As Passed by the House

136th General Assembly

Regular Session **Sub. H. B. No. 54**

2025-2026

Representative Stewart

Cosponsors: Representatives Schmidt, Abdullahi, Abrams, Baker, Barhorst, Bird, Brennan, Brent, Brewer, Callender, Claggett, Click, Cockley, Creech, Daniels, Deeter, Demetriou, Denson, Dovilla, Fischer, Fowler Arthur, Ghanbari, Glassburn, Grim, Gross, Hall, D., Hall, T., Hiner, Holmes, Hoops, Humphrey, Jarrells, John, Johnson, Jones, King, Kishman, Klopfenstein, Lampton, Lawson-Rowe, Lear, Lett, Lorenz, Manning, Mathews, A., Mathews, T., McClain, McNally, Miller, J., Miller, K., Miller, M., Mohamed, Mullins, Newman, Peterson, Piccolantonio, Pizzulli, Plummer, Rader, Ray, Ritter, Robb Blasdel, Robinson, Roemer, Rogers, Russo, Salvo, Santucci, Sigrist, Sims, Somani, Stephens, Synenberg, Teska, Thomas, C., Thomas, D., Troy, Upchurch, White, A., White, E., Williams, Willis, Workman, Young

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To amend sections 154.01, 306.35, 306.43, 717.02, 1548.061, 3503.11, 3704.14, 4501.01, 4503.038, 4503.10, 4503.102, 4503.103, 4503.19, 4505.08, 4506.01, 4506.11, 4507.01, 4507.061, 4507.13, 4507.21, 4507.52, 4508.02, 4511.01, 4511.031, 4511.09, 4511.091, 4511.092, 4511.094, 4511.11, 4511.13, 4511.131, 4511.132, 4511.18, 4511.204, 4511.211, 4511.214, 4511.432, 4511.46, 4511.48, 4511.512, 4511.61, 4511.62, 4511.64, 4511.65, 4511.68, 4511.701, 4511.712, 4513.071, 4513.38, 4513.41, 4517.02, 4519.401, 4955.50, 4955.51, 5501.20, 5501.441, 5502.68, 5513.01, 5515.01, 5515.02, 5515.99, 5517.02, 5517.021, 5525.03, 5525.04, 5525.08, 5525.14, 5571.01, 5736.02, 5736.04, and 5736.13; to enact sections 1548.062, 4503.183, 4503.261, 4503.262, 4505.072, 4511.15, 4511.765, 4561.03, 4955.52,

4955.53, 4955.55, 4955.57, 4981.36, 4981.361, 5501.041, 5511.11, 5515.10, 5517.06, and 5517.08; and to repeal sections 4506.072, 4507.021, 4507.063, 4507.511, 4511.351, 4511.491, and 5501.60 of the Revised Code and to amend Section 755.20 of H.B. 23 of the 135th General Assembly to make appropriations for programs related to transportation for the biennium beginning July 1, 2025, and ending June 30, 2027, and to provide authorization and conditions for the operation of those programs.

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

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

Sec. 154.01. As used in this chapter:

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

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

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

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

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

(F) "Institutions of higher education" and "state supported or state assisted institutions of higher education" means the state universities identified in section 3345.011 of the Revised Code, the northeast Ohio medical university, state

universities or colleges at any time created, community college districts, university branch districts, and technical college districts at any time established or operating under Chapter 3354., 3355., or 3357. of the Revised Code, and other institutions for education, including technical education, beyond the high school, receiving state support or assistance for their expenses of operation.

(G) "Governing body" means:

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

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

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

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

(I) "Bond service charges" means principal, including mandatory sinking fund requirements for retirement of obligations, and interest, and redemption premium, if any, required to be paid by the state on obligations. If not prohibited by the applicable bond proceedings, bond service charges may include costs relating to credit enhancement

facilities that are related to and represent, or are intended to provide a source of payment of or limitation on, other bond service charges.

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

(K) "Costs of capital facilities" means the costs of acquiring, constructing, reconstructing, rehabilitating, remodeling, renovating, enlarging, improving, equipping, or furnishing capital facilities, and the financing thereof, including the cost of clearance and preparation of the site and of any land to be used in connection with capital facilities, the cost of any indemnity and surety bonds and premiums on insurance, all related direct administrative expenses and allocable portions of direct costs of the commission or issuing authority and department of administrative services, or other designees of the commission under section 154.17 of the Revised Code, cost of engineering and architectural services, designs,

plans, specifications, surveys, and estimates of cost, legal fees, fees and expenses of trustees, depositories, and paying agents for the obligations, cost of issuance of the obligations and financing charges and fees and expenses of financial advisers and consultants in connection therewith, interest on obligations, including but not limited to, interest from the date of their issuance to the time when interest is to be covered from sources other than proceeds of obligations, amounts necessary to establish reserves as required by the bond proceedings, costs of audits, the reimbursement of all moneys advanced or applied by or borrowed from any governmental agency, whether to or by the commission or others, from whatever source provided, for the payment of any item or items of cost of the capital facilities, any share of the cost undertaken by the commission pursuant to arrangements made with governmental agencies under division (H) of section 154.06 of the Revised Code, and all other expenses necessary or incident to planning or determining feasibility or practicability with respect to capital facilities, and such other expenses as may be necessary or incident to the acquisition, construction, reconstruction, rehabilitation, remodeling, renovation, enlargement, improvement, equipment, and furnishing of capital facilities, the financing thereof and the placing of the same in use and operation, including any one, part of, or combination of such classes of costs and expenses.

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

(M) "State parks" means:

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

(2) All lands or interests therein of the state identified as administered by the division of parks and watercraft in the "inventory of state owned lands administered by the department of natural resources as of June 1, 1963," as recorded in the journal of the director, which inventory was prepared by the real estate section of the department and is supported by maps now on file in said real estate section;

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

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

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

(O) "Improvement fund" means the applicable fund created for the payment of costs of capital facilities under section

123.201, 154.20, 154.21, or 154.22 of the Revised Code, including all moneys and investments, and earnings from investments, credited and to be credited thereto.

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

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

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

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

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

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

Sec. 306.35. Upon the creation of a regional transit authority as provided by section 306.32 of the Revised Code, and upon the qualifying of its board of trustees and the election of a president and a vice-president, the authority shall exercise in its own name all the rights, powers, and duties vested in and conferred upon it by sections 306.30 to 306.53 of the Revised Code. Subject to any reservations, limitations, and

qualifications that are set forth in those sections, the regional transit authority:

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

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

(C) May adopt and at will alter a seal and use such seal by causing it to be impressed, affixed, reproduced, or otherwise used, but failure to affix the seal shall not affect the validity of any instrument;

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

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

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

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

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

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

(3) Before a bylaw or rule adopted under division (D)(2) of this section takes effect, the regional transit authority shall provide for a notice of its adoption to be published once

a week for two consecutive weeks in a newspaper of general circulation within the territorial boundaries of the regional transit authority, or as provided in section 7.16 of the Revised Code.

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

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

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

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

(2) Beginning on July 1, 2011, a regional transit

authority shall not extend its service or facilities into a political subdivision outside the territorial boundaries of the authority without giving prior notice to the legislative authority of the political subdivision. The legislative authority shall have thirty days after receiving the notice to comment on the proposal.

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

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

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

(K) May exercise the power of eminent domain to acquire property or any interest in property, within or without its territorial boundaries, that is necessary or proper for the construction or efficient operation of any transit facility or access to any transit facility under its jurisdiction in

accordance with section 306.36 of the Revised Code;

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

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

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

(O) May enter into and supervise franchise agreements for

the operation of a transit system;

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

(Q) May exercise a right to purchase a transit system in accordance with the acquisition terms of an existing franchise agreement; and in connection with the purchase the regional transit authority may issue revenue bonds as provided by section 306.37 of the Revised Code or issue bonds secured by its general credit as provided in section 306.40 of the Revised Code;

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

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

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

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

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

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

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

(1) The preservation of rights, privileges, and benefits

under existing collective bargaining agreements or otherwise, the preservation of rights and benefits under any existing pension plans covering prior service, and continued participation in social security in addition to participation in the public employees retirement system as required in Chapter 145. of the Revised Code;

(2) The continuation of collective bargaining rights;

(3) The protection of individual employees against a worsening of their positions with respect to their employment;

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

(5) Paid training or retraining programs;

(6) Signed written labor agreements.

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

(Y) May provide for and maintain security operations, including a transit police department, subject to section 306.352 of the Revised Code. Regional transit authority police officers shall have the power and duty to act as peace officers within transit facilities owned, operated, or leased by the transit authority to protect the transit authority's property and the person and property of passengers, to preserve the peace, and to enforce all laws of the state and ordinances and regulations of political subdivisions in which the transit authority operates. Regional transit authority police officers also shall have the power and duty to act as peace officers when they render emergency assistance outside their jurisdiction to any other peace officer who is not a regional transit authority

police officer and who has arrest authority under section 2935.03 of the Revised Code. Regional transit authority police officers may render emergency assistance if there is a threat of imminent physical danger to the peace officer, a threat of physical harm to another person, or any other serious emergency situation and if either the peace officer who is assisted requests emergency assistance or it appears that the peace officer who is assisted is unable to request emergency assistance and the circumstances observed by the regional transit authority police officer reasonably indicate that emergency assistance is appropriate.

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

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

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

(AA) May enter into any agreement for the sale and leaseback or lease and leaseback of transit facilities, which

agreement may contain all necessary covenants for the security and protection of any lessor or the regional transit authority including, but not limited to, indemnification of the lessor against the loss of anticipated tax benefits arising from acts, omissions, or misrepresentations of the regional transit authority. In connection with that transaction, the regional transit authority may contract for insurance and letters of credit and pay any premiums or other charges for the insurance and letters of credit. The fiscal officer shall not be required to furnish any certificate under section 5705.41 of the Revised Code in connection with the execution of any such agreement.

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

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

(DD) If it has a centralized transfer transportation hub

with six or more service routes, shall enter into and maintain a contract with one or more local law enforcement entities to enforce laws and ensure safety at or in the vicinity of the hub, provided, however, that this division does not apply to a regional transit authority that maintains a transit police department under division (Y) of this section.

Sec. 306.43. (A) The board of trustees of a regional transit authority or any officer or employee designated by such board may make any contract for the purchase of goods or services, the cost of which does not exceed one hundred thousand dollars. When an expenditure, other than for the acquisition of real estate, the discharge of claims, or the acquisition of goods or services under the circumstances described in division (H) of this section, is expected to exceed one hundred thousand dollars, such expenditure shall be made through full and open competition by the use of competitive procedures. The regional transit authority shall use the competitive procedure, as set forth in divisions (B), (C), (D), and (E) of this section, that is most appropriate under the circumstances of the procurement.

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

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

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

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

(4) It is not necessary to conduct discussions with

responding offerors about their bids;

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

A regional transit authority shall publish a notice calling for bids once a week for no less than two consecutive weeks in a newspaper of general circulation within the territorial boundaries of the regional transit authority, or as provided in section 7.16 of the Revised Code. A regional transit authority may require that a bidder for any contract other than a construction contract provide a bid guaranty in the form, quality, and amount considered appropriate by the regional transit authority. The board may let the contract to the lowest responsive and responsible bidder. Where fewer than two responsive bids are received, a regional transit authority may negotiate price with the sole responsive bidder or may rescind the solicitation and procure under division (H)(2) of this section.

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

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

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

A regional transit authority shall publish a notice calling for technical proposals once a week for no less than two

consecutive weeks in a newspaper of general circulation within the territorial boundaries of the regional transit authority, or as provided in section 7.16 of the Revised Code. A regional transit authority may require a bid guaranty in the form, quality, and amount the regional transit authority considers appropriate. The board may let the contract to the lowest responsive and responsible bidder. Where fewer than two responsive and responsible bids are received, a regional transit authority may negotiate price with the sole responsive and responsible bidder or may rescind the solicitation and procure under division (H)(2) of this section.

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

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

(E)(1) A regional transit authority shall procure the services of an architect or engineer in the manner prescribed by the "Federal Mass Transportation Act of 1987," Public Law No.

100-17, section 316, 101 Stat. 227, 232-234, 49 U.S.C.A. app. 1608 and the services of a construction manager in the manner prescribed by sections 9.33 to 9.332 of the Revised Code.

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

(3) All contracts for construction in excess of one hundred thousand dollars shall be made only after the regional transit authority has published a notice calling for bids once a week for two consecutive weeks in a newspaper of general circulation within the territorial boundaries of the regional transit authority, or as provided in section 7.16 of the Revised Code. The board may award a contract to the lowest responsive and responsible bidder. Where only one responsive and responsible bid is received, the regional transit authority may negotiate price with the sole responsive bidder or may rescind the solicitation. The regional transit authority shall award construction contracts in accordance with sections 153.12 to 153.14 and 153.54 of the Revised Code. Divisions (B) and (C) of this section shall not apply to the award of contracts for construction.

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

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

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

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

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

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

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

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

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

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

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

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

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

(6) The purchase substantially involves services of a personal, professional, highly technical, or scientific nature, including but not limited to the services of an attorney,

physician, surveyor, appraiser, investigator, court reporter, adjuster, advertising consultant, or licensed broker, or involves the special skills or proprietary knowledge required for the servicing of specialized equipment owned by the regional transit authority.

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

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

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

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

(J) Nothing contained in this section prohibits a regional

transit authority from participating in intergovernmental cooperative purchasing arrangements.

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

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

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

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

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

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

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

(6) The value of the personal property is such that competitive procedures are not appropriate and the property either is sold at its fair market value or is disposed of by

gift to a nonprofit entity having the general welfare or education of the public as one of its principal objects.

(M) The board of trustees of a regional transit authority, when making a contract funded exclusively by state or local moneys or any combination thereof, shall make a good faith effort to use disadvantaged business enterprise participation to the same extent required under Section 105(f) of the "Surface Transportation Assistance Act of 1982," Public Law No. 97-424, 96 Stat. 2100, and Section 106(c) of the "Surface Transportation and Uniform Relocation Assistance Act of 1987," Public Law No. 100-17, 101 Stat. 145, and the rules adopted thereunder.

(N) As used in this section:

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

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

(3) "Construction" means the process of building,

altering, repairing, improving, painting, decorating, or demolishing any structure or building, or other improvements of any kind to any real property owned or leased by a regional transit authority.

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

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

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

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

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

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

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

(c) Automatic energy control systems;

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

(e) Caulking and weatherstripping;

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

(g) Energy recovery systems;

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

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

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

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

(2) "Infrastructure" includes, but is not limited to, a water, gas, or electric utility, renewable energy system or

technology, highway traffic ~~control~~ signal, or any other asset owned, operated, or maintained by a municipal corporation.

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

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

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

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

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

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

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

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

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

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

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

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

Prior to sending any vendor a copy of any request for proposals, the legislative authority shall advertise its intent to request proposals for the installation of energy conservation measures in a newspaper of general circulation in the municipal corporation once a week for two consecutive weeks. The notice shall state that the legislative authority intends to request proposals for the installation of energy conservation measures, indicate the date on which the request for proposals will be

mailed to vendors, which shall be at least ten days after the second publication in the newspaper, and state that any vendor interested in receiving the request for proposals shall submit written notice to the legislative authority not later than noon of the day on which the request for proposals is to be mailed.

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

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

(c) The awarding of a contract to install energy conservation measures under division (C)(2)(a) or (b) of this section shall be conditioned upon a finding by the contracting authority that the amount of money spent on energy conservation measures is not likely to exceed the amount of money the municipal corporation would save in energy, operating,

maintenance, and avoided capital costs over the average system life of the energy conservation measures as specified in the energy conservation report. In making such a finding, the contracting authority may take into account the increased costs due to inflation as shown in the energy conservation report. Nothing in this division prohibits a municipal corporation from rejecting all bids or proposals under division (C)(1)(b) or (c) of this section or from selecting more than one bid or proposal.

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

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

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

(E) The legislative authority of a municipal corporation may issue the notes of the municipal corporation specifying the terms of a purchase of energy conservation measures under this section and securing any deferred payments provided for in division ~~(C)~~ (D) of this section. The notes shall be payable at the times provided and bear interest at a rate not exceeding the rate determined as provided in section 9.95 of the Revised Code. The notes may contain an option for prepayment and shall not be

subject to Chapter 133. of the Revised Code. Revenues derived from local taxes or otherwise, for the purpose of conserving energy or for defraying the current operating expenses of the municipal corporation, may be pledged and applied to the payment of interest and the retirement of the notes. The notes may be sold at private sale or given to the contractor under an installment payment contract authorized by division ~~(C)~~ (D) of this section.

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

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

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

(a) A certificate of title;

(b) An assignment of ownership;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(2) When any person submits a notice of change of address to the registrar under division (C) of section 4507.09 of the Revised Code, the registrar shall offer the applicant the

opportunity to submit a notice of change of address for voter registration purposes by electronic means in conjunction with the person's transaction with the registrar, in a manner prescribed by the secretary of state.

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

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

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

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

(3) Require the registrar or deputy registrar to electronically date stamp each electronic record in a manner that does not disclose the identity of the office that receives

the voter registration or update.

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

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

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

Sec. 3704.14. (A)(1) If the director of environmental protection determines that implementation of a motor vehicle inspection and maintenance program is necessary for the state to

effectively comply with the federal Clean Air Act after June 30, 2023, the director may provide for the implementation of the program in those counties in this state in which such a program is federally mandated. Upon making such a determination, the director of environmental protection may request the director of administrative services to extend the terms of the contract that was entered into under the authority of Am. Sub. H.B. 64 of the 131st general assembly. Upon receiving the request, the director of administrative services shall extend the contract, beginning on July 1, 2023, in accordance with this section. The contract shall be extended for a period of up to twenty-four months with the contractor who conducted the motor vehicle inspection and maintenance program under that contract.

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

(3) Notwithstanding any law to the contrary, the director of administrative services shall ensure that a competitive

selection process regarding a contract to operate a decentralized motor vehicle inspection and maintenance program in this state incorporates the following, which shall be included in the contract:

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

(b) A requirement that the vendor selected to operate the program provide notification of the program's requirements to each owner of a motor vehicle that is required to be inspected under the program. The contract shall require the notification to be provided not later than sixty days prior to the date by which the owner of the motor vehicle is required to have the motor vehicle inspected. The director of environmental protection and the vendor shall jointly agree on the content of the notice. However, the notice shall include at a minimum the locations of all inspection facilities within a specified distance of the address that is listed on the owner's motor vehicle registration;

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

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

inspection and maintenance program operated under this section.

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

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

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

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

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

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

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

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

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

~~(b) The individual has satisfactory work experience, a government certification, or a private certification as described in that chapter as a vehicle inspector in a state that does not issue that certificate.~~ The rules adopted under division (C)(1) of this section shall provide for the issuance of inspections certificates and alternative emissions certificates. Under the rules, an inspection certificate shall be issued to the owner or lessee of a motor vehicle when the motor vehicle passes an emissions inspection conducted in accordance with the motor vehicle inspection and maintenance program established under this section. In lieu of obtaining an inspection certificate, the rules shall establish a system by which the owner or lessee of a motor vehicle may request an alternative emissions certificate from the director.

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

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

"I, _____, attest that, to the best of my knowledge, the motor vehicle concerning which I am the owner or lessee complies

with all laws of Ohio and the United States governing motor vehicle emissions. I, _____, am aware that a false statement on this form is not permitted."

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

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

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

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

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

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

(d) The rules shall require the director to reject an

attestation form for any of the following reasons:

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

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

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

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

If the director rejects an attestation form under division

(C)(2)(d)(i) or (ii) of this section, the director shall require the owner or lessee to complete an emissions inspection and obtain an inspection certificate in accordance with rules adopted under this section.

(e) In adopting rules under division (C)(2) of this section, the director shall ensure that the owner or lessee of a motor vehicle who falsifies an attestation form receives a notice that includes a statement that reads substantially as follows: "You have falsified an attestation form for your vehicle under the E-Check/motor vehicle emissions testing program. Your vehicle is registered in one of [insert the number of counties] counties in this state that has federal emission mandates imposed on it that the State of Ohio is required, under threat of penalty, to enforce. This letter serves as Ohio's only penalty for falsification of an attestation form. You have thirty days from the date of this notice to amend your attestation form and submit the amended form to the Environmental Protection Agency. However, if you choose not to submit an amended attestation form, you must have a motor vehicle emissions inspection conducted for your vehicle in accordance with section 3704.14 of the Revised Code and rules adopted under it."

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

(D) There is hereby created in the state treasury the auto emissions test fund, which shall consist of money received by the director from any cash transfers, state and local grants, and other contributions that are received for the purpose of

funding the program established under this section. The director of environmental protection shall use money in the fund solely for the implementation, supervision, administration, operation, and enforcement of the motor vehicle inspection and maintenance program established under this section. Money in the fund shall not be used for either of the following:

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

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

(C) "Agricultural tractor" and "traction engine" mean any self-propelling vehicle that is designed or used for drawing

other vehicles or wheeled machinery, but has no provisions for carrying loads independently of such other vehicles, and that is used principally for agricultural purposes.

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

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

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

(G) "Historical motor vehicle" means any motor vehicle that is over twenty-five years old and is owned solely as a collector's item and for participation in club activities,

exhibitions, tours, parades, and similar uses, but that in no event is used for general transportation.

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

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

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

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

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

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

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

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

(C)(4) of section 3781.06 of the Revised Code or as an industrialized unit as defined in division (C)(3) of section 3781.06 of the Revised Code.

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

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

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

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

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

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

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

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

(a) "Travel trailer" or "house vehicle" means a nonself-propelled recreational vehicle that does not exceed an overall

length of forty feet, exclusive of bumper and tongue or coupling. "Travel trailer" includes a tent-type fold-out camping trailer as defined in section 4517.01 of the Revised Code.

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

(c) "Truck camper" means a nonself-propelled recreational vehicle that does not have wheels for road use and is designed to be placed upon and attached to a motor vehicle. "Truck camper" does not include truck covers that consist of walls and a roof, but do not have floors and facilities enabling them to be used as a dwelling.

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

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

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

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

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

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

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

(W) "Manufacturer" and "dealer" include all persons and firms that are regularly engaged in the business of manufacturing, selling, displaying, offering for sale, or dealing in motor vehicles, at an established place of business that is used exclusively for the purpose of manufacturing, selling, displaying, offering for sale, or dealing in motor vehicles. A place of business that is used for manufacturing, selling, displaying, offering for sale, or dealing in motor vehicles shall be deemed to be used exclusively for those purposes even though snowmobiles or all-purpose vehicles are sold or displayed for sale thereat, even though farm machinery is sold or displayed for sale thereat, or even though repair, accessory, gasoline and oil, storage, parts, service, or paint

departments are maintained thereat, or, in any county having a population of less than seventy-five thousand at the last federal census, even though a department in a place of business is used to dismantle, salvage, or rebuild motor vehicles by means of used parts, if such departments are operated for the purpose of furthering and assisting in the business of manufacturing, selling, displaying, offering for sale, or dealing in motor vehicles. Places of business or departments in a place of business used to dismantle, salvage, or rebuild motor vehicles by means of using used parts are not considered as being maintained for the purpose of assisting or furthering the manufacturing, selling, displaying, and offering for sale or dealing in motor vehicles.

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

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

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

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

(BB) "Manufacturer's number" means the manufacturer's

original serial number that is affixed to or imprinted upon the chassis or other part of the motor vehicle.

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

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

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

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

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

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

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

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

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

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

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

(JJ) "Gross vehicle weight," with regard to any commercial car, trailer, semitrailer, or bus that is taxed at the rates established under section 4503.042 or 4503.65 of the Revised

Code, means the unladen weight of the vehicle fully equipped plus the maximum weight of the load to be carried on the vehicle.

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

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

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

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

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

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

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

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

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

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

(UU) "Limited driving privileges" means the privilege to operate a motor vehicle that a court grants under section 4510.021 of the Revised Code to a person whose driver's or commercial driver's license or permit or nonresident operating

privilege has been suspended.

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

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

(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 vehicle, and was not originally manufactured to meet federal motor vehicle safety standards.

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

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

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

(1) A combustion engine;

(2) A battery cell energy system that cannot be recharged via an external source of electricity but can be recharged by

other vehicle mechanisms that capture and store electric energy.

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

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

(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.

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

Sec. 4503.10. (A) The owner of every snowmobile, off-highway motorcycle, and all-purpose vehicle required to be registered under section 4519.02 of the Revised Code shall file an application for registration under section 4519.03 of the Revised Code. The owner of a motor vehicle, other than a snowmobile, off-highway motorcycle, or all-purpose vehicle, that is not designed and constructed by the manufacturer for operation on a street or highway may not register it under this chapter except upon certification of inspection pursuant to section 4513.02 of the Revised Code by the sheriff, or the chief of police of the municipal corporation or township, with jurisdiction over the political subdivision in which the owner

of the motor vehicle resides. Except as provided in sections 4503.103 and 4503.107 of the Revised Code, every owner of every other motor vehicle not previously described in this section and every person mentioned as owner in the last certificate of title of a motor vehicle that is operated or driven upon the public roads or highways shall cause to be filed each year, by mail or otherwise, in the office of the registrar of motor vehicles or a deputy registrar, a written or electronic application or a preprinted registration renewal notice issued under section 4503.102 of the Revised Code, the form of which shall be prescribed by the registrar, for registration for the following registration year, which shall begin on the first day of January of every calendar year and end on the thirty-first day of December in the same year. Applications for registration and registration renewal notices shall be filed at the times established by the registrar pursuant to section 4503.101 of the Revised Code. A motor vehicle owner also may elect to apply for or renew a motor vehicle registration by electronic means using electronic signature in accordance with rules adopted by the registrar. Except as provided in division (J) of this section, applications for registration shall be made on blanks furnished by the registrar for that purpose, containing the following information:

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

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

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

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

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

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

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

(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.

(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.

(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.

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

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

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

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

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

(2) When a motor vehicle inspection and maintenance program is in effect under section 3704.14 of the Revised Code and rules adopted under it, each application for registration

for a vehicle required to be inspected under that section and those rules shall be accompanied by an inspection certificate or alternative emissions certificate for the motor vehicle issued in accordance with that section.

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

(a) The application is not in proper form.

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

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

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

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

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

(5) When a certificate of registration is issued upon the

first registration of a motor vehicle by or on behalf of the owner, the official issuing the certificate shall indicate the issuance with a stamp on the certificate of title or memorandum certificate or, in the case of an electronic certificate of title or electronic verification of ownership, an electronic stamp or other notation as specified in rules adopted by the registrar, and with a stamp on the inspection certificate for the motor vehicle, if any.

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

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

(C)(1) Except as otherwise provided in division (C)(1) of this section, the registrar and each deputy registrar shall collect an additional fee of eleven dollars for each application for registration and registration renewal received. For vehicles specified in divisions (A)(1) to (21) of section 4503.042 of the

Revised Code, the registrar and deputy registrar shall collect an additional fee of thirty dollars for each application for registration and registration renewal received. No additional fee shall be charged for vehicles registered under section 4503.65 of the Revised Code. The additional fee is for the purpose of defraying the department of public safety's costs associated with the administration and enforcement of the motor vehicle and traffic laws of Ohio. Each deputy registrar shall transmit the fees collected under divisions (C)(1) and (3) of this section in the time and manner provided in this section. The registrar shall deposit all moneys received under division (C)(1) of this section into the public safety - highway purposes fund established in section 4501.06 of the Revised Code.

(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 based on the number of months for which the vehicle is registered. The registrar shall transmit all money arising from each fee to the treasurer of state for distribution in accordance with division (E) of section 5735.051 of the Revised Code, subject to division (D) of section 5735.05 of the Revised Code.

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

(E) Upon the certification of the registrar, the county sheriff or local police officials shall recover license plates

erroneously or fraudulently issued.

(F) Each deputy registrar, upon receipt of any application for registration or registration renewal notice, together with the license fee and any local motor vehicle license tax levied pursuant to Chapter 4504. of the Revised Code, shall transmit that fee and tax, if any, in the manner provided in this section, together with the original and duplicate copy of the application, to the registrar. The registrar, subject to the approval of the director of public safety, may deposit the funds collected by those deputies in a local bank or depository to the credit of the "state of Ohio, bureau of motor vehicles." Where a local bank or depository has been designated by the registrar, each deputy registrar shall deposit all moneys collected by the deputy registrar into that bank or depository not more than one business day after their collection and shall make reports to the registrar of the amounts so deposited, together with any other information, some of which may be prescribed by the treasurer of state, as the registrar may require and as prescribed by the registrar by rule. The registrar, within three days after receipt of notification of the deposit of funds by a deputy registrar in a local bank or depository, shall draw on that account in favor of the treasurer of state. The registrar, subject to the approval of the director and the treasurer of state, may make reasonable rules necessary for the prompt transmittal of fees and for safeguarding the interests of the state and of counties, townships, municipal corporations, and transportation improvement districts levying local motor vehicle license taxes. The registrar may pay service charges usually collected by banks and depositories for such service. If deputy registrars are located in communities where banking facilities are not available, they shall transmit the fees forthwith, by

money order or otherwise, as the registrar, by rule approved by the director and the treasurer of state, may prescribe. The registrar may pay the usual and customary fees for such service.

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

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

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

(2)(a) The registrar shall adopt rules ensuring that each owner registering a motor vehicle in a county where a motor vehicle inspection and maintenance program is in effect under

section 3704.14 of the Revised Code and rules adopted under it receives information about the requirements established in that section and those rules and about the need in those counties to present an inspection certificate or an alternative emissions certificate with an application for registration or preregistration.

(b) Upon request, the registrar shall provide the director of environmental protection, or any person that has been awarded a contract under section 3704.14 of the Revised Code, an on-line computer data link to registration information for all passenger cars, noncommercial motor vehicles, and commercial cars that are subject to that section. The registrar also shall provide to the director of environmental protection a magnetic data tape containing registration information regarding passenger cars, noncommercial motor vehicles, and commercial cars for which a multi-year registration is in effect under section 4503.103 of the Revised Code or rules adopted under it, including, without limitation, the date of issuance of the multi-year registration, the registration deadline established under rules adopted under section 4503.101 of the Revised Code that was applicable in the year in which the multi-year registration was issued, and the registration deadline for renewal of the multi-year registration.

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

(1) A uniform mileage schedule;

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

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

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

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

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

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

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

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

(b) The application for renewal of the registration of a motor vehicle is prohibited from being accepted by the registrar or a deputy registrar by division (D) of section 2935.27,

division (A) of section 4503.13, division (B) of section 4510.22, division (D) of section 4503.234, division (B)(1) of section 4521.10, or division (B) of section 5537.041 of the Revised Code.

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

(C) The owner of the motor vehicle shall verify the information contained in the notice, sign it either manually or by electronic means, and return it, either by mail or electronic means, or the owner may take it in person to any office of the registrar or of a deputy registrar. The owner shall include with the notice a financial transaction device number when renewing in person or by electronic means but not by mail, check, or money order in the amount of the registration taxes and fees payable on the motor vehicle and a service fee equal to the amount established under section 4503.038 of the Revised Code, plus postage as indicated on the notice if the registration is renewed or fulfilled by mail, and an inspection certificate or alternative emissions certificate for the motor vehicle as provided in section 3704.14 of the Revised Code. For purposes of the centralized system of motor vehicle registration, the registrar shall accept payments via the toll-free telephone number established under division (D)(1) of section 4503.031 of the Revised Code for renewals made by mail. If the motor vehicle owner chooses to renew the motor vehicle registration by electronic means, the owner shall proceed in accordance with the rules the registrar adopts.

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

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

(2) If the owner of a motor vehicle submits an application for registration and the registrar is prohibited by division (D) of section 2935.27, division (A) of section 4503.13, division

(B) of section 4510.22, division (D) of section 4503.234, division (B)(1) of section 4521.10, or division (B) of section 5537.041 of the Revised Code from accepting the application, the registrar shall return the application and the payment to the owner. If the owner of a motor vehicle submits a registration renewal application to the registrar by electronic means and the registrar is prohibited from accepting the application as provided in this division, the registrar shall notify the owner of this fact and deny the application and return the payment or give a credit on the financial transaction device account of the owner in the manner the registrar prescribes by rule adopted pursuant to division (A) of this section.

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

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

(H)(1) Pursuant to section 113.40 of the Revised Code, the registrar shall implement a program permitting payment of motor

vehicle registration taxes and fees, driver's license and commercial driver's license fees, and any other taxes, fees, penalties, or charges imposed or levied by the state by means of a financial transaction device for transactions occurring online, at any office of the registrar, and at all deputy registrar locations. The program shall take effect not later than July 1, 2016. The registrar shall adopt rules as necessary for this purpose, but all such rules are subject to any action, policy, or procedure of the board of deposit or treasurer of state taken or adopted under section 113.40 of the Revised Code.

(2) The rules adopted under division (H)(1) of this section shall require a deputy registrar to accept payments by means of a financial transaction device beginning on the effective date of the rules unless the deputy registrar contract entered into by the deputy registrar prohibits the acceptance of such payments by financial transaction device. However, commencing with deputy registrar contract awards that have a start date of July 1, 2016, and for all contract awards thereafter, the registrar shall require that the proposer accept payment by means of a financial transaction device, including credit cards and debit cards, for all department of public safety transactions conducted at that deputy registrar location.

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

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

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

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

person is registering.

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

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

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

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

(iii) One single deputy registrar service fee in the amount specified in division (D) of section 4503.10 of the

Revised Code or one single bureau of motor vehicles service fee in the amount specified in division (G) of that section, as applicable, regardless of the number of years for which the applicant is registering.

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

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

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

4503.038 of the Revised Code.

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

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

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

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

(D) Upon receipt from the director of environmental protection of a notice issued under rules adopted under section 3704.14 of the Revised Code indicating that an owner of a motor vehicle that is required to be inspected under that section who obtained a multi-year registration for the vehicle under division (A) of this section or rules adopted under that division has not obtained a required inspection certificate or alternative emissions certificate for the vehicle, the registrar in accordance with Chapter 119. of the Revised Code shall issue

an order to the owner impounding the certificate of registration and identification license plates for the vehicle. The order also shall prohibit the owner from obtaining or renewing a multi-year registration for any vehicle that is required to be inspected under that section, the district of registration of which is or is located in the same county as the county named in the order during the number of years after expiration of the current multi-year registration that equals the number of years for which the current multi-year registration was issued.

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

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

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

(2) Presentation to the registrar by the owner of the required inspection certificate or alternative emissions

certificate for the vehicle.

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

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

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

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

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

(C) A person who owns a replica motor vehicle and applies for registration and a replica license plate under this section shall execute an affidavit that the replica motor vehicle for which the plate is requested is owned and operated solely for the purposes enumerated in division (A) of this section. The

affidavit also shall set forth that the replica motor vehicle has been inspected and found safe to operate on the public roads and highways in the state. No registration issued pursuant to this section need specify the weight of the replica motor vehicle.

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

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

Sec. 4503.19. (A)(1) Upon the filing of an application for registration and the payment of the tax for registration, the registrar of motor vehicles or a deputy registrar shall determine whether the owner previously has been issued a license

plate for the motor vehicle described in the application. If no license plate previously has been issued to the owner for that motor vehicle, the registrar or deputy registrar shall assign to the motor vehicle a distinctive number and issue and deliver to the owner in the manner that the registrar may select a certificate of registration, in the form that the registrar shall prescribe. The registrar or deputy registrar also shall charge the owner any fees required under division (C) of section 4503.10 of the Revised Code and, if applicable, any fees and contribution required in accordance with section 4503.261 of the Revised Code.

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

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

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

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

(5) In the event of the loss, mutilation, or destruction of any certificate of registration, or of any license plate or validation sticker, or if the owner chooses to replace a license plate previously issued for a motor vehicle, or if the registration certificate and license plate have been impounded as provided by division (B)(1) of section 4507.02 and section 4507.16 of the Revised Code, the owner of a motor vehicle, or manufacturer or dealer, may obtain from the registrar, or from a deputy registrar if authorized by the registrar, a duplicate thereof or a new license plate bearing a different number, if the registrar considers it advisable, upon filing an application prescribed by the registrar, and upon paying a fee of one dollar for such certificate of registration. The registrar shall deposit the one dollar fee into the state treasury to the credit of the public safety - highway purposes fund created in section 4501.06 of the Revised Code. The registrar or deputy registrar shall charge a fee of seven dollars and fifty cents for each set of two license plates or six dollars and fifty cents for each single license plate or validation sticker issued, which the registrar shall deposit into the state treasury to the credit of the public safety - highway purposes fund.

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

contribution under section 4503.261 of the Revised Code.

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

(B) A certificate of registration issued under this section shall have a portion that contains all the information contained in the main portion of the certificate except for the address of the person to whom the certificate is issued. Except as provided in this division, whenever a reference is made in the Revised Code to a motor vehicle certificate of registration that is issued under this section, the reference shall be deemed to refer to either the main portion of the certificate or the portion containing all information in the main portion except the address of the person to whom the certificate is issued. If a reference is made in the Revised Code to the seizure or surrender of a motor vehicle certificate of registration that is issued under this section, the reference shall be deemed to refer to both the main portion of the certificate and the portion containing all information in the main portion except the address of the person to whom the certificate is issued.

(C) Whoever violates this section is guilty of a minor

misdemeanor.

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

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

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

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

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

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

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

(4) Subject to division (C) of this section, provisions

allowing an owner or lessee purchasing a specialty license plate created by the vendor to select various design features of the license plate;

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

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

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

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

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

(c) A contribution for deposit in the drug law enforcement

fund created in section 5502.68 of the Revised Code.

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

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

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

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

(D)(1) If a contract with a vendor is entered into under this section, the owner or lessee of any passenger car, noncommercial motor vehicle, recreational vehicle, or other vehicle of a class approved by the registrar and the vendor may apply for registration of the vehicle and issuance by the

registrar of a specialty license plate pursuant to this section.

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

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

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

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

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

highway patrol;

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

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

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

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

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

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

(2) The clerk shall use reasonable care in performing the duties imposed on the clerk by this section in issuing a certificate of title pursuant to this section, but the clerk is

not liable for any of the clerk's errors or omissions or those of the clerk's deputies, or the automated title processing system in the performance of those duties.

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

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

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

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

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

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

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

Any subsequent certificate of title issued for a replica

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

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

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

Sec. 4505.08. (A) When the clerk of a court of common pleas issues a physical certificate of title, the clerk shall issue the certificate of title on a form and in a manner prescribed by the registrar of motor vehicles. The clerk shall file a copy of the physical evidence for the creation of the certificate of title in a manner prescribed by the registrar. A clerk may retain digital images of documents used as evidence for issuance of a certificate of title. Certified printouts of documents retained as digital images shall have the same evidentiary value as the original physical documents. The record of the issuance of the certificate of title shall be maintained in the automated title processing system. The clerk shall sign and affix the clerk's seal to the original certificate of title and, if there are no liens on the motor vehicle, shall deliver the certificate to the applicant or the selling dealer. If there

are one or more liens on the motor vehicle, the certificate of title shall be delivered to the holder of the first lien or the selling dealer, who shall deliver the certificate of title to the holder of the first lien.

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

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

The automated title processing system shall contain all active records and an index of the active records, a record and index of all inactive titles for ten years, and a record and

index of all inactive titles for manufactured and mobile homes for thirty years. If the clerk provides a written copy of any information contained in the database, the copy shall be considered the original for purposes of the clerk certifying the record of the information for use in any legal proceeding.

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

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

(3) If the clerk, while issuing a certificate of title for a motor vehicle that was last previously registered in another

state, receives information from the automated title processing system indicating that the vehicle was previously issued a title by this state and that the previous title bore the notation "REBUILT SALVAGE" as required by division (E) of section 4505.11 of the Revised Code, or the previous title to the vehicle issued by this state was a salvage certificate of title, the clerk shall cause the certificate of title the clerk issues to bear the notation "REBUILT SALVAGE" in the location prescribed by the registrar pursuant to that division.

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

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

(D) The clerk shall use reasonable care in recording or

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

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

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

(G) An electronic motor vehicle dealer who applies for a certificate of title on behalf of a customer who purchases a motor vehicle from the dealer may print a non-negotiable evidence of ownership for the customer if the customer so requests. The authorization to print the non-negotiable evidence of ownership shall come from the clerk with whom the dealer makes application for the certificate of title for the customer,

but the printing by the dealer does not create an agency relationship of any kind between the dealer and the clerk.

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

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

Sec. 4506.01. As used in this chapter:

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

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

(2) Two hundred ten liters of breath;

(3) One hundred milliliters of urine.

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

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

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

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

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

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

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

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

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

(6) Any single vehicle or combination of vehicles that is designed to be operated and to travel on a public street or highway and is considered by the federal motor carrier safety

administration to be a commercial motor vehicle, including, but not limited to, a motorized crane, a vehicle whose function is to pump cement, a rig for drilling wells, and a portable crane.

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

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

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

(3) Any drug of abuse.

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

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

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

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

(3) A determination by the federal motor carrier safety administration that a person is not qualified to operate a

commercial motor vehicle under 49 C.F.R. 391.

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

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

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

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

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

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

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

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

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

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

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

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

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

(R) "Farm truck" means a truck controlled and operated by a farmer for use in the transportation to or from a farm, for a distance of not more than one hundred fifty miles, of products of the farm, including livestock and its products, poultry and its products, floricultural and horticultural products, and in the transportation to the farm, from a distance of not more than one hundred fifty miles, of supplies for the farm, including tile, fence, and every other thing or commodity used in agricultural, floricultural, horticultural, livestock, and poultry production, and livestock, poultry, and other animals and things used for breeding, feeding, or other purposes connected with the operation of the farm, when the truck is operated in accordance with this division and is not used in the operations of a motor carrier, as defined in section 4923.01 of the Revised Code.

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

(T) "Felony" means any offense under federal or state law

that is punishable by death or specifically classified as a felony under the law of this state, regardless of the penalty that may be imposed.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(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 vehicle group being operated or for the passengers or type of cargo being transported;

(e) 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 being in the person's possession;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(4) The licensee's date of birth;

(5) The licensee's social security number if the person has requested that the number be displayed in accordance with section 4501.31 of the Revised Code or if federal law requires the social security number to be displayed and any number or

other identifier the director of public safety considers appropriate and establishes by rules adopted under Chapter 119. of the Revised Code and in compliance with federal law;

(6) The licensee's signature;

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

(8) The name of this state;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

The registrar also shall provide at each place where an application for a driver's or commercial driver's license or identification card may be made the necessary equipment to take a photograph of the applicant for such license or card as required under section 4506.11 or 4507.06 of the Revised Code,

and to conduct the vision screenings required by section 4507.12 of the Revised Code.

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

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

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

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

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

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

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

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

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

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

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

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

(9) The applicant's current driver's license, commercial driver's license, or driving privileges are not suspended, canceled, revoked, or restricted, and the applicant is not

otherwise prohibited by law from obtaining a driver's license, commercial driver's license, or identification card.

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

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

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

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

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

(1) A temporary instruction permit;

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

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

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

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

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

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

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

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

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

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

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

(a) The distinguishing number assigned to the licensee;

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

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

(d) A photograph of the licensee;

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

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

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

(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 license issued to a person who applies no more than thirty days before the applicant's twenty-first birthday shall have the characteristics of a license issued to a person who is twenty-one years of age or older.

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

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

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

license.

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

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

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

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

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

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

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

~~2003.~~

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

"STATE OF OHIO IDENTIFICATION CARD

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

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

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

(4) If the cardholder 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 cardholder wishes the identification card to indicate that the cardholder has executed either type of instrument, the card also shall display any symbol chosen by the registrar to indicate that the cardholder has executed either type of instrument.

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

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

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

(8) Every identification card issued to a resident of this

state shall display the expiration date of the card, in accordance with section 4507.501 of the Revised Code.

(9) Every identification card issued to a temporary resident shall expire in accordance with section 4507.501 of the Revised Code and rules adopted by the registrar and is limited term. Every limited term identification card and limited term temporary identification card shall contain the words "limited term" and shall have any additional characteristics prescribed by the registrar distinguishing it from an identification card issued to a resident.

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

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

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

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

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

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

(4) Except as provided in division (B)(5) or (6) of this

section, when a cardholder applies for a duplicate, reprint, or replacement identification card, the cardholder shall pay the following fees:

(a) Two dollars and fifty cents;

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

(5) The following cardholders may apply for a duplicate, reprint, or replacement identification card without payment of any fee prescribed in division (B)(4) of this section:

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

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

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

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

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

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

services of the system.

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

(E) Except in regard to an identification card issued to a person who applies no more than thirty days before the applicant's twenty-first birthday, neither the registrar nor any deputy registrar shall issue an identification card to a person under twenty-one years of age that does not have the characteristics prescribed by the registrar distinguishing it from the identification card issued to persons who are twenty-one years of age or older.

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

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

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

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

(a) Establish standards that an online driver training enterprise must satisfy to be licensed to offer an online driver education course via the internet, including, at a minimum, proven expertise in providing driver education and an acceptable infrastructure capable of providing secure online driver education in accord with advances in internet technology. The rules shall allow an online driver training enterprise to be affiliated with a licensed driver training school offering in-person classroom instruction, but shall not require such an affiliation.

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

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

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

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

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

(C) The rules shall require twenty-four hours of completed in-person classroom instruction or the completion of an approved, equivalent online driver education course offered via the internet by a licensed online driver training enterprise, followed by eight hours of actual behind-the-wheel instruction conducted on public streets and highways of this state for all

beginning drivers of noncommercial motor vehicles who are ~~under age eighteen~~required to complete the training under section 4507.21 of the Revised Code. The rules also shall require the classroom instruction or online driver education course for such drivers to include instruction on both of the following:

(1) The dangers of driving a motor vehicle while distracted, including while using an electronic wireless communications device, or engaging in any other activity that distracts a driver from the safe and effective operation of a motor vehicle;

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

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

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

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

the department incurs in supplying the certificates.

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

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

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

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

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

(D) "Emergency vehicle" means emergency vehicles of municipal, township, or county departments or public utility corporations when identified as such as required by law, the director of public safety, or local authorities, and motor vehicles when commandeered by a police officer.

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

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

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

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

(3) of this section.

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

Any vehicle used to transport or provide emergency medical service to an ill or injured person, when certified as a public safety vehicle, shall be considered a public safety vehicle when transporting an ill or injured person to a hospital regardless of whether such vehicle has already passed a hospital.

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

(F) "School bus" means every bus designed for carrying more than nine passengers that is owned by a public, private, or governmental agency or institution of learning and operated for the transportation of children to or from a school session or a school function, or owned by a private person and operated for compensation for the transportation of children to or from a school session or a school function~~, provided "school~~ . "School bus" does not include a bus operated by a municipally owned transportation system, a mass transit company operating exclusively within the territorial limits of a municipal corporation, or within such limits and the territorial limits of municipal corporations immediately contiguous to such municipal corporation, nor a common passenger carrier certified by the public utilities commission unless such bus is devoted exclusively to the transportation of children to and from a school session or a school function~~,~~; and "school bus" does not include a van or bus used by a licensed child care center or

type A family child care home to transport children from the child care center or type A family child care home to a school if the van or bus does not have more than fifteen children in the van or bus at any time.

(G) "Bicycle" means ~~every device, other than a device that is designed solely for use as a play vehicle by a child, that is propelled solely by human power upon which a person may ride, and that has two or more wheels, any of which is more than fourteen inches in diameter~~a pedal-powered vehicle upon which a human operator sits, including an electric bicycle.

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

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

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

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

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

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

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

(O) "Pole trailer" means every trailer or semitrailer attached to the towing vehicle by means of a reach, pole, or by being boomed or otherwise secured to the towing vehicle, and

ordinarily used for transporting long or irregular shaped loads such as poles, pipes, or structural members capable, generally, of sustaining themselves as beams between the supporting connections.

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

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

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

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

(T) "Explosives" means any chemical compound or mechanical mixture that is intended for the purpose of producing an explosion that contains any oxidizing and combustible units or other ingredients in such proportions, quantities, or packing that an ignition by fire, by friction, by concussion, by percussion, or by a detonator of any part of the compound or mixture may cause such a sudden generation of highly heated gases that the resultant gaseous pressures are capable of producing destructive effects on contiguous objects, or of destroying life or limb. Manufactured articles shall not be held

to be explosives when the individual units contain explosives in such limited quantities, of such nature, or in such packing, that it is impossible to procure a simultaneous or a destructive explosion of such units, to the injury of life, limb, or property by fire, by friction, by concussion, by percussion, or by a detonator, such as fixed ammunition for small arms, firecrackers, or safety fuse matches.

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

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

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

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

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

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

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

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

(CC) "Controlled-access highway" means every street or highway in respect to which owners or occupants of abutting lands and other persons have no legal right of access to or from the same except at such points only and in such manner as may be determined by the public authority having jurisdiction over such street or highway.

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

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

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

(GG) "Laned highway" means a highway the roadway of which

is divided into two or more clearly marked lanes for vehicular traffic.

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

(II) "State highway" means a highway under the jurisdiction of the department of transportation, outside the limits of municipal corporations, provided that the authority conferred upon the director of transportation in section 5511.01 of the Revised Code to erect state highway route markers and signs directing traffic shall not be modified by sections 4511.01 to 4511.79 and 4511.99 of the Revised Code.

(JJ) "State route" means every highway that is designated with an official state route number and so marked.

(KK) "Intersection" means:

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

(2) If a highway includes two roadways ~~that are thirty feet or more apart~~separated by a median, then every crossing of each roadway of such divided highway by an intersecting highway constitutes a separate intersection if the opposing left-turn paths cross and there is sufficient interior storage for the

design vehicle. ~~If both intersecting highways include two roadways thirty feet or more apart, then every crossing of any two roadways of such highways constitutes a separate intersection~~As used in this division, "design vehicle" means the longest vehicle authorized under section 5577.05 of the Revised Code to operate on that roadway without a permit.

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

(a) If a stop line, yield line, or crosswalk has not been designated on the roadway within the median between the separate intersections, the two intersections and the roadway and median constitute one intersection.

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

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

(LL) "Crosswalk" means:

(1) That part of a roadway at ~~intersections ordinarily~~ an intersection included within the ~~real or projected prolongation of property lines and curb lines~~ connections of the lateral lines of the sidewalks on opposite sides of the highway measured from the curbs, or, in the absence of curbs, from the edges of the traversable roadway, and in the absence of a sidewalk on one side of the roadway, the part of a roadway included within the extension of the lateral lines of the sidewalk at right angles

to the center line;

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

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

(MM) "Safety zone" means the area or space officially set apart within a roadway for the exclusive use of pedestrians and protected or marked or indicated by adequate signs as to be plainly visible at all times.

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

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

(PP) "Urban district" means the territory contiguous to

and including any street or highway which is built up with structures devoted to business, industry, or dwelling houses situated at intervals of less than one hundred feet for a distance of a quarter of a mile or more, and the character of such territory is indicated by official traffic control devices.

(QQ) "Traffic control device" means a flagger, sign, signal, marking, channelization device, or other device ~~used to regulate, warn, or guide traffic, placed on, over, or adjacent~~ that uses colors, shapes, symbols, words, sounds, or tactile information for the primary purpose of communicating a regulatory, warning, or guidance message to road users on a street, highway, ~~private road~~ site roadway open to public travel, pedestrian facility, ~~or shared-use path by authority of a public agency or official having jurisdiction, or, in the case of a private road open to public travel, by authority of the private owner or private official having jurisdiction~~bikeway, or pathway.

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

(SS) "Railroad sign or signal" means any sign, signal, or device erected by authority of a public body or official or by a railroad and intended to give notice of the presence of railroad

tracks or the approach of a ~~railroad~~ train.

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

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

(1) The right of a vehicle, streetcar, trackless trolley, or pedestrian to proceed uninterruptedly in a lawful manner in the direction in which it or the individual is moving in preference to another vehicle, streetcar, trackless trolley, or pedestrian approaching from a different direction into its or the individual's path;

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

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

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

(XX) "Alley" means a street or highway intended to provide access to the rear or side of lots or buildings in urban districts and not intended for the purpose of through vehicular

traffic, and includes any street or highway that has been declared an "alley" by the legislative authority of the municipal corporation in which such street or highway is located.

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

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

(AAA) "Thruway" means a through highway whose entire roadway is reserved for through traffic and on which roadway parking is prohibited.

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

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

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

(EEE) "Motorized wheelchair" means any self-propelled

vehicle designed for, and used by, a person with a disability and that is incapable of a speed in excess of eight miles per hour.

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

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

(HHH) "Operate" means to cause or have caused movement of a vehicle, streetcar, or trackless trolley.

(III) "Predicate motor vehicle or traffic offense" means any of the following:

(1) A violation of section 4511.03, 4511.051, 4511.12, 4511.132, 4511.16, 4511.20, 4511.201, 4511.21, 4511.211, 4511.213, 4511.22, 4511.23, 4511.25, 4511.26, 4511.27, 4511.28, 4511.29, 4511.30, 4511.31, 4511.32, 4511.33, 4511.34, 4511.35, 4511.36, 4511.37, 4511.38, 4511.39, 4511.40, 4511.41, 4511.42, 4511.43, 4511.431, 4511.432, 4511.44, 4511.441, 4511.451, 4511.452, 4511.46, 4511.47, 4511.48, 4511.481, 4511.49, 4511.50, 4511.511, 4511.522, 4511.53, 4511.54, 4511.55, 4511.56, 4511.57, 4511.58, 4511.59, 4511.60, 4511.61, 4511.64, 4511.66, 4511.661, 4511.68, 4511.70, 4511.701, 4511.71, 4511.711, 4511.712, 4511.713, 4511.72, 4511.73, 4511.763, 4511.771, 4511.78, or 4511.84 of the Revised Code;

(2) A violation of division (A)(2) of section 4511.17,

divisions (A) to (D) of section 4511.51, or division (A) of section 4511.74 of the Revised Code;

(3) A violation of any provision of sections 4511.01 to 4511.76 of the Revised Code for which no penalty otherwise is provided in the section that contains the provision violated;

(4) A violation of section 4511.214 of the Revised Code;

(5) A violation of a municipal ordinance that is substantially similar to any section or provision set forth or described in division (III)(1), (2), (3), or (4) of this section.

(JJJ) "Road service vehicle" means wreckers, utility repair vehicles, and state, county, and municipal service vehicles equipped with visual signals by means of flashing, rotating, or oscillating lights.

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

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

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

(2) A pedestrian hybrid beacon used to warn and control traffic at an otherwise unsignalized location to assist

pedestrians in crossing a street or highway at a marked crosswalk.

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

(NNN) "Median" means the portion of a highway separating opposing directions of the traveled way or the area between two roadways of a divided highway, measured from edge of traveled way to edge of traveled way~~, but excluding~~ . The median excludes turn lanes. The width of a median may be different between intersections, ~~between~~ interchanges, and at opposite approaches of the same intersection.

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

or a private highway-rail grade crossing.

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

(QQQ) "Highway maintenance vehicle" means a vehicle used in snow and ice removal or road surface maintenance, including a snow plow, traffic line striper, road sweeper, mowing machine, asphalt distributing vehicle, or other such vehicle designed for use in specific highway maintenance activities.

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

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

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

(UUU) "Class 2 electric bicycle" means a bicycle that is

equipped with fully operable pedals and an electric motor of less than seven hundred fifty watts that may provide assistance regardless of whether the rider is pedaling and is not capable of providing assistance when the bicycle reaches the speed of twenty miles per hour.

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

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

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

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

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

(AAAA) "Lane-use control signal" means a signal face or comparable display on a full-matrix changeable message sign that displays indications to permit or prohibit the use of specific

lanes of a roadway or a shoulder where driving is sometimes authorized or to indicate the impending prohibition of such use.

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

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

(DDDD) "Bicycle lane" means a portion of a roadway that has been designated for preferential or exclusive use by bicyclists and is often delineated from the adjacent general-purpose lanes by longitudinal pavement markings and either a bicycle lane symbol, words, or signs. "Bicycle lane" includes all of the following:

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

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

(3) A separated bicycle lane, which is an exclusive

facility for bicyclists that is located within or directly adjacent to the roadway and is physically separated from the motor vehicle traffic with a vertical element.

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

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

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

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

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

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

(KKKK) "Shoulder" means a longitudinal area contiguous with the traveled way that is used for accommodating vehicles

that are stopped for an emergency and for lateral support of base and surface courses; graded for emergency stopping; either paved or unpaved; and when paved, may be open for part-time travel by some or all vehicles or may also be available for use by pedestrians or bicycles in the absence of other pedestrian or bicycle facilities.

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

Sec. 4511.031. ~~(A)(1)~~ (A) As used in this section:

(1) "Highway maintenance vehicle" means a vehicle used in snow and ice removal, including a snow plow, when it is either owned or operated by or on behalf of a political subdivision.

(2) "Peace officer" has the same meaning as in divisions (A)(1), (12), (14), and (19) of section 109.71 of the Revised Code.

(3) "Portable signal preemption device" means a device that, if activated by a person, is capable of changing a highway traffic signal to green out of sequence.

(4) "Public safety vehicle" has the same meaning as in divisions (E)(1), (3), and (4) of section 4511.01 of the Revised Code.

(B) Except as provided in divisions (C) and (D) of this section:

(1) No person shall possess a portable signal preemption device.

(2) No person shall use a portable signal preemption

device to affect the operation of the highway traffic ~~control~~ signal.

~~(B)~~ (C) Division ~~(A)(1)~~ (B)(1) of this section does not apply to any of the following persons~~ and division (A)(2) of this section does not apply to any of the following persons when responding to an emergency call~~:

(1) A peace officer~~, as defined in division (A)(1), (12), (14), or (19) of section 109.71 of the Revised Code~~;

(2) A state highway patrol trooper;

(3) A person while occupying a public safety vehicle~~ as defined in division (E)(1), (3), or (4) of section 4511.01 of the Revised Code~~;

(4) The authorized operator of a highway maintenance vehicle.

~~(C)~~ (D) Division (B)(2) of this section does not apply under either of the following circumstances:

(1) When a person listed in divisions (C)(1) to (3) of this section is responding to an emergency call;

(2) When a person listed in division (C)(4) of this section is responding to an emergency weather event.

(E) Whoever violates division ~~(A)(1)~~ (B)(1) of this section is guilty of a misdemeanor of the fourth degree. Whoever violates division ~~(A)(2)~~ (B)(2) of this section is guilty of a misdemeanor of the first degree.

~~(D) As used in this section, "portable signal preemption device" means a device that, if activated by a person, is capable of changing a traffic control signal to green out of~~

~~sequence.~~

Sec. 4511.09. The department of transportation shall adopt a manual for a uniform system of traffic control devices, including signs denoting names of streets and highways, for use upon any street, highway, bikeway, or ~~private road~~ site roadway open to public travel within this state. Such uniform system shall correlate with, and so far as possible conform to, the system approved by the federal highway administration.

Sec. 4511.091. (A) The driver of any motor vehicle that has been checked by radar, or by any electrical or mechanical timing device to determine the speed of the motor vehicle over a measured distance of a highway or a measured distance of a private road ~~or driveway~~, and found to be in violation of any of the provisions of section 4511.21 or 4511.211 of the Revised Code, may be arrested until a warrant can be obtained, provided the arresting officer has observed the recording of the speed of the motor vehicle by the radio microwaves, electrical or mechanical timing device, or has received a radio message from the officer who observed the speed of the motor vehicle recorded by the radio microwaves, electrical or mechanical timing device; provided, in case of an arrest based on such a message, the radio message has been dispatched immediately after the speed of the motor vehicle was recorded and the arresting officer is furnished a description of the motor vehicle for proper identification and the recorded speed.

(B) If the driver of a motor vehicle being driven on a public street or highway of this state is observed violating any provision of this chapter other than section 4511.21 or 4511.211 of the Revised Code by a law enforcement officer situated at any location, including in any type of airborne aircraft or airship,

that law enforcement officer may send a radio message to another law enforcement officer, and the other law enforcement officer may arrest the driver of the motor vehicle until a warrant can be obtained or may issue the driver a citation for the violation; provided, if an arrest or citation is based on such a message, the radio message is dispatched immediately after the violation is observed and the law enforcement officer who observes the violation furnishes to the law enforcement officer who makes the arrest or issues the citation a description of the alleged violation and the motor vehicle for proper identification.

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

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

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

(c) Preclude a peace officer from testifying that the speed of operation of a motor vehicle, trackless trolley, or streetcar was at a speed greater or less than a speed described in division (A) of section 4511.21 of the Revised Code, the admission into evidence of such testimony, or preclude a

conviction of a violation of that division based in whole or in part on such testimony.

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

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

(A) "Designated party" means the person whom the registered owner of a motor vehicle, upon receipt of a ticket based upon images recorded by a traffic law photo-monitoring device that indicate a traffic law violation, identifies as the person who was operating the vehicle of the registered owner at the time of the violation.

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

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

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

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

(F) "Recorded images" means any of the following images recorded by a traffic law photo-monitoring device that show, on at least one image or on a portion of the videotape, the rear of

a motor vehicle and the letters and numerals on the rear license plate of the vehicle:

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

(2) Videotape.

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

(1) Any person or entity identified by the bureau of motor vehicles or any other state motor vehicle registration bureau, department, or office as the owner of a motor vehicle;

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

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

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

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

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

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

(1) A violation of section 4511.12 of the Revised Code based on the failure to comply with section 4511.13 of the

Revised Code or a substantially equivalent municipal ordinance that occurs at an intersection due to failure to obey a highway traffic ~~control~~ signal;

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

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

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

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

The local authority shall erect the signs within the first three hundred feet of the boundary of the local authority or within three hundred feet of the fixed system location, as applicable. If the signs cannot be located within the first three hundred feet of the boundary of the local authority or within three hundred feet of the fixed system location, the local authority shall erect the signs as close to that distance as possible. If a particular highway enters and exits the territory of a local authority multiple times, the local authority shall erect the signs as required by division (A)(1) of this section at the locations in each direction of travel

where inbound traffic on the highway first enters the territory of the local authority and is not required to erect additional signs along such highway each time the highway reenters the territory of the local authority. The local authority is responsible for all costs associated with the erection, maintenance, and replacement, if necessary, of the signs. The local authority shall ensure that all signs erected under this division conform in size, color, location, and content to standards contained in the manual adopted by the department of transportation pursuant to section 4511.09 of the Revised Code and shall remain in place for as long as the local authority utilizes traffic law photo-monitoring devices to enforce any traffic law.

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

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

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

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

(C) A local authority is deemed to be in substantial compliance with the requirement of division (A)(1) or (2) of

this section, as applicable, to erect the advisory signs if the authority does both of the following:

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

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

(D) A local authority that uses traffic law photo-monitoring devices to detect or enforce any traffic law violation at an intersection where traffic is controlled by highway traffic ~~control~~ signals that exhibit different colored lights or colored lighted arrows shall time the operation of the yellow lights and yellow arrows of those highway traffic ~~control~~ signals so that the steady yellow indication exceeds by one second the minimum duration for yellow indicators at similar intersections as established by the provisions of the manual adopted by the department of transportation under section 4511.09 of the Revised Code.

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

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

(C) No village shall place or maintain any highway traffic ~~control~~ signal upon an extension of the state highway system within the village without first obtaining the permission of the director. The director may revoke the permission and may require to be removed any highway traffic ~~control~~ signal that has been erected without the director's permission on an extension of a state highway within a village, or that, if erected under a permit granted by the director, does not conform to the state manual, or that is not operated in accordance with the terms of the permit.

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

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

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

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

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

(A) Steady green signal indication:

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

(i) Pedestrians lawfully within an associated crosswalk;

(ii) Other vehicles lawfully within the intersection.

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

(2) Vehicular traffic, streetcars, and trackless trolleys facing a green arrow signal indication, displayed alone or in combination with another signal indication, are permitted to cautiously enter the intersection only to make the movement indicated by such arrow, or such other movement as is permitted by other indications displayed at the same time. Such vehicular traffic, streetcars, and trackless trolleys, including vehicles turning right or left or making a u-turn movement, shall yield the right-of-way to both of the following:

(a) Pedestrians lawfully within an associated crosswalk;

(b) Other traffic lawfully using the intersection.

(3)(a) Unless otherwise directed by a pedestrian signal indication, as provided in section 4511.14 of the Revised Code, pedestrians facing a circular green signal indication are permitted to proceed across the roadway within any marked or unmarked associated crosswalk. The pedestrian shall yield the right-of-way to vehicles lawfully within the intersection or so close as to create an immediate hazard at the time that the green signal indication is first displayed.

(b) Pedestrians facing a green arrow signal indication, unless otherwise directed by a pedestrian signal indication or other traffic control device, shall not cross the roadway.

(B) Steady yellow signal indication:

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

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

(3) Pedestrians facing a steady circular yellow or yellow

arrow signal indication, unless otherwise directed by a pedestrian signal indication as provided in section 4511.14 of the Revised Code or other traffic control device, shall not start to cross the roadway.

(C) Steady red signal indication:

(1)(a) Vehicular traffic, streetcars, and trackless trolleys facing a steady circular red signal indication, unless entering the intersection to make another movement permitted by another signal indication, shall stop at a clearly marked stop line; but if there is no stop line, traffic shall stop before entering the crosswalk on the near side of the intersection; or if there is no crosswalk, then before entering the intersection; and shall remain stopped until a signal indication to proceed is displayed except as provided in divisions (C)(1), (2), and (3) of this section.

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

(2)(a) Vehicular traffic, streetcars, and trackless trolleys facing a steady red arrow signal indication shall not enter the intersection to make the movement indicated by the arrow and, unless entering the intersection to make another movement permitted by another signal indication, shall stop at a clearly marked stop line; but if there is no stop line, before entering the crosswalk on the near side of the intersection; or

if there is no crosswalk, then before entering the intersection; and shall remain stopped until a signal indication or other traffic control device permitting the movement indicated by such red arrow is displayed.

(b) When a traffic control device is in place permitting a turn on a steady red arrow signal indication, vehicular traffic facing a steady red arrow indication is permitted, after stopping, to enter the intersection to turn right, or to turn left from a one-way street into a one-way street. The right to proceed with the turn shall be limited to the direction indicated by the arrow and shall be subject to the provisions that are applicable after making a stop at a stop sign.

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

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

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

(E) Flashing yellow signal indication:

(1)(a) Vehicular traffic, on an approach to an intersection, facing a flashing circular yellow signal indication, is permitted to cautiously enter the intersection to proceed straight through or turn right or left or make a u-turn

movement except as such movement is modified by lane-use signs, turn prohibition signs, lane markings, roadway design, separate turn signal indications, or other traffic control devices. Such vehicular traffic, including vehicles turning right or left or making a u-turn movement, shall yield the right-of-way to both of the following:

(i) Pedestrians lawfully within an associated crosswalk;

(ii) Other vehicles lawfully within the intersection.

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

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

(i) Pedestrians lawfully within an associated crosswalk;

(ii) Other vehicles lawfully within the intersection.

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

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

(4) When a flashing circular yellow signal indication is displayed as a beacon to supplement another traffic control device, road users are notified that there is a need to pay additional attention to the message contained thereon or that the regulatory or warning requirements of the other traffic control device, which might not be applicable at all times, are currently applicable.

(F) Flashing red signal indication:

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

(2) Pedestrians facing any flashing red signal indication at an intersection, unless otherwise directed by a pedestrian signal indication or other traffic control device, are permitted to proceed across the roadway within any marked or unmarked associated crosswalk. Pedestrians shall yield the right-of-way

to vehicles lawfully within the intersection at the time that the flashing red signal indication is first displayed.

(3) When a flashing circular red signal indication is displayed as a beacon to supplement another traffic control device, road users are notified that there is a need to pay additional attention to the message contained thereon or that the regulatory requirements of the other traffic control device, which might not be applicable at all times, are currently applicable. Use of this signal indication shall be limited to supplementing stop, do not enter, or wrong way signs, and to applications where compliance with the supplemented traffic control device requires a stop at a designated point.

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

(G) Transit vehicle signal indication:

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

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

(b) Proceed straight ahead when facing a steady vertical

white line;

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

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

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

(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.

(H) In the event an official ~~traffic-control~~ highway traffic signal is erected and maintained at a place other than an intersection, the provisions of this section shall be applicable except as to those provisions which by their nature can have no application. Any stop required shall be made at a sign or marking on the pavement indicating where the stop shall be made, but in the absence of any such sign or marking the stop shall be made at the signal.

~~(H)~~ (I) This section does not apply at railroad grade crossings. Conduct of drivers of vehicles, trackless trolleys, and streetcars approaching railroad grade crossings shall be governed by sections 4511.61 and 4511.62 of the Revised Code.

Sec. 4511.131. The meanings of lane-use control signal indications are as follows:

(A) A steady downward green arrow~~:~~

~~A road user is permitted to drive in~~ means that the lane

over which the arrow signal indication is located is open to vehicle travel in that direction.

(B) A steady yellow "X"~~÷~~

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

(C) A steady white two-way left-turn arrow~~÷~~

~~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~~.

(D) A steady white one-way left-turn arrow~~÷~~

~~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.

(E) A steady red "X"~~÷~~

~~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.

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:

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

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

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

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

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

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

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

(1) Pedestrians lawfully within an associated crosswalk;

(2) Other vehicles lawfully within the intersection.

(B) A steady yellow bicycle signal indication means that bicyclists are warned that the related green movement is being terminated and that a steady red bicycle signal indication will be displayed immediately thereafter when bicyclists shall not enter the intersection. The provisions governing bicyclist operations under the movement being terminated continue to apply while the steady yellow bicycle signal indication is displayed.

(C)(a) A steady red bicycle signal indication means that bicyclists shall not enter the intersection to make the movement indicated by the lane-use arrow displayed on the bicycle signal sign that is located immediately adjacent to the bicycle signal face. Unless the bicyclist is entering the intersection to make another movement permitted by another bicycle symbol signal

indication, the bicyclist shall stop at a clearly marked stop line; but if there is no stop line, shall stop before entering the crosswalk on the near side of the intersection; or if there is no crosswalk, shall stop before entering the intersection; and shall remain stopped until a green bicycle signal indication to proceed is displayed.

(b) Except when a traffic control device is in place prohibiting a turn on red, bicyclists facing a steady red bicycle signal indication are permitted to enter the intersection to turn right if there are no approach lanes for motor vehicle traffic to their right. The right to proceed with the turn is subject to the provisions that are applicable after making a stop at a stop sign.

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

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

Sec. 4511.18. (A) As used in this section, "traffic control device" means any sign, highway traffic ~~control~~ signal, or other device conforming to and placed or erected in

accordance with the manual adopted under section 4511.09 of the Revised Code by authority of a public body or official having jurisdiction, for the purpose of regulating, warning, or guiding traffic, including signs denoting the names of streets and highways, but does not mean any pavement marking.

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

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

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

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

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

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

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

of section 2913.51 of the Revised Code or a municipal ordinance relating to receiving stolen property.

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

Sec. 4511.204. (A) No person shall operate a motor vehicle, trackless trolley, or streetcar on any street, highway, or property open to the public for vehicular traffic while using, holding, or physically supporting with any part of the person's body an electronic wireless communications device.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(11) A person using an electronic wireless communications device in conjunction with a voice-operated or hands-free feature or function of the vehicle or of the device without the use of either hand except to activate, deactivate, or initiate the feature or function with a single touch or swipe, provided the person does not hold or support the device with any part of the person's body;

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

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

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

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

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

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

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

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

(D) Whoever violates division (A) of this section is guilty of operating a motor vehicle while using an electronic wireless communication device, an unclassified misdemeanor, and shall be punished as provided in divisions (D)(1) to (5) of this section.

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

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

(b) If, within two years of the violation, the offender has been convicted of or pleaded guilty to one prior violation of this section or a substantially equivalent municipal ordinance, the court shall impose upon the offender a fine of not more than two hundred fifty dollars.

(c) If, within two years of the violation, the offender has been convicted of or pleaded guilty to two or more prior violations of this section or a substantially equivalent municipal ordinance, the court shall impose upon the offender a fine of not more than five hundred dollars. The court also may impose a suspension of the offender's driver's license, commercial driver's license, temporary instruction permit, probationary license, or nonresident operating privilege for ninety days.

(d) Notwithstanding divisions (D)(1)(a) to (c) of this section, if the offender was operating the motor vehicle at the time of the violation in a construction zone where a sign was posted in accordance with section 4511.98 of the Revised Code, the court, in addition to all other penalties provided by law, shall impose upon the offender a fine of two times the amount imposed for the violation under division (D)(1)(a), (b), or (c) of this section, as applicable.

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

(3) The court may impose any other penalty authorized

under sections 2929.21 to 2929.28 of the Revised Code. However, the court shall not impose a fine or a suspension not otherwise specified in division (D)(1) of this section. The court also shall not impose a jail term or community residential sanction.

(4) Except as provided in division (D)(2) of this section, points shall be assessed for a violation of division (A) of this section in accordance with section 4510.036 of the Revised Code.

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

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

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

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

communications device.

(2) A law enforcement officer who stops the operator of a motor vehicle, trackless trolley, or streetcar for a violation of division (A) of this section shall inform the operator that the operator may decline a search of the operator's electronic wireless communications device. The officer shall not do any of the following:

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

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

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

(H) As used in this section:

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

(a) A wireless telephone;

(b) A text-messaging device;

(c) A personal digital assistant;

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

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

(f) Any other substantially similar wireless device that

is designed or used to communicate text, initiate or receive communication, or exchange information or data.

An "electronic wireless communications device" does not include a two-way radio transmitter or receiver used by a person who is licensed by the federal communications commission to participate in the amateur radio service.

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

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

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

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

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

(2) The owner has posted a sign at the entrance of the private road ~~or driveway~~ that is in plain view and clearly informs persons entering the road ~~or driveway~~ that they are entering private property, a speed limit has been established

for the road ~~or driveway~~, and the speed limit is enforceable by law enforcement officers under state law.

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

(C) When a speed limit is established and posted in accordance with division (A) of this section, any law enforcement officer may apprehend a person violating the speed limit of the residential area by utilizing any of the means described in section 4511.091 of the Revised Code or by any other accepted method of determining the speed of a motor vehicle and may stop and charge the person with exceeding the speed limit.

(D) Points shall be assessed for violation of a speed limit established and posted in accordance with division (A) of this section in accordance with section 4510.036 of the Revised Code.

(E) As used in this section:

(1) "Owner" includes but is not limited to a person who holds title to the real property in fee simple, a condominium owners' association, a property owner's association, the board of directors or trustees of a private community, and a nonprofit corporation governing a private community.

(2) "Private residential area containing twenty or more dwelling units" does not include a Chautauqua assembly as defined in section 4511.90 of the Revised Code.

(F)(1) A violation of division (B) of this section is one of the following:

(a) Except as otherwise provided in divisions (F)(1)(b) and (c) of this section, a minor misdemeanor;

(b) If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to two violations of division (B) of this section or of any municipal ordinance that is substantially similar to division (B) of this section, a misdemeanor of the fourth degree;

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

(2) If the offender commits the offense while distracted and the distracting activity is a contributing factor to the commission of the offense, the offender is subject to the additional fine established under section 4511.991 of the Revised Code.

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

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

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

(a) Upon a street or highway having an established speed

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

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

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

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

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

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

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

~~(D)~~ (E) Except as otherwise provided in this division, whoever violates division ~~(A)~~ (B) of this section is guilty of a

minor misdemeanor. If within one year of the offense, the offender previously has been convicted of or pleaded guilty to one predicate motor vehicle or traffic offense, whoever violates this section is guilty of a misdemeanor of the fourth degree. If within one year of the offense, the offender previously has been convicted of two or more predicate motor vehicle or traffic offenses, whoever violates this section is guilty of a misdemeanor of the third degree.

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

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

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

(B) Division (A) of section 4511.43 and section 4511.46 of the Revised Code shall be deemed to apply to the driver of a

vehicle on a private road ~~or driveway~~ where a stop sign is placed in accordance with division (A) of this section and to a pedestrian crossing such a road ~~or driveway~~ at an intersection where a stop sign is in place.

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

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

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

(1) "Intersection" means:

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

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

(2) "Roadway" means that portion of a private road ~~or driveway~~ improved, designed, or ordinarily used for vehicular travel and parking lanes, ~~except~~ not including the berm, sidewalk, or shoulder, even if the berm, sidewalk, or shoulder is used by a person operating a bicycle or other human-powered vehicle. If a private road ~~or driveway~~ includes two or more separate roadways, the term "roadway" means any such roadway separately but not all such roadways collectively.

(3) "Owner" and "private residential area containing twenty or more dwelling units" have the same meanings as in section 4511.211 of the Revised Code.

Sec. 4511.46. (A) When highway traffic ~~control~~ signals are not in place, not in operation, or are not clearly assigning the right-of-way, the driver of a vehicle, trackless trolley, or streetcar shall yield the right of way, slowing down or stopping if need be to so yield or if required by section 4511.132 of the Revised Code, to a pedestrian crossing the roadway within a crosswalk when the pedestrian is upon the half of the roadway upon which the vehicle is traveling, or when the pedestrian is approaching so closely from the opposite half of the roadway as to be in danger.

(B) No pedestrian shall suddenly leave a curb or other place of safety and walk or run into the path of a vehicle, trackless trolley, or streetcar which is so close as to constitute an immediate hazard.

(C) Division (A) of this section does not apply under the conditions stated in division (B) of section 4511.48 of the Revised Code.

(D) Whenever any vehicle, trackless trolley, or streetcar is stopped at a marked crosswalk or at any unmarked crosswalk at an intersection to permit a pedestrian to cross the roadway, the driver of any other vehicle, trackless trolley, or streetcar approaching from the rear shall not overtake and pass the stopped vehicle.

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

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

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

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

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

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

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

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

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

of bicycles in accordance with this section.

(2) Except as otherwise provided in this section, those sections of this chapter that by their nature are applicable to an electric personal assistive mobility device apply to the device and the person operating it whenever it is operated upon any public street, highway, sidewalk, or path or upon any portion of a roadway set aside for the exclusive use of bicycles.

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

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

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

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

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

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

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

(4) Operate the device on any portion of a street or

highway that has an established speed limit of fifty-five miles per hour or more;

(5) Operate the device upon any path set aside for the exclusive use of pedestrians or other specialized use when an appropriate sign giving notice of the specialized use is posted on the path;

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

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

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

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

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

(F)(1) Whoever violates division (B) or (C) of this section is guilty of a minor misdemeanor and shall be punished

as follows:

(a) The offender shall be fined ten dollars.

(b) If the offender previously has been convicted of or pleaded guilty to a violation of division (B) or (C) of this section or a substantially similar municipal ordinance, the court, in addition to imposing the fine required under division (F)(1) of this section, shall do one of the following:

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

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

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

Sec. 4511.61. (A) As used in this section, "~~active grade~~ Grade crossing warning ~~device~~system" means ~~signs, the~~ flashing-light signals, with or without automatic gates~~, or other~~

~~protective devices erected or installed at a public highway-railway crossing at common grade and activated by an electrical circuit~~ together with the necessary control equipment that is used to inform road users of the approach and presence of rail traffic at a grade crossing.

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

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

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

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

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

(D) When stop signs are erected pursuant to division (B) or (C) of this section, the operator of any vehicle, streetcar, or trackless trolley shall stop within fifty, but not less than

fifteen, feet from the nearest rail of the railroad tracks and shall exercise due care before proceeding across such grade crossing.

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

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

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

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

(b) A crossing gate is lowered.

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

(d) There is insufficient space on the other side of the railroad grade crossing to accommodate the vehicle or trackless trolley the person is operating without obstructing the passage of other vehicles, trackless trolleys, pedestrians, or ~~railroad~~ trains, notwithstanding any highway traffic ~~control~~ signal indication to proceed.

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

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

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

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

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

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

(B) No person shall drive any vehicle through, around, or

under any crossing gate or barrier at a railroad crossing while the gate or barrier is closed or is being opened or closed unless the person is signaled by a law enforcement officer or flagperson that it is permissible to do so.

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

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

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

(1) Before making any such crossing, the person operating or moving any such vehicle or equipment shall first stop the same, and while stopped the person shall listen and look in both directions along such track for any approaching train or other on-track equipment and for signals indicating the approach of a

train or other on-track equipment, and shall proceed only upon exercising due care.

(2) No such crossing shall be made when warning is given by automatic signal or crossing gates or a flagperson or otherwise of the immediate approach of a ~~railroad~~ train or car or other on-track equipment.

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

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

If the offender commits the offense while distracted and

the distracting activity is a contributing factor to the commission of the offense, the offender is subject to the additional fine established under section 4511.991 of the Revised Code.

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

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

(B) Other streets or highways, or portions thereof, are hereby designated through highways if they are within a municipal corporation, if they have a continuous length of more

than one mile between the limits of said street or highway or portion thereof, and if they have "stop" or "yield" signs or highway traffic ~~control~~ signals at the entrances of the majority of intersecting streets or highways. For purposes of this section, the limits of said street or highway or portion thereof shall be a municipal corporation line, the physical terminus of the street or highway, or any point on said street or highway at which vehicular traffic thereon is required by regulatory signs to stop or yield to traffic on the intersecting street, provided that in residence districts a municipal corporation may by ordinance designate said street or highway, or portion thereof, not to be a through highway and thereafter the affected residence district shall be indicated by official traffic control devices. Where two or more through highways designated under this division intersect and no highway traffic ~~control~~ signal is in operation, stop signs or yield signs shall be erected at one or more entrances thereto by the department or by local authorities having jurisdiction, except as otherwise provided in this section.

(C) The department or local authorities having jurisdiction need not erect stop signs at intersections they find to be so constructed as to permit traffic to safely enter a through highway without coming to a stop. Signs shall be erected at such intersections indicating that the operator of a vehicle shall yield the right-of-way to or merge with all traffic proceeding on the through highway.

(D) Local authorities with reference to highways under their jurisdiction may designate additional through highways and shall erect stop signs, yield signs, or highway traffic ~~control~~ signals at all streets and highways intersecting such through highways, or may designate any intersection as a stop or yield

intersection and shall erect like signs at one or more entrances to such intersection.

Sec. 4511.68. (A) No person shall stand or park a trackless trolley or vehicle, except when necessary to avoid conflict with other traffic or to comply with sections 4511.01 to 4511.78, 4511.99, and 4513.01 to 4513.37 of the Revised Code, or while obeying the directions of a police officer or a traffic control device, in any of the following places:

(1) On a sidewalk, except as provided in division (B) of this section;

(2) In front of a public or private driveway;

(3) Within an intersection;

(4) Within ten feet of a fire hydrant;

(5) On a crosswalk;

(6) Within twenty feet of a crosswalk at an intersection;

(7) Within thirty feet of, and upon the approach to, any ~~flashing beacon~~yield sign, stop sign, or highway traffic ~~control device~~signal;

(8) Between a safety zone and the adjacent curb or within thirty feet of points on the curb immediately opposite the ends of a safety zone, unless a different length is indicated by a traffic control device;

(9) Within fifty feet of the nearest rail of a railroad crossing;

(10) Within twenty feet of a driveway entrance to any fire station and, on the side of the street opposite the entrance to any fire station, within seventy-five feet of the entrance when

it is properly posted with signs;

(11) Alongside or opposite any street excavation or obstruction when such standing or parking would obstruct traffic;

(12) Alongside any vehicle stopped or parked at the edge or curb of a street;

(13) Upon any bridge or elevated structure upon a highway, or within a highway tunnel;

(14) At any place where signs prohibit stopping;

(15) Within one foot of another parked vehicle;

(16) On the roadway portion of a freeway, expressway, or thruway;

(17) On a bicycle lane.

(B) A person is permitted, without charge or restriction, to stand or park on a sidewalk a motor-driven cycle or motor scooter that has an engine not larger than one hundred fifty cubic centimeters, a low-speed micromobility device, or a bicycle or electric bicycle, provided that the motor-driven cycle, motor scooter, low-speed micromobility device, bicycle, or electric bicycle does not impede the normal flow of pedestrian traffic. This division does not authorize any person to operate a vehicle in violation of section 4511.711 of the Revised Code.

(C) Except as otherwise provided in this division, whoever violates division (A) of this section is guilty of a minor misdemeanor. If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to one predicate motor vehicle or traffic offense, whoever violates

this section is guilty of a misdemeanor of the fourth degree. If, within one year of the offense, the offender previously has been convicted of two or more predicate motor vehicle or traffic offenses, whoever violates this section is guilty of a misdemeanor of the third degree.

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, whoever violates this section is guilty of a misdemeanor of the third degree.

~~(2)~~ (E) The offense established under this section is a strict liability offense and section 2901.20 of the Revised Code does not apply. The designation of this offense as a strict liability offense shall not be construed to imply that any other offense, for which there is no specified degree of culpability, is not a strict liability offense.

Sec. 4511.712. (A) No driver shall enter an intersection or marked crosswalk or drive onto any railroad grade crossing unless there is sufficient space on the other side of the intersection, crosswalk, or grade crossing to accommodate the vehicle, streetcar, or trackless trolley the driver is operating without obstructing the passage of other vehicles, streetcars, trackless trolleys, pedestrians, or ~~railroad~~ trains, notwithstanding any highway traffic ~~control~~ signal indication to proceed.

(B) This section does not apply to a bicyclist using a two-stage bicycle turn box.

(C) Except as otherwise provided in this division, whoever violates this section is guilty of a minor misdemeanor. If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to one predicate motor vehicle or traffic offense, whoever violates this section is guilty of a

misdemeanor of the fourth degree. If, within one year of the offense, the offender previously has been convicted of two or more predicate motor vehicle or traffic offenses, whoever violates this section is guilty of a misdemeanor of the third degree.

If the offender commits the offense while distracted and the distracting activity is a contributing factor to the commission of the offense, the offender is subject to the additional fine established under section 4511.991 of the Revised Code.

Sec. 4511.765. (A) The director of education and workforce, by and with the advice of the director of public safety, shall amend any rules adopted under section 4511.76 of the Revised Code pertaining to pre-trip inspections of a school bus. The amendment shall remove any requirement that the following equipment be included in the pre-trip inspection:

(1) The turbo charger;

(2) The alternator;

(3) The belts;

(4) The water pump;

(5) The power steering pump;

(6) The air pump;

(7) Any part of the steering system;

(8) Any part of the suspension;

(9) Any part of the air brakes;

(10) Any part of the brake equipment, including drums or rotors;

(11) The springs and spring mounts;

(12) The air bags.

(B) The state highway patrol shall still examine all of the equipment listed in division (A) of this section during its school bus inspections conducted in accordance with section 4511.761 of the Revised Code.

Sec. 4513.071. (A) Every motor vehicle, trailer, semitrailer, and pole trailer when operated upon a highway shall be equipped with two or more stop lights, except that passenger cars manufactured or assembled prior to January 1, 1967, motorcycles, and motor-driven cycles shall be equipped with at least one stop light. Stop lights shall be mounted on the rear of the vehicle, actuated upon application of the service brake, and may be incorporated with other rear lights. Such stop lights when actuated shall emit a red light visible from a distance of five hundred feet to the rear, provided that in the case of a train of vehicles only the stop lights on the rear-most vehicle need be visible from the distance specified.

Such stop lights when actuated shall give a steady warning light to the rear of a vehicle or train of vehicles to indicate the intention of the operator to diminish the speed of or stop a vehicle or train of vehicles.

When stop lights are used as required by this section, they shall be constructed or installed so as to provide adequate and reliable illumination and shall conform to the appropriate rules and regulations established under section 4513.19 of the Revised Code.

~~Historical~~ A historical motor ~~vehicles as defined in section 4503.181 of the Revised Code,~~ vehicle that was not

originally manufactured with stop lights~~, are~~ or a replica motor vehicle that replicates a motor vehicle that was not originally manufactured with stop lights is not subject to this section.

(B) Whoever violates this section is guilty of a minor misdemeanor.

(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.

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.

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 with equipment provisions contained in laws or rules that were enacted or adopted subsequent to the calendar year in which the vehicle was manufactured or the calendar year that it replicates, and no political subdivision shall prohibit the operation of a licensed collector's vehicle ~~or~~, historical motor vehicle, or replica motor vehicle for failure to comply with any such equipment laws or rules.

(B) 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.

Sec. 4513.41. (A) No owner of a licensed collector's vehicle, a historical motor vehicle, a replica motor vehicle, or a collector's vehicle that is an agricultural tractor or traction engine shall be required to comply with an emission, noise control, or fuel usage provision contained in a law or rule of this state or its political subdivisions that was enacted or adopted subsequent to the calendar year in which the vehicle was manufactured or the calendar year that it replicates.

(B) No person shall be prohibited from operating a licensed collector's vehicle, a historical motor vehicle, a replica motor vehicle, or a collector's vehicle that is an agricultural tractor or traction engine for failing to comply with an emission, noise control, or fuel usage law or rule of this state or its political subdivisions that was enacted or adopted subsequent to the calendar year in which his vehicle was

manufactured or the calendar year that it replicates.

(C) Except as provided in section 4505.061 of the Revised Code, no person shall be required to submit ~~his~~ the person's collector's vehicle to a physical inspection prior to or in connection with an issuance of title to, or the sale or transfer of ownership of such vehicle, except that a police officer may inspect it to determine ownership.

In accordance with section 1.51 of the Revised Code, this section shall, without exception, prevail over any special or local provision of the Revised Code that requires owners or operators of collector's vehicles to comply with standards of emission, noise, fuel usage, or physical condition in connection with an issuance of title to, or the sale or transfer of ownership of such vehicle or part thereof.

(D) 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.

Sec. 4517.02. (A) Except as otherwise provided in this section, no person shall do any of the following:

(1) Engage in the business of displaying or selling at retail new motor vehicles or assume to engage in that business, unless the person is licensed as a new motor vehicle dealer under sections 4517.01 to 4517.45 of the Revised Code, or is a salesperson employed by a licensed new motor vehicle dealer;

(2) Engage in the business of offering for sale, displaying for sale, or selling at retail or wholesale used motor vehicles or assume to engage in that business, unless the person is licensed as a new motor vehicle dealer, used motor vehicle dealer, or motor vehicle leasing dealer under sections

4517.01 to 4517.45 of the Revised Code, is a salesperson employed by a licensed used motor vehicle dealer or licensed new motor vehicle dealer, or the person holds a construction equipment auction license issued under section 4517.17 of the Revised Code;

(3) Engage in the business of regularly making available, offering to make available, or arranging for another person to use a motor vehicle, in the manner described in division (M) of section 4517.01 of the Revised Code, unless the person is licensed as a motor vehicle leasing dealer under sections 4517.01 to 4517.45 of the Revised Code;

(4) Engage in the business of motor vehicle auctioning or assume to engage in that business, unless the person is licensed as a motor vehicle auction owner under sections 4517.01 to 4517.45 of the Revised Code and the person uses an auctioneer who is licensed under Chapter 4707. of the Revised Code to conduct the motor vehicle auctions or the person holds a construction equipment auction license issued under section 4517.17 of the Revised Code;

(5) Engage in the business of distributing motor vehicles or assume to engage in that business, unless the person is licensed as a distributor under sections 4517.01 to 4517.45 of the Revised Code;

(6) Make more than five casual sales of motor vehicles in a twelve-month period, commencing with the day of the month in which the first such sale is made, nor provide a location or space for the sale of motor vehicles at a flea market, without obtaining a license as a dealer under sections 4517.01 to 4517.45 of the Revised Code, provided that nothing in this section shall be construed to prohibit the disposition without a

license of a motor vehicle originally acquired and held for purposes other than sale, rental, or lease to an employee, retiree, officer, or director of the person making the disposition, to a corporation affiliated with the person making the disposition, or to a person licensed under sections 4517.01 to 4517.45 of the Revised Code;

(7) Engage in the business of auctioning both large construction or transportation equipment and also motor vehicles incident thereto, unless the person is a construction equipment auctioneer or the person is licensed as a motor vehicle auction owner and the person uses an auctioneer who is licensed under Chapter 4707. of the Revised Code to conduct the auction;

(8) Engage in the business of displaying or selling at retail adaptive mobility vehicles or assume to engage in that business, unless the person is licensed as an adaptive mobility dealer under sections 4517.01 to 4517.45 of the Revised Code, or is a salesperson employed by a licensed adaptive mobility dealer, except that ~~a~~ any licensed ~~new~~ motor vehicle dealer may sell at retail a used adaptive mobility vehicle.

(B) Nothing in this section shall be construed to require an auctioneer licensed under sections 4707.01 to 4707.19 of the Revised Code to obtain a motor vehicle auction owner's license under sections 4517.01 to 4517.45 of the Revised Code when engaged in auctioning for a licensed motor vehicle auction owner.

The establishment of a construction equipment auction license by Am. Sub. H.B. 114 of the 129th general assembly shall not in any way modify, limit, or restrict in any manner the conduct of auctions by persons licensed under Chapter 4707. of the Revised Code who are acting in compliance with that chapter.

(C) Sections 4517.01 to 4517.45 of the Revised Code do not apply to any of the following:

(1) Persons engaging in the business of selling commercial tractors, trailers, or semitrailers incidentally to engaging primarily in business other than the selling or leasing of motor vehicles;

(2) Mortgagees selling at retail only those motor vehicles that have come into their possession by a default in the terms of a mortgage contract;

(3) The leasing, rental, and interchange of motor vehicles used directly in the rendition of a public utility service by regulated motor carriers.

(D) When a partnership licensed under sections 4517.01 to 4517.45 of the Revised Code is dissolved by death, the surviving partners may operate under the license for a period of sixty days, and the heirs or representatives of deceased persons and receivers or trustees in bankruptcy appointed by any competent authority may operate under the license of the person succeeded in possession by that heir, representative, receiver, or trustee in bankruptcy.

(E) No remanufacturer shall engage in the business of selling at retail any new motor vehicle without having written authority from the manufacturer or distributor of the vehicle to sell new motor vehicles and to perform repairs under the terms of the manufacturer's or distributor's new motor vehicle warranty, unless, at the time of the sale of the vehicle, each customer is furnished with a binding agreement ensuring that the customer has the right to have the vehicle serviced or repaired by a new motor vehicle dealer who is franchised to sell and

service vehicles of the same line-make as the chassis of the remanufactured vehicle purchased by the customer and whose service or repair facility is located within either twenty miles of the remanufacturer's location and place of business or twenty miles of the customer's residence or place of business. If there is no such new motor vehicle dealer located within twenty miles of the remanufacturer's location and place of business or the customer's residence or place of business, the binding agreement furnished to the customer may be with the new motor vehicle dealer who is franchised to sell and service vehicles of the same line-make as the chassis of the remanufactured vehicle purchased by the customer and whose service or repair facility is located nearest to the remanufacturer's location and place of business or the customer's residence or place of business. Additionally, at the time of sale of any vehicle, each customer of the remanufacturer shall be furnished with a warranty issued by the remanufacturer for a term of at least one year.

(F) No adaptive mobility dealer shall do any of the following:

(1) Represent that the dealer is engaged in the business of selling new motor vehicles;

(2) Sell, transfer, or offer to sell or transfer a new motor vehicle unless that new motor vehicle is purchased through a licensed new motor vehicle dealer;

(3) Sell or offer to sell an adaptive mobility vehicle without written documentation proving that the vehicle was adapted or modified in accordance with 49 C.F.R. part 568 or 595.

(G) Except as otherwise provided in this division, whoever

violates this section is guilty of a minor misdemeanor and shall be subject to a mandatory fine of one hundred dollars. If the offender previously has been convicted of or pleaded guilty to a violation of this section, whoever violates this section is guilty of a misdemeanor of the first degree and shall be subject to a mandatory fine of one thousand dollars.

(H) The offenses established under this section are strict liability offenses and section 2901.20 of the Revised Code does not apply. The designation of these offenses as strict liability offenses shall not be construed to imply that any other offense, for which there is no specified degree of culpability, is not a strict liability offense.

Sec. 4519.401. (A) Except as provided in this section and section 4511.215 of the Revised Code, no person shall operate a mini-truck within this state.

(B) A person may operate a mini-truck on a farm for agricultural purposes only when the owner of the farm qualifies for the current agricultural use valuation tax credit. A mini-truck may be operated by or on behalf of such a farm owner on public roads and rights-of-way only when traveling from one farm field to another.

(C) A person may operate a mini-truck on property owned or leased by a dealer who sells mini-trucks at retail.

(D) Whoever violates this section shall be penalized as provided in division ~~(D)~~ (E) of section 4511.214 of the Revised Code.

Sec. 4561.03. (A) The Ohio airport improvement program fund is created in the state treasury. The fund shall consist of money appropriated to it by the general assembly and transfers

from the petroleum activity tax fund in accordance with section 5736.13 of the Revised Code.

(B) The fund shall be used by the office of aviation to support the Ohio airport improvement program. The program provides financial support to publicly owned, public-use airports in Ohio.

(C) Investment earnings of the fund shall be credited to the fund.

Sec. 4955.50. (A) As used in this section and ~~section~~ sections 4955.51 to 4955.57 of the Revised Code:

(1) "Wayside detector system" means an electronic device or a series of connected devices that scan passing trains, rolling stock, on-track equipment, and their component equipment and parts for defects.

(2) "Defects" include hot wheel bearings, hot wheels, defective bearings that are detected through acoustics, dragging equipment, excessive height or weight, shifted loads, low hoses, rail temperature, and wheel condition.

(3) "Class I carrier," "class II carrier," and "class III carrier" have the same meanings as defined in 49 C.F.R. Part 1201 1-1.

(B) The public utilities commission in conjunction with the department of transportation shall work with each railroad company that does business in this state to ensure that wayside detector systems are installed and are operating along railroad tracks on which the railroad operates and to ensure that such systems meet all of following standards:

(1) The systems are properly installed, maintained,

repaired, and operational in accordance with ~~section~~ sections 4955.51 to 4955.57 of the Revised Code and the latest guidelines issued by the United States department of transportation, the federal railroad administration, and the association of American railroads.

(2) Any expired, nonworking, or outdated wayside detector system or component parts of a system are removed and replaced with new parts or an entirely new system that reflects the current best practices and standards of the industry.

(3) The distance between wayside detector systems is appropriate when accounting for the requirements of ~~section~~ sections 4955.51 to 4955.57 of the Revised Code, the natural terrain surrounding the railroad track on which the railroad operates, and the safety of the trains, rolling stock, on-track equipment, their operators, their passengers, and the persons and property in the vicinity of such railroad track so that if defects are detected operators have sufficient time to do the following:

(a) Respond to the alerts projected by the wayside detector system;

(b) Stop the train, rolling stock, or on-track equipment, if necessary;

(c) Make all necessary repairs or, if repair is impossible at the location, to remove the component parts or equipment that is defective.

(4) The railroad company has defined, written standards and training for its employees pertaining to wayside detector system defect alerts, the course of action that employees are required to take to respond to an alert, and appropriate

monitoring and responses by the company if employees fail to take the required course of action.

(C) If a railroad company refuses to work or otherwise cooperate with the public utilities commission and the department of transportation in good faith in accordance with this section, the commission and department shall investigate that railroad company's safety practices and standards in accordance with 49 C.F.R. Part 212. The commission and department shall determine whether the company appears to be in compliance with federal railroad safety laws, as defined in 49 C.F.R. Part 209.

(D)(1) If a railroad company does not appear to be in compliance with the applicable federal standards based on an investigation conducted under division (C) of this section, not later than sixty days after the conclusion of the investigation, the commission and department shall make a report to the federal railroad administration. The report shall detail the results of the investigation and recommend that the administration take enforcement action in accordance with its authority against the railroad company for the safety violations discovered through that investigation.

(2) The commission and department shall send a copy of the report to the governor, the president of the senate, the speaker of the house of representatives, and the minority leaders of both the senate and the house of representatives.

Sec. 4955.51. ~~(A)(1)~~ Except as otherwise provided in ~~division (A)(2) of this section~~sections 4955.55 and 4955.57 of the Revised Code, any person responsible for the installation of wayside detector systems alongside or on a railroad shall ensure that each system location is ~~not more than ten miles~~ the

following distance from the adjacent system location:

(A) For a class I carrier railroad, not more than ten miles;

(B) For a class II carrier railroad, not more than twenty-five miles;

(C) For a class III carrier railroad, not more than thirty-five miles.

~~(2) If the natural terrain does not allow for the placement of the next adjacent system location within ten miles from the prior system location, the next adjacent system location shall be installed not more than fifteen miles from the prior system location.~~

~~(B) When a wayside detector system detects a defect in a passing train, rolling stock, on-track equipment, or its component equipment and parts, if the message regarding the defect is not immediately sent to the operator of that train, rolling stock, or on-track equipment, the person that receives the message shall immediately notify the operator of the defect.~~

~~(C) The department of transportation and the public utilities commission, as part of their work with each railroad company under division (B) of section 4955.50 of the Revised Code, shall ensure both of the following:~~

~~(1) The manner in which wayside detector systems are installed and placed complies with division (A) of this section;~~

~~(2) The manner in which wayside detector system messages are sent and received complies with division (B) of this section.~~

Sec. 4955.52. When a wayside detector system detects a

defect in a passing train, rolling stock, on-track equipment, or its component equipment and parts, if the message regarding the defect is not immediately sent to the operator of that train, rolling stock, or on-track equipment, the person that receives the message shall immediately notify the operator of the defect.

Sec. 4955.53. The department of transportation and the public utilities commission, as part of their work with each railroad company under division (B) of section 4955.50 of the Revised Code, shall ensure both of the following:

(A) The manner in which wayside detector systems are installed and placed complies with section 4955.51 of the Revised Code;

(B) The manner in which wayside detector system messages are sent and received complies with section 4955.52 of the Revised Code.

Sec. 4955.55. (A) If the natural terrain or any other reason does not allow for the placement of the next adjacent wayside detector system location to be within the spacing requirements described in section 4955.51 of the Revised Code, the next adjacent system location shall be not more than five miles from the maximum spacing allowed in that section.

(B) For class II carriers and class III carriers, prior to the installation of a wayside detector system outside the applicable spacing requirements in divisions (B) and (C) of section 4955.51 of the Revised Code, the carrier shall submit to the public utilities commission a written explanation for the deviation.

Sec. 4955.57. Any railroad track owned or leased by a class II carrier or class III carrier that has a speed limit of

ten miles per hour or less is exempt from the requirements stated in sections 4955.50 to 4955.52 of the Revised Code.

Sec. 4981.36. The "Midwest Interstate Passenger Rail Compact" is hereby ratified, enacted into law, and entered into by the state of Ohio with all other states legally joining therein in the form substantially as follows:

"MIDWEST INTERSTATE PASSENGER RAIL COMPACT

The contracting states solemnly agree:

Article I

Statement of Purpose

The purposes of this compact are, through joint or cooperative action:

(A) To promote development and implementation of improvements to intercity passenger rail service in the Midwest;

(B) To coordinate interaction among Midwestern state elected officials and their designees on passenger rail issues;

(C) To promote development and implementation of long-range plans for high speed rail passenger service in the Midwest and among other regions of the United States;

(D) To work with the public and private sectors at the federal, state, and local levels to ensure coordination among the various entities having an interest in passenger rail service and to promote Midwestern interests regarding passenger rail; and

(E) To support efforts of transportation agencies involved in developing and implementing passenger rail service in the Midwest.

Article II

Establishment of Commission

To further the purposes of the compact, a Commission is created to carry out the duties specified in this compact.

Article III

Commission Membership

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.

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.

Article IV

Powers and Duties of the Commission

The duties of the Commission are to:

(1) Advocate for the funding and authorization necessary to make passenger rail improvements a reality for the region;

(2) Identify and seek to develop ways that states can form partnerships, including with rail industry and labor, to implement improved passenger rail in the region;

(3) Seek development of a long-term, interstate plan for high speed rail passenger service implementation;

(4) Cooperate with other agencies, regions and entities to ensure that the Midwest is adequately represented and integrated into national plans for passenger rail development;

(5) Adopt bylaws governing the activities and procedures of the Commission and addressing, among other subjects: the powers and duties of officers; the voting rights of Commission members, voting procedures, Commission business, and any other purposes necessary to fulfill the duties of the Commission;

(6) Expend such funds as required to carry out the powers and duties of the Commission; and

(7) Report on the activities of the Commission to the legislatures and governor of the member states on an annual basis.

In addition to its exercise of these duties, the Commission is empowered to:

(1) Provide multistate advocacy necessary to implement passenger rail systems or plans, as approved by the Commission;

(2) Work with local elected officials, economic

development planning organizations, and similar entities to raise the visibility of passenger rail service benefits and needs;

(3) Educate other state officials, federal agencies, other elected officials and the public on the advantages of passenger rail as an integral part of an intermodal transportation system in the region;

(4) Work with federal agency officials and Members of Congress to ensure the funding and authorization necessary to develop a long-term, interstate plan for high speed rail passenger service implementation.

(5) Make recommendations to members states;

(6) If requested by each state participating in a particular project and under the terms of a formal agreement approved by the participating states and the Commission, implement or provide oversight for specific rail projects;

(7) Establish an office and hire staff as necessary;

(8) Contract for or provide services;

(9) Assess dues, in accordance with the terms of this compact;

(10) Conduct research; and

(11) Establish committees.

Article V

Officers

The Commission shall annually elect from among its members a chair, a vice-chair who shall not be a resident of the state represented by the chair, and others as approved in the

Commission bylaws. The officers shall perform such functions and exercise such powers as are specified in the Commission bylaws.

Article VI

Meetings and Commission Administration

The Commission shall meet at least once in each calendar year, and at such other times as may be determined by the Commission. Commission business shall be conducted in accordance with the procedures and voting rights specified in the bylaws.

Article VII

Finance

Except as otherwise provided for, the monies necessary to finance the general operations of the Commission in carrying forth its duties, responsibilities and powers as stated herein shall be appropriated to the Commission by the compacting states, when authorized by the respective legislatures, by equal apportionment among the compacting states. Nothing in this compact shall be construed to commit a member state to participate in financing a rail project except as provided by law of a member state.

The Commission may accept, for any of its purposes and functions, donations, gifts, grants, and appropriations of money, equipment, supplies, materials and services from the federal government, from any party state or from any department, agency, or municipality thereof, or from any institution, person, firm, or corporation. All expenses incurred by the Commission in executing the duties imposed upon it by this compact shall be paid by the Commission out of the funds available to it. The Commission shall not issue any debt instrument. The Commission shall submit to the officer

designated by the laws of each party state, periodically as required by the laws of each party state, a budget of its actual past and estimated future expenditures.

Article VIII

Enactment, Effective Date and Amendments

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.

Article IX

Withdrawal, Default and Termination

Withdrawal from this compact shall be by enactment of a statute repealing the same and shall take effect one year after the effective date of such statute. A withdrawing state shall be liable for any obligations which it may have incurred prior to the effective date of withdrawal. If any compacting state shall at any time default in the performance of any of its obligations, assumed or imposed, in accordance with the provisions of this compact, all rights, privileges and benefits conferred by this compact or agreements hereunder shall be suspended from the effective date of such default as fixed by

the Commission, and the Commission shall stipulate the conditions and maximum time for compliance under which the defaulting state may resume its regular status. Unless such default shall be remedied under the stipulations and within the time period set forth by the Commission, this compact may be terminated with respect to such defaulting state by affirmative vote of a majority of the other Commission members. Any such defaulting state may be reinstated, upon vote of the Commission, by performing all acts and obligations as stipulated by the Commission.

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.

The speaker of the house of representatives and the president of the senate each shall appoint one member from their respective houses of the general assembly to serve as a member of the commission, but the two appointees shall not be members of the same political party. Terms of office for legislative appointees shall be in accordance with Article III of the compact.

Any member shall continue in office subsequent to the expiration of the member's term until a successor is appointed. Vacancies in the commission shall be filled in the same manner as original selections are made. Any member of the commission may be reappointed.

Except for the purposes of Chapters 102., 2744., and 2921. of the Revised Code, serving as a member of the commission does not constitute holding a public office or position of employment under the laws of this state and does not constitute grounds for removal of public officers or employees from their offices or positions of employment.

The governor may remove a member whom the governor appointed, the speaker may remove a member whom the speaker appointed, and the president may remove a member whom the president appointed.

Members of the commission shall serve without compensation, but shall be reimbursed for the reasonable

expenses incurred by them in the discharge of their duties as members of the commission.

Sec. 5501.041. (A) The director of transportation shall create an advanced air mobility division within the department of transportation. The director shall appoint a deputy director of that division and shall assign the duties, powers, and functions of that deputy director in accordance with section 5501.04 of the Revised Code.

(B) The purpose of the division is to integrate advanced air mobility capabilities into existing public service networks within the state and to support advanced air mobility public safety and national security objectives.

(C) The responsibilities of the division shall include:

(1) Incorporating advanced air mobility into state public transportation by:

(a) Establishing an operational state-based advanced air mobility air traffic management system;

(b) Ensuring that the system described in division (C)(1)(a) of this section integrates with the existing federal aviation administration air traffic management system;

(c) Developing advanced air mobility tracking and information support infrastructure;

(d) Establishing advanced air mobility overflight and liability regulations with consideration of existing federal regulations.

(2) Supporting advanced air mobility solutions for law enforcement, fire departments, and emergency medical services by establishing standard operating procedures for use of advanced

air mobility by those entities;

(3) Supporting public safety and national security objectives by establishing advanced air mobility critical infrastructure protection policies.

(D) The division may coordinate with the office of aviation within the department of transportation and with any other federal, state, or local government agency, office, or department in advancing its purpose and fulfilling its responsibilities.

Sec. 5501.20. (A) As used in this section:

(1) "Career professional service" means that part of the competitive classified service that consists of employees of the department of transportation who, regardless of job classification, meet both of the following qualifications:

(a) They are supervisors, professional employees who are not in a collective bargaining unit, confidential employees, or management level employees, all as defined in section 4117.01 of the Revised Code.

(b) They exercise authority that is not merely routine or clerical in nature and report only to a higher level unclassified employee or employee in the career professional service.

(2) "Demoted" means that an employee is placed in a position where the employee's wage rate equals, or is not more than twenty per cent less than, the employee's wage rate immediately prior to demotion or where the employee's job responsibilities are reduced, or both.

(3) "Employee in the career professional service with

restoration rights" means an employee in the career professional service who has been in the classified civil service for at least two years and who has a cumulative total of at least ten years of continuous service with the department of transportation.

(4) "Egregious" means a type of conduct or offense that is especially serious in nature, including theft in office, illegal drug use while working, discrimination or harassment, assault, or any other similar conduct or offense.

(B) The director shall adopt a rule in accordance with section 111.15 of the Revised Code that identifies specific positions within the department of transportation that are included in the career professional service. The director may amend the rule that identifies the specific positions included in the career professional service whenever the director determines necessary. Any rule adopted under this division is subject to review and invalidation by the joint committee on agency rule review as provided in division (D) of section 111.15 of the Revised Code. The director shall provide a copy of any rule adopted under this division to the director of budget and management.

An employee in the career professional service is subject to the provisions of Chapter 124. of the Revised Code that govern employees in the classified civil service.

~~(C)~~ (C)(1) An employee in the career professional service shall receive a written performance review at least once each year or as often as the director considers necessary. ~~The~~

(2) Except as provided in division (C)(3) of this section, the department shall give an employee whose performance is

unsatisfactory an opportunity to improve performance for a period of at least six months, by means of a written performance improvement plan, before the department takes any disciplinary action under this section.

(3) If an employee's conduct or committed offense is egregious, the department shall take immediate disciplinary action without giving the employee an opportunity to improve performance by means of a written performance improvement plan.

(D) An employee in the career professional service may be suspended, demoted, or removed pursuant to division (C) of this section or for disciplinary reasons under section 124.34 or 124.57 of the Revised Code. An employee in the career professional service may appeal only the employee's removal to the state personnel board of review. An employee in the career professional service may appeal a demotion or a suspension of more than three days pursuant to rules the director adopts in accordance with section 111.15 of the Revised Code.

(E) An employee in the career professional service with restoration rights has restoration rights if demoted because of performance, but not if involuntarily demoted or removed for any of the reasons described in section 124.34 or for a violation of section 124.57 of the Revised Code. The director shall demote an employee who has restoration rights of that nature to a position in the classified service that in the director's judgment is similar in nature to the position the employee held immediately prior to being appointed to the position in the career professional service. The director shall assign to an employee who is demoted to a position in the classified service as provided in this division a wage rate that equals, or that is not more than twenty per cent less than, the wage rate assigned

to the employee in the career professional service immediately prior to the employee's demotion.

Sec. 5501.441. (A) As used in this section, "private toll transportation facility" means any person, as defined by section 1.59 of the Revised Code, or other business entity engaged in the collecting or charging of tolls on a toll bridge that was previously owned by a municipal corporation.

(B) The governor, or the governor's designee, may enter into agreements with other states that govern the reciprocal enforcement of highway, bridge, and tunnel toll violations. Such agreements shall pertain to any public toll transportation facility and may include any private toll transportation facility located in those other states. The governor, or the governor's designee, shall make such agreements in consultation with the director of public safety.

(C) Any agreement governing enforcement of toll violations made under the authority of division (B) of this section shall provide for all of the following:

(1) That a driver of a motor vehicle that is registered in one state that is a party to the agreement and who is operating in another state that is a party to the agreement receive the same benefits, privileges, and exemptions as are accorded to a driver of a motor vehicle that is registered in that other state;

(2) That refusal of an application for motor vehicle registration or transfer of motor vehicle registration, in accordance with the laws of the state in which the toll violation occurred, is one mechanism by which toll violations shall be enforced pursuant to the agreement;

(3) That provision of notice between the states regarding toll violations and enforcement of those violations be made by electronic means.

(D) In addition to the authority granted under division (B) of this section, the director of public safety may enter into an agreement with any private toll transportation facility located in another state that governs the collection and enforcement of tolls for a highway, bridge, or tunnel operated by the private toll transportation facility.

Sec. 5502.68. (A) There is hereby created in the state treasury the drug law enforcement fund. The fund consists of the following:

(1) Ninety-seven per cent of three dollars and fifty cents out of each ten-dollar court cost imposed pursuant to section 2949.094 of the Revised Code ~~shall be credited to the fund.~~ ;

(2) Contributions required to be deposited in the fund under section 4503.261 of the Revised Code.

Money in the fund shall be used only in accordance with this section to award grants to counties, municipal corporations, townships, township police districts, and joint police districts to defray the expenses that a drug task force organized in the county, or in the county in which the municipal corporation, township, or district is located, incurs in performing its functions related to the enforcement of the state's drug laws and other state laws related to illegal drug activity.

The division of criminal justice services shall administer all money deposited into the drug law enforcement fund and, by rule adopted under Chapter 119. of the Revised Code, shall

establish procedures for a county, municipal corporation, township, township police district, or joint police district to apply for money from the fund to defray the expenses that a drug task force organized in the county, or in the county in which the municipal corporation, township, or district is located, incurs in performing its functions related to the enforcement of the state's drug laws and other state laws related to illegal drug activity, procedures and criteria for determining eligibility of applicants to be provided money from the fund, and procedures and criteria for determining the amount of money to be provided out of the fund to eligible applicants.

(B) The procedures and criteria established under division (A) of this section for applying for money from the fund shall include, but shall not be limited to, a provision requiring a county, municipal corporation, township, township police district, or joint police district that applies for money from the fund to specify in its application the amount of money desired from the fund, provided that the cumulative amount requested in all applications submitted for any single drug task force may not exceed more than two hundred fifty thousand dollars in any calendar year for that task force.

(C) The procedures and criteria established under division (A) of this section for determining eligibility of applicants to be provided money from the fund and for determining the amount of money to be provided out of the fund to eligible applicants shall include, but not be limited to, all of the following:

(1) Provisions requiring that, in order to be eligible to be provided money from the fund, a drug task force that applies for money from the fund must provide evidence that the drug task force will receive a local funding match of at least twenty-five

per cent of the task force's projected operating costs in the period of time covered by the grant;

(2) Provisions requiring that money from the fund be allocated and provided to drug task forces that apply for money from the fund in accordance with the following priorities:

(a) Drug task forces that apply, that are in existence on the date of the application, and that are determined to be eligible applicants, and to which either of the following applies shall be given first priority to be provided money from the fund:

(i) Drug task forces that received funding through the division of criminal justice services in calendar year 2007;

(ii) Drug task forces in a county that has a population that exceeds seven hundred fifty thousand.

(b) If any moneys remain in the fund after all drug task forces that apply, that are in existence on the date of the application, that are determined to be eligible applicants, and that satisfy the criteria set forth in division (C)(2)(a)(i) or (ii) of this section are provided money from the fund as described in division (C)(2)(a) of this section, the following categories of drug task forces that apply and that are determined to be eligible applicants shall be given priority to be provided money from the fund in the order in which they apply for money from the fund:

(i) Drug task forces that are not in existence on the date of the application;

(ii) Drug task forces that are in existence on the date of the application but that do not satisfy the criteria set forth in division (C)(2)(a)(i) or (ii) of this section.

(D) The procedures and criteria established under division (A) of this section for determining the amount of money to be provided out of the fund to eligible applicants shall include, but shall not be limited to, a provision specifying that the cumulative amount provided to any single drug task force may not exceed more than two hundred fifty thousand dollars in any calendar year.

(E) Any drug task force for which a grant is awarded by the division of criminal justice services under this section shall comply with all grant requirements established by the division, including a requirement that the drug task force report its activities through the El Paso intelligence center information technology systems.

(F) As used in this section, "drug task force" means a drug task force organized in any county by the sheriff of the county, the prosecuting attorney of the county, the chief of police of the organized police department of any municipal corporation or township in the county, and the chief of police of the police force of any township police district or joint police district in the county to perform functions related to the enforcement of state drug laws and other state laws related to illegal drug activity.

Sec. 5511.11. For purposes of the federal motor carrier safety administration's national hazardous materials route registry, the director of transportation shall not designate the portion of state route number three hundred fifteen between interstate route number two hundred seventy and interstate route number seventy as a hazardous materials route, including for non-radioactive hazardous materials. The director shall notify the administration of any changes necessary for the registry and

designate other routes, as applicable, for the transportation of hazardous materials to their final destination.

Sec. 5513.01. (A) The director of transportation shall make all purchases of ~~machinery, materials,~~ supplies, ~~or other articles~~ products, and services in the manner provided in this section. In all cases except those in which the director provides written authorization for purchases by district deputy directors of transportation, the director shall make all such purchases at the central office of the department of transportation in Columbus. ~~Before making any purchase at that office, the director, as provided in this section, shall give notice to bidders of the director's intention to purchase.~~ Where the expenditure does not exceed the amount applicable to the purchase of supplies, products, or services specified in division (A) of section 125.05 of the Revised Code, the director shall give such notice as the director considers proper, or the director may make the purchase without notice. Where the expenditure exceeds the amount applicable to the purchase of supplies, products, or services specified in division (A) of section 125.05 of the Revised Code, the director shall give notice by posting for not less than ten days ~~a written, typed, or printed invitation to bidders on a bulletin board. The director shall locate the notice in a place in the offices assigned to the department and open to the public during business hours~~the intention to purchase on the electronic procurement system established by the department of administrative services under section 125.073 of the Revised Code. The director shall use a competitive selection process in the purchase of supplies, products, or services.

~~Producers or distributors of any product may notify the director, in writing, of the class of articles for the~~

~~furnishing of which they desire to bid and their post-office addresses. In that circumstance, the director shall mail copies of all invitations to bidders relating to the purchase of such articles to such persons by regular first class mail at least ten days prior to the time fixed for taking bids. The director also may mail copies of all invitations to bidders to news agencies or other agencies or organizations distributing information of this character. Requests for invitations are not valid and do not require action by the director unless renewed by the director, either annually or after such shorter period as the director may prescribe by a general rule.~~

The director ~~shall include in an invitation to bidders a brief statement of the general character of the article that it is intended to purchase, the approximate quantity desired, and a statement of the time and place where bids will be received, and may relate to and describe as many different articles as the director thinks proper~~may post multiple supplies, products, or services in a single listing on the electronic procurement system, it being the intent and purpose of this section to authorize the inclusion in a single ~~invitation~~ solicitation of as many different ~~articles~~ supplies, products, or services as the director desires to ~~invite bids upon~~ purchase at any given time. ~~The director shall give invitations issued during each calendar year consecutive numbers, and ensure that the number assigned to each invitation appears on all copies thereof. In all cases where notice is required by this section, the director shall require sealed bids, on forms prescribed and furnished by the director.~~ The director shall not permit the modification of bids after they have been opened.

(B) The director may permit a state agency, the Ohio turnpike and infrastructure commission, any political

subdivision, and any state university or college to participate in contracts into which the director has entered for the purchase of ~~machinery, materials,~~ supplies, products, or ~~other articles~~services. The turnpike and infrastructure commission and any political subdivision or state university or college desiring to participate in such purchase contracts shall file with the director a certified copy of the bylaws or rules of the turnpike and infrastructure commission or the ordinance or resolution of the legislative authority, board of trustees, or other governing board requesting authorization to participate in such contracts and agreeing to be bound by such terms and conditions as the director prescribes. Purchases made by a state agency, the turnpike and infrastructure commission, political subdivisions, or state universities or colleges under this division are exempt from any competitive bidding required by law for the purchase of ~~machinery, materials,~~ supplies, products, or ~~other articles~~services.

(C) As used in this section:

(1) "Competitive selection," "products," "purchase," "services," and "supplies" have the same meanings as in section 125.01 of the Revised Code.

(2) "Political subdivision" means any county, township, municipal corporation, conservancy district, township park district, park district created under Chapter 1545. of the Revised Code, port authority, regional transit authority, regional airport authority, regional water and sewer district, county transit board, school district as defined in section 5513.04 of the Revised Code, regional planning commission formed under section 713.21 of the Revised Code, regional council of government formed under section 167.01 of the Revised Code, or

other association of local governments established pursuant to an agreement under sections 307.14 to 307.19 of the Revised Code.

~~(2)~~ (3) "State university or college" has the same meaning as in division (A)(1) of section 3345.32 of the Revised Code.

~~(3)~~ (4) "Ohio turnpike and infrastructure commission" means the commission created by section 5537.02 of the Revised Code.

~~(4)~~ (5) "State agency" means every organized body, office, board, authority, commission, or agency established by the laws of the state for the exercise of any governmental or quasi-governmental function of state government, regardless of the funding source for that entity, other than any state institution of higher education, the office of the governor, lieutenant governor, auditor of state, treasurer of state, secretary of state, or attorney general, the general assembly, the courts or any judicial agency, or any state retirement system or retirement program established by or referenced in the Revised Code.

Sec. 5515.01. The director of transportation may upon formal application being made to the director, grant a permit to any individual, firm, or corporation to use or occupy such portion of a road or highway on the state highway system as will not incommode the traveling public. Such permits, when granted, shall be upon the following conditions:

(A) The director may issue a permit to any individual, firm, or corporation for any use of a road or highway on the state highway system that is consistent with applicable federal law or federal regulations.

(B) Such location shall be changed as prescribed by the

director when the director deems such change necessary for the convenience of the traveling public, or in connection with or contemplation of the construction, reconstruction, improvement, relocating, maintenance, or repair of such road or highway.

(C) The placing of objects or things shall be at a grade and in accordance with such plans, specifications, or both, as shall be first approved by the director.

(D) The road or highway in all respects shall be fully restored to its former condition of usefulness and at the expense of such individual, firm, or corporation.

(E) Such individual, firm, or corporation shall maintain all objects and things in a proper manner, promptly repair all damages resulting to such road or highway on account thereof, and in event of failure to so repair such road or highway to pay to the state all costs and expenses that may be expended by the director in repairing any damage.

(F) Such other conditions as may seem reasonable to the director, but no condition shall be prescribed that imposes the payment of a money consideration for the privilege granted. Nothing in this division prohibits the director from requiring payment of money consideration for a lease, easement, license, or other interest in a transportation facility under control of the department of transportation.

(G) Permits may be revoked by the director at any time for a noncompliance with the conditions imposed.

(H) As a condition precedent to the issuance of any permit for telecommunications facilities or carbon capture and storage pipelines, the director shall require the applicant to provide proof it is party to a lease, easement, or license for the

construction, placement, or operation of such facility or pipeline in or on a transportation facility.

Except as otherwise provided in this section and section 5501.311 of the Revised Code, Chapters 5501., 5503., 5511., 5513., 5515., 5516., 5517., 5519., 5521., 5523., 5525., 5527., 5528., 5529., 5531., 5533., and 5535. of the Revised Code do not prohibit telephone and electric light and power companies from constructing, maintaining, and using telephone or electric light and power lines along and upon such roads or highways under section 4933.14 or other sections of the Revised Code, or to affect existing rights of any such companies, or to require such companies to obtain a permit from the director, except with respect to the location of poles, wires, conduits, and other equipment comprising lines on or beneath the surface of such road or highways.

This section does not prohibit steam or electric railroad companies from constructing tracks across such roads or highways, nor authorize the director to grant permission to any company owning, operating, controlling, or managing a steam railroad or interurban railway in this state to build a new line of railroad, or to change or alter the location of existing tracks across any road or highway on the state highway system at grade. No such company shall change the elevation of any of its tracks across such road or highway except in accordance with plans and specifications first approved by the director.

This section does not relieve any individual, firm, or corporation from the obligation of satisfying any claim or demand of an owner of lands abutting on such road or highway on the state highway system on account of placing in such road or highway a burden in addition to public travel.

(I) No person shall knowingly use or occupy a portion of a road or highway on the state highway system if the director revokes that person's permit under division (G) of this section.

Sec. 5515.02. (A) As used in this section:

(1) "Delay costs and expenses" has the same meaning as in section 5517.06 of the Revised Code.

(2) "Road" or "highway" has the same meaning as in section 5501.01 of the Revised Code and also includes any part of the right-of-way.

(B) All individuals, firms, and corporations using or occupying any part of a road or highway on the state highway system with telegraph or telephone lines, steam, electrical, or industrial railways, oil, gas, water, or other pipes, mains, conduits, or any object or structure, other than by virtue of a franchise or permit granted and in force, shall remove from the bounds of the road or highway, their poles and wires connected therewith, and any tracks, switches, spurs, or oil, gas, water, or other pipes, mains, conduits, or other objects or structures, when in the opinion of the director of transportation they constitute obstructions, or they interfere or may interfere with the contemplated construction, reconstruction, improvement, maintenance, repair, or use by the traveling public of the roads or highways.

(C) All individuals, firms, or corporations so occupying any road or highway on the state highway system, under and by virtue of a franchise or permit granted and in force, shall relocate their properties and all parts thereof within the bounds of the road or highway when in the opinion of the director they constitute obstructions, or they interfere with or

may interfere with the contemplated construction, reconstruction, improvement, maintenance, repair, or use of the road or highway. The relocation within the bounds of the road or highway shall be in the manner and to the extent prescribed by the director.

(D) If, in the opinion of the director, such individuals, firms, or corporations have obstructed any road or highway on the state highway system, or if any of their properties are so located that they do or may interfere with the contemplated construction, reconstruction, improvement, maintenance, repair, or use of the road or highway, the director shall notify such individual, firm, or corporation directing the removal of the obstruction or properties, or the relocation of the properties. If the individual, firm, or corporation does not within five days from the service of the notice proceed to remove or relocate the obstruction or properties and complete the removal or relocation within a reasonable time, the director may remove or relocate the same by employing the necessary labor, tools, and equipment. Any notice required under this section shall be made by personal service, certified mail, or express mail.

(E) If, in the director's opinion, the obstruction or properties present an immediate and serious threat to the safety of the traveling public, the director may remove or relocate the obstruction or properties without prior notice.

(F) When the director performs a removal or relocation under this section, the costs and expenses shall be paid by the director out of any appropriation of the department of transportation available for the establishment, construction, reconstruction, improvement, maintenance, or repair of highways, and the amount thereof shall be certified to the attorney

general for collection by civil action.

~~As used in this section, "road" or "highway" has the same meaning as in section 5501.01 of the Revised Code and also includes any part of the right of way.~~

(G) Any project delay costs and expenses incurred by the department due to the failure of the owner to timely remove or relocate an obstruction or property when required under division (D) of this section shall be certified to the attorney general for collection by civil action.

(H) If the department certifies an amount for collection to the attorney general under division (G) of this section, the attorney general shall bring a civil action to collect the amount certified.

(I) No person shall knowingly fail to remove or relocate an obstruction or property when required to do so under this section.

Sec. 5515.10. (A) As used in this section:

(1) "Telecommunications carrier" has the same meaning as in section 4927.01 of the Revised Code.

(2) "Telecommunications or utility structure" means any facility, line, pipe, cable, or other equipment used by a telecommunications carrier or utility provider to provide service.

(3) "Utility provider" means any entity described in section 4905.03 of the Revised Code, regardless of whether the entity is a public utility under section 4905.02 of the Revised Code.

(4) "Abandoned" does not include a change in ownership of

the telecommunications or utility structure.

(B) The department of transportation shall make reasonable attempts to identify the owner of an abandoned telecommunications or utility structure in, upon, under, or otherwise occupying a road or highway of the state highway system or right-of-way.

(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.

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.

(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.

(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.

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.

(B)(1) After complying with division (A) of this section, the director may proceed without competitive bidding with maintenance or repair work by employing labor, purchasing materials, and furnishing equipment, if the total estimated cost of the completed operation, or series of connected operations, does not exceed the following, as adjusted under division (B)(2) of this section:

(a) Thirty thousand dollars per centerline mile of highway, exclusive of structures and highway traffic ~~control~~ signals;

(b) Sixty thousand dollars for any single highway traffic ~~control~~ signal or any other single project.

(2) On the first day of July of every odd-numbered year beginning in 2015, the director shall increase the amounts established in division (B)(1) of this section by an amount not to exceed the lesser of three per cent, or the percentage amount of any increase in the department of transportation's construction cost index as annualized and totaled for the prior two calendar years. The director shall publish the applicable amounts on the department's internet web site.

(C) The director may proceed by furnishing equipment, purchasing materials, and employing labor in the erection of temporary bridges or the making of temporary repairs to a highway or bridge rendered necessary by flood, landslide, or

other extraordinary emergency. If the director determines inability to complete such emergency work by force account, the director may contract for any part of the work, with or without advertising for bids, as the director considers for the best interest of the department of transportation.

(D) When a project proceeds by force account under this section or section 5517.021 of the Revised Code, the department of transportation shall perform the work in compliance with any project requirements and specifications that would have applied if a contract for the work had been let by competitive bidding. The department shall retain in the project record all records documenting materials testing compliance, materials placement compliance, actual personnel and equipment hours usage, and all other documentation that would have been required if a contract for the work had been let by competitive bidding.

(E) The director shall proceed by competitive bidding to let work to the lowest competent and responsible bidder after advertisement as provided in section 5525.01 of the Revised Code in both of the following situations:

(1) When the scope of work exceeds the limits established in section 5517.021 of the Revised Code;

(2) When the estimated cost for a project, other than work described in section 5517.021 of the Revised Code, exceeds the amounts established in division (B) of this section, as adjusted.

Sec. 5517.021. (A)(1) The director of transportation may proceed without competitive bidding by employing labor, purchasing materials, and furnishing equipment to do any of the following work:

(a) Replace any single span bridge in its substantial entirety or widen any single span bridge, including necessary modifications to accommodate widening the existing substructure and wing walls. The director shall proceed under division (A)(1)(a) of this section only if the deck area of the new or widened bridge does not exceed seven hundred square feet as measured around the outside perimeter of the deck.

(b) Replace the bearings, beams, and deck of any bridge on that bridge's existing foundation if the deck area of the rehabilitated structure does not exceed eight hundred square feet;

(c) Construct or replace any single cell or multi-cell culvert whose total waterway opening does not exceed fifty-two square feet;

(d) Pave or patch an asphalt surface if the operation does not exceed one hundred twenty tons of asphalt per lane-mile of roadway length, except that the department shall not perform a continuous resurfacing operation under this section if the cost of the work exceeds the amount established in division (B)(1)(a) of section 5517.02 of the Revised Code, as adjusted;

(e) Chip seal or fog seal an asphalt surface if both of the following apply:

(i) The operation does not exceed twenty-eight feet in width, excluding turn lanes.

(ii) Chip seal or fog seal operations statewide are not more than two hundred cumulative centerline miles of asphalt surface per year.

(2) Work performed in accordance with division (A)(1) of this section may include approach roadway work, extending not

more than one hundred fifty feet as measured from the back side of the bridge abutment wall or outside edge of the culvert, as applicable. The length of an approach guardrail shall be in accordance with department of transportation design requirements and shall not be included in the approach work size limitation.

(B) The requirements of section 117.16 of the Revised Code shall not apply to work described in division (A) of this section and the work shall be exempt from audit for force account purposes except to determine compliance with the applicable size or tonnage restrictions.

Sec. 5517.06. (A) As used in this section, "delay costs and expenses" means all actual costs, including any contract modifications, acceleration agreements, wages, labor costs other than wages, wage taxes, materials, equipment costs and rentals, storage costs of materials and equipment, insurance, and subcontracts attributable to the delay, plus a reasonable sum for overhead.

(B) In conjunction with any work deemed necessary to carry out Chapters 5501., 5503., 5511., 5512., 5513., 5515., 5516., 5517., 5519., 5521., 5523., 5525., 5527., 5528., 5529., 5531., 5533., and 5535. of the Revised Code, the director of transportation may require commitments and deadlines from persons, firms, corporations, and political subdivisions.

(C) Any delay costs and expenses incurred by the director, the department of transportation, any agent of the department, or consultant of the department as a result of the commitments and deadlines not being followed shall be borne by the persons, firms, corporations, or political subdivisions responsible for the delay and any amount thereof shall be certified to the attorney general for collection by civil action.

(D) If the department certifies an amount for collection to the attorney general under this section, the attorney general shall bring a civil action to collect the amount certified.

Sec. 5517.08. (A) As used in this section, "start date" means one of the following, as applicable:

(1) The date that the department of transportation will advertise for competitive bids related to the chip sealing or fog sealing of an asphalt surface on a state highway project;

(2) The date that the department will begin chip sealing or fog sealing an asphalt surface on a state highway project through force account in accordance with division (A)(1)(e) of section 5517.021 of the Revised Code.

(B) Not less than thirty days prior to the start date of a chip sealing or fog sealing project, the director of transportation shall notify the appropriate board of county commissioners or board of township trustees of the sealing project.

Sec. 5525.03. (A) All prospective bidders other than environmental remediators and specialty contractors for which there are no classes of work provided for in the rules adopted by the director of transportation shall apply for qualification on forms prescribed and furnished by the director. The application shall be accompanied by a certificate of compliance with affirmative action programs issued pursuant to section 9.47 of the Revised Code and dated no earlier than one hundred eighty days before the date fixed for the ~~opening of bids~~ award of the contract for a particular project.

(B) The director shall act upon an application for qualification within thirty days after it is presented to the

director. Upon the receipt of any application for qualification, the director shall examine the application to determine whether the applicant is competent and responsible and possesses the financial resources required by section 5525.04 of the Revised Code. If the applicant is found to possess the qualifications prescribed by sections 5525.02 to 5525.09 of the Revised Code and by rules adopted by the director, including a certificate of compliance with affirmative action programs, a certificate of qualification shall be issued to the applicant, which shall be valid for the period of one year or such shorter period of time as the director prescribes, unless revoked by the director for cause as defined by rules adopted by the director under section 5525.05 of the Revised Code.

(C) The certificate of qualification shall contain a statement fixing the aggregate amount of work, for any or all owners, that the applicant may have under construction and uncompleted at any one time and may contain a statement limiting such bidder to the submission of bids upon a certain class of work. Subject to any restriction as to amount or class of work therein contained, the certificate of qualification shall authorize its holder to bid on all work on which bids are taken by the department of transportation during the period of time therein specified.

(D) An applicant who has received a certificate of qualification and desires to amend the certificate by the dollar amount or by the classes of work may submit to the director such documentation as the director considers appropriate. The director shall review the documentation submitted by the applicant and, within fifteen days, shall either amend the certificate of qualification or deny the request. If the director denies the request to amend the certificate, the

applicant may appeal that decision to the director's prequalification review board in accordance with section 5525.07 of the Revised Code. Two or more persons, partnerships, or corporations may bid jointly on any one project, but only on condition that prior to the time bids are taken on the project the bidders make a joint application for qualification and obtain a joint certificate qualification.

(E) The director may debar from participating in future contracts with the department any bidding company as well as any partner of a partnership, or the officers and directors of an association or corporation if the certificate of qualification of the company, partnership, association, or corporation is revoked or not renewed by the director. When the director reasonably believes that grounds for revocation and debarment exist, the director shall send the bidding company and any individual involved a notice of proposed revocation and debarment indicating the grounds for such action as established in rules adopted by the director under section 5525.05 of the Revised Code and the procedure for requesting a hearing. The notice and hearing shall be in accordance with Chapter 119. of the Revised Code. If the bidding company or individual does not respond with a request for a hearing in the manner specified in Chapter 119. of the Revised Code, the director shall revoke the certificate and issue the debarment decision without a hearing and shall notify the bidding company or individual of the decision by certified mail, return receipt requested.

(F) The debarment period may be of any length determined by the director and the director may modify or rescind the debarment at any time. During the period of debarment, the director shall not issue a certificate of qualification for any company, partnership, association, or corporation affiliated

with a debarred individual. After the debarment period expires, the bidding company or individual, and any partnership, association, or corporation affiliated with the individual may make an application for qualification if such entity or individual is not otherwise debarred.

Sec. 5525.04. No bidder shall be given a certificate of qualification unless the bidder's financial statement and the investigation made by the director of transportation show that the bidder possesses net current assets or working capital sufficient, in the judgment of the director, to render it probable that the bidder can satisfactorily execute the bidder's contracts and meet all contractual obligations. Any applicant desiring a certificate of qualification in an amount of ~~five~~ ten million dollars or more shall submit on forms prescribed by the director a financial audit prepared and attested as correct by an independent certified public accountant. Any applicant desiring a certificate of qualification in an amount that is less than ~~five~~ ten million dollars shall submit a financial review on forms prescribed by the director. The aggregate amount of work set forth in either type of certificate of qualification shall not exceed ten times the applicant's net current assets or working capital. At the time of ~~bidding~~award of the contract, a bidder's qualification is determined by the bidder's qualification amount minus all of the bidder's pending work.

Applicants for qualification shall expressly authorize the director to obtain any information that the director considers pertinent, with respect to the financial worth, assets, and liabilities of the applicant, from banks or other financial institutions, surety companies, dealers in material, equipment, or supplies, or other persons having business transactions with the applicant. Applicants shall expressly authorize all such

financial institutions or other persons to furnish any such information requested from them by the director. All information filed with or furnished to the director by applicants or other persons, in connection with the administration of sections 5525.02 to 5525.09 of the Revised Code, shall be kept in confidence by the director and not revealed to any person, except upon proper order of a court. Failure to submit the required information or to expressly grant the director authority to obtain the required information shall result in the denial of a certificate of qualification. The director or the director's subordinates shall have access to the books of account and financial records of all applicants, unless the financial statement furnished by any applicant is prepared and attested as correct by a certified public accountant.

If an applicant for either type of certificate of qualification is or has been an employer in this state the application shall be accompanied by satisfactory evidence that the applicant has complied with Chapter 4123. of the Revised Code.

The director may require all qualified bidders to file financial statements at such intervals as the director prescribes. Sections 5525.02 to 5525.09 of the Revised Code shall be administered without reference to the residence of applicants, and the rules of the director shall apply equally to residents and nonresidents of this state. Sections 5525.02 to 5525.09 of the Revised Code, do not apply to the purchase of material, equipment, or supplies.

Sec. 5525.08. Except as otherwise provided in this section, the director of transportation shall not consider any bid filed with the director by any person who has not been

qualified to bid by the time the contract is awarded. ~~Bids from unqualified bidders discovered by the director prior to the reading thereof to be from such persons shall be returned without being read.~~ If the director finds, subsequent to the opening of bids, that facts exist that would disqualify the lowest bidder, or that such bidder either is not competent and responsible or has submitted a nonresponsive bid, the director shall reject such bid, despite ~~the fact of~~ any prior qualification of such bidder. No contract shall be awarded to any bidder not qualified to bid thereon at the time ~~fixed for receiving bids~~of awarding the contract, except that the director may award contracts for environmental remediation and specialty work not set out in the director's rules governing classes of work to bidders that are not qualified under sections 5525.02 to 5525.09 of the Revised Code.

Sec. 5525.14. (A) Notwithstanding sections 125.01 to 125.11 of the Revised Code, the director of transportation, by written instruction to the contractor, may increase the quantities of any item specified or not specified in a competitively bid construction contract but, except as provided in division (B) of this section, the additional cost incurred by the increase shall not exceed the lesser of ~~one~~ two hundred thousand dollars or ~~five~~ ten per cent of the total contract price. Any such provision for increased quantities or extra work shall be made in the form of a written change to the original contract and does not require competitive bidding.

(B) The ~~one hundred thousand dollar or five per cent restriction~~ monetary threshold established in division (A) of this section does not apply to change orders or extra work contracts when the total dollar amount of the increase is ~~twenty-five~~ fifty thousand dollars or less, or to change orders

or extra work contracts resulting from any of the following:

(1) An increase in the plan quantity that is determined during the final measurement of an item of work.

(2) Federally mandated requirements that did not exist at the time of the original contract award.

(3) Circumstances that would create a life-, safety-, or health-threatening situation or would unduly delay the completion of a project and increase its costs, but only if the director makes a finding of such fact, declares an emergency, and issues the finding. Extra work that the director contracts for in these circumstances may include not only construction needed to complete a project, but also adjustments needed to meet changed conditions, alterations in original plans, unforeseen contingencies, or payments necessitated by contract terminations or suspensions.

All change orders or extra work contracts set forth in division (B) of this section shall be reported to the controlling board quarterly in writing.

(C) The director, by written instruction to the contractor, may decrease or cancel the quantity of any item specified in a contract or portion of a contract and authorize payment to the contractor for reasonable costs incurred to date.

Sec. 5571.01. (A) A board of township trustees may construct, reconstruct, resurface, or improve any public road or part thereof under its jurisdiction, or any county road, intercounty highway, or state highway within its township. In the case of a county road, the plans and specifications for the proposed improvement first shall be submitted to the board of county commissioners of the county and receive its approval. In

the case of an intercounty or state highway, the plans and specifications first shall be submitted to the director of transportation and receive the director's approval. The board of township trustees may widen, straighten, or change the direction of any part of a road in connection with the proceedings for its improvement.

(B) The board of township trustees may construct, improve, maintain, or repair the berm of any road under its jurisdiction, in order to provide a hard surface or other improved approach to rural mail boxes located on public highways.

(C) A board of township trustees, in conformity with the manual and uniform system of traffic control devices adopted under section 4511.09 of the Revised Code, may erect and maintain at intersecting roads, at least one of which is a township road, suitable signposts showing the names and numbers of the roads. The cost of the signs shall be paid from the township road fund.

(D) Subject to division (F) of this section, a board of township trustees, in conformity with the manual and uniform system of traffic control devices adopted under section 4511.09 of the Revised Code, may erect and maintain at intersecting roads, at least one of which is a township road, suitable signposts showing the direction and distance to any nearby municipal corporation. The costs of the signs shall be paid from the township road fund.

(E) Subject to divisions (F) and (G) of this section, a board of township trustees may purchase or lease and erect and maintain at intersecting roads, at least one of which is a township road, suitable traffic control devices and highway traffic ~~control~~ signals. The traffic control devices and highway

traffic ~~control~~ signals and their placement and maintenance shall conform with the manual and specifications adopted under section 4511.09 of the Revised Code. In purchasing or leasing and erecting and maintaining the traffic control devices and highway traffic ~~control~~ signals, the board may expend any moneys that are available to it that legally may be expended for that purpose.

(F) If one of the intersecting highways as provided in divisions (D) and (E) of this section is a state highway, both of the following apply:

(1) No signpost showing the direction and distance to any nearby municipal corporation shall be placed at or near the intersection, and no traffic control device or highway traffic ~~control~~ signal shall be erected at the intersection, without prior permission of the director as required by section 4511.10 of the Revised Code.

(2) The department of transportation shall maintain any highway traffic ~~control~~ signal erected by the board of township trustees at that intersection.

(G) If one of the intersecting roads as provided in division (E) of this section is a county road, a board of township trustees shall not erect a traffic control device or highway traffic ~~control~~ signal at the intersection without prior permission of the county engineer of the county in which the intersection is located.

(H) No contract for the construction or repair of a bridge, the entire cost of which construction or repair exceeds fifty thousand dollars, shall be entered into by the township unless the plans are first approved by the director.

Sec. 5736.02. (A) Beginning with the tax period that commences July 1, 2014, and continuing for every tax period thereafter, there is hereby levied an excise tax on each supplier measured by the supplier's calculated gross receipts derived from the first sale of motor fuel within this state. The tax due shall be computed by multiplying sixty-five one-hundredths of one per cent by the supplier's calculated gross receipts.

All revenue from the tax shall be distributed as follows:

(1) All revenue from the tax as measured by calculated gross receipts derived from the sale of motor fuel used for propelling vehicles on public highways and waterways shall be used for the purposes of maintaining the state highway system, funding the enforcement of traffic laws, and covering the costs of hospitalization of indigent persons injured in motor vehicle accidents on the public highways.

(2) All revenue from the tax as measured by calculated gross receipts derived from the sale of motor fuel used exclusively in the operation of aircraft shall be used to fund airport improvements.

(3) All revenue not distributed as required by division (A)(1) or (2) of this section shall be used for the purpose of funding the needs of this state and its local governments.

(B) The tax imposed by this section is in addition to any other taxes or fees imposed under the Revised Code.

(C) The tax commissioner shall determine and publish, on the web site of the department of taxation, the statewide average wholesale prices of a gallon of unleaded regular gasoline, of a gallon of propane, and of a gallon of diesel fuel

for each calendar quarter. The commissioner's determination is presumed to be correct unless clearly erroneous. The figure shall be published at least fifteen days before the beginning of the calendar quarter. The commissioner shall base the average price on pricing information available from the United States energy information administration or, if such information is not available from that agency, from another publicly available source selected by the commissioner. The commissioner shall first make reasonable efforts to obtain data specific to this state before using national data to determine the average wholesale price. The price shall not include any federal or state excise taxes on the gasoline or diesel fuel, or the tax imposed by this chapter. The price shall be rounded up to the nearest one-tenth of one cent.

(D) Nothing in this chapter prohibits a person from separately or proportionately billing or invoicing the tax imposed by this section to a purchaser of motor fuel.

(E) The tax imposed by this section applies only to suppliers having a substantial nexus with this state, as that term is defined in section 5751.01 of the Revised Code. A supplier that does not have substantial nexus with the state may voluntarily obtain a license from the commissioner under section 5736.06 of the Revised Code. A supplier that voluntarily obtains a license from the commissioner is entitled to the same benefits and is subject to the same duties and requirements as are suppliers required to be licensed with the commissioner.

Sec. 5736.04. (A) Not later than the tenth day of the second month after the end of each calendar quarter, every taxpayer shall file with the tax commissioner a tax return in such form as the commissioner prescribes. The return shall

include, but is not limited to, the amount of the taxpayer's calculated gross receipts for the calendar quarter and shall indicate the amount of tax due under section 5736.02 of the Revised Code for the calendar quarter. The taxpayer shall indicate on each return the portion of the taxpayer's gross receipts attributable to motor fuel used for propelling vehicles on public highways and waterways, the portion of such receipts attributable to motor fuel used exclusively in the operation of aircraft, and the portion of such receipts attributable to motor fuel used for other purposes. For this purpose, the sale of gasoline and of diesel fuel that is not dyed diesel fuel shall be rebuttably presumed to be distributed or sold for use or used to propel vehicles on public highways or waterways. All other sales of motor fuel shall be rebuttably presumed not to be distributed or sold for use or used to propel vehicles on public highways or waterways.

(B)(1) The taxpayer shall remit the tax shown to be due on the return, and, if required by the tax commissioner, file the return, electronically. The commissioner may require taxpayers to use the Ohio business gateway as defined in section 718.01 of the Revised Code to file ~~return~~ returns and remit the tax, or may provide another means for taxpayers to file and remit the tax electronically.

(2) A person required by this section to remit taxes or file returns electronically may apply to the commissioner, on the form prescribed by the commissioner, to be excused from that requirement. The commissioner may excuse a person from such requirement for good cause.

(C) The tax rate with respect to calculated gross receipts for a calendar quarter is not fixed until the end of the

measurement period for each calendar quarter. The total amount of calculated gross receipts reported for a given calendar quarter shall be subject to the tax rate in effect in that quarter.

Sec. 5736.13. (A) For the purpose of receiving, accounting for, and distributing revenue received from the tax imposed by section 5736.02 of the Revised Code, the following funds are hereby created in the state treasury:

(1) The petroleum activity tax fund;

(2) The petroleum activity tax administration fund. All amounts credited to the petroleum activity tax administration fund shall be used solely for the purpose of paying the expenses of the department of taxation incident to the administration of the tax imposed by section 5736.02 of the Revised Code.

(3) The petroleum activity tax public highways fund.

(B) All money collected from the tax imposed by section 5736.02 of the Revised Code shall be deposited into the petroleum activity tax fund.

(C) From the petroleum activity tax fund, the director of budget and management shall place to the credit of the tax refund fund established by section 5703.052 of the Revised Code amounts equal to the refunds certified by the tax commissioner pursuant to section 5736.08 of the Revised Code.

(D) Not later than the last day of March, June, September, and December of each year, the director of budget and management shall provide for the transfer of the balance of the petroleum activity tax fund as of the last day of the preceding month, excluding any amounts required to be transferred as provided in division (C) of this section, as follows:

(1) To the petroleum activity tax administration fund, one per cent;

(2) To the Ohio airport improvement program fund created in section 4561.03 of the Revised Code, an amount equal to the balance of the fund attributable to the tax on calculated gross receipts derived from the sale of motor fuel used exclusively in the operation of aircraft minus one per cent of that balance;

(3) To the petroleum activity tax public highways fund, an amount that bears the same ratio to the balance in the petroleum activity tax fund, after subtracting the amount transferred under division (D)(1) and (2) of this section, that (a) the calculated gross receipts attributed to motor fuel used for propelling vehicles on public highways and waterways as indicated by returns filed by the last day of the preceding month, bears to (b) all calculated gross receipts as indicated by those returns;

~~(3)~~(4) To the general revenue fund, the amount remaining after the transfers required by divisions (D)(1) ~~and (2)~~to (3) of this section.

Section 101.02. That existing sections 154.01, 306.35, 306.43, 717.02, 1548.061, 3503.11, 3704.14, 4501.01, 4503.038, 4503.10, 4503.102, 4503.103, 4503.19, 4505.08, 4506.01, 4506.11, 4507.01, 4507.061, 4507.13, 4507.21, 4507.52, 4508.02, 4511.01, 4511.031, 4511.09, 4511.091, 4511.092, 4511.094, 4511.11, 4511.13, 4511.131, 4511.132, 4511.18, 4511.204, 4511.211, 4511.214, 4511.432, 4511.46, 4511.48, 4511.512, 4511.61, 4511.62, 4511.64, 4511.65, 4511.68, 4511.701, 4511.712, 4513.071, 4513.38, 4513.41, 4517.02, 4519.401, 4955.50, 4955.51, 5501.20, 5501.441, 5502.68, 5513.01, 5515.01, 5515.02, 5515.99, 5517.02, 5517.021, 5525.03, 5525.04, 5525.08, 5525.14, 5571.01,

5736.02, 5736.04, and 5736.13 of the Revised Code are hereby repealed.

Section 105.01. That sections 4506.072, 4507.021, 4507.063, 4507.511, 4511.351, 4511.491, and 5501.60 of the Revised Code are hereby repealed.

Section 201.10. Except as otherwise provided in this act, all appropriation items in this act are appropriated out of any moneys in the state treasury to the credit of the designated fund that are not otherwise appropriated. For all appropriations made in this act, the amounts in the first column are for fiscal year 2026 and the amounts in the second column are for fiscal year 2027.

Section 203.10.

1	2	3	4	5
A		DOT DEPARTMENT OF TRANSPORTATION		
B	Highway Operating Fund Group			
C	2120 772426	Highway Infrastructure Bank - Federal	$5,750,500	$5,750,500
D	2120 772427	Highway Infrastructure Bank - State	$15,099,500	$15,099,500
E	2130 772431	Roadway Infrastructure Bank - State	$3,750,000	$3,750,000
F	2130 777477	Aviation Infrastructure Bank - State	$2,400,000	$2,400,000

G	5XI0	772504	Ohio Highway Transportation Safety	$13,500,000	$7,000,000
H	7002	770003	Transportation Facilities Lease Rental Bond Payments	$23,000,000	$23,000,000
I	7002	771411	Planning and Research - State	$34,583,813	$35,352,350
J	7002	771412	Planning and Research - Federal	$57,095,074	$57,095,074
K	7002	772421	Highway Construction - State	$1,166,495,043	$849,676,092
L	7002	772422	Highway Construction - Federal	$1,950,000,000	$1,950,000,000
M	7002	772424	Highway Construction - Other	$83,500,000	$83,500,000
N	7002	772437	Major New State Infrastructure Bond Debt Service - State	$18,500,000	$18,500,000
O	7002	772438	Major New State Infrastructure Bond Debt Service - Federal	$132,500,000	$132,500,000
P	7002	773431	Highway Maintenance - State	$701,557,065	$681,557,065
Q	7002	775452	Public Transportation -	$63,120,485	$63,276,002

			Federal		
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	$210,000,000	$210,000,000

Bank - Bonds		
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 BOND PAYMENTS

The foregoing appropriation item 770003, Transportation Facilities Lease Rental Bond Payments, shall be used to meet all payments during the period from July 1, 2025, through June 30, 2027, pursuant to the leases and agreements for facilities made under Chapter 154. of the Revised Code. These appropriations are the source of funds pledged for bond service charges on related obligations issued under Chapter 154. of the Revised Code.

Should the appropriation in appropriation item 770003, Transportation Facilities Lease Rental Bond Payments, exceed the associated debt service payments in either fiscal year of the biennium ending June 30, 2027, the balance may be transferred to appropriation item 772421, Highway Construction – State, 773431, Highway Maintenance – State, or 779491, Administration – State, upon the written request of the Director of Transportation and with the approval of the Director of Budget and Management. The transfers are hereby appropriated and shall be reported to the Controlling Board.

Section 203.21. MIDWEST INTERSTATE PASSENGER RAIL COMPACT

Of the foregoing appropriation item 771411, Planning and Research - State, $25,000 in each fiscal year shall be used to pay the costs associated with Ohio joining the Midwest Interstate Passenger Rail Compact.

Section 203.25. PLANNING AND RESEARCH - STATE

Of the foregoing appropriation item 771411, Planning and Research - State, up to $2,000,000 in FY 2026 shall be used to conduct a feasibility study for the creation of an Interstate Route 73 corridor connecting the municipal corporation of Toledo to the municipal corporation of Chesapeake in accordance with Section 755.50 of this act.

Section 203.30. ROADS FOR DNR, METROPOLITAN PARKS, EXPOSITIONS COMMISSION, AND HISTORY CONNECTION

(A) Notwithstanding section 5511.06 of the Revised Code, in each fiscal year of the biennium ending June 30, 2027, the Director of Transportation shall determine portions of the foregoing appropriation item 772421, Highway Construction – State, which shall be used for the construction, reconstruction, or maintenance of public access roads, including support features, to and within state facilities owned or operated by the Department of Natural Resources.

(B) Notwithstanding section 5511.06 of the Revised Code, of the foregoing appropriation item 772421, Highway Construction – State, $2,562,000 in each fiscal year shall be used for the construction, reconstruction, or maintenance of park drives or park roads within the boundaries of metropolitan parks.

(C) Notwithstanding section 5511.06 of the Revised Code, of the foregoing appropriation item 772421, Highway Construction - State, $500,000 in each fiscal year shall be used for the construction, reconstruction, or maintenance of park drives or park roads within the boundaries of state parks and wildlife areas greater than 10,000 contiguous acres that were purchased in a single, or series, of transactions, and $500,000 in each

fiscal year shall be used for construction, reconstruction, or maintenance of drives and roads leading to such state parks and wildlife areas.

(D) The Department of Transportation may use the foregoing appropriation item 772421, Highway Construction – State, to perform:

(1) Related road work on behalf of the Ohio Expositions Commission at the state fairgrounds, including reconstruction or maintenance of public access roads and support features to and within fairgrounds facilities, as requested by the Commission and approved by the Director of Transportation; and

(2) Related road work on behalf of the Ohio History Connection, including reconstruction or maintenance of public access roads and support features to and within Ohio History Connection facilities, as requested by the Ohio History Connection and approved by the Director of Transportation.

Section 203.40. TRANSPORTATION IMPROVEMENT DISTRICTS

(A) Of the foregoing appropriation item 772421, Highway Construction – State, $9,000,000 in each fiscal year shall be made available for distribution by the Director of Transportation to Transportation Improvement Districts that have facilitated funding for the cost of a project or projects in conjunction with and through other governmental agencies.

(B) A Transportation Improvement District shall submit requests for project funding to the Director of Transportation by a day determined by the Director. The Department shall notify the Transportation Improvement District whether the Department has approved or disapproved the project funding request within ninety days after the day the request was submitted by the

Transportation Improvement District.

(C) Any funding provided to a Transportation Improvement District specified in this section shall not be used for the purposes of administrative costs or administrative staffing and must be used to fund a specific project or projects within that District's area. The total amount of a specific project's cost shall not be fully funded by the amount of funds provided under this section. The total amount of funding provided for each project is limited to $500,000 per fiscal year. Transportation Improvement Districts that are co-sponsoring a specific project may individually apply for up to $500,000 for that project per fiscal year.

(D) Funding provided under this section may be used for preliminary engineering, detailed design, right-of-way acquisition, and construction of the specific project and such other project costs that are defined in section 5540.01 of the Revised Code and approved by the Director of Transportation. Upon receipt of a copy of an invoice for work performed on the specific project, the Director shall reimburse a Transportation Improvement District for the expenditures described above, subject to the requirements of this section.

(E) A Transportation Improvement District that is requesting funds under this section shall register with the Director of Transportation. The Director shall register a Transportation Improvement District only if the district has a specific, eligible project and may cancel the registration of a Transportation Improvement District that is not eligible to receive funds under this section. The Director shall not provide funds to any Transportation Improvement District under this section if the district is not registered.

(F) For the purposes of this section:

(1) "Project" has the same meaning as in division (C) of section 5540.01 of the Revised Code.

(2) "Governmental agency" has the same meaning as in division (B) of section 5540.01 of the Revised Code.

(3) "Cost" has the same meaning as in division (D) of section 5540.01 of the Revised Code.

Section 203.43. HIGHWAY CONSTRUCTION - FEDERAL

Of the foregoing appropriation item 772422, Highway Construction - Federal, $33,000,000 in each fiscal year shall be used to support public transportation statewide through the Federal Highway Administration (FHWA) flexible funding program.

WORKFORCE MOBILITY PARTNERSHIP PROGRAM

Of the foregoing appropriation item 772422, Highway Construction - Federal, $15,000,000 in each fiscal year shall be used to administer the Ohio Workforce Mobility Partnership Program under Section 620.10 of this act.

PUBLIC TRANSIT VOUCHER PILOT PROGRAM

Of the foregoing appropriation item 772422, Highway Construction - Federal, $1,000,000 in fiscal year 2026 shall be used to administer the Public Transit Voucher Pilot Program established in Section 755.30 of this act.

Section 203.47. BRENT SPENCE BRIDGE CORRIDOR PROJECT

All spending related to the Brent Spence Bridge Corridor Project shall be documented in the Ohio Administrative Knowledge System (OAKS) and made visible in the Ohio State and Local Government Expenditure Database pursuant to section 113.71 of

the Revised Code.

Section 203.49. RAIL SAFETY CROSSING MATCH

An amount equal to the unexpended, unencumbered balance of appropriation item 776505, Rail Safety Crossing Match, at the end of fiscal year 2025 is hereby reappropriated for the same purpose in fiscal year 2026.

An amount equal to the unexpended, unencumbered balance of appropriation item 776505, Rail Safety Crossing Match, at the end of fiscal year 2026 is hereby reappropriated for the same purpose in fiscal year 2027.

OHIO AIRPORT IMPROVEMENT PROGRAM

The foregoing appropriation item 777628, Ohio Airport Improvement Program, shall be used to administer the Ohio Airport Improvement Program established in section 4561.03 of the Revised Code.

An amount equal to the unexpended, unencumbered balance of the foregoing appropriation item 777628, Ohio Airport Improvement Program, at the end of fiscal year 2026 is hereby reappropriated to the same appropriation item for fiscal year 2027.

Section 203.50. BOND ISSUANCE AUTHORIZATION

The Treasurer of State, upon the request of the Director of Transportation, is authorized to issue and sell, in accordance with Section 2m of Article VIII, Ohio Constitution, and Chapter 151. and particularly sections 151.01 and 151.06 of the Revised Code, obligations, including bonds and notes, in the aggregate amount of $238,500,000 in addition to the original issuance of obligations authorized by prior acts of the General

Assembly.

The obligations shall be issued and sold from time to time in amounts necessary to provide sufficient moneys to the credit of the Highway Capital Improvement Fund (Fund 7042) created by section 5528.53 of the Revised Code to pay costs charged to the fund when due as estimated by the Director of Transportation, provided, however, that not more than $220,000,000 original principal amount of obligations, plus the principal amount of obligations that in prior fiscal years could have been, but were not, issued within the $220,000,000 limit, may be issued in any fiscal year, and not more than $1,200,000,000 original principal amount of such obligations are outstanding at any one time.

Section 203.60. APPROPRIATION TRANSFERS, APPROPRIATION INCREASES, AND CASH TRANSFERS

(A) TRANSFERS OF HIGHWAY OPERATING FUND APPROPRIATIONS: EMERGENCIES, INCLEMENT WEATHER, AND FEDERAL FUNDING CHANGES

The Director of Transportation may request the Controlling Board to approve transfers between Highway Operating Fund (Fund 7002) appropriations for planning and research (appropriation items 771411 and 771412), highway construction and debt service (appropriation items 772421, 772422, 772424, 772425, 772437, 772438, 772603, 772604, 772605, and 770003), highway maintenance (appropriation item 773431), public transportation - federal (appropriation item 775452), rail grade crossings (appropriation item 776462), aviation (appropriation item 777475), airport improvement (appropriation item 777472), and administration (appropriation item 779491). The Director of Transportation may not seek requests of appropriation transfers out of debt service appropriation items unless the Director determines that the appropriated amounts exceed the actual and projected debt

service requirements.

This transfer request authorization is intended to provide for emergency situations or for the purchase of goods and services relating to dangerous inclement weather that arise during the biennium ending June 30, 2027. It also is intended to allow the Department to adjust to circumstances affecting the obligation and expenditure of federal funds.

(B) TRANSFERS OF FEDERAL AND LOCAL FUNDED APPROPRIATIONS: HIGHWAY, PLANNING, TRANSIT, RAIL, AND AVIATION

The Director of Transportation may request the Controlling Board to approve the transfer of appropriations between appropriation items 772422, Highway Construction - Federal, 771412, Planning and Research - Federal, 775452, Public Transportation - Federal, 775454, Public Transportation - Other, 776475, Federal Rail Administration, 776462, Grade Crossing - Federal, and 777472, Airport Improvements - Federal.

(C) TRANSFERS OF APPROPRIATIONS AND CASH: STATE INFRASTRUCTURE BANK

The Director of Transportation may request the Controlling Board to approve the transfer of appropriations and cash of the Infrastructure Bank funds created in section 5531.09 of the Revised Code, including transfers between fiscal years 2026 and 2027.

The Director of Transportation may request the Controlling Board to approve the transfer of appropriations and cash from the Highway Operating Fund (Fund 7002) to the Infrastructure Bank funds created in section 5531.09 of the Revised Code. The Director of Budget and Management may transfer from the Infrastructure Bank funds to Fund 7002 up to the amounts

originally transferred to the Infrastructure Bank funds under this section. However, the Director may not make transfers between modes or transfers between different funding sources.

(D) TRANSFERS OF APPROPRIATIONS AND CASH: TOLLING FUNDS

The Director of Transportation may request the Controlling Board to approve the transfer of appropriations and cash of the Ohio Toll Fund and any subaccounts created in section 5531.14 of the Revised Code, including transfers between fiscal years 2026 and 2027.

(E) INCREASING APPROPRIATIONS: STATE FUNDS

In the event that receipts or unexpended balances credited to the Highway Operating Fund (Fund 7002) exceed the estimates upon which the appropriations have been made in this act, upon the request of the Director of Transportation, the Controlling Board may approve expenditures, in excess of the amounts appropriated, from the Highway Operating Fund in the manner prescribed in section 131.35 of the Revised Code. The amounts approved by the Controlling Board under this division are hereby appropriated.

(F) INCREASING APPROPRIATIONS: FEDERAL AND LOCAL FUNDS

In the event that receipts or unexpended balances credited to the Highway Operating Fund (Fund 7002) or apportionments or allocations made available from the federal and local governments exceed the estimates upon which the appropriations have been made in this act, upon the request of the Director of Transportation, the Controlling Board may approve expenditures, in excess of the amounts appropriated, from the Highway Operating Fund in the manner prescribed in section 131.35 of the Revised Code. The amounts approved by the Controlling Board

under this division are hereby appropriated.

(G) TRANSFERS OF CASH BETWEEN THE HIGHWAY OPERATING FUND AND THE HIGHWAY CAPITAL IMPROVEMENT FUND

Upon the request of the Director of Transportation, and subject to Controlling Board approval, the Director of Budget and Management may transfer cash from the Highway Operating Fund (Fund 7002) to the Highway Capital Improvement Fund (Fund 7042) created in section 5528.53 of the Revised Code. The Director of Budget and Management may transfer cash from Fund 7042 to Fund 7002 up to the amount of cash previously transferred to Fund 7042 under this section.

(H) DEPUTY INSPECTOR GENERAL FOR ODOT FUNDING

On July 1 and January 1 of each year in the biennium ending June 30, 2027, or as soon as possible thereafter, respectively, the Director of Budget and Management shall transfer $200,000 cash, for each semiannual period, from the Highway Operating Fund (Fund 7002) to the Deputy Inspector General for ODOT Fund (Fund 5FA0).

The Inspector General, with the consent of the Director of Budget and Management, may request the Controlling Board to approve additional transfers of cash and expenditures in excess of the amount appropriated under appropriation item 965603, Deputy Inspector General for ODOT, if additional amounts are necessary. The amounts approved by the Controlling Board are hereby appropriated.

(I) LIQUIDATION OF UNFORESEEN LIABILITIES

Any appropriation made from the Highway Operating Fund (Fund 7002) not otherwise restricted by law is available to liquidate unforeseen liabilities arising from contractual

agreements of prior years when the prior year encumbrance is insufficient.

(J) ELECTRIC VEHICLE EXPENDITURES

The Director of Transportation shall request Controlling Board approval for any expenditure of funds received under the federal "Infrastructure Investment and Jobs Act," Pub. L. No. 117-58, that are to be used for the construction or maintenance of electric vehicle charging stations. Any such expenditures approved by the Controlling Board are hereby appropriated.

Section 203.65. REAPPROPRIATIONS

In each year of the biennium ending June 30, 2027, the Director of Budget and Management may request the Controlling Board to approve the expenditure of any remaining unencumbered balances of prior years' appropriations to the Ohio Highway Transportation Safety Fund (Fund 5XI0), the Highway Operating Fund (Fund 7002), the Highway Capital Improvement Fund (Fund 7042), and the Infrastructure Bank funds created in section 5531.09 of the Revised Code for the same purpose in the following fiscal year. The amounts approved by the Controlling Board are hereby reappropriated.

Prior to the Director of Budget and Management's seeking approval of the Controlling Board, the Director of Transportation shall develop a reappropriation request plan that identifies the appropriate fund and appropriation item of the reappropriation, and the reappropriation request amount and submit the plan to the Director of Budget and Management for evaluation. The Director of Budget and Management may request additional information necessary for evaluating the reappropriation request plan, and the Director of Transportation

shall provide the requested information to the Director of Budget and Management. Based on the information provided by the Director of Transportation, the Director of Budget and Management shall determine amounts to be reappropriated by fund and appropriation item to submit to the Controlling Board for its approval.

Any balances of prior years' unencumbered appropriations to the Highway Operating Fund (Fund 7002), the Highway Capital Improvement Fund (Fund 7042), the Ohio Highway Transportation Safety Fund (Fund 5XI0), and the Infrastructure Bank funds created in section 5531.09 of the Revised Code for which reappropriations are requested and approved are subject to the availability of revenue in the funds.

Section 203.70. MAINTENANCE OF INTERSTATE HIGHWAYS

The Department of Transportation has the responsibility to maintain all interstate highways in the state. The Director of Transportation may enter into an agreement with a political subdivision to allow the political subdivision to remove snow and ice and maintain, repair, improve, or provide lighting upon interstate highways that are located within the boundaries of the political subdivision, in a manner adequate to meet the requirements of federal law.

When agreed in writing by the Director of Transportation and the legislative authority of a political subdivision and notwithstanding sections 125.01 and 125.11 of the Revised Code, the Department of Transportation may reimburse a political subdivision for all or any part of the costs, as provided by such agreement, incurred by the political subdivision in maintaining, repairing, lighting, and removing snow and ice from the interstate system.

Section 203.80. PUBLIC TRANSPORTATION HIGHWAY PURPOSE GRANTS

The Director of Transportation may use revenues from the state motor vehicle fuel tax to match approved federal grants awarded to the Department of Transportation, regional transit authorities, or eligible public transportation systems, for public transportation highway purposes, or to support local or state-funded projects for public transportation highway purposes.

Public transportation highway purposes include (1) the construction or repair of high-occupancy vehicle traffic lanes, (2) the acquisition or construction of park-and-ride facilities, (3) the acquisition or construction of public transportation vehicle loops, (4) the construction or repair of bridges used by public transportation vehicles or that are the responsibility of a regional transit authority or other public transportation system, or (5) other similar construction that is designated as an eligible public transportation highway purpose. Motor vehicle fuel tax revenues may not be used for operating assistance or for the purchase of vehicles, equipment, or maintenance facilities.

Section 203.90. AGREEMENTS WITH FEDERAL AGENCIES FOR ENVIRONMENTAL REVIEW PURPOSES

The Director of Transportation may enter into agreements as provided in this section with the United States or any department or agency of the United States, including, but not limited to, the United States Army Corps of Engineers, the United States Forest Service, the United States Environmental Protection Agency, and the United States Fish and Wildlife Service. An agreement entered into pursuant to this section

shall be solely for the purpose of dedicating staff to the expeditious and timely review of environmentally related documents submitted by the Director of Transportation, as necessary for the approval of federal permits.

The agreements may include provisions for advance payment by the Director of Transportation for labor and all other identifiable costs of the United States or any department or agency of the United States providing the services, as may be estimated by the United States, or the department or agency of the United States.

The Director shall submit a request to the Controlling Board indicating the amount of the agreement, the services to be performed by the United States or the department or agency of the United States, and the circumstances giving rise to the agreement.

Section 203.100. INDEFINITE DELIVERY INDEFINITE QUANTITY CONTRACTS

(A) As used in this section, "indefinite delivery indefinite quantity contract" means a contract for an indefinite quantity, within stated limits, of supplies or services that will be delivered by the awarded bidder over a defined contract period.

(B) The Director of Transportation shall advertise and seek bids for, and shall award, indefinite delivery indefinite quantity contracts for not more than two projects in fiscal year 2026 and for not more than two projects in fiscal year 2027. For purposes of entering into indefinite delivery indefinite quantity contracts, the Director shall do all of the following:

(1) Prepare bidding documents;

(2) Establish contract forms;

(3) Determine contract terms and conditions, including the following:

(a) The maximum overall value of the contract, which may include an allowable increase of one hundred thousand dollars or five per cent of the advertised contract value, whichever is less;

(b) The duration of the contract, including a time extension of up to one year if determined appropriate by the Director;

(c) The defined geographical area to which the contract applies, which shall be not greater than the size of one district of the Department of Transportation.

(4) Develop and implement a work order process in order to provide the awarded bidder adequate notice of requested supplies or services, the anticipated quantities of supplies, and work location information for each work order;

(5) Take any other action necessary to fulfill the duties and obligations of the Director under this section.

(C) Section 5525.01 of the Revised Code applies to indefinite delivery indefinite quantity contracts.

Section 207.10.

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

The foregoing appropriation item 195629, Roadwork Development, shall be used for road improvements associated with economic development opportunities that will retain or attract businesses for Ohio, including the construction, reconstruction, maintenance, or repair of public roads that provide access to a public airport or are located within a public airport. "Road improvements" are improvements to public roadway facilities located on, or serving or capable of serving, a project site, and include the construction, reconstruction, maintenance or repair of public roads that provide access to a public airport or are located within a public airport. The appropriation item may be used in conjunction with any other state funds appropriated for infrastructure improvements.

The Director of Budget and Management, pursuant to a plan submitted by the Director of Development or as otherwise determined by the Director of Budget and Management, shall set a cash transfer schedule to meet the cash needs of the Roadwork Development Fund (Fund 4W00) used by the Department of Development, less any other available cash. The Director of Budget and Management shall transfer such cash amounts from the Highway Operating Fund (Fund 7002) to Fund 4W00 at such times as determined by the transfer schedule.

The Director of Transportation, under the direction of the Director of Development, shall provide these funds in accordance

with all guidelines and requirements established for other Department of Development programs, including Controlling Board review and approval, as well as the requirements for usage of motor vehicle fuel tax revenue prescribed in Section 5a of Article XII, Ohio Constitution. Should the Department of Development require the assistance of the Department of Transportation to bring a project to completion, the Department of Transportation shall use its authority under Title 55 of the Revised Code to provide such assistance and may enter into contracts on behalf of the Department of Development.

Section 209.10.

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

All capital appropriations from the Local Transportation Improvement Program Fund (Fund 7052) in H.B. 23 of the 135th General Assembly remaining unencumbered as of June 30, 2025, may

be reappropriated for use during the period July 1, 2025, through June 30, 2026, for the same purpose.

Notwithstanding division (B) of section 127.14 of the Revised Code, all capital appropriations and reappropriations from the Local Transportation Improvement Program Fund (Fund 7052) in this act remaining unencumbered as of June 30, 2026, are reappropriated for use during the period July 1, 2026, through June 30, 2027, for the same purposes, subject to the availability of revenue as determined by the Director of the Public Works Commission.

TEMPORARY TRANSFERS

Notwithstanding section 127.14 of the Revised Code, the Director of Budget and Management may transfer cash from the Local Transportation Improvement Fund (Fund 7052) to the State Capital Improvement Fund (Fund 7038) and the Clean Ohio Conservation Fund (Fund 7056). The Director of Budget and Management may approve temporary cash transfers if such transfers are needed for capital outlays for which notes or bonds will be issued. When there is a sufficient cash balance in the fund that receives a cash transfer under this section, the Director of Budget and Management shall transfer cash from that fund to Fund 7052 in order to repay Fund 7052 for the amount of the temporary cash transfers made under this section. Any transfers executed under this section shall be reported to the Controlling Board by June 30 of the fiscal year in which the transfer occurred.

Section 221.10.

A			RDF STATE REVENUE DISTRIBUTIONS		
B	Revenue Distribution Fund Group				
C	7060	110652	Gasoline Excise Tax Fund - Municipal	$413,400,000	$421,900,000
D	7060	110653	Gasoline Excise Tax Fund - Township	$214,000,000	$218,400,000
E	7060	110654	Gasoline Excise Tax Fund - County	$359,800,000	$367,200,000
F	TOTAL Revenue Distribution Fund Group			$987,200,000	$1,007,500,000
G	TOTAL ALL BUDGET FUND GROUPS			$987,200,000	$1,007,500,000

The foregoing appropriation item, 110652 Gasoline Excise Tax Fund - Municipal, shall be used to make payments to municipalities under sections 5735.051 and 5735.27 of the Revised Code. The foregoing appropriation item, 110653 Gasoline Excise Tax Fund - Township, shall be used to make payments to townships under those sections. The foregoing appropriation item, 110654 Gasoline Excise Tax Fund – County, shall be used to make payments to counties under those sections. The foregoing appropriation item, 110654 Gasoline Excise Tax Fund - County, shall also be used to make payments to the Ohio Turnpike and Infrastructure Commission under section 5735.051 of the Revised Code.

Appropriation items in Section 221.10 of this act shall be used for the purpose of administering and distributing the designated revenue distribution fund according to the Revised Code. If it is determined that additional appropriations are

necessary for this purpose, such amounts are hereby appropriated.

Section 501.10. LIMITATION ON USE OF CAPITAL APPROPRIATIONS

The capital appropriations made in this act for buildings or structures, including remodeling and renovations, are limited to:

(A) Acquisition of real property or interests in real property;

(B) Buildings and structures, which includes construction, demolition, complete heating and cooling, lighting and lighting fixtures, and all necessary utilities, ventilating, plumbing, sprinkling, water, and sewer systems, when such systems are authorized or necessary;

(C) Architectural, engineering, and professional services expenses directly related to the projects;

(D) Machinery that is a part of structures at the time of initial acquisition or construction;

(E) Acquisition, development, and deployment of new computer systems, including the redevelopment or integration of existing and new computer systems, but excluding regular or ongoing maintenance or support agreements;

(F) Furniture, fixtures, or equipment that meets all the following criteria:

(1) Is essential in bringing the facility up to its intended use or is necessary for the functioning of the particular facility or project;

(2) Has a unit cost, and not the individual parts of a unit, of about $100 or more; and

(3) Has a useful life of five years or more.

Furniture, fixtures, or equipment that is not an integral part of or directly related to the basic purpose or function of a project for which moneys are appropriated shall not be paid from these appropriations.

Section 503.10. STATE ARBITRAGE REBATE AUTHORIZATION

If it is determined that a payment is necessary in the amount computed at the time to represent the portion of investment income to be rebated or amounts in lieu of or in addition to any rebate amount to be paid to the federal government in order to maintain the exclusion from gross income for federal income tax purposes of interest on those state obligations under section 148(f) of the Internal Revenue Code, such amount is hereby appropriated from those funds designated by or pursuant to the applicable proceedings authorizing the issuance of state obligations.

Payments for this purpose shall be approved and vouchered by the Office of Budget and Management.

Section 509.10. AUTHORIZATION FOR TREASURER OF STATE AND OBM TO EFFECTUATE CERTAIN LEASE RENTAL PAYMENTS

The Office of Budget and Management shall process payments from lease rental payment appropriation items during the period from July 1, 2025, to June 30, 2027, pursuant to the lease and other agreements relating to bonds or notes issued under Section 2i of Article VIII of the Ohio Constitution and Chapter 154. of the Revised Code, and acts of the General Assembly. Payments shall be made upon certification by the Treasurer of State of

the dates and amounts due on those dates.

Section 509.20. LEASE AND DEBT SERVICE PAYMENTS

Certain appropriations are in this act for the purpose of paying debt service and financing costs on general obligation bonds or notes of the state and for the purpose of making lease rental and other payments under leases and agreements relating to bonds or notes issued under the Ohio Constitution, Revised Code, and acts of the General Assembly. If it is determined that additional appropriations are necessary for this purpose, such amounts are hereby appropriated.

Section 620.10. That Section 755.20 of H.B. 23 of the 135th General Assembly be amended to read as follows:

Sec. 755.20. (A) As used in this section:

(1) "Economically significant employment center" means a single site, multiple adjoining sites, or a business park where the employers located at the site or park employ not less than two hundred fifty full-time employees who work onsite.

(2) "Rural or urban transit authorities" means regional transit authorities that are established pursuant to sections 306.30 to 306.53 of the Revised Code and that serve either a rural population, an urban population, or both populations.

(B) ~~There is hereby established the~~ The Ohio Workforce Mobility Partnership Program is continued for fiscal years 2026 and 2027. The Department of Transportation shall administer the Program. Under the Program, one or more boards of trustees of rural or urban transit authorities may either singularly or jointly apply for competitive grant funding for individual or collaborative projects. All grant funding shall be spent in accordance with division (C) of this section.

(C) Any boards of trustees awarded grants under this section shall use the grant funding for purposes of transporting resident workforce members between the service territories of the joint rural or urban transit authorities. The boards shall also use the grant money to focus on transportation that supports the employment needs of economically significant employment centers located within or near the service territories of the rural or urban transit authorities. Such support shall include efforts to easily, efficiently, and economically transport a resident workforce that either lives within a service territory that has little or no public transit service to an employment center or lives within one service territory but is employed full-time within another service territory.

(D) The Director of Transportation shall establish any procedures and requirements necessary to administer this section, including grant application, evaluation of applications, and award processes, and any conditions for the expenditure of grant funding awarded under the Program.

~~(E) This section expires two years after its effective date.~~

Section 620.11. That existing Section 755.20 of H.B. 23 of the 135th General Assembly is hereby repealed.

Section 737.10. Sections 3704.14, 4503.10, 4503.102, and 4503.103 of the Revised Code, as amended by this act, shall be known as the E-Check Ease Act.

Section 749.10. (A) Not later than December 31, 2028, the Public Utilities Commission shall complete a review of train derailments in Ohio using statistics from the Federal Railroad

Administration to identify derailments due to bearing or axle failure over the three years proceeding from the effective date of this section.

(B) The commission shall send a copy of the review described in division (A) of this section to the following:

(1) The Governor;

(2) The President of the Senate;

(3) The Speaker of the House of Representatives;

(4) The minority leaders of both the Senate and the House of Representatives.

Section 755.10. (A) The Director of Transportation, in consultation with the Northeast Ohio Areawide Coordinating Agency, shall conduct a study to develop a traffic congestion management strategic plan. However, at the Director's discretion, the Northeast Ohio Areawide Coordinating Agency may lead the study. The study shall examine the area along Interstate Route 71 between the following boundaries:

(1) To the north, U.S. Route 42;

(2) To the south, State Route 303;

(3) To the west, U.S. Route 42;

(4) To the east, West 130th Street.

(B)(1) Not later than December 31, 2026, the Director or, as applicable, the Northeast Ohio Areawide Coordinating Agency shall complete the study and submit a report of the study's findings to all of the following:

(a) The Governor;

(b) The Speaker of the House of Representatives;

(c) The President of the Senate;

(d) The chairpersons of the committees of the House of Representatives and the Senate pertaining to transportation;

(e) The chief executive officer and the legislative authority of the municipal corporations of Strongsville, North Royalton, and Brunswick.

(2) The Director or, as applicable, the Northeast Ohio Areawide Coordinating Agency may include in the report solutions to mitigate and strategically manage any traffic congestion concerns found during the study.

Section 755.20. (A) Upon recommendation under division (D) of this section, the Department of Transportation shall contract with a neutral third-party entity to conduct a study of the Department's pavement-selection process. The study shall include, but not be limited to, life cycle cost analysis, user delay analysis, constructability, and environmental factors. The Department shall hold the contract with the neutral third-party entity, and the contract shall be submitted to the Controlling Board for approval. The Controlling Board shall approve or disapprove the contract in the same manner in which contracts entered into under Chapter 5526. of the Revised Code are approved or disapproved. The entity shall be an individual or an academic, research, or professional association with an expertise in pavement-selection decisions and shall not be a research center for concrete or asphalt pavement.

The study conducted by the neutral third-party entity shall compare and contrast the Department's pavement-selection process with those of other states and with model selection

processes as described by the American Association of State Highway and Transportation Officials and the Federal Highway Administration.

(B) The Director of Transportation shall appoint an advisory council to recommend the neutral third-party entity, approve the entity's scope of study, and issue a final report with recommendations in accordance with division (D) of this section. The advisory council shall consist of the following members:

(1) The Director of Transportation, who shall act as Chairperson of the council;

(2) A member of the Ohio Society of Certified Public Accountants;

(3) A member of a statewide business organization representing major corporate entities from a list of three names recommended by the Speaker of the House of Representatives;

(4) A member of the Ohio Society of Professional Engineers;

(5) A member of a business organization representing small or independent businesses from a list of three names recommended by the President of the Senate;

(6) A representative of the Ohio Concrete Construction Association;

(7) A representative of Flexible Pavements Association of Ohio, Inc.

(C) Members of the advisory council representing the Ohio Society of Certified Public Accountants, the Ohio Society of Professional Engineers, the small or independent businesses, and

the major corporate entities shall have no conflict of interest with the position. For purposes of this section, "conflict of interest" means taking any action that violates any provision of Chapter 102. or 2921. of the Revised Code.

(D) The Director shall appoint the advisory council no later than July 31, 2025. The advisory council shall recommend the neutral third-party entity to the Director and shall determine the scope of the study to be conducted by the entity not later than September 1, 2025. Once appointed, the advisory council shall meet, at a minimum, every thirty days to direct and monitor the work of the neutral third-party entity, including responding to any questions raised by the neutral third-party entity. The council shall publish a schedule of meetings and provide adequate public notice of these meetings. The meetings are subject to applicable public meeting requirements.

The advisory council shall issue a final report with recommendations concerning the Department's pavement selection process to the Director. The report and recommendations shall take into account the study conducted by the neutral third-party entity. The advisory council shall allow a comment period of not less than thirty days before it issues the final report. The advisory council shall issue the report on or before December 31, 2025. Upon issuing its final report, the advisory council ceases to exist.

(E) The Department shall make changes to its pavement-selection process based on the neutral third-party entity's study and recommendations included in the advisory council's final report.

Section 755.30. (A) The Office of Transit within the

Department of Transportation shall conduct a pilot program to distribute private transit vouchers to persons whose income is equal to or less than four hundred per cent of the federal poverty level. The private transit vouchers shall be eligible for use for ridesharing, transportation network company, taxicab, or other similar vehicle for hire arrangements. The Office shall study and evaluate whether the distribution of vouchers is a cost-effective option to eliminate public transit routes with low ridership, while maintaining access to transit for persons eligible for the pilot program.

(B) The Office shall submit a report of its findings and recommendations not later than January 1, 2027, to the President of the Senate, the Speaker of the House of Representatives, and the chairpersons of the respective committees of the House of Representatives and Senate responsible for transportation related matters. Upon submission of the report, the pilot program is abolished.

Section 755.40. (A) Not later than October 1, 2025, the Director of Transportation shall establish the Road Safety Pilot Program to assess speed compliance in construction zones. The pilot program shall operate for one year after that date.

(B) The Director shall ensure that the Road Safety Pilot Program includes both of the following in one or more construction zones:

(1) Speed monitoring devices with flashing lights that display the speed at which a motor vehicle operator is traveling in a construction zone;

(2)

Any other methods determined by the Department that have

the effect of reducing the speed at which motor vehicle operators travel in a construction zone, including lane changes, rumble strips, and single lanes. However, for purposes of the program, the Department shall not use any traffic law photo monitoring device that records images, photographs, or video for any purpose, including issuing a citation, summons, or ticket.

(C) The Director shall post signs in each construction zone that is utilized under the Pilot Program that indicate that the construction zone is being monitored for speed for purposes of the Pilot Program.

(D) The Director may contract with a third party to implement the Pilot Program.

(E) Nothing in this section shall otherwise impact or impede the enforcement of any violation of any law. An operator of a motor vehicle shall not be cited for any violation of law based solely on information derived from speed cameras used in accordance with this section.

(F) Not later than three months after the termination of the pilot program, the Director shall submit to the President of the Senate, the Speaker of the House of Representatives, and the Governor a report regarding the results of the Road Safety Pilot Program. The report shall include data summarizing instances of excessive speed in construction zones that are included in the pilot program.

Section 755.50. The Director of Transportation shall conduct a feasibility study for the creation of an Interstate Route 73 corridor connecting the municipal corporation of Toledo to the municipal corporation of Chesapeake, primarily alongside current United States Route 23. The purpose of the new corridor

is to better connect Interstate Route 74, Interstate Route 75, and the states of Michigan, Ohio, West Virginia, Virginia, North Carolina, and South Carolina along one continuous interstate route.

The feasibility study shall examine how to alleviate congestion along United States Route 23, the economic impacts of a new interstate corridor, safety concerns, connectivity issues, and methods for coordinating with the other states and the United States Department of Transportation for the creation of the corridor.

The Director shall complete the feasibility study not later than December 31, 2026.

Section 757.10. MOTOR FUEL TAX DISTRIBUTIONS TO HIGHWAY OPERATING FUND

On the last day of each month in the biennium ending June 30, 2027, before making any of the distributions specified in section 5735.051 of the Revised Code but after any transfers to the tax refund fund as required by that section and section 5703.052 of the Revised Code, the Treasurer of State shall deposit the first two per cent of the amount of motor fuel tax received for the preceding calendar month to the credit of the Highway Operating Fund (Fund 7002).

Section 757.20. MOTOR FUEL DEALER REFUNDS

Notwithstanding Chapter 5735. of the Revised Code, the following apply for the period of July 1, 2025, to June 30, 2027:

(A) For the discount under section 5735.06 of the Revised Code, if the monthly report is timely filed and the tax is timely paid, one per cent of the total number of gallons of

motor fuel received by the motor fuel dealer within the state during the preceding calendar month, less the total number of gallons deducted under divisions (B)(1)(a) and (b) of section 5735.06 of the Revised Code, less one-half of one per cent of the total number of gallons of motor fuel that were sold to a retail dealer during the preceding calendar month.

(B) For the semiannual periods ending December 31, 2025, June 30, 2026, December 31, 2026, and June 30, 2027, the refund provided to retail dealers under section 5735.141 of the Revised Code shall be one-half of one per cent of the Ohio motor fuel taxes paid on fuel purchased during those semiannual periods.

Section 757.30. MONTHLY TRANSFERS TO GASOLINE EXCISE TAX FUND

The Director of Budget and Management shall transfer cash in equal monthly increments totaling $179,054,124 in fiscal year 2026 and in equal monthly increments totaling $187,584,952 in fiscal year 2027 from the Highway Operating Fund (Fund 7002) to the Gasoline Excise Tax Fund (Fund 7060). The monthly amounts transferred under this section shall be distributed as follows:

(A) 42.86 per cent shall be distributed among the municipal corporations within the state under division (A)(2)(b)(i) of section 5735.051 of the Revised Code;

(B) 37.14 per cent shall be distributed among the counties within the state under division (A)(2)(b)(ii) of section 5735.051 of the Revised Code; and

(C) 20 per cent shall be distributed among the townships within the state under division (A)(2)(b)(iii) of section 5735.051 of the Revised Code.

Section 801.10. PROVISIONS OF LAW GENERALLY APPLICABLE TO

APPROPRIATIONS

Law contained in the main operating appropriations act of the 136th General Assembly that is generally applicable to the appropriations made in the main operating appropriations act also is generally applicable to the appropriations made in this act.

Section 805.10. SEVERABILITY

The items of law contained in this act, and their applications, are severable. If any item of law contained in this act, or if any application of any item of law contained in this act, is held invalid, the invalidity does not affect other items of law contained in this act and their applications that can be given effect without the invalid item or application.

Section 810.10. An item of law, other than an amending, enacting, or repealing clause, that composes the whole or part of an uncodified section contained in this act has no effect after June 30, 2027, unless its context clearly indicates otherwise.

Section 820.10. APPROPRIATIONS AND REFERENDUM

In this section, an "appropriation" includes another provision of law in this act that relates to the subject of the appropriation.

An appropriation of money made in this act is not subject to the referendum insofar as a contemplated expenditure authorized thereby is wholly to meet a current expense within the meaning of Ohio Constitution, Article II, Section 1d and section 1.471 of the Revised Code. To that extent, the appropriation takes effect immediately when this act becomes law. Conversely, the appropriation is subject to the referendum

insofar as a contemplated expenditure authorized thereby is wholly or partly not to meet a current expense within the meaning of Ohio Constitution, Article II, Section 1d. To that extent, the appropriation takes effect on the ninety-first day after this act is filed with the Secretary of State.

Section 820.30. LAWS AND REFERENDUM

Except as otherwise provided in this act, the amendment, enactment, or repeal by this act of a section of law is subject to the referendum under Ohio Constitution, Article II, Section 1c and therefore takes effect on the ninety-first day after this act is filed with the Secretary of State or, if a later effective date is specified below, on that date.

Section 820.40. Sections 4503.183, 4505.072, 4505.08, 4513.071, 4513.38, and 4513.41 of the Revised Code, as amended or enacted by this act, take effect one hundred eighty days after the effective date of this section.

Section 830.10. The General Assembly, applying the principle stated in division (B) of section 1.52 of the Revised Code that amendments are to be harmonized if reasonably capable of simultaneous operation, finds that the following sections, presented in this act as composites of the sections as amended by the acts indicated, are the resulting versions of the sections in effect prior to the effective date of the sections as presented in this act:

Section 4511.61 of the Revised Code as amended by both H.B. 26 and H.B. 95 of the 132nd General Assembly.

Section 4511.132 of the Revised Code as amended by H.B. 9, H.B. 26, H.B. 95, and H.B. 250, all of the 132nd General Assembly.