicle being driven on a 1468
public street or highway of this state is observed violating any 1469
provision of this chapter other than section 4511.21 or 4511.211 1470
of the Revised Code by a law enforcement officer situated at any 1471
location, including in any type of airborne aircraft or airship, 1472
that law enforcement officer may send a radio message to another 1473
law enforcement officer, and the other law enforcement officer 1474
may arrest the driver of the motor vehicle until a warrant can 1475
be obtained or may issue the driver a citation for the 1476
violation; provided, if an arrest or citation is based on such a 1477
message, the radio message is dispatched immediately after the 1478
violation is observed and the law enforcement officer who 1479
observes the violation furnishes to the law enforcement officer 1480
who makes the arrest or issues the citation a description of the 1481

alleged violation and the motor vehicle for proper 1482
identification. 1483

(C) (1) No person shall be arrested, charged, or convicted 1484
of a violation of any provision of divisions (B) to (O) of 1485
section 4511.21 or section 4511.211 of the Revised Code or a 1486
substantially similar municipal ordinance based on a peace 1487
officer's unaided visual estimation of the speed of a motor 1488
vehicle, trackless trolley, or streetcar. This division does not 1489
do any of the following: 1490

(a) Preclude the use by a peace officer of a stopwatch, 1491
radar, laser, or other electrical, mechanical, or digital device 1492
to determine the speed of a motor vehicle; 1493

(b) Apply regarding any violation other than a violation 1494
of divisions (B) to (O) of section 4511.21 or section 4511.211 1495
of the Revised Code or a substantially similar municipal 1496
ordinance; 1497

(c) Preclude a peace officer from testifying that the 1498
speed of operation of a motor vehicle, trackless trolley, or 1499
streetcar was at a speed greater or less than a speed described 1500
in division (A) of section 4511.21 of the Revised Code, the 1501
admission into evidence of such testimony, or preclude a 1502
conviction of a violation of that division based in whole or in 1503
part on such testimony. 1504

(2) As used in this division, "peace officer" has the same 1505
meaning as in section 2935.01 of the Revised Code. 1506

Sec. 4511.092. As used in sections 4511.092 to 4511.0914 1507
of the Revised Code: 1508

(A) "Designated party" means the person whom the 1509
registered owner of a motor vehicle, upon receipt of a ticket 1510

based upon images recorded by a traffic law photo-monitoring 1511
device that indicate a traffic law violation, identifies as the 1512
person who was operating the vehicle of the registered owner at 1513
the time of the violation. 1514

(B) "Law enforcement officer" means a sheriff, deputy 1515
sheriff, marshal, deputy marshal, police officer of a police 1516
department of any municipal corporation, police constable of any 1517
township, or police officer of a township or joint police 1518
district, who is employed on a permanent, full-time basis by the 1519
law enforcement agency of a local authority that assigns such 1520
person to the location of a traffic law photo-monitoring device. 1521

(C) "Local authority" means a municipal corporation, 1522
county, or township. 1523

(D) "Motor vehicle leasing dealer" has the same meaning as 1524
in section 4517.01 of the Revised Code. 1525

(E) "Motor vehicle renting dealer" has the same meaning as 1526
in section 4549.65 of the Revised Code. 1527

(F) "Recorded images" means any of the following images 1528
recorded by a traffic law photo-monitoring device that show, on 1529
at least one image or on a portion of the videotape, the rear of 1530
a motor vehicle and the letters and numerals on the rear license 1531
plate of the vehicle: 1532

(1) Two or more photographs, microphotographs, electronic 1533
images, or digital images; 1534

(2) Videotape. 1535

(G) "Registered owner" means all of the following: 1536

(1) Any person or entity identified by the bureau of motor 1537
vehicles or any other state motor vehicle registration bureau, 1538

department, or office as the owner of a motor vehicle; 1539

(2) The lessee of a motor vehicle under a lease of six 1540
months or longer; 1541

(3) The renter of a motor vehicle pursuant to a written 1542
rental agreement with a motor vehicle renting dealer. 1543

(H) "System location" means the approach to an 1544
intersection or area of roadway toward which a traffic law 1545
photo-monitoring device is directed and is in operation. 1546

(I) "Ticket" means any traffic ticket, citation, summons, 1547
or other ticket issued in response to an alleged traffic law 1548
violation detected by a traffic law photo-monitoring device, 1549
that represents a civil violation. 1550

(J) "Traffic law photo-monitoring device" means an 1551
electronic system consisting of a photographic, video, or 1552
electronic camera and a means of sensing the presence of a motor 1553
vehicle that automatically produces recorded images. 1554

(K) "Traffic law violation" means either of the following: 1555

(1) A violation of section 4511.12 of the Revised Code 1556
based on the failure to comply with section 4511.13 of the 1557
Revised Code or a substantially equivalent municipal ordinance 1558
that occurs at an intersection due to failure to obey a highway 1559
traffic ~~control~~ signal; 1560

(2) A violation of section 4511.21 or 4511.211 of the 1561
Revised Code or a substantially equivalent municipal ordinance 1562
due to failure to observe the applicable speed limit. 1563

Sec. 4511.094. (A) No local authority shall use traffic 1564
law photo-monitoring devices to detect or enforce any traffic 1565
law violation until after it has done both of the following: 1566

(1) Erected signs on every highway that is not a freeway 1567
that is part of the state highway system and that enters that 1568
local authority informing inbound traffic that the local 1569
authority utilizes traffic law photo-monitoring devices to 1570
enforce traffic laws; 1571

(2) Beginning on ~~the effective date of this amendment~~ 1572
March 23, 2015, erected signs at each fixed system location 1573
informing motorists that a traffic law photo-monitoring device 1574
is present at the location. 1575

The local authority shall erect the signs within the first 1576
three hundred feet of the boundary of the local authority or 1577
within three hundred feet of the fixed system location, as 1578
applicable. If the signs cannot be located within the first 1579
three hundred feet of the boundary of the local authority or 1580
within three hundred feet of the fixed system location, the 1581
local authority shall erect the signs as close to that distance 1582
as possible. If a particular highway enters and exits the 1583
territory of a local authority multiple times, the local 1584
authority shall erect the signs as required by division (A) (1) 1585
of this section at the locations in each direction of travel 1586
where inbound traffic on the highway first enters the territory 1587
of the local authority and is not required to erect additional 1588
signs along such highway each time the highway reenters the 1589
territory of the local authority. The local authority is 1590
responsible for all costs associated with the erection, 1591
maintenance, and replacement, if necessary, of the signs. The 1592
local authority shall ensure that all signs erected under this 1593
division conform in size, color, location, and content to 1594
standards contained in the manual adopted by the department of 1595
transportation pursuant to section 4511.09 of the Revised Code 1596
and shall remain in place for as long as the local authority 1597

utilizes traffic law photo-monitoring devices to enforce any 1598
traffic law. 1599

(B) A ticket issued by or on behalf of the local authority 1600
for any traffic law violation based upon evidence recorded by a 1601
traffic law photo-monitoring device is invalid under the 1602
following circumstances: 1603

(1) If the ticket was issued after March 12, 2009, but 1604
before the signs required under division (A)(1) of this section 1605
were erected; 1606

(2) If the ticket was issued after ~~the effective date of~~ 1607
~~this amendment~~ March 23, 2015, but before the signs required 1608
under division (A)(2) of this section were erected. 1609

However, if a local authority is in substantial compliance 1610
with the requirements of division (A)(1) or (2) of this section, 1611
as applicable, a ticket issued by the local authority under 1612
sections 4511.096 to 4511.0912 of the Revised Code is valid. 1613

(C) A local authority is deemed to be in substantial 1614
compliance with the requirement of division (A)(1) or (2) of 1615
this section, as applicable, to erect the advisory signs if the 1616
authority does both of the following: 1617

(1) First erects all signs as required by division (A)(1) 1618
or (2) of this section, as applicable, and subsequently 1619
maintains and replaces the signs as needed so that at all times 1620
at least ninety per cent of the required signs are in place and 1621
functional; 1622

(2) Annually documents and upon request certifies its 1623
compliance with division (C)(1) of this section. 1624

(D) A local authority that uses traffic law photo- 1625

monitoring devices to detect or enforce any traffic law 1626
violation at an intersection where traffic is controlled by 1627
highway traffic control signals that exhibit different colored 1628
lights or colored lighted arrows shall time the operation of the 1629
yellow lights and yellow arrows of those highway traffic control 1630
signals so that the steady yellow indication exceeds by one 1631
second the minimum duration for yellow indicators at similar 1632
intersections as established by the provisions of the manual 1633
adopted by the department of transportation under section 1634
4511.09 of the Revised Code. 1635

Sec. 4511.11. (A) Local authorities in their respective 1636
jurisdictions shall place and maintain traffic control devices 1637
in accordance with the department of transportation manual for a 1638
uniform system of traffic control devices, adopted under section 1639
4511.09 of the Revised Code, upon highways under their 1640
jurisdiction as are necessary to indicate and to carry out 1641
sections 4511.01 to 4511.76 and 4511.99 of the Revised Code, 1642
local traffic ordinances, or to regulate, warn, or guide 1643
traffic. 1644

(B) The director of transportation may require to be 1645
removed any traffic control device that does not conform to the 1646
manual for a uniform system of traffic control devices on the 1647
extensions of the state highway system within municipal 1648
corporations. 1649

(C) No village shall place or maintain any highway traffic 1650
~~control~~ signal upon an extension of the state highway system 1651
within the village without first obtaining the permission of the 1652
director. The director may revoke the permission and may require 1653
to be removed any highway traffic control signal that has been 1654
erected without the director's permission on an extension of a 1655

state highway within a village, or that, if erected under a 1656
permit granted by the director, does not conform to the state 1657
manual, or that is not operated in accordance with the terms of 1658
the permit. 1659

(D) All traffic control devices erected on any street, 1660
highway, alley, bikeway, or ~~private road~~ site roadway open to 1661
public travel shall conform to the state manual. 1662

(E) No person, firm, or corporation shall sell or offer 1663
for sale to local authorities any traffic control device that 1664
does not conform to the state manual, except by permission of 1665
the director. 1666

(F) No local authority shall purchase or manufacture any 1667
traffic control device that does not conform to the state 1668
manual, except by permission of the director. 1669

(G) Whoever violates division (E) of this section is 1670
guilty of a misdemeanor of the third degree. 1671

Sec. 4511.13. Highway traffic signal indications for 1672
vehicles and pedestrians shall have the following meanings: 1673

(A) Steady green signal indication: 1674

(1) (a) Vehicular traffic, streetcars, and trackless 1675
trolleys facing a circular green signal indication are permitted 1676
to proceed straight through or turn right or left or make a u- 1677
turn movement except as such movement is modified by a lane-use 1678
sign, turn prohibition sign, lane marking, roadway design, 1679
separate turn signal indication, or other traffic control 1680
device. Such vehicular traffic, including vehicles turning right 1681
or left or making a u-turn movement, shall yield the right-of- 1682
way to both of the following: 1683

(i) Pedestrians lawfully within an associated crosswalk;	1684
(ii) Other vehicles lawfully within the intersection.	1685
(b) In addition, vehicular traffic turning left or making a u-turn movement to the left shall yield the right-of-way to other vehicles approaching from the opposite direction so closely as to constitute an immediate hazard during the time when such turning vehicle is moving across or within the intersection.	1686 1687 1688 1689 1690 1691
(2) Vehicular traffic, streetcars, and trackless trolleys facing a green arrow signal indication, displayed alone or in combination with another signal indication, are permitted to cautiously enter the intersection only to make the movement indicated by such arrow, or such other movement as is permitted by other indications displayed at the same time. Such vehicular traffic, streetcars, and trackless trolleys, including vehicles turning right or left or making a u-turn movement, shall yield the right-of-way to both of the following:	1692 1693 1694 1695 1696 1697 1698 1699 1700
(a) Pedestrians lawfully within an associated crosswalk;	1701
(b) Other traffic lawfully using the intersection.	1702
(3) (a) Unless otherwise directed by a pedestrian signal indication, as provided in section 4511.14 of the Revised Code, pedestrians facing a circular green signal indication are permitted to proceed across the roadway within any marked or unmarked associated crosswalk. The pedestrian shall yield the right-of-way to vehicles lawfully within the intersection or so close as to create an immediate hazard at the time that the green signal indication is first displayed.	1703 1704 1705 1706 1707 1708 1709 1710
(b) Pedestrians facing a green arrow signal indication, unless otherwise directed by a pedestrian signal indication or	1711 1712

other traffic control device, shall not cross the roadway. 1713

(B) Steady yellow signal indication: 1714

(1) Vehicular traffic, streetcars, and trackless trolleys 1715
facing a steady circular yellow signal indication are thereby 1716
warned that the related green movement or the related flashing 1717
arrow movement is being terminated or that a steady red signal 1718
indication will be exhibited immediately thereafter when 1719
vehicular traffic, streetcars, and trackless trolleys shall not 1720
enter the intersection. The provisions governing vehicular 1721
operation under the movement being terminated shall continue to 1722
apply while the steady circular yellow signal indication is 1723
displayed. 1724

(2) Vehicular traffic facing a steady yellow arrow signal 1725
indication is thereby warned that the related green arrow 1726
movement or the related flashing arrow movement is being 1727
terminated. The provisions governing vehicular operation under 1728
the movement being terminated shall continue to apply while the 1729
steady yellow arrow signal indication is displayed. 1730

(3) Pedestrians facing a steady circular yellow or yellow 1731
arrow signal indication, unless otherwise directed by a 1732
pedestrian signal indication as provided in section 4511.14 of 1733
the Revised Code or other traffic control device, shall not 1734
start to cross the roadway. 1735

(C) Steady red signal indication: 1736

(1) (a) Vehicular traffic, streetcars, and trackless 1737
trolleys facing a steady circular red signal indication, unless 1738
entering the intersection to make another movement permitted by 1739
another signal indication, shall stop at a clearly marked stop 1740
line; but if there is no stop line, traffic shall stop before 1741

entering the crosswalk on the near side of the intersection; or 1742
if there is no crosswalk, then before entering the intersection; 1743
and shall remain stopped until a signal indication to proceed is 1744
displayed except as provided in divisions (C) (1), (2), and (3) 1745
of this section. 1746

(b) Except when a traffic control device is in place 1747
prohibiting a turn on red or a steady red arrow signal 1748
indication is displayed, vehicular traffic facing a steady 1749
circular red signal indication is permitted, after stopping, to 1750
enter the intersection to turn right, or to turn left from a 1751
one-way street into a one-way street. The right to proceed with 1752
the turn shall be subject to the provisions that are applicable 1753
after making a stop at a stop sign. 1754

(2) (a) Vehicular traffic, streetcars, and trackless 1755
trolleys facing a steady red arrow signal indication shall not 1756
enter the intersection to make the movement indicated by the 1757
arrow and, unless entering the intersection to make another 1758
movement permitted by another signal indication, shall stop at a 1759
clearly marked stop line; but if there is no stop line, before 1760
entering the crosswalk on the near side of the intersection; or 1761
if there is no crosswalk, then before entering the intersection; 1762
and shall remain stopped until a signal indication or other 1763
traffic control device permitting the movement indicated by such 1764
red arrow is displayed. 1765

(b) When a traffic control device is in place permitting a 1766
turn on a steady red arrow signal indication, vehicular traffic 1767
facing a steady red arrow indication is permitted, after 1768
stopping, to enter the intersection to turn right, or to turn 1769
left from a one-way street into a one-way street. The right to 1770
proceed with the turn shall be limited to the direction 1771

indicated by the arrow and shall be subject to the provisions 1772
that are applicable after making a stop at a stop sign. 1773

(3) Unless otherwise directed by a pedestrian signal 1774
indication as provided in section 4511.14 of the Revised Code or 1775
other traffic control device, pedestrians facing a steady 1776
circular red or steady red arrow signal indication shall not 1777
enter the roadway. 1778

(4) Local authorities by ordinance, or the director of 1779
transportation on state highways, may prohibit a right or a left 1780
turn against a steady red signal at any intersection, which 1781
shall be effective when signs giving notice thereof are posted 1782
at the intersection. 1783

(D) A flashing green signal indication has no meaning and 1784
shall not be used. 1785

(E) Flashing yellow signal indication: 1786

(1) (a) Vehicular traffic, on an approach to an 1787
intersection, facing a flashing circular yellow signal 1788
indication, is permitted to cautiously enter the intersection to 1789
proceed straight through or turn right or left or make a u-turn 1790
movement except as such movement is modified by lane-use signs, 1791
turn prohibition signs, lane markings, roadway design, separate 1792
turn signal indications, or other traffic control devices. Such 1793
vehicular traffic, including vehicles turning right or left or 1794
making a u-turn movement, shall yield the right-of-way to both 1795
of the following: 1796

(i) Pedestrians lawfully within an associated crosswalk; 1797

(ii) Other vehicles lawfully within the intersection. 1798

(b) In addition, vehicular traffic turning left or making 1799

a u-turn to the left shall yield the right-of-way to other 1800
vehicles approaching from the opposite direction so closely as 1801
to constitute an immediate hazard during the time when such 1802
turning vehicle is moving across or within the intersection. 1803

(2) (a) Vehicular traffic, on an approach to an 1804
intersection, facing a flashing yellow arrow signal indication, 1805
displayed alone or in combination with another signal 1806
indication, is permitted to cautiously enter the intersection 1807
only to make the movement indicated by such arrow, or other such 1808
movement as is permitted by other signal indications displayed 1809
at the same time. Such vehicular traffic, including vehicles 1810
turning right or left or making a u-turn, shall yield the right- 1811
of-way to both of the following: 1812

(i) Pedestrians lawfully within an associated crosswalk; 1813

(ii) Other vehicles lawfully within the intersection. 1814

(b) In addition, vehicular traffic turning left or making 1815
a u-turn to the left shall yield the right-of-way to other 1816
vehicles approaching from the opposite direction so closely as 1817
to constitute an immediate hazard during the time when such 1818
turning vehicle is moving across or within the intersection. 1819

(3) Pedestrians facing any flashing yellow signal 1820
indication at an intersection, unless otherwise directed by a 1821
pedestrian signal indication or other traffic control device, 1822
are permitted to proceed across the roadway within any marked or 1823
unmarked associated crosswalk. Pedestrians shall yield the 1824
right-of-way to vehicles lawfully within the intersection at the 1825
time that the flashing yellow signal indication is first 1826
displayed. 1827

(4) When a flashing circular yellow signal indication is 1828

displayed as a beacon to supplement another traffic control 1829
device, road users are notified that there is a need to pay 1830
additional attention to the message contained thereon or that 1831
the regulatory or warning requirements of the other traffic 1832
control device, which might not be applicable at all times, are 1833
currently applicable. 1834

(F) Flashing red signal indication: 1835

(1) Vehicular traffic, on an approach to an intersection, 1836
facing a flashing circular red signal indication, shall stop at 1837
a clearly marked stop line; but if there is no stop line, before 1838
entering the crosswalk on the near side of the intersection; or 1839
if there is no crosswalk, at the point nearest the intersecting 1840
roadway where the driver has a view of approaching traffic on 1841
the intersecting roadway before entering the intersection. The 1842
right to proceed shall be subject to the provisions that are 1843
applicable after making a stop at a stop sign. 1844

(2) Pedestrians facing any flashing red signal indication 1845
at an intersection, unless otherwise directed by a pedestrian 1846
signal indication or other traffic control device, are permitted 1847
to proceed across the roadway within any marked or unmarked 1848
associated crosswalk. Pedestrians shall yield the right-of-way 1849
to vehicles lawfully within the intersection at the time that 1850
the flashing red signal indication is first displayed. 1851

(3) When a flashing circular red signal indication is 1852
displayed as a beacon to supplement another traffic control 1853
device, road users are notified that there is a need to pay 1854
additional attention to the message contained thereon or that 1855
the regulatory requirements of the other traffic control device, 1856
which might not be applicable at all times, are currently 1857
applicable. Use of this signal indication shall be limited to 1858

supplementing stop, do not enter, or wrong way signs, and to 1859
applications where compliance with the supplemented traffic 1860
control device requires a stop at a designated point. 1861

(4) Vehicular traffic, on an approach to an intersection, 1862
facing a flashing red arrow signal indication and if intending 1863
to turn in the direction indicated by the arrow, shall stop at a 1864
clearly marked stop line; but if there is no stop line, before 1865
entering the crosswalk on the near side of the intersection; or 1866
if there is no crosswalk, at the point nearest the intersecting 1867
roadway where the driver has a view of approaching traffic on 1868
the intersecting roadway before entering the intersection. The 1869
right to proceed shall be subject to the provisions that are 1870
applicable after making a stop at a stop sign. 1871

(G) Transit vehicle signal indication: 1872

(1) Light rail and mass transit system bus traffic, on an 1873
approach to an intersection from a designated busway or other 1874
designated transit vehicle lane or tracks shall do all of the 1875
following: 1876

(a) Stop when facing a steady horizontal white line; 1877

(b) Proceed straight ahead when facing a steady vertical 1878
white line; 1879

(c) Only turn or proceed left when facing a steady 1880
diagonal white line that begins in the lower right corner and 1881
angles up and to the left; 1882

(d) Only turn or proceed right when facing a steady 1883
diagonal white line that begins in the lower left corner and 1884
angles up and to the right; 1885

(e) Prepare to stop when facing a flashing vertical white 1886

line. 1887

(2) As used in division (G) (1) of this section, "mass transit system" and "bus" have the same meanings as in section 4511.78 of the Revised Code. 1888
1889
1890

(H) In the event an official ~~traffic-control~~ highway traffic signal is erected and maintained at a place other than an intersection, the provisions of this section shall be applicable except as to those provisions which by their nature can have no application. Any stop required shall be made at a sign or marking on the pavement indicating where the stop shall be made, but in the absence of any such sign or marking the stop shall be made at the signal. 1891
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~~(H)~~ (I) This section does not apply at railroad grade crossings. Conduct of drivers of vehicles, trackless trolleys, and streetcars approaching railroad grade crossings shall be governed by sections 4511.61 and 4511.62 of the Revised Code. 1899
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Sec. 4511.131. The meanings of lane-use control signal indications are as follows: 1903
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(A) A steady downward green arrow~~+~~ 1905

~~A road user is permitted to drive in~~ means that the lane over which the arrow signal indication is located is open to vehicle travel in that direction. 1906
1907
1908

(B) A steady yellow "X"~~+~~ 1909

~~A road user is to prepare to vacate~~ means that the lane over which the signal indication is located because a lane-control change is being made to is about to be closed to vehicle traffic in that direction and will be followed by a steady red "X" signal indication, either within the same signal face or in 1910
1911
1912
1913
1914

a downstream signal face. 1915

(C) A steady white two-way left-turn arrow+ 1916

~~A road user is permitted to use a means that the lane over~~ 1917
~~which the signal indication is located for~~ is open to traffic 1918
making a left turn from either direction of travel, but not for 1919
~~through travel, with the understanding that common use of the~~ 1920
~~lane by oncoming road users for left turns also is permitted.~~ 1921

(D) A steady white one-way left-turn arrow+ 1922

~~A road user is permitted to use a means that the lane over~~ 1923
~~which the signal indication is located for~~ is open to traffic 1924
making a left turn in that direction, without opposing turns in 1925
the same lane, but not for through travel. 1926

(E) A steady red "X"+ 1927

~~A road user is not permitted to use means that the lane~~ 1928
~~over which the signal indication is located and that this signal~~ 1929
~~indication shall modify accordingly the meaning of other traffic~~ 1930
~~controls present~~ is closed to vehicle traffic in the direction 1931
viewed by the road user. 1932

Sec. 4511.132. (A) The driver of a vehicle, streetcar, or 1933
trackless trolley who approaches an intersection where traffic 1934
is controlled by highway traffic control signals shall do all of 1935
the following if the signal facing the driver exhibits no 1936
colored lights or colored lighted arrows, exhibits a combination 1937
of such lights or arrows that fails to clearly indicate the 1938
assignment of right-of-way, or, if the vehicle is a bicycle or 1939
an electric bicycle, the signals are otherwise malfunctioning 1940
due to the failure of a vehicle detector to detect the presence 1941
of the bicycle or electric bicycle: 1942

(1) Stop at a clearly marked stop line, but if none, stop 1943
before entering the crosswalk on the near side of the 1944
intersection, or, if none, stop before entering the 1945
intersection; 1946

(2) Yield the right-of-way to all vehicles, streetcars, or 1947
trackless trolleys in the intersection or approaching on an 1948
intersecting road, if the vehicles, streetcars, or trackless 1949
trolleys will constitute an immediate hazard during the time the 1950
driver is moving across or within the intersection or junction 1951
of roadways; 1952

(3) Exercise ordinary care while proceeding through the 1953
intersection. 1954

(B) Except as otherwise provided in this division, whoever 1955
violates this section is guilty of a minor misdemeanor. If, 1956
within one year of the offense, the offender previously has been 1957
convicted of or pleaded guilty to one predicate motor vehicle or 1958
traffic offense, whoever violates this section is guilty of a 1959
misdemeanor of the fourth degree. If, within one year of the 1960
offense, the offender previously has been convicted of two or 1961
more predicate motor vehicle or traffic offenses, whoever 1962
violates this section is guilty of a misdemeanor of the third 1963
degree. 1964

If the offender commits the offense while distracted and 1965
the distracting activity is a contributing factor to the 1966
commission of the offense, the offender is subject to the 1967
additional fine established under section 4511.991 of the 1968
Revised Code. 1969

Sec. 4511.15. Bicycle symbol signal indications have the 1970
following meanings: 1971

(A) A steady green bicycle signal indication means that bicyclists are permitted to enter the intersection only to make the movement indicated by the lane-use arrow displayed on the bicycle signal sign that is located immediately adjacent to the bicycle signal face. Bicyclists proceeding into the intersection during the display of the indication shall yield the right-of-way to both of the following: 1972
1973
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1977
1978

(1) Pedestrians lawfully within an associated crosswalk; 1979

(2) Other vehicles lawfully within the intersection. 1980

(B) A steady yellow bicycle signal indication means that bicyclists are warned that the related green movement is being terminated and that a steady red bicycle signal indication will be displayed immediately thereafter when bicyclists shall not enter the intersection. The provisions governing bicyclist operations under the movement being terminated continue to apply while the steady yellow bicycle signal indication is displayed. 1981
1982
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(C) (a) A steady red bicycle signal indication means that bicyclists shall not enter the intersection to make the movement indicated by the lane-use arrow displayed on the bicycle signal sign that is located immediately adjacent to the bicycle signal face. Unless the bicyclist is entering the intersection to make another movement permitted by another bicycle symbol signal indication, the bicyclist shall stop at a clearly marked stop line; but if there is no stop line, shall stop before entering the crosswalk on the near side of the intersection; or if there is no crosswalk, shall stop before entering the intersection; and shall remain stopped until a green bicycle signal indication to proceed is displayed. 1988
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(b) Except when a traffic control device is in place 2000

prohibiting a turn on red, bicyclists facing a steady red 2001
bicycle signal indication are permitted to enter the 2002
intersection to turn right if there are no approach lanes for 2003
motor vehicle traffic to their right. The right to proceed with 2004
the turn is subject to the provisions that are applicable after 2005
making a stop at a stop sign. 2006

(D) A flashing green bicycle signal indication and a 2007
flashing yellow bicycle signal indication have no meaning and 2008
shall not be used. 2009

(E) A flashing red bicycle signal indication means that 2010
bicyclists shall stop at a clearly marked stop line; but if 2011
there is no stop line, shall stop before entering the crosswalk 2012
on the near side of the intersection; or if there is no 2013
crosswalk, shall stop at the point nearest the intersecting 2014
roadway where the bicyclists have a view of approaching traffic 2015
on that roadway before entering the intersection. The right to 2016
make the movement indicated by the lane-use arrow displayed on 2017
the bicycle signal sign that is located immediately adjacent to 2018
the bicycle signal face is subject to the provisions that are 2019
applicable after making a stop at a stop sign. 2020

Sec. 4511.18. (A) As used in this section, "traffic 2021
control device" means any sign, highway traffic control-signal, 2022
or other device conforming to and placed or erected in 2023
accordance with the manual adopted under section 4511.09 of the 2024
Revised Code by authority of a public body or official having 2025
jurisdiction, for the purpose of regulating, warning, or guiding 2026
traffic, including signs denoting the names of streets and 2027
highways, but does not mean any pavement marking. 2028

(B) No individual shall buy or otherwise possess, or sell, 2029
a traffic control device, except when one of the following 2030

applies: 2031

(1) In the course of the individual's employment by the 2032
state or a local authority for the express or implied purpose of 2033
manufacturing, providing, erecting, moving, or removing such a 2034
traffic control device; 2035

(2) In the course of the individual's employment by any 2036
manufacturer of traffic control devices other than a state or 2037
local authority; 2038

(3) For the purpose of demonstrating the design and 2039
function of a traffic control device to state or local 2040
officials; 2041

(4) When the traffic control device has been purchased 2042
from the state or a local authority at a sale of property that 2043
is no longer needed or is unfit for use; 2044

(5) The traffic control device has been properly purchased 2045
from a manufacturer for use on private property and the person 2046
possessing the device has a sales receipt for the device or 2047
other acknowledgment of sale issued by the manufacturer. 2048

(C) This section does not preclude, and shall not be 2049
construed as precluding, prosecution for theft in violation of 2050
section 2913.02 of the Revised Code or a municipal ordinance 2051
relating to theft, or for receiving stolen property in violation 2052
of section 2913.51 of the Revised Code or a municipal ordinance 2053
relating to receiving stolen property. 2054

(D) Whoever violates this section is guilty of a 2055
misdemeanor of the third degree. 2056

Sec. 4511.204. (A) No person shall operate a motor 2057
vehicle, trackless trolley, or streetcar on any street, highway, 2058

or property open to the public for vehicular traffic while 2059
using, holding, or physically supporting with any part of the 2060
person's body an electronic wireless communications device. 2061

(B) Division (A) of this section does not apply to any of 2062
the following: 2063

(1) A person using an electronic wireless communications 2064
device to make contact, for emergency purposes, with a law 2065
enforcement agency, hospital or health care provider, fire 2066
department, or other similar emergency agency or entity; 2067

(2) A person driving a public safety vehicle while using 2068
an electronic wireless communications device in the course of 2069
the person's duties; 2070

(3) A person using an electronic wireless communications 2071
device when the person's motor vehicle is in a stationary 2072
position and is outside a lane of travel, at a highway traffic 2073
~~control~~ signal that is currently directing traffic to stop, or 2074
parked on a road or highway due to an emergency or road closure; 2075

(4) A person using and holding an electronic wireless 2076
communications device directly near the person's ear for the 2077
purpose of making, receiving, or conducting a telephone call, 2078
provided that the person does not manually enter letters, 2079
numbers, or symbols into the device; 2080

(5) A person receiving wireless messages on an electronic 2081
wireless communications device regarding the operation or 2082
navigation of a motor vehicle; safety-related information, 2083
including emergency, traffic, or weather alerts; or data used 2084
primarily by the motor vehicle, provided that the person does 2085
not hold or support the device with any part of the person's 2086
body; 2087

(6) A person using the speaker phone function of the 2088
electronic wireless communications device, provided that the 2089
person does not hold or support the device with any part of the 2090
person's body; 2091

(7) A person using an electronic wireless communications 2092
device for navigation purposes, provided that the person does 2093
not do either of the following during the use: 2094

(a) Manually enter letters, numbers, or symbols into the 2095
device; 2096

(b) Hold or support the device with any part of the 2097
person's body. 2098

(8) A person using a feature or function of the electronic 2099
wireless communications device with a single touch or single 2100
swipe, provided that the person does not do either of the 2101
following during the use: 2102

(a) Manually enter letters, numbers, or symbols into the 2103
device; 2104

(b) Hold or support the device with any part of the 2105
person's body. 2106

(9) A person operating a commercial truck while using a 2107
mobile data terminal that transmits and receives data; 2108

(10) A person operating a utility service vehicle or a 2109
vehicle for or on behalf of a utility, if the person is acting 2110
in response to an emergency, power outage, or circumstance that 2111
affects the health or safety of individuals; 2112

(11) A person using an electronic wireless communications 2113
device in conjunction with a voice-operated or hands-free 2114
feature or function of the vehicle or of the device without the 2115

use of either hand except to activate, deactivate, or initiate 2116
the feature or function with a single touch or swipe, provided 2117
the person does not hold or support the device with any part of 2118
the person's body; 2119

(12) A person using technology that physically or 2120
electronically integrates the device into the motor vehicle, 2121
provided that the person does not do either of the following 2122
during the use: 2123

(a) Manually enter letters, numbers, or symbols into the 2124
device; 2125

(b) Hold or support the device with any part of the 2126
person's body. 2127

(13) A person storing an electronic wireless 2128
communications device in a holster, harness, or article of 2129
clothing on the person's body. 2130

(C) (1) On January 31 of each year, the department of 2131
public safety shall issue a report to the general assembly that 2132
specifies the number of citations issued for violations of this 2133
section during the previous calendar year. 2134

(2) If a law enforcement officer issues an offender a 2135
ticket, citation, or summons for a violation of division (A) of 2136
this section, the officer shall do both of the following: 2137

(a) Report the issuance of the ticket, citation, or 2138
summons to the officer's law enforcement agency; 2139

(b) Ensure that such report indicates the offender's race. 2140

(D) Whoever violates division (A) of this section is 2141
guilty of operating a motor vehicle while using an electronic 2142
wireless communication device, an unclassified misdemeanor, and 2143

shall be punished as provided in divisions (D) (1) to (5) of this section. 2144
2145

(1) The offender shall be fined, and is subject to a suspension of the offender's driver's license, commercial driver's license, temporary instruction permit, probationary license, or nonresident operating privilege, as follows: 2146
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2149

(a) Except as provided in divisions (D) (1) (b), (c), (d), and (2) of this section, the court shall impose upon the offender a fine of not more than one hundred fifty dollars. 2150
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2152

(b) If, within two years of the violation, the offender has been convicted of or pleaded guilty to one prior violation of this section or a substantially equivalent municipal ordinance, the court shall impose upon the offender a fine of not more than two hundred fifty dollars. 2153
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(c) If, within two years of the violation, the offender has been convicted of or pleaded guilty to two or more prior violations of this section or a substantially equivalent municipal ordinance, the court shall impose upon the offender a fine of not more than five hundred dollars. The court also may impose a suspension of the offender's driver's license, commercial driver's license, temporary instruction permit, probationary license, or nonresident operating privilege for ninety days. 2158
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(d) Notwithstanding divisions (D) (1) (a) to (c) of this section, if the offender was operating the motor vehicle at the time of the violation in a construction zone where a sign was posted in accordance with section 4511.98 of the Revised Code, the court, in addition to all other penalties provided by law, shall impose upon the offender a fine of two times the amount 2167
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imposed for the violation under division (D) (1) (a), (b), or (c) 2173
of this section, as applicable. 2174

(2) If the offender is in the category of offenders to 2175
whom division (D) (1) (a) of this section applies, in lieu of 2176
payment of the fine of one hundred fifty dollars under division 2177
(D) (1) (a) of this section and the assessment of points under 2178
division (D) (4) of this section, the offender instead may elect 2179
to attend the distracted driving safety course, as described in 2180
section 4511.991 of the Revised Code. If the offender attends 2181
and successfully completes the course, the offender shall be 2182
issued written evidence that the offender successfully completed 2183
the course. The offender shall not be required to pay the fine 2184
and shall not have the points assessed against that offender's 2185
driver's license if the offender submits the written evidence to 2186
the court within 90 days of the violation of division (A) of 2187
this section. However, successful completion of the course does 2188
not result in a dismissal of the charges for the violation, and 2189
the violation is a prior offense under divisions (D) (1) (b) and 2190
(c) of this section if the offender commits a subsequent 2191
violation or violations of division (A) of this section within 2192
two years of the offense for which the course was completed. 2193
This division does not apply with respect to any offender in the 2194
category of offenders to whom division (D) (1) (b), (c), or (d) of 2195
this section applies. 2196

(3) The court may impose any other penalty authorized 2197
under sections 2929.21 to 2929.28 of the Revised Code. However, 2198
the court shall not impose a fine or a suspension not otherwise 2199
specified in division (D) (1) of this section. The court also 2200
shall not impose a jail term or community residential sanction. 2201

(4) Except as provided in division (D) (2) of this section, 2202

points shall be assessed for a violation of division (A) of this 2203
section in accordance with section 4510.036 of the Revised Code. 2204

(5) The offense established under this section is a strict 2205
liability offense and section 2901.20 of the Revised Code does 2206
not apply. The designation of this offense as a strict liability 2207
offense shall not be construed to imply that any other offense, 2208
for which there is no specified degree of culpability, is not a 2209
strict liability offense. 2210

(E) This section shall not be construed as invalidating, 2211
preempting, or superseding a substantially equivalent municipal 2212
ordinance that prescribes penalties for violations of that 2213
ordinance that are greater than the penalties prescribed in this 2214
section for violations of this section. 2215

(F) A prosecution for an offense in violation of this 2216
section does not preclude a prosecution for an offense in 2217
violation of a substantially equivalent municipal ordinance 2218
based on the same conduct. However, the two offenses are allied 2219
offenses of similar import under section 2941.25 of the Revised 2220
Code. 2221

(G) (1) A law enforcement officer does not have probable 2222
cause and shall not stop the operator of a motor vehicle for 2223
purposes of enforcing this section unless the officer visually 2224
observes the operator using, holding, or physically supporting 2225
with any part of the person's body the electronic wireless 2226
communications device. 2227

(2) A law enforcement officer who stops the operator of a 2228
motor vehicle, trackless trolley, or streetcar for a violation 2229
of division (A) of this section shall inform the operator that 2230
the operator may decline a search of the operator's electronic 2231

wireless communications device. The officer shall not do any of 2232
the following: 2233

(a) Access the device without a warrant, unless the 2234
operator voluntarily and unequivocally gives consent for the 2235
officer to access the device; 2236

(b) Confiscate the device while awaiting the issuance of a 2237
warrant to access the device; 2238

(c) Obtain consent from the operator to access the device 2239
through coercion or any other improper means. Any consent by the 2240
operator to access the device shall be voluntary and unequivocal 2241
before the officer may access the device without a warrant. 2242

(H) As used in this section: 2243

(1) "Electronic wireless communications device" includes 2244
any of the following: 2245

(a) A wireless telephone; 2246

(b) A text-messaging device; 2247

(c) A personal digital assistant; 2248

(d) A computer, including a laptop computer and a computer 2249
tablet; 2250

(e) Any device capable of displaying a video, movie, 2251
broadcast television image, or visual image; 2252

(f) Any other substantially similar wireless device that 2253
is designed or used to communicate text, initiate or receive 2254
communication, or exchange information or data. 2255

An "electronic wireless communications device" does not 2256
include a two-way radio transmitter or receiver used by a person 2257
who is licensed by the federal communications commission to 2258

participate in the amateur radio service. 2259

(2) "Voice-operated or hands-free feature or function" 2260
means a feature or function that allows a person to use an 2261
electronic wireless communications device without the use of 2262
either hand, except to activate, deactivate, or initiate the 2263
feature or function with a single touch or single swipe. 2264

(3) "Utility" means an entity specified in division (A), 2265
(C), (D), (E), or (G) of section 4905.03 of the Revised Code. 2266

(4) "Utility service vehicle" means a vehicle owned or 2267
operated by a utility. 2268

Sec. 4511.211. (A) The owner of a private road ~~or driveway~~ 2269
located in a private residential area containing twenty or more 2270
dwelling units may establish a speed limit on the road ~~or~~ 2271
~~driveway~~ by complying with all of the following requirements: 2272

(1) The speed limit is not less than twenty-five miles per 2273
hour and is indicated by a sign that is in a proper position, is 2274
sufficiently legible to be seen by an ordinarily observant 2275
person, and meets the specifications for the basic speed limit 2276
sign included in the manual adopted by the department of 2277
transportation pursuant to section 4511.09 of the Revised Code; 2278

(2) The owner has posted a sign at the entrance of the 2279
private road ~~or driveway~~ that is in plain view and clearly 2280
informs persons entering the road ~~or driveway~~ that they are 2281
entering private property, a speed limit has been established 2282
for the road ~~or driveway~~, and the speed limit is enforceable by 2283
law enforcement officers under state law. 2284

(B) No person shall operate a vehicle upon a private road 2285
~~or driveway~~ as provided in division (A) of this section at a 2286
speed exceeding any speed limit established and posted pursuant 2287

to that division.	2288
(C) When a speed limit is established and posted in accordance with division (A) of this section, any law enforcement officer may apprehend a person violating the speed limit of the residential area by utilizing any of the means described in section 4511.091 of the Revised Code or by any other accepted method of determining the speed of a motor vehicle and may stop and charge the person with exceeding the speed limit.	2289 2290 2291 2292 2293 2294 2295 2296
(D) Points shall be assessed for violation of a speed limit established and posted in accordance with division (A) of this section in accordance with section 4510.036 of the Revised Code.	2297 2298 2299 2300
(E) As used in this section:	2301
(1) "Owner" includes but is not limited to a person who holds title to the real property in fee simple, a condominium owners' association, a property owner's association, the board of directors or trustees of a private community, and a nonprofit corporation governing a private community.	2302 2303 2304 2305 2306
(2) "Private residential area containing twenty or more dwelling units" does not include a Chautauqua assembly as defined in section 4511.90 of the Revised Code.	2307 2308 2309
(F) (1) A violation of division (B) of this section is one of the following:	2310 2311
(a) Except as otherwise provided in divisions (F) (1) (b) and (c) of this section, a minor misdemeanor;	2312 2313
(b) If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to two	2314 2315

violations of division (B) of this section or of any municipal ordinance that is substantially similar to division (B) of this section, a misdemeanor of the fourth degree;

(c) If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to three or more violations of division (B) of this section or of any municipal ordinance that is substantially similar to division (B) of this section, a misdemeanor of the third degree.

(2) 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.

Sec. 4511.214. ~~(A)-(1)~~(A) As used in this section and sections 4511.215 and 4511.216 of the Revised Code, "low-speed vehicle," "mini-truck," "under-speed vehicle," and "utility vehicle" have the same meanings as in section 4501.01 of the Revised Code.

(B) (1) No person shall operate a low-speed vehicle upon any street or highway having an established speed limit greater than thirty-five miles per hour.

(2) No person shall operate an under-speed or utility vehicle or a mini-truck upon any street or highway except as follows:

(a) Upon a street or highway having an established speed limit not greater than thirty-five miles per hour and only upon such streets or highways where a local authority has granted permission for such operation in accordance with section 4511.215 of the Revised Code;

(b) A state park or political subdivision employee or volunteer operating a utility vehicle exclusively within the boundaries of state parks or political subdivision parks for the operation or maintenance of state or political subdivision park facilities.

(3) No person shall operate a motor-driven cycle or motor scooter upon any street or highway having an established speed limit greater than forty-five miles per hour.

~~(B)~~(C) This section does not prohibit either of the following:

(1) A person operating a low-speed vehicle, under-speed, or utility vehicle or a mini-truck from proceeding across an intersection of a street or highway having a speed limit greater than thirty-five miles per hour;

(2) A person operating a motor-driven cycle or motor scooter from proceeding across an intersection of a street or highway having a speed limit greater than forty-five miles per hour.

~~(C)~~(D) Nothing in this section shall prevent a local authority from adopting more stringent local ordinances, resolutions, or regulations governing the operation of a low-speed vehicle or a mini-truck, or a motor-driven cycle or motor scooter.

~~(D)~~(E) Except as otherwise provided in this division, whoever violates division ~~(A)~~(B) of 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 2374
convicted of two or more predicate motor vehicle or traffic 2375
offenses, whoever violates this section is guilty of a 2376
misdemeanor of the third degree. 2377

Sec. 4511.432. (A) The owner of a private road ~~or driveway~~ 2378
located in a private residential area containing twenty or more 2379
dwelling units may erect stop signs at places where the road ~~or~~ 2380
~~driveway~~ intersects with another private road ~~or driveway~~ in the 2381
residential area, in compliance with all of the following 2382
requirements: 2383

(1) The stop sign is sufficiently legible to be seen by an 2384
ordinarily observant person and meets the specifications of and 2385
is placed in accordance with the manual adopted by the 2386
department of transportation pursuant to section 4511.09 of the 2387
Revised Code. 2388

(2) The owner has posted a sign at the entrance of the 2389
private road ~~or driveway~~ that is in plain view and clearly 2390
informs persons entering the road ~~or driveway~~ that they are 2391
entering private property, stop signs have been posted and must 2392
be obeyed, and the signs are enforceable by law enforcement 2393
officers under state law. The sign required by division (A) (2) 2394
of this section, where appropriate, may be incorporated with the 2395
sign required by division (A) (2) of section 4511.211 of the 2396
Revised Code. 2397

(B) Division (A) of section 4511.43 and section 4511.46 of 2398
the Revised Code shall be deemed to apply to the driver of a 2399
vehicle on a private road ~~or driveway~~ where a stop sign is 2400
placed in accordance with division (A) of this section and to a 2401
pedestrian crossing such a road ~~or driveway~~ at an intersection 2402
where a stop sign is in place. 2403

(C) When a stop sign is placed in accordance with division 2404
(A) of this section, any law enforcement officer may apprehend a 2405
person found violating the stop sign and may stop and charge the 2406
person with violating the stop sign. 2407

(D) Except as otherwise provided in this division, whoever 2408
violates this section is guilty of a minor misdemeanor. If, 2409
within one year of the offense, the offender previously has been 2410
convicted of or pleaded guilty to one predicate motor vehicle or 2411
traffic offense, whoever violates this section is guilty of a 2412
misdemeanor of the fourth degree. If, within one year of the 2413
offense, the offender previously has been convicted of two or 2414
more predicate motor vehicle or traffic offenses, whoever 2415
violates this section is guilty of a misdemeanor of the third 2416
degree. 2417

(E) As used in this section, and for the purpose of 2418
applying division (A) of section 4511.43 and section 4511.46 of 2419
the Revised Code to conduct under this section: 2420

(1) "Intersection" means: 2421

(a) The area embraced within the prolongation or 2422
connection of the lateral curb lines, or, if none, then the 2423
lateral boundary lines of the roadways of two private roads ~~or~~ 2424
~~driveways~~ which join one another at, or approximately at, right 2425
angles, or the area within which vehicles traveling upon 2426
different private roads ~~or driveways~~ joining at any other angle 2427
may come in conflict. 2428

(b) Where a private road ~~or driveway~~ includes two roadways 2429
thirty feet or more apart, then every crossing of two roadways 2430
of such private roads ~~or driveways~~ shall be regarded as a 2431
separate intersection. 2432

(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 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 2462
an intersection to permit a pedestrian to cross the roadway, the 2463
driver of any other vehicle, trackless trolley, or streetcar 2464
approaching from the rear shall not overtake and pass the 2465
stopped vehicle. 2466

(E) Except as otherwise provided in this division, whoever 2467
violates this section is guilty of a minor misdemeanor. If, 2468
within one year of the offense, the offender previously has been 2469
convicted of or pleaded guilty to one predicate motor vehicle or 2470
traffic offense, whoever violates this section is guilty of a 2471
misdemeanor of the fourth degree. If, within one year of the 2472
offense, the offender previously has been convicted of two or 2473
more predicate motor vehicle or traffic offenses, whoever 2474
violates this section is guilty of a misdemeanor of the third 2475
degree. 2476

If the offender commits the offense while distracted and 2477
the distracting activity is a contributing factor to the 2478
commission of the offense, the offender is subject to the 2479
additional fine established under section 4511.991 of the 2480
Revised Code. 2481

Sec. 4511.48. (A) Every pedestrian crossing a roadway at 2482
any point other than within a marked crosswalk or within an 2483
unmarked crosswalk at an intersection shall yield the right of 2484
way to all vehicles, trackless trolleys, or streetcars upon the 2485
roadway. 2486

(B) Any pedestrian crossing a roadway at a point where a 2487
pedestrian tunnel or overhead pedestrian crossing has been 2488
provided shall yield the right of way to all traffic upon the 2489
roadway. 2490

(C) Between adjacent intersections at which highway 2491
traffic ~~control~~-signals are in operation, pedestrians shall not 2492
cross at any place except in a marked crosswalk. 2493

(D) No pedestrian shall cross a roadway intersection 2494
diagonally unless authorized by official traffic control 2495
devices; and, when authorized to cross diagonally, pedestrians 2496
shall cross only in accordance with the official traffic control 2497
devices pertaining to such crossing movements. 2498

(E) This section does not relieve the operator of a 2499
vehicle, streetcar, or trackless trolley from exercising due 2500
care to avoid colliding with any pedestrian upon any roadway. 2501

(F) Except as otherwise provided in this division, whoever 2502
violates this section is guilty of a minor misdemeanor. If, 2503
within one year of the offense, the offender previously has been 2504
convicted of or pleaded guilty to one predicate motor vehicle or 2505
traffic offense, whoever violates this section is guilty of a 2506
misdemeanor of the fourth degree. If, within one year of the 2507
offense, the offender previously has been convicted of two or 2508
more predicate motor vehicle or traffic offenses, whoever 2509
violates this section is guilty of a misdemeanor of the third 2510
degree. 2511

Sec. 4511.512. (A) (1) Electric personal assistive mobility 2512
devices, as defined in section 4501.01 of the Revised Code, may 2513
be operated on the public streets, highways, sidewalks, and 2514
paths and portions of roadways set aside for the exclusive use 2515
of bicycles in accordance with this section. 2516

(2) Except as otherwise provided in this section, those 2517
sections of this chapter that by their nature are applicable to 2518
an electric personal assistive mobility device apply to the 2519

device and the person operating it whenever it is operated upon 2520
any public street, highway, sidewalk, or path or upon any 2521
portion of a roadway set aside for the exclusive use of 2522
bicycles. 2523

(3) A local authority may regulate or prohibit the 2524
operation of electric personal assistive mobility devices on 2525
public streets, highways, sidewalks, and paths, and portions of 2526
roadways set aside for the exclusive use of bicycles, under its 2527
jurisdiction. 2528

(B) No operator of an electric personal assistive mobility 2529
device shall do any of the following: 2530

(1) Fail to yield the right-of-way to all pedestrians and 2531
human-powered vehicles at all times; 2532

(2) Fail to give an audible signal before overtaking and 2533
passing a pedestrian; 2534

(3) Operate the device at night unless the device or its 2535
operator is equipped with or wearing both of the following: 2536

(a) A lamp pointing to the front that emits a white light 2537
visible from a distance of not less than five hundred feet; 2538

(b) A red reflector facing the rear that is visible from 2539
all distances from one hundred feet to six hundred feet when 2540
directly in front of lawful lower beams of head lamps on a motor 2541
vehicle. 2542

(4) Operate the device on any portion of a street or 2543
highway that has an established speed limit of fifty-five miles 2544
per hour or more; 2545

(5) Operate the device upon any path set aside for the 2546
exclusive use of pedestrians or other specialized use when an 2547

appropriate sign giving notice of the specialized use is posted 2548
on the path; 2549

(6) If under eighteen years of age, operate the device 2550
unless wearing a protective helmet on the person's head with the 2551
chin strap properly fastened; 2552

(7) If under sixteen years of age, operate the device 2553
unless, during the operation, the person is under the direct 2554
visual and audible supervision of another person who is eighteen 2555
years of age or older and is responsible for the immediate care 2556
of the person under sixteen years of age. 2557

(C) No person who is under fourteen years of age shall 2558
operate an electric personal assistive mobility device. 2559

(D) No person shall distribute or sell an electric 2560
personal assistive mobility device unless the device is 2561
accompanied by a written statement that is substantially 2562
equivalent to the following: "WARNING: TO REDUCE THE RISK OF 2563
SERIOUS INJURY, USE ONLY WHILE WEARING FULL PROTECTIVE EQUIPMENT 2564
- HELMET, WRIST GUARDS, ELBOW PADS, AND KNEE PADS." 2565

(E) Nothing in this section affects or shall be construed 2566
to affect any rule of the director of natural resources or a 2567
board of park district commissioners governing the operation of 2568
vehicles on lands under the control of the director or board, as 2569
applicable. 2570

(F) (1) Whoever violates division (B) or (C) of this 2571
section is guilty of a minor misdemeanor and shall be punished 2572
as follows: 2573

(a) The offender shall be fined ten dollars. 2574

(b) If the offender previously has been convicted of or 2575

pleaded guilty to a violation of division (B) or (C) of this 2576
section or a substantially similar municipal ordinance, the 2577
court, in addition to imposing the fine required under division 2578
(F) (1) of this section, shall do one of the following: 2579

(i) Order the impoundment for not less than one day but 2580
not more than thirty days of the electric personal assistive 2581
mobility device that was involved in the current violation of 2582
that division. The court shall order the device to be impounded 2583
at a safe indoor location designated by the court and may assess 2584
storage fees of not more than five dollars per day, provided the 2585
total storage, processing, and release fees assessed against the 2586
offender or the device in connection with the device's 2587
impoundment or subsequent release shall not exceed fifty 2588
dollars. 2589

(ii) If the court does not issue an impoundment order 2590
pursuant to division (F) (1) (b) (i) of this section, issue an 2591
order prohibiting the offender from operating any electric 2592
personal assistive mobility device on the public streets, 2593
highways, sidewalks, and paths and portions of roadways set 2594
aside for the exclusive use of bicycles for not less than one 2595
day but not more than thirty days. 2596

(2) Whoever violates division (D) of this section is 2597
guilty of a minor misdemeanor. 2598

Sec. 4511.61. (A) As used in this section, "~~active grade~~ 2599
Grade crossing warning devicesystem" means ~~signs, the flashing-~~ 2600
light signals, with or without automatic gates, or other 2601
~~protective devices erected or installed at a public highway-~~ 2602
~~railway crossing at common grade and activated by an electrical~~ 2603
circuit together with the necessary control equipment that is 2604
used to inform road users of the approach and presence of rail 2605

traffic at a grade crossing. 2606

(B) The department of transportation and local authorities 2607
in their respective jurisdictions, with the approval of the 2608
department, may designate dangerous highway crossings over 2609
railroad tracks whether on state, county, or township highways 2610
or on streets or ways within municipal corporations, and erect 2611
stop signs thereat. 2612

(C) (1) The department and local authorities shall erect 2613
stop signs at a railroad highway grade crossing in either of the 2614
following circumstances: 2615

(a) New warning devices that are not ~~active-grade crossing~~ 2616
warning devices—systems are being installed at the grade 2617
crossing, and railroad crossbucks were the only warning devices 2618
at the grade crossing prior to the installation of the new 2619
warning devices. 2620

(b) The grade crossing is constructed after July 1, 2013, 2621
and only warning devices that are not ~~active-grade crossing~~ 2622
warning devices—systems are installed at the grade crossing. 2623

(2) Division (C) (1) of this section does not apply to a 2624
railroad highway grade crossing that the director of 2625
transportation has exempted from that division because of 2626
traffic flow or other considerations or factors. 2627

(D) When stop signs are erected pursuant to division (B) 2628
or (C) of this section, the operator of any vehicle, streetcar, 2629
or trackless trolley shall stop within fifty, but not less than 2630
fifteen, feet from the nearest rail of the railroad tracks and 2631
shall exercise due care before proceeding across such grade 2632
crossing. 2633

(E) Except as otherwise provided in this division, whoever 2634

violates division (D) of this section is guilty of a minor 2635
misdemeanor. If, within one year of the offense, the offender 2636
previously has been convicted of or pleaded guilty to one 2637
predicate motor vehicle or traffic offense, whoever violates 2638
this section is guilty of a misdemeanor of the fourth degree. 2639
If, within one year of the offense, the offender previously has 2640
been convicted of two or more predicate motor vehicle or traffic 2641
offenses, whoever violates this section is guilty of a 2642
misdemeanor of the third degree. 2643

If the offender commits the offense while distracted and 2644
the distracting activity is a contributing factor to the 2645
commission of the offense, the offender is subject to the 2646
additional fine established under section 4511.991 of the 2647
Revised Code. 2648

Sec. 4511.62. (A) (1) Whenever any person driving a vehicle 2649
or trackless trolley approaches a railroad grade crossing, the 2650
person shall stop within fifty feet, but not less than fifteen 2651
feet from the nearest rail of the railroad if any of the 2652
following circumstances exist at the crossing: 2653

(a) A clearly visible electric or mechanical signal device 2654
gives warning of the immediate approach of a train or other on- 2655
track equipment. 2656

(b) A crossing gate is lowered. 2657

(c) A flagperson gives or continues to give a signal of 2658
the approach or passage of a train or other on-track equipment. 2659

(d) There is insufficient space on the other side of the 2660
railroad grade crossing to accommodate the vehicle or trackless 2661
trolley the person is operating without obstructing the passage 2662
of other vehicles, trackless trolleys, pedestrians, or ~~railroad~~ 2663

trains, notwithstanding any highway traffic ~~control~~-signal 2664
indication to proceed. 2665

(e) An approaching train is emitting an audible signal or 2666
is plainly visible and is in hazardous proximity to the 2667
crossing. 2668

(f) There is insufficient undercarriage clearance to 2669
safely negotiate the crossing. 2670

(g) There is insufficient space on the other side of the 2671
railroad grade crossing to accommodate the vehicle or trackless 2672
trolley the person is operating without obstructing the passage 2673
of other on-track equipment. 2674

(h) Approaching on-track equipment is emitting an audible 2675
signal or is plainly visible and is in hazardous proximity to 2676
the crossing. 2677

(2) (a) A person who is driving a vehicle or trackless 2678
trolley and who approaches a railroad grade crossing shall not 2679
proceed as long as any of the circumstances described in 2680
divisions (A) (1) (a) to (f) of this section exist at the 2681
crossing. 2682

(b) A person who is driving a vehicle or trackless trolley 2683
and who approaches a railroad grade crossing shall not 2684
recklessly proceed as long as any of the circumstances described 2685
in division (A) (1) (g) or (h) of this section exist at the 2686
crossing. 2687

(B) No person shall drive any vehicle through, around, or 2688
under any crossing gate or barrier at a railroad crossing while 2689
the gate or barrier is closed or is being opened or closed 2690
unless the person is signaled by a law enforcement officer or 2691
flagperson that it is permissible to do so. 2692

(C) (1) Whoever violates this section is guilty of a 2693
misdemeanor of the fourth degree. 2694

(2) In lieu of a fine or jail term for a violation of this 2695
section, a court may instead order the offender to attend and 2696
successfully complete a remedial safety training or presentation 2697
regarding rail safety that is offered by an authorized and 2698
qualified organization that is selected by the court. The 2699
offender shall complete the presentation within a time frame 2700
determined by the court, not to exceed one hundred eighty days 2701
after the court issues the order. The offender shall notify the 2702
court of the successful completion of the presentation. When the 2703
offender notifies the court of the successful completion of the 2704
presentation, the court shall waive any fine or jail term that 2705
it otherwise would have imposed for a violation of this section. 2706

Sec. 4511.64. (A) No person shall operate or move any 2707
crawler-type tractor, steam shovel, derrick, roller, or any 2708
equipment or structure having a normal operating speed of six or 2709
less miles per hour or a vertical body or load clearance of less 2710
than nine inches above the level surface of a roadway, upon or 2711
across any tracks at a railroad grade crossing without first 2712
complying with divisions (A) (1) and (2) of this section. 2713

(1) Before making any such crossing, the person operating 2714
or moving any such vehicle or equipment shall first stop the 2715
same, and while stopped the person shall listen and look in both 2716
directions along such track for any approaching train or other 2717
on-track equipment and for signals indicating the approach of a 2718
train or other on-track equipment, and shall proceed only upon 2719
exercising due care. 2720

(2) No such crossing shall be made when warning is given 2721
by automatic signal or crossing gates or a flagperson or 2722

otherwise of the immediate approach of a ~~railroad~~-train or car 2723
or other on-track equipment. 2724

(B) If the normal sustained speed of such vehicle, 2725
equipment, or structure is not more than three miles per hour, 2726
the person owning, operating, or moving the same shall also give 2727
notice of such intended crossing to a station agent or 2728
superintendent of the railroad, and a reasonable time shall be 2729
given to such railroad to provide proper protection for such 2730
crossing. Where such vehicles or equipment are being used in 2731
constructing or repairing a section of highway lying on both 2732
sides of a railroad grade crossing, and in such construction or 2733
repair it is necessary to repeatedly move such vehicles or 2734
equipment over such crossing, one daily notice specifying when 2735
such work will start and stating the hours during which it will 2736
be prosecuted is sufficient. 2737

(C) Except as otherwise provided in this division, whoever 2738
violates this section is guilty of a minor misdemeanor. If, 2739
within one year of the offense, the offender previously has been 2740
convicted of or pleaded guilty to one predicate motor vehicle or 2741
traffic offense, whoever violates this section is guilty of a 2742
misdemeanor of the fourth degree. If, within one year of the 2743
offense, the offender previously has been convicted of two or 2744
more predicate motor vehicle or traffic offenses, whoever 2745
violates this section is guilty of a misdemeanor of the third 2746
degree. 2747

If the offender commits the offense while distracted and 2748
the distracting activity is a contributing factor to the 2749
commission of the offense, the offender is subject to the 2750
additional fine established under section 4511.991 of the 2751
Revised Code. 2752

Sec. 4511.65. (A) All state routes are hereby designated 2753
as through highways, provided that stop signs, yield signs, or 2754
highway traffic control-signals shall be erected at all 2755
intersections with such through highways by the department of 2756
transportation as to highways under its jurisdiction and by 2757
local authorities as to highways under their jurisdiction, 2758
except as otherwise provided in this section. Where two or more 2759
state routes that are through highways intersect and no highway 2760
traffic ~~control~~-signal is in operation, stop signs or yield 2761
signs shall be erected at one or more entrances thereto by the 2762
department, except as otherwise provided in this section. 2763

Whenever the director of transportation determines on the 2764
basis of an engineering and traffic investigation that stop 2765
signs are necessary to stop traffic on a through highway for 2766
safe and efficient operation, nothing in this section shall be 2767
construed to prevent such installations. When circumstances 2768
warrant, the director also may omit stop signs on roadways 2769
intersecting through highways under ~~his~~ the director's 2770
jurisdiction. Before the director either installs or removes a 2771
stop sign under this division, ~~he~~ the director shall give 2772
notice, in writing, of that proposed action to the affected 2773
local authority at least thirty days before installing or 2774
removing the stop sign. 2775

(B) Other streets or highways, or portions thereof, are 2776
hereby designated through highways if they are within a 2777
municipal corporation, if they have a continuous length of more 2778
than one mile between the limits of said street or highway or 2779
portion thereof, and if they have "stop" or "yield" signs or 2780
highway traffic control-signals at the entrances of the majority 2781
of intersecting streets or highways. For purposes of this 2782
section, the limits of said street or highway or portion thereof 2783

shall be a municipal corporation line, the physical terminus of 2784
the street or highway, or any point on said street or highway at 2785
which vehicular traffic thereon is required by regulatory signs 2786
to stop or yield to traffic on the intersecting street, provided 2787
that in residence districts a municipal corporation may by 2788
ordinance designate said street or highway, or portion thereof, 2789
not to be a through highway and thereafter the affected 2790
residence district shall be indicated by official traffic 2791
control devices. Where two or more through highways designated 2792
under this division intersect and no highway traffic ~~control~~ 2793
signal is in operation, stop signs or yield signs shall be 2794
erected at one or more entrances thereto by the department or by 2795
local authorities having jurisdiction, except as otherwise 2796
provided in this section. 2797

(C) The department or local authorities having 2798
jurisdiction need not erect stop signs at intersections they 2799
find to be so constructed as to permit traffic to safely enter a 2800
through highway without coming to a stop. Signs shall be erected 2801
at such intersections indicating that the operator of a vehicle 2802
shall yield the right-of-way to or merge with all traffic 2803
proceeding on the through highway. 2804

(D) Local authorities with reference to highways under 2805
their jurisdiction may designate additional through highways and 2806
shall erect stop signs, yield signs, or highway traffic ~~control~~ 2807
signals at all streets and highways intersecting such through 2808
highways, or may designate any intersection as a stop or yield 2809
intersection and shall erect like signs at one or more entrances 2810
to such intersection. 2811

Sec. 4511.68. (A) No person shall stand or park a 2812
trackless trolley or vehicle, except when necessary to avoid 2813

conflict with other traffic or to comply with sections 4511.01 2814
to 4511.78, 4511.99, and 4513.01 to 4513.37 of the Revised Code, 2815
or while obeying the directions of a police officer or a traffic 2816
control device, in any of the following places: 2817

(1) On a sidewalk, except as provided in division (B) of 2818
this section; 2819

(2) In front of a public or private driveway; 2820

(3) Within an intersection; 2821

(4) Within ten feet of a fire hydrant; 2822

(5) On a crosswalk; 2823

(6) Within twenty feet of a crosswalk at an intersection; 2824

(7) Within thirty feet of, and upon the approach to, any 2825
~~flashing beacon~~yield sign, stop sign, or highway traffic control
~~device~~signal; 2826
2827

(8) Between a safety zone and the adjacent curb or within 2828
thirty feet of points on the curb immediately opposite the ends 2829
of a safety zone, unless a different length is indicated by a 2830
traffic control device; 2831

(9) Within fifty feet of the nearest rail of a railroad 2832
crossing; 2833

(10) Within twenty feet of a driveway entrance to any fire 2834
station and, on the side of the street opposite the entrance to 2835
any fire station, within seventy-five feet of the entrance when 2836
it is properly posted with signs; 2837

(11) Alongside or opposite any street excavation or 2838
obstruction when such standing or parking would obstruct 2839
traffic; 2840

(12) Alongside any vehicle stopped or parked at the edge	2841
or curb of a street;	2842
(13) Upon any bridge or elevated structure upon a highway,	2843
or within a highway tunnel;	2844
(14) At any place where signs prohibit stopping;	2845
(15) Within one foot of another parked vehicle;	2846
(16) On the roadway portion of a freeway, expressway, or	2847
thruway;	2848
<u>(17) On a bicycle lane.</u>	2849
(B) A person is permitted, without charge or restriction,	2850
to stand or park on a sidewalk a motor-driven cycle or motor	2851
scooter that has an engine not larger than one hundred fifty	2852
cubic centimeters, a low-speed micromobility device, or a	2853
bicycle or electric bicycle, provided that the motor-driven	2854
cycle, motor scooter, low-speed micromobility device, bicycle,	2855
or electric bicycle does not impede the normal flow of	2856
pedestrian traffic. This division does not authorize any person	2857
to operate a vehicle in violation of section 4511.711 of the	2858
Revised Code.	2859
(C) Except as otherwise provided in this division, whoever	2860
violates division (A) of this section is guilty of a minor	2861
misdemeanor. If, within one year of the offense, the offender	2862
previously has been convicted of or pleaded guilty to one	2863
predicate motor vehicle or traffic offense, whoever violates	2864
this section is guilty of a misdemeanor of the fourth degree.	2865
If, within one year of the offense, the offender previously has	2866
been convicted of two or more predicate motor vehicle or traffic	2867
offenses, whoever violates this section is guilty of a	2868
misdemeanor of the third degree.	2869

Sec. 4511.701. (A) As used in this section: 2870

(1) "Fifth wheel trailer," "mobile home," and "travel trailer" have the same meanings as in section 4501.01 of the Revised Code. 2871
2872
2873

(2) "Manufactured home" has the same meaning as in division (C) (4) of section 3781.06 of the Revised Code. 2874
2875

(B) Except as provided in division ~~(B)~~(C) of this section, 2876
no person shall occupy any travel trailer, fifth wheel trailer, 2877
or manufactured or mobile home while it is being used as a 2878
conveyance upon a street or highway. 2879

~~(B)~~(C) Division ~~(A)~~(B) of this section does not apply to a 2880
fifth wheel trailer when both of the following apply: 2881

(1) Any child riding in the fifth wheel trailer is 2882
properly secured in the manner provided in section 4511.81 of 2883
the Revised Code; 2884

(2) The operator of the vehicle towing the fifth wheel 2885
trailer has some means of viable communication with the 2886
passengers riding in the trailer. 2887

As used in this division, "viable communication" includes 2888
a cellular or satellite telephone, a radio, or any other similar 2889
electronic wireless communications device. 2890

~~(C)~~(D) Except as otherwise provided in this division, 2891
whoever violates this section is guilty of a minor misdemeanor. 2892
If, within one year of the offense, the offender previously has 2893
been convicted of or pleaded guilty to one predicate motor 2894
vehicle or traffic offense, whoever violates this section is 2895
guilty of a misdemeanor of the fourth degree. If, within one 2896
year of the offense, the offender previously has been convicted 2897

of two or more predicate motor vehicle or traffic offenses, 2898
whoever violates this section is guilty of a misdemeanor of the 2899
third degree. 2900

~~(2)~~ (E) The offense established under this section is a 2901
strict liability offense and section 2901.20 of the Revised Code 2902
does not apply. The designation of this offense as a strict 2903
liability offense shall not be construed to imply that any other 2904
offense, for which there is no specified degree of culpability, 2905
is not a strict liability offense. 2906

Sec. 4511.712. (A) No driver shall enter an intersection 2907
or marked crosswalk or drive onto any railroad grade crossing 2908
unless there is sufficient space on the other side of the 2909
intersection, crosswalk, or grade crossing to accommodate the 2910
vehicle, streetcar, or trackless trolley the driver is operating 2911
without obstructing the passage of other vehicles, streetcars, 2912
trackless trolleys, pedestrians, or ~~railroad~~ trains, 2913
notwithstanding any highway traffic ~~control~~ signal indication to 2914
proceed. 2915

(B) This section does not apply to a bicyclist using a 2916
two-stage bicycle turn box. 2917

(C) Except as otherwise provided in this division, whoever 2918
violates this section is guilty of a minor misdemeanor. If, 2919
within one year of the offense, the offender previously has been 2920
convicted of or pleaded guilty to one predicate motor vehicle or 2921
traffic offense, whoever violates this section is guilty of a 2922
misdemeanor of the fourth degree. If, within one year of the 2923
offense, the offender previously has been convicted of two or 2924
more predicate motor vehicle or traffic offenses, whoever 2925
violates this section is guilty of a misdemeanor of the third 2926
degree. 2927

If the offender commits the offense while distracted and 2928
the distracting activity is a contributing factor to the 2929
commission of the offense, the offender is subject to the 2930
additional fine established under section 4511.991 of the 2931
Revised Code. 2932

Sec. 4519.401. (A) Except as provided in this section and 2933
section 4511.215 of the Revised Code, no person shall operate a 2934
mini-truck within this state. 2935

(B) A person may operate a mini-truck on a farm for 2936
agricultural purposes only when the owner of the farm qualifies 2937
for the current agricultural use valuation tax credit. A mini- 2938
truck may be operated by or on behalf of such a farm owner on 2939
public roads and rights-of-way only when traveling from one farm 2940
field to another. 2941

(C) A person may operate a mini-truck on property owned or 2942
leased by a dealer who sells mini-trucks at retail. 2943

(D) Whoever violates this section shall be penalized as 2944
provided in division ~~(D)~~(E) of section 4511.214 of the Revised 2945
Code. 2946

Sec. 5501.20. (A) As used in this section: 2947

(1) "Career professional service" means that part of the 2948
competitive classified service that consists of employees of the 2949
department of transportation who, regardless of job 2950
classification, meet both of the following qualifications: 2951

(a) They are supervisors, professional employees who are 2952
not in a collective bargaining unit, confidential employees, or 2953
management level employees, all as defined in section 4117.01 of 2954
the Revised Code. 2955

(b) They exercise authority that is not merely routine or 2956
clerical in nature and report only to a higher level 2957
unclassified employee or employee in the career professional 2958
service. 2959

(2) "Demoted" means that an employee is placed in a 2960
position where the employee's wage rate equals, or is not more 2961
than twenty per cent less than, the employee's wage rate 2962
immediately prior to demotion or where the employee's job 2963
responsibilities are reduced, or both. 2964

(3) "Employee in the career professional service with 2965
restoration rights" means an employee in the career professional 2966
service who has been in the classified civil service for at 2967
least two years and who has a cumulative total of at least ten 2968
years of continuous service with the department of 2969
transportation. 2970

(4) "Egregious" means a type of conduct or offense that is 2971
especially serious in nature, including theft in office, illegal 2972
drug use while working, discrimination or harassment, assault, 2973
or any other similar conduct or offense. 2974

(B) The director shall adopt a rule in accordance with 2975
section 111.15 of the Revised Code that identifies specific 2976
positions within the department of transportation that are 2977
included in the career professional service. The director may 2978
amend the rule that identifies the specific positions included 2979
in the career professional service whenever the director 2980
determines necessary. Any rule adopted under this division is 2981
subject to review and invalidation by the joint committee on 2982
agency rule review as provided in division (D) of section 111.15 2983
of the Revised Code. The director shall provide a copy of any 2984
rule adopted under this division to the director of budget and 2985

management. 2986

An employee in the career professional service is subject 2987
to the provisions of Chapter 124. of the Revised Code that 2988
govern employees in the classified civil service. 2989

~~(C)~~ (C) (1) An employee in the career professional service 2990
shall receive a written performance review at least once each 2991
year or as often as the director considers necessary. ~~The~~ 2992

(2) Except as provided in division (C) (3) of this section, 2993
the department shall may give an employee whose performance is 2994
unsatisfactory an opportunity to improve performance for a 2995
period of at least six months, by means of a written performance 2996
improvement plan, before the department takes any disciplinary 2997
action under this section. 2998

(3) If an employee's conduct or committed offense is 2999
egregious, the department shall take immediate disciplinary 3000
action without giving the employee an opportunity to improve 3001
performance by means of a written performance improvement plan. 3002

(D) An employee in the career professional service may be 3003
suspended, demoted, or removed pursuant to division (C) of this 3004
section or for disciplinary reasons under section 124.34 or 3005
124.57 of the Revised Code. An employee in the career 3006
professional service may appeal only the employee's removal to 3007
the state personnel board of review. An employee in the career 3008
professional service may appeal a demotion or a suspension of 3009
more than three days pursuant to rules the director adopts in 3010
accordance with section 111.15 of the Revised Code. 3011

(E) An employee in the career professional service with 3012
restoration rights has restoration rights if demoted because of 3013
performance, but not if involuntarily demoted or removed for any 3014

of the reasons described in section 124.34 or for a violation of 3015
section 124.57 of the Revised Code. The director shall demote an 3016
employee who has restoration rights of that nature to a position 3017
in the classified service that in the director's judgment is 3018
similar in nature to the position the employee held immediately 3019
prior to being appointed to the position in the career 3020
professional service. The director shall assign to an employee 3021
who is demoted to a position in the classified service as 3022
provided in this division a wage rate that equals, or that is 3023
not more than twenty per cent less than, the wage rate assigned 3024
to the employee in the career professional service immediately 3025
prior to the employee's demotion. 3026

Sec. 5513.01. (A) The director of transportation shall 3027
make all purchases of ~~machinery, materials, supplies, or other-~~ 3028
~~articles~~ products, and services in the manner provided in this 3029
section. In all cases except those in which the director 3030
provides written authorization for purchases by district deputy 3031
directors of transportation, the director shall make all such 3032
purchases at the central office of the department of 3033
transportation in Columbus. ~~Before making any purchase at that-~~ 3034
~~office, the director, as provided in this section, shall give-~~ 3035
~~notice to bidders of the director's intention to purchase.~~ Where 3036
the expenditure does not exceed the amount applicable to the 3037
purchase of supplies, products, or services specified in 3038
division (A) of section 125.05 of the Revised Code, the director 3039
shall give such notice as the director considers proper, or the 3040
director may make the purchase without notice. Where the 3041
expenditure exceeds the amount applicable to the purchase of 3042
supplies, products, or services specified in division (A) of 3043
section 125.05 of the Revised Code, the director shall give 3044
notice by posting for not less than ten days ~~a written, typed,~~ 3045

~~or printed invitation to bidders on a bulletin board. The~~ 3046
~~director shall locate the notice in a place in the offices~~ 3047
~~assigned to the department and open to the public during~~ 3048
~~business hours~~the intention to purchase on the electronic 3049
procurement system established by the department of 3050
administrative services under section 125.073 of the Revised 3051
Code. The director shall use a competitive selection process in 3052
the purchase of supplies, products, or services. 3053

~~Producers or distributors of any product may notify the~~ 3054
~~director, in writing, of the class of articles for the~~ 3055
~~furnishing of which they desire to bid and their post-office~~ 3056
~~addresses. In that circumstance, the director shall mail copies~~ 3057
~~of all invitations to bidders relating to the purchase of such~~ 3058
~~articles to such persons by regular first class mail at least~~ 3059
~~ten days prior to the time fixed for taking bids. The director~~ 3060
~~also may mail copies of all invitations to bidders to news~~ 3061
~~agencies or other agencies or organizations distributing~~ 3062
~~information of this character. Requests for invitations are not~~ 3063
~~valid and do not require action by the director unless renewed~~ 3064
~~by the director, either annually or after such shorter period as~~ 3065
~~the director may prescribe by a general rule.~~ 3066

~~The director shall include in an invitation to bidders a~~ 3067
~~brief statement of the general character of the article that it~~ 3068
~~is intended to purchase, the approximate quantity desired, and a~~ 3069
~~statement of the time and place where bids will be received, and~~ 3070
~~may relate to and describe as many different articles as the~~ 3071
~~director thinks proper~~may post multiple supplies, products, or 3072
services in a single listing on the electronic procurement 3073
system, it being the intent and purpose of this section to 3074
authorize the inclusion in a single invitation-solicitation of 3075
as many different articles-supplies, products, or services as 3076

the director desires to ~~invite bids upon purchase~~ at any given 3077
time. ~~The director shall give invitations issued during each~~ 3078
~~calendar year consecutive numbers, and ensure that the number~~ 3079
~~assigned to each invitation appears on all copies thereof. In~~ 3080
~~all cases where notice is required by this section, the director~~ 3081
~~shall require sealed bids, on forms prescribed and furnished by~~ 3082
~~the director.~~ The director shall not permit the modification of 3083
bids after they have been opened. 3084

(B) The director may permit a state agency, the Ohio 3085
turnpike and infrastructure commission, any political 3086
subdivision, and any state university or college to participate 3087
in contracts into which the director has entered for the 3088
purchase of ~~machinery, materials, supplies, products, or other~~ 3089
~~articles~~ services. The turnpike and infrastructure commission and 3090
any political subdivision or state university or college 3091
desiring to participate in such purchase contracts shall file 3092
with the director a certified copy of the bylaws or rules of the 3093
turnpike and infrastructure commission or the ordinance or 3094
resolution of the legislative authority, board of trustees, or 3095
other governing board requesting authorization to participate in 3096
such contracts and agreeing to be bound by such terms and 3097
conditions as the director prescribes. Purchases made by a state 3098
agency, the turnpike and infrastructure commission, political 3099
subdivisions, or state universities or colleges under this 3100
division are exempt from any competitive bidding required by law 3101
for the purchase of ~~machinery, materials, supplies, products, or~~ 3102
~~other articles~~ services. 3103

(C) As used in this section: 3104

(1) "Competitive selection," "products," "purchase," 3105
"services," and "supplies" have the same meanings as in section 3106

<u>125.01 of the Revised Code.</u>	3107
(2) "Political subdivision" means any county, township, municipal corporation, conservancy district, township park district, park district created under Chapter 1545. of the Revised Code, port authority, regional transit authority, regional airport authority, regional water and sewer district, county transit board, school district as defined in section 5513.04 of the Revised Code, regional planning commission formed under section 713.21 of the Revised Code, regional council of government formed under section 167.01 of the Revised Code, or other association of local governments established pursuant to an agreement under sections 307.14 to 307.19 of the Revised Code.	3108 3109 3110 3111 3112 3113 3114 3115 3116 3117 3118 3119
(2) (3) "State university or college" has the same meaning as in division (A) (1) of section 3345.32 of the Revised Code.	3120 3121
(3) (4) "Ohio turnpike and infrastructure commission" means the commission created by section 5537.02 of the Revised Code.	3122 3123
(4) (5) "State agency" means every organized body, office, board, authority, commission, or agency established by the laws of the state for the exercise of any governmental or quasi-governmental function of state government, regardless of the funding source for that entity, other than any state institution of higher education, the office of the governor, lieutenant governor, auditor of state, treasurer of state, secretary of state, or attorney general, the general assembly, the courts or any judicial agency, or any state retirement system or retirement program established by or referenced in the Revised Code.	3124 3125 3126 3127 3128 3129 3130 3131 3132 3133 3134
Sec. 5515.01. The director of transportation may upon	3135

formal application being made to the director, grant a permit to 3136
any individual, firm, or corporation to use or occupy such 3137
portion of a road or highway on the state highway system as will 3138
not incommode the traveling public. Such permits, when granted, 3139
shall be upon the following conditions: 3140

(A) The director may issue a permit to any individual, 3141
firm, or corporation for any use of a road or highway on the 3142
state highway system that is consistent with applicable federal 3143
law or federal regulations. 3144

(B) Such location shall be changed as prescribed by the 3145
director when the director deems such change necessary for the 3146
convenience of the traveling public, or in connection with or 3147
contemplation of the construction, reconstruction, improvement, 3148
relocating, maintenance, or repair of such road or highway. 3149

(C) The placing of objects or things shall be at a grade 3150
and in accordance with such plans, specifications, or both, as 3151
shall be first approved by the director. 3152

(D) The road or highway in all respects shall be fully 3153
restored to its former condition of usefulness and at the 3154
expense of such individual, firm, or corporation. 3155

(E) Such individual, firm, or corporation shall maintain 3156
all objects and things in a proper manner, promptly repair all 3157
damages resulting to such road or highway on account thereof, 3158
and in event of failure to so repair such road or highway to pay 3159
to the state all costs and expenses that may be expended by the 3160
director in repairing any damage. 3161

(F) Such other conditions as may seem reasonable to the 3162
director, but no condition shall be prescribed that imposes the 3163
payment of a money consideration for the privilege granted. 3164

Nothing in this division prohibits the director from requiring 3165
payment of money consideration for a lease, easement, license, 3166
or other interest in a transportation facility under control of 3167
the department of transportation. 3168

(G) Permits may be revoked by the director at any time for 3169
a noncompliance with the conditions imposed. 3170

(H) As a condition precedent to the issuance of any permit 3171
for telecommunications facilities or carbon capture and storage 3172
pipelines, the director shall require the applicant to provide 3173
proof it is party to a lease, easement, or license for the 3174
construction, placement, or operation of such facility or 3175
pipeline in or on a transportation facility. 3176

Except as otherwise provided in this section and section 3177
5501.311 of the Revised Code, Chapters 5501., 5503., 5511., 3178
5513., 5515., 5516., 5517., 5519., 5521., 5523., 5525., 5527., 3179
5528., 5529., 5531., 5533., and 5535. of the Revised Code do not 3180
prohibit telephone and electric light and power companies from 3181
constructing, maintaining, and using telephone or electric light 3182
and power lines along and upon such roads or highways under 3183
section 4933.14 or other sections of the Revised Code, or to 3184
affect existing rights of any such companies, or to require such 3185
companies to obtain a permit from the director, except with 3186
respect to the location of poles, wires, conduits, and other 3187
equipment comprising lines on or beneath the surface of such 3188
road or highways. 3189

Any telephone and electric light and power company that 3190
intends to abandon its telephone or electric light and power 3191
lines shall comply with section 5515.09 of the Revised Code. 3192

This section does not prohibit steam or electric railroad 3193

companies from constructing tracks across such roads or 3194
highways, nor authorize the director to grant permission to any 3195
company owning, operating, controlling, or managing a steam 3196
railroad or interurban railway in this state to build a new line 3197
of railroad, or to change or alter the location of existing 3198
tracks across any road or highway on the state highway system at 3199
grade. No such company shall change the elevation of any of its 3200
tracks across such road or highway except in accordance with 3201
plans and specifications first approved by the director. 3202

This section does not relieve any individual, firm, or 3203
corporation from the obligation of satisfying any claim or 3204
demand of an owner of lands abutting on such road or highway on 3205
the state highway system on account of placing in such road or 3206
highway a burden in addition to public travel. 3207

(I) No person shall knowingly use or occupy a portion of a 3208
road or highway on the state highway system if the director 3209
revokes that person's permit under division (G) of this section. 3210

Sec. 5515.02. (A) As used in this section: 3211

(1) "Delay costs and expenses" has the same meaning as in 3212
section 5517.06 of the Revised Code. 3213

(2) "Road" or "highway" has the same meaning as in section 3214
5501.01 of the Revised Code and also includes any part of the 3215
right-of-way. 3216

(B) All individuals, firms, and corporations using or 3217
occupying any part of a road or highway on the state highway 3218
system with telegraph or telephone lines, steam, electrical, or 3219
industrial railways, oil, gas, water, or other pipes, mains, 3220
conduits, or any object or structure, other than by virtue of a 3221
franchise or permit granted and in force, shall remove from the 3222

bounds of the road or highway, their poles and wires connected 3223
therewith, and any tracks, switches, spurs, or oil, gas, water, 3224
or other pipes, mains, conduits, or other objects or structures, 3225
when in the opinion of the director of transportation they 3226
constitute obstructions, or they interfere or may interfere with 3227
the contemplated construction, reconstruction, improvement, 3228
maintenance, repair, or use by the traveling public of the roads 3229
or highways. 3230

(C) All individuals, firms, or corporations so occupying 3231
any road or highway on the state highway system, under and by 3232
virtue of a franchise or permit granted and in force, shall 3233
relocate their properties and all parts thereof within the 3234
bounds of the road or highway when in the opinion of the 3235
director they constitute obstructions, or they interfere with or 3236
may interfere with the contemplated construction, 3237
reconstruction, improvement, maintenance, repair, or use of the 3238
road or highway. The relocation within the bounds of the road or 3239
highway shall be in the manner and to the extent prescribed by 3240
the director. 3241

(D) If, in the opinion of the director, such individuals, 3242
firms, or corporations have obstructed any road or highway on 3243
the state highway system, or if any of their properties are so 3244
located that they do or may interfere with the contemplated 3245
construction, reconstruction, improvement, maintenance, repair, 3246
or use of the road or highway, the director shall notify such 3247
individual, firm, or corporation directing the removal of the 3248
obstruction or properties, or the relocation of the properties. 3249
If the individual, firm, or corporation does not within five 3250
days from the service of the notice proceed to remove or 3251
relocate the obstruction or properties and complete the removal 3252
or relocation within a reasonable time, the director may remove 3253

or relocate the same by employing the necessary labor, tools, 3254
and equipment, and the director, department of transportation, 3255
and any agent of the department are not liable for any damages 3256
caused by such removal or relocation. Any notice required under 3257
this section shall be made by personal service, certified mail, 3258
or express mail. 3259

(E) If, in the director's opinion, the obstruction or 3260
properties present an immediate and serious threat to the safety 3261
of the traveling public, the director may remove or relocate the 3262
obstruction or properties without prior notice, and the 3263
director, department, and any agent of the department are not 3264
liable for any damages caused by such removal or relocation. 3265

(F) When the director performs a removal or relocation 3266
under this section, the costs and expenses shall be paid by the 3267
director out of any appropriation of the department of 3268
transportation available for the establishment, construction, 3269
reconstruction, improvement, maintenance, or repair of highways, 3270
and the amount thereof shall be certified to the attorney 3271
general for collection by civil action. 3272

~~As used in this section, "road" or "highway" has the same~~ 3273
~~meaning as in section 5501.01 of the Revised Code and also~~ 3274
~~includes any part of the right of way.~~ 3275

(G) Any project delay costs and expenses incurred by the 3276
department due to the failure of the owner to timely remove or 3277
relocate an obstruction or property when required under division 3278
(D) of this section shall be certified to the attorney general 3279
for collection by civil action. 3280

(H) If the department certifies an amount for collection 3281
to the attorney general under division (G) of this section, the 3282

attorney general shall bring a civil action to collect the 3283
amount certified. 3284

(I) No person shall knowingly fail to remove or relocate 3285
an obstruction or property when required to do so under this 3286
section. 3287

Sec. 5515.09. (A) As used in this section and section 3288
5515.10 of the Revised Code: 3289

(1) "Telecommunications carrier" has the same meaning as 3290
in section 4927.01 of the Revised Code. 3291

(2) "Telecommunications or utility structure" means any 3292
facility, line, pipe, cable, or other equipment used by a 3293
telecommunications carrier or utility provider to provide 3294
service. 3295

(3) "Utility provider" means any entity described in 3296
section 4905.03 of the Revised Code, regardless of whether the 3297
entity is a public utility under section 4905.02 of the Revised 3298
Code. 3299

(4) "Abandon" does not include a change in ownership of 3300
the telecommunications or utility structure. 3301

(B) Each telecommunications carrier or utility provider 3302
that owns or operates any telecommunications or utility 3303
structure in, upon, under, or otherwise occupying a road or 3304
highway of the state highway system or right-of-way that decides 3305
to abandon its telecommunications or utility structure shall 3306
submit a notification of proposed abandonment to the department 3307
of transportation not later than thirty days after making the 3308
abandonment decision. 3309

(C) A notification of proposed abandonment shall include 3310

<u>all of the following:</u>	3311
<u>(1) The exact location of all telecommunications or utility structures intended to be abandoned;</u>	3312 3313
<u>(2) If the telecommunications or utility structure intended to be abandoned was used to transport any liquid, semi-solid, or gaseous material, any records, permits, inspections, analyses, determinations, and other information pertaining to the contents of all material that has ever flowed through or otherwise occupied the structure;</u>	3314 3315 3316 3317 3318 3319
<u>(3) Whether the telecommunications carrier or utility provider intends to remove the telecommunications or utility structure intended to be abandoned, or whether the carrier's or provider's research can clearly show that the cost of removal would far exceed the public benefit.</u>	3320 3321 3322 3323 3324
<u>(D) Within ninety days after the receipt of a notification of proposed abandonment, the department shall investigate and determine the proper course of action with regard to the telecommunications or utility structure described in the notification of proposed abandonment. The department may determine any or a combination of the following to be a proper course of action:</u>	3325 3326 3327 3328 3329 3330 3331
<u>(1) The removal of the telecommunications or utility structure, including any poles, manholes, pull boxes, or other facilities or equipment determined by the department;</u>	3332 3333 3334
<u>(2) The remediation of any contamination or hazard;</u>	3335
<u>(3) The purging, backfilling, capping, or sealing of any line or pipe;</u>	3336 3337
<u>(4) The crushing in place of any line or pipe;</u>	3338

<u>(5) Placing the telecommunications or utility structure</u>	3339
<u>out of service, which includes all of the following:</u>	3340
<u>(a) Marking the telecommunications or utility structure as</u>	3341
<u>abandoned;</u>	3342
<u>(b) Maintaining records of ownership of the</u>	3343
<u>telecommunications or utility structure for future</u>	3344
<u>identification and location;</u>	3345
<u>(c) Entering into an agreement with the department to</u>	3346
<u>cover any and all future liabilities and obligations, which may</u>	3347
<u>include filling or removing.</u>	3348
<u>(6) Any other action determined by the department.</u>	3349
<u>(E) The telecommunications carrier or utility provider</u>	3350
<u>that submitted the notification of proposed abandonment shall</u>	3351
<u>perform the proper course of action determined by the department</u>	3352
<u>under this section.</u>	3353
<u>(F) Any proper course of action determined by the</u>	3354
<u>department under this section shall be performed at the sole</u>	3355
<u>cost of the telecommunications carrier or utility provider that</u>	3356
<u>submitted the notice of proposed abandonment.</u>	3357
<u>(G) Any proper course of action determined by the</u>	3358
<u>department under this section shall be completed not later than</u>	3359
<u>one year after the determination.</u>	3360
<u>(H) The department may adopt rules as it determines</u>	3361
<u>necessary to carry out this section.</u>	3362
<u>(I) No telecommunications carrier or utility provider</u>	3363
<u>shall knowingly fail to meet the requirements of this section or</u>	3364
<u>any rule adopted by the department pursuant to this section.</u>	3365

Sec. 5515.10. (A) The department of transportation shall 3366
make reasonable attempts to identify the owner of an abandoned 3367
telecommunications or utility structure in, upon, under, or 3368
otherwise occupying a road or highway of the state highway 3369
system or right-of-way. 3370

(B) If all reasonable attempts to identify the owner under 3371
division (A) of this section have failed, the department shall 3372
remove or cause the removal of the abandoned telecommunications 3373
or utility structure. 3374

(C) The department is not liable for any claims for 3375
damages based upon removal under this section. 3376

Sec. 5515.99. (A) Whoever violates section 5515.01 of the 3377
Revised Code shall be fined not more than five hundred dollars 3378
for a first offense; for a subsequent offense such person shall 3379
be fined not more than two thousand five hundred dollars. 3380

(B) Whoever violates division (I) of section 5515.02 of 3381
the Revised Code shall be fined not more than one hundred 3382
dollars for each day that the person remains in violation of 3383
that division. 3384

(C) Whoever violates section 5515.07 of the Revised Code 3385
or any rule or regulation adopted pursuant to such section shall 3386
be fined not more than ~~one~~ five hundred dollars for a first 3387
offense; for a subsequent offense such person shall be fined not 3388
more than two thousand five hundred dollars. 3389

(D) Whoever violates section 5515.09 of the Revised Code 3390
shall be fined not more than one hundred dollars for each day 3391
that the telecommunications carrier or utility provider fails to 3392
comply. 3393

Sec. 5517.012. (A) As used in this section, "indefinite 3394

delivery indefinite quantity" means a contract for an 3395
unspecified quantity, within stated limits, of supplies or 3396
services that will be delivered by the awarded bidder over a 3397
defined period. 3398

(B) Notwithstanding section 5517.01 of the Revised Code, 3399
the director of transportation may enter into indefinite 3400
delivery indefinite quantity construction contracts for highway 3401
maintenance. 3402

(C) The total value of a contract made under this section 3403
shall not exceed two million dollars per project. The total 3404
dollar value of contracts made under this section shall not 3405
exceed one hundred million per fiscal year. 3406

(D) The duration of a contract made under this section 3407
shall not exceed two years per project. 3408

(E) For purposes of entering into an indefinite delivery 3409
indefinite quantity contract, the director shall do all of the 3410
following: 3411

(1) Prepare bidding documents; 3412

(2) Establish contract forms; 3413

(3) Determine contract terms and conditions, including the 3414
following: 3415

(a) The maximum overall value of the contract that, 3416
notwithstanding division (C) of this section, may include an 3417
increase of one hundred thousand dollars or five per cent of the 3418
advertised contract value, whichever is less; 3419

(b) The duration of the contract that, notwithstanding 3420
division (D) of this section, may include a time extension of up 3421
to one year if determined appropriate by the director; 3422

(c) The defined geographical area to which the contract applies, which shall be not greater than the size of one district of the department of transportation unless otherwise approved by the director. 3423
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(4) Advertise and seek bids; 3427

(5) Award to the successful bidder; 3428

(6) Develop and implement an indefinite delivery indefinite quantity process to provide the awarded bidder adequate notice of requested supplies or services, the anticipated quantities of supplies, and work location information for each work order; 3429
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(7) Establish any policies or procedures necessary to fulfill the duties and obligations of the director under this section. 3434
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(E) Section 5525.01 of the Revised Code applies to indefinite delivery indefinite quantity construction contracts. Section 5525.14 of the Revised Code does not apply to the procurement of indefinite delivery indefinite quantity construction contracts. 3437
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Sec. 5517.02. (A) Before undertaking the construction, reconstruction by widening or resurfacing, or improvement of a state highway, or a bridge or culvert thereon, or the installation of a highway traffic control-signal on a state highway, the director of transportation, except as provided in section 5517.021 of the Revised Code, shall make an estimate of the cost of the work using the force account project assessment form developed by the auditor of state under section 117.16 of the Revised Code. When a force account project assessment form is required, the estimate shall include costs for subcontracted 3442
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work and any competitively bid component costs. 3452

(B) (1) After complying with division (A) of this section, 3453
the director may proceed without competitive bidding with 3454
maintenance or repair work by employing labor, purchasing 3455
materials, and furnishing equipment, if the total estimated cost 3456
of the completed operation, or series of connected operations, 3457
does not exceed the following, as adjusted under division (B) (2) 3458
of this section: 3459

(a) Thirty thousand dollars per centerline mile of 3460
highway, exclusive of structures and highway traffic control- 3461
signals; 3462

(b) Sixty thousand dollars for any single highway traffic 3463
~~control~~-signal or any other single project. 3464

(2) On the first day of July of every odd-numbered year 3465
beginning in 2015, the director shall increase the amounts 3466
established in division (B) (1) of this section by an amount not 3467
to exceed the lesser of three per cent, or the percentage amount 3468
of any increase in the department of transportation's 3469
construction cost index as annualized and totaled for the prior 3470
two calendar years. The director shall publish the applicable 3471
amounts on the department's internet web site. 3472

(C) The director may proceed by furnishing equipment, 3473
purchasing materials, and employing labor in the erection of 3474
temporary bridges or the making of temporary repairs to a 3475
highway or bridge rendered necessary by flood, landslide, or 3476
other extraordinary emergency. If the director determines 3477
inability to complete such emergency work by force account, the 3478
director may contract for any part of the work, with or without 3479
advertising for bids, as the director considers for the best 3480

interest of the department of transportation. 3481

(D) When a project proceeds by force account under this 3482
section or section 5517.021 of the Revised Code, the department 3483
of transportation shall perform the work in compliance with any 3484
project requirements and specifications that would have applied 3485
if a contract for the work had been let by competitive bidding. 3486
The department shall retain in the project record all records 3487
documenting materials testing compliance, materials placement 3488
compliance, actual personnel and equipment hours usage, and all 3489
other documentation that would have been required if a contract 3490
for the work had been let by competitive bidding. 3491

(E) The director shall proceed by competitive bidding to 3492
let work to the lowest competent and responsible bidder after 3493
advertisement as provided in section 5525.01 of the Revised Code 3494
in both of the following situations: 3495

(1) When the scope of work exceeds the limits established 3496
in section 5517.021 of the Revised Code; 3497

(2) When the estimated cost for a project, other than work 3498
described in section 5517.021 of the Revised Code, exceeds the 3499
amounts established in division (B) of this section, as 3500
adjusted. 3501

Sec. 5517.021. (A) (1) The director of transportation may 3502
proceed without competitive bidding by employing labor, 3503
purchasing materials, and furnishing equipment to do any of the 3504
following work: 3505

(a) Replace any single span bridge in its substantial 3506
entirety or widen any single span bridge, including necessary 3507
modifications to accommodate widening the existing substructure 3508
and wing walls. The director shall proceed under division (A) (1) 3509

(a) of this section only if the deck area of the new or widened 3510
bridge does not exceed seven hundred square feet as measured 3511
around the outside perimeter of the deck. 3512

(b) Replace the bearings, beams, and deck of any bridge on 3513
that bridge's existing foundation if the deck area of the 3514
rehabilitated structure does not exceed eight hundred square 3515
feet; 3516

(c) Construct or replace any single cell or multi-cell 3517
culvert whose total waterway opening does not exceed fifty-two 3518
square feet; 3519

(d) Pave or patch an asphalt surface if the operation does 3520
not exceed one hundred twenty tons of asphalt per lane-mile of 3521
roadway length, except that the department shall not perform a 3522
continuous resurfacing operation under this section if the cost 3523
of the work exceeds the amount established in division (B) (1) (a) 3524
of section 5517.02 of the Revised Code, as adjusted; 3525

(e) Chip seal or fog seal an asphalt surface if both of 3526
the following apply: 3527

(i) The operation does not exceed twenty-eight feet in 3528
width, excluding turn lanes. 3529

(ii) Chip seal or fog seal operations statewide are not 3530
more than two hundred cumulative centerline miles of asphalt 3531
surface per year. 3532

(2) Work performed in accordance with division (A) (1) of 3533
this section may include approach roadway work, extending not 3534
more than one hundred fifty feet as measured from the back side 3535
of the bridge abutment wall or outside edge of the culvert, as 3536
applicable. The length of an approach guardrail shall be in 3537
accordance with department of transportation design requirements 3538

and shall not be included in the approach work size limitation. 3539

(B) The requirements of section 117.16 of the Revised Code 3540
shall not apply to work described in division (A) of this 3541
section and the work shall be exempt from audit for force 3542
account purposes except to determine compliance with the 3543
applicable size or tonnage restrictions. 3544

Sec. 5517.06. (A) As used in this section, "delay costs 3545
and expenses" means all actual costs, including any contract 3546
modifications, acceleration agreements, wages, labor costs other 3547
than wages, wage taxes, materials, equipment costs and rentals, 3548
storage costs of materials and equipment, insurance, and 3549
subcontracts attributable to the delay, plus a reasonable sum 3550
for overhead. 3551

(B) In conjunction with any work deemed necessary to carry 3552
out Chapters 5501., 5503., 5511., 5512., 5513., 5515., 5516., 3553
5517., 5519., 5521., 5523., 5525., 5527., 5528., 5529., 5531., 3554
5533., and 5535. of the Revised Code, the director of 3555
transportation may require commitments and deadlines from 3556
persons, firms, corporations, and political subdivisions. 3557

(C) Any delay costs and expenses incurred by the director, 3558
the department of transportation, any agent of the department, 3559
or consultant of the department as a result of the commitments 3560
and deadlines not being followed shall be borne by the persons, 3561
firms, corporations, or political subdivisions responsible for 3562
the delay and any amount thereof shall be certified to the 3563
attorney general for collection by civil action. 3564

(D) If the department certifies an amount for collection 3565
to the attorney general under this section, the attorney general 3566
shall bring a civil action to collect the amount certified. 3567

Sec. 5525.03. (A) All prospective bidders other than 3568
environmental remediators and specialty contractors for which 3569
there are no classes of work provided for in the rules adopted 3570
by the director of transportation shall apply for qualification 3571
on forms prescribed and furnished by the director. The 3572
application shall be accompanied by a certificate of compliance 3573
with affirmative action programs issued pursuant to section 9.47 3574
of the Revised Code and dated no earlier than one hundred eighty 3575
days before the date fixed for the ~~opening of bids~~ award of the 3576
contract for a particular project. 3577

(B) The director shall act upon an application for 3578
qualification within thirty days after it is presented to the 3579
director. Upon the receipt of any application for qualification, 3580
the director shall examine the application to determine whether 3581
the applicant is competent and responsible and possesses the 3582
financial resources required by section 5525.04 of the Revised 3583
Code. If the applicant is found to possess the qualifications 3584
prescribed by sections 5525.02 to 5525.09 of the Revised Code 3585
and by rules adopted by the director, including a certificate of 3586
compliance with affirmative action programs, a certificate of 3587
qualification shall be issued to the applicant, which shall be 3588
valid for the period of one year or such shorter period of time 3589
as the director prescribes, unless revoked by the director for 3590
cause as defined by rules adopted by the director under section 3591
5525.05 of the Revised Code. 3592

(C) The certificate of qualification shall contain a 3593
statement fixing the aggregate amount of work, for any or all 3594
owners, that the applicant may have under construction and 3595
uncompleted at any one time and may contain a statement limiting 3596
such bidder to the submission of bids upon a certain class of 3597
work. Subject to any restriction as to amount or class of work 3598

therein contained, the certificate of qualification shall 3599
authorize its holder to bid on all work on which bids are taken 3600
by the department of transportation during the period of time 3601
therein specified. 3602

(D) An applicant who has received a certificate of 3603
qualification and desires to amend the certificate by the dollar 3604
amount or by the classes of work may submit to the director such 3605
documentation as the director considers appropriate. The 3606
director shall review the documentation submitted by the 3607
applicant and, within fifteen days, shall either amend the 3608
certificate of qualification or deny the request. If the 3609
director denies the request to amend the certificate, the 3610
applicant may appeal that decision to the director's 3611
prequalification review board in accordance with section 5525.07 3612
of the Revised Code. Two or more persons, partnerships, or 3613
corporations may bid jointly on any one project, but only on 3614
condition that prior to the time bids are taken on the project 3615
the bidders make a joint application for qualification and 3616
obtain a joint certificate qualification. 3617

(E) The director may debar from participating in future 3618
contracts with the department any bidding company as well as any 3619
partner of a partnership, or the officers and directors of an 3620
association or corporation if the certificate of qualification 3621
of the company, partnership, association, or corporation is 3622
revoked or not renewed by the director. When the director 3623
reasonably believes that grounds for revocation and debarment 3624
exist, the director shall send the bidding company and any 3625
individual involved a notice of proposed revocation and 3626
debarment indicating the grounds for such action as established 3627
in rules adopted by the director under section 5525.05 of the 3628
Revised Code and the procedure for requesting a hearing. The 3629

notice and hearing shall be in accordance with Chapter 119. of 3630
the Revised Code. If the bidding company or individual does not 3631
respond with a request for a hearing in the manner specified in 3632
Chapter 119. of the Revised Code, the director shall revoke the 3633
certificate and issue the debarment decision without a hearing 3634
and shall notify the bidding company or individual of the 3635
decision by certified mail, return receipt requested. 3636

(F) The debarment period may be of any length determined 3637
by the director and the director may modify or rescind the 3638
debarment at any time. During the period of debarment, the 3639
director shall not issue a certificate of qualification for any 3640
company, partnership, association, or corporation affiliated 3641
with a debarred individual. After the debarment period expires, 3642
the bidding company or individual, and any partnership, 3643
association, or corporation affiliated with the individual may 3644
make an application for qualification if such entity or 3645
individual is not otherwise debarred. 3646

Sec. 5525.04. No bidder shall be given a certificate of 3647
qualification unless the bidder's financial statement and the 3648
investigation made by the director of transportation show that 3649
the bidder possesses net current assets or working capital 3650
sufficient, in the judgment of the director, to render it 3651
probable that the bidder can satisfactorily execute the bidder's 3652
contracts and meet all contractual obligations. Any applicant 3653
desiring a certificate of qualification in an amount of ~~five~~-ten 3654
million dollars or more shall submit on forms prescribed by the 3655
director a financial audit prepared and attested as correct by 3656
an independent certified public accountant. Any applicant 3657
desiring a certificate of qualification in an amount that is 3658
less than ~~five~~-ten million dollars shall submit a financial 3659
review on forms prescribed by the director. The aggregate amount 3660

of work set forth in either type of certificate of qualification 3661
shall not exceed ten times the applicant's net current assets or 3662
working capital. At the time of bidding award of the contract, a 3663
bidder's qualification is determined by the bidder's 3664
qualification amount minus all of the bidder's pending work. 3665

Applicants for qualification shall expressly authorize the 3666
director to obtain any information that the director considers 3667
pertinent, with respect to the financial worth, assets, and 3668
liabilities of the applicant, from banks or other financial 3669
institutions, surety companies, dealers in material, equipment, 3670
or supplies, or other persons having business transactions with 3671
the applicant. Applicants shall expressly authorize all such 3672
financial institutions or other persons to furnish any such 3673
information requested from them by the director. All information 3674
filed with or furnished to the director by applicants or other 3675
persons, in connection with the administration of sections 3676
5525.02 to 5525.09 of the Revised Code, shall be kept in 3677
confidence by the director and not revealed to any person, 3678
except upon proper order of a court. Failure to submit the 3679
required information or to expressly grant the director 3680
authority to obtain the required information shall result in the 3681
denial of a certificate of qualification. The director or the 3682
director's subordinates shall have access to the books of 3683
account and financial records of all applicants, unless the 3684
financial statement furnished by any applicant is prepared and 3685
attested as correct by a certified public accountant. 3686

If an applicant for either type of certificate of 3687
qualification is or has been an employer in this state the 3688
application shall be accompanied by satisfactory evidence that 3689
the applicant has complied with Chapter 4123. of the Revised 3690
Code. 3691

The director may require all qualified bidders to file 3692
financial statements at such intervals as the director 3693
prescribes. Sections 5525.02 to 5525.09 of the Revised Code 3694
shall be administered without reference to the residence of 3695
applicants, and the rules of the director shall apply equally to 3696
residents and nonresidents of this state. Sections 5525.02 to 3697
5525.09 of the Revised Code, do not apply to the purchase of 3698
material, equipment, or supplies. 3699

Sec. 5525.08. Except as otherwise provided in this 3700
section, the director of transportation shall not consider any 3701
bid filed with the director by any person who has not been 3702
qualified to bid by the time the contract is awarded. ~~Bids from~~ 3703
~~unqualified bidders discovered by the director prior to the~~ 3704
~~reading thereof to be from such persons shall be returned~~ 3705
~~without being read.~~ If the director finds, subsequent to the 3706
opening of bids, that facts exist that would disqualify the 3707
lowest bidder, or that such bidder either is not competent and 3708
responsible or has submitted a nonresponsive bid, the director 3709
shall reject such bid, despite ~~the fact of any~~ prior 3710
qualification of such bidder. No contract shall be awarded to 3711
any bidder not qualified to bid thereon at the time ~~fixed for~~ 3712
~~receiving bids~~ of awarding the contract, except that the director 3713
may award contracts for environmental remediation and specialty 3714
work not set out in the director's rules governing classes of 3715
work to bidders that are not qualified under sections 5525.02 to 3716
5525.09 of the Revised Code. 3717

Sec. 5525.14. (A) Notwithstanding sections 125.01 to 3718
125.11 of the Revised Code, the director of transportation, by 3719
written instruction to the contractor, may increase the 3720
quantities of any item specified or not specified in a 3721
competitively bid construction contract but, except as provided 3722

in division (B) of this section and subject to section 5525.141 3723
of the Revised Code, the additional cost incurred by the 3724
increase shall not exceed the lesser of ~~one~~ two hundred thousand 3725
dollars or ~~five~~ ten per cent of the total contract price. Any 3726
such provision for increased quantities or extra work shall be 3727
made in the form of a written change to the original contract 3728
and does not require competitive bidding. 3729

(B) The ~~one hundred thousand dollar or five per cent~~ 3730
~~restriction~~ monetary threshold established in division (A) of 3731
this section does not apply to change orders or extra work 3732
contracts when, subject to section 5525.141 of the Revised Code, 3733
the total dollar amount of the increase is ~~twenty-five~~ fifty 3734
thousand dollars or less, or to change orders or extra work 3735
contracts resulting from any of the following: 3736

(1) An increase in the plan quantity that is determined 3737
during the final measurement of an item of work. 3738

(2) Federally mandated requirements that did not exist at 3739
the time of the original contract award. 3740

(3) Circumstances that would create a life-, safety-, or 3741
health-threatening situation or would unduly delay the 3742
completion of a project and increase its costs, but only if the 3743
director makes a finding of such fact, declares an emergency, 3744
and issues the finding. Extra work that the director contracts 3745
for in these circumstances may include not only construction 3746
needed to complete a project, but also adjustments needed to 3747
meet changed conditions, alterations in original plans, 3748
unforeseen contingencies, or payments necessitated by contract 3749
terminations or suspensions. 3750

All change orders or extra work contracts set forth in 3751

division (B) of this section shall be reported to the 3752
controlling board quarterly in writing. 3753

(C) The director, by written instruction to the 3754
contractor, may decrease or cancel the quantity of any item 3755
specified in a contract or portion of a contract and authorize 3756
payment to the contractor for reasonable costs incurred to date. 3757

Sec. 5525.141. (A) As used in this section, "rate of 3758
inflation" has the same meaning as in section 107.032 of the 3759
Revised Code. 3760

(B) Beginning September 11, 2029, and on the eleventh day 3761
of September every five years thereafter, the director of 3762
transportation shall evaluate the monetary thresholds specified 3763
in section 5525.14 of the Revised Code and adopt rules adjusting 3764
those amounts based on the average rate of inflation during each 3765
of the previous five years preceding such adjustment. 3766

Sec. 5571.01. (A) A board of township trustees may 3767
construct, reconstruct, resurface, or improve any public road or 3768
part thereof under its jurisdiction, or any county road, 3769
intercounty highway, or state highway within its township. In 3770
the case of a county road, the plans and specifications for the 3771
proposed improvement first shall be submitted to the board of 3772
county commissioners of the county and receive its approval. In 3773
the case of an intercounty or state highway, the plans and 3774
specifications first shall be submitted to the director of 3775
transportation and receive the director's approval. The board of 3776
township trustees may widen, straighten, or change the direction 3777
of any part of a road in connection with the proceedings for its 3778
improvement. 3779

(B) The board of township trustees may construct, improve, 3780

maintain, or repair the berm of any road under its jurisdiction, 3781
in order to provide a hard surface or other improved approach to 3782
rural mail boxes located on public highways. 3783

(C) A board of township trustees, in conformity with the 3784
manual and uniform system of traffic control devices adopted 3785
under section 4511.09 of the Revised Code, may erect and 3786
maintain at intersecting roads, at least one of which is a 3787
township road, suitable signposts showing the names and numbers 3788
of the roads. The cost of the signs shall be paid from the 3789
township road fund. 3790

(D) Subject to division (F) of this section, a board of 3791
township trustees, in conformity with the manual and uniform 3792
system of traffic control devices adopted under section 4511.09 3793
of the Revised Code, may erect and maintain at intersecting 3794
roads, at least one of which is a township road, suitable 3795
signposts showing the direction and distance to any nearby 3796
municipal corporation. The costs of the signs shall be paid from 3797
the township road fund. 3798

(E) Subject to divisions (F) and (G) of this section, a 3799
board of township trustees may purchase or lease and erect and 3800
maintain at intersecting roads, at least one of which is a 3801
township road, suitable traffic control devices and highway 3802
traffic ~~control~~-signals. The traffic control devices and highway 3803
traffic ~~control~~-signals and their placement and maintenance 3804
shall conform with the manual and specifications adopted under 3805
section 4511.09 of the Revised Code. In purchasing or leasing 3806
and erecting and maintaining the traffic control devices and 3807
highway traffic ~~control~~-signals, the board may expend any moneys 3808
that are available to it that legally may be expended for that 3809
purpose. 3810

(F) If one of the intersecting highways as provided in 3811
divisions (D) and (E) of this section is a state highway, both 3812
of the following apply: 3813

(1) No signpost showing the direction and distance to any 3814
nearby municipal corporation shall be placed at or near the 3815
intersection, and no traffic control device or highway traffic 3816
~~control~~ signal shall be erected at the intersection, without 3817
prior permission of the director as required by section 4511.10 3818
of the Revised Code. 3819

(2) The department of transportation shall maintain any 3820
highway traffic ~~control~~ signal erected by the board of township 3821
trustees at that intersection. 3822

(G) If one of the intersecting roads as provided in 3823
division (E) of this section is a county road, a board of 3824
township trustees shall not erect a traffic control device or 3825
highway traffic ~~control~~ signal at the intersection without prior 3826
permission of the county engineer of the county in which the 3827
intersection is located. 3828

(H) No contract for the construction or repair of a 3829
bridge, the entire cost of which construction or repair exceeds 3830
fifty thousand dollars, shall be entered into by the township 3831
unless the plans are first approved by the director. 3832

Section 101.02. That existing sections 154.01, 717.02, 3833
4501.01, 4511.01, 4511.031, 4511.09, 4511.091, 4511.092, 3834
4511.094, 4511.11, 4511.13, 4511.131, 4511.132, 4511.18, 3835
4511.204, 4511.211, 4511.214, 4511.432, 4511.46, 4511.48, 3836
4511.512, 4511.61, 4511.62, 4511.64, 4511.65, 4511.68, 4511.701, 3837
4511.712, 4519.401, 5501.20, 5513.01, 5515.01, 5515.02, 5515.99, 3838
5517.02, 5517.021, 5525.03, 5525.04, 5525.08, 5525.14, and 3839

5571.01 of the Revised Code are hereby repealed. 3840

Section 105.01. That sections 4511.351 and 4511.491 of the Revised Code are hereby repealed. 3841
3842

Section 201.10. Except as otherwise provided in this act, all appropriation items in this act are appropriated out of any moneys in the state treasury to the credit of the designated fund that are not otherwise appropriated. For all appropriations made in this act, the amounts in the first column are for fiscal year 2026 and the amounts in the second column are for fiscal year 2027. 3843
3844
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Section 203.10. 3850
3851

	1	2	3	4	5
A	DOT DEPARTMENT OF TRANSPORTATION				
B	Highway Operating Fund Group				
C	2120	772426	Highway Infrastructure Bank - Federal	\$5,750,500	\$5,750,500
D	2120	772427	Highway Infrastructure Bank - State	\$15,099,500	\$15,099,500
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 Service - Federal	\$132,500,000	\$132,500,000
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 -	\$3,570,000	\$3,570,000

		Other		
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	\$146,998,425 \$150,213,685
W			Highway Operating Fund Group Total	\$4,442,866,990 \$4,103,820,475
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 - Bonds	\$210,000,000 \$210,000,000
AD	7045	772428	Highway Infrastructure Bank - Bonds	\$210,000,000 \$210,000,000
AE			Capital Projects Fund Group Total	\$420,000,000 \$420,000,000
AF			TOTAL ALL BUDGET FUND GROUPS	\$4,865,697,037 \$4,526,677,864

Section 203.20. TRANSPORTATION FACILITIES LEASE RENTAL	3852
BOND PAYMENTS	3853
The foregoing appropriation item 770003, Transportation	3854
Facilities Lease Rental Bond Payments, shall be used to meet all	3855
payments during the period from July 1, 2025, through June 30,	3856
2027, pursuant to the leases and agreements for facilities made	3857
under Chapter 154. of the Revised Code. These appropriations are	3858
the source of funds pledged for bond service charges on related	3859
obligations issued under Chapter 154. of the Revised Code.	3860
Should the appropriation in appropriation item 770003,	3861
Transportation Facilities Lease Rental Bond Payments, exceed the	3862
associated debt service payments in either fiscal year of the	3863
biennium ending June 30, 2027, the balance may be transferred to	3864
appropriation item 772421, Highway Construction - State, 773431,	3865
Highway Maintenance - State, or 779491, Administration - State,	3866
upon the written request of the Director of Transportation and	3867
with the approval of the Director of Budget and Management. The	3868
transfers are hereby appropriated and shall be reported to the	3869
Controlling Board.	3870
Section 203.30. ROADS FOR DNR, METROPOLITAN PARKS,	3871
EXPOSITIONS COMMISSION, AND HISTORY CONNECTION	3872
(A) Notwithstanding section 5511.06 of the Revised Code,	3873
in each fiscal year of the biennium ending June 30, 2027, the	3874
Director of Transportation shall determine portions of the	3875
foregoing appropriation item 772421, Highway Construction -	3876
State, which shall be used for the construction, reconstruction,	3877
or maintenance of public access roads, including support	3878
features, to and within state facilities owned or operated by	3879
the Department of Natural Resources.	3880

(B) Notwithstanding section 5511.06 of the Revised Code, 3881
of the foregoing appropriation item 772421, Highway Construction 3882
- State, \$2,562,000 in each fiscal year shall be used for the 3883
construction, reconstruction, or maintenance of park drives or 3884
park roads within the boundaries of metropolitan parks. 3885

(C) Notwithstanding section 5511.06 of the Revised Code, 3886
of the foregoing appropriation item 772421, Highway Construction 3887
- State, \$500,000 in each fiscal year shall be used for the 3888
construction, reconstruction, or maintenance of park drives or 3889
park roads within the boundaries of state parks and wildlife 3890
areas greater than 10,000 contiguous acres that were purchased 3891
in a single, or series, of transactions, and \$500,000 in each 3892
fiscal year shall be used for construction, reconstruction, or 3893
maintenance of drives and roads leading to such state parks and 3894
wildlife areas. 3895

(D) The Department of Transportation may use the foregoing 3896
appropriation item 772421, Highway Construction - State, to 3897
perform: 3898

(1) Related road work on behalf of the Ohio Expositions 3899
Commission at the state fairgrounds, including reconstruction or 3900
maintenance of public access roads and support features to and 3901
within fairgrounds facilities, as requested by the Commission 3902
and approved by the Director of Transportation; and 3903

(2) Related road work on behalf of the Ohio History 3904
Connection, including reconstruction or maintenance of public 3905
access roads and support features to and within Ohio History 3906
Connection facilities, as requested by the Ohio History 3907
Connection and approved by the Director of Transportation. 3908

Section 203.40. TRANSPORTATION IMPROVEMENT DISTRICTS 3909

(A) Of the foregoing appropriation item 772421, Highway Construction - State, \$4,500,000 in each fiscal year shall be made available for distribution by the Director of Transportation to Transportation Improvement Districts that have facilitated funding for the cost of a project or projects in conjunction with and through other governmental agencies.

(B) A Transportation Improvement District shall submit requests for project funding to the Director of Transportation by a day determined by the Director. The Department shall notify the Transportation Improvement District whether the Department has approved or disapproved the project funding request within ninety days after the day the request was submitted by the Transportation Improvement District.

(C) Any funding provided to a Transportation Improvement District specified in this section shall not be used for the purposes of administrative costs or administrative staffing and must be used to fund a specific project or projects within that 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 3940
Improvement District for the expenditures described above, 3941
subject to the requirements of this section. 3942

(E) A Transportation Improvement District that is 3943
requesting funds under this section shall register with the 3944
Director of Transportation. The Director shall register a 3945
Transportation Improvement District only if the district has a 3946
specific, eligible project and may cancel the registration of a 3947
Transportation Improvement District that is not eligible to 3948
receive funds under this section. The Director shall not provide 3949
funds to any Transportation Improvement District under this 3950
section if the district is not registered. The Director shall 3951
not register a Transportation Improvement District and may 3952
cancel the registration of a currently registered Transportation 3953
Improvement District unless at least one of the following 3954
applies: 3955

(1) The Transportation Improvement District, by a 3956
resolution or resolutions, designated a project or program of 3957
projects and facilitated, including in conjunction with and 3958
through other governmental agencies, funding for costs of a 3959
project or program of projects in an aggregate amount of not 3960
less than \$15,000,000 from the commencement date of the project 3961
or program of projects. 3962

(2) The Transportation Improvement District has 3963
designated, by a resolution or resolutions, a project or program 3964
of projects that has estimated aggregate costs in excess of 3965
\$10,000,000 and the County Engineer of the county in which the 3966
Transportation Improvement District is located has attested by a 3967
sworn affidavit that the costs of the project or program of 3968
projects exceeds \$10,000,000 and that the Transportation 3969

Improvement District is facilitating a portion of funding for 3970
that project or program of projects. 3971

(F) For the purposes of this section: 3972

(1) "Project" has the same meaning as in division (C) of 3973
section 5540.01 of the Revised Code. 3974

(2) "Governmental agency" has the same meaning as in 3975
division (B) of section 5540.01 of the Revised Code. 3976

(3) "Cost" has the same meaning as in division (D) of 3977
section 5540.01 of the Revised Code. 3978

Section 203.43. HIGHWAY CONSTRUCTION - FEDERAL 3979

Of the foregoing appropriation item 772422, Highway 3980
Construction - Federal, \$33,000,000 in each fiscal year shall be 3981
used to support public transportation statewide through the 3982
Federal Highway Administration (FHWA) flexible funding program. 3983

Section 203.45. REGIONAL TRANSPORTATION PLANNING 3984
ORGANIZATIONS 3985

Of the foregoing appropriation item 772422 Highway 3986
Construction - Federal, \$5,000,000 in each fiscal year shall be 3987
used by Regional Transportation Planning Organizations to 3988
conduct a rural transportation planning grant program. 3989

Section 203.47. BRENT SPENCE BRIDGE CORRIDOR PROJECT 3990

All spending related to the Brent Spence Bridge Corridor 3991
Project shall be documented in the Ohio Administrative Knowledge 3992
System (OAKS) and made visible in the Ohio State and Local 3993
Government Expenditure Database pursuant to section 113.71 of 3994
the Revised Code. 3995

Section 203.49. RAIL SAFETY CROSSING MATCH 3996

An amount equal to the unexpended, unencumbered balance of 3997
appropriation item 776505, Rail Safety Crossing Match, at the 3998
end of fiscal year 2025 is hereby reappropriated for the same 3999
purpose in fiscal year 2026. 4000

An amount equal to the unexpended, unencumbered balance of 4001
appropriation item 776505, Rail Safety Crossing Match, at the 4002
end of fiscal year 2026 is hereby reappropriated for the same 4003
purpose in fiscal year 2027. 4004

Section 203.50. BOND ISSUANCE AUTHORIZATION 4005

The Treasurer of State, upon the request of the Director 4006
of Transportation, is authorized to issue and sell, in 4007
accordance with Section 2m of Article VIII, Ohio Constitution, 4008
and Chapter 151. and particularly sections 151.01 and 151.06 of 4009
the Revised Code, obligations, including bonds and notes, in the 4010
aggregate amount of \$238,500,000 in addition to the original 4011
issuance of obligations authorized by prior acts of the General 4012
Assembly. 4013

The obligations shall be issued and sold from time to time 4014
in amounts necessary to provide sufficient moneys to the credit 4015
of the Highway Capital Improvement Fund (Fund 7042) created by 4016
section 5528.53 of the Revised Code to pay costs charged to the 4017
fund when due as estimated by the Director of Transportation, 4018
provided, however, that not more than \$220,000,000 original 4019
principal amount of obligations, plus the principal amount of 4020
obligations that in prior fiscal years could have been, but were 4021
not, issued within the \$220,000,000 limit, may be issued in any 4022
fiscal year, and not more than \$1,200,000,000 original principal 4023
amount of such obligations are outstanding at any one time. 4024

Section 203.60. APPROPRIATION TRANSFERS, APPROPRIATION 4025

INCREASES, AND CASH TRANSFERS 4026

(A) TRANSFERS OF HIGHWAY OPERATING FUND APPROPRIATIONS: 4027
EMERGENCIES, INCLEMENT WEATHER, AND FEDERAL FUNDING CHANGES 4028

The Director of Transportation may request the Controlling 4029
Board to approve transfers between Highway Operating Fund (Fund 4030
7002) appropriations for planning and research (appropriation 4031
items 771411 and 771412), highway construction and debt service 4032
(appropriation items 772421, 772422, 772424, 772425, 772437, 4033
772438, 772603, 772604, 772605, and 770003), highway maintenance 4034
(appropriation item 773431), public transportation - federal 4035
(appropriation item 775452), rail grade crossings (appropriation 4036
item 776462), aviation (appropriation item 777475), airport 4037
improvement (appropriation item 777472), and administration 4038
(appropriation item 779491). The Director of Transportation may 4039
not seek requests of appropriation transfers out of debt service 4040
appropriation items unless the Director determines that the 4041
appropriated amounts exceed the actual and projected debt 4042
service requirements. 4043

This transfer request authorization is intended to provide 4044
for emergency situations or for the purchase of goods and 4045
services relating to dangerous inclement weather that arise 4046
during the biennium ending June 30, 2027. It also is intended to 4047
allow the Department to adjust to circumstances affecting the 4048
obligation and expenditure of federal funds. 4049

(B) TRANSFERS OF FEDERAL AND LOCAL FUNDED APPROPRIATIONS: 4050
HIGHWAY, PLANNING, TRANSIT, RAIL, AND AVIATION 4051

The Director of Transportation may request the Controlling 4052
Board to approve the transfer of appropriations between 4053
appropriation items 772422, Highway Construction - Federal, 4054

771412, Planning and Research - Federal, 775452, Public 4055
Transportation - Federal, 775454, Public Transportation - Other, 4056
776475, Federal Rail Administration, 776462, Grade Crossing - 4057
Federal, and 777472, Airport Improvements - Federal. 4058

(C) TRANSFERS OF APPROPRIATIONS AND CASH: STATE 4059
INFRASTRUCTURE BANK 4060

The Director of Transportation may request the Controlling 4061
Board to approve the transfer of appropriations and cash of the 4062
Infrastructure Bank funds created in section 5531.09 of the 4063
Revised Code, including transfers between fiscal years 2026 and 4064
2027. 4065

The Director of Transportation may request the Controlling 4066
Board to approve the transfer of appropriations and cash from 4067
the Highway Operating Fund (Fund 7002) to the Infrastructure 4068
Bank funds created in section 5531.09 of the Revised Code. The 4069
Director of Budget and Management may transfer from the 4070
Infrastructure Bank funds to Fund 7002 up to the amounts 4071
originally transferred to the Infrastructure Bank funds under 4072
this section. However, the Director may not make transfers 4073
between modes or transfers between different funding sources. 4074

(D) TRANSFERS OF APPROPRIATIONS AND CASH: TOLLING FUNDS 4075

The Director of Transportation may request the Controlling 4076
Board to approve the transfer of appropriations and cash of the 4077
Ohio Toll Fund and any subaccounts created in section 5531.14 of 4078
the Revised Code, including transfers between fiscal years 2026 4079
and 2027. 4080

(E) INCREASING APPROPRIATIONS: STATE FUNDS 4081

In the event that receipts or unexpended balances credited 4082
to the Highway Operating Fund (Fund 7002) exceed the estimates 4083

upon which the appropriations have been made in this act, upon 4084
the request of the Director of Transportation, the Controlling 4085
Board may approve expenditures, in excess of the amounts 4086
appropriated, from the Highway Operating Fund in the manner 4087
prescribed in section 131.35 of the Revised Code. The amounts 4088
approved by the Controlling Board under this division are hereby 4089
appropriated. 4090

(F) INCREASING APPROPRIATIONS: FEDERAL AND LOCAL FUNDS 4091

In the event that receipts or unexpended balances credited 4092
to the Highway Operating Fund (Fund 7002) or apportionments or 4093
allocations made available from the federal and local 4094
governments exceed the estimates upon which the appropriations 4095
have been made in this act, upon the request of the Director of 4096
Transportation, the Controlling Board may approve expenditures, 4097
in excess of the amounts appropriated, from the Highway 4098
Operating Fund in the manner prescribed in section 131.35 of the 4099
Revised Code. The amounts approved by the Controlling Board 4100
under this division are hereby appropriated. 4101

(G) TRANSFERS OF CASH BETWEEN THE HIGHWAY OPERATING FUND 4102
AND THE HIGHWAY CAPITAL IMPROVEMENT FUND 4103

Upon the request of the Director of Transportation, the 4104
Director of Budget and Management may transfer cash from the 4105
Highway Operating Fund (Fund 7002) to the Highway Capital 4106
Improvement Fund (Fund 7042) created in section 5528.53 of the 4107
Revised Code. The Director of Budget and Management may transfer 4108
cash from Fund 7042 to Fund 7002 up to the amount of cash 4109
previously transferred to Fund 7042 under this section. 4110

(H) DEPUTY INSPECTOR GENERAL FOR ODOT FUNDING 4111

On July 1 and January 1 of each year in the biennium 4112

ending June 30, 2027, or as soon as possible thereafter, 4113
respectively, the Director of Budget and Management shall 4114
transfer \$200,000 cash, for each semiannual period, from the 4115
Highway Operating Fund (Fund 7002) to the Deputy Inspector 4116
General for ODOT Fund (Fund 5FA0). 4117

The Inspector General, with the consent of the Director of 4118
Budget and Management, may request the Controlling Board to 4119
approve additional transfers of cash and expenditures in excess 4120
of the amount appropriated under appropriation item 965603, 4121
Deputy Inspector General for ODOT, if additional amounts are 4122
necessary. The amounts approved by the Controlling Board are 4123
hereby appropriated. 4124

(I) LIQUIDATION OF UNFORESEEN LIABILITIES 4125

Any appropriation made from the Highway Operating Fund 4126
(Fund 7002) not otherwise restricted by law is available to 4127
liquidate unforeseen liabilities arising from contractual 4128
agreements of prior years when the prior year encumbrance is 4129
insufficient. 4130

(J) ELECTRIC VEHICLE EXPENDITURES 4131

The Director of Transportation shall request Controlling 4132
Board approval for any expenditure of funds received under the 4133
federal "Infrastructure Investment and Jobs Act," Pub. L. No. 4134
117-58, that are to be used for the construction or maintenance 4135
of electric vehicle charging stations. Any such expenditures 4136
approved by the Controlling Board are hereby appropriated. 4137

Section 203.65. REAPPROPRIATIONS 4138

In each year of the biennium ending June 30, 2027, the 4139
Director of Budget and Management may request the Controlling 4140
Board to approve the expenditure of any remaining unencumbered 4141

balances of prior years' appropriations to the Ohio Highway 4142
Transportation Safety Fund (Fund 5XI0), the Highway Operating 4143
Fund (Fund 7002), the Highway Capital Improvement Fund (Fund 4144
7042), and the Infrastructure Bank funds created in section 4145
5531.09 of the Revised Code for the same purpose in the 4146
following fiscal year. The amounts approved by the Controlling 4147
Board are hereby reappropriated. 4148

Prior to the Director of Budget and Management's seeking 4149
approval of the Controlling Board, the Director of 4150
Transportation shall develop a reappropriation request plan that 4151
identifies the appropriate fund and appropriation item of the 4152
reappropriation, and the reappropriation request amount and 4153
submit the plan to the Director of Budget and Management for 4154
evaluation. The Director of Budget and Management may request 4155
additional information necessary for evaluating the 4156
reappropriation request plan, and the Director of Transportation 4157
shall provide the requested information to the Director of 4158
Budget and Management. Based on the information provided by the 4159
Director of Transportation, the Director of Budget and 4160
Management shall determine amounts to be reappropriated by fund 4161
and appropriation item to submit to the Controlling Board for 4162
its approval. 4163

Any balances of prior years' unencumbered appropriations 4164
to the Highway Operating Fund (Fund 7002), the Highway Capital 4165
Improvement Fund (Fund 7042), the Ohio Highway Transportation 4166
Safety Fund (Fund 5XI0), and the Infrastructure Bank funds 4167
created in section 5531.09 of the Revised Code for which 4168
reappropriations are requested and approved are subject to the 4169
availability of revenue in the funds. 4170

Section 203.70. MAINTENANCE OF INTERSTATE HIGHWAYS 4171

The Department of Transportation has the responsibility to 4172
maintain all interstate highways in the state. The Director of 4173
Transportation may enter into an agreement with a political 4174
subdivision to allow the political subdivision to remove snow 4175
and ice and maintain, repair, improve, or provide lighting upon 4176
interstate highways that are located within the boundaries of 4177
the political subdivision, in a manner adequate to meet the 4178
requirements of federal law. 4179

When agreed in writing by the Director of Transportation 4180
and the legislative authority of a political subdivision and 4181
notwithstanding sections 125.01 and 125.11 of the Revised Code, 4182
the Department of Transportation may reimburse a political 4183
subdivision for all or any part of the costs, as provided by 4184
such agreement, incurred by the political subdivision in 4185
maintaining, repairing, lighting, and removing snow and ice from 4186
the interstate system. 4187

Section 203.80. PUBLIC TRANSPORTATION HIGHWAY PURPOSE 4188
GRANTS 4189

The Director of Transportation may use revenues from the 4190
state motor vehicle fuel tax to match approved federal grants 4191
awarded to the Department of Transportation, regional transit 4192
authorities, or eligible public transportation systems, for 4193
public transportation highway purposes, or to support local or 4194
state-funded projects for public transportation highway 4195
purposes. 4196

Public transportation highway purposes include (1) the 4197
construction or repair of high-occupancy vehicle traffic lanes, 4198
(2) the acquisition or construction of park-and-ride facilities, 4199
(3) the acquisition or construction of public transportation 4200
vehicle loops, (4) the construction or repair of bridges used by 4201

public transportation vehicles or that are the responsibility of 4202
a regional transit authority or other public transportation 4203
system, or (5) other similar construction that is designated as 4204
an eligible public transportation highway purpose. Motor vehicle 4205
fuel tax revenues may not be used for operating assistance or 4206
for the purchase of vehicles, equipment, or maintenance 4207
facilities. 4208

Section 203.90. AGREEMENTS WITH FEDERAL AGENCIES FOR 4209
ENVIRONMENTAL REVIEW PURPOSES 4210

The Director of Transportation may enter into agreements 4211
as provided in this section with the United States or any 4212
department or agency of the United States, including, but not 4213
limited to, the United States Army Corps of Engineers, the 4214
United States Forest Service, the United States Environmental 4215
Protection Agency, and the United States Fish and Wildlife 4216
Service. An agreement entered into pursuant to this section 4217
shall be solely for the purpose of dedicating staff to the 4218
expeditious and timely review of environmentally related 4219
documents submitted by the Director of Transportation, as 4220
necessary for the approval of federal permits. 4221

The agreements may include provisions for advance payment 4222
by the Director of Transportation for labor and all other 4223
identifiable costs of the United States or any department or 4224
agency of the United States providing the services, as may be 4225
estimated by the United States, or the department or agency of 4226
the United States. 4227

The Director shall submit a request to the Controlling 4228
Board indicating the amount of the agreement, the services to be 4229
performed by the United States or the department or agency of 4230
the United States, and the circumstances giving rise to the 4231

agreement. 4232

Section 207.10. 4233

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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 4235

The foregoing appropriation item 195629, Roadwork 4236
Development, shall be used for road improvements associated with 4237
economic development opportunities that will retain or attract 4238
businesses for Ohio, including the construction, reconstruction, 4239
maintenance, or repair of public roads that provide access to a 4240
public airport or are located within a public airport. "Road 4241
improvements" are improvements to public roadway facilities 4242
located on, or serving or capable of serving, a project site, 4243
and include the construction, reconstruction, maintenance or 4244
repair of public roads that provide access to a public airport 4245
or are located within a public airport. The appropriation item 4246
may be used in conjunction with any other state funds 4247
appropriated for infrastructure improvements. 4248

The Director of Budget and Management, pursuant to a plan 4249
submitted by the Director of Development or as otherwise 4250
determined by the Director of Budget and Management, shall set a 4251

cash transfer schedule to meet the cash needs of the Roadwork 4252
 Development Fund (Fund 4W00) used by the Department of 4253
 Development, less any other available cash. The Director of 4254
 Budget and Management shall transfer such cash amounts from the 4255
 Highway Operating Fund (Fund 7002) to Fund 4W00 at such times as 4256
 determined by the transfer schedule. 4257

The Director of Transportation, under the direction of the 4258
 Director of Development, shall provide these funds in accordance 4259
 with all guidelines and requirements established for other 4260
 Department of Development programs, including Controlling Board 4261
 review and approval, as well as the requirements for usage of 4262
 motor vehicle fuel tax revenue prescribed in Section 5a of 4263
 Article XII, Ohio Constitution. Should the Department of 4264
 Development require the assistance of the Department of 4265
 Transportation to bring a project to completion, the Department 4266
 of Transportation shall use its authority under Title 55 of the 4267
 Revised Code to provide such assistance and may enter into 4268
 contracts on behalf of the Department of Development. 4269

Section 209.10. 4270
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	1	2	3	4	5
A			PWC PUBLIC WORKS COMMISSION		
B	Dedicated Purpose Fund Group				
C	7052	150402	Local Transportation Improvement Program - Operating	\$324,768	\$330,375
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
F	TOTAL ALL BUDGET FUND GROUPS	\$62,324,768	\$67,330,375

Section 209.20. REAPPROPRIATIONS 4272

All capital appropriations from the Local Transportation Improvement Program Fund (Fund 7052) in H.B. 23 of the 135th General Assembly remaining unencumbered as of June 30, 2025, may be reappropriated for use during the period July 1, 2025, through June 30, 2026, for the same purpose. 4273
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Notwithstanding division (B) of section 127.14 of the Revised Code, all capital appropriations and reappropriations from the Local Transportation Improvement Program Fund (Fund 7052) in this act remaining unencumbered as of June 30, 2026, are reappropriated for use during the period July 1, 2026, through June 30, 2027, for the same purposes, subject to the availability of revenue as determined by the Director of the Public Works Commission. 4278
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TEMPORARY TRANSFERS 4286

Notwithstanding section 127.14 of the Revised Code, the Director of Budget and Management may transfer cash from the Local Transportation Improvement Fund (Fund 7052) to the State Capital Improvement Fund (Fund 7038) and the Clean Ohio Conservation Fund (Fund 7056). The Director of Budget and Management may approve temporary cash transfers if such transfers are needed for capital outlays for which notes or bonds will be issued. When there is a sufficient cash balance in the fund that receives a cash transfer under this section, the 4287
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Director of Budget and Management shall transfer cash from that 4296
fund to Fund 7052 in order to repay Fund 7052 for the amount of 4297
the temporary cash transfers made under this section. Any 4298
transfers executed under this section shall be reported to the 4299
Controlling Board by June 30 of the fiscal year in which the 4300
transfer occurred. 4301

Section 501.10. LIMITATION ON USE OF CAPITAL 4302
APPROPRIATIONS 4303

The capital appropriations made in this act for buildings 4304
or structures, including remodeling and renovations, are limited 4305
to: 4306

(A) Acquisition of real property or interests in real 4307
property; 4308

(B) Buildings and structures, which includes construction, 4309
demolition, complete heating and cooling, lighting and lighting 4310
fixtures, and all necessary utilities, ventilating, plumbing, 4311
sprinkling, water, and sewer systems, when such systems are 4312
authorized or necessary; 4313

(C) Architectural, engineering, and professional services 4314
expenses directly related to the projects; 4315

(D) Machinery that is a part of structures at the time of 4316
initial acquisition or construction; 4317

(E) Acquisition, development, and deployment of new 4318
computer systems, including the redevelopment or integration of 4319
existing and new computer systems, but excluding regular or 4320
ongoing maintenance or support agreements; 4321

(F) Furniture, fixtures, or equipment that meets all the 4322
following criteria: 4323

(1) Is essential in bringing the facility up to its 4324
intended use or is necessary for the functioning of the 4325
particular facility or project; 4326

(2) Has a unit cost, and not the individual parts of a 4327
unit, of about \$100 or more; and 4328

(3) Has a useful life of five years or more. 4329

Furniture, fixtures, or equipment that is not an integral 4330
part of or directly related to the basic purpose or function of 4331
a project for which moneys are appropriated shall not be paid 4332
from these appropriations. 4333

Section 503.10. STATE ARBITRAGE REBATE AUTHORIZATION 4334

If it is determined that a payment is necessary in the 4335
amount computed at the time to represent the portion of 4336
investment income to be rebated or amounts in lieu of or in 4337
addition to any rebate amount to be paid to the federal 4338
government in order to maintain the exclusion from gross income 4339
for federal income tax purposes of interest on those state 4340
obligations under section 148(f) of the Internal Revenue Code, 4341
such amount is hereby appropriated from those funds designated 4342
by or pursuant to the applicable proceedings authorizing the 4343
issuance of state obligations. 4344

Payments for this purpose shall be approved and vouchered 4345
by the Office of Budget and Management. 4346

Section 509.10. AUTHORIZATION FOR TREASURER OF STATE AND 4347
OBM TO EFFECTUATE CERTAIN LEASE RENTAL PAYMENTS 4348

The Office of Budget and Management shall process payments 4349
from lease rental payment appropriation items during the period 4350
from July 1, 2025, to June 30, 2027, pursuant to the lease and 4351

other agreements relating to bonds or notes issued under Section 4352
2i of Article VIII of the Ohio Constitution and Chapter 154. of 4353
the Revised Code, and acts of the General Assembly. Payments 4354
shall be made upon certification by the Treasurer of State of 4355
the dates and amounts due on those dates. 4356

Section 509.20. LEASE AND DEBT SERVICE PAYMENTS 4357

Certain appropriations are in this act for the purpose of 4358
paying debt service and financing costs on general obligation 4359
bonds or notes of the state and for the purpose of making lease 4360
rental and other payments under leases and agreements relating 4361
to bonds or notes issued under the Ohio Constitution, Revised 4362
Code, and acts of the General Assembly. If it is determined that 4363
additional appropriations are necessary for this purpose, such 4364
amounts are hereby appropriated. 4365

Section 757.10. MOTOR FUEL TAX DISTRIBUTIONS TO HIGHWAY 4366
OPERATING FUND 4367

On the last day of each month in the biennium ending June 4368
30, 2027, before making any of the distributions specified in 4369
section 5735.051 of the Revised Code but after any transfers to 4370
the tax refund fund as required by that section and section 4371
5703.052 of the Revised Code, the Treasurer of State shall 4372
deposit the first two per cent of the amount of motor fuel tax 4373
received for the preceding calendar month to the credit of the 4374
Highway Operating Fund (Fund 7002). 4375

Section 757.20. MOTOR FUEL DEALER REFUNDS 4376

Notwithstanding Chapter 5735. of the Revised Code, the 4377
following apply for the period of July 1, 2025, to June 30, 4378
2027: 4379

(A) For the discount under section 5735.06 of the Revised 4380

Code, if the monthly report is timely filed and the tax is 4381
timely paid, one per cent of the total number of gallons of 4382
motor fuel received by the motor fuel dealer within the state 4383
during the preceding calendar month, less the total number of 4384
gallons deducted under divisions (B) (1) (a) and (b) of section 4385
5735.06 of the Revised Code, less one-half of one per cent of 4386
the total number of gallons of motor fuel that were sold to a 4387
retail dealer during the preceding calendar month. 4388

(B) For the semiannual periods ending December 31, 2025, 4389
June 30, 2026, December 31, 2026, and June 30, 2027, the refund 4390
provided to retail dealers under section 5735.141 of the Revised 4391
Code shall be one-half of one per cent of the Ohio motor fuel 4392
taxes paid on fuel purchased during those semiannual periods. 4393

Section 757.30. MONTHLY TRANSFERS TO GASOLINE EXCISE TAX 4394
FUND 4395

The Director of Budget and Management shall transfer cash 4396
in equal monthly increments totaling \$179,054,124 in fiscal year 4397
2026 and in equal monthly increments totaling \$187,584,952 in 4398
fiscal year 2027 from the Highway Operating Fund (Fund 7002) to 4399
the Gasoline Excise Tax Fund (Fund 7060). The monthly amounts 4400
transferred under this section shall be distributed as follows: 4401

(A) 42.86 per cent shall be distributed among the 4402
municipal corporations within the state under division (A) (2) (b) 4403
(i) of section 5735.051 of the Revised Code; 4404

(B) 37.14 per cent shall be distributed among the counties 4405
within the state under division (A) (2) (b) (ii) of section 4406
5735.051 of the Revised Code; and 4407

(C) 20 per cent shall be distributed among the townships 4408
within the state under division (A) (2) (b) (iii) of section 4409

5735.051 of the Revised Code. 4410

Section 801.10. PROVISIONS OF LAW GENERALLY APPLICABLE TO 4411
APPROPRIATIONS 4412

Law contained in the main operating appropriations act of 4413
the 136th General Assembly that is generally applicable to the 4414
appropriations made in the main operating appropriations act 4415
also is generally applicable to the appropriations made in this 4416
act. 4417

Section 805.10. SEVERABILITY 4418

The items of law contained in this act, and their 4419
applications, are severable. If any item of law contained in 4420
this act, or if any application of any item of law contained in 4421
this act, is held invalid, the invalidity does not affect other 4422
items of law contained in this act and their applications that 4423
can be given effect without the invalid item or application. 4424

Section 810.10. An item of law, other than an amending, 4425
enacting, or repealing clause, that composes the whole or part 4426
of an uncodified section contained in this act has no effect 4427
after June 30, 2027, unless its context clearly indicates 4428
otherwise. 4429

Section 820.10. APPROPRIATIONS AND REFERENDUM 4430

In this section, an "appropriation" includes another 4431
provision of law in this act that relates to the subject of the 4432
appropriation. 4433

An appropriation of money made in this act is not subject 4434
to the referendum insofar as a contemplated expenditure 4435
authorized thereby is wholly to meet a current expense within 4436
the meaning of Ohio Constitution, Article II, Section 1d and 4437

section 1.471 of the Revised Code. To that extent, the 4438
appropriation takes effect immediately when this act becomes 4439
law. Conversely, the appropriation is subject to the referendum 4440
insofar as a contemplated expenditure authorized thereby is 4441
wholly or partly not to meet a current expense within the 4442
meaning of Ohio Constitution, Article II, Section 1d. To that 4443
extent, the appropriation takes effect on the ninety-first day 4444
after this act is filed with the Secretary of State. 4445

Section 820.30. LAWS AND REFERENDUM 4446

Except as otherwise provided in this act, the amendment, 4447
enactment, or repeal by this act of a section of law is subject 4448
to the referendum under Ohio Constitution, Article II, Section 4449
1c and therefore takes effect on the ninety-first day after this 4450
act is filed with the Secretary of State or, if a later 4451
effective date is specified below, on that date. 4452

Section 830.10. The General Assembly, applying the 4453
principle stated in division (B) of section 1.52 of the Revised 4454
Code that amendments are to be harmonized if reasonably capable 4455
of simultaneous operation, finds that the following sections, 4456
presented in this act as composites of the sections as amended 4457
by the acts indicated, are the resulting versions of the 4458
sections in effect prior to the effective date of the sections 4459
as presented in this act: 4460

Section 4511.61 of the Revised Code as amended by both 4461
H.B. 26 and H.B. 95 of the 132nd General Assembly. 4462

Section 4511.132 of the Revised Code as amended by H.B. 9, 4463
H.B. 26, H.B. 95, and H.B. 250, all of the 132nd General 4464
Assembly. 4465