

As Reported by the House Finance Committee

136th General Assembly

Regular Session

2025-2026

Sub. H. B. No. 54

Representative Stewart

Cosponsor: Representative Schmidt

To amend sections 154.01, 306.35, 306.43, 717.02,	1
1548.061, 3503.11, 3704.14, 4501.01, 4503.038,	2
4503.10, 4503.102, 4503.103, 4503.19, 4505.08,	3
4506.01, 4506.11, 4507.01, 4507.061, 4507.13,	4
4507.21, 4507.52, 4508.02, 4511.01, 4511.031,	5
4511.09, 4511.091, 4511.092, 4511.094, 4511.11,	6
4511.13, 4511.131, 4511.132, 4511.18, 4511.204,	7
4511.211, 4511.214, 4511.432, 4511.46, 4511.48,	8
4511.512, 4511.61, 4511.62, 4511.64, 4511.65,	9
4511.68, 4511.701, 4511.712, 4513.071, 4513.38,	10
4513.41, 4517.02, 4519.401, 4955.50, 4955.51,	11
5501.20, 5501.441, 5502.68, 5513.01, 5515.01,	12
5515.02, 5515.99, 5517.02, 5517.021, 5525.03,	13
5525.04, 5525.08, 5525.14, 5571.01, 5736.02,	14
5736.04, and 5736.13; to enact sections	15
1548.062, 4503.183, 4503.261, 4503.262,	16
4505.072, 4511.15, 4511.765, 4561.03, 4955.52,	17
4955.53, 4955.55, 4955.57, 4981.36, 4981.361,	18
5501.041, 5511.11, 5515.10, 5517.06, and	19
5517.08; and to repeal sections 4506.072,	20
4507.021, 4507.063, 4507.511, 4511.351,	21
4511.491, and 5501.60 of the Revised Code and to	22
amend Section 755.20 of H.B. 23 of the 135th	23
General Assembly to make appropriations for	24
programs related to transportation for the	25

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

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

Section 101.01. That sections 154.01, 306.35, 306.43, 29
717.02, 1548.061, 3503.11, 3704.14, 4501.01, 4503.038, 4503.10, 30
4503.102, 4503.103, 4503.19, 4505.08, 4506.01, 4506.11, 4507.01, 31
4507.061, 4507.13, 4507.21, 4507.52, 4508.02, 4511.01, 4511.031, 32
4511.09, 4511.091, 4511.092, 4511.094, 4511.11, 4511.13, 33
4511.131, 4511.132, 4511.18, 4511.204, 4511.211, 4511.214, 34
4511.432, 4511.46, 4511.48, 4511.512, 4511.61, 4511.62, 4511.64, 35
4511.65, 4511.68, 4511.701, 4511.712, 4513.071, 4513.38, 36
4513.41, 4517.02, 4519.401, 4955.50, 4955.51, 5501.20, 5501.441, 37
5502.68, 5513.01, 5515.01, 5515.02, 5515.99, 5517.02, 5517.021, 38
5525.03, 5525.04, 5525.08, 5525.14, 5571.01, 5736.02, 5736.04, 39
and 5736.13 be amended and sections 1548.062, 4503.183, 40
4503.261, 4503.262, 4505.072, 4511.15, 4511.765, 4561.03, 41
4955.52, 4955.53, 4955.55, 4955.57, 4981.36, 4981.361, 5501.041, 42
5511.11, 5515.10, 5517.06, and 5517.08 of the Revised Code be 43
enacted to read as follows: 44

Sec. 154.01. As used in this chapter: 45

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

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

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

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

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

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

(G) "Governing body" means:	81
(1) In the case of institutions of higher education, the	82
board of trustees, board of directors, commission, or other body	83
vested by law with the general management, conduct, and control	84
of one or more institutions of higher education;	85
(2) In the case of a county, the board of county	86
commissioners or other legislative body; in the case of a	87
municipal corporation, the council or other legislative body; in	88
the case of a township, the board of township trustees; in the	89
case of a school district, the board of education;	90
(3) In the case of any other governmental agency, the	91
officer, board, commission, authority or other body having the	92
general management thereof or having jurisdiction or authority	93
in the particular circumstances.	94
(H) "Person" means any person, firm, partnership,	95
association, or corporation.	96
(I) "Bond service charges" means principal, including	97
mandatory sinking fund requirements for retirement of	98
obligations, and interest, and redemption premium, if any,	99
required to be paid by the state on obligations. If not	100
prohibited by the applicable bond proceedings, bond service	101
charges may include costs relating to credit enhancement	102
facilities that are related to and represent, or are intended to	103
provide a source of payment of or limitation on, other bond	104
service charges.	105
(J) "Capital facilities" means buildings, structures, and	106
other improvements, and equipment, real estate, and interests in	107
real estate therefor, within the state, and any one, part of, or	108
combination of the foregoing, to serve the general purposes for	109

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

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

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

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

(M) "State parks" means: 163

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

county or municipal corporation; 316

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(2) The continuation of collective bargaining rights; 402

(3) The protection of individual employees against a 403

worsening of their positions with respect to their employment; 404

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

(5) Paid training or retraining programs; 408

(6) Signed written labor agreements. 409

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

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

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

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

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

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

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

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

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

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

(DD) If it has a centralized transfer transportation hub 484
with six or more service routes, shall enter into and maintain a 485
contract with one or more local law enforcement entities to 486
enforce laws and ensure safety at or in the vicinity of the hub, 487
provided, however, that this division does not apply to a 488
regional transit authority that maintains a transit police 489
department under division (Y) of this section. 490

Sec. 306.43. (A) The board of trustees of a regional 491
transit authority or any officer or employee designated by such 492

board may make any contract for the purchase of goods or 493
services, the cost of which does not exceed one hundred thousand 494
dollars. When an expenditure, other than for the acquisition of 495
real estate, the discharge of claims, or the acquisition of 496
goods or services under the circumstances described in division 497
(H) of this section, is expected to exceed one hundred thousand 498
dollars, such expenditure shall be made through full and open 499
competition by the use of competitive procedures. The regional 500
transit authority shall use the competitive procedure, as set 501
forth in divisions (B), (C), (D), and (E) of this section, that 502
is most appropriate under the circumstances of the procurement. 503

(B) Competitive sealed bidding is the preferred method of 504
procurement and a regional transit authority shall use that 505
method if all of the following conditions exist: 506

(1) A clear, complete, and adequate description of the 507
goods, services, or work is available; 508

(2) Time permits the solicitation, submission, and 509
evaluation of sealed bids; 510

(3) The award will be made on the basis of price and other 511
price-related factors; 512

(4) It is not necessary to conduct discussions with 513
responding offerors about their bids; 514

(5) There is a reasonable expectation of receiving more 515
than one sealed bid. 516

A regional transit authority shall publish a notice 517
calling for bids once a week for no less than two consecutive 518
weeks in a newspaper of general circulation within the 519
territorial boundaries of the regional transit authority, or as 520
provided in section 7.16 of the Revised Code. A regional transit 521

authority may require that a bidder for any contract other than 522
a construction contract provide a bid guaranty in the form, 523
quality, and amount considered appropriate by the regional 524
transit authority. The board may let the contract to the lowest 525
responsive and responsible bidder. Where fewer than two 526
responsive bids are received, a regional transit authority may 527
negotiate price with the sole responsive bidder or may rescind 528
the solicitation and procure under division (H) (2) of this 529
section. 530

(C) A regional transit authority may use two-step 531
competitive bidding, consisting of a technical proposal and a 532
separate, subsequent sealed price bid from those submitting 533
acceptable technical proposals, if both of the following 534
conditions exist: 535

(1) A clear, complete, and adequate description of the 536
goods, services, or work is not available, but definite criteria 537
exist for the evaluation of technical proposals; 538

(2) It is necessary to conduct discussions with responding 539
offerors. 540

A regional transit authority shall publish a notice 541
calling for technical proposals once a week for no less than two 542
consecutive weeks in a newspaper of general circulation within 543
the territorial boundaries of the regional transit authority, or 544
as provided in section 7.16 of the Revised Code. A regional 545
transit authority may require a bid guaranty in the form, 546
quality, and amount the regional transit authority considers 547
appropriate. The board may let the contract to the lowest 548
responsive and responsible bidder. Where fewer than two 549
responsive and responsible bids are received, a regional transit 550
authority may negotiate price with the sole responsive and 551

responsible bidder or may rescind the solicitation and procure 552
under division (H) (2) of this section. 553

(D) A regional transit authority shall make a procurement 554
by competitive proposals if competitive sealed bidding or two- 555
step competitive bidding is not appropriate. 556

A regional transit authority shall publish a notice 557
calling for proposals once a week for no less than two 558
consecutive weeks in a newspaper of general circulation within 559
the territorial boundaries of the regional transit authority, or 560
as provided in section 7.16 of the Revised Code. A regional 561
transit authority may require a proposal guaranty in the form, 562
quality, and amount considered appropriate by the regional 563
transit authority. The board may let the contract to the 564
proposer making the offer considered most advantageous to the 565
authority. Where fewer than two competent proposals are 566
received, a regional transit authority may negotiate price and 567
terms with the sole proposer or may rescind the solicitation and 568
procure under division (H) (2) of this section. 569

(E) (1) A regional transit authority shall procure the 570
services of an architect or engineer in the manner prescribed by 571
the "Federal Mass Transportation Act of 1987," Public Law No. 572
100-17, section 316, 101 Stat. 227, 232-234, 49 U.S.C.A. app. 573
1608 and the services of a construction manager in the manner 574
prescribed by sections 9.33 to 9.332 of the Revised Code. 575

(2) A regional transit authority may procure revenue 576
rolling stock in the manner prescribed by division (B), (C), or 577
(D) of this section. 578

(3) All contracts for construction in excess of one 579
hundred thousand dollars shall be made only after the regional 580

transit authority has published a notice calling for bids once a 581
week for two consecutive weeks in a newspaper of general 582
circulation within the territorial boundaries of the regional 583
transit authority, or as provided in section 7.16 of the Revised 584
Code. The board may award a contract to the lowest responsive 585
and responsible bidder. Where only one responsive and 586
responsible bid is received, the regional transit authority may 587
negotiate price with the sole responsive bidder or may rescind 588
the solicitation. The regional transit authority shall award 589
construction contracts in accordance with sections 153.12 to 590
153.14 and 153.54 of the Revised Code. Divisions (B) and (C) of 591
this section shall not apply to the award of contracts for 592
construction. 593

~~(F)~~ (F) (1) As used in division (F) (2) of this section, 594
"simplified acquisition threshold" means the amount set forth in 595
41 U.S.C. 134. 596

(2) The board may adopt a policy on whether board approval 597
is required to enter into a contract involving expenditures 598
below the simplified acquisition threshold. The board shall 599
approve all contracts involving expenditures at or above the 600
simplified acquisition threshold. 601

(3) All contracts involving expenditures in excess of ~~one~~ 602
~~hundred thousand dollars~~ the amount for which board approval is 603
required shall be in writing and shall be accompanied by or 604
shall refer to plans and specifications for the work to be done. 605
The plans and specifications shall at all times be made and 606
considered part of the contract. For all contracts other than 607
construction contracts, a regional transit authority may require 608
performance, payment, or maintenance guaranties or any 609
combination of such guaranties in the form, quality, and amount 610

it considers appropriate. The contract shall be approved by the 611
board and signed on behalf of the regional transit authority and 612
by the contractor. 613

(G) In making a contract, a regional transit authority may 614
give preference to goods produced in the United States in 615
accordance with the Buy America requirements in the "Surface 616
Transportation Assistance Act of 1982," Public Law No. 97-424, 617
section 165, 96 Stat. 2097, 23 U.S.C.A. 101 note, as amended, 618
and the rules adopted thereunder. The regional transit authority 619
also may give preference to providers of goods produced in and 620
services provided in labor surplus areas as defined by the 621
United States department of labor in 41 U.S.C.A. 401 note, 622
Executive Order No. 12073, August 16, 1978, 43 Fed. Reg. 36873, 623
as amended. 624

(H) Competitive procedures under this section are not 625
required in any of the following circumstances: 626

(1) The board of trustees of a regional transit authority, 627
by a two-thirds affirmative vote of its members, determines that 628
a real and present emergency exists under any of the following 629
conditions, and the board enters its determination and the 630
reasons for it in its proceedings: 631

(a) Affecting safety, welfare, or the ability to deliver 632
transportation services; 633

(b) Arising out of an interruption of contracts essential 634
to the provision of daily transit services; 635

(c) Involving actual physical damage to structures, 636
supplies, equipment, or property. 637

(2) The purchase consists of goods or services, or any 638
combination thereof, and after reasonable inquiry the board or 639

any officer or employee the board designates finds that only one 640
source of supply is reasonably available. 641

(3) The expenditure is for a renewal or renegotiation of a 642
lease or license for telecommunications or electronic data 643
processing equipment, services, or systems, or for the upgrade 644
of such equipment, services, or systems, or for the maintenance 645
thereof as supplied by the original source or its successors or 646
assigns. 647

(4) The purchase of goods or services is made from another 648
political subdivision, public agency, public transit system, 649
regional transit authority, the state, or the federal 650
government, or as a third-party beneficiary under a state or 651
federal procurement contract, or as a participant in a 652
department of administrative services contract under division 653
(B) of section 125.04 of the Revised Code. 654

(5) The sale and leaseback or lease and leaseback of 655
transit facilities is made as provided in division (AA) of 656
section 306.35 of the Revised Code. 657

(6) The purchase substantially involves services of a 658
personal, professional, highly technical, or scientific nature, 659
including but not limited to the services of an attorney, 660
physician, surveyor, appraiser, investigator, court reporter, 661
adjuster, advertising consultant, or licensed broker, or 662
involves the special skills or proprietary knowledge required 663
for the servicing of specialized equipment owned by the regional 664
transit authority. 665

(7) Services or supplies are available from a qualified 666
nonprofit agency pursuant to sections 4115.31 to 4115.35 of the 667
Revised Code. 668

(8) The purchase consists of the product or services of a 669
public utility. 670

(9) The purchase is for the services of individuals with 671
disabilities to work in the authority's commissaries or 672
cafeterias, and those individuals are supplied by a nonprofit 673
corporation or association whose purpose is to assist 674
individuals with disabilities, whether or not that corporation 675
or association is funded entirely or in part by the federal 676
government, or the purchase is for services provided by a 677
nonprofit corporation or association whose purpose is to assist 678
individuals with disabilities, whether or not that corporation 679
or association is funded entirely or in part by the federal 680
government. For purposes of division (H) (9) of this section, 681
"disability" has the same meaning as in section 4112.01 of the 682
Revised Code. 683

(I) A regional transit authority may enter into blanket 684
purchase agreements for purchases of maintenance, operating, or 685
repair goods or services where the item cost does not exceed 686
five hundred dollars and the annual expenditure does not exceed 687
one hundred thousand dollars. 688

(J) Nothing contained in this section prohibits a regional 689
transit authority from participating in intergovernmental 690
cooperative purchasing arrangements. 691

(K) Except as otherwise provided in this chapter, a 692
regional transit authority shall make a sale or other 693
disposition of property through full and open competition. 694
Except as provided in division (L) of this section, all 695
dispositions of personal property and all grants of real 696
property for terms exceeding five years shall be made by public 697
auction or competitive procedure. 698

(L) The competitive procedures required by division (K) of 699
this section are not required in any of the following 700
circumstances: 701

(1) The grant is a component of a joint development 702
between public and private entities and is intended to enhance 703
or benefit public transit. 704

(2) The grant of a limited use or of a license affecting 705
land is made to an owner of abutting real property. 706

(3) The grant of a limited use is made to a public 707
utility. 708

(4) The grant or disposition is to a department of the 709
federal or state government, to a political subdivision of the 710
state, or to any other governmental entity. 711

(5) Used equipment is traded on the purchase of equipment 712
and the value of the used equipment is a price-related factor in 713
the basis for award for the purchase. 714

(6) The value of the personal property is such that 715
competitive procedures are not appropriate and the property 716
either is sold at its fair market value or is disposed of by 717
gift to a nonprofit entity having the general welfare or 718
education of the public as one of its principal objects. 719

(M) The board of trustees of a regional transit authority, 720
when making a contract funded exclusively by state or local 721
moneys or any combination thereof, shall make a good faith 722
effort to use disadvantaged business enterprise participation to 723
the same extent required under Section 105(f) of the "Surface 724
Transportation Assistance Act of 1982," Public Law No. 97-424, 725
96 Stat. 2100, and Section 106(c) of the "Surface Transportation 726
and Uniform Relocation Assistance Act of 1987," Public Law No. 727

100-17, 101 Stat. 145, and the rules adopted thereunder. 728

(N) As used in this section: 729

(1) "Goods" means all things, including specially 730
manufactured goods, that are movable at the time of 731
identification to the contract for sale other than the money in 732
which the price is to be paid, investment securities, and things 733
in action. "Goods" also includes other identified things 734
attached to realty as described in section 1302.03 of the 735
Revised Code. 736

(2) "Services" means the furnishing of labor, time, or 737
effort by a contractor, not involving the delivery of goods or 738
reports other than goods or reports that are merely incidental 739
to the required performance, including but not limited to 740
insurance, bonding, or routine operation, routine repair, or 741
routine maintenance of existing structures, buildings, real 742
property, or equipment, but does not include employment 743
agreements, collective bargaining agreements, or personal 744
services. 745

(3) "Construction" means the process of building, 746
altering, repairing, improving, painting, decorating, or 747
demolishing any structure or building, or other improvements of 748
any kind to any real property owned or leased by a regional 749
transit authority. 750

(4) "Full and open competition" has the same meaning as in 751
the "Office of Federal Procurement Policy Act," Public Law No. 752
98-369, section 2731, 98 Stat. 1195 (1984), 41 U.S.C.A. 403. 753

(5) A bidder is "responsive" if, applying the criteria of 754
division (A) of section 9.312 of the Revised Code, the bidder is 755
"responsive" as described in that section. 756

(6) A bidder is "responsible" if, applying the criteria of 757
division (B) of section 9.312 of the Revised Code and of the 758
"Office of Federal Procurement Policy Act," Public Law No. 98- 759
369, section 2731, 98 Stat. 1195 (1984), 41 U.S.C.A. 403, the 760
bidder is "responsible" as described in those sections. 761

Sec. 717.02. (A) As used in this section: 762

(1) "Energy conservation measure" means the construction 763
of, installation or modification of an installation in, or 764
remodeling of, a new or existing building or infrastructure, to 765
reduce energy consumption. It includes: 766

(a) Insulation of the building structure and of systems 767
within the building; 768

(b) Storm windows and doors, multiglazed windows and 769
doors, heat-absorbing or heat-reflective glazed and coated 770
window and door systems, additional glazing, reductions in glass 771
area, and other window and door system modifications that reduce 772
energy consumption; 773

(c) Automatic energy control systems; 774

(d) Heating, ventilating, or air conditioning system 775
modifications or replacements; 776

(e) Caulking and weatherstripping; 777

(f) Replacement or modification of lighting fixtures to 778
increase the energy efficiency of the system without increasing 779
the overall illumination of a facility, unless such an increase 780
in illumination is necessary to conform to the applicable state 781
or local building code for the proposed lighting system; 782

(g) Energy recovery systems; 783

(h) Cogeneration systems that produce steam or forms of 784
energy such as heat, as well as electricity, for use primarily 785
within a building or complex of buildings; 786

(i) Acquiring, constructing, furnishing, equipping, 787
improving the site of, or otherwise improving a central utility 788
plant to provide heating and cooling services to a building or 789
building infrastructure together with distribution piping and 790
ancillary distribution controls, equipment, and related 791
facilities from the central utility plant to the building or 792
building infrastructure; 793

(j) Meter replacement, installation of an automatic meter 794
reading system, or any other construction, modification, 795
installation, or remodeling of water, electric, gas, or any 796
other municipally supplied utility system; 797

(k) Any other construction, modification, installation, or 798
remodeling approved by the legislative authority of the 799
municipal corporation as an energy conservation measure. 800

(2) "Infrastructure" includes, but is not limited to, a 801
water, gas, or electric utility, renewable energy system or 802
technology, highway traffic ~~control~~-signal, or any other asset 803
owned, operated, or maintained by a municipal corporation. 804

(B) For the purpose of evaluating buildings owned by a 805
municipal corporation for energy conservation measures, a 806
legislative authority of a municipal corporation may contract 807
with an architect, professional engineer, energy services 808
company, contractor, or other person experienced in the design 809
and implementation of energy conservation measures for an energy 810
conservation report. The report shall include all of the 811
following: 812

(1) Analyses of the energy needs of the buildings owned by 813
that municipal corporation and recommendations for building 814
installations, modifications of existing installations, or 815
building remodeling that would significantly reduce energy 816
consumption in the buildings; 817

(2) Estimates of all costs of the recommended 818
installations, modifications, or remodeling, including costs of 819
design, engineering, installation, maintenance, and repair; 820

(3) Estimates of the amounts by which energy consumption 821
could be reduced; 822

(4) The interest rate used to estimate the costs of any 823
energy conservation measures that are to be financed by the 824
municipal corporation; 825

(5) The average system life of the energy conservation 826
measures; 827

(6) Estimates of the likely savings that will result from 828
the reduction in energy consumption over the average system life 829
of the energy conservation measures, including the methods used 830
to estimate the savings; 831

(7) A certification under the seal of a registered 832
professional engineer that the energy conservation report uses 833
reasonable methods of analysis and estimation. 834

(C) (1) A municipal corporation desiring to implement 835
energy conservation measures may proceed under any of the 836
following methods: 837

(a) Procure the energy conservation measures in any manner 838
authorized by the municipal corporation's charter, ordinances, 839
or any other existing authority; 840

(b) Advertise for bids using a report or any part of an 841
energy conservation report prepared under division (B) of this 842
section, and, except as otherwise provided in this section, 843
comply with competitive bidding requirements; 844

(c) Notwithstanding any requirement in the Revised Code 845
that requires competitive bidding or specifies bidding 846
procedures, request proposals from at least three vendors for 847
the implementation of energy conservation measures. A request 848
for proposals shall require the vendor that is awarded a 849
contract under division (C) (2) (b) of this section to prepare an 850
energy conservation report in accordance with division (B) of 851
this section. 852

Prior to sending any vendor a copy of any request for 853
proposals, the legislative authority shall advertise its intent 854
to request proposals for the installation of energy conservation 855
measures in a newspaper of general circulation in the municipal 856
corporation once a week for two consecutive weeks. The notice 857
shall state that the legislative authority intends to request 858
proposals for the installation of energy conservation measures, 859
indicate the date on which the request for proposals will be 860
mailed to vendors, which shall be at least ten days after the 861
second publication in the newspaper, and state that any vendor 862
interested in receiving the request for proposals shall submit 863
written notice to the legislative authority not later than noon 864
of the day on which the request for proposals is to be mailed. 865

(2) (a) Upon receiving bids under division (C) (1) (b) of 866
this section, the legislative authority shall analyze them and 867
select the lowest and best bid or bids most likely to result in 868
the greatest energy savings considering the cost of the project 869
and the legislative authority's ability to pay for the 870

improvements with current revenues or by financing the 871
improvements. 872

(b) Upon receiving proposals under division (C) (1) (c) of 873
this section, the legislative authority shall analyze the 874
proposals and the vendors' qualifications and select the most 875
qualified vendor to prepare an energy conservation report in 876
accordance with division (B) of this section. After receipt and 877
review of the energy conservation report, the legislative 878
authority may award a contract to the selected vendor to install 879
the energy conservation measures that are most likely to result 880
in the greatest energy savings considering the cost of the 881
project and the legislative authority's ability to pay for the 882
improvements with current revenues or by financing the 883
improvements. 884

(c) The awarding of a contract to install energy 885
conservation measures under division (C) (2) (a) or (b) of this 886
section shall be conditioned upon a finding by the contracting 887
authority that the amount of money spent on energy conservation 888
measures is not likely to exceed the amount of money the 889
municipal corporation would save in energy, operating, 890
maintenance, and avoided capital costs over the average system 891
life of the energy conservation measures as specified in the 892
energy conservation report. In making such a finding, the 893
contracting authority may take into account the increased costs 894
due to inflation as shown in the energy conservation report. 895
Nothing in this division prohibits a municipal corporation from 896
rejecting all bids or proposals under division (C) (1) (b) or (c) 897
of this section or from selecting more than one bid or proposal. 898

(D) The legislative authority of a municipal corporation 899
may enter into an installment payment contract for the purchase 900

and installation of energy conservation measures. Provisions of 901
installment payment contracts that deal with interest charges 902
and financing terms shall not be subject to competitive bidding 903
requirements and shall be on the following terms: 904

(1) Not less than a specified percentage of the costs of 905
the contract shall be paid within two years from the date of 906
purchase, as determined and approved by the legislative 907
authority of a municipal corporation. 908

(2) The remaining balance of the costs of the contract 909
shall be paid within the lesser of the average system life of 910
the energy conservation measures as specified in the energy 911
conservation report or thirty years. 912

(E) The legislative authority of a municipal corporation 913
may issue the notes of the municipal corporation specifying the 914
terms of a purchase of energy conservation measures under this 915
section and securing any deferred payments provided for in 916
division ~~(C)~~ (D) of this section. The notes shall be payable at 917
the times provided and bear interest at a rate not exceeding the 918
rate determined as provided in section 9.95 of the Revised Code. 919
The notes may contain an option for prepayment and shall not be 920
subject to Chapter 133. of the Revised Code. Revenues derived 921
from local taxes or otherwise, for the purpose of conserving 922
energy or for defraying the current operating expenses of the 923
municipal corporation, may be pledged and applied to the payment 924
of interest and the retirement of the notes. The notes may be 925
sold at private sale or given to the contractor under an 926
installment payment contract authorized by division ~~(C)~~ (D) of 927
this section. 928

(F) Debt incurred under this section shall not be included 929
in the calculation of the net indebtedness of a municipal 930

corporation under section 133.05 of the Revised Code. 931

Sec. 1548.061. (A) Notwithstanding any general requirement 932
in this chapter to the effect that an application for a 933
certificate of title to a watercraft or outboard motor shall be 934
"sworn to" or shall be "sworn to before a notary public or other 935
officer empowered to administer oaths," that requirement shall 936
apply only in the case of a transfer of a watercraft or outboard 937
motor between parties in the course of a sale by a person other 938
than a registered watercraft dealer, as defined in section 939
1546.01 of the Revised Code, to a person who purchases the 940
watercraft or outboard motor for use as a consumer. 941

(B) (1) Notwithstanding any provision of the Revised Code 942
to the contrary that requires a document to be "sworn to before" 943
or "signed in the presence of" a notary or other officer 944
empowered to administer oaths, when a registered watercraft 945
dealer is a party to the transfer of a watercraft or outboard 946
motor, no notarization is required on any of the following as it 947
relates to a watercraft or outboard motor: 948

(a) A certificate of title; 949

(b) An assignment of ownership; 950

(c) A power of attorney used for the purposes of titling; 951

(d) Any document related to the titling that the dealer is 952
required to provide to a clerk of a court of common pleas. 953

(2) A clerk of courts may request a notarized affidavit to 954
make corrections to the documents listed in division (B) (1) of 955
this section, if necessary. 956

(3) All documents provided to a clerk of courts under 957
division (B) of this section may be signed electronically. 958

Sec. 1548.062. (A) (1) Notwithstanding section 1337.06 of 959
the Revised Code, a registered watercraft dealer, as defined in 960
section 1546.01 of the Revised Code, involved in a title 961
transfer, or the employee or agent of the registered watercraft 962
dealer, may be granted power of attorney by the principal to 963
become the principal's attorney in fact. 964

(2) The power of attorney granted under division (A) (1) of 965
this section may be used only when the granting instrument 966
limits the power of the attorney in fact to act on the 967
principal's behalf for either of the following: 968

(a) Making an assignment of a certificate of title; 969

(b) Completing an application for a certificate of title. 970

(3) Such instrument shall state the following, as 971
applicable, to which the grant of power applies: 972

(a) A description of the watercraft, including the make, 973
year, length, series or model, if any, body type, hull 974
identification number or serial number, and make, manufacturer's 975
serial number, and horsepower of any inboard motor; 976

(b) A description of the outboard motor, including the 977
make, year, series or model, if any, manufacturer's serial 978
number, and horsepower. 979

(B) The power of attorney is exempt from the requirements 980
of notarization and verification as described in this chapter 981
and in section 1337.25 of the Revised Code, and the documents 982
may be signed electronically. This power of attorney shall be 983
presented to the clerk of the court of common pleas when used to 984
transfer title to a watercraft or outboard motor and shall be 985
retained by the clerk in the same manner that a certificate of 986
title is retained. 987

Sec. 3503.11. ~~(A)(1) When~~ (A)(1)(a) Subject to division 988
(A)(1)(b) of this section, when any person applies for a 989
driver's license, commercial driver's license, a state of Ohio 990
identification card issued under section 4507.50 of the Revised 991
Code, or motorcycle operator's license or endorsement, or the 992
renewal or duplicate of any license or endorsement under Chapter 993
4506. or 4507. of the Revised Code, the registrar of motor 994
vehicles or deputy registrar shall offer the applicant the 995
opportunity to register to vote or to update the applicant's 996
voter registration by electronic means in conjunction with the 997
person's transaction with the registrar or deputy registrar, in 998
a manner prescribed by the secretary of state. 999

(b) The registrar or a deputy registrar shall not offer 1000
the opportunity to register to vote to a person who, according 1001
to the records of the bureau of motor vehicles, is ineligible to 1002
register to vote. 1003

(2) When any person submits a notice of change of address 1004
to the registrar under division (C) of section 4507.09 of the 1005
Revised Code, the registrar shall offer the applicant the 1006
opportunity to submit a notice of change of address for voter 1007
registration purposes by electronic means in conjunction with 1008
the person's transaction with the registrar, in a manner 1009
prescribed by the secretary of state. 1010

(3) When a person registers to vote or updates the 1011
person's voter registration under division (A)(1) or (2) of this 1012
section, the registrar or deputy registrar shall electronically 1013
transmit the person's signature that is on file with the bureau 1014
of motor vehicles with the electronic record of the voter 1015
registration or update, and that signature shall be considered 1016
the person's signature on the voter registration or update and 1017

for all other election and signature-matching purposes. 1018

(B) Within twenty-four hours after a person registers to 1019
vote or updates the person's voter registration under division 1020
(A) of this section, the registrar or deputy registrar shall 1021
transmit the electronic record of the voter registration or 1022
update to the secretary of state by electronic means in a manner 1023
prescribed by the secretary of state by rule. Rules adopted 1024
under this division shall do all of the following: 1025

(1) Prohibit any direct electronic connection between the 1026
office of the registrar or a deputy registrar and the statewide 1027
voter registration database; 1028

(2) Require any voter registration information to be 1029
verified by the secretary of state or a board of elections 1030
before the information is added to the statewide voter 1031
registration database; 1032

(3) Require the registrar or deputy registrar to 1033
electronically date stamp each electronic record in a manner 1034
that does not disclose the identity of the office that receives 1035
the voter registration or update. 1036

(C) (1) The registrar of motor vehicles and each deputy 1037
registrar also shall make available to all other customers paper 1038
voter registration applications and update forms, but are not 1039
required to offer assistance to customers in completing those 1040
forms. The bureau of motor vehicles shall supply all of its 1041
deputy registrars with a sufficient number of voter registration 1042
applications and update forms. 1043

(2) Within five days after a person submits a completed 1044
paper voter registration application or update form to the 1045
registrar or a deputy registrar, the registrar or deputy 1046

registrar shall send the form to the board of elections of the 1047
county in which the office of the registrar or deputy registrar 1048
is located. 1049

(D) The registrar shall collect from each deputy registrar 1050
through the reports filed under division (J) of section 4503.03 1051
of the Revised Code and transmit to the secretary of state 1052
information on the number of voter registration applications and 1053
change of residence or change of name forms completed or 1054
declined, and any additional information required by the 1055
secretary of state to comply with the National Voter 1056
Registration Act of 1993. No information relating to an 1057
applicant's decision to decline to register or update the 1058
applicant's voter registration at the office of the registrar or 1059
deputy registrar may be used for any purpose other than voter 1060
registration record-keeping required by the secretary of state, 1061
and all such information shall be kept confidential. 1062

Sec. 3704.14. (A) (1) If the director of environmental 1063
protection determines that implementation of a motor vehicle 1064
inspection and maintenance program is necessary for the state to 1065
effectively comply with the federal Clean Air Act after June 30, 1066
2023, the director may provide for the implementation of the 1067
program in those counties in this state in which such a program 1068
is federally mandated. Upon making such a determination, the 1069
director of environmental protection may request the director of 1070
administrative services to extend the terms of the contract that 1071
was entered into under the authority of Am. Sub. H.B. 64 of the 1072
131st general assembly. Upon receiving the request, the director 1073
of administrative services shall extend the contract, beginning 1074
on July 1, 2023, in accordance with this section. The contract 1075
shall be extended for a period of up to twenty-four months with 1076
the contractor who conducted the motor vehicle inspection and 1077

maintenance program under that contract. 1078

(2) Prior to the expiration of the contract extension that 1079
is authorized by division (A) (1) of this section, the director 1080
of environmental protection shall request the director of 1081
administrative services to enter into a contract with a vendor 1082
to operate a decentralized motor vehicle inspection and 1083
maintenance program in each county in this state in which such a 1084
program is federally mandated through June 30, 2027, with an 1085
option for the state to renew the contract for a period of up to 1086
twenty-four months through June 30, 2029. The contract shall 1087
ensure that the decentralized motor vehicle inspection and 1088
maintenance program achieves at least the same emission 1089
reductions as achieved by the program operated under the 1090
authority of the contract that was extended under division (A) 1091
(1) of this section. The director of administrative services 1092
shall select a vendor through a competitive selection process in 1093
compliance with Chapter 125. of the Revised Code. 1094

(3) Notwithstanding any law to the contrary, the director 1095
of administrative services shall ensure that a competitive 1096
selection process regarding a contract to operate a 1097
decentralized motor vehicle inspection and maintenance program 1098
in this state incorporates the following, which shall be 1099
included in the contract: 1100

(a) For purposes of expanding the number of testing 1101
locations for consumer convenience, a requirement that the 1102
vendor utilize established local businesses, auto repair 1103
facilities, or leased properties to operate state-approved 1104
inspection and maintenance testing facilities; 1105

(b) A requirement that the vendor selected to operate the 1106
program provide notification of the program's requirements to 1107

each owner of a motor vehicle that is required to be inspected 1108
under the program. The contract shall require the notification 1109
to be provided not later than sixty days prior to the date by 1110
which the owner of the motor vehicle is required to have the 1111
motor vehicle inspected. The director of environmental 1112
protection and the vendor shall jointly agree on the content of 1113
the notice. However, the notice shall include at a minimum the 1114
locations of all inspection facilities within a specified 1115
distance of the address that is listed on the owner's motor 1116
vehicle registration; 1117

(c) A requirement that the vendor comply with testing 1118
methodology and supply the required equipment approved by the 1119
director of environmental protection as specified in the 1120
competitive selection process in compliance with Chapter 125. of 1121
the Revised Code. 1122

(4) A decentralized motor vehicle inspection and 1123
maintenance program operated under this section shall comply 1124
with division (B) of this section. The director of environmental 1125
protection shall administer the decentralized motor vehicle 1126
inspection and maintenance program operated under this section. 1127

(B) The director shall establish a decentralized motor 1128
vehicle inspection and maintenance program as authorized by this 1129
section and, at a minimum, the director shall ~~do~~ ensure that the 1130
program does all of the following: 1131

(1) ~~Comply~~ Complies with the federal Clean Air Act; 1132

(2) ~~Provide~~ Provides for the issuance of inspection 1133
certificates and alternative emissions certificates as specified 1134
in rules adopted under division (C) (2) of this section; 1135

(3) ~~Provide~~ Provides for a new car exemption for motor 1136

vehicles ~~four~~six years old or newer and ~~provide~~provides that a 1137
new motor vehicle is exempt for ~~four~~six years regardless of 1138
whether legal title to the motor vehicle is transferred during 1139
that period; 1140

(4) ~~Provide~~Provides for an exemption for battery electric 1141
motor vehicles; 1142

(5) Provides for an exemption for hybrid motor vehicles 1143
seven years old or newer and provides that a hybrid motor 1144
vehicle is exempt for seven years regardless of whether legal 1145
title to the motor vehicle is transferred during that period. 1146

(C) (1) The director of environmental protection shall 1147
adopt rules in accordance with Chapter 119. of the Revised Code 1148
that the director determines are necessary to implement this 1149
section. The director may continue to implement and enforce 1150
rules pertaining to the motor vehicle inspection and maintenance 1151
program previously implemented under former section 3704.14 of 1152
the Revised Code as that section existed prior to its repeal and 1153
reenactment by Am. Sub. H.B. 66 of the 126th general assembly, 1154
provided that the rules do not conflict with this section. 1155

~~(2) The director of environmental protection shall issue 1156~~
~~an inspection certificate provided for under division (B) (2) of 1157~~
~~this section in accordance with Chapter 4796. of the Revised 1158~~
~~Code to an applicant if either of the following applies: 1159~~

~~(a) The individual holds a certificate or license in 1160~~
~~another state. 1161~~

~~(b) The individual has satisfactory work experience, a 1162~~
~~government certification, or a private certification as 1163~~
~~described in that chapter as a vehicle inspector in a state that 1164~~
~~does not issue that certificate. The rules adopted under 1165~~

division (C) (1) of this section shall provide for the issuance 1166
of inspections certificates and alternative emissions 1167
certificates. Under the rules, an inspection certificate shall 1168
be issued to the owner or lessee of a motor vehicle when the 1169
motor vehicle passes an emissions inspection conducted in 1170
accordance with the motor vehicle inspection and maintenance 1171
program established under this section. In lieu of obtaining an 1172
inspection certificate, the rules shall establish a system by 1173
which the owner or lessee of a motor vehicle may request an 1174
alternative emissions certificate from the director. 1175

(a) The rules providing for the issuance of alternative 1176
emissions certificates shall require an owner or lessee of a 1177
motor vehicle to do the following in order to receive the 1178
certificate: 1179

(i) Complete and submit an attestation form created by the 1180
director that includes a statement that reads substantially as 1181
follows: 1182

"I, _____, attest that, to the best of my knowledge, the 1183
motor vehicle concerning which I am the owner or lessee complies 1184
with all laws of Ohio and the United States governing motor 1185
vehicle emissions. I, _____, am aware that a false statement on 1186
this form is not permitted." 1187

(ii) Sign and date the form either manually or 1188
electronically; 1189

(iii) Submit the form to the director either by regular 1190
mail, certified mail, or electronically. 1191

(b) The rules shall require the director to include both 1192
of the following additional information on the attestation form: 1193

(i) A provision that allows the owner or lessee of a motor 1194

vehicle to specify one of the following methods by which the 1195
owner or lessee may request delivery of the alternative 1196
emissions certificate: certified mail, noncertified mail, or 1197
electronically; 1198

(ii) A provision that allows the owner or lessee of a 1199
motor vehicle to specify the vehicle identification number, 1200
make, model, and year of the relevant motor vehicle and the date 1201
the attestation form is submitted to the director. 1202

(c) Subject to division (C) (2) (d) of this section, the 1203
rules shall require the director to deliver an alternative 1204
emission certificate to the owner or lessee of a motor vehicle 1205
who complies with rules adopted under division (C) (2) (a) of this 1206
section. The director shall deliver the certificate within 1207
thirty business days after the director's receipt of the 1208
attestation form or, if the owner or lessee submits the form 1209
electronically, within five business days after receipt of the 1210
form. The director shall confirm the receipt of the attestation 1211
form if the director receives it by electronic means. 1212

(d) The rules shall require the director to reject an 1213
attestation form for any of the following reasons: 1214

(i) The motor vehicle that is the subject of the 1215
attestation form was in an accident or collision within the two 1216
years prior to the date of submission of the form, and the 1217
accident or collision caused substantial damage to the internal 1218
structure of the motor vehicle. 1219

(ii) The owner or lessee of the motor vehicle that is the 1220
subject of the attestation form has received a ticket, citation, 1221
or summons with regard to that motor vehicle within the two 1222
years prior to the date of submission of the form for a 1223

violation of section 4513.22 of the Revised Code or 1224
substantially equivalent municipal ordinance. 1225

(iii) The information in the attestation form is 1226
determined by the director to be false. 1227

If the director rejects an attestation form under division 1228
(C) (2) (d) (iii) of this section, the director shall provide 1229
notice to the owner or lessee that the attestation form was 1230
determined to be false. The notice shall inform the owner or 1231
lessee that the owner or lessee may submit a corrected form to 1232
the director within thirty days of the receipt of the notice. If 1233
the owner or lessee submits a corrected attestation form that 1234
complies with rules adopted under division (C) (2) of this 1235
section within that thirty-day period, the director shall issue 1236
an alternative emissions certificate to the owner or lessee. If 1237
the owner or lessee fails to correct the attestation form, the 1238
director shall require the owner or lessee to complete an 1239
emissions inspection and obtain an inspection certificate in 1240
accordance with rules adopted under this section. 1241

If the director rejects an attestation form under division 1242
(C) (2) (d) (i) or (ii) of this section, the director shall require 1243
the owner or lessee to complete an emissions inspection and 1244
obtain an inspection certificate in accordance with rules 1245
adopted under this section. 1246

(e) In adopting rules under division (C) (2) of this 1247
section, the director shall ensure that the owner or lessee of a 1248
motor vehicle who falsifies an attestation form receives a 1249
notice that includes a statement that reads substantially as 1250
follows: "You have falsified an attestation form for your 1251
vehicle under the E-Check/motor vehicle emissions testing 1252
program. Your vehicle is registered in one of [insert the number 1253

of counties] counties in this state that has federal emission 1254
mandates imposed on it that the State of Ohio is required, under 1255
threat of penalty, to enforce. This letter serves as Ohio's only 1256
penalty for falsification of an attestation form. You have 1257
thirty days from the date of this notice to amend your 1258
attestation form and submit the amended form to the 1259
Environmental Protection Agency. However, if you choose not to 1260
submit an amended attestation form, you must have a motor 1261
vehicle emissions inspection conducted for your vehicle in 1262
accordance with section 3704.14 of the Revised Code and rules 1263
adopted under it." 1264

(f) No penalties apply to a person who the director has 1265
determined to have falsified an attestation form, other than the 1266
issuance of the notice required under division (C) (2) (e) of this 1267
section. 1268

(D) There is hereby created in the state treasury the auto 1269
emissions test fund, which shall consist of money received by 1270
the director from any cash transfers, state and local grants, 1271
and other contributions that are received for the purpose of 1272
funding the program established under this section. The director 1273
of environmental protection shall use money in the fund solely 1274
for the implementation, supervision, administration, operation, 1275
and enforcement of the motor vehicle inspection and maintenance 1276
program established under this section. Money in the fund shall 1277
not be used for either of the following: 1278

(1) To pay for the inspection costs incurred by a motor 1279
vehicle dealer so that the dealer may provide inspection 1280
certificates to an individual purchasing a motor vehicle from 1281
the dealer when that individual resides in a county that is 1282
subject to the motor vehicle inspection and maintenance program; 1283

(2) To provide payment for more than one free passing
emissions inspection or a total of three emissions inspections
for a motor vehicle in any three-hundred-sixty-five-day period.
The owner or lessee of a motor vehicle is responsible for
inspection fees that are related to emissions inspections beyond
one free passing emissions inspection or three total emissions
inspections in any three-hundred-sixty-five-day period.
Inspection fees that are charged by a contractor conducting
emissions inspections under a motor vehicle inspection and
maintenance program shall be approved by the director of
environmental protection.

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

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

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

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

(B) "Motor vehicle" means any vehicle, including mobile 1314
homes and recreational vehicles, that is propelled or drawn by 1315
power other than muscular power or power collected from overhead 1316
electric trolley wires. "Motor vehicle" does not include utility 1317
vehicles as defined in division (VV) of this section, under- 1318
speed vehicles as defined in division (XX) of this section, 1319
mini-trucks as defined in division (BBB) of this section, 1320
motorized bicycles, electric bicycles, road rollers, traction 1321
engines, power shovels, power cranes, and other equipment used 1322
in construction work and not designed for or employed in general 1323
highway transportation, well-drilling machinery, ditch-digging 1324
machinery, farm machinery, and trailers that are designed and 1325
used exclusively to transport a boat between a place of storage 1326
and a marina, or in and around a marina, when drawn or towed on 1327
a public road or highway for a distance of no more than ten 1328
miles and at a speed of twenty-five miles per hour or less. 1329

(C) "Agricultural tractor" and "traction engine" mean any 1330
self-propelling vehicle that is designed or used for drawing 1331
other vehicles or wheeled machinery, but has no provisions for 1332
carrying loads independently of such other vehicles, and that is 1333
used principally for agricultural purposes. 1334

(D) "Commercial tractor," except as defined in division 1335
(C) of this section, means any motor vehicle that has motive 1336
power and either is designed or used for drawing other motor 1337
vehicles, or is designed or used for drawing another motor 1338
vehicle while carrying a portion of the other motor vehicle or 1339
its load, or both. 1340

(E) "Passenger car" means any motor vehicle that is 1341
designed and used for carrying not more than nine persons and 1342
includes any motor vehicle that is designed and used for 1343

carrying not more than fifteen persons in a ridesharing 1344
arrangement. 1345

(F) "Collector's vehicle" means any motor vehicle or 1346
agricultural tractor or traction engine that is of special 1347
interest, that has a fair market value of one hundred dollars or 1348
more, whether operable or not, and that is owned, operated, 1349
collected, preserved, restored, maintained, or used essentially 1350
as a collector's item, leisure pursuit, or investment, but not 1351
as the owner's principal means of transportation. "Licensed 1352
collector's vehicle" means a collector's vehicle, other than an 1353
agricultural tractor or traction engine, that displays current, 1354
valid license tags issued under section 4503.45 of the Revised 1355
Code, or a similar type of motor vehicle that displays current, 1356
valid license tags issued under substantially equivalent 1357
provisions in the laws of other states. 1358

(G) "Historical motor vehicle" means any motor vehicle 1359
that is over twenty-five years old and is owned solely as a 1360
collector's item and for participation in club activities, 1361
exhibitions, tours, parades, and similar uses, but that in no 1362
event is used for general transportation. 1363

(H) "Noncommercial motor vehicle" means any motor vehicle, 1364
including a farm truck as defined in section 4503.04 of the 1365
Revised Code, that is designed by the manufacturer to carry a 1366
load of no more than one ton and is used exclusively for 1367
purposes other than engaging in business for profit. 1368

(I) "Bus" means any motor vehicle that has motor power and 1369
is designed and used for carrying more than nine passengers, 1370
except any motor vehicle that is designed and used for carrying 1371
not more than fifteen passengers in a ridesharing arrangement. 1372

(J) "Commercial car" or "truck" means any motor vehicle 1373
that has motor power and is designed and used for carrying 1374
merchandise or freight, or that is used as a commercial tractor. 1375

(K) ~~"Bicycle" means every device, other than a device that~~ 1376
~~is designed solely for use as a play vehicle by a child, that is~~ 1377
~~propelled solely by human power upon which a person may ride,~~ 1378
~~and that has two or more wheels, any of which is more than~~ 1379
~~fourteen inches in diameter~~has the same meaning as in section 1380
4511.01 of the Revised Code. 1381

(L) "Motorized bicycle" or "moped" means any vehicle that 1382
either has two tandem wheels or one wheel in the front and two 1383
wheels in the rear, that may be pedaled, and that is equipped 1384
with a helper motor of not more than fifty cubic centimeters 1385
piston displacement that produces no more than one brake 1386
horsepower and is capable of propelling the vehicle at a speed 1387
of no greater than twenty miles per hour on a level surface. 1388
"Motorized bicycle" or "moped" does not include an electric 1389
bicycle. 1390

(M) "Trailer" means any vehicle without motive power that 1391
is designed or used for carrying property or persons wholly on 1392
its own structure and for being drawn by a motor vehicle, and 1393
includes any such vehicle that is formed by or operated as a 1394
combination of a semitrailer and a vehicle of the dolly type 1395
such as that commonly known as a trailer dolly, a vehicle used 1396
to transport agricultural produce or agricultural production 1397
materials between a local place of storage or supply and the 1398
farm when drawn or towed on a public road or highway at a speed 1399
greater than twenty-five miles per hour, and a vehicle that is 1400
designed and used exclusively to transport a boat between a 1401
place of storage and a marina, or in and around a marina, when 1402

drawn or towed on a public road or highway for a distance of 1403
more than ten miles or at a speed of more than twenty-five miles 1404
per hour. "Trailer" does not include a manufactured home or 1405
travel trailer. 1406

(N) "Noncommercial trailer" means any trailer, except a 1407
travel trailer or trailer that is used to transport a boat as 1408
described in division (B) of this section, but, where 1409
applicable, includes a vehicle that is used to transport a boat 1410
as described in division (M) of this section, that has a gross 1411
weight of no more than ten thousand pounds, and that is used 1412
exclusively for purposes other than engaging in business for a 1413
profit, such as the transportation of personal items for 1414
personal or recreational purposes. 1415

(O) "Mobile home" means a building unit or assembly of 1416
closed construction that is fabricated in an off-site facility, 1417
is more than thirty-five body feet in length or, when erected on 1418
site, is three hundred twenty or more square feet, is built on a 1419
permanent chassis, is transportable in one or more sections, and 1420
does not qualify as a manufactured home as defined in division 1421
(C) (4) of section 3781.06 of the Revised Code or as an 1422
industrialized unit as defined in division (C) (3) of section 1423
3781.06 of the Revised Code. 1424

(P) "Semitrailer" means any vehicle of the trailer type 1425
that does not have motive power and is so designed or used with 1426
another and separate motor vehicle that in operation a part of 1427
its own weight or that of its load, or both, rests upon and is 1428
carried by the other vehicle furnishing the motive power for 1429
propelling itself and the vehicle referred to in this division, 1430
and includes, for the purpose only of registration and taxation 1431
under those chapters, any vehicle of the dolly type, such as a 1432

trailer dolly, that is designed or used for the conversion of a 1433
semitrailer into a trailer. 1434

(Q) "Recreational vehicle" means a vehicular portable 1435
structure that meets all of the following conditions: 1436

(1) It is designed for the sole purpose of recreational 1437
travel. 1438

(2) It is not used for the purpose of engaging in business 1439
for profit. 1440

(3) It is not used for the purpose of engaging in 1441
intrastate commerce. 1442

(4) It is not used for the purpose of commerce as defined 1443
in 49 C.F.R. 383.5, as amended. 1444

(5) It is not regulated by the public utilities commission 1445
pursuant to Chapter 4905., 4921., or 4923. of the Revised Code. 1446

(6) It is classed as one of the following: 1447

(a) "Travel trailer" or "house vehicle" means a nonself- 1448
propelled recreational vehicle that does not exceed an overall 1449
length of forty feet, exclusive of bumper and tongue or 1450
coupling. "Travel trailer" includes a tent-type fold-out camping 1451
trailer as defined in section 4517.01 of the Revised Code. 1452

(b) "Motor home" means a self-propelled recreational 1453
vehicle that has no fifth wheel and is constructed with 1454
permanently installed facilities for cold storage, cooking and 1455
consuming of food, and for sleeping. 1456

(c) "Truck camper" means a nonself-propelled recreational 1457
vehicle that does not have wheels for road use and is designed 1458
to be placed upon and attached to a motor vehicle. "Truck 1459

camper" does not include truck covers that consist of walls and 1460
a roof, but do not have floors and facilities enabling them to 1461
be used as a dwelling. 1462

(d) "Fifth wheel trailer" means a vehicle that is of such 1463
size and weight as to be movable without a special highway 1464
permit, that is constructed with a raised forward section that 1465
allows a bi-level floor plan, and that is designed to be towed 1466
by a vehicle equipped with a fifth-wheel hitch ordinarily 1467
installed in the bed of a truck. 1468

(e) "Park trailer" means a vehicle that is commonly known 1469
as a park model recreational vehicle, meets the American 1470
national standard institute standard A119.5 (1988) for park 1471
trailers, is built on a single chassis, has a gross trailer area 1472
of four hundred square feet or less when set up, is designed for 1473
seasonal or temporary living quarters, and may be connected to 1474
utilities necessary for the operation of installed features and 1475
appliances. 1476

(R) "Pneumatic tires" means tires of rubber and fabric or 1477
tires of similar material, that are inflated with air. 1478

(S) "Solid tires" means tires of rubber or similar elastic 1479
material that are not dependent upon confined air for support of 1480
the load. 1481

(T) "Solid tire vehicle" means any vehicle that is 1482
equipped with two or more solid tires. 1483

(U) "Farm machinery" means all machines and tools that are 1484
used in the production, harvesting, and care of farm products, 1485
and includes trailers that are used to transport agricultural 1486
produce or agricultural production materials between a local 1487
place of storage or supply and the farm, agricultural tractors, 1488

threshing machinery, hay-baling machinery, corn shellers, 1489
hammermills, and machinery used in the production of 1490
horticultural, agricultural, and vegetable products. 1491

(V) "Owner" includes any person or firm, other than a 1492
manufacturer or dealer, that has title to a motor vehicle, 1493
except that, in sections 4505.01 to 4505.19 of the Revised Code, 1494
"owner" includes in addition manufacturers and dealers. 1495

(W) "Manufacturer" and "dealer" include all persons and 1496
firms that are regularly engaged in the business of 1497
manufacturing, selling, displaying, offering for sale, or 1498
dealing in motor vehicles, at an established place of business 1499
that is used exclusively for the purpose of manufacturing, 1500
selling, displaying, offering for sale, or dealing in motor 1501
vehicles. A place of business that is used for manufacturing, 1502
selling, displaying, offering for sale, or dealing in motor 1503
vehicles shall be deemed to be used exclusively for those 1504
purposes even though snowmobiles or all-purpose vehicles are 1505
sold or displayed for sale thereat, even though farm machinery 1506
is sold or displayed for sale thereat, or even though repair, 1507
accessory, gasoline and oil, storage, parts, service, or paint 1508
departments are maintained thereat, or, in any county having a 1509
population of less than seventy-five thousand at the last 1510
federal census, even though a department in a place of business 1511
is used to dismantle, salvage, or rebuild motor vehicles by 1512
means of used parts, if such departments are operated for the 1513
purpose of furthering and assisting in the business of 1514
manufacturing, selling, displaying, offering for sale, or 1515
dealing in motor vehicles. Places of business or departments in 1516
a place of business used to dismantle, salvage, or rebuild motor 1517
vehicles by means of using used parts are not considered as 1518
being maintained for the purpose of assisting or furthering the 1519

manufacturing, selling, displaying, and offering for sale or 1520
dealing in motor vehicles. 1521

(X) "Operator" includes any person who drives or operates 1522
a motor vehicle upon the public highways. 1523

(Y) "Chauffeur" means any operator who operates a motor 1524
vehicle, other than a taxicab, as an employee for hire; or any 1525
operator whether or not the owner of a motor vehicle, other than 1526
a taxicab, who operates such vehicle for transporting, for gain, 1527
compensation, or profit, either persons or property owned by 1528
another. Any operator of a motor vehicle who is voluntarily 1529
involved in a ridesharing arrangement is not considered an 1530
employee for hire or operating such vehicle for gain, 1531
compensation, or profit. 1532

(Z) "State" includes the territories and federal districts 1533
of the United States, and the provinces of Canada. 1534

(AA) "Public roads and highways" for vehicles includes all 1535
public thoroughfares, bridges, and culverts. 1536

(BB) "Manufacturer's number" means the manufacturer's 1537
original serial number that is affixed to or imprinted upon the 1538
chassis or other part of the motor vehicle. 1539

(CC) "Motor number" means the manufacturer's original 1540
number that is affixed to or imprinted upon the engine or motor 1541
of the vehicle. 1542

(DD) "Distributor" means any person who is authorized by a 1543
motor vehicle manufacturer to distribute new motor vehicles to 1544
licensed motor vehicle dealers at an established place of 1545
business that is used exclusively for the purpose of 1546
distributing new motor vehicles to licensed motor vehicle 1547
dealers, except when the distributor also is a new motor vehicle 1548

dealer, in which case the distributor may distribute at the 1549
location of the distributor's licensed dealership. 1550

(EE) "Ridesharing arrangement" means the transportation of 1551
persons in a motor vehicle where the transportation is 1552
incidental to another purpose of a volunteer driver and includes 1553
ridesharing arrangements known as carpools, vanpools, and 1554
buspools. 1555

(FF) "Apportionable vehicle" means any vehicle that is 1556
used or intended for use in two or more international 1557
registration plan member jurisdictions that allocate or 1558
proportionally register vehicles, that is used for the 1559
transportation of persons for hire or designed, used, or 1560
maintained primarily for the transportation of property, and 1561
that meets any of the following qualifications: 1562

(1) Is a power unit having a gross vehicle weight in 1563
excess of twenty-six thousand pounds; 1564

(2) Is a power unit having three or more axles, regardless 1565
of the gross vehicle weight; 1566

(3) Is a combination vehicle with a gross vehicle weight 1567
in excess of twenty-six thousand pounds. 1568

"Apportionable vehicle" does not include recreational 1569
vehicles, vehicles displaying restricted plates, city pick-up 1570
and delivery vehicles, or vehicles owned and operated by the 1571
United States, this state, or any political subdivisions 1572
thereof. 1573

(GG) "Chartered party" means a group of persons who 1574
contract as a group to acquire the exclusive use of a passenger- 1575
carrying motor vehicle at a fixed charge for the vehicle in 1576
accordance with the carrier's tariff, lawfully on file with the 1577

United States department of transportation, for the purpose of 1578
group travel to a specified destination or for a particular 1579
itinerary, either agreed upon in advance or modified by the 1580
chartered group after having left the place of origin. 1581

(HH) "International registration plan" means a reciprocal 1582
agreement of member jurisdictions that is endorsed by the 1583
American association of motor vehicle administrators, and that 1584
promotes and encourages the fullest possible use of the highway 1585
system by authorizing apportioned registration of fleets of 1586
vehicles and recognizing registration of vehicles apportioned in 1587
member jurisdictions. 1588

(II) "Restricted plate" means a license plate that has a 1589
restriction of time, geographic area, mileage, or commodity, and 1590
includes license plates issued to farm trucks under division (J) 1591
of section 4503.04 of the Revised Code. 1592

(JJ) "Gross vehicle weight," with regard to any commercial 1593
car, trailer, semitrailer, or bus that is taxed at the rates 1594
established under section 4503.042 or 4503.65 of the Revised 1595
Code, means the unladen weight of the vehicle fully equipped 1596
plus the maximum weight of the load to be carried on the 1597
vehicle. 1598

(KK) "Combined gross vehicle weight" with regard to any 1599
combination of a commercial car, trailer, and semitrailer, that 1600
is taxed at the rates established under section 4503.042 or 1601
4503.65 of the Revised Code, means the total unladen weight of 1602
the combination of vehicles fully equipped plus the maximum 1603
weight of the load to be carried on that combination of 1604
vehicles. 1605

(LL) "Chauffeured limousine" means a motor vehicle that is 1606

designed to carry nine or fewer passengers and is operated for 1607
hire pursuant to a prearranged contract for the transportation 1608
of passengers on public roads and highways along a route under 1609
the control of the person hiring the vehicle and not over a 1610
defined and regular route. "Prearranged contract" means an 1611
agreement, made in advance of boarding, to provide 1612
transportation from a specific location in a chauffeured 1613
limousine. "Chauffeured limousine" does not include any vehicle 1614
that is used exclusively in the business of funeral directing. 1615

(MM) "Manufactured home" has the same meaning as in 1616
division (C) (4) of section 3781.06 of the Revised Code. 1617

(NN) "Acquired situs," with respect to a manufactured home 1618
or a mobile home, means to become located in this state by the 1619
placement of the home on real property, but does not include the 1620
placement of a manufactured home or a mobile home in the 1621
inventory of a new motor vehicle dealer or the inventory of a 1622
manufacturer, remanufacturer, or distributor of manufactured or 1623
mobile homes. 1624

(OO) "Electronic" includes electrical, digital, magnetic, 1625
optical, electromagnetic, or any other form of technology that 1626
entails capabilities similar to these technologies. 1627

(PP) "Electronic record" means a record generated, 1628
communicated, received, or stored by electronic means for use in 1629
an information system or for transmission from one information 1630
system to another. 1631

(QQ) "Electronic signature" means a signature in 1632
electronic form attached to or logically associated with an 1633
electronic record. 1634

(RR) "Financial transaction device" has the same meaning 1635

as in division (A) of section 113.40 of the Revised Code. 1636

(SS) "Electronic motor vehicle dealer" means a motor 1637
vehicle dealer licensed under Chapter 4517. of the Revised Code 1638
whom the registrar of motor vehicles determines meets the 1639
criteria designated in section 4503.035 of the Revised Code for 1640
electronic motor vehicle dealers and designates as an electronic 1641
motor vehicle dealer under that section. 1642

(TT) "Electric personal assistive mobility device" means a 1643
self-balancing two non-tandem wheeled device that is designed to 1644
transport only one person, has an electric propulsion system of 1645
an average of seven hundred fifty watts, and when ridden on a 1646
paved level surface by an operator who weighs one hundred 1647
seventy pounds has a maximum speed of less than twenty miles per 1648
hour. 1649

(UU) "Limited driving privileges" means the privilege to 1650
operate a motor vehicle that a court grants under section 1651
4510.021 of the Revised Code to a person whose driver's or 1652
commercial driver's license or permit or nonresident operating 1653
privilege has been suspended. 1654

(VV) "Utility vehicle" means a self-propelled vehicle 1655
designed with a bed, principally for the purpose of transporting 1656
material or cargo in connection with construction, agricultural, 1657
forestry, grounds maintenance, lawn and garden, materials 1658
handling, or similar activities. 1659

(WW) "Low-speed vehicle" means a three- or four-wheeled 1660
motor vehicle with an attainable speed in one mile on a paved 1661
level surface of more than twenty miles per hour but not more 1662
than twenty-five miles per hour and with a gross vehicle weight 1663
rating less than three thousand pounds. 1664

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

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

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

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

(BBB) "Mini-truck" means a vehicle that has four wheels, is propelled by an electric motor with a rated power of seven thousand five hundred watts or less or an internal combustion engine with a piston displacement capacity of six hundred sixty cubic centimeters or less, has a total dry weight of nine hundred to two thousand two hundred pounds, contains an enclosed cabin and a seat for the vehicle operator, resembles a pickup

truck or van with a cargo area or bed located at the rear of the 1695
vehicle, and was not originally manufactured to meet federal 1696
motor vehicle safety standards. 1697

(CCC) "Autocycle" means a three-wheeled motorcycle that is 1698
manufactured to comply with federal safety requirements for 1699
motorcycles and that is equipped with safety belts, a steering 1700
wheel, and seating that does not require the operator to 1701
straddle or sit astride to ride the motorcycle. 1702

(DDD) "Plug-in hybrid electric motor vehicle" means a 1703
passenger car powered in part by a battery cell energy system 1704
that can be recharged via an external source of electricity. 1705

(EEE) "Hybrid motor vehicle" means a passenger car powered 1706
by an internal propulsion system consisting of both of the 1707
following: 1708

(1) A combustion engine; 1709

(2) A battery cell energy system that cannot be recharged 1710
via an external source of electricity but can be recharged by 1711
other vehicle mechanisms that capture and store electric energy. 1712

(FFF) "Low-speed micromobility device" means a device 1713
weighing less than one hundred pounds that has handlebars, is 1714
propelled by an electric motor or human power, and has an 1715
attainable speed on a paved level surface of not more than 1716
twenty miles per hour when propelled by the electric motor. 1717

(GGG) "Specialty license plate" means a license plate, 1718
authorized by the general assembly, that displays a combination 1719
of words, markings, logos, or other graphic artwork that is in 1720
addition to the words, images, and distinctive numbers and 1721
letters required by section 4503.22 of the Revised Code. 1722

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

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

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

(2) An electronic or mechanical wheelchair ramp;

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

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

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

dollars. 1752

(B) ~~Not later than ninety days after July 3, 2019, the~~ The 1753
registrar shall adopt rules in accordance with Chapter 119. of 1754
the Revised Code establishing prorated service fees that apply 1755
for purposes of multi-year registrations authorized under 1756
section 4503.103 of the Revised Code. 1757

Sec. 4503.10. (A) The owner of every snowmobile, off- 1758
highway motorcycle, and all-purpose vehicle required to be 1759
registered under section 4519.02 of the Revised Code shall file 1760
an application for registration under section 4519.03 of the 1761
Revised Code. The owner of a motor vehicle, other than a 1762
snowmobile, off-highway motorcycle, or all-purpose vehicle, that 1763
is not designed and constructed by the manufacturer for 1764
operation on a street or highway may not register it under this 1765
chapter except upon certification of inspection pursuant to 1766
section 4513.02 of the Revised Code by the sheriff, or the chief 1767
of police of the municipal corporation or township, with 1768
jurisdiction over the political subdivision in which the owner 1769
of the motor vehicle resides. Except as provided in sections 1770
4503.103 and 4503.107 of the Revised Code, every owner of every 1771
other motor vehicle not previously described in this section and 1772
every person mentioned as owner in the last certificate of title 1773
of a motor vehicle that is operated or driven upon the public 1774
roads or highways shall cause to be filed each year, by mail or 1775
otherwise, in the office of the registrar of motor vehicles or a 1776
deputy registrar, a written or electronic application or a 1777
preprinted registration renewal notice issued under section 1778
4503.102 of the Revised Code, the form of which shall be 1779
prescribed by the registrar, for registration for the following 1780
registration year, which shall begin on the first day of January 1781
of every calendar year and end on the thirty-first day of 1782

December in the same year. Applications for registration and 1783
registration renewal notices shall be filed at the times 1784
established by the registrar pursuant to section 4503.101 of the 1785
Revised Code. A motor vehicle owner also may elect to apply for 1786
or renew a motor vehicle registration by electronic means using 1787
electronic signature in accordance with rules adopted by the 1788
registrar. Except as provided in division (J) of this section, 1789
applications for registration shall be made on blanks furnished 1790
by the registrar for that purpose, containing the following 1791
information: 1792

(1) A brief description of the motor vehicle to be 1793
registered, including the year, make, model, and vehicle 1794
identification number, and, in the case of commercial cars, the 1795
gross weight of the vehicle fully equipped computed in the 1796
manner prescribed in section 4503.08 of the Revised Code; 1797

(2) The name and residence address of the owner, and the 1798
township and municipal corporation in which the owner resides; 1799

(3) The district of registration, which shall be 1800
determined as follows: 1801

(a) In case the motor vehicle to be registered is used for 1802
hire or principally in connection with any established business 1803
or branch business, conducted at a particular place, the 1804
district of registration is the municipal corporation in which 1805
that place is located or, if not located in any municipal 1806
corporation, the county and township in which that place is 1807
located. 1808

(b) In case the vehicle is not so used, the district of 1809
registration is the municipal corporation or county in which the 1810
owner resides at the time of making the application. 1811

(4) Whether the motor vehicle is a new or used motor vehicle; 1812
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(5) The date of purchase of the motor vehicle; 1814

(6) Whether the fees required to be paid for the registration or transfer of the motor vehicle, during the preceding registration year and during the preceding period of the current registration year, have been paid. Each application for registration shall be signed by the owner, either manually or by electronic signature, or pursuant to obtaining a limited power of attorney authorized by the registrar for registration, or other document authorizing such signature. If the owner elects to apply for or renew the motor vehicle registration with the registrar by electronic means, the owner's manual signature is not required. 1815
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(7) The owner's social security number, driver's license number, or state identification number, or, where a motor vehicle to be registered is used for hire or principally in connection with any established business, the owner's federal taxpayer identification number. The bureau of motor vehicles shall retain in its records all social security numbers provided under this section, but the bureau shall not place social security numbers on motor vehicle certificates of registration. 1826
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(8) Whether the applicant wishes to certify willingness to make an anatomical gift if an applicant has not so certified under section 2108.05 of the Revised Code. The applicant's response shall not be considered in the decision of whether to approve the application for registration. 1834
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(B) (1) When an applicant first registers a motor vehicle in the applicant's name, the applicant shall provide proof of 1839
1840

ownership of that motor vehicle. Proof of ownership may include 1841
any of the following: 1842

(a) The applicant may present for inspection a physical 1843
certificate of title or memorandum certificate showing title to 1844
the motor vehicle to be registered in the name of the applicant. 1845

(b) The applicant may present for inspection an electronic 1846
certificate of title for the applicant's motor vehicle in a 1847
manner prescribed by rules adopted by the registrar. 1848

(c) The registrar or deputy registrar may electronically 1849
confirm the applicant's ownership of the motor vehicle. 1850

An applicant is not required to present a certificate of 1851
title to an electronic motor vehicle dealer acting as a limited 1852
authority deputy registrar in accordance with rules adopted by 1853
the registrar. 1854

(2) When a motor vehicle inspection and maintenance 1855
program is in effect under section 3704.14 of the Revised Code 1856
and rules adopted under it, each application for registration 1857
for a vehicle required to be inspected under that section and 1858
those rules shall be accompanied by an inspection certificate or 1859
alternative emissions certificate for the motor vehicle issued 1860
in accordance with that section. 1861

(3) An application for registration shall be refused if 1862
any of the following applies: 1863

(a) The application is not in proper form. 1864

(b) The application is prohibited from being accepted by 1865
division (D) of section 2935.27, division (A) of section 1866
4503.13, division (B) of section 4510.22, division (D) of 1867
section 4503.234, division (B) (1) of section 4521.10, or 1868

division (B) of section 5537.041 of the Revised Code. 1869

(c) Proof of ownership is required but is not presented or 1870
confirmed in accordance with division (B)(1) of this section. 1871

(d) All registration and transfer fees for the motor 1872
vehicle, for the preceding year or the preceding period of the 1873
current registration year, have not been paid. 1874

(e) The owner or lessee does not have an inspection 1875
certificate or alternative emissions certificate for the motor 1876
vehicle as provided in section 3704.14 of the Revised Code, and 1877
rules adopted under it, if that section is applicable. 1878

(4) This section does not require the payment of license 1879
or registration taxes on a motor vehicle for any preceding year, 1880
or for any preceding period of a year, if the motor vehicle was 1881
not taxable for that preceding year or period under sections 1882
4503.02, 4503.04, 4503.11, 4503.12, and 4503.16 or Chapter 4504. 1883
of the Revised Code. 1884

(5) When a certificate of registration is issued upon the 1885
first registration of a motor vehicle by or on behalf of the 1886
owner, the official issuing the certificate shall indicate the 1887
issuance with a stamp on the certificate of title or memorandum 1888
certificate or, in the case of an electronic certificate of 1889
title or electronic verification of ownership, an electronic 1890
stamp or other notation as specified in rules adopted by the 1891
registrar, and with a stamp on the inspection certificate for 1892
the motor vehicle, if any. 1893

(6) The official also shall indicate, by a stamp or by 1894
other means the registrar prescribes, on the registration 1895
certificate issued upon the first registration of a motor 1896
vehicle by or on behalf of the owner the odometer reading of the 1897

motor vehicle as shown in the odometer statement included in or 1898
attached to the certificate of title. Upon each subsequent 1899
registration of the motor vehicle by or on behalf of the same 1900
owner, the official also shall so indicate the odometer reading 1901
of the motor vehicle as shown on the immediately preceding 1902
certificate of registration. 1903

(7) The registrar shall include in the permanent 1904
registration record of any vehicle required to be inspected 1905
under section 3704.14 of the Revised Code the inspection 1906
certificate number from the inspection certificate or the 1907
alternative emissions certificate number from the alternative 1908
emissions certificate that is presented at the time of 1909
registration of the vehicle as required under this division. 1910

(C) (1) Except as otherwise provided in division (C) (1) of 1911
this section, the registrar and each deputy registrar shall 1912
collect an additional fee of eleven dollars for each application 1913
for registration and registration renewal received. For vehicles 1914
specified in divisions (A) (1) to (21) of section 4503.042 of the 1915
Revised Code, the registrar and deputy registrar shall collect 1916
an additional fee of thirty dollars for each application for 1917
registration and registration renewal received. No additional 1918
fee shall be charged for vehicles registered under section 1919
4503.65 of the Revised Code. The additional fee is for the 1920
purpose of defraying the department of public safety's costs 1921
associated with the administration and enforcement of the motor 1922
vehicle and traffic laws of Ohio. Each deputy registrar shall 1923
transmit the fees collected under divisions (C) (1) and (3) of 1924
this section in the time and manner provided in this section. 1925
The registrar shall deposit all moneys received under division 1926
(C) (1) of this section into the public safety - highway purposes 1927
fund established in section 4501.06 of the Revised Code. 1928

(2) In addition, a charge of twenty-five cents shall be made for each reflectorized safety license plate issued, and a single charge of twenty-five cents shall be made for each county identification sticker or each set of county identification stickers issued, as the case may be, to cover the cost of producing the license plates and stickers, including material, manufacturing, and administrative costs. Those fees shall be in addition to the license tax. If the total cost of producing the plates is less than twenty-five cents per plate, or if the total cost of producing the stickers is less than twenty-five cents per sticker or per set issued, any excess moneys accruing from the fees shall be distributed in the same manner as provided by section 4501.04 of the Revised Code for the distribution of license tax moneys. If the total cost of producing the plates exceeds twenty-five cents per plate, or if the total cost of producing the stickers exceeds twenty-five cents per sticker or per set issued, the difference shall be paid from the license tax moneys collected pursuant to section 4503.02 of the Revised Code.

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

- (a) One hundred dollars for a hybrid motor vehicle;
- (b) One hundred fifty dollars for a plug-in hybrid electric motor vehicle;
- (c) Two hundred dollars for a battery electric motor vehicle.

Each fee imposed under this division shall be prorated 1958
based on the number of months for which the vehicle is 1959
registered. The registrar shall transmit all money arising from 1960
each fee to the treasurer of state for distribution in 1961
accordance with division (E) of section 5735.051 of the Revised 1962
Code, subject to division (D) of section 5735.05 of the Revised 1963
Code. 1964

(D) Each deputy registrar shall be allowed a fee equal to 1965
the amount established under section 4503.038 of the Revised 1966
Code for each application for registration and registration 1967
renewal notice the deputy registrar receives, which shall be for 1968
the purpose of compensating the deputy registrar for the deputy 1969
registrar's services, and such office and rental expenses, as 1970
may be necessary for the proper discharge of the deputy 1971
registrar's duties in the receiving of applications and renewal 1972
notices and the issuing of registrations. 1973

(E) Upon the certification of the registrar, the county 1974
sheriff or local police officials shall recover license plates 1975
erroneously or fraudulently issued. 1976

(F) Each deputy registrar, upon receipt of any application 1977
for registration or registration renewal notice, together with 1978
the license fee and any local motor vehicle license tax levied 1979
pursuant to Chapter 4504. of the Revised Code, shall transmit 1980
that fee and tax, if any, in the manner provided in this 1981
section, together with the original and duplicate copy of the 1982
application, to the registrar. The registrar, subject to the 1983
approval of the director of public safety, may deposit the funds 1984
collected by those deputies in a local bank or depository to the 1985
credit of the "state of Ohio, bureau of motor vehicles." Where a 1986
local bank or depository has been designated by the registrar, 1987

each deputy registrar shall deposit all moneys collected by the 1988
deputy registrar into that bank or depository not more than one 1989
business day after their collection and shall make reports to 1990
the registrar of the amounts so deposited, together with any 1991
other information, some of which may be prescribed by the 1992
treasurer of state, as the registrar may require and as 1993
prescribed by the registrar by rule. The registrar, within three 1994
days after receipt of notification of the deposit of funds by a 1995
deputy registrar in a local bank or depository, shall draw on 1996
that account in favor of the treasurer of state. The registrar, 1997
subject to the approval of the director and the treasurer of 1998
state, may make reasonable rules necessary for the prompt 1999
transmittal of fees and for safeguarding the interests of the 2000
state and of counties, townships, municipal corporations, and 2001
transportation improvement districts levying local motor vehicle 2002
license taxes. The registrar may pay service charges usually 2003
collected by banks and depositories for such service. If deputy 2004
registrars are located in communities where banking facilities 2005
are not available, they shall transmit the fees forthwith, by 2006
money order or otherwise, as the registrar, by rule approved by 2007
the director and the treasurer of state, may prescribe. The 2008
registrar may pay the usual and customary fees for such service. 2009

(G) This section does not prevent any person from making 2010
an application for a motor vehicle license directly to the 2011
registrar by mail, by electronic means, or in person at any of 2012
the registrar's offices, upon payment of a service fee equal to 2013
the amount established under section 4503.038 of the Revised 2014
Code for each application. 2015

(H) No person shall make a false statement as to the 2016
district of registration in an application required by division 2017
(A) of this section. Violation of this division is falsification 2018

under section 2921.13 of the Revised Code and punishable as 2019
specified in that section. 2020

(I) (1) Where applicable, the requirements of division (B) 2021
of this section relating to the presentation of an inspection 2022
certificate issued under section 3704.14 of the Revised Code and 2023
rules adopted under it for a motor vehicle, the refusal of a 2024
license for failure to present an inspection certificate or 2025
alternative emissions certificate, and the stamping of the 2026
inspection certificate or alternative emissions certificate by 2027
the official issuing the certificate of registration apply to 2028
the registration of and issuance of license plates for a motor 2029
vehicle under sections 4503.102, 4503.12, 4503.14, 4503.15, 2030
4503.16, 4503.171, 4503.172, 4503.19, 4503.40, 4503.41, 4503.42, 2031
4503.43, 4503.44, 4503.46, 4503.47, and 4503.51 of the Revised 2032
Code. 2033

(2) (a) The registrar shall adopt rules ensuring that each 2034
owner registering a motor vehicle in a county where a motor 2035
vehicle inspection and maintenance program is in effect under 2036
section 3704.14 of the Revised Code and rules adopted under it 2037
receives information about the requirements established in that 2038
section and those rules and about the need in those counties to 2039
present an inspection certificate or an alternative emissions 2040
certificate with an application for registration or 2041
preregistration. 2042

(b) Upon request, the registrar shall provide the director 2043
of environmental protection, or any person that has been awarded 2044
a contract under section 3704.14 of the Revised Code, an on-line 2045
computer data link to registration information for all passenger 2046
cars, noncommercial motor vehicles, and commercial cars that are 2047
subject to that section. The registrar also shall provide to the 2048

director of environmental protection a magnetic data tape 2049
containing registration information regarding passenger cars, 2050
noncommercial motor vehicles, and commercial cars for which a 2051
multi-year registration is in effect under section 4503.103 of 2052
the Revised Code or rules adopted under it, including, without 2053
limitation, the date of issuance of the multi-year registration, 2054
the registration deadline established under rules adopted under 2055
section 4503.101 of the Revised Code that was applicable in the 2056
year in which the multi-year registration was issued, and the 2057
registration deadline for renewal of the multi-year 2058
registration. 2059

(J) Subject to division (K) of this section, application 2060
for registration under the international registration plan, as 2061
set forth in sections 4503.60 to 4503.66 of the Revised Code, 2062
shall be made to the registrar on forms furnished by the 2063
registrar. In accordance with international registration plan 2064
guidelines and pursuant to rules adopted by the registrar, the 2065
forms shall include the following: 2066

(1) A uniform mileage schedule; 2067

(2) The gross vehicle weight of the vehicle or combined 2068
gross vehicle weight of the combination vehicle as declared by 2069
the registrant; 2070

(3) Any other information the registrar requires by rule. 2071

(K) The registrar shall determine the feasibility of 2072
implementing an electronic commercial fleet licensing and 2073
management program that will enable the owners of commercial 2074
tractors, commercial trailers, and commercial semitrailers to 2075
conduct electronic transactions by July 1, 2010, or sooner. If 2076
the registrar determines that implementing such a program is 2077

feasible, the registrar shall adopt new rules under this 2078
division or amend existing rules adopted under this division as 2079
necessary in order to respond to advances in technology. 2080

If international registration plan guidelines and 2081
provisions allow member jurisdictions to permit applications for 2082
registrations under the international registration plan to be 2083
made via the internet, the rules the registrar adopts under this 2084
division shall permit such action. 2085

Sec. 4503.102. (A) The registrar of motor vehicles shall 2086
adopt rules to establish a centralized system of motor vehicle 2087
registration renewal by mail or by electronic means. Any person 2088
owning a motor vehicle that was registered in the person's name 2089
during the preceding registration year shall renew the 2090
registration of the motor vehicle not more than ninety days 2091
prior to the expiration date of the registration either by mail 2092
or by electronic means through the centralized system of 2093
registration established under this section, or in person at any 2094
office of the registrar or at a deputy registrar's office. 2095

(B) (1) Except as provided in division (B) (2) of this 2096
section, no less than forty-five days prior to the expiration 2097
date of any motor vehicle registration, the registrar shall mail 2098
a renewal notice to the person in whose name the motor vehicle 2099
is registered. The renewal notice shall clearly state that the 2100
registration of the motor vehicle may be renewed by mail or 2101
electronic means through the centralized system of registration 2102
or in person at any office of the registrar or at a deputy 2103
registrar's office and shall be preprinted with information 2104
including, but not limited to, the owner's name and residence 2105
address as shown in the records of the bureau of motor vehicles, 2106
a brief description of the motor vehicle to be registered, 2107

notice of the license taxes and fees due on the motor vehicle, 2108
the toll-free telephone number of the registrar as required 2109
under division (D) (1) of section 4503.031 of the Revised Code, a 2110
statement that payment for a renewal may be made by financial 2111
transaction device using the toll-free telephone number, and any 2112
additional information the registrar may require by rule. The 2113
renewal notice shall not include the social security number of 2114
either the owner of the motor vehicle or the person in whose 2115
name the motor vehicle is registered. The renewal notice shall 2116
be sent by regular mail to the owner's last known address as 2117
shown in the records of the bureau of motor vehicles. 2118

(2) The registrar is not required to mail a renewal notice 2119
if either of the following applies: 2120

(a) The owner of the vehicle has consented to receiving 2121
the renewal notice by electronic means only. 2122

(b) The application for renewal of the registration of a 2123
motor vehicle is prohibited from being accepted by the registrar 2124
or a deputy registrar by division (D) of section 2935.27, 2125
division (A) of section 4503.13, division (B) of section 2126
4510.22, division (D) of section 4503.234, division (B) (1) of 2127
section 4521.10, or division (B) of section 5537.041 of the 2128
Revised Code. 2129

(3) If the owner of a motor vehicle has consented to 2130
receiving a renewal notice by electronic means only, the 2131
registrar shall send an electronic renewal notice to the owner 2132
that contains the information specified in division (B) (1) of 2133
this section at the time specified under that division. 2134

(C) The owner of the motor vehicle shall verify the 2135
information contained in the notice, sign it either manually or 2136

by electronic means, and return it, either by mail or electronic 2137
means, or the owner may take it in person to any office of the 2138
registrar or of a deputy registrar. The owner shall include with 2139
the notice a financial transaction device number when renewing 2140
in person or by electronic means but not by mail, check, or 2141
money order in the amount of the registration taxes and fees 2142
payable on the motor vehicle and a service fee equal to the 2143
amount established under section 4503.038 of the Revised Code, 2144
plus postage as indicated on the notice if the registration is 2145
renewed or fulfilled by mail, and an inspection certificate or 2146
alternative emissions certificate for the motor vehicle as 2147
provided in section 3704.14 of the Revised Code. For purposes of 2148
the centralized system of motor vehicle registration, the 2149
registrar shall accept payments via the toll-free telephone 2150
number established under division (D) (1) of section 4503.031 of 2151
the Revised Code for renewals made by mail. If the motor vehicle 2152
owner chooses to renew the motor vehicle registration by 2153
electronic means, the owner shall proceed in accordance with the 2154
rules the registrar adopts. 2155

(D) If all registration and transfer fees for the motor 2156
vehicle for the preceding year or the preceding period of the 2157
current registration year have not been paid, if division (D) of 2158
section 2935.27, division (A) of section 4503.13, division (B) 2159
of section 4510.22, division (D) of section 4503.234, division 2160
(B) (1) of section 4521.10, or division (B) of section 5537.041 2161
of the Revised Code prohibits acceptance of the renewal notice, 2162
or if the owner or lessee does not have an inspection 2163
certificate or alternative emissions certificate for the motor 2164
vehicle as provided in section 3704.14 of the Revised Code, if 2165
that section is applicable, the license shall be refused, and 2166
the registrar or deputy registrar shall so notify the owner. 2167

This section does not require the payment of license or 2168
registration taxes on a motor vehicle for any preceding year, or 2169
for any preceding period of a year, if the motor vehicle was not 2170
taxable for that preceding year or period under section 4503.02, 2171
4503.04, 4503.11, 4503.12, or 4503.16 or Chapter 4504. of the 2172
Revised Code. 2173

(E) (1) Failure to receive a renewal notice does not 2174
relieve a motor vehicle owner from the responsibility to renew 2175
the registration for the motor vehicle. Any person who has a 2176
motor vehicle registered in this state and who does not receive 2177
a renewal notice as provided in division (B) of this section 2178
prior to the expiration date of the registration shall request 2179
an application for registration from the registrar or a deputy 2180
registrar and sign the application manually or by electronic 2181
means and submit the application and pay any applicable license 2182
taxes and fees to the registrar or deputy registrar. 2183

(2) If the owner of a motor vehicle submits an application 2184
for registration and the registrar is prohibited by division (D) 2185
of section 2935.27, division (A) of section 4503.13, division 2186
(B) of section 4510.22, division (D) of section 4503.234, 2187
division (B) (1) of section 4521.10, or division (B) of section 2188
5537.041 of the Revised Code from accepting the application, the 2189
registrar shall return the application and the payment to the 2190
owner. If the owner of a motor vehicle submits a registration 2191
renewal application to the registrar by electronic means and the 2192
registrar is prohibited from accepting the application as 2193
provided in this division, the registrar shall notify the owner 2194
of this fact and deny the application and return the payment or 2195
give a credit on the financial transaction device account of the 2196
owner in the manner the registrar prescribes by rule adopted 2197
pursuant to division (A) of this section. 2198

(F) Every deputy registrar shall post in a prominent place 2199
at the deputy's office a notice informing the public of the mail 2200
registration system required by this section and also shall post 2201
a notice that every owner of a motor vehicle and every chauffeur 2202
holding a certificate of registration is required to notify the 2203
registrar in writing of any change of residence within ten days 2204
after the change occurs. The notice shall be in such form as the 2205
registrar prescribes by rule. 2206

(G) The service fee equal to the amount established under 2207
section 4503.038 of the Revised Code that is collected from a 2208
person who renews a motor vehicle registration by electronic 2209
means or by mail, plus postage collected by the registrar and 2210
any financial transaction device surcharge collected by the 2211
registrar, shall be paid to the credit of the public safety - 2212
highway purposes fund established by section 4501.06 of the 2213
Revised Code. 2214

(H) (1) Pursuant to section 113.40 of the Revised Code, the 2215
registrar shall implement a program permitting payment of motor 2216
vehicle registration taxes and fees, driver's license and 2217
commercial driver's license fees, and any other taxes, fees, 2218
penalties, or charges imposed or levied by the state by means of 2219
a financial transaction device for transactions occurring 2220
online, at any office of the registrar, and at all deputy 2221
registrar locations. The program shall take effect not later 2222
than July 1, 2016. The registrar shall adopt rules as necessary 2223
for this purpose, but all such rules are subject to any action, 2224
policy, or procedure of the board of deposit or treasurer of 2225
state taken or adopted under section 113.40 of the Revised Code. 2226

(2) The rules adopted under division (H) (1) of this 2227
section shall require a deputy registrar to accept payments by 2228

means of a financial transaction device beginning on the 2229
effective date of the rules unless the deputy registrar contract 2230
entered into by the deputy registrar prohibits the acceptance of 2231
such payments by financial transaction device. However, 2232
commencing with deputy registrar contract awards that have a 2233
start date of July 1, 2016, and for all contract awards 2234
thereafter, the registrar shall require that the proposer accept 2235
payment by means of a financial transaction device, including 2236
credit cards and debit cards, for all department of public 2237
safety transactions conducted at that deputy registrar location. 2238

The bureau and deputy registrars are not required to pay 2239
any costs that result from accepting payment by means of a 2240
financial transaction device. A deputy registrar may charge a 2241
person who tenders payment for a department transaction by means 2242
of a financial transaction device any cost the deputy registrar 2243
incurs from accepting payment by the financial transaction 2244
device, but the deputy registrar shall not require the person to 2245
pay any additional fee of any kind in connection with the use by 2246
the person of the financial transaction device. 2247

(3) In accordance with division (H)(1) of this section and 2248
rules adopted by the registrar under that division, a county 2249
auditor or clerk of a court of common pleas that is designated a 2250
deputy registrar shall accept payment by means of a financial 2251
transaction device, including credit cards and debit cards, for 2252
all department transactions conducted at the office of the 2253
county auditor or clerk in the county auditor's or clerk's 2254
capacity as deputy registrar. The bureau is not required to pay 2255
any costs incurred by a county auditor or clerk that result from 2256
accepting payment by means of a financial transaction device for 2257
any department transaction. 2258

(I) For persons who reside in counties where tailpipe 2259
emissions inspections are required under the motor vehicle 2260
inspection and maintenance program, the notice required by 2261
division (B) of this section shall also include the toll-free 2262
telephone number maintained by the Ohio environmental protection 2263
agency to provide information concerning the locations of 2264
emissions testing centers. The registrar also shall include a 2265
statement in the notice that a battery electric motor vehicle is 2266
not required to undergo emissions inspection under the motor 2267
vehicle inspection and maintenance program established under 2268
section 3704.14 of the Revised Code. 2269

Sec. 4503.103. (A) (1) The registrar of motor vehicles may 2270
adopt rules to permit any person or lessee, other than a person 2271
receiving an apportioned license plate under the international 2272
registration plan, who owns or leases one or more motor vehicles 2273
to file a written application for registration for no more than 2274
five succeeding registration years. The rules adopted by the 2275
registrar may designate the classes of motor vehicles that are 2276
eligible for such registration. At the time of application, all 2277
annual taxes and fees shall be paid for each year for which the 2278
person is registering. 2279

(2) (a) The registrar shall adopt rules to permit any 2280
person or lessee who owns or leases a trailer or semitrailer 2281
that is subject to the tax rate prescribed in either division 2282
(C) (1) or, beginning January 1, 2022, (C) (2) of section 4503.042 2283
of the Revised Code to file a written application for 2284
registration for any number of succeeding registration years, 2285
including a permanent registration, for such trailers or 2286
semitrailers. 2287

At the time of application, the applicant shall pay all of 2288

the following: 2289

(i) As applicable, either the annual tax prescribed in 2290
division (C)(1) of section 4503.042 of the Revised Code for each 2291
year for which the applicant is registering or the annual tax 2292
prescribed in division (C)(2) of section 4503.042 of the Revised 2293
Code, unless the applicant previously paid the tax specified in 2294
division (C)(2) of that section for the trailer or semitrailer 2295
being registered. However, an applicant paying the annual tax 2296
under division (C)(1) of section 4503.042 of the Revised Code 2297
shall not pay more than eight times the annual taxes due, 2298
regardless of the number of years for which the applicant is 2299
registering. 2300

(ii) The additional fee established under division (C)(1) 2301
of section 4503.10 of the Revised Code for each year of 2302
registration, provided that not more than eight times the 2303
additional fee due shall be paid, regardless of the number of 2304
years for which the applicant is registering. 2305

(iii) One single deputy registrar service fee in the 2306
amount specified in division (D) of section 4503.10 of the 2307
Revised Code or one single bureau of motor vehicles service fee 2308
in the amount specified in division (G) of that section, as 2309
applicable, regardless of the number of years for which the 2310
applicant is registering. 2311

(b) In addition, each applicant registering a trailer or 2312
semitrailer under division (A)(2)(a) of this section shall pay 2313
any applicable local motor vehicle license tax levied under 2314
Chapter 4504. of the Revised Code for each year for which the 2315
applicant is registering, provided that not more than eight 2316
times any such annual local taxes shall be due upon 2317
registration. 2318

(c) The period of registration for a trailer or 2319
semitrailer registered under division (A) (2) (a) of this section 2320
is exclusive to the trailer or semitrailer for which that 2321
certificate of registration is issued and is not transferable to 2322
any other trailer or semitrailer if the registration is a 2323
permanent registration. 2324

(3) Except as provided in division (A) (4) of this section, 2325
the registrar shall adopt rules to permit any person who owns a 2326
motor vehicle to file an application for registration for not 2327
more than five succeeding registration years. At the time of 2328
application, the person shall pay the annual taxes and fees for 2329
each registration year, calculated in accordance with division 2330
(C) of section 4503.11 of the Revised Code. A person who is 2331
registering a vehicle under division (A) (3) of this section 2332
shall pay for each year of registration the additional fee 2333
established under division (C) (1) or (3) of section 4503.10 of 2334
the Revised Code, as applicable. The person shall also pay the 2335
deputy registrar service fee or the bureau of motor vehicles 2336
service fee equal to the amount established under section 2337
4503.038 of the Revised Code. 2338

(4) Division (A) (3) of this section does not apply to a 2339
person receiving an apportioned license plate under the 2340
international registration plan, or the owner of a commercial 2341
car used solely in intrastate commerce, or the owner of a bus as 2342
defined in section 4513.50 of the Revised Code. 2343

(5) A person registering a noncommercial trailer 2344
permanently shall register the trailer under section 4503.107 of 2345
the Revised Code. 2346

(B) No person applying for a multi-year registration under 2347
division (A) of this section is entitled to a refund of any 2348

taxes or fees paid. 2349

(C) The registrar shall not issue to any applicant who has 2350
been issued a final, nonappealable order under division (D) of 2351
this section a multi-year registration or renewal thereof under 2352
this division or rules adopted under it for any motor vehicle 2353
that is required to be inspected under section 3704.14 of the 2354
Revised Code the district of registration of which, as 2355
determined under section 4503.10 of the Revised Code, is or is 2356
located in the county named in the order. 2357

(D) Upon receipt from the director of environmental 2358
protection of a notice issued under rules adopted under section 2359
3704.14 of the Revised Code indicating that an owner of a motor 2360
vehicle that is required to be inspected under that section who 2361
obtained a multi-year registration for the vehicle under 2362
division (A) of this section or rules adopted under that 2363
division has not obtained a required inspection certificate or 2364
alternative emissions certificate for the vehicle, the registrar 2365
in accordance with Chapter 119. of the Revised Code shall issue 2366
an order to the owner impounding the certificate of registration 2367
and identification license plates for the vehicle. The order 2368
also shall prohibit the owner from obtaining or renewing a 2369
multi-year registration for any vehicle that is required to be 2370
inspected under that section, the district of registration of 2371
which is or is located in the same county as the county named in 2372
the order during the number of years after expiration of the 2373
current multi-year registration that equals the number of years 2374
for which the current multi-year registration was issued. 2375

An order issued under this division shall require the 2376
owner to surrender to the registrar the certificate of 2377
registration and license plates for the vehicle named in the 2378

order within five days after its issuance. If the owner fails to 2379
do so within that time, the registrar shall certify that fact to 2380
the county sheriff or local police officials who shall recover 2381
the certificate of registration and license plates for the 2382
vehicle. 2383

(E) Upon the occurrence of either of the following 2384
circumstances, the registrar in accordance with Chapter 119. of 2385
the Revised Code shall issue to the owner a modified order 2386
rescinding the provisions of the order issued under division (D) 2387
of this section impounding the certificate of registration and 2388
license plates for the vehicle named in that original order: 2389

(1) Receipt from the director of environmental protection 2390
of a subsequent notice under rules adopted under section 3704.14 2391
of the Revised Code that the owner has obtained the inspection 2392
certificate or alternative emissions certificate for the vehicle 2393
as required under those rules; 2394

(2) Presentation to the registrar by the owner of the 2395
required inspection certificate or alternative emissions 2396
certificate for the vehicle. 2397

(F) The owner of a motor vehicle for which the certificate 2398
of registration and license plates have been impounded pursuant 2399
to an order issued under division (D) of this section, upon 2400
issuance of a modified order under division (E) of this section, 2401
may apply to the registrar for their return. A fee of two 2402
dollars and fifty cents shall be charged for the return of the 2403
certificate of registration and license plates for each vehicle 2404
named in the application. 2405

Sec. 4503.183. (A) No person shall use a replica motor 2406
vehicle for general transportation. However, a person may 2407

operate a replica motor vehicle registered under this section on 2408
the public roads and highways as follows: 2409

(1) For club activities, exhibitions, tours, parades, and 2410
similar uses; 2411

(2) To and from a location where maintenance is performed 2412
on the replica motor vehicle. 2413

(B) In lieu of the annual license tax levied in sections 2414
4503.02 and 4503.04 of the Revised Code, the registrar of motor 2415
vehicles or a deputy registrar shall collect a license fee of 2416
ten dollars for the registration of a replica motor vehicle 2417
under this section. The fee shall be deposited into the public 2418
safety - highway purposes fund established in section 4501.06 of 2419
the Revised Code. 2420

(C) A person who owns a replica motor vehicle and applies 2421
for registration and a replica license plate under this section 2422
shall execute an affidavit that the replica motor vehicle for 2423
which the plate is requested is owned and operated solely for 2424
the purposes enumerated in division (A) of this section. The 2425
affidavit also shall set forth that the replica motor vehicle 2426
has been inspected and found safe to operate on the public roads 2427
and highways in the state. No registration issued pursuant to 2428
this section need specify the weight of the replica motor 2429
vehicle. 2430

(D) The owner of a replica motor vehicle registered under 2431
this section shall display in plain view on the rear of the 2432
replica motor vehicle a replica license plate issued by the 2433
registrar. A replica license plate shall not display a date, but 2434
shall display the inscription "Replica Motor Vehicle--Ohio" and 2435
the registration number assigned to that replica motor vehicle. 2436

(E) A replica license plate is valid without renewal as 2437
long as the replica motor vehicle for which it was issued or 2438
procured is in existence. A replica license plate is issued for 2439
the owner's use only for such replica motor vehicle unless later 2440
transferred to another replica motor vehicle owned by that 2441
person. In order to effect such a transfer, the owner of the 2442
replica motor vehicle that originally displayed the replica 2443
license plate shall comply with division (C) of this section. In 2444
the event of a transfer of title, the transferor shall surrender 2445
the replica license plate or transfer it to another replica 2446
motor vehicle owned by the transferor. The registrar may revoke 2447
any replica license plate issued under this section, for cause 2448
shown and after a hearing, for failure of the applicant to 2449
comply with this section. Upon revocation, a replica license 2450
plate shall be surrendered. 2451

Sec. 4503.19. (A) (1) Upon the filing of an application for 2452
registration and the payment of the tax for registration, the 2453
registrar of motor vehicles or a deputy registrar shall 2454
determine whether the owner previously has been issued a license 2455
plate for the motor vehicle described in the application. If no 2456
license plate previously has been issued to the owner for that 2457
motor vehicle, the registrar or deputy registrar shall assign to 2458
the motor vehicle a distinctive number and issue and deliver to 2459
the owner in the manner that the registrar may select a 2460
certificate of registration, in the form that the registrar 2461
shall prescribe. The registrar or deputy registrar also shall 2462
charge the owner any fees required under division (C) of section 2463
4503.10 of the Revised Code and, if applicable, any fees and 2464
contribution required in accordance with section 4503.261 of the 2465
Revised Code. 2466

(2) The registrar or deputy registrar then shall deliver a 2467

license plate and, when required, a validation sticker, or a 2468
validation sticker alone, to be attached to the number plate as 2469
provided in section 4503.191 of the Revised Code. 2470

If an owner wishes to have two license plates, the 2471
registrar or deputy registrar shall deliver two license plates, 2472
duplicates of each other, and, when required, a validation 2473
sticker, or a validation sticker alone, to be attached to the 2474
number plates as provided in section 4503.191 of the Revised 2475
Code. The owner shall display the license plate and, when 2476
required, the validation sticker on the rear of the vehicle. 2477
However, a commercial tractor shall display the license plate on 2478
the front of the commercial tractor and a chauffeured limousine 2479
shall display a livery sticker along with a validation sticker 2480
as provided in section 4503.24 of the Revised Code. 2481

(3) The registrar or deputy registrar shall not issue a 2482
license plate for a school bus. A school bus shall display 2483
identifying numbers in the manner prescribed by section 4511.764 2484
of the Revised Code. 2485

(4) The certificate of registration shall be issued and 2486
delivered to the owner in person, by mail, or by electronic 2487
delivery. The license plate and, when required, validation 2488
sticker, or validation sticker alone, shall be issued and 2489
delivered to the owner in person or by mail. 2490

(5) In the event of the loss, mutilation, or destruction 2491
of any certificate of registration, or of any license plate or 2492
validation sticker, or if the owner chooses to replace a license 2493
plate previously issued for a motor vehicle, or if the 2494
registration certificate and license plate have been impounded 2495
as provided by division (B)(1) of section 4507.02 and section 2496
4507.16 of the Revised Code, the owner of a motor vehicle, or 2497

manufacturer or dealer, may obtain from the registrar, or from a 2498
deputy registrar if authorized by the registrar, a duplicate 2499
thereof or a new license plate bearing a different number, if 2500
the registrar considers it advisable, upon filing an application 2501
prescribed by the registrar, and upon paying a fee of one dollar 2502
for such certificate of registration. The registrar shall 2503
deposit the one dollar fee into the state treasury to the credit 2504
of the public safety - highway purposes fund created in section 2505
4501.06 of the Revised Code. The registrar or deputy registrar 2506
shall charge a fee of seven dollars and fifty cents for each set 2507
of two license plates or six dollars and fifty cents for each 2508
single license plate or validation sticker issued, which the 2509
registrar shall deposit into the state treasury to the credit of 2510
the public safety - highway purposes fund. 2511

(6) Each applicant for a replacement certificate of 2512
registration, license plate, or validation sticker also shall 2513
pay the fees provided in divisions (C) and (D) of section 2514
4503.10 of the Revised Code~~and~~, any applicable fee under 2515
section 4503.192 of the Revised Code, and any applicable fee or 2516
contribution under section 4503.261 of the Revised Code. 2517

Additionally, the registrar and each deputy registrar who 2518
either issues a license plate and a validation sticker for use 2519
on any vehicle other than a commercial tractor, semitrailer, or 2520
apportioned vehicle, or who issues a validation sticker alone 2521
for use on such a vehicle and the owner has changed the owner's 2522
county of residence since the owner last was issued a county 2523
identification sticker, also shall issue and deliver to the 2524
owner a county identification sticker, which shall be attached 2525
to the license plate in a manner prescribed by the director of 2526
public safety. The county identification sticker shall identify 2527
prominently by name or number the county in which the owner of 2528

the vehicle resides at the time of registration. 2529

(B) A certificate of registration issued under this 2530
section shall have a portion that contains all the information 2531
contained in the main portion of the certificate except for the 2532
address of the person to whom the certificate is issued. Except 2533
as provided in this division, whenever a reference is made in 2534
the Revised Code to a motor vehicle certificate of registration 2535
that is issued under this section, the reference shall be deemed 2536
to refer to either the main portion of the certificate or the 2537
portion containing all information in the main portion except 2538
the address of the person to whom the certificate is issued. If 2539
a reference is made in the Revised Code to the seizure or 2540
surrender of a motor vehicle certificate of registration that is 2541
issued under this section, the reference shall be deemed to 2542
refer to both the main portion of the certificate and the 2543
portion containing all information in the main portion except 2544
the address of the person to whom the certificate is issued. 2545

(C) Whoever violates this section is guilty of a minor 2546
misdemeanor. 2547

Sec. 4503.261. (A) (1) The registrar of motor vehicles 2548
shall use a competitive selection process to select a vendor for 2549
a contract to operate a specialty license plate program. 2550

(2) Beginning nine months after the effective date of this 2551
section, the vendor shall design and market specialty license 2552
plates, including specialty license plates required to be issued 2553
by the registrar under this chapter. Under the program, the 2554
registrar remains responsible for the issuance of any specialty 2555
license plate and validation sticker and the collection of taxes 2556
and fees related to a specialty license plate. The contract 2557
shall be for a period not to exceed two years and may be 2558

extended for additional two-year terms. 2559

(3) A vendor selected under division (A) (1) of this 2560
section is exempt from section 4503.106 of the Revised Code. 2561

(B) Any contract entered into under this section shall 2562
include, at a minimum, all of the following: 2563

(1) A requirement that the vendor utilize electronic 2564
infrastructure that is compatible with infrastructure used by 2565
the bureau of motor vehicles; 2566

(2) Provisions concerning the security of the information 2567
exchanged through the electronic infrastructure utilized by the 2568
registrar, the vendor, and any other third parties; 2569

(3) Provisions allowing an owner or lessee to select the 2570
combination of letters and numbers appearing on a license plate 2571
in accordance with section 4503.40 or 4503.42 of the Revised 2572
Code, subject to approval by the registrar; 2573

(4) Subject to division (C) of this section, provisions 2574
allowing an owner or lessee purchasing a specialty license plate 2575
created by the vendor to select various design features of the 2576
license plate; 2577

(5) Subject to division (C) of this section, provisions 2578
allowing the vendor to enter into an agreement with any person 2579
for the marketing and sale of a specialty license plate that is 2580
not offered by the registrar under this chapter. A person or 2581
entity that has sponsored a specialty license plate offered by 2582
the registrar under this chapter may create a new specialty 2583
license plate through the private vendor. 2584

(6) Provisions specifying that the vendor shall comply 2585
with all applicable copyright and trademark laws; 2586

(7) A requirement that the registrar collect the following 2587
fees and contribution, in amounts established in the contract, 2588
related to the issuance of license plates under the program that 2589
are in addition to any applicable motor vehicle registration 2590
taxes and fees levied under Chapters 4503. and 4504. of the 2591
Revised Code: 2592

(a) A fee to compensate the registrar for costs associated 2593
with program administration and license plate production and 2594
design. Fees collected under division (B) (7) (a) of this section 2595
shall be deposited in the public safety-highway purposes fund 2596
created in section 4501.06 of the Revised Code. 2597

(b) A fee to compensate the vendor for the performance of 2598
its duties under the contract. Fees collected under division (B) 2599
(7) (b) of this section shall be deposited in the public safety 2600
license plate contract fund created in section 4503.262 of the 2601
Revised Code. 2602

(c) A contribution for deposit in the drug law enforcement 2603
fund created in section 5502.68 of the Revised Code. 2604

(8) Provisions requiring the vendor to comply with all 2605
applicable requirements of the Revised Code and the Ohio 2606
Administrative Code. 2607

(C) (1) The registrar shall submit each specialty license 2608
plate design created under the specialty license plate program 2609
established under this section to the controlling board. The 2610
registrar shall submit plate designs to the board either 2611
individually or in a group as the registrar determines. The 2612
board may vote to approve or disapprove a group of plates or an 2613
individual plate from a group of plates as the board determines. 2614
The board has final authority regarding the design and content 2615

of any specialty license plate created under the program and 2616
shall approve or disapprove of any proposed specialty license 2617
plate. 2618

(2) Before the registrar submits a specialty license plate 2619
to the controlling board for approval, the registrar may consult 2620
with the superintendent of the state highway patrol concerning 2621
any specialty license plate regarding readability, reflectivity, 2622
and public safety. 2623

(3) The registrar shall not restrict the background color, 2624
color combinations, or color of alphanumeric license plate 2625
numbers of a specialty license plate proposed by the private 2626
vendor except for purposes of public safety. 2627

(D) (1) If a contract with a vendor is entered into under 2628
this section, the owner or lessee of any passenger car, 2629
noncommercial motor vehicle, recreational vehicle, or other 2630
vehicle of a class approved by the registrar and the vendor may 2631
apply for registration of the vehicle and issuance by the 2632
registrar of a specialty license plate pursuant to this section. 2633

(2) A specialty license plate available through the 2634
program and a validation sticker, or validation sticker alone, 2635
shall be issued by the registrar in coordination with the vendor 2636
to the owner or lessee upon receipt of a completed application 2637
under this section; payment of the regular license tax as 2638
prescribed under section 4503.04 of the Revised Code, any 2639
applicable motor vehicle tax levied under Chapter 4504. of the 2640
Revised Code, any applicable additional fee prescribed under 2641
section 4503.40 or 4503.42 of the Revised Code, any additional 2642
fees required by the vendor; and compliance with all other 2643
applicable laws relating to the registration of motor vehicles. 2644

(E) Notwithstanding any other provision of law to the 2645
contrary, the registrar may execute all duties required by this 2646
section and take all necessary actions to implement its 2647
requirements. 2648

Sec. 4503.262. The public safety license plate contract 2649
fund is created in the state treasury. The fund shall consist of 2650
fees collected by the registrar pursuant to division (B) (7) (b) 2651
of section 4503.261 of the Revised Code. The registrar shall use 2652
the money in the fund to compensate the private vendor selected 2653
under section 4503.261 of the Revised Code for the performance 2654
of its duties under the contract authorized under that section. 2655

Sec. 4505.072. (A) The owner of a motor vehicle seeking to 2656
obtain a certificate of title indicating that the motor vehicle 2657
is a replica motor vehicle shall do all of the following: 2658

(1) Have that motor vehicle inspected by the state highway 2659
patrol in the manner specified in section 4505.111 of the 2660
Revised Code and obtain an inspection report from the state 2661
highway patrol; 2662

(2) Obtain a signed written statement from a person or 2663
nonprofit corporation with expertise in historical motor 2664
vehicles that the owner's motor vehicle reasonably replicates 2665
the make, model, and model year of motor vehicle that the owner 2666
is intending to replicate; 2667

(3) Sign the written statement and have it notarized by a 2668
notary public. 2669

(B) When a clerk of a court of common pleas issues a 2670
physical or electronic certificate of title for a motor vehicle, 2671
the owner of the motor vehicle may request that the certificate 2672
of title indicate that the motor vehicle is a replica motor 2673

vehicle. 2674

When a clerk of a court of common pleas issues a duplicate 2675
certificate of title or memorandum certificate of title for a 2676
replica motor vehicle, that certificate of title shall be 2677
identical to the existing certificate of title. 2678

Prior to issuance of the certificate of title, the owner 2679
of the replica motor vehicle shall surrender to the clerk any 2680
existing certificate of title, a copy of the inspection report, 2681
and the signed notarized written statement described in division 2682
(A) of this section. 2683

(C) (1) Upon compliance with divisions (A) and (B) of this 2684
section and payment of the fee prescribed in section 4505.09 of 2685
the Revised Code, the clerk shall issue to the owner a 2686
certificate of title that complies with this section. 2687

(2) The clerk shall use reasonable care in performing the 2688
duties imposed on the clerk by this section in issuing a 2689
certificate of title pursuant to this section, but the clerk is 2690
not liable for any of the clerk's errors or omissions or those 2691
of the clerk's deputies, or the automated title processing 2692
system in the performance of those duties. 2693

(D) (1) The registrar of motor vehicles shall ensure that 2694
the certificate of title of a replica motor vehicle issued under 2695
this section complies with all of the following: 2696

(a) It is in the same form as the original certificate of 2697
title. 2698

(b) It displays the word "REPLICA" in black boldface 2699
letters on its face. 2700

(c) It includes the make, model, and model year of motor 2701

vehicle that the owner is intending the motor vehicle to 2702
replicate. 2703

(d) It includes the year the replica motor vehicle was 2704
constructed, assembled, or modified. 2705

(2) The registrar shall determine the exact location on 2706
the face of the certificate of title of the word "REPLICA," the 2707
make, model, and model year of motor vehicle the owner is 2708
intending to replicate, and the year the replica motor vehicle 2709
was constructed, assembled, or modified. The registrar shall 2710
develop an automated procedure within the automated title 2711
processing system for purposes of this section. 2712

(3) Every memorandum certificate of title or duplicate 2713
certificate of title issued for a replica motor vehicle for 2714
which a certificate of title has been issued under this section 2715
shall display the same information as is required under division 2716
(D) (1) of this section. 2717

Any subsequent certificate of title issued for a replica 2718
motor vehicle for which a certificate of title has been issued 2719
under this section shall display the same information as is 2720
required under division (D) (1) of this section. 2721

(E) (1) The owner of a replica motor vehicle who titles 2722
that vehicle as a replica motor vehicle under this section shall 2723
obtain replica license plates and comply with the requirements 2724
of section 4503.183 of the Revised Code. 2725

(2) The owner of a replica motor vehicle who does not 2726
title that motor vehicle as a replica motor vehicle under this 2727
section is not required to obtain replica motor vehicle license 2728
plates and comply with the requirements of section 4503.183 of 2729
the Revised Code. Such an owner is subject to the general 2730

registration requirements of Chapter 4503., the titling 2731
requirements of Chapter 4505., and the equipment requirements of 2732
Chapter 4513. of the Revised Code. 2733

Sec. 4505.08. (A) When the clerk of a court of common 2734
pleas issues a physical certificate of title, the clerk shall 2735
issue the certificate of title on a form and in a manner 2736
prescribed by the registrar of motor vehicles. The clerk shall 2737
file a copy of the physical evidence for the creation of the 2738
certificate of title in a manner prescribed by the registrar. A 2739
clerk may retain digital images of documents used as evidence 2740
for issuance of a certificate of title. Certified printouts of 2741
documents retained as digital images shall have the same 2742
evidentiary value as the original physical documents. The record 2743
of the issuance of the certificate of title shall be maintained 2744
in the automated title processing system. The clerk shall sign 2745
and affix the clerk's seal to the original certificate of title 2746
and, if there are no liens on the motor vehicle, shall deliver 2747
the certificate to the applicant or the selling dealer. If there 2748
are one or more liens on the motor vehicle, the certificate of 2749
title shall be delivered to the holder of the first lien or the 2750
selling dealer, who shall deliver the certificate of title to 2751
the holder of the first lien. 2752

The registrar shall prescribe a uniform method of 2753
numbering certificates of title, and such numbering shall be in 2754
such manner that the county of issuance is indicated. The clerk 2755
shall assign numbers to certificates of title in the manner 2756
prescribed by the registrar. The clerk shall file all 2757
certificates of title according to rules to be prescribed by the 2758
registrar, and the clerk shall maintain in the clerk's office 2759
indexes for the certificates of title. 2760

The clerk need not retain on file any current certificates 2761
of title, current duplicate certificates of title, current 2762
memorandum certificates of title, or current salvage 2763
certificates of title, or supporting evidence of them covering 2764
any motor vehicle or manufactured or mobile home for a period 2765
longer than seven years after the date of its filing; 2766
thereafter, the documents and supporting evidence may be 2767
destroyed. The clerk need not retain on file any inactive 2768
records, including certificates of title, duplicate certificates 2769
of title, or memorandum certificates of title, or supporting 2770
evidence of them, including the electronic record described in 2771
division (A) of section 4505.06 of the Revised Code, covering 2772
any motor vehicle or manufactured or mobile home for a period 2773
longer than five years after the date of its filing; thereafter, 2774
the documents and supporting evidence may be destroyed. 2775

The automated title processing system shall contain all 2776
active records and an index of the active records, a record and 2777
index of all inactive titles for ten years, and a record and 2778
index of all inactive titles for manufactured and mobile homes 2779
for thirty years. If the clerk provides a written copy of any 2780
information contained in the database, the copy shall be 2781
considered the original for purposes of the clerk certifying the 2782
record of the information for use in any legal proceeding. 2783

(B) (1) If the clerk issues a certificate of title for a 2784
motor vehicle that was last previously registered in another 2785
state, the clerk shall record verbatim, where practicable, in 2786
the space on the title described in division (B) (19) of section 2787
4505.07 of the Revised Code, the words that appear as a notation 2788
to the vehicle on the title issued by the previous state. These 2789
notations may include, but are not limited to, words to the 2790
effect that the vehicle was considered or was categorized by the 2791

state in which it was last previously registered to be a law 2792
enforcement vehicle or a taxicab or was once in a flood. 2793

(2) If the clerk, while issuing a certificate of title for 2794
a motor vehicle that was last previously registered in another 2795
state, receives information from the automated title processing 2796
system indicating that a title to the vehicle previously was 2797
issued by this state and that the previous title contained 2798
notations that appeared in the space described in division (B) 2799
(19) or (20) of section 4505.07 of the Revised Code, the clerk 2800
shall enter the notations that appeared on the previous 2801
certificate of title issued by this state on the new certificate 2802
of title in the space described in division (B) (19) or (20) of 2803
section 4505.07 of the Revised Code, irrespective of whether the 2804
notations appear on the certificate of title issued by the state 2805
in which the vehicle was last previously registered. 2806

(3) If the clerk, while issuing a certificate of title for 2807
a motor vehicle that was last previously registered in another 2808
state, receives information from the automated title processing 2809
system indicating that the vehicle was previously issued a title 2810
by this state and that the previous title bore the notation 2811
"REBUILT SALVAGE" as required by division (E) of section 4505.11 2812
of the Revised Code, or the previous title to the vehicle issued 2813
by this state was a salvage certificate of title, the clerk 2814
shall cause the certificate of title the clerk issues to bear 2815
the notation "REBUILT SALVAGE" in the location prescribed by the 2816
registrar pursuant to that division. 2817

(4) If the clerk, while issuing a certificate of title for 2818
a motor vehicle that was last previously registered in another 2819
state, receives information from the automated title processing 2820
system indicating that the vehicle was previously issued a title 2821

by this state and that the previous title included the notation 2822
"REPLICA" in accordance with section 4505.072 of the Revised 2823
Code, or the previous title to the vehicle issued by another 2824
state indicates that the vehicle is a replica motor vehicle, the 2825
clerk shall cause the certificate of title the clerk issues to 2826
display the notation "REPLICA" in the location prescribed by the 2827
registrar pursuant to that section. 2828

(C) When the clerk issues a certificate of title for a 2829
motor vehicle that was last previously registered in this state 2830
and was a law enforcement vehicle or a taxicab or was once in a 2831
flood, the clerk shall record that information in the space on 2832
the title described in division (B) (20) of section 4505.07 of 2833
the Revised Code. The registrar, by rule, may prescribe any 2834
additional uses of or happenings to a motor vehicle that the 2835
registrar has reason to believe should be noted on the 2836
certificate of title as provided in this division. 2837

(D) The clerk shall use reasonable care in recording or 2838
entering onto titles the clerk issues any notation and 2839
information the clerk is required by divisions (B) and (C) of 2840
this section to record or enter and in causing the titles the 2841
clerk issues to bear any notation required by those divisions, 2842
but the clerk is not liable for any of the clerk's errors or 2843
omissions or those of the clerk's deputies, or the automated 2844
title processing system, in the performance of the duties 2845
imposed on the clerk by this section. 2846

(E) The clerk may issue a duplicate title, when duly 2847
applied for, of any title that has been destroyed as herein 2848
provided. 2849

(F) Except as provided in section 4505.021 of the Revised 2850
Code, the clerk shall issue a physical certificate of title to 2851

an applicant unless the applicant specifically requests the 2852
clerk not to issue a physical certificate of title and instead 2853
to issue an electronic certificate of title. The fact that a 2854
physical certificate of title is not issued for a motor vehicle 2855
does not affect ownership of the vehicle. In that case, when the 2856
clerk completes the process of entering certificate of title 2857
application information into the automated title processing 2858
system, the effect of the completion of the process is the same 2859
as if the clerk actually issued a physical certificate of title 2860
for the motor vehicle. 2861

(G) An electronic motor vehicle dealer who applies for a 2862
certificate of title on behalf of a customer who purchases a 2863
motor vehicle from the dealer may print a non-negotiable 2864
evidence of ownership for the customer if the customer so 2865
requests. The authorization to print the non-negotiable evidence 2866
of ownership shall come from the clerk with whom the dealer 2867
makes application for the certificate of title for the customer, 2868
but the printing by the dealer does not create an agency 2869
relationship of any kind between the dealer and the clerk. 2870

(H) The owner of a motor vehicle may apply at any time to 2871
a clerk of a court of common pleas for a non-negotiable evidence 2872
of ownership for the motor vehicle. 2873

(I) In accordance with rules adopted by the registrar, a 2874
clerk may issue a certificate of title applied for by an agent 2875
of a licensed motor vehicle dealer when that agent has a 2876
properly executed power of attorney from the dealer. 2877

Sec. 4506.01. As used in this chapter: 2878

(A) "Alcohol concentration" means the concentration of 2879
alcohol in a person's blood, breath, or urine. When expressed as 2880

a percentage, it means grams of alcohol per the following: 2881

(1) One hundred milliliters of whole blood, blood serum, 2882
or blood plasma; 2883

(2) Two hundred ten liters of breath; 2884

(3) One hundred milliliters of urine. 2885

~~(B) (1) (B)~~ "Commercial driver's license" means a license 2886
issued in accordance with this chapter that authorizes an 2887
individual to drive a commercial motor vehicle. ~~Except as~~ 2888
~~otherwise specifically provided, "commercial driver's license"~~ 2889
~~includes an "enhanced commercial driver's license."~~ 2890

~~(2) "Enhanced commercial driver's license" means a~~ 2891
~~commercial driver's license issued in accordance with sections~~ 2892
~~4507.021 and 4506.072 of the Revised Code that denotes~~ 2893
~~citizenship and identity and is approved by the United States~~ 2894
~~secretary of homeland security or other designated federal~~ 2895
~~agency for purposes of entering the United States.~~ 2896

(C) "Commercial driver's license information system" means 2897
the information system established pursuant to the requirements 2898
of the "Commercial Motor Vehicle Safety Act of 1986," 100 Stat. 2899
3207-171, 49 U.S.C.A. App. 2701. 2900

(D) Except when used in section 4506.25 of the Revised 2901
Code, "commercial motor vehicle" means any motor vehicle 2902
designed or used to transport persons or property that meets any 2903
of the following qualifications: 2904

(1) Any combination of vehicles with a gross vehicle 2905
weight or combined gross vehicle weight rating of twenty-six 2906
thousand one pounds or more, provided the gross vehicle weight 2907
or gross vehicle weight rating of the vehicle or vehicles being 2908

towed is in excess of ten thousand pounds; 2909

(2) Any single vehicle with a gross vehicle weight or 2910
gross vehicle weight rating of twenty-six thousand one pounds or 2911
more; 2912

(3) Any single vehicle or combination of vehicles that is 2913
not a class A or class B vehicle, but is designed to transport 2914
sixteen or more passengers including the driver; 2915

(4) Any school bus with a gross vehicle weight or gross 2916
vehicle weight rating of less than twenty-six thousand one 2917
pounds that is designed to transport fewer than sixteen 2918
passengers including the driver; 2919

(5) Is transporting hazardous materials for which 2920
placarding is required under subpart F of 49 C.F.R. part 172, as 2921
amended; 2922

(6) Any single vehicle or combination of vehicles that is 2923
designed to be operated and to travel on a public street or 2924
highway and is considered by the federal motor carrier safety 2925
administration to be a commercial motor vehicle, including, but 2926
not limited to, a motorized crane, a vehicle whose function is 2927
to pump cement, a rig for drilling wells, and a portable crane. 2928

(E) "Controlled substance" means all of the following: 2929

(1) Any substance classified as a controlled substance 2930
under the "Controlled Substances Act," 80 Stat. 1242 (1970), 21 2931
U.S.C.A. 802(6), as amended; 2932

(2) Any substance included in schedules I through V of 21 2933
C.F.R. part 1308, as amended; 2934

(3) Any drug of abuse. 2935

(F) "Conviction" means an unvacated adjudication of guilt 2936
or a determination that a person has violated or failed to 2937
comply with the law in a court of original jurisdiction or an 2938
authorized administrative tribunal, an unvacated forfeiture of 2939
bail or collateral deposited to secure the person's appearance 2940
in court, a plea of guilty or nolo contendere accepted by the 2941
court, the payment of a fine or court cost, or violation of a 2942
condition of release without bail, regardless of whether or not 2943
the penalty is rebated, suspended, or probated. 2944

(G) "Disqualification" means any of the following: 2945

(1) The suspension, revocation, or cancellation of a 2946
person's privileges to operate a commercial motor vehicle; 2947

(2) Any withdrawal of a person's privileges to operate a 2948
commercial motor vehicle as the result of a violation of state 2949
or local law relating to motor vehicle traffic control other 2950
than parking, vehicle weight, or vehicle defect violations; 2951

(3) A determination by the federal motor carrier safety 2952
administration that a person is not qualified to operate a 2953
commercial motor vehicle under 49 C.F.R. 391. 2954

(H) "Domiciled" means having a true, fixed, principal, and 2955
permanent residence to which an individual intends to return. 2956

(I) "Downgrade" means any of the following, as applicable: 2957

(1) A change in the commercial driver's license, or 2958
commercial driver's license temporary instruction permit, 2959
holder's self-certified status as described in division (A) (1) 2960
of section 4506.10 of the Revised Code; 2961

(2) A change to a lesser class of vehicle; 2962

(3) Removal of commercial driver's license privileges from 2963

the individual's driver's license. 2964

(J) "Drive" means to drive, operate, or be in physical 2965
control of a motor vehicle. 2966

(K) "Driver" means any person who drives, operates, or is 2967
in physical control of a commercial motor vehicle or is required 2968
to have a commercial driver's license. 2969

(L) "Driver's license" means a license issued by the 2970
bureau of motor vehicles that authorizes an individual to drive. 2971

(M) "Drug of abuse" means any controlled substance, 2972
dangerous drug as defined in section 4729.01 of the Revised 2973
Code, harmful intoxicant as defined in section 2925.01 of the 2974
Revised Code, or over-the-counter medication that, when taken in 2975
quantities exceeding the recommended dosage, can result in 2976
impairment of judgment or reflexes. 2977

(N) "Electronic device" includes a cellular telephone, a 2978
personal digital assistant, a pager, a computer, and any other 2979
device used to input, write, send, receive, or read text. 2980

(O) "Eligible unit of local government" means a village, 2981
township, or county that has a population of not more than three 2982
thousand persons according to the most recent federal census. 2983

(P) "Employer" means any person, including the federal 2984
government, any state, and a political subdivision of any state, 2985
that owns or leases a commercial motor vehicle or assigns a 2986
person to drive such a motor vehicle. 2987

(Q) "Endorsement" means an authorization on a person's 2988
commercial driver's license that is required to permit the 2989
person to operate a specified type of commercial motor vehicle. 2990

(R) "Farm truck" means a truck controlled and operated by 2991

a farmer for use in the transportation to or from a farm, for a 2992
distance of not more than one hundred fifty miles, of products 2993
of the farm, including livestock and its products, poultry and 2994
its products, floricultural and horticultural products, and in 2995
the transportation to the farm, from a distance of not more than 2996
one hundred fifty miles, of supplies for the farm, including 2997
tile, fence, and every other thing or commodity used in 2998
agricultural, floricultural, horticultural, livestock, and 2999
poultry production, and livestock, poultry, and other animals 3000
and things used for breeding, feeding, or other purposes 3001
connected with the operation of the farm, when the truck is 3002
operated in accordance with this division and is not used in the 3003
operations of a motor carrier, as defined in section 4923.01 of 3004
the Revised Code. 3005

(S) "Fatality" means the death of a person as the result 3006
of a motor vehicle accident occurring not more than three 3007
hundred sixty-five days prior to the date of death. 3008

(T) "Felony" means any offense under federal or state law 3009
that is punishable by death or specifically classified as a 3010
felony under the law of this state, regardless of the penalty 3011
that may be imposed. 3012

(U) "Foreign jurisdiction" means any jurisdiction other 3013
than a state. 3014

(V) "Gross vehicle weight rating" means the value 3015
specified by the manufacturer as the maximum loaded weight of a 3016
single or a combination vehicle. The gross vehicle weight rating 3017
of a combination vehicle is the gross vehicle weight rating of 3018
the power unit plus the gross vehicle weight rating of each 3019
towed unit. 3020

(W) "Hazardous materials" means any material that has been 3021
designated as hazardous under 49 U.S.C. 5103 and is required to 3022
be placarded under subpart F of 49 C.F.R. part 172 or any 3023
quantity of a material listed as a select agent or toxin in 42 3024
C.F.R. part 73, as amended. 3025

(X) "Imminent hazard" means the existence of a condition 3026
that presents a substantial likelihood that death, serious 3027
illness, severe personal injury, or a substantial endangerment 3028
to health, property, or the environment may occur before the 3029
reasonably foreseeable completion date of a formal proceeding 3030
begun to lessen the risk of that death, illness, injury, or 3031
endangerment. 3032

(Y) "Medical variance" means one of the following received 3033
by a driver from the federal motor carrier safety administration 3034
that allows the driver to be issued a medical certificate: 3035

(1) An exemption letter permitting operation of a 3036
commercial motor vehicle under 49 C.F.R. 381, subpart C or 49 3037
C.F.R. 391.64; 3038

(2) A skill performance evaluation certificate permitting 3039
operation of a commercial motor vehicle pursuant to 49 C.F.R. 3040
391.49. 3041

(Z) "Mobile telephone" means a mobile communication device 3042
that falls under or uses any commercial mobile radio service as 3043
defined in 47 C.F.R. 20, except that mobile telephone does not 3044
include two-way or citizens band radio services. 3045

(AA) "Motor vehicle" means a vehicle, machine, tractor, 3046
trailer, or semitrailer propelled or drawn by mechanical power 3047
used on highways, except that such term does not include a 3048
vehicle, machine, tractor, trailer, or semitrailer operated 3049

exclusively on a rail. 3050

(BB) "Out-of-service order" means a declaration by an 3051
authorized enforcement officer of a federal, state, local, 3052
Canadian, or Mexican jurisdiction declaring that a driver, 3053
commercial motor vehicle, or commercial motor carrier operation 3054
is out of service as defined in 49 C.F.R. 390.5. 3055

(CC) "Peace officer" has the same meaning as in section 3056
2935.01 of the Revised Code. 3057

(DD) "Portable tank" means a liquid or gaseous packaging 3058
designed primarily to be loaded onto or temporarily attached to 3059
a vehicle and equipped with skids, mountings, or accessories to 3060
facilitate handling of the tank by mechanical means. 3061

(EE) "Public safety vehicle" has the same meaning as in 3062
divisions (E) (1) and (3) of section 4511.01 of the Revised Code. 3063

(FF) "Recreational vehicle" includes every vehicle that is 3064
defined as a recreational vehicle in section 4501.01 of the 3065
Revised Code and is used exclusively for purposes other than 3066
engaging in business for profit. 3067

(GG) "Residence" means any person's residence determined 3068
in accordance with standards prescribed in rules adopted by the 3069
registrar. 3070

(HH) "School bus" has the same meaning as in section 3071
4511.01 of the Revised Code. 3072

(II) "Serious traffic violation" means any of the 3073
following: 3074

(1) A conviction arising from a single charge of operating 3075
a commercial motor vehicle in violation of any provision of 3076
section 4506.03 of the Revised Code; 3077

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

(i) Texting while driving;

(ii) Using a handheld mobile telephone.

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

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

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

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

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

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

license with the proper class or endorsement for the specific 3106
vehicle group being operated or for the passengers or type of 3107
cargo being transported; 3108

(e) Violation of section 4506.03 of the Revised Code or a 3109
substantially similar municipal ordinance or county or township 3110
resolution, or of any similar law of another state or political 3111
subdivision of another state, that involves the operation of a 3112
commercial motor vehicle without a valid commercial driver's 3113
license being in the person's possession; 3114

(f) Violation of section 4511.33 or 4511.34 of the Revised 3115
Code, or any municipal ordinance or county or township 3116
resolution substantially similar to either of those sections, or 3117
any substantially similar law of another state or political 3118
subdivision of another state; 3119

(g) Violation of any other law of this state, any law of 3120
another state, or any ordinance or resolution of a political 3121
subdivision of this state or another state that meets both of 3122
the following requirements: 3123

(i) It relates to traffic control, other than a parking 3124
violation; 3125

(ii) It is determined to be a serious traffic violation by 3126
the United States secretary of transportation and is designated 3127
by the director as such by rule. 3128

(JJ) "State" means a state of the United States and 3129
includes the District of Columbia. 3130

(KK) "Tank vehicle" means any commercial motor vehicle 3131
that is designed to transport any liquid or gaseous materials 3132
within a tank or tanks that are either permanently or 3133
temporarily attached to the vehicle or its chassis and have an 3134

individual rated capacity of more than one hundred nineteen 3135
gallons and an aggregate rated capacity of one thousand gallons 3136
or more. "Tank vehicle" does not include a commercial motor 3137
vehicle transporting an empty storage container tank that is not 3138
designed for transportation, has a rated capacity of one 3139
thousand gallons or more, and is temporarily attached to a 3140
flatbed trailer. 3141

(LL) "Tester" means a person or entity acting pursuant to 3142
a valid agreement entered into pursuant to division (B) of 3143
section 4506.09 of the Revised Code. 3144

(MM) "Texting" means manually entering alphanumeric text 3145
into, or reading text from, an electronic device. Texting 3146
includes short message service, e-mail, instant messaging, a 3147
command or request to access a world wide web page, pressing 3148
more than a single button to initiate or terminate a voice 3149
communication using a mobile telephone, or engaging in any other 3150
form of electronic text retrieval or entry, for present or 3151
future communication. Texting does not include the following: 3152

(1) Using voice commands to initiate, receive, or 3153
terminate a voice communication using a mobile telephone; 3154

(2) Inputting, selecting, or reading information on a 3155
global positioning system or navigation system; 3156

(3) Pressing a single button to initiate or terminate a 3157
voice communication using a mobile telephone; or 3158

(4) Using, for a purpose that is not otherwise prohibited 3159
by law, a device capable of performing multiple functions, such 3160
as a fleet management system, a dispatching device, a mobile 3161
telephone, a citizens band radio, or a music player. 3162

(NN) "Texting while driving" means texting while operating 3163

a commercial motor vehicle, with the motor running, including 3164
while temporarily stationary because of traffic, a traffic 3165
control device, or other momentary delays. Texting while driving 3166
does not include operating a commercial motor vehicle with or 3167
without the motor running when the driver has moved the vehicle 3168
to the side of, or off, a highway and is stopped in a location 3169
where the vehicle can safely remain stationary. 3170

(OO) "United States" means the fifty states and the 3171
District of Columbia. 3172

(PP) "Upgrade" means a change in the class of vehicles, 3173
endorsements, or self-certified status as described in division 3174
(A) (1) of section 4506.10 of the Revised Code, that expands the 3175
ability of a current commercial driver's license holder to 3176
operate commercial motor vehicles under this chapter; 3177

(QQ) "Use of a handheld mobile telephone" means: 3178

(1) Using at least one hand to hold a mobile telephone to 3179
conduct a voice communication; 3180

(2) Dialing or answering a mobile telephone by pressing 3181
more than a single button; or 3182

(3) Reaching for a mobile telephone in a manner that 3183
requires a driver to maneuver so that the driver is no longer in 3184
a seated driving position, or restrained by a seat belt that is 3185
installed in accordance with 49 C.F.R. 393.93 and adjusted in 3186
accordance with the vehicle manufacturer's instructions. 3187

(RR) "Vehicle" has the same meaning as in section 4511.01 3188
of the Revised Code. 3189

Sec. 4506.11. (A) Every commercial driver's license shall 3190
be marked "commercial driver's license" or "CDL" and shall be of 3191

such material and so designed as to prevent its reproduction or 3192
alteration without ready detection. The commercial driver's 3193
license for licensees under twenty-one years of age shall have 3194
characteristics prescribed by the registrar of motor vehicles 3195
distinguishing it from that issued to a licensee who is twenty- 3196
one years of age or older. Every commercial driver's license 3197
shall display all of the following information: 3198

(1) The name and residence address of the licensee; 3199

(2) A photograph of the licensee showing the licensee's 3200
uncovered face; 3201

(3) A physical description of the licensee, including sex, 3202
height, weight, and color of eyes and hair; 3203

(4) The licensee's date of birth; 3204

(5) The licensee's social security number if the person 3205
has requested that the number be displayed in accordance with 3206
section 4501.31 of the Revised Code or if federal law requires 3207
the social security number to be displayed and any number or 3208
other identifier the director of public safety considers 3209
appropriate and establishes by rules adopted under Chapter 119. 3210
of the Revised Code and in compliance with federal law; 3211

(6) The licensee's signature; 3212

(7) The classes of commercial motor vehicles the licensee 3213
is authorized to drive and any endorsements or restrictions 3214
relating to the licensee's driving of those vehicles; 3215

(8) The name of this state; 3216

(9) The dates of issuance and of expiration of the 3217
license; 3218

(10) If the licensee has certified willingness to make an anatomical gift under section 2108.05 of the Revised Code, any symbol chosen by the registrar of motor vehicles to indicate that the licensee has certified that willingness;

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

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

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

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

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

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

~~(D)~~ (C) Neither the registrar nor any deputy registrar

shall issue a commercial driver's license to anyone under 3248
twenty-one years of age that does not have the characteristics 3249
prescribed by the registrar distinguishing it from the 3250
commercial driver's license issued to persons who are twenty-one 3251
years of age or older. 3252

~~(E)~~ (D) Whoever violates division ~~(D)~~ (C) of this section is 3253
guilty of a minor misdemeanor. 3254

Sec. 4507.01. (A) As used in this chapter, "motor 3255
vehicle," "motorized bicycle," "state," "owner," "operator," 3256
"chauffeur," and "highways" have the same meanings as in section 3257
4501.01 of the Revised Code. 3258

"Driver's license" means a class D license issued to any 3259
person to operate a motor vehicle or motor-driven cycle, other 3260
than a commercial motor vehicle, and includes "probationary 3261
license," "restricted license," "limited term license," and any 3262
operator's or chauffeur's license issued before January 1, 1990. 3263
~~Except as otherwise specifically provided, "driver's license"~~ 3264
~~includes an "enhanced driver's license."~~ 3265

~~"Enhanced driver's license" means a driver's license~~ 3266
~~issued in accordance with sections 4507.021 and 4507.063 of the~~ 3267
~~Revised Code that denotes citizenship and identity and is~~ 3268
~~approved by the United States secretary of homeland security or~~ 3269
~~other designated federal agency for purposes of entering the~~ 3270
~~United States.~~ 3271

"Probationary license" means the license issued to any 3272
person between sixteen and eighteen years of age to operate a 3273
motor vehicle. 3274

"Restricted license" means the license issued to any 3275
person to operate a motor vehicle subject to conditions or 3276

restrictions imposed by the registrar of motor vehicles. 3277

"Commercial driver's license" means the license issued to 3278
a person under Chapter 4506. of the Revised Code to operate a 3279
commercial motor vehicle. 3280

"Commercial motor vehicle" has the same meaning as in 3281
section 4506.01 of the Revised Code. 3282

"Motorcycle operator's temporary instruction permit,
license, or endorsement" includes a temporary instruction 3283
permit, license, or endorsement for a motor-driven cycle or 3284
motor scooter unless otherwise specified. 3285
3286

"Motorized bicycle license" means the license issued under 3287
section 4511.521 of the Revised Code to any person to operate a 3288
motorized bicycle including a "probationary motorized bicycle 3289
license." 3290

"Probationary motorized bicycle license" means the license 3291
issued under section 4511.521 of the Revised Code to any person 3292
between fourteen and sixteen years of age to operate a motorized 3293
bicycle. 3294

"Identification card" means a card issued under sections 3295
4507.50 to 4507.52 of the Revised Code. ~~Except as otherwise~~ 3296
~~specifically provided, "identification card" includes an~~ 3297
~~"enhanced identification card."~~ 3298

~~"Enhanced identification card" means an identification~~ 3299
~~card issued in accordance with sections 4507.021 and 4507.511 of~~ 3300
~~the Revised Code that denotes citizenship and identity and is~~ 3301
~~approved by the United States secretary of homeland security or~~ 3302
~~other designated federal agency for purposes of entering the~~ 3303
~~United States.~~ 3304

"Resident" means a person who, in accordance with 3305
standards prescribed in rules adopted by the registrar, resides 3306
in this state on a permanent basis. 3307

"Temporary resident" means a person who, in accordance 3308
with standards prescribed in rules adopted by the registrar, 3309
resides in this state on a temporary basis. 3310

(B) In the administration of this chapter and Chapter 3311
4506. of the Revised Code, the registrar has the same authority 3312
as is conferred on the registrar by section 4501.02 of the 3313
Revised Code. Any act of an authorized deputy registrar of motor 3314
vehicles under direction of the registrar is deemed the act of 3315
the registrar. 3316

To carry out this chapter, the registrar shall appoint 3317
such deputy registrars in each county as are necessary. 3318

The registrar also shall provide at each place where an 3319
application for a driver's or commercial driver's license or 3320
identification card may be made the necessary equipment to take 3321
a photograph of the applicant for such license or card as 3322
required under section 4506.11 or 4507.06 of the Revised Code, 3323
and to conduct the vision screenings required by section 4507.12 3324
of the Revised Code. 3325

The registrar shall assign one or more deputy registrars 3326
to any driver's license examining station operated under the 3327
supervision of the director of public safety, whenever the 3328
registrar considers such assignment possible. Space shall be 3329
provided in the driver's license examining station for any such 3330
deputy registrar so assigned. The deputy registrars shall not 3331
exercise the powers conferred by such sections upon the 3332
registrar, unless they are specifically authorized to exercise 3333

such powers by such sections. 3334

(C) No agent for any insurance company, writing automobile 3335
insurance, shall be appointed deputy registrar, and any such 3336
appointment is void. No deputy registrar shall in any manner 3337
solicit any form of automobile insurance, nor in any manner 3338
advise, suggest, or influence any licensee or applicant for 3339
license for or against any kind or type of automobile insurance, 3340
insurance company, or agent, nor have the deputy registrar's 3341
office directly connected with the office of any automobile 3342
insurance agent, nor impart any information furnished by any 3343
applicant for a license or identification card to any person, 3344
except the registrar. This division shall not apply to any 3345
nonprofit corporation appointed deputy registrar. 3346

(D) The registrar shall immediately remove a deputy 3347
registrar who violates the requirements of this chapter. 3348

Sec. 4507.061. (A) The registrar of motor vehicles may 3349
authorize the online renewal of a driver's license, commercial 3350
driver's license, or identification card issued by the bureau of 3351
motor vehicles for eligible applicants. An applicant is eligible 3352
for online renewal if all of the following apply: 3353

(1) The applicant's current driver's license, commercial 3354
driver's license, or identification card was processed in person 3355
at a deputy registrar office. 3356

(2) The applicant has a photo on file with the bureau of 3357
motor vehicles from the applicant's current driver's license, 3358
commercial driver's license, or identification card. 3359

(3) The applicant's current driver's license, commercial 3360
driver's license, or identification card expires on the birthday 3361
of the applicant in the fourth year after the date it was 3362

issued. 3363

(4) The applicant is applying for a driver's license, 3364
commercial driver's license, or identification card that expires 3365
on the birthday of the applicant in the fourth year after the 3366
date it is issued. 3367

(5) The applicant's current driver's license, commercial 3368
driver's license, or identification card is unexpired or expired 3369
not more than six months prior to the date of the application. 3370

(6) The applicant is a citizen or a permanent resident of 3371
the United States and a permanent resident of this state. 3372

(7) The applicant's current driver's license, commercial 3373
driver's license, or identification card was ~~issue~~issued when 3374
the applicant was twenty-one years of age or older. 3375

(8) If the applicant is renewing a driver's license or 3376
commercial driver's license, the applicant is less than sixty- 3377
five years of age. 3378

(9) The applicant's current driver's license, commercial 3379
driver's license, or driving privileges are not suspended, 3380
canceled, revoked, or restricted, and the applicant is not 3381
otherwise prohibited by law from obtaining a driver's license, 3382
commercial driver's license, or identification card. 3383

(10) The applicant has no changes to the applicant's name 3384
or personal information, other than a change of address. 3385

(11) The applicant has no medical restrictions that would 3386
require the applicant to apply for a driver's license, 3387
commercial driver's license, or identification card in person at 3388
a deputy registrar office. The registrar shall determine the 3389
medical restrictions that require in person applications. 3390

(12) For a commercial driver's license, the applicant 3391
complies with all the requirements of Chapter 4506. of the 3392
Revised Code, including self-certification and medical 3393
certificate requirements. 3394

(13) For a commercial driver's license, the applicant is 3395
not under any restriction specified by any federal regulation. 3396

(B) An applicant may not submit an application online for 3397
any of the following: 3398

(1) A temporary instruction permit; 3399

(2) A commercial driver's license temporary instruction 3400
permit; 3401

(3) An initial issuance of an Ohio driver's license, 3402
commercial driver's license, or identification card; 3403

(4) An initial issuance of a federally compliant driver's 3404
license or identification card; 3405

~~(5) An initial issuance of an enhanced driver's license,~~ 3406
~~commercial driver's license, or enhanced identification card;~~ 3407

~~(6)~~ An ignition interlock license; 3408

~~(7)~~ (6) A limited term driver's license or nonrenewable 3409
commercial driver's license. 3410

(C) The registrar may require an applicant to provide a 3411
digital copy of any identification documents and supporting 3412
documents as required by statute or administrative rule to 3413
comply with current state and federal requirements. 3414

(D) Except as otherwise provided, an applicant shall 3415
comply with all other applicable laws related to the issuance of 3416
a driver's license, commercial driver's license, or 3417

identification card in order to renew a driver's license, 3418
commercial driver's license, or identification card under this 3419
section. 3420

(E) The registrar may adopt rules in accordance with 3421
Chapter 119. of the Revised Code to implement and administer 3422
this section. 3423

Sec. 4507.13. (A) (1) The registrar of motor vehicles shall 3424
issue a driver's license to every person licensed as an operator 3425
of motor vehicles other than commercial motor vehicles. No 3426
person licensed as a commercial motor vehicle driver under 3427
Chapter 4506. of the Revised Code need procure a driver's 3428
license, but no person shall drive any commercial motor vehicle 3429
unless licensed as a commercial motor vehicle driver. 3430

(2) Every driver's license shall display all of the 3431
following information: 3432

(a) The distinguishing number assigned to the licensee; 3433

(b) The licensee's name and date of birth; 3434

(c) The licensee's residence address and county of 3435
residence; 3436

(d) A photograph of the licensee; 3437

(e) A brief description of the licensee for the purpose of 3438
identification; 3439

(f) A facsimile of the signature of the licensee as it 3440
appears on the application for the license; 3441

(g) A notation, in a manner prescribed by the registrar, 3442
indicating any condition described in division (D) (3) of section 3443
4507.08 of the Revised Code to which the licensee is subject; 3444

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

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

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

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

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

(4) The driver's license for licensees under twenty-one years of age shall have characteristics prescribed by the registrar distinguishing it from that issued to a licensee who

is twenty-one years of age or older, except that a driver's 3474
license issued to a person who applies no more than thirty days 3475
before the applicant's twenty-first birthday shall have the 3476
characteristics of a license issued to a person who is twenty- 3477
one years of age or older. 3478

(5) The limited term license issued to a temporary 3479
resident shall contain the ~~word~~ words "limited term" and shall 3480
have any additional characteristics prescribed by the registrar 3481
distinguishing it from a license issued to a resident. 3482

~~(6) Every enhanced driver's license shall have any 3483
additional characteristics established by the rules adopted- 3484
under section 4507.021 of the Revised Code. 3485~~

~~(7)~~ Every driver's or commercial driver's license 3486
displaying a motorcycle operator's endorsement and every 3487
restricted license to operate a motor vehicle also shall display 3488
the designation "novice," if the endorsement or license is 3489
issued to a person who is eighteen years of age or older and 3490
previously has not been licensed to operate a motorcycle by this 3491
state or another jurisdiction recognized by this state. The 3492
"novice" designation shall be effective for one year after the 3493
date of issuance of the motorcycle operator's endorsement or 3494
license. 3495

~~(8)~~ (7) Each license issued under this section shall be of 3496
such material and so designed as to prevent its reproduction or 3497
alteration without ready detection. 3498

(B) Except in regard to a driver's license issued to a 3499
person who applies no more than thirty days before the 3500
applicant's twenty-first birthday, neither the registrar nor any 3501
deputy registrar shall issue a driver's license to anyone under 3502

twenty-one years of age that does not have the characteristics 3503
prescribed by the registrar distinguishing it from the driver's 3504
license issued to persons who are twenty-one years of age or 3505
older. 3506

(C) The registrar shall ensure that driver's licenses 3507
issued in accordance with the federal "Real ID Act," 49 U.S.C. 3508
30301, et seq., comply with the regulations specified in 6 3509
C.F.R. part 37. 3510

(D) Whoever violates division (B) of this section is 3511
guilty of a minor misdemeanor. 3512

Sec. 4507.21. (A) Except as provided in section 4507.061 3513
of the Revised Code, each applicant for a driver's license shall 3514
file an application in the office of the registrar of motor 3515
vehicles or of a deputy registrar. 3516

(B) (1) Each person under eighteen years of age applying 3517
for a driver's license issued in this state and each person 3518
eighteen years of age or older applying for an initial limited 3519
term license in this state shall present satisfactory evidence 3520
of having successfully completed ~~any~~ one of the following: 3521

(a) ~~A driver education course approved by the state~~ 3522
~~department of education and workforce prior to December 31,~~ 3523
~~2003.~~ 3524

~~(b)~~ A driver training course approved by the director of 3525
public safety. 3526

~~(c)~~ (b) A driver training course comparable to a ~~driver~~ 3527
~~education or~~ driver training course described in division (B) (1) 3528
(a) ~~or (b)~~ of this section and administered by a branch of the 3529
armed forces of the United States and completed by the applicant 3530
while residing outside this state for the purpose of being with 3531

or near any person serving in the armed forces of the United 3532
States. 3533

(2) Each person under eighteen years of age applying for a 3534
driver's license also shall present, on a form prescribed by the 3535
registrar, an affidavit signed by an eligible adult attesting 3536
that the person has acquired at least fifty hours of actual 3537
driving experience, with at least ten of those hours being at 3538
night. 3539

(3) Each person eighteen years of age or older applying 3540
for an initial limited term license in this state also shall 3541
present, on a form prescribed by the registrar, an affidavit 3542
signed by an adult who holds a current valid driver's or 3543
commercial driver's license issued by this state that the 3544
applicant has acquired at least fifty hours of actual driving 3545
experience, with at least ten of those hours being at night, 3546
accompanied by the signing adult. 3547

(C) (1) An applicant for an initial driver's license shall 3548
present satisfactory evidence of successful completion of the 3549
abbreviated driver training course for adults, approved by the 3550
director of public safety under section 4508.02 of the Revised 3551
Code, if all of the following apply: 3552

(a) The applicant is eighteen years of age or older. 3553

(b) The applicant failed the road or maneuverability test 3554
required under division (A) (2) of section 4507.11 of the Revised 3555
Code. 3556

(c) In the twelve months immediately preceding the date of 3557
application, the applicant has not successfully completed a 3558
driver training course. 3559

(2) An applicant shall present satisfactory evidence as 3560

required under division (C) (1) of this section prior to 3561
attempting the test a second or subsequent time. 3562

(D) If the registrar or deputy registrar determines that 3563
the applicant is entitled to the driver's license, it shall be 3564
issued. If the application shows that the applicant's license 3565
has been previously canceled or suspended, the deputy registrar 3566
shall forward the application to the registrar, who shall 3567
determine whether the license shall be granted. 3568

(E) An applicant shall file an application under this 3569
section in duplicate, and the deputy registrar issuing the 3570
license shall immediately forward to the office of the registrar 3571
the original copy of the application, together with the 3572
duplicate copy of any certificate of completion if issued for 3573
purposes of division (B) of this section. The registrar shall 3574
prescribe rules as to the manner in which the deputy registrar 3575
files and maintains the applications and other records. The 3576
registrar shall file every application for a driver's or 3577
commercial driver's license and index them by name and number, 3578
and shall maintain a suitable record of all licenses issued, all 3579
convictions and bond forfeitures, all applications for licenses 3580
denied, and all licenses that have been suspended or canceled. 3581

(F) For purposes of section 2313.06 of the Revised Code, 3582
the registrar shall maintain accurate and current lists of the 3583
residents of each county who are eighteen years of age or older, 3584
have been issued, on and after January 1, 1984, driver's or 3585
commercial driver's licenses that are valid and current, and 3586
would be electors if they were registered to vote, regardless of 3587
whether they actually are registered to vote. The lists shall 3588
contain the names, addresses, dates of birth, duration of 3589
residence in this state, citizenship status, and social security 3590

numbers, if the numbers are available, of the licensees, and may 3591
contain any other information that the registrar considers 3592
suitable. 3593

(G) Each person under eighteen years of age applying for a 3594
motorcycle operator's endorsement or a restricted license 3595
enabling the applicant to operate a motorcycle shall present 3596
satisfactory evidence of having completed the courses of 3597
instruction in the motorcycle safety and education program 3598
described in section 4508.08 of the Revised Code or a comparable 3599
course of instruction administered by a branch of the armed 3600
forces of the United States and completed by the applicant while 3601
residing outside this state for the purpose of being with or 3602
near any person serving in the armed forces of the United 3603
States. If the registrar or deputy registrar then determines 3604
that the applicant is entitled to the endorsement or restricted 3605
license, it shall be issued. 3606

(H) No person shall knowingly make a false statement in an 3607
affidavit presented in accordance with division (B)(2) of this 3608
section. 3609

(I) As used in this section, "eligible adult" means any of 3610
the following persons: 3611

(1) A parent, guardian, or custodian of the applicant; 3612

(2) A person over the age of twenty-one who acts in loco 3613
parentis of the applicant and who maintains proof of financial 3614
responsibility with respect to the operation of a motor vehicle 3615
owned by the applicant or with respect to the applicant's 3616
operation of any motor vehicle. 3617

(J) Whoever violates division (H) of this section is 3618
guilty of a minor misdemeanor and shall be fined one hundred 3619

dollars. 3620

Sec. 4507.52. (A) (1) Each identification card issued by 3621
the registrar of motor vehicles or a deputy registrar shall 3622
display a distinguishing number assigned to the cardholder, and 3623
shall display the following inscription: 3624

"STATE OF OHIO IDENTIFICATION CARD 3625

This card is not valid for the purpose of operating a 3626
motor vehicle. It is provided solely for the purpose of 3627
establishing the identity of the bearer described on the card." 3628

(2) The identification card shall display substantially 3629
the same information as contained in the application and as 3630
described in division (A) (1) of section 4507.51 of the Revised 3631
Code, including, if the cardholder is a noncitizen of the United 3632
States, a notation designating that the cardholder is a 3633
noncitizen. The identification card shall not display the 3634
cardholder's social security number unless the cardholder 3635
specifically requests that the cardholder's social security 3636
number be displayed on the card. If federal law requires the 3637
cardholder's social security number to be displayed on the 3638
identification card, the social security number shall be 3639
displayed on the card notwithstanding this section. 3640

(3) The identification card also shall display the 3641
photograph of the cardholder. 3642

(4) If the cardholder has executed a durable power of 3643
attorney for health care or a declaration governing the use or 3644
continuation, or the withholding or withdrawal, of life- 3645
sustaining treatment and has specified that the cardholder 3646
wishes the identification card to indicate that the cardholder 3647
has executed either type of instrument, the card also shall 3648

display any symbol chosen by the registrar to indicate that the 3649
cardholder has executed either type of instrument. 3650

(5) If the cardholder has specified that the cardholder 3651
wishes the identification card to indicate that the cardholder 3652
is a veteran, active duty, or reservist of the armed forces of 3653
the United States and has presented a copy of the cardholder's 3654
DD-214 form or an equivalent document, the card also shall 3655
display any symbol chosen by the registrar to indicate that the 3656
cardholder is a veteran, active duty, or reservist of the armed 3657
forces of the United States. 3658

(6) The card shall be designed as to prevent its 3659
reproduction or alteration without ready detection. 3660

(7) The identification card for persons under twenty-one 3661
years of age shall have characteristics prescribed by the 3662
registrar distinguishing it from that issued to a person who is 3663
twenty-one years of age or older, except that an identification 3664
card issued to a person who applies no more than thirty days 3665
before the applicant's twenty-first birthday shall have the 3666
characteristics of an identification card issued to a person who 3667
is twenty-one years of age or older. 3668

(8) Every identification card issued to a resident of this 3669
state shall display the expiration date of the card, in 3670
accordance with section 4507.501 of the Revised Code. 3671

(9) Every identification card issued to a temporary 3672
resident shall expire in accordance with section 4507.501 of the 3673
Revised Code and rules adopted by the registrar and is limited 3674
term. Every limited term identification card and limited term 3675
temporary identification card shall contain the words "limited 3676
term" and shall have any additional characteristics prescribed 3677

by the registrar distinguishing it from an identification card 3678
issued to a resident. 3679

~~(10) Every enhanced identification card shall have any 3680
additional characteristics established by the rules adopted 3681
under section 4507.021 of the Revised Code. 3682~~

(B) (1) If a card is lost, destroyed, or mutilated, the 3683
person to whom the card was issued may obtain a duplicate by 3684
doing both of the following: 3685

(a) Furnishing suitable proof of the loss, destruction, or 3686
mutilation to the registrar or a deputy registrar; 3687

(b) Filing an application and presenting documentary 3688
evidence under section 4507.51 of the Revised Code. 3689

(2) A cardholder may apply to obtain a reprint of the 3690
cardholder's identification card through electronic means in 3691
accordance with section 4507.40 of the Revised Code. 3692

(3) A cardholder may obtain a replacement identification 3693
card that reflects any change of the cardholder's name by 3694
furnishing suitable proof of the change to the registrar or a 3695
deputy registrar. 3696

(4) Except as provided in division (B) (5) or (6) of this 3697
section, when a cardholder applies for a duplicate, reprint, or 3698
replacement identification card, the cardholder shall pay the 3699
following fees: 3700

(a) Two dollars and fifty cents; 3701

(b) A deputy registrar or service fee equal to the amount 3702
established under section 4503.038 of the Revised Code. 3703

(5) The following cardholders may apply for a duplicate, 3704

reprint, or replacement identification card without payment of 3705
any fee prescribed in division (B)(4) of this section: 3706

(a) A disabled veteran who has a service-connected 3707
disability rated at one hundred per cent by the veterans' 3708
administration; 3709

(b) A resident who is permanently or irreversibly 3710
disabled. 3711

(6) A cardholder who is seventeen years of age or older 3712
may apply for a replacement identification card without payment 3713
of any fee prescribed in division (B)(4) of this section. 3714

(7) A duplicate, reprint, or replacement identification 3715
card expires on the same date as the card it replaces. 3716

(C) The registrar shall cancel any card upon determining 3717
that the card was obtained unlawfully, issued in error, or was 3718
altered. 3719

(D)(1) No agent of the state or its political subdivisions 3720
shall condition the granting of any benefit, service, right, or 3721
privilege upon the possession by any person of an identification 3722
card. Nothing in this section shall preclude any publicly 3723
operated or franchised transit system from using an 3724
identification card for the purpose of granting benefits or 3725
services of the system. 3726

(2) No person shall be required to apply for, carry, or 3727
possess an identification card. 3728

(E) Except in regard to an identification card issued to a 3729
person who applies no more than thirty days before the 3730
applicant's twenty-first birthday, neither the registrar nor any 3731
deputy registrar shall issue an identification card to a person 3732

under twenty-one years of age that does not have the 3733
characteristics prescribed by the registrar distinguishing it 3734
from the identification card issued to persons who are twenty- 3735
one years of age or older. 3736

(F) The registrar shall ensure that identification cards 3737
issued in accordance with the federal "Real ID Act," 49 U.S.C. 3738
30301, et seq., comply with the regulations specified in 6 3739
C.F.R. part 37. 3740

(G) Whoever violates division (E) of this section is 3741
guilty of a minor misdemeanor. 3742

Sec. 4508.02. (A) (1) The director of public safety, 3743
subject to Chapter 119. of the Revised Code, shall adopt and 3744
prescribe such rules concerning the administration and 3745
enforcement of this chapter as are necessary to protect the 3746
public. The rules shall require an assessment of the holder of a 3747
probationary instructor license. The director shall inspect the 3748
school facilities and equipment of applicants and licensees and 3749
examine applicants for instructor's licenses. 3750

(2) The director shall adopt rules governing online driver 3751
education courses that may be completed via the internet to 3752
satisfy the classroom instruction under division (C) of this 3753
section. The rules shall do all of the following: 3754

(a) Establish standards that an online driver training 3755
enterprise must satisfy to be licensed to offer an online driver 3756
education course via the internet, including, at a minimum, 3757
proven expertise in providing driver education and an acceptable 3758
infrastructure capable of providing secure online driver 3759
education in accord with advances in internet technology. The 3760
rules shall allow an online driver training enterprise to be 3761

affiliated with a licensed driver training school offering in- 3762
person classroom instruction, but shall not require such an 3763
affiliation. 3764

(b) Establish content requirements that an online driver 3765
education course must satisfy to be approved as equivalent to 3766
twenty-four hours of in-person classroom instruction; 3767

(c) Establish attendance standards, including a maximum 3768
number of course hours that may be completed in a twenty-four- 3769
hour period; 3770

(d) Allow an enrolled applicant to begin the required 3771
eight hours of actual behind-the-wheel instruction upon 3772
completing all twenty-four hours of course instruction; 3773

(e) Establish any other requirements necessary to regulate 3774
online driver education. 3775

(B) The director shall administer and enforce this 3776
chapter. 3777

(C) The rules shall require twenty-four hours of completed 3778
in-person classroom instruction or the completion of an 3779
approved, equivalent online driver education course offered via 3780
the internet by a licensed online driver training enterprise, 3781
followed by eight hours of actual behind-the-wheel instruction 3782
conducted on public streets and highways of this state for all 3783
beginning drivers of noncommercial motor vehicles who are ~~under~~ 3784
~~age eighteen~~required to complete the training under section 3785
4507.21 of the Revised Code. The rules also shall require the 3786
classroom instruction or online driver education course for such 3787
drivers to include instruction on both of the following: 3788

(1) The dangers of driving a motor vehicle while 3789
distracted, including while using an electronic wireless 3790

communications device, or engaging in any other activity that 3791
distracts a driver from the safe and effective operation of a 3792
motor vehicle; 3793

(2) The dangers of driving a motor vehicle while under the 3794
influence of a controlled substance, prescription medication, or 3795
alcohol. 3796

(D) The rules shall state the minimum hours for classroom 3797
and behind-the-wheel instruction required for beginning drivers 3798
of commercial trucks, commercial cars, buses, and commercial 3799
tractors, trailers, and semitrailers. 3800

(E) (1) The department of public safety may charge a fee to 3801
each online driver training enterprise in an amount sufficient 3802
to pay the actual expenses the department incurs in the 3803
regulation of online driver education courses. 3804

(2) The department shall supply to each licensed online 3805
driver training enterprise certificates to be used for 3806
certifying an applicant's enrollment in an approved online 3807
driver education course and a separate certificate to be issued 3808
upon successful completion of an approved online driver 3809
education course. The certificates shall be numbered serially. 3810
The department may charge a fee to each online driver training 3811
enterprise per certificate supplied to pay the actual expenses 3812
the department incurs in supplying the certificates. 3813

(F) The director shall adopt rules in accordance with 3814
Chapter 119. of the Revised Code governing an abbreviated driver 3815
training course for adults. 3816

Sec. 4511.01. As used in this chapter and in Chapter 4513. 3817
of the Revised Code: 3818

(A) "Vehicle" means every device, including a bicycle, 3819

motorized bicycle, and an electric bicycle, in, upon, or by 3820
which any person or property may be transported or drawn upon a 3821
highway, ~~except that "vehicle".~~ "Vehicle" does not include any 3822
motorized wheelchair, any electric personal assistive mobility 3823
device, any low-speed micromobility device, any personal 3824
delivery device as defined in section 4511.513 of the Revised 3825
Code, any device that is moved by power collected from overhead 3826
electric trolley wires or that is used exclusively upon 3827
stationary rails or tracks, or any device, ~~other than a bicycle,~~ 3828
that is moved by human power. 3829

(B) "Motor vehicle" means every vehicle propelled or drawn 3830
by power other than muscular power or power collected from 3831
overhead electric trolley wires, except motorized bicycles, 3832
electric bicycles, road rollers, traction engines, power 3833
shovels, power cranes, and other equipment used in construction 3834
work and not designed for or employed in general highway 3835
transportation, hole-digging machinery, well-drilling machinery, 3836
ditch-digging machinery, farm machinery, and trailers designed 3837
and used exclusively to transport a boat between a place of 3838
storage and a marina, or in and around a marina, when drawn or 3839
towed on a street or highway for a distance of no more than ten 3840
miles and at a speed of twenty-five miles per hour or less. 3841

(C) "Motorcycle" means every motor vehicle, other than a 3842
tractor, having a seat or saddle for the use of the operator and 3843
designed to travel on not more than three wheels in contact with 3844
the ground, including, but not limited to, motor vehicles known 3845
as "motor-driven cycle," "motor scooter," "autocycle," "cab- 3846
enclosed motorcycle," or "motorcycle" without regard to weight 3847
or brake horsepower. 3848

(D) "Emergency vehicle" means emergency vehicles of 3849

municipal, township, or county departments or public utility 3850
corporations when identified as such as required by law, the 3851
director of public safety, or local authorities, and motor 3852
vehicles when commandeered by a police officer. 3853

(E) "Public safety vehicle" means any of the following: 3854

(1) Ambulances, including private ambulance companies 3855
under contract to a municipal corporation, township, or county, 3856
and private ambulances and nontransport vehicles bearing license 3857
plates issued under section 4503.49 of the Revised Code; 3858

(2) Motor vehicles used by public law enforcement officers 3859
or other persons sworn to enforce the criminal and traffic laws 3860
of the state; 3861

(3) Any motor vehicle when properly identified as required 3862
by the director of public safety, when used in response to fire 3863
emergency calls or to provide emergency medical service to ill 3864
or injured persons, and when operated by a duly qualified person 3865
who is a member of a volunteer rescue service or a volunteer 3866
fire department, and who is on duty pursuant to the rules or 3867
directives of that service. The state fire marshal shall be 3868
designated by the director of public safety as the certifying 3869
agency for all public safety vehicles described in division (E) 3870
(3) of this section. 3871

(4) Vehicles used by fire departments, including motor 3872
vehicles when used by volunteer fire fighters responding to 3873
emergency calls in the fire department service when identified 3874
as required by the director of public safety. 3875

Any vehicle used to transport or provide emergency medical 3876
service to an ill or injured person, when certified as a public 3877
safety vehicle, shall be considered a public safety vehicle when 3878

transporting an ill or injured person to a hospital regardless 3879
of whether such vehicle has already passed a hospital. 3880

(5) Vehicles used by the motor carrier enforcement unit 3881
for the enforcement of orders and rules of the public utilities 3882
commission as specified in section 5503.34 of the Revised Code. 3883

(F) "School bus" means every bus designed for carrying 3884
more than nine passengers that is owned by a public, private, or 3885
governmental agency or institution of learning and operated for 3886
the transportation of children to or from a school session or a 3887
school function, or owned by a private person and operated for 3888
compensation for the transportation of children to or from a 3889
school session or a school function, ~~provided "school"~~. "School
bus" does not include a bus operated by a municipally owned 3891
transportation system, a mass transit company operating 3892
exclusively within the territorial limits of a municipal 3893
corporation, or within such limits and the territorial limits of 3894
municipal corporations immediately contiguous to such municipal 3895
corporation, nor a common passenger carrier certified by the 3896
public utilities commission unless such bus is devoted 3897
exclusively to the transportation of children to and from a 3898
school session or a school function~~;~~ and "school bus" does not 3899
include a van or bus used by a licensed child care center or 3900
type A family child care home to transport children from the 3901
child care center or type A family child care home to a school 3902
if the van or bus does not have more than fifteen children in 3903
the van or bus at any time. 3904

(G) "Bicycle" means ~~every device, other than a device that~~ 3905
~~is designed solely for use as a play vehicle by a child, that is~~ 3906
~~propelled solely by human power upon which a person may ride,~~ 3907
~~and that has two or more wheels, any of which is more than~~ 3908

~~fourteen inches in diameter~~ a pedal-powered vehicle upon which a 3909
human operator sits, including an electric bicycle. 3910

(H) "Motorized bicycle" or "moped" means any vehicle 3911
having either two tandem wheels or one wheel in the front and 3912
two wheels in the rear, that may be pedaled, and that is 3913
equipped with a helper motor of not more than fifty cubic 3914
centimeters piston displacement that produces not more than one 3915
brake horsepower and is capable of propelling the vehicle at a 3916
speed of not greater than twenty miles per hour on a level 3917
surface. "Motorized bicycle" or "moped" does not include an 3918
electric bicycle. 3919

(I) "Commercial tractor" means every motor vehicle having 3920
motive power designed or used for drawing other vehicles and not 3921
so constructed as to carry any load thereon, or designed or used 3922
for drawing other vehicles while carrying a portion of such 3923
other vehicles, or load thereon, or both. 3924

(J) "Agricultural tractor" ~~means and "traction engine"~~ 3925
mean every self-propelling vehicle designed or used for drawing 3926
other vehicles or wheeled machinery but having no provision for 3927
carrying loads independently of such other vehicles, and used 3928
principally for agricultural purposes. 3929

(K) "Truck" means every motor vehicle, except trailers and 3930
semitrailers, designed and used to carry property. 3931

(L) "Bus" means every motor vehicle designed for carrying 3932
more than nine passengers and used for the transportation of 3933
persons other than in a ridesharing arrangement, and every motor 3934
vehicle, automobile for hire, or funeral car, other than a 3935
taxicab or motor vehicle used in a ridesharing arrangement, 3936
designed and used for the transportation of persons for 3937

compensation. 3938

(M) "Trailer" means every vehicle designed or used for 3939
carrying persons or property wholly on its own structure and for 3940
being drawn by a motor vehicle, including any such vehicle when 3941
formed by or operated as a combination of a "semitrailer" and a 3942
vehicle of the dolly type, such as that commonly known as a 3943
"trailer dolly," a vehicle used to transport agricultural 3944
produce or agricultural production materials between a local 3945
place of storage or supply and the farm when drawn or towed on a 3946
street or highway at a speed greater than twenty-five miles per 3947
hour, and a vehicle designed and used exclusively to transport a 3948
boat between a place of storage and a marina, or in and around a 3949
marina, when drawn or towed on a street or highway for a 3950
distance of more than ten miles or at a speed of more than 3951
twenty-five miles per hour. 3952

(N) "Semitrailer" means every vehicle designed or used for 3953
carrying persons or property with another and separate motor 3954
vehicle so that in operation a part of its own weight or that of 3955
its load, or both, rests upon and is carried by another vehicle. 3956

(O) "Pole trailer" means every trailer or semitrailer 3957
attached to the towing vehicle by means of a reach, pole, or by 3958
being boomed or otherwise secured to the towing vehicle, and 3959
ordinarily used for transporting long or irregular shaped loads 3960
such as poles, pipes, or structural members capable, generally, 3961
of sustaining themselves as beams between the supporting 3962
connections. 3963

(P) "Railroad" means a carrier of persons or property 3964
operating upon rails or tracks placed principally on a private 3965
right-of-way. 3966

(Q) "~~Railroad train~~Train" means a ~~steam engine or an~~ 3967
~~electric or other motor, with or without cars coupled thereto,~~ 3968
~~operated by a railroad~~one or more locomotives coupled, with or 3969
without cars, that operates on rails or tracks and to which all 3970
other traffic is required by law to yield the right-of-way at 3971
highway-rail grade crossings. 3972

(R) "Streetcar" means a car, other than a ~~railroad~~ train, 3973
for transporting persons or property, operated upon rails 3974
principally within a street or highway. 3975

(S) "Trackless trolley" means every car that collects its 3976
power from overhead electric trolley wires and that is not 3977
operated upon rails or tracks. 3978

(T) "Explosives" means any chemical compound or mechanical 3979
mixture that is intended for the purpose of producing an 3980
explosion that contains any oxidizing and combustible units or 3981
other ingredients in such proportions, quantities, or packing 3982
that an ignition by fire, by friction, by concussion, by 3983
percussion, or by a detonator of any part of the compound or 3984
mixture may cause such a sudden generation of highly heated 3985
gases that the resultant gaseous pressures are capable of 3986
producing destructive effects on contiguous objects, or of 3987
destroying life or limb. Manufactured articles shall not be held 3988
to be explosives when the individual units contain explosives in 3989
such limited quantities, of such nature, or in such packing, 3990
that it is impossible to procure a simultaneous or a destructive 3991
explosion of such units, to the injury of life, limb, or 3992
property by fire, by friction, by concussion, by percussion, or 3993
by a detonator, such as fixed ammunition for small arms, 3994
firecrackers, or safety fuse matches. 3995

(U) "Flammable liquid" means any liquid that has a flash 3996

point of seventy degrees fahrenheit, or less, as determined by a 3997
tagliabue or equivalent closed cup test device. 3998

(V) "Gross weight" means the weight of a vehicle plus the 3999
weight of any load thereon. 4000

(W) "Person" means every natural person, firm, co- 4001
partnership, association, or corporation. 4002

(X) "Pedestrian" means any ~~natural person afoot~~on foot, in 4003
a motorized or non-motorized wheelchair, or using another 4004
equivalent device, such as skates or a skateboard. "Pedestrian" 4005
includes a personal delivery device as defined in section 4006
4511.513 of the Revised Code unless the context clearly suggests 4007
otherwise. 4008

(Y) "Driver or operator" means every person who drives or 4009
is in actual physical control of a vehicle, trackless trolley, 4010
or streetcar. 4011

(Z) "Police officer" means every officer authorized to 4012
direct or regulate traffic, or to make arrests for violations of 4013
traffic regulations. 4014

(AA) "Local authorities" means every county, municipal, 4015
and other local board or body having authority to adopt police 4016
regulations under the constitution and laws of this state. 4017

(BB) "Street" or "highway" means ~~the entire width between~~ 4018
~~the boundary lines of every way open to the use of the public as~~ 4019
~~a thoroughfare for purposes of vehicular~~ a general term for 4020
denoting a public way for purposes of travel by vehicles, 4021
streetcars, trackless trolleys, and vulnerable road users, 4022
including the entire area within the right-of-way. 4023

(CC) "Controlled-access highway" means every street or 4024

highway in respect to which owners or occupants of abutting 4025
lands and other persons have no legal right of access to or from 4026
the same except at such points only and in such manner as may be 4027
determined by the public authority having jurisdiction over such 4028
street or highway. 4029

(DD) "Private road ~~or driveway~~" means every way or place 4030
in private ownership used for vehicular travel by the owner and 4031
those having express or implied permission from the owner but 4032
not by other persons. 4033

(EE) "Roadway" means that portion of a highway improved, 4034
designed, or ordinarily used for vehicular travel and parking 4035
lanes, except not including the berm, sidewalk, or shoulder, 4036
even if the berm, sidewalk, or shoulder is used by a person 4037
operating a bicycle or other human-powered vehicle. If a highway 4038
includes two or more separate roadways the term "roadway" means 4039
any such roadway separately but not all such roadways 4040
collectively. 4041

(FF) "Sidewalk" means that portion of a street between the 4042
curb lines, or the lateral lines of a roadway, and the adjacent 4043
property lines or easements of private property, that is paved 4044
or improved, and is intended for the use of pedestrians. 4045

(GG) "Laned highway" means a highway the roadway of which 4046
is divided into two or more clearly marked lanes for vehicular 4047
traffic. 4048

(HH) "Through highway" means every street or highway as 4049
provided in section 4511.65 of the Revised Code. 4050

(II) "State highway" means a highway under the 4051
jurisdiction of the department of transportation, outside the 4052
limits of municipal corporations, provided that the authority 4053

conferred upon the director of transportation in section 5511.01 4054
of the Revised Code to erect state highway route markers and 4055
signs directing traffic shall not be modified by sections 4056
4511.01 to 4511.79 and 4511.99 of the Revised Code. 4057

(JJ) "State route" means every highway that is designated 4058
with an official state route number and so marked. 4059

(KK) "Intersection" means: 4060

(1) The area embraced within the prolongation or 4061
connection of the lateral curb lines, or, if none, the lateral 4062
boundary lines of the roadways of two highways that join one 4063
another at, or approximately at, right angles, or the area 4064
within which vehicles traveling upon different highways that 4065
join at any other angle might come into conflict. The junction 4066
of an alley ~~or,~~ driveway, or site roadway open to public travel 4067
with a public roadway or highway does not constitute an 4068
intersection, unless the public roadway or highway at the 4069
junction is controlled by a traffic control device. 4070

(2) If a highway includes two roadways ~~that are thirty-~~ 4071
~~feet or more apart~~ separated by a median, then every crossing of 4072
each roadway of such divided highway by an intersecting highway 4073
constitutes a separate intersection if the opposing left-turn 4074
paths cross and there is sufficient interior storage for the 4075
design vehicle. If both intersecting highways include two- 4076
~~roadways thirty feet or more apart, then every crossing of any~~ 4077
~~two roadways of such highways constitutes a separate~~ 4078
~~intersection.~~ As used in this division, "design vehicle" means the 4079
longest vehicle authorized under section 5577.05 of the Revised 4080
Code to operate on that roadway without a permit. 4081

(3) At a location controlled by a highway traffic control- 4082

signal, regardless of the distance between the separate 4083
intersections as described in division (KK) (2) of this section: 4084

(a) If a stop line, yield line, or crosswalk has not been 4085
designated on the roadway within the median between the separate 4086
intersections, the two intersections and the roadway and median 4087
constitute one intersection. 4088

(b) Where a stop line, yield line, or crosswalk ~~line~~ is 4089
designated on the roadway on the intersection approach, the area 4090
within the crosswalk and any area beyond the designated stop 4091
line or yield line constitute part of the intersection. 4092

(c) Where a crosswalk is designated on a roadway on the 4093
departure from the intersection, the intersection includes the 4094
area that extends to the far side of the crosswalk. 4095

(LL) "Crosswalk" means: 4096

(1) That part of a roadway at ~~intersections ordinarily an~~ 4097
intersection included within the real or projected prolongation 4098
of property lines and curb lines connections of the lateral 4099
lines of the sidewalks on opposite sides of the highway measured 4100
from the curbs, or, in the absence of curbs, from the edges of 4101
the traversable roadway, and in the absence of a sidewalk on one 4102
side of the roadway, the part of a roadway included within the 4103
extension of the lateral lines of the sidewalk at right angles 4104
to the center line; 4105

(2) Any portion of a roadway at an intersection or 4106
elsewhere, distinctly indicated for pedestrian crossing by lines 4107
or other markings on the surface, which might be supplemented by 4108
contrasting pavement texture, style, or color; 4109

(3) Notwithstanding divisions (LL) (1) and (2) of this 4110
section, ~~there shall not be a~~ "crosswalk" does not include an 4111

area where local authorities have placed signs indicating no 4112
crossing. 4113

(MM) "Safety zone" means the area or space officially set 4114
apart within a roadway for the exclusive use of pedestrians and 4115
protected or marked or indicated by adequate signs as to be 4116
plainly visible at all times. 4117

(NN) "Business district" means the territory fronting upon 4118
a street or highway, including the street or highway, between 4119
successive intersections within municipal corporations where 4120
fifty per cent or more of the frontage between such successive 4121
intersections is occupied by buildings in use for business, or 4122
within or outside municipal corporations where fifty per cent or 4123
more of the frontage for a distance of three hundred feet or 4124
more is occupied by buildings in use for business, and the 4125
character of such territory is indicated by official traffic 4126
control devices. 4127

(OO) "Residence district" means the territory, not 4128
comprising a business district, fronting on a street or highway, 4129
including the street or highway, where, for a distance of three 4130
hundred feet or more, the frontage is improved with residences 4131
or residences and buildings in use for business. 4132

(PP) "Urban district" means the territory contiguous to 4133
and including any street or highway which is built up with 4134
structures devoted to business, industry, or dwelling houses 4135
situated at intervals of less than one hundred feet for a 4136
distance of a quarter of a mile or more, and the character of 4137
such territory is indicated by official traffic control devices. 4138

(QQ) "Traffic control device" means a flagger, sign, 4139
signal, marking, channelization device, or other device ~~used to~~ 4140

~~regulate, warn, or guide traffic, placed on, over, or adjacent~~ 4141
~~that uses colors, shapes, symbols, words, sounds, or tactile~~ 4142
~~information for the primary purpose of communicating a~~ 4143
~~regulatory, warning, or guidance message to road users on a~~ 4144
~~street, highway, private road site roadway open to public~~ 4145
~~travel, pedestrian facility, or shared-use path by authority of~~ 4146
~~a public agency or official having jurisdiction, or, in the case~~ 4147
~~of a private road open to public travel, by authority of the~~ 4148
~~private owner or private official having jurisdiction~~ bikeway, or 4149
pathway. 4150

(RR) "Traffic control signal" means ~~any a~~ highway traffic 4151
signal ~~by which~~ placed at an intersection, movable bridge, fire 4152
station, midblock crosswalk, alternating one-way sections of a 4153
single lane road, private driveway, or other location that 4154
requires conflicting traffic is alternately to be directed to 4155
stop and permitted to proceed in an orderly manner. "Traffic 4156
control signal" includes a vehicular signal indication, a 4157
pedestrian signal indication, and a bicycle symbol signal 4158
indication. "Traffic control signal" does not include an 4159
emergency-vehicle hybrid beacon or a pedestrian hybrid beacon. 4160

(SS) "Railroad sign or signal" means any sign, signal, or 4161
device erected by authority of a public body or official or by a 4162
railroad and intended to give notice of the presence of railroad 4163
tracks or the approach of a ~~railroad~~ train. 4164

(TT) "Traffic" means pedestrians, ridden or herded 4165
animals, vehicles, streetcars, trackless trolleys, and other 4166
devices, either singly or together, while using for purposes of 4167
travel any highway or ~~private road site roadway~~ open to public 4168
travel. 4169

(UU) "Right-of-way" means either of the following, as the 4170

context requires: 4171

(1) The right of a vehicle, streetcar, trackless trolley, 4172
or pedestrian to proceed uninterruptedly in a lawful manner in 4173
the direction in which it or the individual is moving in 4174
preference to another vehicle, streetcar, trackless trolley, or 4175
pedestrian approaching from a different direction into its or 4176
the individual's path; 4177

(2) A general term denoting land, property, or the 4178
interest therein, usually in the configuration of a strip, 4179
acquired for or devoted to transportation purposes. When used in 4180
this context, right-of-way includes the roadway, shoulders or 4181
berm, ditch, and slopes extending to the right-of-way limits 4182
under the control of the state or local authority. 4183

(VV) "Rural mail delivery vehicle" means every vehicle 4184
used to deliver United States mail on a rural mail delivery 4185
route. 4186

(WW) "Funeral escort vehicle" means any motor vehicle, 4187
including a funeral hearse, while used to facilitate the 4188
movement of a funeral procession. 4189

(XX) "Alley" means a street or highway intended to provide 4190
access to the rear or side of lots or buildings in urban 4191
districts and not intended for the purpose of through vehicular 4192
traffic, and includes any street or highway that has been 4193
declared an "alley" by the legislative authority of the 4194
municipal corporation in which such street or highway is 4195
located. 4196

(YY) "Freeway" means a divided multi-lane highway for 4197
through traffic with all crossroads separated in grade and with 4198
full control of access. 4199

(ZZ) "Expressway" means a divided arterial street or 4200
highway for through traffic with full or partial control of 4201
access with an excess of fifty per cent of all crossroads 4202
separated in grade. 4203

(AAA) "Thruway" means a through highway whose entire 4204
roadway is reserved for through traffic and on which roadway 4205
parking is prohibited. 4206

(BBB) "Stop intersection" means any intersection at one or 4207
more entrances of which stop signs are erected. 4208

(CCC) "Arterial street or highway" means ~~any United States~~ 4209
~~or state numbered route, controlled access highway, or other~~ 4210
~~major radial or circumferential~~ a street or highway primarily 4211
used by through traffic, usually on a continuous route or a 4212
street or highway designated by local authorities within their 4213
~~respective jurisdictions as part of a major~~ an arterial system- 4214
~~of streets or highways.~~ 4215

(DDD) "Ridesharing arrangement" means the transportation 4216
of persons in a motor vehicle where such transportation is 4217
incidental to another purpose of a volunteer driver and includes 4218
ridesharing arrangements known as carpools, vanpools, and 4219
buspools. 4220

(EEE) "Motorized wheelchair" means any self-propelled 4221
vehicle designed for, and used by, a person with a disability 4222
and that is incapable of a speed in excess of eight miles per 4223
hour. 4224

(FFF) "Child care center" and "type A family child care 4225
home" have the same meanings as in section 5104.01 of the 4226
Revised Code. 4227

(GGG) "Multi-wheel agricultural tractor" means a type of 4228

agricultural tractor that has two or more wheels or tires on 4229
each side of one axle at the rear of the tractor, is designed or 4230
used for drawing other vehicles or wheeled machinery, has no 4231
provision for carrying loads independently of the drawn vehicles 4232
or machinery, and is used principally for agricultural purposes. 4233

(HHH) "Operate" means to cause or have caused movement of 4234
a vehicle, streetcar, or trackless trolley. 4235

(III) "Predicate motor vehicle or traffic offense" means 4236
any of the following: 4237

(1) A violation of section 4511.03, 4511.051, 4511.12, 4238
4511.132, 4511.16, 4511.20, 4511.201, 4511.21, 4511.211, 4239
4511.213, 4511.22, 4511.23, 4511.25, 4511.26, 4511.27, 4511.28, 4240
4511.29, 4511.30, 4511.31, 4511.32, 4511.33, 4511.34, 4511.35, 4241
4511.36, 4511.37, 4511.38, 4511.39, 4511.40, 4511.41, 4511.42, 4242
4511.43, 4511.431, 4511.432, 4511.44, 4511.441, 4511.451, 4243
4511.452, 4511.46, 4511.47, 4511.48, 4511.481, 4511.49, 4511.50, 4244
4511.511, 4511.522, 4511.53, 4511.54, 4511.55, 4511.56, 4511.57, 4245
4511.58, 4511.59, 4511.60, 4511.61, 4511.64, 4511.66, 4511.661, 4246
4511.68, 4511.70, 4511.701, 4511.71, 4511.711, 4511.712, 4247
4511.713, 4511.72, 4511.73, 4511.763, 4511.771, 4511.78, or 4248
4511.84 of the Revised Code; 4249

(2) A violation of division (A) (2) of section 4511.17, 4250
divisions (A) to (D) of section 4511.51, or division (A) of 4251
section 4511.74 of the Revised Code; 4252

(3) A violation of any provision of sections 4511.01 to 4253
4511.76 of the Revised Code for which no penalty otherwise is 4254
provided in the section that contains the provision violated; 4255

(4) A violation of section 4511.214 of the Revised Code; 4256

(5) A violation of a municipal ordinance that is 4257

substantially similar to any section or provision set forth or 4258
described in division (III)(1), (2), (3), or (4) of this 4259
section. 4260

(JJJ) "Road service vehicle" means wreckers, utility 4261
repair vehicles, and state, county, and municipal service 4262
vehicles equipped with visual signals by means of flashing, 4263
rotating, or oscillating lights. 4264

(KKK) "Beacon" means a highway traffic signal with one or 4265
more signal sections that operate in a flashing mode. 4266

(LLL) "Hybrid beacon" means a special type of beacon that 4267
is intentionally placed in a dark mode where no indications are 4268
displayed between periods of operation ~~where no indications are~~ 4269
~~displayed and, when in operation~~operated, displays both steady 4270
and flashing highway traffic control ~~control~~-signal indications. "Hybrid 4271
beacon" includes both of the following: 4272

(1) An emergency-vehicle hybrid beacon used to warn and 4273
control traffic at an otherwise unsignalized location to assist 4274
authorized emergency vehicles in entering or crossing a street 4275
or highway; 4276

(2) A pedestrian hybrid beacon used to warn and control 4277
traffic at an otherwise unsignalized location to assist 4278
pedestrians in crossing a street or highway at a marked 4279
crosswalk. 4280

(MMM) "Highway traffic signal" means a power-operated 4281
traffic control device by which traffic is warned or directed to 4282
take some specific action. "Highway traffic signal" includes a 4283
beacon, an in-road warning light, a lane-use control signal, and 4284
a traffic control signal. "Highway traffic signal" does not 4285
include a power-operated sign, steadily illuminated pavement 4286

marker, gate, flashing light signal, warning light, or steady 4287
burning electric lamp. 4288

(NNN) "Median" means the portion of a highway separating 4289
opposing directions of the traveled way or the area between two 4290
roadways of a divided highway, measured from edge of traveled 4291
way to edge of traveled way, ~~but excluding~~. The median excludes 4292
turn lanes. The width of a median may be different between 4293
intersections, ~~between~~ interchanges, and at opposite approaches 4294
of the same intersection. 4295

(OOO) "~~Private road~~ Site roadway open to public travel" 4296
means a ~~private toll road or road, including any adjacent~~ 4297
~~sidewalks that generally run parallel to the road, within~~ 4298
roadway or bikeway on site of a shopping center, office park, 4299
airport, school, university, sports arena, recreational park, or 4300
other similar business, government, or recreation facility that 4301
is publicly or privately owned but where the public is allowed 4302
to travel without full-time access restrictions. "~~Private road~~ 4303
Site roadway open to public travel" ~~includes a gated toll road~~ 4304
~~but does not include a road within a private gated property~~ 4305
roadway where access is restricted at all times by gates or 4306
guards to residents, employees, or other specifically authorized 4307
persons, a parking area, a driving aisle within a parking area, 4308
or a private highway-rail grade crossing. 4309

(PPP) "Shared-use path" means a bikeway outside the 4310
traveled way and physically separated from motorized vehicular 4311
traffic by an open space or barrier and either within the 4312
highway right-of-way or within an independent alignment. A 4313
shared-use path also may be used by pedestrians, including 4314
skaters, joggers, users of manual and motorized wheelchairs, and 4315
other authorized motorized and non-motorized users. A shared-use 4316

path does not include any trail that is intended to be used 4317
primarily for mountain biking, hiking, equestrian use, or other 4318
similar uses, or any other single track or natural surface trail 4319
that has historically been reserved for nonmotorized use. 4320

(QQQ) "Highway maintenance vehicle" means a vehicle used 4321
in snow and ice removal or road surface maintenance, including a 4322
snow plow, traffic line striper, road sweeper, mowing machine, 4323
asphalt distributing vehicle, or other such vehicle designed for 4324
use in specific highway maintenance activities. 4325

(RRR) "Waste collection vehicle" means a vehicle used in 4326
the collection of garbage, refuse, trash, or recyclable 4327
materials. 4328

(SSS) "Electric bicycle" means a "class 1 electric 4329
bicycle," a "class 2 electric bicycle," or a "class 3 electric 4330
bicycle" as defined in this section. 4331

(TTT) "Class 1 electric bicycle" means a bicycle that is 4332
equipped with fully operable pedals and an electric motor of 4333
less than seven hundred fifty watts that provides assistance 4334
only when the rider is pedaling and ceases to provide assistance 4335
when the bicycle reaches the speed of twenty miles per hour. 4336

(UUU) "Class 2 electric bicycle" means a bicycle that is 4337
equipped with fully operable pedals and an electric motor of 4338
less than seven hundred fifty watts that may provide assistance 4339
regardless of whether the rider is pedaling and is not capable 4340
of providing assistance when the bicycle reaches the speed of 4341
twenty miles per hour. 4342

(VVV) "Class 3 electric bicycle" means a bicycle that is 4343
equipped with fully operable pedals and an electric motor of 4344
less than seven hundred fifty watts that provides assistance 4345

only when the rider is pedaling and ceases to provide assistance 4346
when the bicycle reaches the speed of twenty-eight miles per 4347
hour. 4348

(WWW) "Low-speed micromobility device" means a device 4349
weighing less than one hundred pounds that has handlebars, is 4350
propelled by an electric motor or human power, and has an 4351
attainable speed on a paved level surface of not more than 4352
twenty miles per hour when propelled by the electric motor. 4353

(XXX) "Natural resources officer" means an officer 4354
appointed pursuant to section 1501.24 of the Revised Code. 4355

(YYY) "Wildlife officer" means an officer designated 4356
pursuant to section 1531.13 of the Revised Code. 4357

(ZZZ) "In-road warning light" means a special type of 4358
highway traffic signal that is installed in the roadway surface 4359
to warn road users that they are approaching a condition on or 4360
adjacent to the roadway that might not be readily apparent and 4361
might require the road users to reduce speed or come to a 4362
complete stop. 4363

(AAAA) "Lane-use control signal" means a signal face or 4364
comparable display on a full-matrix changeable message sign that 4365
displays indications to permit or prohibit the use of specific 4366
lanes of a roadway or a shoulder where driving is sometimes 4367
authorized or to indicate the impending prohibition of such use. 4368

(BBBB) "Bicycle box" means a designated area on the 4369
approach to a signalized intersection, between an advance 4370
motorist stop line and the crosswalk or intersection, that is 4371
intended to provide bicyclists a visible location to wait in 4372
front of stopped motorists during the red signal phase. 4373

(CCCC) "Two-stage bicycle turn box" means a designated 4374

area at an intersection that is intended to provide bicyclists a 4375
place to wait for traffic to clear before proceeding in a 4376
different direction of travel. 4377

(DDDD) "Bicycle lane" means a portion of a roadway that 4378
has been designated for preferential or exclusive use by 4379
bicyclists and is often delineated from the adjacent general- 4380
purpose lanes by longitudinal pavement markings and either a 4381
bicycle lane symbol, words, or signs. "Bicycle lane" includes 4382
all of the following: 4383

(1) A buffer-separated bicycle lane, which is separated 4384
from the adjacent general-purpose lanes by a pattern of standard 4385
longitudinal pavement markings that are wider than a normal or 4386
wide-lane pavement marking; 4387

(2) A counter-flow bicycle lane, which is a one- 4388
directional bicycle lane that provides a lawful path of travel 4389
for bicycles in the opposite direction from the general traffic 4390
on a roadway that otherwise requires the general traffic to 4391
travel in only one direction. A counter-flow bicycle lane is 4392
designated by the traffic control devices used for other bicycle 4393
lanes; 4394

(3) A separated bicycle lane, which is an exclusive 4395
facility for bicyclists that is located within or directly 4396
adjacent to the roadway and is physically separated from the 4397
motor vehicle traffic with a vertical element. 4398

(EEEE) "Bicycle signal face" means a signal face that 4399
displays only bicycle symbol signal indications in accordance 4400
with section 4511.15 of the Revised Code, that exclusively 4401
controls a bicyclist's movement from a designated bicycle lane 4402
or from a separate facility, and that displays signal 4403

indications that are applicable only to a bicyclist's movement. 4404

(FFFF) "Bicycle signal sign" means a sign meant to inform 4405
road users that the signal indications in the bicycle signal 4406
face are intended only for bicyclists, and to inform bicyclists 4407
which bicyclist movements are controlled by that bicycle signal 4408
face. 4409

(GGGG) "Bikeway" means any road, street, path, or way that 4410
in some manner is specifically designated for bicycle travel, 4411
regardless of whether the facility is designated for the 4412
exclusive use of bicycles or if it is shared with other modes of 4413
transportation. 4414

(HHHH) "Busway" means a traveled way that is used 4415
exclusively by buses. 4416

(IIII) "Driveway" means an access from a roadway to a 4417
building, site, or abutting property. 4418

(JJJJ) "Roundabout" means a circular intersection with a 4419
yield control at each entry, which permits a vehicle on the 4420
circulatory roadway to proceed, with deflection of the 4421
approaching vehicles counter-clockwise around a central island. 4422

(KKKK) "Shoulder" means a longitudinal area contiguous 4423
with the traveled way that is used for accommodating vehicles 4424
that are stopped for an emergency and for lateral support of 4425
base and surface courses; graded for emergency stopping; either 4426
paved or unpaved; and when paved, may be open for part-time 4427
travel by some or all vehicles or may also be available for use 4428
by pedestrians or bicycles in the absence of other pedestrian or 4429
bicycle facilities. 4430

(LLLL) "Autocycle," "cab-enclosed motorcycle," 4431
"electronic," "farm machinery," "motor-driven cycle or motor 4432

scooter," "limited driving privileges," and "state" have the 4433
same meanings as in section 4501.01 of the Revised Code. 4434

Sec. 4511.031. ~~(A)(1)~~ (A) As used in this section: 4435

(1) "Highway maintenance vehicle" means a vehicle used in 4436
snow and ice removal, including a snow plow, when it is either 4437
owned or operated by or on behalf of a political subdivision. 4438

(2) "Peace officer" has the same meaning as in divisions 4439
(A)(1), (12), (14), and (19) of section 109.71 of the Revised 4440
Code. 4441

(3) "Portable signal preemption device" means a device 4442
that, if activated by a person, is capable of changing a highway 4443
traffic signal to green out of sequence. 4444

(4) "Public safety vehicle" has the same meaning as in 4445
divisions (E)(1), (3), and (4) of section 4511.01 of the Revised 4446
Code. 4447

(B) Except as provided in divisions (C) and (D) of this 4448
section: 4449

(1) No person shall possess a portable signal preemption 4450
device. 4451

(2) No person shall use a portable signal preemption 4452
device to affect the operation of the highway traffic ~~control~~- 4453
signal. 4454

~~(B)~~ (C) Division ~~(A)(1)~~ (B)(1) of this section does not 4455
apply to any of the following persons ~~and division (A)(2) of~~ 4456
~~this section does not apply to any of the following persons when~~ 4457
~~responding to an emergency call:~~ 4458

(1) A peace officer, ~~as defined in division (A)(1), (12),~~ 4459

~~(14), or (19) of section 109.71 of the Revised Code;~~ 4460

(2) A state highway patrol trooper; 4461

(3) A person while occupying a public safety vehicle ~~as~~ 4462
~~defined in division (E) (1), (3), or (4) of section 4511.01 of~~ 4463
~~the Revised Code;~~ 4464

(4) The authorized operator of a highway maintenance 4465
vehicle. 4466

~~(C)~~ (D) Division (B) (2) of this section does not apply 4467
under either of the following circumstances: 4468

(1) When a person listed in divisions (C) (1) to (3) of 4469
this section is responding to an emergency call; 4470

(2) When a person listed in division (C) (4) of this 4471
section is responding to an emergency weather event. 4472

(E) Whoever violates division ~~(A) (1)~~ (B) (1) of this 4473
section is guilty of a misdemeanor of the fourth degree. Whoever 4474
violates division ~~(A) (2)~~ (B) (2) of this section is guilty of a 4475
misdemeanor of the first degree. 4476

~~(D) As used in this section, "portable signal preemption~~ 4477
~~device" means a device that, if activated by a person, is~~ 4478
~~capable of changing a traffic control signal to green out of~~ 4479
~~sequence.~~ 4480

Sec. 4511.09. The department of transportation shall adopt 4481
a manual for a uniform system of traffic control devices, 4482
including signs denoting names of streets and highways, for use 4483
upon any street, highway, bikeway, or ~~private road~~ site roadway 4484
open to public travel within this state. Such uniform system 4485
shall correlate with, and so far as possible conform to, the 4486
system approved by the federal highway administration. 4487

Sec. 4511.091. (A) The driver of any motor vehicle that 4488
has been checked by radar, or by any electrical or mechanical 4489
timing device to determine the speed of the motor vehicle over a 4490
measured distance of a highway or a measured distance of a 4491
private road ~~or driveway~~, and found to be in violation of any of 4492
the provisions of section 4511.21 or 4511.211 of the Revised 4493
Code, may be arrested until a warrant can be obtained, provided 4494
the arresting officer has observed the recording of the speed of 4495
the motor vehicle by the radio microwaves, electrical or 4496
mechanical timing device, or has received a radio message from 4497
the officer who observed the speed of the motor vehicle recorded 4498
by the radio microwaves, electrical or mechanical timing device; 4499
provided, in case of an arrest based on such a message, the 4500
radio message has been dispatched immediately after the speed of 4501
the motor vehicle was recorded and the arresting officer is 4502
furnished a description of the motor vehicle for proper 4503
identification and the recorded speed. 4504

(B) If the driver of a motor vehicle being driven on a 4505
public street or highway of this state is observed violating any 4506
provision of this chapter other than section 4511.21 or 4511.211 4507
of the Revised Code by a law enforcement officer situated at any 4508
location, including in any type of airborne aircraft or airship, 4509
that law enforcement officer may send a radio message to another 4510
law enforcement officer, and the other law enforcement officer 4511
may arrest the driver of the motor vehicle until a warrant can 4512
be obtained or may issue the driver a citation for the 4513
violation; provided, if an arrest or citation is based on such a 4514
message, the radio message is dispatched immediately after the 4515
violation is observed and the law enforcement officer who 4516
observes the violation furnishes to the law enforcement officer 4517
who makes the arrest or issues the citation a description of the 4518

alleged violation and the motor vehicle for proper 4519
identification. 4520

(C) (1) No person shall be arrested, charged, or convicted 4521
of a violation of any provision of divisions (B) to (O) of 4522
section 4511.21 or section 4511.211 of the Revised Code or a 4523
substantially similar municipal ordinance based on a peace 4524
officer's unaided visual estimation of the speed of a motor 4525
vehicle, trackless trolley, or streetcar. This division does not 4526
do any of the following: 4527

(a) Preclude the use by a peace officer of a stopwatch, 4528
radar, laser, or other electrical, mechanical, or digital device 4529
to determine the speed of a motor vehicle; 4530

(b) Apply regarding any violation other than a violation 4531
of divisions (B) to (O) of section 4511.21 or section 4511.211 4532
of the Revised Code or a substantially similar municipal 4533
ordinance; 4534

(c) Preclude a peace officer from testifying that the 4535
speed of operation of a motor vehicle, trackless trolley, or 4536
streetcar was at a speed greater or less than a speed described 4537
in division (A) of section 4511.21 of the Revised Code, the 4538
admission into evidence of such testimony, or preclude a 4539
conviction of a violation of that division based in whole or in 4540
part on such testimony. 4541

(2) As used in this division, "peace officer" has the same 4542
meaning as in section 2935.01 of the Revised Code. 4543

Sec. 4511.092. As used in sections 4511.092 to 4511.0914 4544
of the Revised Code: 4545

(A) "Designated party" means the person whom the 4546
registered owner of a motor vehicle, upon receipt of a ticket 4547

based upon images recorded by a traffic law photo-monitoring 4548
device that indicate a traffic law violation, identifies as the 4549
person who was operating the vehicle of the registered owner at 4550
the time of the violation. 4551

(B) "Law enforcement officer" means a sheriff, deputy 4552
sheriff, marshal, deputy marshal, police officer of a police 4553
department of any municipal corporation, police constable of any 4554
township, or police officer of a township or joint police 4555
district, who is employed on a permanent, full-time basis by the 4556
law enforcement agency of a local authority that assigns such 4557
person to the location of a traffic law photo-monitoring device. 4558

(C) "Local authority" means a municipal corporation, 4559
county, or township. 4560

(D) "Motor vehicle leasing dealer" has the same meaning as 4561
in section 4517.01 of the Revised Code. 4562

(E) "Motor vehicle renting dealer" has the same meaning as 4563
in section 4549.65 of the Revised Code. 4564

(F) "Recorded images" means any of the following images 4565
recorded by a traffic law photo-monitoring device that show, on 4566
at least one image or on a portion of the videotape, the rear of 4567
a motor vehicle and the letters and numerals on the rear license 4568
plate of the vehicle: 4569

(1) Two or more photographs, microphotographs, electronic 4570
images, or digital images; 4571

(2) Videotape. 4572

(G) "Registered owner" means all of the following: 4573

(1) Any person or entity identified by the bureau of motor 4574
vehicles or any other state motor vehicle registration bureau, 4575

department, or office as the owner of a motor vehicle; 4576

(2) The lessee of a motor vehicle under a lease of six 4577
months or longer; 4578

(3) The renter of a motor vehicle pursuant to a written 4579
rental agreement with a motor vehicle renting dealer. 4580

(H) "System location" means the approach to an 4581
intersection or area of roadway toward which a traffic law 4582
photo-monitoring device is directed and is in operation. 4583

(I) "Ticket" means any traffic ticket, citation, summons, 4584
or other ticket issued in response to an alleged traffic law 4585
violation detected by a traffic law photo-monitoring device, 4586
that represents a civil violation. 4587

(J) "Traffic law photo-monitoring device" means an 4588
electronic system consisting of a photographic, video, or 4589
electronic camera and a means of sensing the presence of a motor 4590
vehicle that automatically produces recorded images. 4591

(K) "Traffic law violation" means either of the following: 4592

(1) A violation of section 4511.12 of the Revised Code 4593
based on the failure to comply with section 4511.13 of the 4594
Revised Code or a substantially equivalent municipal ordinance 4595
that occurs at an intersection due to failure to obey a highway 4596
traffic ~~control~~-signal; 4597

(2) A violation of section 4511.21 or 4511.211 of the 4598
Revised Code or a substantially equivalent municipal ordinance 4599
due to failure to observe the applicable speed limit. 4600

Sec. 4511.094. (A) No local authority shall use traffic 4601
law photo-monitoring devices to detect or enforce any traffic 4602
law violation until after it has done both of the following: 4603

(1) Erected signs on every highway that is not a freeway 4604
that is part of the state highway system and that enters that 4605
local authority informing inbound traffic that the local 4606
authority utilizes traffic law photo-monitoring devices to 4607
enforce traffic laws; 4608

(2) Beginning on ~~the effective date of this amendment~~ 4609
March 23, 2015, erected signs at each fixed system location 4610
informing motorists that a traffic law photo-monitoring device 4611
is present at the location. 4612

The local authority shall erect the signs within the first 4613
three hundred feet of the boundary of the local authority or 4614
within three hundred feet of the fixed system location, as 4615
applicable. If the signs cannot be located within the first 4616
three hundred feet of the boundary of the local authority or 4617
within three hundred feet of the fixed system location, the 4618
local authority shall erect the signs as close to that distance 4619
as possible. If a particular highway enters and exits the 4620
territory of a local authority multiple times, the local 4621
authority shall erect the signs as required by division (A) (1) 4622
of this section at the locations in each direction of travel 4623
where inbound traffic on the highway first enters the territory 4624
of the local authority and is not required to erect additional 4625
signs along such highway each time the highway reenters the 4626
territory of the local authority. The local authority is 4627
responsible for all costs associated with the erection, 4628
maintenance, and replacement, if necessary, of the signs. The 4629
local authority shall ensure that all signs erected under this 4630
division conform in size, color, location, and content to 4631
standards contained in the manual adopted by the department of 4632
transportation pursuant to section 4511.09 of the Revised Code 4633
and shall remain in place for as long as the local authority 4634

utilizes traffic law photo-monitoring devices to enforce any 4635
traffic law. 4636

(B) A ticket issued by or on behalf of the local authority 4637
for any traffic law violation based upon evidence recorded by a 4638
traffic law photo-monitoring device is invalid under the 4639
following circumstances: 4640

(1) If the ticket was issued after March 12, 2009, but 4641
before the signs required under division (A)(1) of this section 4642
were erected; 4643

(2) If the ticket was issued after ~~the effective date of~~ 4644
~~this amendment~~ March 23, 2015, but before the signs required 4645
under division (A)(2) of this section were erected. 4646

However, if a local authority is in substantial compliance 4647
with the requirements of division (A)(1) or (2) of this section, 4648
as applicable, a ticket issued by the local authority under 4649
sections 4511.096 to 4511.0912 of the Revised Code is valid. 4650

(C) A local authority is deemed to be in substantial 4651
compliance with the requirement of division (A)(1) or (2) of 4652
this section, as applicable, to erect the advisory signs if the 4653
authority does both of the following: 4654

(1) First erects all signs as required by division (A)(1) 4655
or (2) of this section, as applicable, and subsequently 4656
maintains and replaces the signs as needed so that at all times 4657
at least ninety per cent of the required signs are in place and 4658
functional; 4659

(2) Annually documents and upon request certifies its 4660
compliance with division (C)(1) of this section. 4661

(D) A local authority that uses traffic law photo- 4662

monitoring devices to detect or enforce any traffic law 4663
violation at an intersection where traffic is controlled by 4664
highway traffic control signals that exhibit different colored 4665
lights or colored lighted arrows shall time the operation of the 4666
yellow lights and yellow arrows of those highway traffic control 4667
signals so that the steady yellow indication exceeds by one 4668
second the minimum duration for yellow indicators at similar 4669
intersections as established by the provisions of the manual 4670
adopted by the department of transportation under section 4671
4511.09 of the Revised Code. 4672

Sec. 4511.11. (A) Local authorities in their respective 4673
jurisdictions shall place and maintain traffic control devices 4674
in accordance with the department of transportation manual for a 4675
uniform system of traffic control devices, adopted under section 4676
4511.09 of the Revised Code, upon highways under their 4677
jurisdiction as are necessary to indicate and to carry out 4678
sections 4511.01 to 4511.76 and 4511.99 of the Revised Code, 4679
local traffic ordinances, or to regulate, warn, or guide 4680
traffic. 4681

(B) The director of transportation may require to be 4682
removed any traffic control device that does not conform to the 4683
manual for a uniform system of traffic control devices on the 4684
extensions of the state highway system within municipal 4685
corporations. 4686

(C) No village shall place or maintain any highway traffic 4687
~~control~~ signal upon an extension of the state highway system 4688
within the village without first obtaining the permission of the 4689
director. The director may revoke the permission and may require 4690
to be removed any highway traffic control signal that has been 4691
erected without the director's permission on an extension of a 4692

state highway within a village, or that, if erected under a 4693
permit granted by the director, does not conform to the state 4694
manual, or that is not operated in accordance with the terms of 4695
the permit. 4696

(D) All traffic control devices erected on any street, 4697
highway, alley, bikeway, or ~~private road~~ site roadway open to 4698
public travel shall conform to the state manual. 4699

(E) No person, firm, or corporation shall sell or offer 4700
for sale to local authorities any traffic control device that 4701
does not conform to the state manual, except by permission of 4702
the director. 4703

(F) No local authority shall purchase or manufacture any 4704
traffic control device that does not conform to the state 4705
manual, except by permission of the director. 4706

(G) Whoever violates division (E) of this section is 4707
guilty of a misdemeanor of the third degree. 4708

Sec. 4511.13. Highway traffic signal indications for 4709
vehicles and pedestrians shall have the following meanings: 4710

(A) Steady green signal indication: 4711

(1) (a) Vehicular traffic, streetcars, and trackless 4712
trolleys facing a circular green signal indication are permitted 4713
to proceed straight through or turn right or left or make a u- 4714
turn movement except as such movement is modified by a lane-use 4715
sign, turn prohibition sign, lane marking, roadway design, 4716
separate turn signal indication, or other traffic control 4717
device. Such vehicular traffic, including vehicles turning right 4718
or left or making a u-turn movement, shall yield the right-of- 4719
way to both of the following: 4720

- (i) Pedestrians lawfully within an associated crosswalk; 4721
- (ii) Other vehicles lawfully within the intersection. 4722
- (b) In addition, vehicular traffic turning left or making 4723
a u-turn movement to the left shall yield the right-of-way to 4724
other vehicles approaching from the opposite direction so 4725
closely as to constitute an immediate hazard during the time 4726
when such turning vehicle is moving across or within the 4727
intersection. 4728
- (2) Vehicular traffic, streetcars, and trackless trolleys 4729
facing a green arrow signal indication, displayed alone or in 4730
combination with another signal indication, are permitted to 4731
cautiously enter the intersection only to make the movement 4732
indicated by such arrow, or such other movement as is permitted 4733
by other indications displayed at the same time. Such vehicular 4734
traffic, streetcars, and trackless trolleys, including vehicles 4735
turning right or left or making a u-turn movement, shall yield 4736
the right-of-way to both of the following: 4737
- (a) Pedestrians lawfully within an associated crosswalk; 4738
- (b) Other traffic lawfully using the intersection. 4739
- (3) (a) Unless otherwise directed by a pedestrian signal 4740
indication, as provided in section 4511.14 of the Revised Code, 4741
pedestrians facing a circular green signal indication are 4742
permitted to proceed across the roadway within any marked or 4743
unmarked associated crosswalk. The pedestrian shall yield the 4744
right-of-way to vehicles lawfully within the intersection or so 4745
close as to create an immediate hazard at the time that the 4746
green signal indication is first displayed. 4747
- (b) Pedestrians facing a green arrow signal indication, 4748
unless otherwise directed by a pedestrian signal indication or 4749

other traffic control device, shall not cross the roadway. 4750

(B) Steady yellow signal indication: 4751

(1) Vehicular traffic, streetcars, and trackless trolleys 4752
facing a steady circular yellow signal indication are thereby 4753
warned that the related green movement or the related flashing 4754
arrow movement is being terminated or that a steady red signal 4755
indication will be exhibited immediately thereafter when 4756
vehicular traffic, streetcars, and trackless trolleys shall not 4757
enter the intersection. The provisions governing vehicular 4758
operation under the movement being terminated shall continue to 4759
apply while the steady circular yellow signal indication is 4760
displayed. 4761

(2) Vehicular traffic facing a steady yellow arrow signal 4762
indication is thereby warned that the related green arrow 4763
movement or the related flashing arrow movement is being 4764
terminated. The provisions governing vehicular operation under 4765
the movement being terminated shall continue to apply while the 4766
steady yellow arrow signal indication is displayed. 4767

(3) Pedestrians facing a steady circular yellow or yellow 4768
arrow signal indication, unless otherwise directed by a 4769
pedestrian signal indication as provided in section 4511.14 of 4770
the Revised Code or other traffic control device, shall not 4771
start to cross the roadway. 4772

(C) Steady red signal indication: 4773

(1) (a) Vehicular traffic, streetcars, and trackless 4774
trolleys facing a steady circular red signal indication, unless 4775
entering the intersection to make another movement permitted by 4776
another signal indication, shall stop at a clearly marked stop 4777
line; but if there is no stop line, traffic shall stop before 4778

entering the crosswalk on the near side of the intersection; or 4779
if there is no crosswalk, then before entering the intersection; 4780
and shall remain stopped until a signal indication to proceed is 4781
displayed except as provided in divisions (C) (1), (2), and (3) 4782
of this section. 4783

(b) Except when a traffic control device is in place 4784
prohibiting a turn on red or a steady red arrow signal 4785
indication is displayed, vehicular traffic facing a steady 4786
circular red signal indication is permitted, after stopping, to 4787
enter the intersection to turn right, or to turn left from a 4788
one-way street into a one-way street. The right to proceed with 4789
the turn shall be subject to the provisions that are applicable 4790
after making a stop at a stop sign. 4791

(2) (a) Vehicular traffic, streetcars, and trackless 4792
trolleys facing a steady red arrow signal indication shall not 4793
enter the intersection to make the movement indicated by the 4794
arrow and, unless entering the intersection to make another 4795
movement permitted by another signal indication, shall stop at a 4796
clearly marked stop line; but if there is no stop line, before 4797
entering the crosswalk on the near side of the intersection; or 4798
if there is no crosswalk, then before entering the intersection; 4799
and shall remain stopped until a signal indication or other 4800
traffic control device permitting the movement indicated by such 4801
red arrow is displayed. 4802

(b) When a traffic control device is in place permitting a 4803
turn on a steady red arrow signal indication, vehicular traffic 4804
facing a steady red arrow indication is permitted, after 4805
stopping, to enter the intersection to turn right, or to turn 4806
left from a one-way street into a one-way street. The right to 4807
proceed with the turn shall be limited to the direction 4808

indicated by the arrow and shall be subject to the provisions 4809
that are applicable after making a stop at a stop sign. 4810

(3) Unless otherwise directed by a pedestrian signal 4811
indication as provided in section 4511.14 of the Revised Code or 4812
other traffic control device, pedestrians facing a steady 4813
circular red or steady red arrow signal indication shall not 4814
enter the roadway. 4815

(4) Local authorities by ordinance, or the director of 4816
transportation on state highways, may prohibit a right or a left 4817
turn against a steady red signal at any intersection, which 4818
shall be effective when signs giving notice thereof are posted 4819
at the intersection. 4820

(D) A flashing green signal indication has no meaning and 4821
shall not be used. 4822

(E) Flashing yellow signal indication: 4823

(1) (a) Vehicular traffic, on an approach to an 4824
intersection, facing a flashing circular yellow signal 4825
indication, is permitted to cautiously enter the intersection to 4826
proceed straight through or turn right or left or make a u-turn 4827
movement except as such movement is modified by lane-use signs, 4828
turn prohibition signs, lane markings, roadway design, separate 4829
turn signal indications, or other traffic control devices. Such 4830
vehicular traffic, including vehicles turning right or left or 4831
making a u-turn movement, shall yield the right-of-way to both 4832
of the following: 4833

(i) Pedestrians lawfully within an associated crosswalk; 4834

(ii) Other vehicles lawfully within the intersection. 4835

(b) In addition, vehicular traffic turning left or making 4836

a u-turn to the left shall yield the right-of-way to other 4837
vehicles approaching from the opposite direction so closely as 4838
to constitute an immediate hazard during the time when such 4839
turning vehicle is moving across or within the intersection. 4840

(2) (a) Vehicular traffic, on an approach to an 4841
intersection, facing a flashing yellow arrow signal indication, 4842
displayed alone or in combination with another signal 4843
indication, is permitted to cautiously enter the intersection 4844
only to make the movement indicated by such arrow, or other such 4845
movement as is permitted by other signal indications displayed 4846
at the same time. Such vehicular traffic, including vehicles 4847
turning right or left or making a u-turn, shall yield the right- 4848
of-way to both of the following: 4849

(i) Pedestrians lawfully within an associated crosswalk; 4850

(ii) Other vehicles lawfully within the intersection. 4851

(b) In addition, vehicular traffic turning left or making 4852
a u-turn to the left shall yield the right-of-way to other 4853
vehicles approaching from the opposite direction so closely as 4854
to constitute an immediate hazard during the time when such 4855
turning vehicle is moving across or within the intersection. 4856

(3) Pedestrians facing any flashing yellow signal 4857
indication at an intersection, unless otherwise directed by a 4858
pedestrian signal indication or other traffic control device, 4859
are permitted to proceed across the roadway within any marked or 4860
unmarked associated crosswalk. Pedestrians shall yield the 4861
right-of-way to vehicles lawfully within the intersection at the 4862
time that the flashing yellow signal indication is first 4863
displayed. 4864

(4) When a flashing circular yellow signal indication is 4865

displayed as a beacon to supplement another traffic control 4866
device, road users are notified that there is a need to pay 4867
additional attention to the message contained thereon or that 4868
the regulatory or warning requirements of the other traffic 4869
control device, which might not be applicable at all times, are 4870
currently applicable. 4871

(F) Flashing red signal indication: 4872

(1) Vehicular traffic, on an approach to an intersection, 4873
facing a flashing circular red signal indication, shall stop at 4874
a clearly marked stop line; but if there is no stop line, before 4875
entering the crosswalk on the near side of the intersection; or 4876
if there is no crosswalk, at the point nearest the intersecting 4877
roadway where the driver has a view of approaching traffic on 4878
the intersecting roadway before entering the intersection. The 4879
right to proceed shall be subject to the provisions that are 4880
applicable after making a stop at a stop sign. 4881

(2) Pedestrians facing any flashing red signal indication 4882
at an intersection, unless otherwise directed by a pedestrian 4883
signal indication or other traffic control device, are permitted 4884
to proceed across the roadway within any marked or unmarked 4885
associated crosswalk. Pedestrians shall yield the right-of-way 4886
to vehicles lawfully within the intersection at the time that 4887
the flashing red signal indication is first displayed. 4888

(3) When a flashing circular red signal indication is 4889
displayed as a beacon to supplement another traffic control 4890
device, road users are notified that there is a need to pay 4891
additional attention to the message contained thereon or that 4892
the regulatory requirements of the other traffic control device, 4893
which might not be applicable at all times, are currently 4894
applicable. Use of this signal indication shall be limited to 4895

supplementing stop, do not enter, or wrong way signs, and to 4896
applications where compliance with the supplemented traffic 4897
control device requires a stop at a designated point. 4898

(4) Vehicular traffic, on an approach to an intersection, 4899
facing a flashing red arrow signal indication and if intending 4900
to turn in the direction indicated by the arrow, shall stop at a 4901
clearly marked stop line; but if there is no stop line, before 4902
entering the crosswalk on the near side of the intersection; or 4903
if there is no crosswalk, at the point nearest the intersecting 4904
roadway where the driver has a view of approaching traffic on 4905
the intersecting roadway before entering the intersection. The 4906
right to proceed shall be subject to the provisions that are 4907
applicable after making a stop at a stop sign. 4908

(G) Transit vehicle signal indication: 4909

(1) Light rail and mass transit system bus traffic, on an 4910
approach to an intersection from a designated busway or other 4911
designated transit vehicle lane or tracks shall do all of the 4912
following: 4913

(a) Stop when facing a steady horizontal white line; 4914

(b) Proceed straight ahead when facing a steady vertical 4915
white line; 4916

(c) Only turn or proceed left when facing a steady 4917
diagonal white line that begins in the lower right corner and 4918
angles up and to the left; 4919

(d) Only turn or proceed right when facing a steady 4920
diagonal white line that begins in the lower left corner and 4921
angles up and to the right; 4922

(e) Prepare to stop when facing a flashing vertical white 4923

line. 4924

(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. 4925
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(H) In the event an official ~~traffic-control-highway~~
traffic signal is erected and maintained at a place other than 4928
an intersection, the provisions of this section shall be 4929
applicable except as to those provisions which by their nature 4930
can have no application. Any stop required shall be made at a 4931
sign or marking on the pavement indicating where the stop shall 4932
be made, but in the absence of any such sign or marking the stop 4933
shall be made at the signal. 4934
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~~(H)~~ (I) This section does not apply at railroad grade 4936
crossings. Conduct of drivers of vehicles, trackless trolleys, 4937
and streetcars approaching railroad grade crossings shall be 4938
governed by sections 4511.61 and 4511.62 of the Revised Code. 4939

Sec. 4511.131. The meanings of lane-use control signal 4940
indications are as follows: 4941

(A) A steady downward green arrow÷ 4942

~~A road user is permitted to drive in~~ means that the lane 4943
over which the arrow signal indication is located is open to 4944
vehicle travel in that direction. 4945

(B) A steady yellow "X"÷ 4946

~~A road user is to prepare to vacate~~ means that the lane 4947
over which the signal indication is located ~~because a lane-~~ 4948
~~control change is being made to~~ is about to be closed to vehicle 4949
traffic in that direction and will be followed by a steady red 4950
"X" signal indication, either within the same signal face or in 4951

a downstream signal face.

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

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

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

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

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(E) A steady red "X"÷

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

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

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(1) Stop at a clearly marked stop line, but if none, stop 4980
before entering the crosswalk on the near side of the 4981
intersection, or, if none, stop before entering the 4982
intersection; 4983

(2) Yield the right-of-way to all vehicles, streetcars, or 4984
trackless trolleys in the intersection or approaching on an 4985
intersecting road, if the vehicles, streetcars, or trackless 4986
trolleys will constitute an immediate hazard during the time the 4987
driver is moving across or within the intersection or junction 4988
of roadways; 4989

(3) Exercise ordinary care while proceeding through the 4990
intersection. 4991

(B) Except as otherwise provided in this division, whoever 4992
violates this section is guilty of a minor misdemeanor. If, 4993
within one year of the offense, the offender previously has been 4994
convicted of or pleaded guilty to one predicate motor vehicle or 4995
traffic offense, whoever violates this section is guilty of a 4996
misdemeanor of the fourth degree. If, within one year of the 4997
offense, the offender previously has been convicted of two or 4998
more predicate motor vehicle or traffic offenses, whoever 4999
violates this section is guilty of a misdemeanor of the third 5000
degree. 5001

If the offender commits the offense while distracted and 5002
the distracting activity is a contributing factor to the 5003
commission of the offense, the offender is subject to the 5004
additional fine established under section 4511.991 of the 5005
Revised Code. 5006

Sec. 4511.15. Bicycle symbol signal indications have the 5007
following meanings: 5008

(A) A steady green bicycle signal indication means that 5009
bicyclists are permitted to enter the intersection only to make 5010
the movement indicated by the lane-use arrow displayed on the 5011
bicycle signal sign that is located immediately adjacent to the 5012
bicycle signal face. Bicyclists proceeding into the intersection 5013
during the display of the indication shall yield the right-of- 5014
way to both of the following: 5015

(1) Pedestrians lawfully within an associated crosswalk; 5016

(2) Other vehicles lawfully within the intersection. 5017

(B) A steady yellow bicycle signal indication means that 5018
bicyclists are warned that the related green movement is being 5019
terminated and that a steady red bicycle signal indication will 5020
be displayed immediately thereafter when bicyclists shall not 5021
enter the intersection. The provisions governing bicyclist 5022
operations under the movement being terminated continue to apply 5023
while the steady yellow bicycle signal indication is displayed. 5024

(C) (a) A steady red bicycle signal indication means that 5025
bicyclists shall not enter the intersection to make the movement 5026
indicated by the lane-use arrow displayed on the bicycle signal 5027
sign that is located immediately adjacent to the bicycle signal 5028
face. Unless the bicyclist is entering the intersection to make 5029
another movement permitted by another bicycle symbol signal 5030
indication, the bicyclist shall stop at a clearly marked stop 5031
line; but if there is no stop line, shall stop before entering 5032
the crosswalk on the near side of the intersection; or if there 5033
is no crosswalk, shall stop before entering the intersection; 5034
and shall remain stopped until a green bicycle signal indication 5035
to proceed is displayed. 5036

(b) Except when a traffic control device is in place 5037

prohibiting a turn on red, bicyclists facing a steady red 5038
bicycle signal indication are permitted to enter the 5039
intersection to turn right if there are no approach lanes for 5040
motor vehicle traffic to their right. The right to proceed with 5041
the turn is subject to the provisions that are applicable after 5042
making a stop at a stop sign. 5043

(D) A flashing green bicycle signal indication and a 5044
flashing yellow bicycle signal indication have no meaning and 5045
shall not be used. 5046

(E) A flashing red bicycle signal indication means that 5047
bicyclists shall stop at a clearly marked stop line; but if 5048
there is no stop line, shall stop before entering the crosswalk 5049
on the near side of the intersection; or if there is no 5050
crosswalk, shall stop at the point nearest the intersecting 5051
roadway where the bicyclists have a view of approaching traffic 5052
on that roadway before entering the intersection. The right to 5053
make the movement indicated by the lane-use arrow displayed on 5054
the bicycle signal sign that is located immediately adjacent to 5055
the bicycle signal face is subject to the provisions that are 5056
applicable after making a stop at a stop sign. 5057

Sec. 4511.18. (A) As used in this section, "traffic 5058
control device" means any sign, highway traffic ~~control~~-signal, 5059
or other device conforming to and placed or erected in 5060
accordance with the manual adopted under section 4511.09 of the 5061
Revised Code by authority of a public body or official having 5062
jurisdiction, for the purpose of regulating, warning, or guiding 5063
traffic, including signs denoting the names of streets and 5064
highways, but does not mean any pavement marking. 5065

(B) No individual shall buy or otherwise possess, or sell, 5066
a traffic control device, except when one of the following 5067

applies: 5068

(1) In the course of the individual's employment by the 5069
state or a local authority for the express or implied purpose of 5070
manufacturing, providing, erecting, moving, or removing such a 5071
traffic control device; 5072

(2) In the course of the individual's employment by any 5073
manufacturer of traffic control devices other than a state or 5074
local authority; 5075

(3) For the purpose of demonstrating the design and 5076
function of a traffic control device to state or local 5077
officials; 5078

(4) When the traffic control device has been purchased 5079
from the state or a local authority at a sale of property that 5080
is no longer needed or is unfit for use; 5081

(5) The traffic control device has been properly purchased 5082
from a manufacturer for use on private property and the person 5083
possessing the device has a sales receipt for the device or 5084
other acknowledgment of sale issued by the manufacturer. 5085

(C) This section does not preclude, and shall not be 5086
construed as precluding, prosecution for theft in violation of 5087
section 2913.02 of the Revised Code or a municipal ordinance 5088
relating to theft, or for receiving stolen property in violation 5089
of section 2913.51 of the Revised Code or a municipal ordinance 5090
relating to receiving stolen property. 5091

(D) Whoever violates this section is guilty of a 5092
misdemeanor of the third degree. 5093

Sec. 4511.204. (A) No person shall operate a motor 5094
vehicle, trackless trolley, or streetcar on any street, highway, 5095

or property open to the public for vehicular traffic while 5096
using, holding, or physically supporting with any part of the 5097
person's body an electronic wireless communications device. 5098

(B) Division (A) of this section does not apply to any of 5099
the following: 5100

(1) A person using an electronic wireless communications 5101
device to make contact, for emergency purposes, with a law 5102
enforcement agency, hospital or health care provider, fire 5103
department, or other similar emergency agency or entity; 5104

(2) A person driving a public safety vehicle while using 5105
an electronic wireless communications device in the course of 5106
the person's duties; 5107

(3) A person using an electronic wireless communications 5108
device when the person's motor vehicle is in a stationary 5109
position and is outside a lane of travel, at a highway traffic 5110
~~control~~ signal that is currently directing traffic to stop, or 5111
parked on a road or highway due to an emergency or road closure; 5112

(4) A person using and holding an electronic wireless 5113
communications device directly near the person's ear for the 5114
purpose of making, receiving, or conducting a telephone call, 5115
provided that the person does not manually enter letters, 5116
numbers, or symbols into the device; 5117

(5) A person receiving wireless messages on an electronic 5118
wireless communications device regarding the operation or 5119
navigation of a motor vehicle; safety-related information, 5120
including emergency, traffic, or weather alerts; or data used 5121
primarily by the motor vehicle, provided that the person does 5122
not hold or support the device with any part of the person's 5123
body; 5124

(6) A person using the speaker phone function of the 5125
electronic wireless communications device, provided that the 5126
person does not hold or support the device with any part of the 5127
person's body; 5128

(7) A person using an electronic wireless communications 5129
device for navigation purposes, provided that the person does 5130
not do either of the following during the use: 5131

(a) Manually enter letters, numbers, or symbols into the 5132
device; 5133

(b) Hold or support the device with any part of the 5134
person's body. 5135

(8) A person using a feature or function of the electronic 5136
wireless communications device with a single touch or single 5137
swipe, provided that the person does not do either of the 5138
following during the use: 5139

(a) Manually enter letters, numbers, or symbols into the 5140
device; 5141

(b) Hold or support the device with any part of the 5142
person's body. 5143

(9) A person operating a commercial truck while using a 5144
mobile data terminal that transmits and receives data; 5145

(10) A person operating a utility service vehicle or a 5146
vehicle for or on behalf of a utility, if the person is acting 5147
in response to an emergency, power outage, or circumstance that 5148
affects the health or safety of individuals; 5149

(11) A person using an electronic wireless communications 5150
device in conjunction with a voice-operated or hands-free 5151
feature or function of the vehicle or of the device without the 5152

use of either hand except to activate, deactivate, or initiate 5153
the feature or function with a single touch or swipe, provided 5154
the person does not hold or support the device with any part of 5155
the person's body; 5156

(12) A person using technology that physically or 5157
electronically integrates the device into the motor vehicle, 5158
provided that the person does not do either of the following 5159
during the use: 5160

(a) Manually enter letters, numbers, or symbols into the 5161
device; 5162

(b) Hold or support the device with any part of the 5163
person's body. 5164

(13) A person storing an electronic wireless 5165
communications device in a holster, harness, or article of 5166
clothing on the person's body. 5167

(C) (1) On January 31 of each year, the department of 5168
public safety shall issue a report to the general assembly that 5169
specifies the number of citations issued for violations of this 5170
section during the previous calendar year. 5171

(2) If a law enforcement officer issues an offender a 5172
ticket, citation, or summons for a violation of division (A) of 5173
this section, the officer shall do both of the following: 5174

(a) Report the issuance of the ticket, citation, or 5175
summons to the officer's law enforcement agency; 5176

(b) Ensure that such report indicates the offender's race. 5177

(D) Whoever violates division (A) of this section is 5178
guilty of operating a motor vehicle while using an electronic 5179
wireless communication device, an unclassified misdemeanor, and 5180

shall be punished as provided in divisions (D) (1) to (5) of this 5181
section. 5182

(1) The offender shall be fined, and is subject to a 5183
suspension of the offender's driver's license, commercial 5184
driver's license, temporary instruction permit, probationary 5185
license, or nonresident operating privilege, as follows: 5186

(a) Except as provided in divisions (D) (1) (b), (c), (d), 5187
and (2) of this section, the court shall impose upon the 5188
offender a fine of not more than one hundred fifty dollars. 5189

(b) If, within two years of the violation, the offender 5190
has been convicted of or pleaded guilty to one prior violation 5191
of this section or a substantially equivalent municipal 5192
ordinance, the court shall impose upon the offender a fine of 5193
not more than two hundred fifty dollars. 5194

(c) If, within two years of the violation, the offender 5195
has been convicted of or pleaded guilty to two or more prior 5196
violations of this section or a substantially equivalent 5197
municipal ordinance, the court shall impose upon the offender a 5198
fine of not more than five hundred dollars. The court also may 5199
impose a suspension of the offender's driver's license, 5200
commercial driver's license, temporary instruction permit, 5201
probationary license, or nonresident operating privilege for 5202
ninety days. 5203

(d) Notwithstanding divisions (D) (1) (a) to (c) of this 5204
section, if the offender was operating the motor vehicle at the 5205
time of the violation in a construction zone where a sign was 5206
posted in accordance with section 4511.98 of the Revised Code, 5207
the court, in addition to all other penalties provided by law, 5208
shall impose upon the offender a fine of two times the amount 5209

imposed for the violation under division (D) (1) (a), (b), or (c) 5210
of this section, as applicable. 5211

(2) If the offender is in the category of offenders to 5212
whom division (D) (1) (a) of this section applies, in lieu of 5213
payment of the fine of one hundred fifty dollars under division 5214
(D) (1) (a) of this section and the assessment of points under 5215
division (D) (4) of this section, the offender instead may elect 5216
to attend the distracted driving safety course, as described in 5217
section 4511.991 of the Revised Code. If the offender attends 5218
and successfully completes the course, the offender shall be 5219
issued written evidence that the offender successfully completed 5220
the course. The offender shall not be required to pay the fine 5221
and shall not have the points assessed against that offender's 5222
driver's license if the offender submits the written evidence to 5223
the court within 90 days of the violation of division (A) of 5224
this section. However, successful completion of the course does 5225
not result in a dismissal of the charges for the violation, and 5226
the violation is a prior offense under divisions (D) (1) (b) and 5227
(c) of this section if the offender commits a subsequent 5228
violation or violations of division (A) of this section within 5229
two years of the offense for which the course was completed. 5230
This division does not apply with respect to any offender in the 5231
category of offenders to whom division (D) (1) (b), (c), or (d) of 5232
this section applies. 5233

(3) The court may impose any other penalty authorized 5234
under sections 2929.21 to 2929.28 of the Revised Code. However, 5235
the court shall not impose a fine or a suspension not otherwise 5236
specified in division (D) (1) of this section. The court also 5237
shall not impose a jail term or community residential sanction. 5238

(4) Except as provided in division (D) (2) of this section, 5239

points shall be assessed for a violation of division (A) of this 5240
section in accordance with section 4510.036 of the Revised Code. 5241

(5) The offense established under this section is a strict 5242
liability offense and section 2901.20 of the Revised Code does 5243
not apply. The designation of this offense as a strict liability 5244
offense shall not be construed to imply that any other offense, 5245
for which there is no specified degree of culpability, is not a 5246
strict liability offense. 5247

(E) This section shall not be construed as invalidating, 5248
preempting, or superseding a substantially equivalent municipal 5249
ordinance that prescribes penalties for violations of that 5250
ordinance that are greater than the penalties prescribed in this 5251
section for violations of this section. 5252

(F) A prosecution for an offense in violation of this 5253
section does not preclude a prosecution for an offense in 5254
violation of a substantially equivalent municipal ordinance 5255
based on the same conduct. However, the two offenses are allied 5256
offenses of similar import under section 2941.25 of the Revised 5257
Code. 5258

(G) (1) A law enforcement officer does not have probable 5259
cause and shall not stop the operator of a motor vehicle for 5260
purposes of enforcing this section unless the officer visually 5261
observes the operator using, holding, or physically supporting 5262
with any part of the person's body the electronic wireless 5263
communications device. 5264

(2) A law enforcement officer who stops the operator of a 5265
motor vehicle, trackless trolley, or streetcar for a violation 5266
of division (A) of this section shall inform the operator that 5267
the operator may decline a search of the operator's electronic 5268

wireless communications device. The officer shall not do any of 5269
the following: 5270

(a) Access the device without a warrant, unless the 5271
operator voluntarily and unequivocally gives consent for the 5272
officer to access the device; 5273

(b) Confiscate the device while awaiting the issuance of a 5274
warrant to access the device; 5275

(c) Obtain consent from the operator to access the device 5276
through coercion or any other improper means. Any consent by the 5277
operator to access the device shall be voluntary and unequivocal 5278
before the officer may access the device without a warrant. 5279

(H) As used in this section: 5280

(1) "Electronic wireless communications device" includes 5281
any of the following: 5282

(a) A wireless telephone; 5283

(b) A text-messaging device; 5284

(c) A personal digital assistant; 5285

(d) A computer, including a laptop computer and a computer 5286
tablet; 5287

(e) Any device capable of displaying a video, movie, 5288
broadcast television image, or visual image; 5289

(f) Any other substantially similar wireless device that 5290
is designed or used to communicate text, initiate or receive 5291
communication, or exchange information or data. 5292

An "electronic wireless communications device" does not 5293
include a two-way radio transmitter or receiver used by a person 5294
who is licensed by the federal communications commission to 5295

participate in the amateur radio service. 5296

(2) "Voice-operated or hands-free feature or function" 5297
means a feature or function that allows a person to use an 5298
electronic wireless communications device without the use of 5299
either hand, except to activate, deactivate, or initiate the 5300
feature or function with a single touch or single swipe. 5301

(3) "Utility" means an entity specified in division (A), 5302
(C), (D), (E), or (G) of section 4905.03 of the Revised Code. 5303

(4) "Utility service vehicle" means a vehicle owned or 5304
operated by a utility. 5305

Sec. 4511.211. (A) The owner of a private road ~~or driveway~~ 5306
located in a private residential area containing twenty or more 5307
dwelling units may establish a speed limit on the road ~~or~~ 5308
~~driveway~~ by complying with all of the following requirements: 5309

(1) The speed limit is not less than twenty-five miles per 5310
hour and is indicated by a sign that is in a proper position, is 5311
sufficiently legible to be seen by an ordinarily observant 5312
person, and meets the specifications for the basic speed limit 5313
sign included in the manual adopted by the department of 5314
transportation pursuant to section 4511.09 of the Revised Code; 5315

(2) The owner has posted a sign at the entrance of the 5316
private road ~~or driveway~~ that is in plain view and clearly 5317
informs persons entering the road ~~or driveway~~ that they are 5318
entering private property, a speed limit has been established 5319
for the road ~~or driveway~~, and the speed limit is enforceable by 5320
law enforcement officers under state law. 5321

(B) No person shall operate a vehicle upon a private road 5322
~~or driveway~~ as provided in division (A) of this section at a 5323
speed exceeding any speed limit established and posted pursuant 5324

to that division. 5325

(C) When a speed limit is established and posted in 5326
accordance with division (A) of this section, any law 5327
enforcement officer may apprehend a person violating the speed 5328
limit of the residential area by utilizing any of the means 5329
described in section 4511.091 of the Revised Code or by any 5330
other accepted method of determining the speed of a motor 5331
vehicle and may stop and charge the person with exceeding the 5332
speed limit. 5333

(D) Points shall be assessed for violation of a speed 5334
limit established and posted in accordance with division (A) of 5335
this section in accordance with section 4510.036 of the Revised 5336
Code. 5337

(E) As used in this section: 5338

(1) "Owner" includes but is not limited to a person who 5339
holds title to the real property in fee simple, a condominium 5340
owners' association, a property owner's association, the board 5341
of directors or trustees of a private community, and a nonprofit 5342
corporation governing a private community. 5343

(2) "Private residential area containing twenty or more 5344
dwelling units" does not include a Chautauqua assembly as 5345
defined in section 4511.90 of the Revised Code. 5346

(F) (1) A violation of division (B) of this section is one 5347
of the following: 5348

(a) Except as otherwise provided in divisions (F) (1) (b) 5349
and (c) of this section, a minor misdemeanor; 5350

(b) If, within one year of the offense, the offender 5351
previously has been convicted of or pleaded guilty to two 5352

violations of division (B) of this section or of any municipal 5353
ordinance that is substantially similar to division (B) of this 5354
section, a misdemeanor of the fourth degree; 5355

(c) If, within one year of the offense, the offender 5356
previously has been convicted of or pleaded guilty to three or 5357
more violations of division (B) of this section or of any 5358
municipal ordinance that is substantially similar to division 5359
(B) of this section, a misdemeanor of the third degree. 5360

(2) If the offender commits the offense while distracted 5361
and the distracting activity is a contributing factor to the 5362
commission of the offense, the offender is subject to the 5363
additional fine established under section 4511.991 of the 5364
Revised Code. 5365

Sec. 4511.214. ~~(A)-(1)~~(A) As used in this section and 5366
sections 4511.215 and 4511.216 of the Revised Code, "low-speed 5367
vehicle," "mini-truck," "under-speed vehicle," and "utility 5368
vehicle" have the same meanings as in section 4501.01 of the 5369
Revised Code. 5370

(B) (1) No person shall operate a low-speed vehicle upon 5371
any street or highway having an established speed limit greater 5372
than thirty-five miles per hour. 5373

(2) No person shall operate an under-speed or utility 5374
vehicle or a mini-truck upon any street or highway except as 5375
follows: 5376

(a) Upon a street or highway having an established speed 5377
limit not greater than thirty-five miles per hour and only upon 5378
such streets or highways where a local authority has granted 5379
permission for such operation in accordance with section 5380
4511.215 of the Revised Code; 5381

(b) A state park or political subdivision employee or 5382
volunteer operating a utility vehicle exclusively within the 5383
boundaries of state parks or political subdivision parks for the 5384
operation or maintenance of state or political subdivision park 5385
facilities. 5386

(3) No person shall operate a motor-driven cycle or motor 5387
scooter upon any street or highway having an established speed 5388
limit greater than forty-five miles per hour. 5389

~~(B)~~ (C) This section does not prohibit either of the 5390
following: 5391

(1) A person operating a low-speed vehicle, under-speed, 5392
or utility vehicle or a mini-truck from proceeding across an 5393
intersection of a street or highway having a speed limit greater 5394
than thirty-five miles per hour; 5395

(2) A person operating a motor-driven cycle or motor 5396
scooter from proceeding across an intersection of a street or 5397
highway having a speed limit greater than forty-five miles per 5398
hour. 5399

~~(C)~~ (D) Nothing in this section shall prevent a local 5400
authority from adopting more stringent local ordinances, 5401
resolutions, or regulations governing the operation of a low- 5402
speed vehicle or a mini-truck, or a motor-driven cycle or motor 5403
scooter. 5404

~~(D)~~ (E) Except as otherwise provided in this division, 5405
whoever violates division ~~(A)~~ (B) of this section is guilty of a 5406
minor misdemeanor. If within one year of the offense, the 5407
offender previously has been convicted of or pleaded guilty to 5408
one predicate motor vehicle or traffic offense, whoever violates 5409
this section is guilty of a misdemeanor of the fourth degree. If 5410

within one year of the offense, the offender previously has been 5411
convicted of two or more predicate motor vehicle or traffic 5412
offenses, whoever violates this section is guilty of a 5413
misdemeanor of the third degree. 5414

Sec. 4511.432. (A) The owner of a private road ~~or driveway~~ 5415
located in a private residential area containing twenty or more 5416
dwelling units may erect stop signs at places where the road ~~or~~ 5417
~~driveway~~ intersects with another private road ~~or driveway~~ in the 5418
residential area, in compliance with all of the following 5419
requirements: 5420

(1) The stop sign is sufficiently legible to be seen by an 5421
ordinarily observant person and meets the specifications of and 5422
is placed in accordance with the manual adopted by the 5423
department of transportation pursuant to section 4511.09 of the 5424
Revised Code. 5425

(2) The owner has posted a sign at the entrance of the 5426
private road ~~or driveway~~ that is in plain view and clearly 5427
informs persons entering the road ~~or driveway~~ that they are 5428
entering private property, stop signs have been posted and must 5429
be obeyed, and the signs are enforceable by law enforcement 5430
officers under state law. The sign required by division (A) (2) 5431
of this section, where appropriate, may be incorporated with the 5432
sign required by division (A) (2) of section 4511.211 of the 5433
Revised Code. 5434

(B) Division (A) of section 4511.43 and section 4511.46 of 5435
the Revised Code shall be deemed to apply to the driver of a 5436
vehicle on a private road ~~or driveway~~ where a stop sign is 5437
placed in accordance with division (A) of this section and to a 5438
pedestrian crossing such a road ~~or driveway~~ at an intersection 5439
where a stop sign is in place. 5440

(C) When a stop sign is placed in accordance with division 5441
(A) of this section, any law enforcement officer may apprehend a 5442
person found violating the stop sign and may stop and charge the 5443
person with violating the stop sign. 5444

(D) Except as otherwise provided in this division, whoever 5445
violates this section is guilty of a minor misdemeanor. If, 5446
within one year of the offense, the offender previously has been 5447
convicted of or pleaded guilty to one predicate motor vehicle or 5448
traffic offense, whoever violates this section is guilty of a 5449
misdemeanor of the fourth degree. If, within one year of the 5450
offense, the offender previously has been convicted of two or 5451
more predicate motor vehicle or traffic offenses, whoever 5452
violates this section is guilty of a misdemeanor of the third 5453
degree. 5454

(E) As used in this section, and for the purpose of 5455
applying division (A) of section 4511.43 and section 4511.46 of 5456
the Revised Code to conduct under this section: 5457

(1) "Intersection" means: 5458

(a) The area embraced within the prolongation or 5459
connection of the lateral curb lines, or, if none, then the 5460
lateral boundary lines of the roadways of two private roads ~~or~~ 5461
~~driveways~~ which join one another at, or approximately at, right 5462
angles, or the area within which vehicles traveling upon 5463
different private roads ~~or driveways~~ joining at any other angle 5464
may come in conflict. 5465

(b) Where a private road ~~or driveway~~ includes two roadways 5466
thirty feet or more apart, then every crossing of two roadways 5467
of such private roads ~~or driveways~~ shall be regarded as a 5468
separate intersection. 5469

(2) "Roadway" means that portion of a private road ~~or~~ 5470
~~driveway~~ improved, designed, or ordinarily used for vehicular 5471
travel and parking lanes, except not including the berm, 5472
sidewalk, or shoulder, even if the berm, sidewalk, or shoulder 5473
is used by a person operating a bicycle or other human-powered 5474
vehicle. If a private road ~~or driveway~~ includes two or more 5475
separate roadways, the term "roadway" means any such roadway 5476
separately but not all such roadways collectively. 5477

(3) "Owner" and "private residential area containing 5478
twenty or more dwelling units" have the same meanings as in 5479
section 4511.211 of the Revised Code. 5480

Sec. 4511.46. (A) When highway traffic ~~control~~ signals are 5481
not in place, not in operation, or are not clearly assigning the 5482
right-of-way, the driver of a vehicle, trackless trolley, or 5483
streetcar shall yield the right of way, slowing down or stopping 5484
if need be to so yield or if required by section 4511.132 of the 5485
Revised Code, to a pedestrian crossing the roadway within a 5486
crosswalk when the pedestrian is upon the half of the roadway 5487
upon which the vehicle is traveling, or when the pedestrian is 5488
approaching so closely from the opposite half of the roadway as 5489
to be in danger. 5490

(B) No pedestrian shall suddenly leave a curb or other 5491
place of safety and walk or run into the path of a vehicle, 5492
trackless trolley, or streetcar which is so close as to 5493
constitute an immediate hazard. 5494

(C) Division (A) of this section does not apply under the 5495
conditions stated in division (B) of section 4511.48 of the 5496
Revised Code. 5497

(D) Whenever any vehicle, trackless trolley, or streetcar 5498

is stopped at a marked crosswalk or at any unmarked crosswalk at 5499
an intersection to permit a pedestrian to cross the roadway, the 5500
driver of any other vehicle, trackless trolley, or streetcar 5501
approaching from the rear shall not overtake and pass the 5502
stopped vehicle. 5503

(E) Except as otherwise provided in this division, whoever 5504
violates this section is guilty of a minor misdemeanor. If, 5505
within one year of the offense, the offender previously has been 5506
convicted of or pleaded guilty to one predicate motor vehicle or 5507
traffic offense, whoever violates this section is guilty of a 5508
misdemeanor of the fourth degree. If, within one year of the 5509
offense, the offender previously has been convicted of two or 5510
more predicate motor vehicle or traffic offenses, whoever 5511
violates this section is guilty of a misdemeanor of the third 5512
degree. 5513

If the offender commits the offense while distracted and 5514
the distracting activity is a contributing factor to the 5515
commission of the offense, the offender is subject to the 5516
additional fine established under section 4511.991 of the 5517
Revised Code. 5518

Sec. 4511.48. (A) Every pedestrian crossing a roadway at 5519
any point other than within a marked crosswalk or within an 5520
unmarked crosswalk at an intersection shall yield the right of 5521
way to all vehicles, trackless trolleys, or streetcars upon the 5522
roadway. 5523

(B) Any pedestrian crossing a roadway at a point where a 5524
pedestrian tunnel or overhead pedestrian crossing has been 5525
provided shall yield the right of way to all traffic upon the 5526
roadway. 5527

(C) Between adjacent intersections at which highway 5528
traffic ~~control~~-signals are in operation, pedestrians shall not 5529
cross at any place except in a marked crosswalk. 5530

(D) No pedestrian shall cross a roadway intersection 5531
diagonally unless authorized by official traffic control 5532
devices; and, when authorized to cross diagonally, pedestrians 5533
shall cross only in accordance with the official traffic control 5534
devices pertaining to such crossing movements. 5535

(E) This section does not relieve the operator of a 5536
vehicle, streetcar, or trackless trolley from exercising due 5537
care to avoid colliding with any pedestrian upon any roadway. 5538

(F) Except as otherwise provided in this division, whoever 5539
violates this section is guilty of a minor misdemeanor. If, 5540
within one year of the offense, the offender previously has been 5541
convicted of or pleaded guilty to one predicate motor vehicle or 5542
traffic offense, whoever violates this section is guilty of a 5543
misdemeanor of the fourth degree. If, within one year of the 5544
offense, the offender previously has been convicted of two or 5545
more predicate motor vehicle or traffic offenses, whoever 5546
violates this section is guilty of a misdemeanor of the third 5547
degree. 5548

Sec. 4511.512. (A) (1) Electric personal assistive mobility 5549
devices, as defined in section 4501.01 of the Revised Code, may 5550
be operated on the public streets, highways, sidewalks, and 5551
paths and portions of roadways set aside for the exclusive use 5552
of bicycles in accordance with this section. 5553

(2) Except as otherwise provided in this section, those 5554
sections of this chapter that by their nature are applicable to 5555
an electric personal assistive mobility device apply to the 5556

device and the person operating it whenever it is operated upon 5557
any public street, highway, sidewalk, or path or upon any 5558
portion of a roadway set aside for the exclusive use of 5559
bicycles. 5560

(3) A local authority may regulate or prohibit the 5561
operation of electric personal assistive mobility devices on 5562
public streets, highways, sidewalks, and paths, and portions of 5563
roadways set aside for the exclusive use of bicycles, under its 5564
jurisdiction. 5565

(B) No operator of an electric personal assistive mobility 5566
device shall do any of the following: 5567

(1) Fail to yield the right-of-way to all pedestrians and 5568
human-powered vehicles at all times; 5569

(2) Fail to give an audible signal before overtaking and 5570
passing a pedestrian; 5571

(3) Operate the device at night unless the device or its 5572
operator is equipped with or wearing both of the following: 5573

(a) A lamp pointing to the front that emits a white light 5574
visible from a distance of not less than five hundred feet; 5575

(b) A red reflector facing the rear that is visible from 5576
all distances from one hundred feet to six hundred feet when 5577
directly in front of lawful lower beams of head lamps on a motor 5578
vehicle. 5579

(4) Operate the device on any portion of a street or 5580
highway that has an established speed limit of fifty-five miles 5581
per hour or more; 5582

(5) Operate the device upon any path set aside for the 5583
exclusive use of pedestrians or other specialized use when an 5584

appropriate sign giving notice of the specialized use is posted 5585
on the path; 5586

(6) If under eighteen years of age, operate the device 5587
unless wearing a protective helmet on the person's head with the 5588
chin strap properly fastened; 5589

(7) If under sixteen years of age, operate the device 5590
unless, during the operation, the person is under the direct 5591
visual and audible supervision of another person who is eighteen 5592
years of age or older and is responsible for the immediate care 5593
of the person under sixteen years of age. 5594

(C) No person who is under fourteen years of age shall 5595
operate an electric personal assistive mobility device. 5596

(D) No person shall distribute or sell an electric 5597
personal assistive mobility device unless the device is 5598
accompanied by a written statement that is substantially 5599
equivalent to the following: "WARNING: TO REDUCE THE RISK OF 5600
SERIOUS INJURY, USE ONLY WHILE WEARING FULL PROTECTIVE EQUIPMENT 5601
- HELMET, WRIST GUARDS, ELBOW PADS, AND KNEE PADS." 5602

(E) Nothing in this section affects or shall be construed 5603
to affect any rule of the director of natural resources or a 5604
board of park district commissioners governing the operation of 5605
vehicles on lands under the control of the director or board, as 5606
applicable. 5607

(F) (1) Whoever violates division (B) or (C) of this 5608
section is guilty of a minor misdemeanor and shall be punished 5609
as follows: 5610

(a) The offender shall be fined ten dollars. 5611

(b) If the offender previously has been convicted of or 5612

pleaded guilty to a violation of division (B) or (C) of this 5613
section or a substantially similar municipal ordinance, the 5614
court, in addition to imposing the fine required under division 5615
(F) (1) of this section, shall do one of the following: 5616

(i) Order the impoundment for not less than one day but 5617
not more than thirty days of the electric personal assistive 5618
mobility device that was involved in the current violation of 5619
that division. The court shall order the device to be impounded 5620
at a safe indoor location designated by the court and may assess 5621
storage fees of not more than five dollars per day, provided the 5622
total storage, processing, and release fees assessed against the 5623
offender or the device in connection with the device's 5624
impoundment or subsequent release shall not exceed fifty 5625
dollars. 5626

(ii) If the court does not issue an impoundment order 5627
pursuant to division (F) (1) (b) (i) of this section, issue an 5628
order prohibiting the offender from operating any electric 5629
personal assistive mobility device on the public streets, 5630
highways, sidewalks, and paths and portions of roadways set 5631
aside for the exclusive use of bicycles for not less than one 5632
day but not more than thirty days. 5633

(2) Whoever violates division (D) of this section is 5634
guilty of a minor misdemeanor. 5635

Sec. 4511.61. (A) As used in this section, "~~active grade~~ 5636
Grade crossing warning devicesystem" means ~~signs, the flashing-~~ 5637
light signals, with or without automatic gates, or other 5638
~~protective devices erected or installed at a public highway-~~ 5639
~~railway crossing at common grade and activated by an electrical~~ 5640
circuit together with the necessary control equipment that is 5641
used to inform road users of the approach and presence of rail 5642

traffic at a grade crossing. 5643

(B) The department of transportation and local authorities 5644
in their respective jurisdictions, with the approval of the 5645
department, may designate dangerous highway crossings over 5646
railroad tracks whether on state, county, or township highways 5647
or on streets or ways within municipal corporations, and erect 5648
stop signs thereat. 5649

(C) (1) The department and local authorities shall erect 5650
stop signs at a railroad highway grade crossing in either of the 5651
following circumstances: 5652

(a) New warning devices that are not ~~active-grade crossing~~ 5653
warning ~~devices~~ systems are being installed at the grade 5654
crossing, and railroad crossbucks were the only warning devices 5655
at the grade crossing prior to the installation of the new 5656
warning devices. 5657

(b) The grade crossing is constructed after July 1, 2013, 5658
and only warning devices that are not ~~active-grade crossing~~ 5659
warning ~~devices~~ systems are installed at the grade crossing. 5660

(2) Division (C) (1) of this section does not apply to a 5661
railroad highway grade crossing that the director of 5662
transportation has exempted from that division because of 5663
traffic flow or other considerations or factors. 5664

(D) When stop signs are erected pursuant to division (B) 5665
or (C) of this section, the operator of any vehicle, streetcar, 5666
or trackless trolley shall stop within fifty, but not less than 5667
fifteen, feet from the nearest rail of the railroad tracks and 5668
shall exercise due care before proceeding across such grade 5669
crossing. 5670

(E) Except as otherwise provided in this division, whoever 5671

violates division (D) of this section is guilty of a minor 5672
misdemeanor. If, within one year of the offense, the offender 5673
previously has been convicted of or pleaded guilty to one 5674
predicate motor vehicle or traffic offense, whoever violates 5675
this section is guilty of a misdemeanor of the fourth degree. 5676
If, within one year of the offense, the offender previously has 5677
been convicted of two or more predicate motor vehicle or traffic 5678
offenses, whoever violates this section is guilty of a 5679
misdemeanor of the third degree. 5680

If the offender commits the offense while distracted and 5681
the distracting activity is a contributing factor to the 5682
commission of the offense, the offender is subject to the 5683
additional fine established under section 4511.991 of the 5684
Revised Code. 5685

Sec. 4511.62. (A) (1) Whenever any person driving a vehicle 5686
or trackless trolley approaches a railroad grade crossing, the 5687
person shall stop within fifty feet, but not less than fifteen 5688
feet from the nearest rail of the railroad if any of the 5689
following circumstances exist at the crossing: 5690

(a) A clearly visible electric or mechanical signal device 5691
gives warning of the immediate approach of a train or other on- 5692
track equipment. 5693

(b) A crossing gate is lowered. 5694

(c) A flagperson gives or continues to give a signal of 5695
the approach or passage of a train or other on-track equipment. 5696

(d) There is insufficient space on the other side of the 5697
railroad grade crossing to accommodate the vehicle or trackless 5698
trolley the person is operating without obstructing the passage 5699
of other vehicles, trackless trolleys, pedestrians, or ~~railroad~~ 5700

trains, notwithstanding any highway traffic ~~control~~-signal 5701
indication to proceed. 5702

(e) An approaching train is emitting an audible signal or 5703
is plainly visible and is in hazardous proximity to the 5704
crossing. 5705

(f) There is insufficient undercarriage clearance to 5706
safely negotiate the crossing. 5707

(g) There is insufficient space on the other side of the 5708
railroad grade crossing to accommodate the vehicle or trackless 5709
trolley the person is operating without obstructing the passage 5710
of other on-track equipment. 5711

(h) Approaching on-track equipment is emitting an audible 5712
signal or is plainly visible and is in hazardous proximity to 5713
the crossing. 5714

(2) (a) A person who is driving a vehicle or trackless 5715
trolley and who approaches a railroad grade crossing shall not 5716
proceed as long as any of the circumstances described in 5717
divisions (A) (1) (a) to (f) of this section exist at the 5718
crossing. 5719

(b) A person who is driving a vehicle or trackless trolley 5720
and who approaches a railroad grade crossing shall not 5721
recklessly proceed as long as any of the circumstances described 5722
in division (A) (1) (g) or (h) of this section exist at the 5723
crossing. 5724

(B) No person shall drive any vehicle through, around, or 5725
under any crossing gate or barrier at a railroad crossing while 5726
the gate or barrier is closed or is being opened or closed 5727
unless the person is signaled by a law enforcement officer or 5728
flagperson that it is permissible to do so. 5729

(C) (1) Whoever violates this section is guilty of a 5730
misdemeanor of the fourth degree. 5731

(2) In lieu of a fine or jail term for a violation of this 5732
section, a court may instead order the offender to attend and 5733
successfully complete a remedial safety training or presentation 5734
regarding rail safety that is offered by an authorized and 5735
qualified organization that is selected by the court. The 5736
offender shall complete the presentation within a time frame 5737
determined by the court, not to exceed one hundred eighty days 5738
after the court issues the order. The offender shall notify the 5739
court of the successful completion of the presentation. When the 5740
offender notifies the court of the successful completion of the 5741
presentation, the court shall waive any fine or jail term that 5742
it otherwise would have imposed for a violation of this section. 5743

Sec. 4511.64. (A) No person shall operate or move any 5744
crawler-type tractor, steam shovel, derrick, roller, or any 5745
equipment or structure having a normal operating speed of six or 5746
less miles per hour or a vertical body or load clearance of less 5747
than nine inches above the level surface of a roadway, upon or 5748
across any tracks at a railroad grade crossing without first 5749
complying with divisions (A) (1) and (2) of this section. 5750

(1) Before making any such crossing, the person operating 5751
or moving any such vehicle or equipment shall first stop the 5752
same, and while stopped the person shall listen and look in both 5753
directions along such track for any approaching train or other 5754
on-track equipment and for signals indicating the approach of a 5755
train or other on-track equipment, and shall proceed only upon 5756
exercising due care. 5757

(2) No such crossing shall be made when warning is given 5758
by automatic signal or crossing gates or a flagperson or 5759

otherwise of the immediate approach of a ~~railroad~~-train or car 5760
or other on-track equipment. 5761

(B) If the normal sustained speed of such vehicle, 5762
equipment, or structure is not more than three miles per hour, 5763
the person owning, operating, or moving the same shall also give 5764
notice of such intended crossing to a station agent or 5765
superintendent of the railroad, and a reasonable time shall be 5766
given to such railroad to provide proper protection for such 5767
crossing. Where such vehicles or equipment are being used in 5768
constructing or repairing a section of highway lying on both 5769
sides of a railroad grade crossing, and in such construction or 5770
repair it is necessary to repeatedly move such vehicles or 5771
equipment over such crossing, one daily notice specifying when 5772
such work will start and stating the hours during which it will 5773
be prosecuted is sufficient. 5774

(C) Except as otherwise provided in this division, whoever 5775
violates this section is guilty of a minor misdemeanor. If, 5776
within one year of the offense, the offender previously has been 5777
convicted of or pleaded guilty to one predicate motor vehicle or 5778
traffic offense, whoever violates this section is guilty of a 5779
misdemeanor of the fourth degree. If, within one year of the 5780
offense, the offender previously has been convicted of two or 5781
more predicate motor vehicle or traffic offenses, whoever 5782
violates this section is guilty of a misdemeanor of the third 5783
degree. 5784

If the offender commits the offense while distracted and 5785
the distracting activity is a contributing factor to the 5786
commission of the offense, the offender is subject to the 5787
additional fine established under section 4511.991 of the 5788
Revised Code. 5789

Sec. 4511.65. (A) All state routes are hereby designated 5790
as through highways, provided that stop signs, yield signs, or 5791
highway traffic control signals shall be erected at all 5792
intersections with such through highways by the department of 5793
transportation as to highways under its jurisdiction and by 5794
local authorities as to highways under their jurisdiction, 5795
except as otherwise provided in this section. Where two or more 5796
state routes that are through highways intersect and no highway 5797
traffic control signal is in operation, stop signs or yield 5798
signs shall be erected at one or more entrances thereto by the 5799
department, except as otherwise provided in this section. 5800

Whenever the director of transportation determines on the 5801
basis of an engineering and traffic investigation that stop 5802
signs are necessary to stop traffic on a through highway for 5803
safe and efficient operation, nothing in this section shall be 5804
construed to prevent such installations. When circumstances 5805
warrant, the director also may omit stop signs on roadways 5806
intersecting through highways under his the director's 5807
jurisdiction. Before the director either installs or removes a 5808
stop sign under this division, he the director shall give 5809
notice, in writing, of that proposed action to the affected 5810
local authority at least thirty days before installing or 5811
removing the stop sign. 5812

(B) Other streets or highways, or portions thereof, are 5813
hereby designated through highways if they are within a 5814
municipal corporation, if they have a continuous length of more 5815
than one mile between the limits of said street or highway or 5816
portion thereof, and if they have "stop" or "yield" signs or 5817
highway traffic control signals at the entrances of the majority 5818
of intersecting streets or highways. For purposes of this 5819
section, the limits of said street or highway or portion thereof 5820

shall be a municipal corporation line, the physical terminus of 5821
the street or highway, or any point on said street or highway at 5822
which vehicular traffic thereon is required by regulatory signs 5823
to stop or yield to traffic on the intersecting street, provided 5824
that in residence districts a municipal corporation may by 5825
ordinance designate said street or highway, or portion thereof, 5826
not to be a through highway and thereafter the affected 5827
residence district shall be indicated by official traffic 5828
control devices. Where two or more through highways designated 5829
under this division intersect and no highway traffic ~~control~~ 5830
signal is in operation, stop signs or yield signs shall be 5831
erected at one or more entrances thereto by the department or by 5832
local authorities having jurisdiction, except as otherwise 5833
provided in this section. 5834

(C) The department or local authorities having 5835
jurisdiction need not erect stop signs at intersections they 5836
find to be so constructed as to permit traffic to safely enter a 5837
through highway without coming to a stop. Signs shall be erected 5838
at such intersections indicating that the operator of a vehicle 5839
shall yield the right-of-way to or merge with all traffic 5840
proceeding on the through highway. 5841

(D) Local authorities with reference to highways under 5842
their jurisdiction may designate additional through highways and 5843
shall erect stop signs, yield signs, or highway traffic ~~control~~ 5844
signals at all streets and highways intersecting such through 5845
highways, or may designate any intersection as a stop or yield 5846
intersection and shall erect like signs at one or more entrances 5847
to such intersection. 5848

Sec. 4511.68. (A) No person shall stand or park a 5849
trackless trolley or vehicle, except when necessary to avoid 5850

conflict with other traffic or to comply with sections 4511.01 5851
to 4511.78, 4511.99, and 4513.01 to 4513.37 of the Revised Code, 5852
or while obeying the directions of a police officer or a traffic 5853
control device, in any of the following places: 5854

(1) On a sidewalk, except as provided in division (B) of 5855
this section; 5856

(2) In front of a public or private driveway; 5857

(3) Within an intersection; 5858

(4) Within ten feet of a fire hydrant; 5859

(5) On a crosswalk; 5860

(6) Within twenty feet of a crosswalk at an intersection; 5861

(7) Within thirty feet of, and upon the approach to, any 5862
~~flashing beacon~~yield sign, stop sign, or highway traffic control 5863
~~device~~signal; 5864

(8) Between a safety zone and the adjacent curb or within 5865
thirty feet of points on the curb immediately opposite the ends 5866
of a safety zone, unless a different length is indicated by a 5867
traffic control device; 5868

(9) Within fifty feet of the nearest rail of a railroad 5869
crossing; 5870

(10) Within twenty feet of a driveway entrance to any fire 5871
station and, on the side of the street opposite the entrance to 5872
any fire station, within seventy-five feet of the entrance when 5873
it is properly posted with signs; 5874

(11) Alongside or opposite any street excavation or 5875
obstruction when such standing or parking would obstruct 5876
traffic; 5877

(12) Alongside any vehicle stopped or parked at the edge	5878
or curb of a street;	5879
(13) Upon any bridge or elevated structure upon a highway,	5880
or within a highway tunnel;	5881
(14) At any place where signs prohibit stopping;	5882
(15) Within one foot of another parked vehicle;	5883
(16) On the roadway portion of a freeway, expressway, or	5884
thruway;	5885
<u>(17) On a bicycle lane.</u>	5886
(B) A person is permitted, without charge or restriction,	5887
to stand or park on a sidewalk a motor-driven cycle or motor	5888
scooter that has an engine not larger than one hundred fifty	5889
cubic centimeters, a low-speed micromobility device, or a	5890
bicycle or electric bicycle, provided that the motor-driven	5891
cycle, motor scooter, low-speed micromobility device, bicycle,	5892
or electric bicycle does not impede the normal flow of	5893
pedestrian traffic. This division does not authorize any person	5894
to operate a vehicle in violation of section 4511.711 of the	5895
Revised Code.	5896
(C) Except as otherwise provided in this division, whoever	5897
violates division (A) of this section is guilty of a minor	5898
misdemeanor. If, within one year of the offense, the offender	5899
previously has been convicted of or pleaded guilty to one	5900
predicate motor vehicle or traffic offense, whoever violates	5901
this section is guilty of a misdemeanor of the fourth degree.	5902
If, within one year of the offense, the offender previously has	5903
been convicted of two or more predicate motor vehicle or traffic	5904
offenses, whoever violates this section is guilty of a	5905
misdemeanor of the third degree.	5906

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

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

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

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

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

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

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

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

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

of two or more predicate motor vehicle or traffic offenses, 5935
whoever violates this section is guilty of a misdemeanor of the 5936
third degree. 5937

~~(2)~~ (E) The offense established under this section is a 5938
strict liability offense and section 2901.20 of the Revised Code 5939
does not apply. The designation of this offense as a strict 5940
liability offense shall not be construed to imply that any other 5941
offense, for which there is no specified degree of culpability, 5942
is not a strict liability offense. 5943

Sec. 4511.712. (A) No driver shall enter an intersection 5944
or marked crosswalk or drive onto any railroad grade crossing 5945
unless there is sufficient space on the other side of the 5946
intersection, crosswalk, or grade crossing to accommodate the 5947
vehicle, streetcar, or trackless trolley the driver is operating 5948
without obstructing the passage of other vehicles, streetcars, 5949
trackless trolleys, pedestrians, or ~~railroad~~ trains, 5950
notwithstanding any highway traffic ~~control~~ signal indication to 5951
proceed. 5952

(B) This section does not apply to a bicyclist using a 5953
two-stage bicycle turn box. 5954

(C) Except as otherwise provided in this division, whoever 5955
violates this section is guilty of a minor misdemeanor. If, 5956
within one year of the offense, the offender previously has been 5957
convicted of or pleaded guilty to one predicate motor vehicle or 5958
traffic offense, whoever violates this section is guilty of a 5959
misdemeanor of the fourth degree. If, within one year of the 5960
offense, the offender previously has been convicted of two or 5961
more predicate motor vehicle or traffic offenses, whoever 5962
violates this section is guilty of a misdemeanor of the third 5963
degree. 5964

If the offender commits the offense while distracted and 5965
the distracting activity is a contributing factor to the 5966
commission of the offense, the offender is subject to the 5967
additional fine established under section 4511.991 of the 5968
Revised Code. 5969

Sec. 4511.765. (A) The director of education and 5970
workforce, by and with the advice of the director of public 5971
safety, shall amend any rules adopted under section 4511.76 of 5972
the Revised Code pertaining to pre-trip inspections of a school 5973
bus. The amendment shall remove any requirement that the 5974
following equipment be included in the pre-trip inspection: 5975

- (1) The turbo charger; 5976
- (2) The alternator; 5977
- (3) The belts; 5978
- (4) The water pump; 5979
- (5) The power steering pump; 5980
- (6) The air pump; 5981
- (7) Any part of the steering system; 5982
- (8) Any part of the suspension; 5983
- (9) Any part of the air brakes; 5984
- (10) Any part of the brake equipment, including drums or 5985
rotors; 5986
- (11) The springs and spring mounts; 5987
- (12) The air bags. 5988

(B) The state highway patrol shall still examine all of 5989
the equipment listed in division (A) of this section during its 5990

school bus inspections conducted in accordance with section 5991
4511.761 of the Revised Code. 5992

Sec. 4513.071. (A) Every motor vehicle, trailer, 5993
semitrailer, and pole trailer when operated upon a highway shall 5994
be equipped with two or more stop lights, except that passenger 5995
cars manufactured or assembled prior to January 1, 1967, 5996
motorcycles, and motor-driven cycles shall be equipped with at 5997
least one stop light. Stop lights shall be mounted on the rear 5998
of the vehicle, actuated upon application of the service brake, 5999
and may be incorporated with other rear lights. Such stop lights 6000
when actuated shall emit a red light visible from a distance of 6001
five hundred feet to the rear, provided that in the case of a 6002
train of vehicles only the stop lights on the rear-most vehicle 6003
need be visible from the distance specified. 6004

Such stop lights when actuated shall give a steady warning 6005
light to the rear of a vehicle or train of vehicles to indicate 6006
the intention of the operator to diminish the speed of or stop a 6007
vehicle or train of vehicles. 6008

When stop lights are used as required by this section, 6009
they shall be constructed or installed so as to provide adequate 6010
and reliable illumination and shall conform to the appropriate 6011
rules and regulations established under section 4513.19 of the 6012
Revised Code. 6013

~~Historical~~ A historical motor vehicles as defined in 6014
~~section 4503.181 of the Revised Code, vehicle that was not~~ 6015
originally manufactured with stop lights, are or a replica motor 6016
vehicle that replicates a motor vehicle that was not originally 6017
manufactured with stop lights is not subject to this section. 6018

(B) Whoever violates this section is guilty of a minor 6019

misdemeanor.

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(C) As used in this section, "replica motor vehicle" means
a replica motor vehicle for which a certificate of title is
issued under section 4505.072 of the Revised Code.

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Sec. 4513.38. (A) No person shall be prohibited from
owning or operating a licensed collector's vehicle~~or,~~
historical motor vehicle, or replica motor vehicle that is
equipped with a feature of design, type of material, or article
of equipment that was not in violation of any motor vehicle
equipment law of this state or of its political subdivisions in
effect during the calendar year the vehicle was manufactured or
the calendar year that it replicates, and no licensed
collector's vehicle~~or,~~ historical motor vehicle, or replica
motor vehicle shall be prohibited from displaying or using any
such feature of design, type of material, or article of
equipment.

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No person shall be prohibited from owning or operating a
licensed collector's vehicle~~or,~~ historical motor vehicle, or
replica motor vehicle for failing to comply with an equipment
provision contained in Chapter 4513. of the Revised Code or in
any state rule that was enacted or adopted in a year subsequent
to that in which the vehicle was manufactured or the calendar
year that it replicates, and no licensed collector's vehicle~~or,~~
historical motor vehicle, or replica motor vehicle shall be
required to comply with an equipment provision enacted into
Chapter 4513. of the Revised Code or adopted by state rule
subsequent to the calendar year in which it was manufactured or
the calendar year that it replicates. No political subdivision
shall require an owner of a licensed collector's vehicle~~or,~~
historical motor vehicle, or replica motor vehicle to comply

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with equipment provisions contained in laws or rules that were 6050
enacted or adopted subsequent to the calendar year in which the 6051
vehicle was manufactured or the calendar year that it 6052
replicates, and no political subdivision shall prohibit the 6053
operation of a licensed collector's vehicle ~~or~~, historical motor 6054
vehicle, or replica motor vehicle for failure to comply with any 6055
such equipment laws or rules. 6056

(B) As used in this section, "replica motor vehicle" means 6057
a replica motor vehicle for which a certificate of title is 6058
issued under section 4505.072 of the Revised Code. 6059

Sec. 4513.41. (A) No owner of a licensed collector's 6060
vehicle, a historical motor vehicle, a replica motor vehicle, or 6061
a collector's vehicle that is an agricultural tractor or 6062
traction engine shall be required to comply with an emission, 6063
noise control, or fuel usage provision contained in a law or 6064
rule of this state or its political subdivisions that was 6065
enacted or adopted subsequent to the calendar year in which the 6066
vehicle was manufactured or the calendar year that it 6067
replicates. 6068

(B) No person shall be prohibited from operating a 6069
licensed collector's vehicle, a historical motor vehicle, a 6070
replica motor vehicle, or a collector's vehicle that is an 6071
agricultural tractor or traction engine for failing to comply 6072
with an emission, noise control, or fuel usage law or rule of 6073
this state or its political subdivisions that was enacted or 6074
adopted subsequent to the calendar year in which his vehicle was 6075
manufactured or the calendar year that it replicates. 6076

(C) Except as provided in section 4505.061 of the Revised 6077
Code, no person shall be required to submit ~~his~~ the person's 6078
collector's vehicle to a physical inspection prior to or in 6079

connection with an issuance of title to, or the sale or transfer 6080
of ownership of such vehicle, except that a police officer may 6081
inspect it to determine ownership. 6082

In accordance with section 1.51 of the Revised Code, this 6083
section shall, without exception, prevail over any special or 6084
local provision of the Revised Code that requires owners or 6085
operators of collector's vehicles to comply with standards of 6086
emission, noise, fuel usage, or physical condition in connection 6087
with an issuance of title to, or the sale or transfer of 6088
ownership of such vehicle or part thereof. 6089

(D) As used in this section, "replica motor vehicle" means 6090
a replica motor vehicle for which a certificate of title is 6091
issued under section 4505.072 of the Revised Code. 6092

Sec. 4517.02. (A) Except as otherwise provided in this 6093
section, no person shall do any of the following: 6094

(1) Engage in the business of displaying or selling at 6095
retail new motor vehicles or assume to engage in that business, 6096
unless the person is licensed as a new motor vehicle dealer 6097
under sections 4517.01 to 4517.45 of the Revised Code, or is a 6098
salesperson employed by a licensed new motor vehicle dealer; 6099

(2) Engage in the business of offering for sale, 6100
displaying for sale, or selling at retail or wholesale used 6101
motor vehicles or assume to engage in that business, unless the 6102
person is licensed as a new motor vehicle dealer, used motor 6103
vehicle dealer, or motor vehicle leasing dealer under sections 6104
4517.01 to 4517.45 of the Revised Code, is a salesperson 6105
employed by a licensed used motor vehicle dealer or licensed new 6106
motor vehicle dealer, or the person holds a construction 6107
equipment auction license issued under section 4517.17 of the 6108

Revised Code; 6109

(3) Engage in the business of regularly making available, 6110
offering to make available, or arranging for another person to 6111
use a motor vehicle, in the manner described in division (M) of 6112
section 4517.01 of the Revised Code, unless the person is 6113
licensed as a motor vehicle leasing dealer under sections 6114
4517.01 to 4517.45 of the Revised Code; 6115

(4) Engage in the business of motor vehicle auctioning or 6116
assume to engage in that business, unless the person is licensed 6117
as a motor vehicle auction owner under sections 4517.01 to 6118
4517.45 of the Revised Code and the person uses an auctioneer 6119
who is licensed under Chapter 4707. of the Revised Code to 6120
conduct the motor vehicle auctions or the person holds a 6121
construction equipment auction license issued under section 6122
4517.17 of the Revised Code; 6123

(5) Engage in the business of distributing motor vehicles 6124
or assume to engage in that business, unless the person is 6125
licensed as a distributor under sections 4517.01 to 4517.45 of 6126
the Revised Code; 6127

(6) Make more than five casual sales of motor vehicles in 6128
a twelve-month period, commencing with the day of the month in 6129
which the first such sale is made, nor provide a location or 6130
space for the sale of motor vehicles at a flea market, without 6131
obtaining a license as a dealer under sections 4517.01 to 6132
4517.45 of the Revised Code, provided that nothing in this 6133
section shall be construed to prohibit the disposition without a 6134
license of a motor vehicle originally acquired and held for 6135
purposes other than sale, rental, or lease to an employee, 6136
retiree, officer, or director of the person making the 6137
disposition, to a corporation affiliated with the person making 6138

the disposition, or to a person licensed under sections 4517.01 6139
to 4517.45 of the Revised Code; 6140

(7) Engage in the business of auctioning both large 6141
construction or transportation equipment and also motor vehicles 6142
incident thereto, unless the person is a construction equipment 6143
auctioneer or the person is licensed as a motor vehicle auction 6144
owner and the person uses an auctioneer who is licensed under 6145
Chapter 4707. of the Revised Code to conduct the auction; 6146

(8) Engage in the business of displaying or selling at 6147
retail adaptive mobility vehicles or assume to engage in that 6148
business, unless the person is licensed as an adaptive mobility 6149
dealer under sections 4517.01 to 4517.45 of the Revised Code, or 6150
is a salesperson employed by a licensed adaptive mobility 6151
dealer, except that ~~a~~any licensed ~~new~~ motor vehicle dealer may 6152
sell at retail a used adaptive mobility vehicle. 6153

(B) Nothing in this section shall be construed to require 6154
an auctioneer licensed under sections 4707.01 to 4707.19 of the 6155
Revised Code to obtain a motor vehicle auction owner's license 6156
under sections 4517.01 to 4517.45 of the Revised Code when 6157
engaged in auctioning for a licensed motor vehicle auction 6158
owner. 6159

The establishment of a construction equipment auction 6160
license by Am. Sub. H.B. 114 of the 129th general assembly shall 6161
not in any way modify, limit, or restrict in any manner the 6162
conduct of auctions by persons licensed under Chapter 4707. of 6163
the Revised Code who are acting in compliance with that chapter. 6164

(C) Sections 4517.01 to 4517.45 of the Revised Code do not 6165
apply to any of the following: 6166

(1) Persons engaging in the business of selling commercial 6167

tractors, trailers, or semitrailers incidentally to engaging 6168
primarily in business other than the selling or leasing of motor 6169
vehicles; 6170

(2) Mortgagees selling at retail only those motor vehicles 6171
that have come into their possession by a default in the terms 6172
of a mortgage contract; 6173

(3) The leasing, rental, and interchange of motor vehicles 6174
used directly in the rendition of a public utility service by 6175
regulated motor carriers. 6176

(D) When a partnership licensed under sections 4517.01 to 6177
4517.45 of the Revised Code is dissolved by death, the surviving 6178
partners may operate under the license for a period of sixty 6179
days, and the heirs or representatives of deceased persons and 6180
receivers or trustees in bankruptcy appointed by any competent 6181
authority may operate under the license of the person succeeded 6182
in possession by that heir, representative, receiver, or trustee 6183
in bankruptcy. 6184

(E) No remanufacturer shall engage in the business of 6185
selling at retail any new motor vehicle without having written 6186
authority from the manufacturer or distributor of the vehicle to 6187
sell new motor vehicles and to perform repairs under the terms 6188
of the manufacturer's or distributor's new motor vehicle 6189
warranty, unless, at the time of the sale of the vehicle, each 6190
customer is furnished with a binding agreement ensuring that the 6191
customer has the right to have the vehicle serviced or repaired 6192
by a new motor vehicle dealer who is franchised to sell and 6193
service vehicles of the same line-make as the chassis of the 6194
remanufactured vehicle purchased by the customer and whose 6195
service or repair facility is located within either twenty miles 6196
of the remanufacturer's location and place of business or twenty 6197

miles of the customer's residence or place of business. If there 6198
is no such new motor vehicle dealer located within twenty miles 6199
of the remanufacturer's location and place of business or the 6200
customer's residence or place of business, the binding agreement 6201
furnished to the customer may be with the new motor vehicle 6202
dealer who is franchised to sell and service vehicles of the 6203
same line-make as the chassis of the remanufactured vehicle 6204
purchased by the customer and whose service or repair facility 6205
is located nearest to the remanufacturer's location and place of 6206
business or the customer's residence or place of business. 6207
Additionally, at the time of sale of any vehicle, each customer 6208
of the remanufacturer shall be furnished with a warranty issued 6209
by the remanufacturer for a term of at least one year. 6210

(F) No adaptive mobility dealer shall do any of the 6211
following: 6212

(1) Represent that the dealer is engaged in the business 6213
of selling new motor vehicles; 6214

(2) Sell, transfer, or offer to sell or transfer a new 6215
motor vehicle unless that new motor vehicle is purchased through 6216
a licensed new motor vehicle dealer; 6217

(3) Sell or offer to sell an adaptive mobility vehicle 6218
without written documentation proving that the vehicle was 6219
adapted or modified in accordance with 49 C.F.R. part 568 or 6220
595. 6221

(G) Except as otherwise provided in this division, whoever 6222
violates this section is guilty of a minor misdemeanor and shall 6223
be subject to a mandatory fine of one hundred dollars. If the 6224
offender previously has been convicted of or pleaded guilty to a 6225
violation of this section, whoever violates this section is 6226

guilty of a misdemeanor of the first degree and shall be subject 6227
to a mandatory fine of one thousand dollars. 6228

(H) The offenses established under this section are strict 6229
liability offenses and section 2901.20 of the Revised Code does 6230
not apply. The designation of these offenses as strict liability 6231
offenses shall not be construed to imply that any other offense, 6232
for which there is no specified degree of culpability, is not a 6233
strict liability offense. 6234

Sec. 4519.401. (A) Except as provided in this section and 6235
section 4511.215 of the Revised Code, no person shall operate a 6236
mini-truck within this state. 6237

(B) A person may operate a mini-truck on a farm for 6238
agricultural purposes only when the owner of the farm qualifies 6239
for the current agricultural use valuation tax credit. A mini- 6240
truck may be operated by or on behalf of such a farm owner on 6241
public roads and rights-of-way only when traveling from one farm 6242
field to another. 6243

(C) A person may operate a mini-truck on property owned or 6244
leased by a dealer who sells mini-trucks at retail. 6245

(D) Whoever violates this section shall be penalized as 6246
provided in division ~~(D)~~ (E) of section 4511.214 of the Revised 6247
Code. 6248

Sec. 4561.03. (A) The Ohio airport improvement program 6249
fund is created in the state treasury. The fund shall consist of 6250
money appropriated to it by the general assembly and transfers 6251
from the petroleum activity tax fund in accordance with section 6252
5736.13 of the Revised Code. 6253

(B) The fund shall be used by the office of aviation to 6254
support the Ohio airport improvement program. The program 6255

provides financial support to publicly owned, public-use 6256
airports in Ohio. 6257

(C) Investment earnings of the fund shall be credited to 6258
the fund. 6259

Sec. 4955.50. (A) As used in this section and ~~section~~ 6260
sections 4955.51 to 4955.57 of the Revised Code: 6261

(1) "Wayside detector system" means an electronic device 6262
or a series of connected devices that scan passing trains, 6263
rolling stock, on-track equipment, and their component equipment 6264
and parts for defects. 6265

(2) "Defects" include hot wheel bearings, hot wheels, 6266
defective bearings that are detected through acoustics, dragging 6267
equipment, excessive height or weight, shifted loads, low hoses, 6268
rail temperature, and wheel condition. 6269

(3) "Class I carrier," "class II carrier," and "class III 6270
carrier" have the same meanings as defined in 49 C.F.R. Part 6271
1201 1-1. 6272

(B) The public utilities commission in conjunction with 6273
the department of transportation shall work with each railroad 6274
company that does business in this state to ensure that wayside 6275
detector systems are installed and are operating along railroad 6276
tracks on which the railroad operates and to ensure that such 6277
systems meet all of following standards: 6278

(1) The systems are properly installed, maintained, 6279
repaired, and operational in accordance with ~~section~~sections 6280
4955.51 to 4955.57 of the Revised Code and the latest guidelines 6281
issued by the United States department of transportation, the 6282
federal railroad administration, and the association of American 6283
railroads. 6284

(2) Any expired, nonworking, or outdated wayside detector 6285
system or component parts of a system are removed and replaced 6286
with new parts or an entirely new system that reflects the 6287
current best practices and standards of the industry. 6288

(3) The distance between wayside detector systems is 6289
appropriate when accounting for the requirements of ~~section~~ 6290
sections 4955.51 to 4955.57 of the Revised Code, the natural 6291
terrain surrounding the railroad track on which the railroad 6292
operates, and the safety of the trains, rolling stock, on-track 6293
equipment, their operators, their passengers, and the persons 6294
and property in the vicinity of such railroad track so that if 6295
defects are detected operators have sufficient time to do the 6296
following: 6297

(a) Respond to the alerts projected by the wayside 6298
detector system; 6299

(b) Stop the train, rolling stock, or on-track equipment, 6300
if necessary; 6301

(c) Make all necessary repairs or, if repair is impossible 6302
at the location, to remove the component parts or equipment that 6303
is defective. 6304

(4) The railroad company has defined, written standards 6305
and training for its employees pertaining to wayside detector 6306
system defect alerts, the course of action that employees are 6307
required to take to respond to an alert, and appropriate 6308
monitoring and responses by the company if employees fail to 6309
take the required course of action. 6310

(C) If a railroad company refuses to work or otherwise 6311
cooperate with the public utilities commission and the 6312
department of transportation in good faith in accordance with 6313

this section, the commission and department shall investigate 6314
that railroad company's safety practices and standards in 6315
accordance with 49 C.F.R. Part 212. The commission and 6316
department shall determine whether the company appears to be in 6317
compliance with federal railroad safety laws, as defined in 49 6318
C.F.R. Part 209. 6319

(D) (1) If a railroad company does not appear to be in 6320
compliance with the applicable federal standards based on an 6321
investigation conducted under division (C) of this section, not 6322
later than sixty days after the conclusion of the investigation, 6323
the commission and department shall make a report to the federal 6324
railroad administration. The report shall detail the results of 6325
the investigation and recommend that the administration take 6326
enforcement action in accordance with its authority against the 6327
railroad company for the safety violations discovered through 6328
that investigation. 6329

(2) The commission and department shall send a copy of the 6330
report to the governor, the president of the senate, the speaker 6331
of the house of representatives, and the minority leaders of 6332
both the senate and the house of representatives. 6333

Sec. 4955.51. ~~(A) (1)~~ Except as otherwise provided in 6334
~~division (A) (2) of this section~~ sections 4955.55 and 4955.57 of 6335
the Revised Code, any person responsible for the installation of 6336
wayside detector systems alongside or on a railroad shall ensure 6337
that each system location is ~~not more than ten miles~~ the 6338
following distance from the adjacent system location: 6339

(A) For a class I carrier railroad, not more than ten 6340
miles; 6341

(B) For a class II carrier railroad, not more than twenty- 6342

five miles; 6343

(C) For a class III carrier railroad, not more than 6344
thirty-five miles. 6345

~~(2) If the natural terrain does not allow for the~~ 6346
~~placement of the next adjacent system location within ten miles~~ 6347
~~from the prior system location, the next adjacent system~~ 6348
~~location shall be installed not more than fifteen miles from the~~ 6349
~~prior system location.~~ 6350

~~(B) When a wayside detector system detects a defect in a~~ 6351
~~passing train, rolling stock, on-track equipment, or its~~ 6352
~~component equipment and parts, if the message regarding the~~ 6353
~~defect is not immediately sent to the operator of that train,~~ 6354
~~rolling stock, or on-track equipment, the person that receives~~ 6355
~~the message shall immediately notify the operator of the defect.~~ 6356

~~(C) The department of transportation and the public~~ 6357
~~utilities commission, as part of their work with each railroad~~ 6358
~~company under division (B) of section 4955.50 of the Revised~~ 6359
~~Code, shall ensure both of the following:~~ 6360

~~(1) The manner in which wayside detector systems are~~ 6361
~~installed and placed complies with division (A) of this section;~~ 6362

~~(2) The manner in which wayside detector system messages~~ 6363
~~are sent and received complies with division (B) of this~~ 6364
~~section.~~ 6365

Sec. 4955.52. When a wayside detector system detects a 6366
defect in a passing train, rolling stock, on-track equipment, or 6367
its component equipment and parts, if the message regarding the 6368
defect is not immediately sent to the operator of that train, 6369
rolling stock, or on-track equipment, the person that receives 6370
the message shall immediately notify the operator of the defect. 6371

Sec. 4955.53. The department of transportation and the 6372
public utilities commission, as part of their work with each 6373
railroad company under division (B) of section 4955.50 of the 6374
Revised Code, shall ensure both of the following: 6375

(A) The manner in which wayside detector systems are 6376
installed and placed complies with section 4955.51 of the 6377
Revised Code; 6378

(B) The manner in which wayside detector system messages 6379
are sent and received complies with section 4955.52 of the 6380
Revised Code. 6381

Sec. 4955.55. (A) If the natural terrain or any other 6382
reason does not allow for the placement of the next adjacent 6383
wayside detector system location to be within the spacing 6384
requirements described in section 4955.51 of the Revised Code, 6385
the next adjacent system location shall be not more than five 6386
miles from the maximum spacing allowed in that section. 6387

(B) For class II carriers and class III carriers, prior to 6388
the installation of a wayside detector system outside the 6389
applicable spacing requirements in divisions (B) and (C) of 6390
section 4955.51 of the Revised Code, the carrier shall submit to 6391
the public utilities commission a written explanation for the 6392
deviation. 6393

Sec. 4955.57. Any railroad track owned or leased by a 6394
class II carrier or class III carrier that has a speed limit of 6395
ten miles per hour or less is exempt from the requirements 6396
stated in sections 4955.50 to 4955.52 of the Revised Code. 6397

Sec. 4981.36. The "Midwest Interstate Passenger Rail 6398
Compact" is hereby ratified, enacted into law, and entered into 6399
by the state of Ohio with all other states legally joining 6400

therein in the form substantially as follows: 6401

"MIDWEST INTERSTATE PASSENGER RAIL COMPACT 6402

The contracting states solemnly agree: 6403

Article I 6404

Statement of Purpose 6405

The purposes of this compact are, through joint or 6406
cooperative action: 6407

(A) To promote development and implementation of 6408
improvements to intercity passenger rail service in the Midwest; 6409

(B) To coordinate interaction among Midwestern state 6410
elected officials and their designees on passenger rail issues; 6411

(C) To promote development and implementation of long- 6412
range plans for high speed rail passenger service in the Midwest 6413
and among other regions of the United States; 6414

(D) To work with the public and private sectors at the 6415
federal, state, and local levels to ensure coordination among 6416
the various entities having an interest in passenger rail 6417
service and to promote Midwestern interests regarding passenger 6418
rail; and 6419

(E) To support efforts of transportation agencies involved 6420
in developing and implementing passenger rail service in the 6421
Midwest. 6422

Article II 6423

Establishment of Commission 6424

To further the purposes of the compact, a Commission is 6425
created to carry out the duties specified in this compact. 6426

Article III

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Commission Membership

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The manner of appointment of Commission members, terms of
office consistent with the terms of this compact, provisions for
removal and suspension, and manner of appointment to fill
vacancies shall be determined by each party state pursuant to
its laws, but each commissioner shall be a resident of the state
of appointment. Commission members shall serve without
compensation from the Commission.

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The Commission shall consist of four resident members of
each state as follows: The governor or the governor's designee
who shall serve during the tenure of office of the governor, or
until a successor is named; one member of the private sector who
shall be appointed by the governor and shall serve during the
tenure of office of the governor, or until a successor is named;
and two legislators, one from each legislative chamber (or two
legislators from any unicameral legislature), who shall serve
two-year terms, or until successors are appointed, and who shall
be appointed by the appropriate appointing authority in each
legislative chamber. All vacancies shall be filled in accordance
with the laws of the appointing states. Any commissioner
appointed to fill a vacancy shall serve until the end of the
incomplete term. Each member state shall have equal voting
privileges, as determined by the Commission bylaws.

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Article IV

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Powers and Duties of the Commission

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The duties of the Commission are to:

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(1) Advocate for the funding and authorization necessary
to make passenger rail improvements a reality for the region;

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(2) Identify and seek to develop ways that states can form 6456
partnerships, including with rail industry and labor, to 6457
implement improved passenger rail in the region; 6458

(3) Seek development of a long-term, interstate plan for 6459
high speed rail passenger service implementation; 6460

(4) Cooperate with other agencies, regions and entities to 6461
ensure that the Midwest is adequately represented and integrated 6462
into national plans for passenger rail development; 6463

(5) Adopt bylaws governing the activities and procedures 6464
of the Commission and addressing, among other subjects: the 6465
powers and duties of officers; the voting rights of Commission 6466
members, voting procedures, Commission business, and any other 6467
purposes necessary to fulfill the duties of the Commission; 6468

(6) Expend such funds as required to carry out the powers 6469
and duties of the Commission; and 6470

(7) Report on the activities of the Commission to the 6471
legislatures and governor of the member states on an annual 6472
basis. 6473

In addition to its exercise of these duties, the 6474
Commission is empowered to: 6475

(1) Provide multistate advocacy necessary to implement 6476
passenger rail systems or plans, as approved by the Commission; 6477

(2) Work with local elected officials, economic 6478
development planning organizations, and similar entities to 6479
raise the visibility of passenger rail service benefits and 6480
needs; 6481

(3) Educate other state officials, federal agencies, other 6482
elected officials and the public on the advantages of passenger 6483

rail as an integral part of an intermodal transportation system 6484
in the region; 6485

(4) Work with federal agency officials and Members of 6486
Congress to ensure the funding and authorization necessary to 6487
develop a long-term, interstate plan for high speed rail 6488
passenger service implementation. 6489

(5) Make recommendations to members states; 6490

(6) If requested by each state participating in a 6491
particular project and under the terms of a formal agreement 6492
approved by the participating states and the Commission, 6493
implement or provide oversight for specific rail projects; 6494

(7) Establish an office and hire staff as necessary; 6495

(8) Contract for or provide services; 6496

(9) Assess dues, in accordance with the terms of this 6497
compact; 6498

(10) Conduct research; and 6499

(11) Establish committees. 6500

Article V 6501

Officers 6502

The Commission shall annually elect from among its members 6503
a chair, a vice-chair who shall not be a resident of the state 6504
represented by the chair, and others as approved in the 6505
Commission bylaws. The officers shall perform such functions and 6506
exercise such powers as are specified in the Commission bylaws. 6507

Article VI 6508

Meetings and Commission Administration 6509

The Commission shall meet at least once in each calendar 6510
year, and at such other times as may be determined by the 6511
Commission. Commission business shall be conducted in accordance 6512
with the procedures and voting rights specified in the bylaws. 6513

Article VII 6514

Finance 6515

Except as otherwise provided for, the monies necessary to 6516
finance the general operations of the Commission in carrying 6517
forth its duties, responsibilities and powers as stated herein 6518
shall be appropriated to the Commission by the compacting 6519
states, when authorized by the respective legislatures, by equal 6520
apportionment among the compacting states. Nothing in this 6521
compact shall be construed to commit a member state to 6522
participate in financing a rail project except as provided by 6523
law of a member state. 6524

The Commission may accept, for any of its purposes and 6525
functions, donations, gifts, grants, and appropriations of 6526
money, equipment, supplies, materials and services from the 6527
federal government, from any party state or from any department, 6528
agency, or municipality thereof, or from any institution, 6529
person, firm, or corporation. All expenses incurred by the 6530
Commission in executing the duties imposed upon it by this 6531
compact shall be paid by the Commission out of the funds 6532
available to it. The Commission shall not issue any debt 6533
instrument. The Commission shall submit to the officer 6534
designated by the laws of each party state, periodically as 6535
required by the laws of each party state, a budget of its actual 6536
past and estimated future expenditures. 6537

Article VIII 6538

Enactment, Effective Date and Amendments

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The states of Illinois, Indiana, Iowa, Kansas, Michigan,
Minnesota, Missouri, Nebraska, North Dakota, Ohio, South Dakota
and Wisconsin are eligible to join this compact. Upon approval
of the Commission, according to its bylaws, other states may
also be declared eligible to join the compact. As to any
eligible party state, this compact shall become effective when
its legislature shall have enacted the same into law; provided
that it shall not become initially effective until enacted into
law by any three (3) party states incorporating the provisions
of this compact into the laws of such states. Amendments to the
compact shall become effective upon their enactment by the
legislatures of all compacting states.

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Article IX

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Withdrawal, Default and Termination

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Withdrawal from this compact shall be by enactment of a
statute repealing the same and shall take effect one year after
the effective date of such statute. A withdrawing state shall be
liable for any obligations which it may have incurred prior to
the effective date of withdrawal. If any compacting state shall
at any time default in the performance of any of its
obligations, assumed or imposed, in accordance with the
provisions of this compact, all rights, privileges and benefits
conferred by this compact or agreements hereunder shall be
suspended from the effective date of such default as fixed by
the Commission, and the Commission shall stipulate the
conditions and maximum time for compliance under which the
defaulting state may resume its regular status. Unless such
default shall be remedied under the stipulations and within the
time period set forth by the Commission, this compact may be

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terminated with respect to such defaulting state by affirmative
vote of a majority of the other Commission members. Any such
defaulting state may be reinstated, upon vote of the Commission,
by performing all acts and obligations as stipulated by the
Commission.

Article X

Construction and Severability

The provisions of this compact entered into hereunder
shall be severable and if any phrase, clause, sentence or
provision of this compact is declared to be contrary to the
constitution of any compacting state or of the United States or
the applicability thereof to any government, agency, person or
circumstance is held invalid, the validity of the remainder of
this compact and the applicability thereof to any government,
agency, person or circumstance shall not be affected hereby. If
this compact entered into hereunder shall be held contrary to
the constitution of any compacting state, the compact shall
remain in full force and effect as to the remaining states and
in full force and effect as to the state affected as to all
severable matters. The provisions of this compact entered into
pursuant hereto shall be liberally construed to effectuate the
purposes thereof."

Sec. 4981.361. In pursuance of Articles II and III of the
Midwest Interstate Passenger Rail Compact, as set forth in
section 4981.36 of the Revised Code, there shall be four members
of the commission from this state.

The governor shall appoint two members as set forth in
Article III of the compact. The terms of office for the
governor's appointments shall be in accordance with Article III

of the compact. 6598

The speaker of the house of representatives and the 6599
president of the senate each shall appoint one member from their 6600
respective houses of the general assembly to serve as a member 6601
of the commission, but the two appointees shall not be members 6602
of the same political party. Terms of office for legislative 6603
appointees shall be in accordance with Article III of the 6604
compact. 6605

Any member shall continue in office subsequent to the 6606
expiration of the member's term until a successor is appointed. 6607
Vacancies in the commission shall be filled in the same manner 6608
as original selections are made. Any member of the commission 6609
may be reappointed. 6610

Except for the purposes of Chapters 102., 2744., and 2921. 6611
of the Revised Code, serving as a member of the commission does 6612
not constitute holding a public office or position of employment 6613
under the laws of this state and does not constitute grounds for 6614
removal of public officers or employees from their offices or 6615
positions of employment. 6616

The governor may remove a member whom the governor 6617
appointed, the speaker may remove a member whom the speaker 6618
appointed, and the president may remove a member whom the 6619
president appointed. 6620

Members of the commission shall serve without 6621
compensation, but shall be reimbursed for the reasonable 6622
expenses incurred by them in the discharge of their duties as 6623
members of the commission. 6624

Sec. 5501.041. (A) The director of transportation shall 6625
create an advanced air mobility division within the department 6626

of transportation. The director shall appoint a deputy director 6627
of that division and shall assign the duties, powers, and 6628
functions of that deputy director in accordance with section 6629
5501.04 of the Revised Code. 6630

(B) The purpose of the division is to integrate advanced 6631
air mobility capabilities into existing public service networks 6632
within the state and to support advanced air mobility public 6633
safety and national security objectives. 6634

(C) The responsibilities of the division shall include: 6635

(1) Incorporating advanced air mobility into state public 6636
transportation by: 6637

(a) Establishing an operational state-based advanced air 6638
mobility air traffic management system; 6639

(b) Ensuring that the system described in division (C) (1) 6640
(a) of this section integrates with the existing federal 6641
aviation administration air traffic management system; 6642

(c) Developing advanced air mobility tracking and 6643
information support infrastructure; 6644

(d) Establishing advanced air mobility overflight and 6645
liability regulations with consideration of existing federal 6646
regulations. 6647

(2) Supporting advanced air mobility solutions for law 6648
enforcement, fire departments, and emergency medical services by 6649
establishing standard operating procedures for use of advanced 6650
air mobility by those entities; 6651

(3) Supporting public safety and national security 6652
objectives by establishing advanced air mobility critical 6653
infrastructure protection policies. 6654

(D) The division may coordinate with the office of 6655
aviation within the department of transportation and with any 6656
other federal, state, or local government agency, office, or 6657
department in advancing its purpose and fulfilling its 6658
responsibilities. 6659

Sec. 5501.20. (A) As used in this section: 6660

(1) "Career professional service" means that part of the 6661
competitive classified service that consists of employees of the 6662
department of transportation who, regardless of job 6663
classification, meet both of the following qualifications: 6664

(a) They are supervisors, professional employees who are 6665
not in a collective bargaining unit, confidential employees, or 6666
management level employees, all as defined in section 4117.01 of 6667
the Revised Code. 6668

(b) They exercise authority that is not merely routine or 6669
clerical in nature and report only to a higher level 6670
unclassified employee or employee in the career professional 6671
service. 6672

(2) "Demoted" means that an employee is placed in a 6673
position where the employee's wage rate equals, or is not more 6674
than twenty per cent less than, the employee's wage rate 6675
immediately prior to demotion or where the employee's job 6676
responsibilities are reduced, or both. 6677

(3) "Employee in the career professional service with 6678
restoration rights" means an employee in the career professional 6679
service who has been in the classified civil service for at 6680
least two years and who has a cumulative total of at least ten 6681
years of continuous service with the department of 6682
transportation. 6683

(4) "Egregious" means a type of conduct or offense that is 6684
especially serious in nature, including theft in office, illegal 6685
drug use while working, discrimination or harassment, assault, 6686
or any other similar conduct or offense. 6687

(B) The director shall adopt a rule in accordance with 6688
section 111.15 of the Revised Code that identifies specific 6689
positions within the department of transportation that are 6690
included in the career professional service. The director may 6691
amend the rule that identifies the specific positions included 6692
in the career professional service whenever the director 6693
determines necessary. Any rule adopted under this division is 6694
subject to review and invalidation by the joint committee on 6695
agency rule review as provided in division (D) of section 111.15 6696
of the Revised Code. The director shall provide a copy of any 6697
rule adopted under this division to the director of budget and 6698
management. 6699

An employee in the career professional service is subject 6700
to the provisions of Chapter 124. of the Revised Code that 6701
govern employees in the classified civil service. 6702

~~(C)~~ (1) An employee in the career professional service 6703
shall receive a written performance review at least once each 6704
year or as often as the director considers necessary. ~~The~~ 6705

(2) Except as provided in division (C) (3) of this section, 6706
the department shall give an employee whose performance is 6707
unsatisfactory an opportunity to improve performance for a 6708
period of at least six months, by means of a written performance 6709
improvement plan, before the department takes any disciplinary 6710
action under this section. 6711

(3) If an employee's conduct or committed offense is 6712

egregious, the department shall take immediate disciplinary 6713
action without giving the employee an opportunity to improve 6714
performance by means of a written performance improvement plan. 6715

(D) An employee in the career professional service may be 6716
suspended, demoted, or removed pursuant to division (C) of this 6717
section or for disciplinary reasons under section 124.34 or 6718
124.57 of the Revised Code. An employee in the career 6719
professional service may appeal only the employee's removal to 6720
the state personnel board of review. An employee in the career 6721
professional service may appeal a demotion or a suspension of 6722
more than three days pursuant to rules the director adopts in 6723
accordance with section 111.15 of the Revised Code. 6724

(E) An employee in the career professional service with 6725
restoration rights has restoration rights if demoted because of 6726
performance, but not if involuntarily demoted or removed for any 6727
of the reasons described in section 124.34 or for a violation of 6728
section 124.57 of the Revised Code. The director shall demote an 6729
employee who has restoration rights of that nature to a position 6730
in the classified service that in the director's judgment is 6731
similar in nature to the position the employee held immediately 6732
prior to being appointed to the position in the career 6733
professional service. The director shall assign to an employee 6734
who is demoted to a position in the classified service as 6735
provided in this division a wage rate that equals, or that is 6736
not more than twenty per cent less than, the wage rate assigned 6737
to the employee in the career professional service immediately 6738
prior to the employee's demotion. 6739

Sec. 5501.441. (A) As used in this section, "private toll 6740
transportation facility" means any person, as defined by section 6741
1.59 of the Revised Code, or other business entity engaged in 6742

the collecting or charging of tolls on a toll bridge that was 6743
previously owned by a municipal corporation. 6744

(B) The governor, or the governor's designee, may enter 6745
into agreements with other states that govern the reciprocal 6746
enforcement of highway, bridge, and tunnel toll violations. Such 6747
agreements shall pertain to any public toll transportation 6748
facility and may include any private toll transportation 6749
facility located in those other states. The governor, or the 6750
governor's designee, shall make such agreements in consultation 6751
with the director of public safety. 6752

(C) Any agreement governing enforcement of toll violations 6753
made under the authority of division (B) of this section shall 6754
provide for all of the following: 6755

(1) That a driver of a motor vehicle that is registered in 6756
one state that is a party to the agreement and who is operating 6757
in another state that is a party to the agreement receive the 6758
same benefits, privileges, and exemptions as are accorded to a 6759
driver of a motor vehicle that is registered in that other 6760
state; 6761

(2) That refusal of an application for motor vehicle 6762
registration or transfer of motor vehicle registration, in 6763
accordance with the laws of the state in which the toll 6764
violation occurred, is one mechanism by which toll violations 6765
shall be enforced pursuant to the agreement; 6766

(3) That provision of notice between the states regarding 6767
toll violations and enforcement of those violations be made by 6768
electronic means. 6769

(D) In addition to the authority granted under division 6770
(B) of this section, the director of public safety may enter 6771

into an agreement with any private toll transportation facility 6772
located in another state that governs the collection and 6773
enforcement of tolls for a highway, bridge, or tunnel operated 6774
by the private toll transportation facility. 6775

Sec. 5502.68. (A) There is hereby created in the state 6776
treasury the drug law enforcement fund. The fund consists of the 6777
following: 6778

(1) Ninety-seven per cent of three dollars and fifty cents 6779
out of each ten-dollar court cost imposed pursuant to section 6780
2949.094 of the Revised Code ~~shall be credited to the fund.~~; 6781

(2) Contributions required to be deposited in the fund 6782
under section 4503.261 of the Revised Code. 6783

Money in the fund shall be used only in accordance with 6784
this section to award grants to counties, municipal 6785
corporations, townships, township police districts, and joint 6786
police districts to defray the expenses that a drug task force 6787
organized in the county, or in the county in which the municipal 6788
corporation, township, or district is located, incurs in 6789
performing its functions related to the enforcement of the 6790
state's drug laws and other state laws related to illegal drug 6791
activity. 6792

The division of criminal justice services shall administer 6793
all money deposited into the drug law enforcement fund and, by 6794
rule adopted under Chapter 119. of the Revised Code, shall 6795
establish procedures for a county, municipal corporation, 6796
township, township police district, or joint police district to 6797
apply for money from the fund to defray the expenses that a drug 6798
task force organized in the county, or in the county in which 6799
the municipal corporation, township, or district is located, 6800

incurs in performing its functions related to the enforcement of 6801
the state's drug laws and other state laws related to illegal 6802
drug activity, procedures and criteria for determining 6803
eligibility of applicants to be provided money from the fund, 6804
and procedures and criteria for determining the amount of money 6805
to be provided out of the fund to eligible applicants. 6806

(B) The procedures and criteria established under division 6807
(A) of this section for applying for money from the fund shall 6808
include, but shall not be limited to, a provision requiring a 6809
county, municipal corporation, township, township police 6810
district, or joint police district that applies for money from 6811
the fund to specify in its application the amount of money 6812
desired from the fund, provided that the cumulative amount 6813
requested in all applications submitted for any single drug task 6814
force may not exceed more than two hundred fifty thousand 6815
dollars in any calendar year for that task force. 6816

(C) The procedures and criteria established under division 6817
(A) of this section for determining eligibility of applicants to 6818
be provided money from the fund and for determining the amount 6819
of money to be provided out of the fund to eligible applicants 6820
shall include, but not be limited to, all of the following: 6821

(1) Provisions requiring that, in order to be eligible to 6822
be provided money from the fund, a drug task force that applies 6823
for money from the fund must provide evidence that the drug task 6824
force will receive a local funding match of at least twenty-five 6825
per cent of the task force's projected operating costs in the 6826
period of time covered by the grant; 6827

(2) Provisions requiring that money from the fund be 6828
allocated and provided to drug task forces that apply for money 6829
from the fund in accordance with the following priorities: 6830

(a) Drug task forces that apply, that are in existence on 6831
the date of the application, and that are determined to be 6832
eligible applicants, and to which either of the following 6833
applies shall be given first priority to be provided money from 6834
the fund: 6835

(i) Drug task forces that received funding through the 6836
division of criminal justice services in calendar year 2007; 6837

(ii) Drug task forces in a county that has a population 6838
that exceeds seven hundred fifty thousand. 6839

(b) If any moneys remain in the fund after all drug task 6840
forces that apply, that are in existence on the date of the 6841
application, that are determined to be eligible applicants, and 6842
that satisfy the criteria set forth in division (C) (2) (a) (i) or 6843
(ii) of this section are provided money from the fund as 6844
described in division (C) (2) (a) of this section, the following 6845
categories of drug task forces that apply and that are 6846
determined to be eligible applicants shall be given priority to 6847
be provided money from the fund in the order in which they apply 6848
for money from the fund: 6849

(i) Drug task forces that are not in existence on the date 6850
of the application; 6851

(ii) Drug task forces that are in existence on the date of 6852
the application but that do not satisfy the criteria set forth 6853
in division (C) (2) (a) (i) or (ii) of this section. 6854

(D) The procedures and criteria established under division 6855
(A) of this section for determining the amount of money to be 6856
provided out of the fund to eligible applicants shall include, 6857
but shall not be limited to, a provision specifying that the 6858
cumulative amount provided to any single drug task force may not 6859

exceed more than two hundred fifty thousand dollars in any 6860
calendar year. 6861

(E) Any drug task force for which a grant is awarded by 6862
the division of criminal justice services under this section 6863
shall comply with all grant requirements established by the 6864
division, including a requirement that the drug task force 6865
report its activities through the El Paso intelligence center 6866
information technology systems. 6867

(F) As used in this section, "drug task force" means a 6868
drug task force organized in any county by the sheriff of the 6869
county, the prosecuting attorney of the county, the chief of 6870
police of the organized police department of any municipal 6871
corporation or township in the county, and the chief of police 6872
of the police force of any township police district or joint 6873
police district in the county to perform functions related to 6874
the enforcement of state drug laws and other state laws related 6875
to illegal drug activity. 6876

Sec. 5511.11. For purposes of the federal motor carrier 6877
safety administration's national hazardous materials route 6878
registry, the director of transportation shall not designate the 6879
portion of state route number three hundred fifteen between 6880
interstate route number two hundred seventy and interstate route 6881
number seventy as a hazardous materials route, including for 6882
non-radioactive hazardous materials. The director shall notify 6883
the administration of any changes necessary for the registry and 6884
designate other routes, as applicable, for the transportation of 6885
hazardous materials to their final destination. 6886

Sec. 5513.01. (A) The director of transportation shall 6887
make all purchases of ~~machinery, materials, supplies, or other~~ 6888
~~articles~~ products, and services in the manner provided in this 6889

section. In all cases except those in which the director 6890
provides written authorization for purchases by district deputy 6891
directors of transportation, the director shall make all such 6892
purchases at the central office of the department of 6893
transportation in Columbus. ~~Before making any purchase at that~~ 6894
~~office, the director, as provided in this section, shall give~~ 6895
~~notice to bidders of the director's intention to purchase.~~ Where 6896
the expenditure does not exceed the amount applicable to the 6897
purchase of supplies, products, or services specified in 6898
division (A) of section 125.05 of the Revised Code, the director 6899
shall give such notice as the director considers proper, or the 6900
director may make the purchase without notice. Where the 6901
expenditure exceeds the amount applicable to the purchase of 6902
supplies, products, or services specified in division (A) of 6903
section 125.05 of the Revised Code, the director shall give 6904
notice by posting for not less than ten days ~~a written, typed,~~ 6905
~~or printed invitation to bidders on a bulletin board. The~~ 6906
~~director shall locate the notice in a place in the offices~~ 6907
~~assigned to the department and open to the public during~~ 6908
~~business hours~~ the intention to purchase on the electronic 6909
procurement system established by the department of 6910
administrative services under section 125.073 of the Revised 6911
Code. The director shall use a competitive selection process in 6912
the purchase of supplies, products, or services. 6913

~~Producers or distributors of any product may notify the~~ 6914
~~director, in writing, of the class of articles for the~~ 6915
~~furnishing of which they desire to bid and their post-office~~ 6916
~~addresses. In that circumstance, the director shall mail copies~~ 6917
~~of all invitations to bidders relating to the purchase of such~~ 6918
~~articles to such persons by regular first class mail at least~~ 6919
~~ten days prior to the time fixed for taking bids. The director~~ 6920

~~also may mail copies of all invitations to bidders to news- 6921~~
~~agencies or other agencies or organizations distributing 6922~~
~~information of this character. Requests for invitations are not 6923~~
~~valid and do not require action by the director unless renewed 6924~~
~~by the director, either annually or after such shorter period as 6925~~
~~the director may prescribe by a general rule. 6926~~

~~The director shall include in an invitation to bidders a 6927~~
~~brief statement of the general character of the article that it 6928~~
~~is intended to purchase, the approximate quantity desired, and a 6929~~
~~statement of the time and place where bids will be received, and 6930~~
~~may relate to and describe as many different articles as the 6931~~
~~director thinks proper may post multiple supplies, products, or 6932~~
~~services in a single listing on the electronic procurement 6933~~
~~system, it being the intent and purpose of this section to 6934~~
~~authorize the inclusion in a single invitation-solicitation of 6935~~
~~as many different articles-supplies, products, or services as 6936~~
~~the director desires to invite bids upon purchase at any given 6937~~
~~time. The director shall give invitations issued during each 6938~~
~~calendar year consecutive numbers, and ensure that the number 6939~~
~~assigned to each invitation appears on all copies thereof. In 6940~~
~~all cases where notice is required by this section, the director 6941~~
~~shall require sealed bids, on forms prescribed and furnished by 6942~~
~~the director. The director shall not permit the modification of 6943~~
~~bids after they have been opened. 6944~~

(B) The director may permit a state agency, the Ohio 6945
turnpike and infrastructure commission, any political 6946
subdivision, and any state university or college to participate 6947
in contracts into which the director has entered for the 6948
purchase of ~~machinery, materials,~~ supplies, products, or other- 6949
~~articlelesservices.~~ The turnpike and infrastructure commission and 6950
any political subdivision or state university or college 6951

desiring to participate in such purchase contracts shall file 6952
with the director a certified copy of the bylaws or rules of the 6953
turnpike and infrastructure commission or the ordinance or 6954
resolution of the legislative authority, board of trustees, or 6955
other governing board requesting authorization to participate in 6956
such contracts and agreeing to be bound by such terms and 6957
conditions as the director prescribes. Purchases made by a state 6958
agency, the turnpike and infrastructure commission, political 6959
subdivisions, or state universities or colleges under this 6960
division are exempt from any competitive bidding required by law 6961
for the purchase of ~~machinery, materials, supplies, products, or~~ 6962
~~other articles~~ services. 6963

(C) As used in this section: 6964

(1) "Competitive selection," "products," "purchase," 6965
"services," and "supplies" have the same meanings as in section 6966
125.01 of the Revised Code. 6967

(2) "Political subdivision" means any county, township, 6968
municipal corporation, conservancy district, township park 6969
district, park district created under Chapter 1545. of the 6970
Revised Code, port authority, regional transit authority, 6971
regional airport authority, regional water and sewer district, 6972
county transit board, school district as defined in section 6973
5513.04 of the Revised Code, regional planning commission formed 6974
under section 713.21 of the Revised Code, regional council of 6975
government formed under section 167.01 of the Revised Code, or 6976
other association of local governments established pursuant to 6977
an agreement under sections 307.14 to 307.19 of the Revised 6978
Code. 6979

~~(2)~~ (3) "State university or college" has the same meaning 6980
as in division (A) (1) of section 3345.32 of the Revised Code. 6981

~~(3)~~(4) "Ohio turnpike and infrastructure commission" means 6982
the commission created by section 5537.02 of the Revised Code. 6983

~~(4)~~(5) "State agency" means every organized body, office, 6984
board, authority, commission, or agency established by the laws 6985
of the state for the exercise of any governmental or quasi- 6986
governmental function of state government, regardless of the 6987
funding source for that entity, other than any state institution 6988
of higher education, the office of the governor, lieutenant 6989
governor, auditor of state, treasurer of state, secretary of 6990
state, or attorney general, the general assembly, the courts or 6991
any judicial agency, or any state retirement system or 6992
retirement program established by or referenced in the Revised 6993
Code. 6994

Sec. 5515.01. The director of transportation may upon 6995
formal application being made to the director, grant a permit to 6996
any individual, firm, or corporation to use or occupy such 6997
portion of a road or highway on the state highway system as will 6998
not incommode the traveling public. Such permits, when granted, 6999
shall be upon the following conditions: 7000

(A) The director may issue a permit to any individual, 7001
firm, or corporation for any use of a road or highway on the 7002
state highway system that is consistent with applicable federal 7003
law or federal regulations. 7004

(B) Such location shall be changed as prescribed by the 7005
director when the director deems such change necessary for the 7006
convenience of the traveling public, or in connection with or 7007
contemplation of the construction, reconstruction, improvement, 7008
relocating, maintenance, or repair of such road or highway. 7009

(C) The placing of objects or things shall be at a grade 7010

and in accordance with such plans, specifications, or both, as 7011
shall be first approved by the director. 7012

(D) The road or highway in all respects shall be fully 7013
restored to its former condition of usefulness and at the 7014
expense of such individual, firm, or corporation. 7015

(E) Such individual, firm, or corporation shall maintain 7016
all objects and things in a proper manner, promptly repair all 7017
damages resulting to such road or highway on account thereof, 7018
and in event of failure to so repair such road or highway to pay 7019
to the state all costs and expenses that may be expended by the 7020
director in repairing any damage. 7021

(F) Such other conditions as may seem reasonable to the 7022
director, but no condition shall be prescribed that imposes the 7023
payment of a money consideration for the privilege granted. 7024
Nothing in this division prohibits the director from requiring 7025
payment of money consideration for a lease, easement, license, 7026
or other interest in a transportation facility under control of 7027
the department of transportation. 7028

(G) Permits may be revoked by the director at any time for 7029
a noncompliance with the conditions imposed. 7030

(H) As a condition precedent to the issuance of any permit 7031
for telecommunications facilities or carbon capture and storage 7032
pipelines, the director shall require the applicant to provide 7033
proof it is party to a lease, easement, or license for the 7034
construction, placement, or operation of such facility or 7035
pipeline in or on a transportation facility. 7036

Except as otherwise provided in this section and section 7037
5501.311 of the Revised Code, Chapters 5501., 5503., 5511., 7038
5513., 5515., 5516., 5517., 5519., 5521., 5523., 5525., 5527., 7039

5528., 5529., 5531., 5533., and 5535. of the Revised Code do not 7040
prohibit telephone and electric light and power companies from 7041
constructing, maintaining, and using telephone or electric light 7042
and power lines along and upon such roads or highways under 7043
section 4933.14 or other sections of the Revised Code, or to 7044
affect existing rights of any such companies, or to require such 7045
companies to obtain a permit from the director, except with 7046
respect to the location of poles, wires, conduits, and other 7047
equipment comprising lines on or beneath the surface of such 7048
road or highways. 7049

This section does not prohibit steam or electric railroad 7050
companies from constructing tracks across such roads or 7051
highways, nor authorize the director to grant permission to any 7052
company owning, operating, controlling, or managing a steam 7053
railroad or interurban railway in this state to build a new line 7054
of railroad, or to change or alter the location of existing 7055
tracks across any road or highway on the state highway system at 7056
grade. No such company shall change the elevation of any of its 7057
tracks across such road or highway except in accordance with 7058
plans and specifications first approved by the director. 7059

This section does not relieve any individual, firm, or 7060
corporation from the obligation of satisfying any claim or 7061
demand of an owner of lands abutting on such road or highway on 7062
the state highway system on account of placing in such road or 7063
highway a burden in addition to public travel. 7064

(I) No person shall knowingly use or occupy a portion of a 7065
road or highway on the state highway system if the director 7066
revokes that person's permit under division (G) of this section. 7067

Sec. 5515.02. (A) As used in this section: 7068

(1) "Delay costs and expenses" has the same meaning as in 7069
section 5517.06 of the Revised Code. 7070

(2) "Road" or "highway" has the same meaning as in section 7071
5501.01 of the Revised Code and also includes any part of the 7072
right-of-way. 7073

(B) All individuals, firms, and corporations using or 7074
occupying any part of a road or highway on the state highway 7075
system with telegraph or telephone lines, steam, electrical, or 7076
industrial railways, oil, gas, water, or other pipes, mains, 7077
conduits, or any object or structure, other than by virtue of a 7078
franchise or permit granted and in force, shall remove from the 7079
bounds of the road or highway, their poles and wires connected 7080
therewith, and any tracks, switches, spurs, or oil, gas, water, 7081
or other pipes, mains, conduits, or other objects or structures, 7082
when in the opinion of the director of transportation they 7083
constitute obstructions, or they interfere or may interfere with 7084
the contemplated construction, reconstruction, improvement, 7085
maintenance, repair, or use by the traveling public of the roads 7086
or highways. 7087

(C) All individuals, firms, or corporations so occupying 7088
any road or highway on the state highway system, under and by 7089
virtue of a franchise or permit granted and in force, shall 7090
relocate their properties and all parts thereof within the 7091
bounds of the road or highway when in the opinion of the 7092
director they constitute obstructions, or they interfere with or 7093
may interfere with the contemplated construction, 7094
reconstruction, improvement, maintenance, repair, or use of the 7095
road or highway. The relocation within the bounds of the road or 7096
highway shall be in the manner and to the extent prescribed by 7097
the director. 7098

(D) If, in the opinion of the director, such individuals, 7099
firms, or corporations have obstructed any road or highway on 7100
the state highway system, or if any of their properties are so 7101
located that they do or may interfere with the contemplated 7102
construction, reconstruction, improvement, maintenance, repair, 7103
or use of the road or highway, the director shall notify such 7104
individual, firm, or corporation directing the removal of the 7105
obstruction or properties, or the relocation of the properties. 7106
If the individual, firm, or corporation does not within five 7107
days from the service of the notice proceed to remove or 7108
relocate the obstruction or properties and complete the removal 7109
or relocation within a reasonable time, the director may remove 7110
or relocate the same by employing the necessary labor, tools, 7111
and equipment. Any notice required under this section shall be 7112
made by personal service, certified mail, or express mail. 7113

(E) If, in the director's opinion, the obstruction or 7114
properties present an immediate and serious threat to the safety 7115
of the traveling public, the director may remove or relocate the 7116
obstruction or properties without prior notice. 7117

(F) When the director performs a removal or relocation 7118
under this section, the costs and expenses shall be paid by the 7119
director out of any appropriation of the department of 7120
transportation available for the establishment, construction, 7121
reconstruction, improvement, maintenance, or repair of highways, 7122
and the amount thereof shall be certified to the attorney 7123
general for collection by civil action. 7124

~~As used in this section, "road" or "highway" has the same 7125~~
~~meaning as in section 5501.01 of the Revised Code and also 7126~~
~~includes any part of the right of way. 7127~~

(G) Any project delay costs and expenses incurred by the 7128

department due to the failure of the owner to timely remove or 7129
relocate an obstruction or property when required under division 7130
(D) of this section shall be certified to the attorney general 7131
for collection by civil action. 7132

(H) If the department certifies an amount for collection 7133
to the attorney general under division (G) of this section, the 7134
attorney general shall bring a civil action to collect the 7135
amount certified. 7136

(I) No person shall knowingly fail to remove or relocate 7137
an obstruction or property when required to do so under this 7138
section. 7139

Sec. 5515.10. (A) As used in this section: 7140

(1) "Telecommunications carrier" has the same meaning as 7141
in section 4927.01 of the Revised Code. 7142

(2) "Telecommunications or utility structure" means any 7143
facility, line, pipe, cable, or other equipment used by a 7144
telecommunications carrier or utility provider to provide 7145
service. 7146

(3) "Utility provider" means any entity described in 7147
section 4905.03 of the Revised Code, regardless of whether the 7148
entity is a public utility under section 4905.02 of the Revised 7149
Code. 7150

(4) "Abandoned" does not include a change in ownership of 7151
the telecommunications or utility structure. 7152

(B) The department of transportation shall make reasonable 7153
attempts to identify the owner of an abandoned 7154
telecommunications or utility structure in, upon, under, or 7155
otherwise occupying a road or highway of the state highway 7156

system or right-of-way.

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(C) If all reasonable attempts to identify the owner under
division (A) of this section have failed, the department may
remove or cause the removal of the abandoned telecommunications
or utility structure by retaining a third party.

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

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

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

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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
work and any competitively bid component costs.

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(B) (1) After complying with division (A) of this section, 7186
the director may proceed without competitive bidding with 7187
maintenance or repair work by employing labor, purchasing 7188
materials, and furnishing equipment, if the total estimated cost 7189
of the completed operation, or series of connected operations, 7190
does not exceed the following, as adjusted under division (B) (2) 7191
of this section: 7192

(a) Thirty thousand dollars per centerline mile of 7193
highway, exclusive of structures and highway traffic ~~control~~ 7194
signals; 7195

(b) Sixty thousand dollars for any single highway traffic 7196
~~control~~ signal or any other single project. 7197

(2) On the first day of July of every odd-numbered year 7198
beginning in 2015, the director shall increase the amounts 7199
established in division (B) (1) of this section by an amount not 7200
to exceed the lesser of three per cent, or the percentage amount 7201
of any increase in the department of transportation's 7202
construction cost index as annualized and totaled for the prior 7203
two calendar years. The director shall publish the applicable 7204
amounts on the department's internet web site. 7205

(C) The director may proceed by furnishing equipment, 7206
purchasing materials, and employing labor in the erection of 7207
temporary bridges or the making of temporary repairs to a 7208
highway or bridge rendered necessary by flood, landslide, or 7209
other extraordinary emergency. If the director determines 7210
inability to complete such emergency work by force account, the 7211
director may contract for any part of the work, with or without 7212
advertising for bids, as the director considers for the best 7213
interest of the department of transportation. 7214

(D) When a project proceeds by force account under this 7215
section or section 5517.021 of the Revised Code, the department 7216
of transportation shall perform the work in compliance with any 7217
project requirements and specifications that would have applied 7218
if a contract for the work had been let by competitive bidding. 7219
The department shall retain in the project record all records 7220
documenting materials testing compliance, materials placement 7221
compliance, actual personnel and equipment hours usage, and all 7222
other documentation that would have been required if a contract 7223
for the work had been let by competitive bidding. 7224

(E) The director shall proceed by competitive bidding to 7225
let work to the lowest competent and responsible bidder after 7226
advertisement as provided in section 5525.01 of the Revised Code 7227
in both of the following situations: 7228

(1) When the scope of work exceeds the limits established 7229
in section 5517.021 of the Revised Code; 7230

(2) When the estimated cost for a project, other than work 7231
described in section 5517.021 of the Revised Code, exceeds the 7232
amounts established in division (B) of this section, as 7233
adjusted. 7234

Sec. 5517.021. (A) (1) The director of transportation may 7235
proceed without competitive bidding by employing labor, 7236
purchasing materials, and furnishing equipment to do any of the 7237
following work: 7238

(a) Replace any single span bridge in its substantial 7239
entirety or widen any single span bridge, including necessary 7240
modifications to accommodate widening the existing substructure 7241
and wing walls. The director shall proceed under division (A) (1) 7242
(a) of this section only if the deck area of the new or widened 7243

bridge does not exceed seven hundred square feet as measured 7244
around the outside perimeter of the deck. 7245

(b) Replace the bearings, beams, and deck of any bridge on 7246
that bridge's existing foundation if the deck area of the 7247
rehabilitated structure does not exceed eight hundred square 7248
feet; 7249

(c) Construct or replace any single cell or multi-cell 7250
culvert whose total waterway opening does not exceed fifty-two 7251
square feet; 7252

(d) Pave or patch an asphalt surface if the operation does 7253
not exceed one hundred twenty tons of asphalt per lane-mile of 7254
roadway length, except that the department shall not perform a 7255
continuous resurfacing operation under this section if the cost 7256
of the work exceeds the amount established in division (B) (1) (a) 7257
of section 5517.02 of the Revised Code, as adjusted; 7258

(e) Chip seal or fog seal an asphalt surface if both of 7259
the following apply: 7260

(i) The operation does not exceed twenty-eight feet in 7261
width, excluding turn lanes. 7262

(ii) Chip seal or fog seal operations statewide are not 7263
more than two hundred cumulative centerline miles of asphalt 7264
surface per year. 7265

(2) Work performed in accordance with division (A) (1) of 7266
this section may include approach roadway work, extending not 7267
more than one hundred fifty feet as measured from the back side 7268
of the bridge abutment wall or outside edge of the culvert, as 7269
applicable. The length of an approach guardrail shall be in 7270
accordance with department of transportation design requirements 7271
and shall not be included in the approach work size limitation. 7272

(B) The requirements of section 117.16 of the Revised Code 7273
shall not apply to work described in division (A) of this 7274
section and the work shall be exempt from audit for force 7275
account purposes except to determine compliance with the 7276
applicable size or tonnage restrictions. 7277

Sec. 5517.06. (A) As used in this section, "delay costs 7278
and expenses" means all actual costs, including any contract 7279
modifications, acceleration agreements, wages, labor costs other 7280
than wages, wage taxes, materials, equipment costs and rentals, 7281
storage costs of materials and equipment, insurance, and 7282
subcontracts attributable to the delay, plus a reasonable sum 7283
for overhead. 7284

(B) In conjunction with any work deemed necessary to carry 7285
out Chapters 5501., 5503., 5511., 5512., 5513., 5515., 5516., 7286
5517., 5519., 5521., 5523., 5525., 5527., 5528., 5529., 5531., 7287
5533., and 5535. of the Revised Code, the director of 7288
transportation may require commitments and deadlines from 7289
persons, firms, corporations, and political subdivisions. 7290

(C) Any delay costs and expenses incurred by the director, 7291
the department of transportation, any agent of the department, 7292
or consultant of the department as a result of the commitments 7293
and deadlines not being followed shall be borne by the persons, 7294
firms, corporations, or political subdivisions responsible for 7295
the delay and any amount thereof shall be certified to the 7296
attorney general for collection by civil action. 7297

(D) If the department certifies an amount for collection 7298
to the attorney general under this section, the attorney general 7299
shall bring a civil action to collect the amount certified. 7300

Sec. 5517.08. (A) As used in this section, "start date" 7301

means one of the following, as applicable:

(1) The date that the department of transportation will
advertise for competitive bids related to the chip sealing or
fog sealing of an asphalt surface on a state highway project;

(2) The date that the department will begin chip sealing
or fog sealing an asphalt surface on a state highway project
through force account in accordance with division (A) (1) (e) of
section 5517.021 of the Revised Code.

(B) Not less than thirty days prior to the start date of a
chip sealing or fog sealing project, the director of
transportation shall notify the appropriate board of county
commissioners or board of township trustees of the sealing
project.

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

(B) The director shall act upon an application for
qualification within thirty days after it is presented to the
director. Upon the receipt of any application for qualification,
the director shall examine the application to determine whether
the applicant is competent and responsible and possesses the
financial resources required by section 5525.04 of the Revised

Code. If the applicant is found to possess the qualifications 7331
prescribed by sections 5525.02 to 5525.09 of the Revised Code 7332
and by rules adopted by the director, including a certificate of 7333
compliance with affirmative action programs, a certificate of 7334
qualification shall be issued to the applicant, which shall be 7335
valid for the period of one year or such shorter period of time 7336
as the director prescribes, unless revoked by the director for 7337
cause as defined by rules adopted by the director under section 7338
5525.05 of the Revised Code. 7339

(C) The certificate of qualification shall contain a 7340
statement fixing the aggregate amount of work, for any or all 7341
owners, that the applicant may have under construction and 7342
uncompleted at any one time and may contain a statement limiting 7343
such bidder to the submission of bids upon a certain class of 7344
work. Subject to any restriction as to amount or class of work 7345
therein contained, the certificate of qualification shall 7346
authorize its holder to bid on all work on which bids are taken 7347
by the department of transportation during the period of time 7348
therein specified. 7349

(D) An applicant who has received a certificate of 7350
qualification and desires to amend the certificate by the dollar 7351
amount or by the classes of work may submit to the director such 7352
documentation as the director considers appropriate. The 7353
director shall review the documentation submitted by the 7354
applicant and, within fifteen days, shall either amend the 7355
certificate of qualification or deny the request. If the 7356
director denies the request to amend the certificate, the 7357
applicant may appeal that decision to the director's 7358
prequalification review board in accordance with section 5525.07 7359
of the Revised Code. Two or more persons, partnerships, or 7360
corporations may bid jointly on any one project, but only on 7361

condition that prior to the time bids are taken on the project 7362
the bidders make a joint application for qualification and 7363
obtain a joint certificate qualification. 7364

(E) The director may debar from participating in future 7365
contracts with the department any bidding company as well as any 7366
partner of a partnership, or the officers and directors of an 7367
association or corporation if the certificate of qualification 7368
of the company, partnership, association, or corporation is 7369
revoked or not renewed by the director. When the director 7370
reasonably believes that grounds for revocation and debarment 7371
exist, the director shall send the bidding company and any 7372
individual involved a notice of proposed revocation and 7373
debarment indicating the grounds for such action as established 7374
in rules adopted by the director under section 5525.05 of the 7375
Revised Code and the procedure for requesting a hearing. The 7376
notice and hearing shall be in accordance with Chapter 119. of 7377
the Revised Code. If the bidding company or individual does not 7378
respond with a request for a hearing in the manner specified in 7379
Chapter 119. of the Revised Code, the director shall revoke the 7380
certificate and issue the debarment decision without a hearing 7381
and shall notify the bidding company or individual of the 7382
decision by certified mail, return receipt requested. 7383

(F) The debarment period may be of any length determined 7384
by the director and the director may modify or rescind the 7385
debarment at any time. During the period of debarment, the 7386
director shall not issue a certificate of qualification for any 7387
company, partnership, association, or corporation affiliated 7388
with a debarred individual. After the debarment period expires, 7389
the bidding company or individual, and any partnership, 7390
association, or corporation affiliated with the individual may 7391
make an application for qualification if such entity or 7392

individual is not otherwise debarred. 7393

Sec. 5525.04. No bidder shall be given a certificate of 7394
qualification unless the bidder's financial statement and the 7395
investigation made by the director of transportation show that 7396
the bidder possesses net current assets or working capital 7397
sufficient, in the judgment of the director, to render it 7398
probable that the bidder can satisfactorily execute the bidder's 7399
contracts and meet all contractual obligations. Any applicant 7400
desiring a certificate of qualification in an amount of ~~five~~-ten 7401
million dollars or more shall submit on forms prescribed by the 7402
director a financial audit prepared and attested as correct by 7403
an independent certified public accountant. Any applicant 7404
desiring a certificate of qualification in an amount that is 7405
less than ~~five~~-ten million dollars shall submit a financial 7406
review on forms prescribed by the director. The aggregate amount 7407
of work set forth in either type of certificate of qualification 7408
shall not exceed ten times the applicant's net current assets or 7409
working capital. At the time of ~~bidding~~award of the contract, a 7410
bidder's qualification is determined by the bidder's 7411
qualification amount minus all of the bidder's pending work. 7412

Applicants for qualification shall expressly authorize the 7413
director to obtain any information that the director considers 7414
pertinent, with respect to the financial worth, assets, and 7415
liabilities of the applicant, from banks or other financial 7416
institutions, surety companies, dealers in material, equipment, 7417
or supplies, or other persons having business transactions with 7418
the applicant. Applicants shall expressly authorize all such 7419
financial institutions or other persons to furnish any such 7420
information requested from them by the director. All information 7421
filed with or furnished to the director by applicants or other 7422
persons, in connection with the administration of sections 7423

5525.02 to 5525.09 of the Revised Code, shall be kept in 7424
confidence by the director and not revealed to any person, 7425
except upon proper order of a court. Failure to submit the 7426
required information or to expressly grant the director 7427
authority to obtain the required information shall result in the 7428
denial of a certificate of qualification. The director or the 7429
director's subordinates shall have access to the books of 7430
account and financial records of all applicants, unless the 7431
financial statement furnished by any applicant is prepared and 7432
attested as correct by a certified public accountant. 7433

If an applicant for either type of certificate of 7434
qualification is or has been an employer in this state the 7435
application shall be accompanied by satisfactory evidence that 7436
the applicant has complied with Chapter 4123. of the Revised 7437
Code. 7438

The director may require all qualified bidders to file 7439
financial statements at such intervals as the director 7440
prescribes. Sections 5525.02 to 5525.09 of the Revised Code 7441
shall be administered without reference to the residence of 7442
applicants, and the rules of the director shall apply equally to 7443
residents and nonresidents of this state. Sections 5525.02 to 7444
5525.09 of the Revised Code, do not apply to the purchase of 7445
material, equipment, or supplies. 7446

Sec. 5525.08. Except as otherwise provided in this 7447
section, the director of transportation shall not consider any 7448
bid filed with the director by any person who has not been 7449
qualified to bid by the time the contract is awarded. ~~Bids from-~~ 7450
~~unqualified bidders discovered by the director prior to the~~ 7451
~~reading thereof to be from such persons shall be returned~~ 7452
~~without being read.~~ If the director finds, subsequent to the 7453

opening of bids, that facts exist that would disqualify the 7454
lowest bidder, or that such bidder either is not competent and 7455
responsible or has submitted a nonresponsive bid, the director 7456
shall reject such bid, despite ~~the fact of any~~ prior 7457
qualification of such bidder. No contract shall be awarded to 7458
any bidder not qualified to bid thereon at the time ~~fixed for~~ 7459
~~receiving bids~~ of awarding the contract, except that the director 7460
may award contracts for environmental remediation and specialty 7461
work not set out in the director's rules governing classes of 7462
work to bidders that are not qualified under sections 5525.02 to 7463
5525.09 of the Revised Code. 7464

Sec. 5525.14. (A) Notwithstanding sections 125.01 to 7465
125.11 of the Revised Code, the director of transportation, by 7466
written instruction to the contractor, may increase the 7467
quantities of any item specified or not specified in a 7468
competitively bid construction contract but, except as provided 7469
in division (B) of this section, the additional cost incurred by 7470
the increase shall not exceed the lesser of ~~one~~ two hundred 7471
thousand dollars or ~~five~~ ten per cent of the total contract 7472
price. Any such provision for increased quantities or extra work 7473
shall be made in the form of a written change to the original 7474
contract and does not require competitive bidding. 7475

(B) The ~~one hundred thousand dollar or five per cent~~ 7476
~~restriction~~ monetary threshold established in division (A) of 7477
this section does not apply to change orders or extra work 7478
contracts when the total dollar amount of the increase is— 7479
~~twenty-five~~ fifty thousand dollars or less, or to change orders 7480
or extra work contracts resulting from any of the following: 7481

(1) An increase in the plan quantity that is determined 7482
during the final measurement of an item of work. 7483

(2) Federally mandated requirements that did not exist at 7484
the time of the original contract award. 7485

(3) Circumstances that would create a life-, safety-, or 7486
health-threatening situation or would unduly delay the 7487
completion of a project and increase its costs, but only if the 7488
director makes a finding of such fact, declares an emergency, 7489
and issues the finding. Extra work that the director contracts 7490
for in these circumstances may include not only construction 7491
needed to complete a project, but also adjustments needed to 7492
meet changed conditions, alterations in original plans, 7493
unforeseen contingencies, or payments necessitated by contract 7494
terminations or suspensions. 7495

All change orders or extra work contracts set forth in 7496
division (B) of this section shall be reported to the 7497
controlling board quarterly in writing. 7498

(C) The director, by written instruction to the 7499
contractor, may decrease or cancel the quantity of any item 7500
specified in a contract or portion of a contract and authorize 7501
payment to the contractor for reasonable costs incurred to date. 7502

Sec. 5571.01. (A) A board of township trustees may 7503
construct, reconstruct, resurface, or improve any public road or 7504
part thereof under its jurisdiction, or any county road, 7505
intercounty highway, or state highway within its township. In 7506
the case of a county road, the plans and specifications for the 7507
proposed improvement first shall be submitted to the board of 7508
county commissioners of the county and receive its approval. In 7509
the case of an intercounty or state highway, the plans and 7510
specifications first shall be submitted to the director of 7511
transportation and receive the director's approval. The board of 7512
township trustees may widen, straighten, or change the direction 7513

of any part of a road in connection with the proceedings for its 7514
improvement. 7515

(B) The board of township trustees may construct, improve, 7516
maintain, or repair the berm of any road under its jurisdiction, 7517
in order to provide a hard surface or other improved approach to 7518
rural mail boxes located on public highways. 7519

(C) A board of township trustees, in conformity with the 7520
manual and uniform system of traffic control devices adopted 7521
under section 4511.09 of the Revised Code, may erect and 7522
maintain at intersecting roads, at least one of which is a 7523
township road, suitable signposts showing the names and numbers 7524
of the roads. The cost of the signs shall be paid from the 7525
township road fund. 7526

(D) Subject to division (F) of this section, a board of 7527
township trustees, in conformity with the manual and uniform 7528
system of traffic control devices adopted under section 4511.09 7529
of the Revised Code, may erect and maintain at intersecting 7530
roads, at least one of which is a township road, suitable 7531
signposts showing the direction and distance to any nearby 7532
municipal corporation. The costs of the signs shall be paid from 7533
the township road fund. 7534

(E) Subject to divisions (F) and (G) of this section, a 7535
board of township trustees may purchase or lease and erect and 7536
maintain at intersecting roads, at least one of which is a 7537
township road, suitable traffic control devices and highway 7538
traffic ~~control~~-signals. The traffic control devices and highway 7539
traffic ~~control~~-signals and their placement and maintenance 7540
shall conform with the manual and specifications adopted under 7541
section 4511.09 of the Revised Code. In purchasing or leasing 7542
and erecting and maintaining the traffic control devices and 7543

highway traffic ~~control~~-signals, the board may expend any moneys 7544
that are available to it that legally may be expended for that 7545
purpose. 7546

(F) If one of the intersecting highways as provided in 7547
divisions (D) and (E) of this section is a state highway, both 7548
of the following apply: 7549

(1) No signpost showing the direction and distance to any 7550
nearby municipal corporation shall be placed at or near the 7551
intersection, and no traffic control device or highway traffic 7552
~~control~~-signal shall be erected at the intersection, without 7553
prior permission of the director as required by section 4511.10 7554
of the Revised Code. 7555

(2) The department of transportation shall maintain any 7556
highway traffic ~~control~~-signal erected by the board of township 7557
trustees at that intersection. 7558

(G) If one of the intersecting roads as provided in 7559
division (E) of this section is a county road, a board of 7560
township trustees shall not erect a traffic control device or 7561
highway traffic ~~control~~-signal at the intersection without prior 7562
permission of the county engineer of the county in which the 7563
intersection is located. 7564

(H) No contract for the construction or repair of a 7565
bridge, the entire cost of which construction or repair exceeds 7566
fifty thousand dollars, shall be entered into by the township 7567
unless the plans are first approved by the director. 7568

Sec. 5736.02. (A) Beginning with the tax period that 7569
commences July 1, 2014, and continuing for every tax period 7570
thereafter, there is hereby levied an excise tax on each 7571
supplier measured by the supplier's calculated gross receipts 7572

derived from the first sale of motor fuel within this state. The 7573
tax due shall be computed by multiplying sixty-five one- 7574
hundredths of one per cent by the supplier's calculated gross 7575
receipts. 7576

All revenue from the tax shall be distributed as follows: 7577

(1) All revenue from the tax as measured by calculated 7578
gross receipts derived from the sale of motor fuel used for 7579
propelling vehicles on public highways and waterways shall be 7580
used for the purposes of maintaining the state highway system, 7581
funding the enforcement of traffic laws, and covering the costs 7582
of hospitalization of indigent persons injured in motor vehicle 7583
accidents on the public highways. 7584

(2) All revenue from the tax as measured by calculated 7585
gross receipts derived from the sale of motor fuel used 7586
exclusively in the operation of aircraft shall be used to fund 7587
airport improvements. 7588

(3) All revenue not distributed as required by division 7589
(A) (1) or (2) of this section shall be used for the purpose of 7590
funding the needs of this state and its local governments. 7591

(B) The tax imposed by this section is in addition to any 7592
other taxes or fees imposed under the Revised Code. 7593

(C) The tax commissioner shall determine and publish, on 7594
the web site of the department of taxation, the statewide 7595
average wholesale prices of a gallon of unleaded regular 7596
gasoline, of a gallon of propane, and of a gallon of diesel fuel 7597
for each calendar quarter. The commissioner's determination is 7598
presumed to be correct unless clearly erroneous. The figure 7599
shall be published at least fifteen days before the beginning of 7600
the calendar quarter. The commissioner shall base the average 7601

price on pricing information available from the United States 7602
energy information administration or, if such information is not 7603
available from that agency, from another publicly available 7604
source selected by the commissioner. The commissioner shall 7605
first make reasonable efforts to obtain data specific to this 7606
state before using national data to determine the average 7607
wholesale price. The price shall not include any federal or 7608
state excise taxes on the gasoline or diesel fuel, or the tax 7609
imposed by this chapter. The price shall be rounded up to the 7610
nearest one-tenth of one cent. 7611

(D) Nothing in this chapter prohibits a person from 7612
separately or proportionately billing or invoicing the tax 7613
imposed by this section to a purchaser of motor fuel. 7614

(E) The tax imposed by this section applies only to 7615
suppliers having a substantial nexus with this state, as that 7616
term is defined in section 5751.01 of the Revised Code. A 7617
supplier that does not have substantial nexus with the state may 7618
voluntarily obtain a license from the commissioner under section 7619
5736.06 of the Revised Code. A supplier that voluntarily obtains 7620
a license from the commissioner is entitled to the same benefits 7621
and is subject to the same duties and requirements as are 7622
suppliers required to be licensed with the commissioner. 7623

Sec. 5736.04. (A) Not later than the tenth day of the 7624
second month after the end of each calendar quarter, every 7625
taxpayer shall file with the tax commissioner a tax return in 7626
such form as the commissioner prescribes. The return shall 7627
include, but is not limited to, the amount of the taxpayer's 7628
calculated gross receipts for the calendar quarter and shall 7629
indicate the amount of tax due under section 5736.02 of the 7630
Revised Code for the calendar quarter. The taxpayer shall 7631

indicate on each return the portion of the taxpayer's gross 7632
receipts attributable to motor fuel used for propelling vehicles 7633
on public highways and waterways, the portion of such receipts 7634
attributable to motor fuel used exclusively in the operation of 7635
aircraft, and the portion of such receipts attributable to motor 7636
fuel used for other purposes. For this purpose, the sale of 7637
gasoline and of diesel fuel that is not dyed diesel fuel shall 7638
be rebuttably presumed to be distributed or sold for use or used 7639
to propel vehicles on public highways or waterways. All other 7640
sales of motor fuel shall be rebuttably presumed not to be 7641
distributed or sold for use or used to propel vehicles on public 7642
highways or waterways. 7643

(B) (1) The taxpayer shall remit the tax shown to be due on 7644
the return, and, if required by the tax commissioner, file the 7645
return, electronically. The commissioner may require taxpayers 7646
to use the Ohio business gateway as defined in section 718.01 of 7647
the Revised Code to file ~~return~~ returns and remit the tax, or 7648
may provide another means for taxpayers to file and remit the 7649
tax electronically. 7650

(2) A person required by this section to remit taxes or 7651
file returns electronically may apply to the commissioner, on 7652
the form prescribed by the commissioner, to be excused from that 7653
requirement. The commissioner may excuse a person from such 7654
requirement for good cause. 7655

(C) The tax rate with respect to calculated gross receipts 7656
for a calendar quarter is not fixed until the end of the 7657
measurement period for each calendar quarter. The total amount 7658
of calculated gross receipts reported for a given calendar 7659
quarter shall be subject to the tax rate in effect in that 7660
quarter. 7661

Sec. 5736.13. (A) For the purpose of receiving, accounting 7662
for, and distributing revenue received from the tax imposed by 7663
section 5736.02 of the Revised Code, the following funds are 7664
hereby created in the state treasury: 7665

(1) The petroleum activity tax fund; 7666

(2) The petroleum activity tax administration fund. All 7667
amounts credited to the petroleum activity tax administration 7668
fund shall be used solely for the purpose of paying the expenses 7669
of the department of taxation incident to the administration of 7670
the tax imposed by section 5736.02 of the Revised Code. 7671

(3) The petroleum activity tax public highways fund. 7672

(B) All money collected from the tax imposed by section 7673
5736.02 of the Revised Code shall be deposited into the 7674
petroleum activity tax fund. 7675

(C) From the petroleum activity tax fund, the director of 7676
budget and management shall place to the credit of the tax 7677
refund fund established by section 5703.052 of the Revised Code 7678
amounts equal to the refunds certified by the tax commissioner 7679
pursuant to section 5736.08 of the Revised Code. 7680

(D) Not later than the last day of March, June, September, 7681
and December of each year, the director of budget and management 7682
shall provide for the transfer of the balance of the petroleum 7683
activity tax fund as of the last day of the preceding month, 7684
excluding any amounts required to be transferred as provided in 7685
division (C) of this section, as follows: 7686

(1) To the petroleum activity tax administration fund, one 7687
per cent; 7688

(2) To the Ohio airport improvement program fund created 7689

in section 4561.03 of the Revised Code, an amount equal to the 7690
balance of the fund attributable to the tax on calculated gross 7691
receipts derived from the sale of motor fuel used exclusively in 7692
the operation of aircraft minus one per cent of that balance; 7693

(3) To the petroleum activity tax public highways fund, an 7694
amount that bears the same ratio to the balance in the petroleum 7695
activity tax fund, after subtracting the amount transferred 7696
under division (D) (1) and (2) of this section, that (a) the 7697
calculated gross receipts attributed to motor fuel used for 7698
propelling vehicles on public highways and waterways as 7699
indicated by returns filed by the last day of the preceding 7700
month, bears to (b) all calculated gross receipts as indicated 7701
by those returns; 7702

~~(3)~~ (4) To the general revenue fund, the amount remaining 7703
after the transfers required by divisions (D) (1) ~~and (2)~~ to (3) 7704
of this section. 7705

Section 101.02. That existing sections 154.01, 306.35, 7706
306.43, 717.02, 1548.061, 3503.11, 3704.14, 4501.01, 4503.038, 7707
4503.10, 4503.102, 4503.103, 4503.19, 4505.08, 4506.01, 4506.11, 7708
4507.01, 4507.061, 4507.13, 4507.21, 4507.52, 4508.02, 4511.01, 7709
4511.031, 4511.09, 4511.091, 4511.092, 4511.094, 4511.11, 7710
4511.13, 4511.131, 4511.132, 4511.18, 4511.204, 4511.211, 7711
4511.214, 4511.432, 4511.46, 4511.48, 4511.512, 4511.61, 7712
4511.62, 4511.64, 4511.65, 4511.68, 4511.701, 4511.712, 7713
4513.071, 4513.38, 4513.41, 4517.02, 4519.401, 4955.50, 4955.51, 7714
5501.20, 5501.441, 5502.68, 5513.01, 5515.01, 5515.02, 5515.99, 7715
5517.02, 5517.021, 5525.03, 5525.04, 5525.08, 5525.14, 5571.01, 7716
5736.02, 5736.04, and 5736.13 of the Revised Code are hereby 7717
repealed. 7718

Section 105.01. That sections 4506.072, 4507.021, 7719

4507.063, 4507.511, 4511.351, 4511.491, and 5501.60 of the 7720
Revised Code are hereby repealed. 7721

Section 201.10. Except as otherwise provided in this act, 7722
all appropriation items in this act are appropriated out of any 7723
moneys in the state treasury to the credit of the designated 7724
fund that are not otherwise appropriated. For all appropriations 7725
made in this act, the amounts in the first column are for fiscal 7726
year 2026 and the amounts in the second column are for fiscal 7727
year 2027. 7728

Section 203.10. 7729
7730

	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	\$23,000,000	\$23,000,000

		Lease Rental Bond		
		Payments		
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 - Other	\$3,570,000	\$3,570,000

S	7002	776462	Grade Crossings - Federal	\$14,068,961	\$14,068,961
T	7002	777472	Airport Improvements - Federal	\$405,000	\$405,000
U	7002	777475	Aviation Administration	\$6,973,124	\$7,106,246
V	7002	779491	Administration - State	\$118,136,702	\$120,735,709
W			Highway Operating Fund Group Total	\$4,414,005,267	\$4,074,342,499
X			Dedicated Purpose Fund Group		
Y	4N40	776664	Rail Transportation - Other	\$2,210,047	\$2,237,389
Z	5CN1	777628	Ohio Airport Improvement Program	\$4,650,000	\$4,650,000
AA	5W90	777615	County Airport Maintenance	\$620,000	\$620,000
AB			Dedicated Purpose Fund Group Total	\$7,480,047	\$7,507,389
AC			Capital Projects Fund Group		
AD	7042	772723	Highway Construction - Bonds	\$210,000,000	\$210,000,000
AE	7045	772428	Highway Infrastructure Bank - Bonds	\$210,000,000	\$210,000,000
AF			Capital Projects Fund Group Total	\$420,000,000	\$420,000,000
AG			TOTAL ALL BUDGET FUND GROUPS	\$4,841,485,314	\$4,501,849,888

Section 203.20. TRANSPORTATION FACILITIES LEASE RENTAL 7731
BOND PAYMENTS 7732

The foregoing appropriation item 770003, Transportation 7733
Facilities Lease Rental Bond Payments, shall be used to meet all 7734
payments during the period from July 1, 2025, through June 30, 7735
2027, pursuant to the leases and agreements for facilities made 7736
under Chapter 154. of the Revised Code. These appropriations are 7737
the source of funds pledged for bond service charges on related 7738
obligations issued under Chapter 154. of the Revised Code. 7739

Should the appropriation in appropriation item 770003, 7740
Transportation Facilities Lease Rental Bond Payments, exceed the 7741
associated debt service payments in either fiscal year of the 7742
biennium ending June 30, 2027, the balance may be transferred to 7743
appropriation item 772421, Highway Construction - State, 773431, 7744
Highway Maintenance - State, or 779491, Administration - State, 7745
upon the written request of the Director of Transportation and 7746
with the approval of the Director of Budget and Management. The 7747
transfers are hereby appropriated and shall be reported to the 7748
Controlling Board. 7749

Section 203.21. MIDWEST INTERSTATE PASSENGER RAIL COMPACT 7750

Of the foregoing appropriation item 771411, Planning and 7751
Research - State, \$25,000 in each fiscal year shall be used to 7752
pay the costs associated with Ohio joining the Midwest 7753
Interstate Passenger Rail Compact. 7754

Section 203.25. PLANNING AND RESEARCH - STATE 7755

Of the foregoing appropriation item 771411, Planning and 7756
Research - State, up to \$2,000,000 in FY 2026 shall be used to 7757
conduct a feasibility study for the creation of an Interstate 7758
Route 73 corridor connecting the municipal corporation of Toledo 7759

to the municipal corporation of Chesapeake in accordance with 7760
Section 755.50 of this act. 7761

Section 203.30. ROADS FOR DNR, METROPOLITAN PARKS, 7762
EXPOSITIONS COMMISSION, AND HISTORY CONNECTION 7763

(A) Notwithstanding section 5511.06 of the Revised Code, 7764
in each fiscal year of the biennium ending June 30, 2027, the 7765
Director of Transportation shall determine portions of the 7766
foregoing appropriation item 772421, Highway Construction - 7767
State, which shall be used for the construction, reconstruction, 7768
or maintenance of public access roads, including support 7769
features, to and within state facilities owned or operated by 7770
the Department of Natural Resources. 7771

(B) Notwithstanding section 5511.06 of the Revised Code, 7772
of the foregoing appropriation item 772421, Highway Construction 7773
- State, \$2,562,000 in each fiscal year shall be used for the 7774
construction, reconstruction, or maintenance of park drives or 7775
park roads within the boundaries of metropolitan parks. 7776

(C) Notwithstanding section 5511.06 of the Revised Code, 7777
of the foregoing appropriation item 772421, Highway Construction 7778
- State, \$500,000 in each fiscal year shall be used for the 7779
construction, reconstruction, or maintenance of park drives or 7780
park roads within the boundaries of state parks and wildlife 7781
areas greater than 10,000 contiguous acres that were purchased 7782
in a single, or series, of transactions, and \$500,000 in each 7783
fiscal year shall be used for construction, reconstruction, or 7784
maintenance of drives and roads leading to such state parks and 7785
wildlife areas. 7786

(D) The Department of Transportation may use the foregoing 7787
appropriation item 772421, Highway Construction - State, to 7788

perform: 7789

(1) Related road work on behalf of the Ohio Expositions 7790
Commission at the state fairgrounds, including reconstruction or 7791
maintenance of public access roads and support features to and 7792
within fairgrounds facilities, as requested by the Commission 7793
and approved by the Director of Transportation; and 7794

(2) Related road work on behalf of the Ohio History 7795
Connection, including reconstruction or maintenance of public 7796
access roads and support features to and within Ohio History 7797
Connection facilities, as requested by the Ohio History 7798
Connection and approved by the Director of Transportation. 7799

Section 203.40. TRANSPORTATION IMPROVEMENT DISTRICTS 7800

(A) Of the foregoing appropriation item 772421, Highway 7801
Construction - State, \$9,000,000 in each fiscal year shall be 7802
made available for distribution by the Director of 7803
Transportation to Transportation Improvement Districts that have 7804
facilitated funding for the cost of a project or projects in 7805
conjunction with and through other governmental agencies. 7806

(B) A Transportation Improvement District shall submit 7807
requests for project funding to the Director of Transportation 7808
by a day determined by the Director. The Department shall notify 7809
the Transportation Improvement District whether the Department 7810
has approved or disapproved the project funding request within 7811
ninety days after the day the request was submitted by the 7812
Transportation Improvement District. 7813

(C) Any funding provided to a Transportation Improvement 7814
District specified in this section shall not be used for the 7815
purposes of administrative costs or administrative staffing and 7816
must be used to fund a specific project or projects within that 7817

District's area. The total amount of a specific project's cost 7818
shall not be fully funded by the amount of funds provided under 7819
this section. The total amount of funding provided for each 7820
project is limited to \$500,000 per fiscal year. Transportation 7821
Improvement Districts that are co-sponsoring a specific project 7822
may individually apply for up to \$500,000 for that project per 7823
fiscal year. 7824

(D) Funding provided under this section may be used for 7825
preliminary engineering, detailed design, right-of-way 7826
acquisition, and construction of the specific project and such 7827
other project costs that are defined in section 5540.01 of the 7828
Revised Code and approved by the Director of Transportation. 7829
Upon receipt of a copy of an invoice for work performed on the 7830
specific project, the Director shall reimburse a Transportation 7831
Improvement District for the expenditures described above, 7832
subject to the requirements of this section. 7833

(E) A Transportation Improvement District that is 7834
requesting funds under this section shall register with the 7835
Director of Transportation. The Director shall register a 7836
Transportation Improvement District only if the district has a 7837
specific, eligible project and may cancel the registration of a 7838
Transportation Improvement District that is not eligible to 7839
receive funds under this section. The Director shall not provide 7840
funds to any Transportation Improvement District under this 7841
section if the district is not registered. 7842

(F) For the purposes of this section: 7843

(1) "Project" has the same meaning as in division (C) of 7844
section 5540.01 of the Revised Code. 7845

(2) "Governmental agency" has the same meaning as in 7846

division (B) of section 5540.01 of the Revised Code. 7847

(3) "Cost" has the same meaning as in division (D) of 7848
section 5540.01 of the Revised Code. 7849

Section 203.43. HIGHWAY CONSTRUCTION - FEDERAL 7850

Of the foregoing appropriation item 772422, Highway 7851
Construction - Federal, \$33,000,000 in each fiscal year shall be 7852
used to support public transportation statewide through the 7853
Federal Highway Administration (FHWA) flexible funding program. 7854

WORKFORCE MOBILITY PARTNERSHIP PROGRAM 7855

Of the foregoing appropriation item 772422, Highway 7856
Construction - Federal, \$15,000,000 in each fiscal year shall be 7857
used to administer the Ohio Workforce Mobility Partnership 7858
Program under Section 620.10 of this act. 7859

PUBLIC TRANSIT VOUCHER PILOT PROGRAM 7860

Of the foregoing appropriation item 772422, Highway 7861
Construction - Federal, \$1,000,000 in fiscal year 2026 shall be 7862
used to administer the Public Transit Voucher Pilot Program 7863
established in Section 755.30 of this act. 7864

Section 203.47. BRENT SPENCE BRIDGE CORRIDOR PROJECT 7865

All spending related to the Brent Spence Bridge Corridor 7866
Project shall be documented in the Ohio Administrative Knowledge 7867
System (OAKS) and made visible in the Ohio State and Local 7868
Government Expenditure Database pursuant to section 113.71 of 7869
the Revised Code. 7870

Section 203.49. RAIL SAFETY CROSSING MATCH 7871

An amount equal to the unexpended, unencumbered balance of 7872
appropriation item 776505, Rail Safety Crossing Match, at the 7873

end of fiscal year 2025 is hereby reappropriated for the same 7874
purpose in fiscal year 2026. 7875

An amount equal to the unexpended, unencumbered balance of 7876
appropriation item 776505, Rail Safety Crossing Match, at the 7877
end of fiscal year 2026 is hereby reappropriated for the same 7878
purpose in fiscal year 2027. 7879

OHIO AIRPORT IMPROVEMENT PROGRAM 7880

The foregoing appropriation item 777628, Ohio Airport 7881
Improvement Program, shall be used to administer the Ohio 7882
Airport Improvement Program established in section 4561.03 of 7883
the Revised Code. 7884

An amount equal to the unexpended, unencumbered balance of 7885
the foregoing appropriation item 777628, Ohio Airport 7886
Improvement Program, at the end of fiscal year 2026 is hereby 7887
reappropriated to the same appropriation item for fiscal year 7888
2027. 7889

Section 203.50. BOND ISSUANCE AUTHORIZATION 7890

The Treasurer of State, upon the request of the Director 7891
of Transportation, is authorized to issue and sell, in 7892
accordance with Section 2m of Article VIII, Ohio Constitution, 7893
and Chapter 151. and particularly sections 151.01 and 151.06 of 7894
the Revised Code, obligations, including bonds and notes, in the 7895
aggregate amount of \$238,500,000 in addition to the original 7896
issuance of obligations authorized by prior acts of the General 7897
Assembly. 7898

The obligations shall be issued and sold from time to time 7899
in amounts necessary to provide sufficient moneys to the credit 7900
of the Highway Capital Improvement Fund (Fund 7042) created by 7901
section 5528.53 of the Revised Code to pay costs charged to the 7902

fund when due as estimated by the Director of Transportation, 7903
provided, however, that not more than \$220,000,000 original 7904
principal amount of obligations, plus the principal amount of 7905
obligations that in prior fiscal years could have been, but were 7906
not, issued within the \$220,000,000 limit, may be issued in any 7907
fiscal year, and not more than \$1,200,000,000 original principal 7908
amount of such obligations are outstanding at any one time. 7909

Section 203.60. APPROPRIATION TRANSFERS, APPROPRIATION 7910
INCREASES, AND CASH TRANSFERS 7911

(A) TRANSFERS OF HIGHWAY OPERATING FUND APPROPRIATIONS: 7912
EMERGENCIES, INCLEMENT WEATHER, AND FEDERAL FUNDING CHANGES 7913

The Director of Transportation may request the Controlling 7914
Board to approve transfers between Highway Operating Fund (Fund 7915
7002) appropriations for planning and research (appropriation 7916
items 771411 and 771412), highway construction and debt service 7917
(appropriation items 772421, 772422, 772424, 772425, 772437, 7918
772438, 772603, 772604, 772605, and 770003), highway maintenance 7919
(appropriation item 773431), public transportation - federal 7920
(appropriation item 775452), rail grade crossings (appropriation 7921
item 776462), aviation (appropriation item 777475), airport 7922
improvement (appropriation item 777472), and administration 7923
(appropriation item 779491). The Director of Transportation may 7924
not seek requests of appropriation transfers out of debt service 7925
appropriation items unless the Director determines that the 7926
appropriated amounts exceed the actual and projected debt 7927
service requirements. 7928

This transfer request authorization is intended to provide 7929
for emergency situations or for the purchase of goods and 7930
services relating to dangerous inclement weather that arise 7931
during the biennium ending June 30, 2027. It also is intended to 7932

allow the Department to adjust to circumstances affecting the 7933
obligation and expenditure of federal funds. 7934

(B) TRANSFERS OF FEDERAL AND LOCAL FUNDED APPROPRIATIONS: 7935
HIGHWAY, PLANNING, TRANSIT, RAIL, AND AVIATION 7936

The Director of Transportation may request the Controlling 7937
Board to approve the transfer of appropriations between 7938
appropriation items 772422, Highway Construction - Federal, 7939
771412, Planning and Research - Federal, 775452, Public 7940
Transportation - Federal, 775454, Public Transportation - Other, 7941
776475, Federal Rail Administration, 776462, Grade Crossing - 7942
Federal, and 777472, Airport Improvements - Federal. 7943

(C) TRANSFERS OF APPROPRIATIONS AND CASH: STATE 7944
INFRASTRUCTURE BANK 7945

The Director of Transportation may request the Controlling 7946
Board to approve the transfer of appropriations and cash of the 7947
Infrastructure Bank funds created in section 5531.09 of the 7948
Revised Code, including transfers between fiscal years 2026 and 7949
2027. 7950

The Director of Transportation may request the Controlling 7951
Board to approve the transfer of appropriations and cash from 7952
the Highway Operating Fund (Fund 7002) to the Infrastructure 7953
Bank funds created in section 5531.09 of the Revised Code. The 7954
Director of Budget and Management may transfer from the 7955
Infrastructure Bank funds to Fund 7002 up to the amounts 7956
originally transferred to the Infrastructure Bank funds under 7957
this section. However, the Director may not make transfers 7958
between modes or transfers between different funding sources. 7959

(D) TRANSFERS OF APPROPRIATIONS AND CASH: TOLLING FUNDS 7960

The Director of Transportation may request the Controlling 7961

Board to approve the transfer of appropriations and cash of the 7962
Ohio Toll Fund and any subaccounts created in section 5531.14 of 7963
the Revised Code, including transfers between fiscal years 2026 7964
and 2027. 7965

(E) INCREASING APPROPRIATIONS: STATE FUNDS 7966

In the event that receipts or unexpended balances credited 7967
to the Highway Operating Fund (Fund 7002) exceed the estimates 7968
upon which the appropriations have been made in this act, upon 7969
the request of the Director of Transportation, the Controlling 7970
Board may approve expenditures, in excess of the amounts 7971
appropriated, from the Highway Operating Fund in the manner 7972
prescribed in section 131.35 of the Revised Code. The amounts 7973
approved by the Controlling Board under this division are hereby 7974
appropriated. 7975

(F) INCREASING APPROPRIATIONS: FEDERAL AND LOCAL FUNDS 7976

In the event that receipts or unexpended balances credited 7977
to the Highway Operating Fund (Fund 7002) or apportionments or 7978
allocations made available from the federal and local 7979
governments exceed the estimates upon which the appropriations 7980
have been made in this act, upon the request of the Director of 7981
Transportation, the Controlling Board may approve expenditures, 7982
in excess of the amounts appropriated, from the Highway 7983
Operating Fund in the manner prescribed in section 131.35 of the 7984
Revised Code. The amounts approved by the Controlling Board 7985
under this division are hereby appropriated. 7986

(G) TRANSFERS OF CASH BETWEEN THE HIGHWAY OPERATING FUND 7987
AND THE HIGHWAY CAPITAL IMPROVEMENT FUND 7988

Upon the request of the Director of Transportation, and 7989
subject to Controlling Board approval, the Director of Budget 7990

and Management may transfer cash from the Highway Operating Fund 7991
(Fund 7002) to the Highway Capital Improvement Fund (Fund 7042) 7992
created in section 5528.53 of the Revised Code. The Director of 7993
Budget and Management may transfer cash from Fund 7042 to Fund 7994
7002 up to the amount of cash previously transferred to Fund 7995
7042 under this section. 7996

(H) DEPUTY INSPECTOR GENERAL FOR ODOT FUNDING 7997

On July 1 and January 1 of each year in the biennium 7998
ending June 30, 2027, or as soon as possible thereafter, 7999
respectively, the Director of Budget and Management shall 8000
transfer \$200,000 cash, for each semiannual period, from the 8001
Highway Operating Fund (Fund 7002) to the Deputy Inspector 8002
General for ODOT Fund (Fund 5FA0). 8003

The Inspector General, with the consent of the Director of 8004
Budget and Management, may request the Controlling Board to 8005
approve additional transfers of cash and expenditures in excess 8006
of the amount appropriated under appropriation item 965603, 8007
Deputy Inspector General for ODOT, if additional amounts are 8008
necessary. The amounts approved by the Controlling Board are 8009
hereby appropriated. 8010

(I) LIQUIDATION OF UNFORESEEN LIABILITIES 8011

Any appropriation made from the Highway Operating Fund 8012
(Fund 7002) not otherwise restricted by law is available to 8013
liquidate unforeseen liabilities arising from contractual 8014
agreements of prior years when the prior year encumbrance is 8015
insufficient. 8016

(J) ELECTRIC VEHICLE EXPENDITURES 8017

The Director of Transportation shall request Controlling 8018
Board approval for any expenditure of funds received under the 8019

federal "Infrastructure Investment and Jobs Act," Pub. L. No. 8020
117-58, that are to be used for the construction or maintenance 8021
of electric vehicle charging stations. Any such expenditures 8022
approved by the Controlling Board are hereby appropriated. 8023

Section 203.65. REAPPROPRIATIONS 8024

In each year of the biennium ending June 30, 2027, the 8025
Director of Budget and Management may request the Controlling 8026
Board to approve the expenditure of any remaining unencumbered 8027
balances of prior years' appropriations to the Ohio Highway 8028
Transportation Safety Fund (Fund 5XI0), the Highway Operating 8029
Fund (Fund 7002), the Highway Capital Improvement Fund (Fund 8030
7042), and the Infrastructure Bank funds created in section 8031
5531.09 of the Revised Code for the same purpose in the 8032
following fiscal year. The amounts approved by the Controlling 8033
Board are hereby reappropriated. 8034

Prior to the Director of Budget and Management's seeking 8035
approval of the Controlling Board, the Director of 8036
Transportation shall develop a reappropriation request plan that 8037
identifies the appropriate fund and appropriation item of the 8038
reappropriation, and the reappropriation request amount and 8039
submit the plan to the Director of Budget and Management for 8040
evaluation. The Director of Budget and Management may request 8041
additional information necessary for evaluating the 8042
reappropriation request plan, and the Director of Transportation 8043
shall provide the requested information to the Director of 8044
Budget and Management. Based on the information provided by the 8045
Director of Transportation, the Director of Budget and 8046
Management shall determine amounts to be reappropriated by fund 8047
and appropriation item to submit to the Controlling Board for 8048
its approval. 8049

Any balances of prior years' unencumbered appropriations 8050
to the Highway Operating Fund (Fund 7002), the Highway Capital 8051
Improvement Fund (Fund 7042), the Ohio Highway Transportation 8052
Safety Fund (Fund 5XI0), and the Infrastructure Bank funds 8053
created in section 5531.09 of the Revised Code for which 8054
reappropriations are requested and approved are subject to the 8055
availability of revenue in the funds. 8056

Section 203.70. MAINTENANCE OF INTERSTATE HIGHWAYS 8057

The Department of Transportation has the responsibility to 8058
maintain all interstate highways in the state. The Director of 8059
Transportation may enter into an agreement with a political 8060
subdivision to allow the political subdivision to remove snow 8061
and ice and maintain, repair, improve, or provide lighting upon 8062
interstate highways that are located within the boundaries of 8063
the political subdivision, in a manner adequate to meet the 8064
requirements of federal law. 8065

When agreed in writing by the Director of Transportation 8066
and the legislative authority of a political subdivision and 8067
notwithstanding sections 125.01 and 125.11 of the Revised Code, 8068
the Department of Transportation may reimburse a political 8069
subdivision for all or any part of the costs, as provided by 8070
such agreement, incurred by the political subdivision in 8071
maintaining, repairing, lighting, and removing snow and ice from 8072
the interstate system. 8073

Section 203.80. PUBLIC TRANSPORTATION HIGHWAY PURPOSE 8074
GRANTS 8075

The Director of Transportation may use revenues from the 8076
state motor vehicle fuel tax to match approved federal grants 8077
awarded to the Department of Transportation, regional transit 8078

authorities, or eligible public transportation systems, for 8079
public transportation highway purposes, or to support local or 8080
state-funded projects for public transportation highway 8081
purposes. 8082

Public transportation highway purposes include (1) the 8083
construction or repair of high-occupancy vehicle traffic lanes, 8084
(2) the acquisition or construction of park-and-ride facilities, 8085
(3) the acquisition or construction of public transportation 8086
vehicle loops, (4) the construction or repair of bridges used by 8087
public transportation vehicles or that are the responsibility of 8088
a regional transit authority or other public transportation 8089
system, or (5) other similar construction that is designated as 8090
an eligible public transportation highway purpose. Motor vehicle 8091
fuel tax revenues may not be used for operating assistance or 8092
for the purchase of vehicles, equipment, or maintenance 8093
facilities. 8094

Section 203.90. AGREEMENTS WITH FEDERAL AGENCIES FOR 8095
ENVIRONMENTAL REVIEW PURPOSES 8096

The Director of Transportation may enter into agreements 8097
as provided in this section with the United States or any 8098
department or agency of the United States, including, but not 8099
limited to, the United States Army Corps of Engineers, the 8100
United States Forest Service, the United States Environmental 8101
Protection Agency, and the United States Fish and Wildlife 8102
Service. An agreement entered into pursuant to this section 8103
shall be solely for the purpose of dedicating staff to the 8104
expeditious and timely review of environmentally related 8105
documents submitted by the Director of Transportation, as 8106
necessary for the approval of federal permits. 8107

The agreements may include provisions for advance payment 8108

by the Director of Transportation for labor and all other 8109
identifiable costs of the United States or any department or 8110
agency of the United States providing the services, as may be 8111
estimated by the United States, or the department or agency of 8112
the United States. 8113

The Director shall submit a request to the Controlling 8114
Board indicating the amount of the agreement, the services to be 8115
performed by the United States or the department or agency of 8116
the United States, and the circumstances giving rise to the 8117
agreement. 8118

Section 203.100. INDEFINITE DELIVERY INDEFINITE QUANTITY 8119
CONTRACTS 8120

(A) As used in this section, "indefinite delivery 8121
indefinite quantity contract" means a contract for an indefinite 8122
quantity, within stated limits, of supplies or services that 8123
will be delivered by the awarded bidder over a defined contract 8124
period. 8125

(B) The Director of Transportation shall advertise and 8126
seek bids for, and shall award, indefinite delivery indefinite 8127
quantity contracts for not more than two projects in fiscal year 8128
2026 and for not more than two projects in fiscal year 2027. For 8129
purposes of entering into indefinite delivery indefinite 8130
quantity contracts, the Director shall do all of the following: 8131

- (1) Prepare bidding documents; 8132
- (2) Establish contract forms; 8133
- (3) Determine contract terms and conditions, including the 8134
following: 8135

- (a) The maximum overall value of the contract, which may 8136

include an allowable increase of one hundred thousand dollars or 8137
five per cent of the advertised contract value, whichever is 8138
less; 8139

(b) The duration of the contract, including a time 8140
extension of up to one year if determined appropriate by the 8141
Director; 8142

(c) The defined geographical area to which the contract 8143
applies, which shall be not greater than the size of one 8144
district of the Department of Transportation. 8145

(4) Develop and implement a work order process in order to 8146
provide the awarded bidder adequate notice of requested supplies 8147
or services, the anticipated quantities of supplies, and work 8148
location information for each work order; 8149

(5) Take any other action necessary to fulfill the duties 8150
and obligations of the Director under this section. 8151

(C) Section 5525.01 of the Revised Code applies to 8152
indefinite delivery indefinite quantity contracts. 8153

Section 207.10. 8154
8155

	1	2	3	4	5
A	DEV DEPARTMENT OF DEVELOPMENT				
B	Dedicated Purpose Fund Group				
C	4W00	195629	Roadwork Development	\$15,200,000	\$15,200,000
D	Dedicated Purpose Fund Group Total			\$15,200,000	\$15,200,000
E	TOTAL ALL BUDGET FUND GROUPS			\$15,200,000	\$15,200,000

Section 207.20. ROADWORK DEVELOPMENT 8156

The foregoing appropriation item 195629, Roadwork 8157
Development, shall be used for road improvements associated with 8158
economic development opportunities that will retain or attract 8159
businesses for Ohio, including the construction, reconstruction, 8160
maintenance, or repair of public roads that provide access to a 8161
public airport or are located within a public airport. "Road 8162
improvements" are improvements to public roadway facilities 8163
located on, or serving or capable of serving, a project site, 8164
and include the construction, reconstruction, maintenance or 8165
repair of public roads that provide access to a public airport 8166
or are located within a public airport. The appropriation item 8167
may be used in conjunction with any other state funds 8168
appropriated for infrastructure improvements. 8169

The Director of Budget and Management, pursuant to a plan 8170
submitted by the Director of Development or as otherwise 8171
determined by the Director of Budget and Management, shall set a 8172
cash transfer schedule to meet the cash needs of the Roadwork 8173
Development Fund (Fund 4W00) used by the Department of 8174
Development, less any other available cash. The Director of 8175
Budget and Management shall transfer such cash amounts from the 8176
Highway Operating Fund (Fund 7002) to Fund 4W00 at such times as 8177
determined by the transfer schedule. 8178

The Director of Transportation, under the direction of the 8179
Director of Development, shall provide these funds in accordance 8180
with all guidelines and requirements established for other 8181
Department of Development programs, including Controlling Board 8182
review and approval, as well as the requirements for usage of 8183
motor vehicle fuel tax revenue prescribed in Section 5a of 8184
Article XII, Ohio Constitution. Should the Department of 8185

Development require the assistance of the Department of 8186
Transportation to bring a project to completion, the Department 8187
of Transportation shall use its authority under Title 55 of the 8188
Revised Code to provide such assistance and may enter into 8189
contracts on behalf of the Department of Development. 8190

Section 209.10.

8191

8192

	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 Improvement Program	\$62,000,000	\$67,000,000
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

8193

All capital appropriations from the Local Transportation 8194
Improvement Program Fund (Fund 7052) in H.B. 23 of the 135th 8195
General Assembly remaining unencumbered as of June 30, 2025, may 8196
be reappropriated for use during the period July 1, 2025, 8197
through June 30, 2026, for the same purpose. 8198

Notwithstanding division (B) of section 127.14 of the 8199
Revised Code, all capital appropriations and reappropriations 8200

from the Local Transportation Improvement Program Fund (Fund 8201
7052) in this act remaining unencumbered as of June 30, 2026, 8202
are reappropriated for use during the period July 1, 2026, 8203
through June 30, 2027, for the same purposes, subject to the 8204
availability of revenue as determined by the Director of the 8205
Public Works Commission. 8206

TEMPORARY TRANSFERS 8207

Notwithstanding section 127.14 of the Revised Code, the 8208
Director of Budget and Management may transfer cash from the 8209
Local Transportation Improvement Fund (Fund 7052) to the State 8210
Capital Improvement Fund (Fund 7038) and the Clean Ohio 8211
Conservation Fund (Fund 7056). The Director of Budget and 8212
Management may approve temporary cash transfers if such 8213
transfers are needed for capital outlays for which notes or 8214
bonds will be issued. When there is a sufficient cash balance in 8215
the fund that receives a cash transfer under this section, the 8216
Director of Budget and Management shall transfer cash from that 8217
fund to Fund 7052 in order to repay Fund 7052 for the amount of 8218
the temporary cash transfers made under this section. Any 8219
transfers executed under this section shall be reported to the 8220
Controlling Board by June 30 of the fiscal year in which the 8221
transfer occurred. 8222

Section 221.10. 8223

8224

1 2 3 4 5

A RDF STATE REVENUE DISTRIBUTIONS

B Revenue Distribution Fund Group

C 7060 110652 Gasoline Excise Tax Fund \$413,400,000 \$421,900,000

		- Municipal		
D	7060	110653 Gasoline Excise Tax Fund	\$214,000,000	\$218,400,000
		- Township		
E	7060	110654 Gasoline Excise Tax Fund	\$359,800,000	\$367,200,000
		- County		
F	TOTAL Revenue Distribution Fund Group		\$987,200,000	\$1,007,500,000
G	TOTAL ALL BUDGET FUND GROUPS		\$987,200,000	\$1,007,500,000

The foregoing appropriation item, 110652 Gasoline Excise Tax Fund - Municipal, shall be used to make payments to municipalities under sections 5735.051 and 5735.27 of the Revised Code. The foregoing appropriation item, 110653 Gasoline Excise Tax Fund - Township, shall be used to make payments to townships under those sections. The foregoing appropriation item, 110654 Gasoline Excise Tax Fund - County, shall be used to make payments to counties under those sections. The foregoing appropriation item, 110654 Gasoline Excise Tax Fund - County, shall also be used to make payments to the Ohio Turnpike and Infrastructure Commission under section 5735.051 of the Revised Code.

Appropriation items in Section 221.10 of this act shall be used for the purpose of administering and distributing the designated revenue distribution fund according to the Revised Code. If it is determined that additional appropriations are necessary for this purpose, such amounts are hereby appropriated.

Section 501.10. LIMITATION ON USE OF CAPITAL APPROPRIATIONS

The capital appropriations made in this act for buildings 8245
or structures, including remodeling and renovations, are limited 8246
to: 8247

(A) Acquisition of real property or interests in real 8248
property; 8249

(B) Buildings and structures, which includes construction, 8250
demolition, complete heating and cooling, lighting and lighting 8251
fixtures, and all necessary utilities, ventilating, plumbing, 8252
sprinkling, water, and sewer systems, when such systems are 8253
authorized or necessary; 8254

(C) Architectural, engineering, and professional services 8255
expenses directly related to the projects; 8256

(D) Machinery that is a part of structures at the time of 8257
initial acquisition or construction; 8258

(E) Acquisition, development, and deployment of new 8259
computer systems, including the redevelopment or integration of 8260
existing and new computer systems, but excluding regular or 8261
ongoing maintenance or support agreements; 8262

(F) Furniture, fixtures, or equipment that meets all the 8263
following criteria: 8264

(1) Is essential in bringing the facility up to its 8265
intended use or is necessary for the functioning of the 8266
particular facility or project; 8267

(2) Has a unit cost, and not the individual parts of a 8268
unit, of about \$100 or more; and 8269

(3) Has a useful life of five years or more. 8270

Furniture, fixtures, or equipment that is not an integral 8271

part of or directly related to the basic purpose or function of 8272
a project for which moneys are appropriated shall not be paid 8273
from these appropriations. 8274

Section 503.10. STATE ARBITRAGE REBATE AUTHORIZATION 8275

If it is determined that a payment is necessary in the 8276
amount computed at the time to represent the portion of 8277
investment income to be rebated or amounts in lieu of or in 8278
addition to any rebate amount to be paid to the federal 8279
government in order to maintain the exclusion from gross income 8280
for federal income tax purposes of interest on those state 8281
obligations under section 148(f) of the Internal Revenue Code, 8282
such amount is hereby appropriated from those funds designated 8283
by or pursuant to the applicable proceedings authorizing the 8284
issuance of state obligations. 8285

Payments for this purpose shall be approved and vouchered 8286
by the Office of Budget and Management. 8287

Section 509.10. AUTHORIZATION FOR TREASURER OF STATE AND 8288
OBM TO EFFECTUATE CERTAIN LEASE RENTAL PAYMENTS 8289

The Office of Budget and Management shall process payments 8290
from lease rental payment appropriation items during the period 8291
from July 1, 2025, to June 30, 2027, pursuant to the lease and 8292
other agreements relating to bonds or notes issued under Section 8293
2i of Article VIII of the Ohio Constitution and Chapter 154. of 8294
the Revised Code, and acts of the General Assembly. Payments 8295
shall be made upon certification by the Treasurer of State of 8296
the dates and amounts due on those dates. 8297

Section 509.20. LEASE AND DEBT SERVICE PAYMENTS 8298

Certain appropriations are in this act for the purpose of 8299
paying debt service and financing costs on general obligation 8300

bonds or notes of the state and for the purpose of making lease 8301
rental and other payments under leases and agreements relating 8302
to bonds or notes issued under the Ohio Constitution, Revised 8303
Code, and acts of the General Assembly. If it is determined that 8304
additional appropriations are necessary for this purpose, such 8305
amounts are hereby appropriated. 8306

Section 620.10. That Section 755.20 of H.B. 23 of the 8307
135th General Assembly be amended to read as follows: 8308

Sec. 755.20. (A) As used in this section: 8309

(1) "Economically significant employment center" means a 8310
single site, multiple adjoining sites, or a business park where 8311
the employers located at the site or park employ not less than 8312
two hundred fifty full-time employees who work onsite. 8313

(2) "Rural or urban transit authorities" means regional 8314
transit authorities that are established pursuant to sections 8315
306.30 to 306.53 of the Revised Code and that serve either a 8316
rural population, an urban population, or both populations. 8317

(B) ~~There is hereby established the~~ The Ohio Workforce 8318
Mobility Partnership Program is continued for fiscal years 2026 8319
and 2027. The Department of Transportation shall administer the 8320
Program. Under the Program, one or more boards of trustees of 8321
rural or urban transit authorities may either singularly or 8322
jointly apply for competitive grant funding for individual or 8323
collaborative projects. All grant funding shall be spent in 8324
accordance with division (C) of this section. 8325

(C) Any boards of trustees awarded grants under this 8326
section shall use the grant funding for purposes of transporting 8327
resident workforce members between the service territories of 8328
the joint rural or urban transit authorities. The boards shall 8329

also use the grant money to focus on transportation that 8330
supports the employment needs of economically significant 8331
employment centers located within or near the service 8332
territories of the rural or urban transit authorities. Such 8333
support shall include efforts to easily, efficiently, and 8334
economically transport a resident workforce that either lives 8335
within a service territory that has little or no public transit 8336
service to an employment center or lives within one service 8337
territory but is employed full-time within another service 8338
territory. 8339

(D) The Director of Transportation shall establish any 8340
procedures and requirements necessary to administer this 8341
section, including grant application, evaluation of 8342
applications, and award processes, and any conditions for the 8343
expenditure of grant funding awarded under the Program. 8344

~~(E) This section expires two years after its effective~~ 8345
~~date.~~ 8346

Section 620.11. That existing Section 755.20 of H.B. 23 of 8347
the 135th General Assembly is hereby repealed. 8348

Section 737.10. Sections 3704.14, 4503.10, 4503.102, and 8349
4503.103 of the Revised Code, as amended by this act, shall be 8350
known as the E-Check Ease Act. 8351

Section 749.10. (A) Not later than December 31, 2028, the 8352
Public Utilities Commission shall complete a review of train 8353
derailments in Ohio using statistics from the Federal Railroad 8354
Administration to identify derailments due to bearing or axle 8355
failure over the three years proceeding from the effective date 8356
of this section. 8357

(B) The commission shall send a copy of the review 8358

described in division (A) of this section to the following: 8359

(1) The Governor; 8360

(2) The President of the Senate; 8361

(3) The Speaker of the House of Representatives; 8362

(4) The minority leaders of both the Senate and the House
of Representatives. 8363
8364

Section 755.10. (A) The Director of Transportation, in 8365
consultation with the Northeast Ohio Areawide Coordinating 8366
Agency, shall conduct a study to develop a traffic congestion 8367
management strategic plan. However, at the Director's 8368
discretion, the Northeast Ohio Areawide Coordinating Agency may 8369
lead the study. The study shall examine the area along 8370
Interstate Route 71 between the following boundaries: 8371

(1) To the north, U.S. Route 42; 8372

(2) To the south, State Route 303; 8373

(3) To the west, U.S. Route 42; 8374

(4) To the east, West 130th Street. 8375

(B) (1) Not later than December 31, 2026, the Director or, 8376
as applicable, the Northeast Ohio Areawide Coordinating Agency 8377
shall complete the study and submit a report of the study's 8378
findings to all of the following: 8379

(a) The Governor; 8380

(b) The Speaker of the House of Representatives; 8381

(c) The President of the Senate; 8382

(d) The chairpersons of the committees of the House of 8383
Representatives and the Senate pertaining to transportation; 8384

(e) The chief executive officer and the legislative 8385
authority of the municipal corporations of Strongsville, North 8386
Royalton, and Brunswick. 8387

(2) The Director or, as applicable, the Northeast Ohio 8388
Areawide Coordinating Agency may include in the report solutions 8389
to mitigate and strategically manage any traffic congestion 8390
concerns found during the study. 8391

Section 755.20. (A) Upon recommendation under division (D) 8392
of this section, the Department of Transportation shall contract 8393
with a neutral third-party entity to conduct a study of the 8394
Department's pavement-selection process. The study shall 8395
include, but not be limited to, life cycle cost analysis, user 8396
delay analysis, constructability, and environmental factors. The 8397
Department shall hold the contract with the neutral third-party 8398
entity, and the contract shall be submitted to the Controlling 8399
Board for approval. The Controlling Board shall approve or 8400
disapprove the contract in the same manner in which contracts 8401
entered into under Chapter 5526. of the Revised Code are 8402
approved or disapproved. The entity shall be an individual or an 8403
academic, research, or professional association with an 8404
expertise in pavement-selection decisions and shall not be a 8405
research center for concrete or asphalt pavement. 8406

The study conducted by the neutral third-party entity 8407
shall compare and contrast the Department's pavement-selection 8408
process with those of other states and with model selection 8409
processes as described by the American Association of State 8410
Highway and Transportation Officials and the Federal Highway 8411
Administration. 8412

(B) The Director of Transportation shall appoint an 8413
advisory council to recommend the neutral third-party entity, 8414

approve the entity's scope of study, and issue a final report 8415
with recommendations in accordance with division (D) of this 8416
section. The advisory council shall consist of the following 8417
members: 8418

(1) The Director of Transportation, who shall act as 8419
Chairperson of the council; 8420

(2) A member of the Ohio Society of Certified Public 8421
Accountants; 8422

(3) A member of a statewide business organization 8423
representing major corporate entities from a list of three names 8424
recommended by the Speaker of the House of Representatives; 8425

(4) A member of the Ohio Society of Professional 8426
Engineers; 8427

(5) A member of a business organization representing small 8428
or independent businesses from a list of three names recommended 8429
by the President of the Senate; 8430

(6) A representative of the Ohio Concrete Construction 8431
Association; 8432

(7) A representative of Flexible Pavements Association of 8433
Ohio, Inc. 8434

(C) Members of the advisory council representing the Ohio 8435
Society of Certified Public Accountants, the Ohio Society of 8436
Professional Engineers, the small or independent businesses, and 8437
the major corporate entities shall have no conflict of interest 8438
with the position. For purposes of this section, "conflict of 8439
interest" means taking any action that violates any provision of 8440
Chapter 102. or 2921. of the Revised Code. 8441

(D) The Director shall appoint the advisory council no 8442

later than July 31, 2025. The advisory council shall recommend 8443
the neutral third-party entity to the Director and shall 8444
determine the scope of the study to be conducted by the entity 8445
not later than September 1, 2025. Once appointed, the advisory 8446
council shall meet, at a minimum, every thirty days to direct 8447
and monitor the work of the neutral third-party entity, 8448
including responding to any questions raised by the neutral 8449
third-party entity. The council shall publish a schedule of 8450
meetings and provide adequate public notice of these meetings. 8451
The meetings are subject to applicable public meeting 8452
requirements. 8453

The advisory council shall issue a final report with 8454
recommendations concerning the Department's pavement selection 8455
process to the Director. The report and recommendations shall 8456
take into account the study conducted by the neutral third-party 8457
entity. The advisory council shall allow a comment period of not 8458
less than thirty days before it issues the final report. The 8459
advisory council shall issue the report on or before December 8460
31, 2025. Upon issuing its final report, the advisory council 8461
ceases to exist. 8462

(E) The Department shall make changes to its pavement- 8463
selection process based on the neutral third-party entity's 8464
study and recommendations included in the advisory council's 8465
final report. 8466

Section 755.30. (A) The Office of Transit within the 8467
Department of Transportation shall conduct a pilot program to 8468
distribute private transit vouchers to persons whose income is 8469
equal to or less than four hundred per cent of the federal 8470
poverty level. The private transit vouchers shall be eligible 8471
for use for ridesharing, transportation network company, 8472

taxicab, or other similar vehicle for hire arrangements. The 8473
Office shall study and evaluate whether the distribution of 8474
vouchers is a cost-effective option to eliminate public transit 8475
routes with low ridership, while maintaining access to transit 8476
for persons eligible for the pilot program. 8477

(B) The Office shall submit a report of its findings and 8478
recommendations not later than January 1, 2027, to the President 8479
of the Senate, the Speaker of the House of Representatives, and 8480
the chairpersons of the respective committees of the House of 8481
Representatives and Senate responsible for transportation 8482
related matters. Upon submission of the report, the pilot 8483
program is abolished. 8484

Section 755.40. (A) Not later than October 1, 2025, the 8485
Director of Transportation shall establish the Road Safety Pilot 8486
Program to assess speed compliance in construction zones. The 8487
pilot program shall operate for one year after that date. 8488

(B) The Director shall ensure that the Road Safety Pilot 8489
Program includes both of the following in one or more 8490
construction zones: 8491

(1) Speed monitoring devices with flashing lights that 8492
display the speed at which a motor vehicle operator is traveling 8493
in a construction zone; 8494

(2) 8495

Any other methods determined by the Department that have 8496
the effect of reducing the speed at which motor vehicle 8497
operators travel in a construction zone, including lane changes, 8498
rumble strips, and single lanes. However, for purposes of the 8499
program, the Department shall not use any traffic law photo 8500
monitoring device that records images, photographs, or video for 8501

any purpose, including issuing a citation, summons, or ticket. 8502

(C) The Director shall post signs in each construction 8503
zone that is utilized under the Pilot Program that indicate that 8504
the construction zone is being monitored for speed for purposes 8505
of the Pilot Program. 8506

(D) The Director may contract with a third party to 8507
implement the Pilot Program. 8508

(E) Nothing in this section shall otherwise impact or 8509
impede the enforcement of any violation of any law. An operator 8510
of a motor vehicle shall not be cited for any violation of law 8511
based solely on information derived from speed cameras used in 8512
accordance with this section. 8513

(F) Not later than three months after the termination of 8514
the pilot program, the Director shall submit to the President of 8515
the Senate, the Speaker of the House of Representatives, and the 8516
Governor a report regarding the results of the Road Safety Pilot 8517
Program. The report shall include data summarizing instances of 8518
excessive speed in construction zones that are included in the 8519
pilot program. 8520

Section 755.50. The Director of Transportation shall 8521
conduct a feasibility study for the creation of an Interstate 8522
Route 73 corridor connecting the municipal corporation of Toledo 8523
to the municipal corporation of Chesapeake, primarily alongside 8524
current United States Route 23. The purpose of the new corridor 8525
is to better connect Interstate Route 74, Interstate Route 75, 8526
and the states of Michigan, Ohio, West Virginia, Virginia, North 8527
Carolina, and South Carolina along one continuous interstate 8528
route. 8529

The feasibility study shall examine how to alleviate 8530

congestion along United States Route 23, the economic impacts of 8531
a new interstate corridor, safety concerns, connectivity issues, 8532
and methods for coordinating with the other states and the 8533
United States Department of Transportation for the creation of 8534
the corridor. 8535

The Director shall complete the feasibility study not 8536
later than December 31, 2026. 8537

Section 757.10. MOTOR FUEL TAX DISTRIBUTIONS TO HIGHWAY 8538
OPERATING FUND 8539

On the last day of each month in the biennium ending June 8540
30, 2027, before making any of the distributions specified in 8541
section 5735.051 of the Revised Code but after any transfers to 8542
the tax refund fund as required by that section and section 8543
5703.052 of the Revised Code, the Treasurer of State shall 8544
deposit the first two per cent of the amount of motor fuel tax 8545
received for the preceding calendar month to the credit of the 8546
Highway Operating Fund (Fund 7002). 8547

Section 757.20. MOTOR FUEL DEALER REFUNDS 8548

Notwithstanding Chapter 5735. of the Revised Code, the 8549
following apply for the period of July 1, 2025, to June 30, 8550
2027: 8551

(A) For the discount under section 5735.06 of the Revised 8552
Code, if the monthly report is timely filed and the tax is 8553
timely paid, one per cent of the total number of gallons of 8554
motor fuel received by the motor fuel dealer within the state 8555
during the preceding calendar month, less the total number of 8556
gallons deducted under divisions (B)(1)(a) and (b) of section 8557
5735.06 of the Revised Code, less one-half of one per cent of 8558
the total number of gallons of motor fuel that were sold to a 8559

retail dealer during the preceding calendar month. 8560

(B) For the semiannual periods ending December 31, 2025, 8561
June 30, 2026, December 31, 2026, and June 30, 2027, the refund 8562
provided to retail dealers under section 5735.141 of the Revised 8563
Code shall be one-half of one per cent of the Ohio motor fuel 8564
taxes paid on fuel purchased during those semiannual periods. 8565

Section 757.30. MONTHLY TRANSFERS TO GASOLINE EXCISE TAX 8566
FUND 8567

The Director of Budget and Management shall transfer cash 8568
in equal monthly increments totaling \$179,054,124 in fiscal year 8569
2026 and in equal monthly increments totaling \$187,584,952 in 8570
fiscal year 2027 from the Highway Operating Fund (Fund 7002) to 8571
the Gasoline Excise Tax Fund (Fund 7060). The monthly amounts 8572
transferred under this section shall be distributed as follows: 8573

(A) 42.86 per cent shall be distributed among the 8574
municipal corporations within the state under division (A) (2) (b) 8575
(i) of section 5735.051 of the Revised Code; 8576

(B) 37.14 per cent shall be distributed among the counties 8577
within the state under division (A) (2) (b) (ii) of section 8578
5735.051 of the Revised Code; and 8579

(C) 20 per cent shall be distributed among the townships 8580
within the state under division (A) (2) (b) (iii) of section 8581
5735.051 of the Revised Code. 8582

Section 801.10. PROVISIONS OF LAW GENERALLY APPLICABLE TO 8583
APPROPRIATIONS 8584

Law contained in the main operating appropriations act of 8585
the 136th General Assembly that is generally applicable to the 8586
appropriations made in the main operating appropriations act 8587

also is generally applicable to the appropriations made in this 8588
act. 8589

Section 805.10. SEVERABILITY 8590

The items of law contained in this act, and their 8591
applications, are severable. If any item of law contained in 8592
this act, or if any application of any item of law contained in 8593
this act, is held invalid, the invalidity does not affect other 8594
items of law contained in this act and their applications that 8595
can be given effect without the invalid item or application. 8596

Section 810.10. An item of law, other than an amending, 8597
enacting, or repealing clause, that composes the whole or part 8598
of an uncodified section contained in this act has no effect 8599
after June 30, 2027, unless its context clearly indicates 8600
otherwise. 8601

Section 820.10. APPROPRIATIONS AND REFERENDUM 8602

In this section, an "appropriation" includes another 8603
provision of law in this act that relates to the subject of the 8604
appropriation. 8605

An appropriation of money made in this act is not subject 8606
to the referendum insofar as a contemplated expenditure 8607
authorized thereby is wholly to meet a current expense within 8608
the meaning of Ohio Constitution, Article II, Section 1d and 8609
section 1.471 of the Revised Code. To that extent, the 8610
appropriation takes effect immediately when this act becomes 8611
law. Conversely, the appropriation is subject to the referendum 8612
insofar as a contemplated expenditure authorized thereby is 8613
wholly or partly not to meet a current expense within the 8614
meaning of Ohio Constitution, Article II, Section 1d. To that 8615
extent, the appropriation takes effect on the ninety-first day 8616

after this act is filed with the Secretary of State. 8617

Section 820.30. LAWS AND REFERENDUM 8618

Except as otherwise provided in this act, the amendment, 8619
enactment, or repeal by this act of a section of law is subject 8620
to the referendum under Ohio Constitution, Article II, Section 8621
1c and therefore takes effect on the ninety-first day after this 8622
act is filed with the Secretary of State or, if a later 8623
effective date is specified below, on that date. 8624

Section 820.40. Sections 4503.183, 4505.072, 4505.08, 8625
4513.071, 4513.38, and 4513.41 of the Revised Code, as amended 8626
or enacted by this act, take effect one hundred eighty days 8627
after the effective date of this section. 8628

Section 830.10. The General Assembly, applying the 8629
principle stated in division (B) of section 1.52 of the Revised 8630
Code that amendments are to be harmonized if reasonably capable 8631
of simultaneous operation, finds that the following sections, 8632
presented in this act as composites of the sections as amended 8633
by the acts indicated, are the resulting versions of the 8634
sections in effect prior to the effective date of the sections 8635
as presented in this act: 8636

Section 4511.61 of the Revised Code as amended by both 8637
H.B. 26 and H.B. 95 of the 132nd General Assembly. 8638

Section 4511.132 of the Revised Code as amended by H.B. 9, 8639
H.B. 26, H.B. 95, and H.B. 250, all of the 132nd General 8640
Assembly. 8641